

**MIDTOWN MIAMI**

**COMMUNITY DEVELOPMENT  
DISTRICT**

**September 12, 2023**

**BOARD OF SUPERVISORS**

**PUBLIC HEARING**

**AND REGULAR**

**MEETING AGENDA**

**MIDTOWN MIAMI**  
**COMMUNITY DEVELOPMENT DISTRICT**

**AGENDA**  
**LETTER**

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

September 5, 2023

**ATTENDEES:**

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

Board of Supervisors  
Midtown Miami Community Development District

Dear Board Members:

The Board of Supervisors of the Midtown Miami Community Development District will hold a Public Hearing and Regular Meeting on September 12, 2023 at 2:00 p.m., at the offices of the CDD, Shops at Midtown Miami, 3401 N. Miami Avenue, Suite 132, Miami, Florida 33127. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Consideration of Responses to Request for Proposals for Parking Management Services
  - A. Affidavit of Publication
  - B. RFP Package
  - C. Respondents:
    - I. Lanier Parking
    - II. One Parking
    - III. SP+ Parking
    - IV. Universal Parking
  - D. Competitive Selection Criteria/Ranking
  - E. Award of Contract
4. Ratification of First Amendment to Parking Facility Management Agreement
5. Public Hearing on Adoption of Fiscal Year 2023/2024 Budget
  - A. Proof/Affidavit of Publication
  - B. Consideration of Resolution 2023-08, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date

6. Consideration of Resolution 2023-09, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; 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
7. Discussion/Consideration of Tesla, Inc., Supercharger Agreement
8. Consideration of Greenberg Traurig, P.A., Invoice No. 1000386106 for CRA Audit Services
9. Acceptance of Unaudited Financial Statements as of July 31, 2023
10. Approval of July 11, 2023 Regular Meeting Minutes
11. Staff Reports
  - A. Operations Manager: *Deborah Samuel*
    - I. Monthly Report
    - II. Parking Information
      - Executive Summary
      - Transient Parking Year Over Year Comparison
      - Revenue By Lane Reports
  - B. District Counsel: *Billing, Cochran, Lyles, Mauro & Ramsey, P.A.*
    - Memorandum Regarding 2023 Legislative Update
  - C. District Engineer: *Alvarez Engineers, Inc.*
  - D. District Manager: *Wrathell, Hunt and Associates, LLC*
    - NEXT MEETING DATE: October 10, 2023 at 2:00 PM
      - QUORUM CHECK

SEAT 1	JOSEPH PADULA	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	LINDSEY VICHA	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	ALEX MIRANDA	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	KIAHNA PEREZ	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	PIETRO RICCOBONO	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

12. Public Comments
13. Supervisors' Requests

14. Adjournment

Should you have any questions, please do not hesitate to contact me directly at (561) 346-5294 or Daniel Rom at (561) 909-7930.

Sincerely,



Cindy Cerbone  
District Manager

**FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE**

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

**PARTICIPANT PASSCODE: 528 064 2804**

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT**

**3A**

**MIAMI-DADE**

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

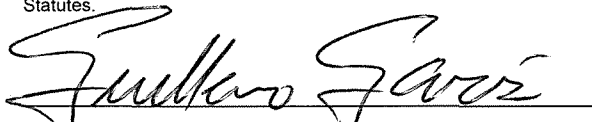
Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT -  
REQUEST FOR PROPOSALS - PARKING MANAGEMENT  
SERVICES - FOR - MIDTOWN MIAMI PARKING OPERATIONS

in the XXXX Court,  
was published in a newspaper by print in the issues of Miami  
Daily Business Review f/k/a Miami Review on

07/27/2023

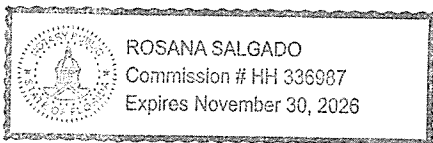
Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.



Sworn to and subscribed before me this  
27 day of JULY, A.D. 2023



(SEALED)  
GUILLERMO GARCIA personally known to me



**NOTICE TO CONTRACTORS  
REQUEST FOR PROPOSALS  
PARKING MANAGEMENT SERVICES FOR  
MIDTOWN MIAMI PARKING OPERATIONS  
FOR MIDTOWN MIAMI COMMUNITY  
DEVELOPMENT DISTRICT  
MIAMI-DADE COUNTY, FLORIDA**

Hard copies of the proposals will be accepted at the Midtown Management Office, 3401 N. Miami Ave, Suite 132 (Garage 2nd Floor), Miami, FL 33127,

until 12:00 pm EDT on September 1, 2023 and online submissions via email to [CEO@parkingwhisperer.com](mailto:CEO@parkingwhisperer.com) for the parking operations as described below. Hard copy and electronic proposal submissions are both required. The Board of Supervisors of Midtown Miami Community Development District will meet on September 12, 2023 at its regular meeting, or as soon after as necessary, to discuss and determine the award of the request for proposals ("RFP").

- 1) The parking management services and operations consist of the management of three (3) parking garages serving the Shops at Midtown, area office parking, restaurants, residents and visitors.
- 2) The parking management services and operations RFP shall be evaluated based upon the following, as more particularly set forth in the RFP packets:
  - a. Fixed Management Fees - Base Fee, Liability Insurance/GKLL
  - b. Proposed Variable Cost - Staffing, Taxes, WC, Employee Health Coverage, supplies, auto damages, incentive fees, etc. (a worksheet will be provided)
  - c. Company Information and Operations
  - d. Plan for Operation of parking facilities
- 3) The three (3) garages are the North Block Parking Garage (located in The Shops at Midtown Miami) the South Block Garage and Midblock Garage totaling approximately 3,200 parking spaces. The facilities are bounded on the North by NE 36th Street, on the East by Midtown Boulevard, on the South by NE 29th Street, and on the West by North Miami Avenue.
- 4) The parking management services and operations shall be awarded to a single proposer.

Proposers may obtain complete information and RFP documents electronically by emailing Daphne Gillyard at [gillyardd@whhassociates.com](mailto:gillyardd@whhassociates.com), with a copy to John Oglesby at [CEO@ParkingWhisperer.com](mailto:CEO@ParkingWhisperer.com), Deborah Samuel at [manager@midtownmiamicdd.net](mailto:manager@midtownmiamicdd.net) and Daniel Rom at [romd@whhassociates.com](mailto:romd@whhassociates.com) beginning on Thursday, July 27, 2023. The information package also includes eligibility requirements and factors that will be considered in determining the lowest most responsive and responsible proposal.

The Owner reserves the right to reject all proposals with or without cause, to waive technical errors and informalities, and to accept the proposal which best serves the interest of the Owner.

Owner: Midtown Miami Community Development District

By: Deborah Samuel  
Operations Manager

7/27

23-26/0000675152M

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT**

**3B**



# **REQUEST FOR PROPOSAL (RFP)**

## **Parking Management Services**

**Midtown Miami Community Development District (“Midtown  
Miami CDD”)**

**DATE OF RFP ISSUANCE: July 27, 2023**

**RFP SUBMISSION DEADLINE: Sept. 1, 2023 @ 12:00 PM EDT**

**Electronically via email on or before September 1, 2023 @  
12:00 PM EDT to the addresses specified.**

**In addition, three (3) printed and bound copies are to be delivered by 12:00 PM EDT to the address specified. The envelope must be marked “Parking Management Services RFP – Midtown Miami Community Development District.” Proposals received after the time and date stipulated above will be returned unopened to the Proposer.**

**Section 1. GENERAL:**

Midtown Miami CDD, the “Client”, is pleased to invite your firm to submit a Managed Parking Proposal outlining your approach to providing Parking Services for the three Midtown Miami CDD garages (North block, South block, Midblock). Your Proposal submission should detail the benefits which will accrue as a direct result of your company providing parking management services.

Proposers may obtain complete information and RFP documents electronically by emailing Daphne Gillyard at gillyardd@whhassociates.com, with a copy to John Oglesby at CEO@ParkingWhisperer.com, Deborah Samuel at manager@midtownmiamicdd.net and Daniel Rom at romd@whhassociates.com beginning on Thursday, July 27, 2023. The information package also includes eligibility requirements and factors that will be considered in determining the lowest responsive and responsible proposal.

**Section 2. SCHEDULE OF EVENTS, MANDATORY SITE VISITS and PRE-BID MEETING:**

At least one, but no more than three representatives from each of the Proponents, is required to attend the Parking Facility Site Visits and the Pre-Bid Meeting. The purpose of the Mandatory Site Visits is to help familiarize the Proponents with the Parking Facilities, potential advertising revenue opportunities, revenue-generating opportunities, parking operations, staffing needs, current Parking Equipment, access points, etc.

Attendance to the visit will be taken, and questions may be posed during the site visit. Proponents are advised that questions posed to the Consultant or Client must be submitted in writing by the Proponent and will be responded to by email before the Deadline for Submitting and Answering Questions.

<b>DATE</b>	<b>EVENT</b>
July 27, 2023	RFP Notice is issued.
July 27, 2023	RFP package available via e-mail request.
August 14, 2023 at 11:00 a.m. EDT	Mandatory on-site Pre-proposal meeting.
August 14, 2023 (Immediately following pre-proposal meeting)	Site inspections available immediately following the Pre-proposal meeting. <i>Please contact John Oglesby after the Pre-proposal meeting to confirm your site visit.</i>
August 18, 2023 at 5:00 p.m. EDT	Deadline for questions.
September 1, 2023 at 12:00 p.m. EDT	Proposals submittal deadline and bid opening

**Section 3. RFP CONSULTANT:**

The following individuals and firms will act as the **sole** contacts to proponents for any questions:

**John Oglesby, CEO**

**Parking Whisperer**

**Email: [CEO@ParkingWhisperer.com](mailto:CEO@ParkingWhisperer.com)**

**Email: [Manager@MidtownMiamiCDD.net](mailto:Manager@MidtownMiamiCDD.net)**

All communications will be in writing (email) and may be shared with all Proponents, if appropriate. The exceptions are in-person meetings, including the pre-bid, interviews and presentations. All questions and answers will be provided in an addendum to all proponents.

**Section 4. PRESENTATIONS/INTERVIEWS:** It is anticipated that qualified Proponents will be required to present to the Consultant and Operations Manager, who will provide a recommendation to the Midtown Miami CDD Board of Supervisors at the September 12<sup>th</sup> meeting. In advance of the meeting, the Board of Supervisors will receive copies of the RFP responses for their own review.

## **Section 5. START DATE:**

It is anticipated that the commencement date of parking management services will be November 1<sup>st</sup>, 2023.

## **Section 6. PROPOSALS:**

Your proposal should be organized using the format below, and understand that the parking management services provider will demonstrate the following to address the Selection Criteria:

1. Provide a solid understanding of each location, the surrounding market, the need of the tenants, prospective tenants, Midtown Miami CDD, and the property owners.
2. Provide a strong fact-based business plan to maximize net revenues, minimize expenses, and consider all lease requirements carefully.
3. Demonstrate the strengths of the local and corporate team with the most vital facility managers, customer service, and asset-focused procedures to best serve the client, ownership, and tenants.
4. Provide a focused business plan with strategies identified while minimizing unnecessary “boilerplate” or non-specific information.

## **Section 7. STRUCTURE AND SIZE OF PROPOSAL:**

1. The core proposal shall be at most fifty (50) pages.
2. Attachments/Exhibits shall include:
  - a. A completed **“Parking Whisperer Proposed Budget” Exhibit A**, Excel workbook file populated with all relevant fields in yellow by the facilities or complete portfolio.
  - b. **Exhibit A** will be provided to the attendees at the Mandatory Pre-Bid. The workbook will include the 2024 Budgets, and proponents will provide their estimated expenses as part of the submittal.
  - c. A sample of the required reporting package is identified.

## **Section 8. PROPOSAL COMPONENTS AND RESPONSIVE RESPONSE:**

Proposal components should be comprised of the following sections in the following order:

1. Company:
  - a) Cover letter signed by an Officer of the company.
  - b) An “Executive Summary” of no more than three (3) pages discussing the key benefits to the Midtown Miami CDD of your proposal, along with significant points relating to your proposed management and operations of the facilities (capital improvements, technology, improved operating methods, improvements in customer service practices, proposed personnel, etc.).
  - c) A narrative and table detailing your proposed fixed management fee offerings by location.
  - d) Current client references, preferably for comparable facilities and similar client profiles.
  - e) Provide the history and ownership of the company.
  - f) Provide information on any lawsuit, cancellation, or removal from a location in Broward, Palm Beach, or Miami-Dade counties during the past five (5) years. Include location, name, reason for departure, and client contact information.
  - g) Recommendations on the most current and technologically advanced parking equipment solutions in the market appropriate to each facility.
  - h) Maximizing current and potential Parking Revenues from within the Midtown Miami CDD.
  - i) Maximizing operational performance and efficiency.
  - j) Additional revenue-generating initiatives aligned with the requirements of the Midtown Miami CDD.

- k) Commentary about the future of parking in and around the Midtown Miami CDD.
- l) Additional financial benefits if your company is selected to manage the Midtown Miami CDD.
- m) Additional non-financial value if your company is selected to manage the Midtown Miami CDD.
- n) Provide contact information for the two most similar locations “lost” in the past two years, if any, and the reason for “losing” the location.
- o) Current client references, preferably for comparable facilities and similar client profiles.

2. Team:

- a) Provide a local organizational chart for the location, city, and regional reporting structure with titles.
- b) Provide a description/biography for each key person and their role.
- c) Provide a complete description (and resume) for the proposed manager(s) and a contact for current key clients, including why this manager is the best “fit” for the location.
- d) Staffing Plan - Provide an adequate staffing plan to address each location's customer and client service needs. Please note that maintenance and janitorial responsibilities associated with the Midtown Miami CDD garages are not the responsibility of the parking services provider. Please note that office hours require minimum staffing seven (7) days per week between 8 am thru 7 pm, and onsite monitoring (not remote) services are provided daily between 8 am and 12 am.
- e) Describe your staffing plan and why you feel that is the best solution for each location.
- f) Address any changes to the current method of operation and the reasons your proposal best meets the needs of Midtown Miami CDD.
- g) Describe how your staffing plan best addresses the Midtown Miami CDD needs and objectives.

3. Describe any PROPOSED changes to the method of operation and its advantages to the current operation:

- a) Capital improvement plan and recommendations, including, but not limited to, costs, options, projected return on investment (“ROI”), and benefit to customer service impact and tenant occupancy.
- b) Other needs and recommendations.

4. Equipment Needs:

- a) Proposer recommendations to any proposed new or upgraded equipment to address deficiencies with existing magstripe tickets and readers.
- b) Cost to Midtown Miami CDD and minimum term to depreciate, options if terminated before depreciation ends. Include any depreciation table as an exhibit.
- c) Provide recommendations for server utilization (onsite or cloud-hosted).

5. Revenue Recommendations: The Midtown Miami CDD exists to service the needs and demands of the Midtown Miami retailers, the offices, the residents of Midtown Miami and the general public, as a public parking garage. Proposers should focus on control and demand within the facilities and anticipate future use. Operators shall identify any revenue opportunities but shall not focus on those that will sacrifice the occupancy or the guest parking experience for Midtown Miami guests, tenants, or the general public.

- a) Provide rate surveys, one for transient and one for monthly, with the current operator of each.
- b) Provide recommended rates for 2024 with rationale for these rates.
- c) Identify or propose monthly rates.
- d) Transient and validation rates.
- e) General strategy or thought processes regarding demand and rate recommendations.
- f) Market analysis and commentary.

- g) Present any opportunities, risks, or concerns for the Midtown Miami CDD parking garages.
- h) Discuss any creative or other suggestions for services, products, or longer-term considerations you recommend for Midtown Miami parking garages.
- i) Present any concerns or issues with your other opportunities you would like to address (competition, known market changes, market strength, other variables) as to why your company should be selected.
- j) Reporting samples.
- k) Discuss and provide a complete one-month, including year-end sample “package”.

6. Trend Analysis Sample Reporting. Provide and identify as Exhibit B.

- a) Variance Summary and Explanations.
- b) Call Center Recap of Calls (if any).
- c) Tenant Monthly Report of garage usage.
- d) Lease Abstract tracking and notification.
- e) Accounts Receivable Reporting.
- f) Tenant Monthly Billing.
- g) Transient Revenue reporting and usage
- h) Coupons and Validations
- i) On-Line or Third-Party sales
- j) General Ledger
- k) Expense Backup and Detail
- l) Year-to-Date comparison
- m) Quarterly and Annual Reporting
- n) Cover Letter
- o) Trend Analysis
- p) Variance Summary and Explanations
- q) Call Center Recap of Calls
- r) Tenant Monthly Report of garage usage
- s) Tenant Lease Abstract tracking and notification
- t) Accounts Receivable Reporting
- u) Tenant Monthly Billing
- v) Transient Revenue reporting and usage
- w) Coupons and Validations
- x) On-Line or Third-Party sales
- y) General Ledger
- z) Expenses Backup
- aa) Year-to-Date comparison

7. Financial Offer

- a) A narrative and table detailing your proposed fixed offering.
- b) Financial performance projections for increased parking revenue.
- c) Detail any significant changes to the current pricing or operation that your company recommends.
- d) Any additional information, offers, or recommendations that would impact the financial review process.
- e) Fill out Exhibit A as instructed, making good use of the comments sections when needed and avoiding modification of any cells or formulas without expressed approval in advance.
- f) Eliminate (or minimize) disclaimers or variables whenever possible.

## 8. Why Select Us?

- a) Address why **Midtown Miami CDD** should select your company.
- b) Technologies to be considered or avoided in the current marketplace.
- c) Any guarantees or unique qualifications.

### **Section 9. COMMITMENT TO EXCELLENCE:**

Midtown Miami CDD is committed to the highest level of service and strives to exceed expectations of providing a public parking garage in the City of Miami. Service is the key to a successful public parking garage.

With technology's ever-changing role and applications in real estate, Midtown Miami CDD is consistently reviewing existing programs and evolving technology to offer the most up-to-date programs. We are interested in your initiatives, ideas, recommendations, and commitment.

### **Section 10. COMMITMENT TO RESPONSIBLE PROPERTY MANAGEMENT PRINCIPLES:**

Midtown Miami CDD abides by the requirements of Miami-Dade County and City of Miami regarding fair working conditions for workers providing services.

A "Responsible Contractor" is a contractor, subcontractor, or service provider who pays workers fair wages and fair benefits as evidenced by payroll and employee records. What constitutes "fair wages" and "fair benefits" depend on the wages and benefits paid on comparable real estate projects, based upon local market factors, that include the nature of the project (e.g., residential, or commercial, public or private), comparable job or trade classifications, and the scope and complexity of services provided. In all cases, as a minimum standard, a Responsible Contractor complies with all jurisdictional Employment Standards and Labor laws.

### **Section 11. PARKING FACILITY STAFF:**

The successful Proponent will be entirely responsible for the staffing and scheduling of Parking Facility personnel and when/where additional staff is required (i.e., attendant staff, flaggers for special events, additional support staff when needed, etc.), including the staffing of Parking Enforcement personnel for payment enforcement, issuance of parking violations, towing, etc. The successful Proponent shall also be responsible to:

1. Maintain and show evidence of adequate staffing and well-trained backup and supervisory staff ready to assist immediately in such events as personnel absence, tardiness, replacement, or other emergency or unusual circumstances.  
Have carefully interviewed, security screened, completed background checks and ensured that Parking Card Industry (PCI) compliance and training for all Parking Facility staff.
2. Ensure that all of its employees are legally entitled to work in the City of Miami and all persons employed in the Parking Facility are temperate, orderly, competent, and perform their duties properly.
3. Report any damage to the Parking Facility, Property, building, grounds, and/or its contents to the Client's Property representative immediately.
4. Report any damage to the Parking Facility, Property, grounds, and/or its contents which has not been caused by the Successful Proponent or its staff to the Client's Property representative immediately. Any damages found or caused by the staff of the Successful Proponent must be reported on a damage report form, which the Client shall approve.
5. Ensure that employees engaged in the Parking Facility operation are provided with and wear, at all times, uniforms approved by the Client in terms of design, color, and identification. The successful Proponent will be responsible for all costs associated with cleaning and/or maintaining staff uniforms.

In addition to the above, while on duty, all successful Proponent staff must always be well-groomed and maintain good personal hygiene.

6. Ensure that the Parking Facility does not operate any vehicle(s) or report for/to work under the influence of alcohol, drugs (legal or not), or any other substance(s) that may be illegal or inappropriate. The successful Proponent will assume all liability associated with employing an attendant, customer service, or event at the Parking Facility. The successful Proponent will be wholly responsible and liable for all actions, negligence, or damage(s) to the Person or Property caused by all Parking Facility staff, regardless of if the employee is or is not under the influence of any substance(s), alcohol, or drugs.

#### **Section 12. TERM OF AGREEMENT:**

The Agreement with the successful Proponent will be for five (5) years. The Client shall have the option to extend the term of the Agreement (under the same conditions when originally signed) for an additional two (2) years upon giving notice to the successful Proponent no later than sixty (60) days before the expiration of the initial five (5) year Agreement term. The Client will have the right to extend an expired Agreement month-to-month at its discretion.

#### **Section 13. ASSIGNMENT OF AGREEMENT:**

The successful proponent will not assign any Agreement(s) awarded under this RFP, in part, or in whole, to any other Company and Firm, without the express written approval of the Client. The Client reserves the right to assign any Agreement(s) awarded pursuant to this RFP, in part or whole, to another legal entity, at its sole discretion.

#### **Section 14. SUCCESSION OF AGREEMENT:**

Any Agreement(s) under this RFP is not transferable to any other Proponent, Company, Person, or legal entity without the Client's express written consent in advance.

#### **Section 15. TERMINATION OF AGREEMENT:**

The Client may terminate the Agreement(s) with the Successful Proponent at any time throughout the Term or Renewal Term of the Agreement by giving thirty (30) days' written notice of termination to the Proponent without indemnity or penalty payable or any other legal recourse or action.

#### **Section 16. TERMINATION OF AGREEMENT FOR CAUSE:**

**The Client may terminate the Agreement immediately for cause without having to provide any prior written notice to the Successful Proponent in the event of:**

1. Failure to submit any monetary payment(s) owed to the Client by the due date; **or**
2. Damage to Client's property or property managed on behalf of the Client for a third party; **or**
3. Disruption of Client's property or property operations; **or**
4. Failure of the Successful Proponent to obtain and maintain any state, county, and municipal license(s) or state, county, or municipal requirements to operate the Parking Facility as per City, state, and federal requirements; **or**
5. Successful Proponent's labor disruption; **or**
6. Failure by the Successful Proponent to provide reports, documents, or audit documents as required; **or**
7. Violation of the Law(s); **or**
8. Non-compliance by the Successful Proponent of health and safety, environmental standards, city, state, federal, or other Law(s); **or**
9. If the Successful Proponent is adjudged bankrupt or makes a general assignment in bankruptcy or if a receiver is appointed to take charge of the Successful Proponent's affairs; **or**

10. If liens or hypothecs have been registered by any Subcontractor(s), third party, third parties, or supplier(s) on the Client's Property or Managed Property as a result of the Successful Proponent's non-payment to such Subcontractor(s), third party, third parties and supplier(s) and such liens or hypothecs are not discharged within ten days: **or**
11. Upon an event of Force Majeure that prevents the Successful Proponent from performing its duties under the Agreement.

**If the Agreement with the Successful Proponent is terminated for cause, the Client in their sole discretion, shall be entitled to fulfill the Parking Management Services previously overseen by the Successful Proponent for the Parking Facilities in any manner it deems fit or appropriate to operate first class Parking Facilities. The Successful Proponent will be responsible for any additional costs and fees incurred by the Client to manage the Parking Facilities as a result of terminating the Agreement for cause.**

### **Section 17. DATA SECURITY:**

The Successful Proponent must exercise industry best practices and protocols to ensure the protection and security of all data processed through the Parking Equipment and subsequent payment processing systems at the Parking Facility or through any websites, mobile payment applications, or hosting platforms up to and including but not limited to:

2. Securing hardware, servers, storage, etc.; and
3. Firewalls to protect against unauthorized access; and
4. SSL encryptions on websites; and
5. PSI-DSS/SAS 70 Type II certification; and
6. Minimizing the Client's exposure to data breaches such as credit card numbers, personally identifiable information (PII), etc.

**Proponents should include as part of their Proposal recommendations that will improve the Parking Facility's overall carbon footprint and environmental impact.**

### **SECTION 18. ONLINE BID SUBMISSIONS - PROPONENT PROPOSALS:**

To respond to this RFP, Proponents must submit their Proposals via email to [CEO@ParkingWhisperer.com](mailto:CEO@ParkingWhisperer.com) no later than 12:00 PM EDT, September 1, 2023. Three (3) printed and bound copies will also be provided no later than 12:00 PM EDT, September 1, 2023.

Printed copies should be delivered to the following address:

Ms. Deborah Samuel  
Manager  
Midtown Miami CDD  
3401 North Miami Avenue, Suite 132  
Miami, FL 33127

Proposals from Proponents may only be delivered as noted above. All information regarding this RFP for Parking Management Services, including, but not limited to, RFP documents, electronic attachments, Excel File(s), Addendums, etc., shall be made available to Proponents registered as the official representative.



## Section 19. INSURANCE AND LIABILITY:

Upon notification of the Successful Proponent and prior to reaching an Agreement for the Parking Facility, the Successful Proponent must at its own expense maintain Garage Automobile Liability insurance in such amounts as from time to time are carried by prudent owners and operators of similar Parking Facilities provided, however, that in no event shall such insurance afford protection to the limit of less than One Million Dollars (\$1,000,000.00) and with additional legal liability for damage to customers' autos in amounts sufficient to cover the exposure to loss (minimum \$50,000 per auto). Midtown Miami Community Development District, and Owner(s) shall be included as additional insureds. The Successful Proponent must at its own expense:

1. Provide a current Commercial General Liability Insurance Policy Certificate and shall maintain coverage throughout the Agreement. The Successful Proponent shall carry insurance for not less than \$2,000,000.00 (inclusive coverage) per occurrence for bodily injury, including death, personal injury, and property damage. The Successful Proponent must contractually agree to indemnify and defend the Client against any legal action that arises from a third-party claim and agrees to pay any damage awards and any and all related expenses up to and including the full amount of the policy. The Successful Proponent must provide the Client with at least thirty (30) days' notice in writing in advance of any cancellation, change, or amendment(s) restricting the insurance coverage. Such insurance shall contain a waiver of any insurer's rights of subrogation against the Additional Insureds. Coverage shall include extensions for products and completed operations, broad form property damage, non-owned automobile liability, contractual liability, severability of interest and cross-liability clauses, and limited pollution liability.
2. Provide proof of an Automobile Liability Insurance Policy in respect of licensed vehicles that shall have limits of not less than \$1,000,000.00 (inclusive per occurrence) for bodily injury, death and damage to property, covering all licensed vehicles owned or leased by the Successful Proponent/Subcontractor and endorsed and ensure to provide the Client with not less than thirty (30) days' notice in writing in advance of any cancellation, change or amendment(s) restricting any of the coverage.
3. Provide a Parking Facility automobile policy including, but not limited to, the following:
  - a) Liability for damage to customers' automobiles:  
Comprehensive coverage – OEF 77 Liability for Comprehensive Damage to a Customers Automobile Endorsement (including Open Lot Theft) for a limit of not less than a dollar value equal to the following calculations:

**Liability limit = max number of vehicles at one lot multiplied by an average of \$50,000.00 dollar value of a vehicle under the care, custody, and control of the Successful Proponent.**

**Collision or Upset coverage for a limit of not less than the dollar value of a maximum value of a vehicle unit under the care, custody, and control of the Successful Proponent.**

Provide all risks property insurance on all equipment owned, leased, rented, or borrowed by the Successful Proponent or its agents, Subcontractor(s) to be used in connection with the Parking Operations Management Agreement. Such policies will include a Waiver of the Subrogation clause against the Client and its directors, officers, and employees, regardless of negligence.

4. Provide a Workplace Safety and Insurance Board (WSIB) Clearance Certificate. Workers Compensation/Employer's Liability/Disability insurance is meeting statutory limits mandated by the jurisdiction in which the Parking Facility.

5. Be fully responsible for any damage caused by the Successful Proponent, its employees, or Subcontractor(s) to any portion of the Client's Property and will remedy such damage within fifteen (15) days upon receiving a written report from the Client.
6. The Successful Proponent shall also, during the Term, at its sole cost and expense, obtain and maintain Employee Dishonesty Insurance in an amount of not less than \$1,000,000.00 concerning its employees who handle or are responsible for monies in connection with the Parking Facility, including an endorsement for theft of, including, but not limited to property, money, and securities belonging to third parties.

The minimum rating of each of the Successful Proponent's insurers shall be as the Client reasonably requires from time to time. Higher amounts of insurance than those indicated above may be required by the Client at any time during the term of the Agreement if the work to be performed or the services to be rendered pursuant to the Agreement are deemed by the Client to be hazardous. The Client and any beneficial owner of the Property designated by the Client shall each be named as additional insureds with respect to the Successful Proponent's and any Subcontractors' (engaged by the Successful Proponent) automobile liability, general commercial liability and excess liability policies. The Successful Proponent shall furnish the Client with certificates of insurance upon execution of the Agreement and at any time when the Successful Proponent's coverage is renewed, replaced or modified, evidencing the insurance above coverage.

All of the Successful Proponent's insurance policies will include a provision that the Successful Proponent's insurers will provide the Client with at least thirty (30) days prior written notice of cancellation or non-renewal of the policy or any material change in any such policies. The Successful Proponent would release and waive any claims against the Client and all beneficial owners of the Property and those for whom they are in law responsible with respect to occurrences which are required to be insured against by the Successful Proponent hereunder or which are otherwise insured by the Successful Proponent, such release to be up to the amount of insurance proceeds received or which would have been received by the Successful Proponent if it had pursued all insurance claims with diligence.

The Successful Proponent will, at its own expense, indemnify, defend and hold the Client and all beneficial owners of the Property harmless from and against any and all claims, demands, causes of action, losses, damages, fines, penalties, liabilities, costs and expenses including attorneys' fees, court costs and costs of settlement sustained or incurred by or asserted against such parties by reason of or arising out of the Successful Proponent's negligence or misconduct or failure to properly perform any of the Successful Proponent's duties and obligations pursuant to the Agreement. The Successful Proponent's Agreement under this section will survive termination of the Agreement to the extent of any liability or obligation arising out of facts or circumstances occurring or existing before such termination.

#### **Section 20. ANNUAL BUDGETS:**

Not less than one hundred and eighty (180) days prior to the commencement of each Fiscal Year (October 1 through September 30), the Successful Proponent will prepare and submit to the Client for its approval the following materials in respect of the Parking Facility:

1. An annual operating budget is broken down by month (Oct-Sept), which shall set forth both anticipated revenues on an accrual basis.
2. An annual capital expenditure budget.
3. An annual operations plan shall set forth proposals on the use of the Parking Facility, parking rates, and any other material terms and conditions for maximizing revenues from the Parking Facility.
4. At most ten (10) days after the end of each month in each Fiscal Year, the Successful Proponent shall prepare and provide to the Client a written and/or electronic report.

## **Section 21. MONTHLY REPORTS:**

The Successful Proponent will only change its procedures relating to any aspect of its reporting with prior written consent from the Client, which consent shall not be unreasonably withheld. The Successful Proponent agrees to meet at the Properties to review the monthly statements as requested by the Client. The required frequency of these meetings will be at the Client's sole discretion but at least on a quarterly fiscal basis.

1. An income statement comparing monthly budget and monthly actual, and year-to-date budget and year-to-date actual with narrative variance analysis on significant variances.
2. A 12-month summary report showing, by month, all revenues and income, including but not limited to transient income and monthly income. The 12 months shall include the current and prior 11 months.
3. Monthly balance sheet.
4. Monthly bank reconciliation.
5. A detailed Area Market Rate Survey report, submitted quarterly, of the ten closest parking facilities with accompanying notes to compare or justify current or proposed Transient and Monthly Parker parking rates, amenities, E.V. stations, facility utilization, turnover ratios, etc.
6. A report summarizing and listing all validations processed and used by each Tenant account.
7. A report of Transient revenues distribution.
8. A monthly summary of any audit activity performed by the Successful Proponent and corresponding results.

## **Section 22. FISCAL ACCOUNTABILITY - GENERAL:**

**Under the Parking Services Agreement, the Successful Proponent's fiscal duties and responsibilities for the Parking Facility will include, but not be limited to, the following:**

1. **Billing:** Establish and maintain suitable records and systems to handle all invoicing to parking users.
2. **Banking:** Handle all banking necessary for the due performance of the accounting and administrative functions of the Successful Proponent under the Agreement and for the receipt and disbursement of all monies of the Client about the operations of the Parking Facility required to be attended to by the Successful Proponent under this Agreement.
3. **Distribution to the Client:** The Successful Proponent shall distribute monthly Income/Revenue reports to the Client by the tenth (10<sup>th</sup>) day of each month.
4. **Books of Account; Information:** The Successful Proponent at all times shall maintain appropriate books of account and records concerning all transactions entered into in performance of this Agreement; The Client may at reasonable times and intervals obtain information concerning the Parking Facility and cause such inspections of the books and records maintained by the Successful Proponent under this Agreement to be made as may be reasonable in the circumstances.
5. **Annual Financial Statements and Audit:** not more than thirty (30) days after the end of each Fiscal Year, the Successful Proponent shall prepare and provide to the Client financial statements for the Parking Facility in accordance with generally accepted accounting principles and practices as commonly used in the commercial parking industry, including a balance sheet, a profit and loss statement and a statement of changes in financial position for such Fiscal Year, all audited by the Successful Proponent's auditors at the Successful Proponent's expense;
6. **Additional Reports and Information:** In addition to the reports and statements to be provided under subsection 3.03(b), the Successful Proponent shall provide The Client with whatever additional reports and information relating to the Parking Facility the Client may reasonably request. The cost of preparing such additional reports and information by the Successful Proponent in connection therewith, together with a reasonable fee, is to be for the account of the Client.

### **Section 23. AUDITS:**

During the term of the Agreement or subsequent Agreement extension, authorized Client employees and agents have the right to review the reports supplied to the Client and records or accounts maintained by the Successful Proponent pertaining to:

1. Service levels and any other related or applicable standards.
2. The pricing of products and services related to any established pricing formulas.
3. The pricing of products and services related to agreed benchmarks and the most favored Client pricing arrangements.
4. Source documents that support invoices, monthly charges of the Parking Facility.
5. Parking system and transaction reports.
6. Operational parking reports.
7. Or any other data reports as they apply to the revenues, expenses, or activity of the parking operations.

### **Section 24. AUDIT RIGHTS OF RECORDS:**

For seven (7) years after the end of the Agreement or any date of termination of the Agreement, the Successful Proponent shall maintain all necessary records to substantiate:

1. All charges and payments under the Agreement; and
2. The Services were provided per the Agreement and Law(s) requirements.

During the Term of the Agreement, and for seven (7) years after the Term of the Agreement, the Successful Proponent shall permit and assist the Client in conducting Audits of the operations of the Successful Proponent to verify (1) and (2) above. The Client shall provide the Successful Proponent with at least ten (10) Business Days prior notice of its requirement for such Audit. The Successful Proponent's obligations under this paragraph shall survive any termination or expiry of the Agreement.

### **Section 25. DELIVERY OF RECORDS:**

If the Parking Services Agreement is terminated, notwithstanding such termination, the Successful Proponent shall forthwith upon termination and from time to time thereafter deliver to the Client all records and documents including, without limitation, all contracts with users of the Parking Facility, all operating and maintenance agreements, and all other operating records, books of account and ancillary documents maintained with respect to the Parking Facility which are then in the possession or control of the Successful Proponent, which the Client reasonably requires and which relate directly to the Parking Facility; provided, however, that the Successful Proponent may elect to retain copies of such records, documents and books of account and, notwithstanding such termination, the Client shall thereafter and from time to time produce at its office the originals of such records, documents and books of account whenever the Successful Proponent reasonably requires them for its purposes in connection with its prior management of the Parking Facility.

**Section 26. DELIVERY OF RECORDS - RESPONSIBLE VENDOR DETERMINATION.** The proposer is hereby notified that Section 287.05701, Florida Statutes, requires that Midtown Miami may not request documentation of or consider a vendor's social, political, or ideological interest when determining if the vendor is a responsible vendor.

### **Section 27. PUBLIC RECORDS:**

A. Contractor shall, pursuant to and in accordance with Section 119.0701, Florida Statutes, comply with the public records laws of the State of Florida, and specifically shall:

1. Keep and maintain public records required by the District to perform the services or work set forth in this Agreement; and

2. Upon the request of the District's custodian of public records, provide the District with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law; and
3. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the Agreement if the Contractor does not transfer the records to the District; and
4. Upon completion of the Agreement, transfer, at no cost to the District, all public records in possession of the Contractor or keep and maintain public records required by the District to perform the service or work provided for in this Agreement. If the Contractor transfers all public records to the District upon completion of the Agreement, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public disclosure requirements. If the Contractor keeps and maintains public records upon completion of the Agreement, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the District, upon request from the District's custodian of public records, in a format that is compatible with the information technology systems of the District.

B. Contractor acknowledges that any requests to inspect or copy public records relating to this Agreement must be made directly to the District pursuant to Section 119.0701(3), Florida Statutes. If notified by the District of a public records request for records not in the possession of the District but in possession of the Contractor, the Contractor shall provide such records to the District or allow the records to be inspected or copied within a reasonable time. Contractor acknowledges that should Contractor fail to provide the public records to the District within a reasonable time, Contractor may be subject to penalties pursuant to Section 119.10, Florida Statutes.

C. **IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT/CONTRACT, THE CONTRACTOR MAY CONTACT THE CUSTODIAN OF PUBLIC RECORDS FOR THE DISTRICT AT:**

**WRATHELL, HUNT AND ASSOCIATES, LLC.  
2300 GLADES ROAD #410W  
BOCA RATON, FL 33431  
TELEPHONE: (877)276-0889  
EMAIL: [WRATHELLC@WHHASSOCIATES.COM](mailto:WRATHELLC@WHHASSOCIATES.COM)**

**Section 28. E-VERIFY.** Contractor, on behalf of itself and its subcontractors, hereby warrants compliance with all federal immigration laws and regulations applicable to their employees. Contractor further agrees that the District is a public employer subject to the E-Verify requirements provided in Section 448.095, Florida Statutes, and such provisions of said statute are applicable to this Agreement, including, but not limited to registration with and use of the E-Verify system. Notwithstanding the provisions of Section 5 herein, if the District has a good faith belief that the Contractor has knowingly hired, recruited, or referred

an alien that is not duly authorized to work by the federal immigration laws or the Attorney General of the United States for employment under this Agreement, the District shall terminate this Agreement. If the District has a good faith belief that a subcontractor of the Contractor performing work under this Agreement has knowingly hired, recruited, or referred an alien that is not duly authorized to work by the federal immigration laws or the Attorney General of the United States for employment under this Agreement, the District promptly notify the Contractor and order the Contractor to immediately terminate its subcontract with the subcontractor. Contractor shall be liable for any additional costs incurred by the District as a result of the termination of any contract, including this Agreement, based on Contractor’s failure to comply with the E-Verify requirements referenced in this subsection.

**Section 29: EVALUATION CRITERIA**

**Evaluation Criteria.** The Midtown Miami CDD will utilize the following criteria in the RFP selection process. Each criteria will have a value of 0-10 points possible. These criteria will be taken into consideration to determine the lowest responsive and responsible proposal by the Midtown Miami CDD Board of Supervisors. The Midtown Miami CDD reserves the right to reject all proposals with or without cause, to waive technical errors and informalities, and to accept the proposal which best serves the interests of Midtown Miami CDD.

<b><u>Miami Midtown Evaluation Criteria</u></b>	<b><u>Value /Priority</u></b>
Maximum score for each category	
Miami Presence /Experience	10
Proposed Team Members & Depth	10
Area Resources and Depth	10
Technology Experience/Plan	10
Mixed Use/Residential/Retail Plan	10
References Current& Former Comparative Locations /Location Knowledge	10
Fiscal Security and Depth	10
Proposer Conflicts/MMCDD Concerns	10
Litigation/Liability/Stability	10
Value (Cost)	10

**Section 30: DEFINITIONS**

Unless the context is otherwise required within this Document, the plural includes the singular, the singular includes the plural, and each of the masculine and feminine includes the other gender. For the purposes of this RFP Document and any subsequent Contract(s), Agreement(s), Parking Agreement(s), or related Appendices, Schedules, Attachments, Electronic Attachments, Pages or future Addendum(s), the following terms mean:

**Agreement(s):**

Means the Contract to be provided by the District every Schedule to that Agreement and every properly executed instrument which by its terms amends or supplements that agreement (hereafter referred to as the “Agreement”). The nature of the Agreement may include any content of this RFP document, the RFP Proposal submission by the Successful Proponent, and the form of the business relationship for the Client, which shall govern the Successful Proponent during the Management of Parking Services for the Parking Facility.

**Business Day:**

A measurement of time that means Monday to Friday, both inclusive and any day in which ordinary business is conducted except weekends and any such day which is a statutory holiday under the laws of Florida, the City and County the property resides in, or the jurisdiction in which the Parking Facility is located.

**Capital Investment:**

This means any improvement or investment in the Parking Facility, parking operations or customer service experience for parkers within the Parking Facility which is offered by a Proponent or over and above the primary goods or services requested within this RFP with the intent to increase parking revenues and the total overall customer experience for users of the Parking Facilities.

**Client:**

The Client means Midtown Miami Community Development District.

**Conflict of Interest:** Florida Standard

**Emergency:**

This means a condition or circumstance occurring in or about the Parking Facility which if not remedied immediately, would with reasonable certainty, result in damage either to the Parking Facility, other property or in physical injury or death.

**Fiscal Year:**

A Fiscal Year is from October 1 through September 30.

**Gross Revenue:**

Parking revenue.

**Income (Revenues):**

Parking Revenue of the Parking Facility.

**Income Statement:**

An Income Statement is also referred to as a profit and loss statement, P&L, statement of income or statement of operations. The Income Statement reports the revenues, gains, expenses, losses, net income, and other totals for a given period of time (e.g., one calendar month, quarterly basis (three (3) calendar months) or one calendar year etc.)

**Intellectual Property:**

Intellectual Property means any intellectual, industrial, or other proprietary right of any type in any form protected or protectable under the laws of the United States, or any foreign country, including, without limitation, any intellectual, industrial, or proprietary rights protected or protectable by legislation, by common law or at equity.

**Law(s):**

Meaning all applicable law(s) and all applicable by-law(s), rule(s), regulation(s), order(s), ordinance(s), protocol(s), code(s), guideline(s), policy, policies, notice(s), direction(s) and judgment(s) or other requirement(s) of any government entity. A government entity includes:

1. any federal, provincial, state, municipal, local, special district, community development district or other governmental department, court, tribunal, commission, board, bureau or agency; and
2. Any subdivision, agent, commission, board, or authority of any of the foregoing.

**PARCS:**

Means a **Parking Access and Revenue Control System** "PARCS" that operates in real-time and comprises various software and hardware elements. Available in varying levels of functionality and complexity, a "PARCS" allows a person to control vehicular access and to collect revenue from any Parker using the Parking Facility.

**Parking Equipment:**

Means all current or proposed parking machinery and equipment (automated or not) located at the Parking Facility and, without limitation, all software and hardware associated with authorizing vehicular access to and from the Parking Facility. Available in varying levels of functionality and complexity, these systems allow the

Client and Successful Proponent(s) to control vehicular access and collect revenue from Persons using the Parking Facility. To gain access in and out of a parking facility, a Person must present a valid parking credential, access device or form of payment.

**Parking Facility:**

As known by the municipal address for each Property as described in Schedule “F” (hereafter referred to as the “Parking Facility” or “Facility” or “Parking Facilities”).

**Parking Revenue(s):**

Means all receipts, fees, levies, contributions, and other charges payable by Persons using the Parking Facility, plus all applicable taxes payable thereon, including without limitation revenues from the sale of Parking Validation at the time of sale. Parking Revenue(s) shall also be deemed to include earned interest, discounts, rebates, and commissions earned in respect of purchases made on behalf of the Client or otherwise pursuant to this Agreement. All other amounts, rights, and benefits of any kind whatsoever actually received, receivable or derived by the Successful Proponent from the Parking Facility, all calculated in accordance with generally accepted accounting principles and practices consistent with the public parking facilities in City of Miami, Miami-Dade County, Florida.

**PCI Compliance:**

Refers to Payment Card Industry Data Security Standard (PCI DSS) compliance and is used as an adherence to the set of policies and procedures developed to protect credit, debit, and cash card transactions and prevent the misuse of cardholders' personal information. PCI DSS compliance is required to process credit and debit transactions.

**Person:**

A natural person or legal person, including any individual, firm, partnership, company, sole proprietorship, corporation or other entity or any combination thereof.

**Property:**

Any Property that is municipally known. (hereafter referred to as the “Property”).

**Proponent(s):**

The Companies invited by the Client to provide a Parking Services Proposal in the form of an RFP (hereafter referred to as the “Proponent”) for the Properties.

**Proposal(s):**

All Documents, Pages, Electronic Attachments, Attachments, or Information submitted and related to (and including) fulfilling this RFP that is submitted to the Client or Consultant by a Proponent before this RFP’s Submission Deadline (hereafter referred to as the “Proposal,” “RFP Proposal,” or “Proposal Submission”)

**Proposed Parking Equipment:**

Means all new proposed Parking Equipment and machinery (automated or not) to be installed, maintained, and operated by the Successful Proponent at the Parking Facility and, without limitation, all software and hardware associated with authorizing vehicular access to and from the Parking Facility. Available in varying levels of functionality and complexity, these systems allow the Proponents to control vehicular access and to collect revenue from a Person that utilizes space in the Parking Facility. To gain access in and out of a Parking Facility, a Person must present a valid parking credential or access device or provide a valid form of payment.

**RFP:**

Request for Proposal (“RFP”) is the entirety of this document, including all; Appendices, Schedules, Electronic Attachment(s), Pages, Attachments, Addendums, and Requirements provided to Proponents by the Consultant for the purpose of submitting a Proposal for the Management of Parking Services for the Properties.

**RFP Consultant:**

Parking Whisperer, LLC. has been retained by the Client to compose this RFP document and oversee the RFP process for Parking Services on behalf of the Client (hereafter referred to as the “Consultant”).



**RFP Submission Deadline:**

Means the mandatory RFP Proposal Submission Date and Time as set out in the Section of this RFP and as may be amended by way of Addendum(s) from time to time in accordance with the terms, requirements, conditions etc. of the RFP (hereafter referred to as the “RFP Submission Deadline”).

**Sole Contacts:**

This means the primary and sole contact for all questions, answers, and information that is provided to the proponents for the purpose of proving their submittal.

**Subcontractor:**

Any services, work performed, or products provided by a Person or Company (other than directly by or from a Proponent) to whom a Proponent or the Successful Proponent entrusts to fulfill any portion of the current or future RFP requirements for the Parking Facility or Agreement (hereafter referred to as the “Subcontractor”).

**Successful Proponent:**

The Proponent whose RFP proposal submission is determined to be the lowest responsive and responsible proposal by the Midtown Miami CDD Board of Supervisors pursuant to the requirements of this RFP and Florida law to provide parking management services at the Parking Facility (hereafter referred to as “Successful Proponent”) and enters into a contractual Agreement as a formal contract with the Client within ten (10) days of the receipt of the award of the RFP.

**Service(s):**

Services intended to be procured by the Client from and executed by a Proponent according to this RFP.

**Monthly Parker:**

Means a Non-Transient parker whose customer account is paid up to date and that uses a permit, credential or access device to enter or exit a Parking Facility on an ongoing basis or indefinite period of time for a set monthly fee. A Monthly Parker customer can be found in an access controlled Parking Facility.

**Transient Parker:**

Means a Non-Monthly parker who pays for parking on a short-term basis, typically daily or hourly equivalent thereof. A Transient Parker can utilize an access-controlled Parking Facility.

**EXHIBIT A**

Exhibit A will be provided to the attendees at the Mandatory Pre-Bid. The workbook will include the 2024 Budgets, and proponents will provide their estimated expenses as part of the submittal.

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT**

**3D**

# MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT

## REQUEST FOR PROPOSALS PARKING MANAGEMENT SERVICES EVALUATION MATRIX

RFP FOR PARKING MANAGEMENT SERVICES	MIAMI PRESENCE / EXPERIENCE	PROPOSED TEAM MEMBERS & DEPTH	AREA RESOURCES & DEPTH	TECHNOLOGY EXPERIENCE / PLAN	MIXED USE / RESIDENTIAL / RETAIL PLAN	REFERENCES CURRENT & FORMER COMPARATIVE LOCATIONS / LOCATION KNOWLEDGE	FISCAL SECURITY & DEPTH	PROPOSER CONFLICTS / MMCDD CONCERNS	LITIGATION / LIABILITY / STABILITY	VALUE (COST)	TOTAL POINTS
<b>PROPOSER</b>	<b>10 POINTS</b>	<b>10 POINTS</b>	<b>10 POINTS</b>	<b>10 POINTS</b>	<b>10 POINTS</b>	<b>10 POINTS</b>	<b>10 POINTS</b>	<b>10 POINTS</b>	<b>10 POINTS</b>	<b>10 POINTS</b>	<b>100 POINTS</b>
Lanier Parking											
One Parking											
SP+ Parking											
Universal Parking											

Completed by: \_\_\_\_\_  
Board Member's Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Printed Name of Board Member

**MIDTOWN MIAMI**  
**COMMUNITY DEVELOPMENT DISTRICT**

**4**

**MIDTOWN MIAMI**  
**COMMUNITY DEVELOPMENT DISTRICT**

**5A**

**MIAMI-DADE**

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

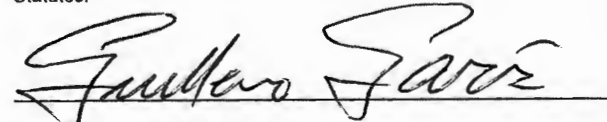
Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT - PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2023/2024 BUDGET - SEPT. 12, 2023

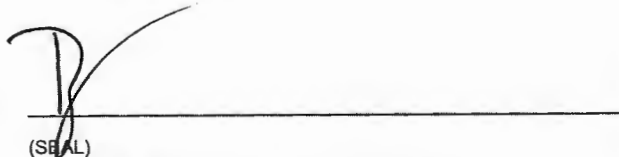
in the XXXX Court,  
was published in a newspaper by print in the issues of Miami Daily Business Review f/k/a Miami Review on

08/23/2023 08/30/2023

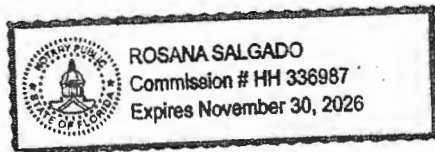
Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.



Sworn to and subscribed before me this  
30 day of AUGUST, A.D. 2023

  
(SEAL)

GUILLERMO GARCIA personally known to me



**MIDTOWN MIAMI COMMUNITY  
DEVELOPMENT DISTRICT  
NOTICE OF PUBLIC HEARING TO  
CONSIDER THE ADOPTION OF THE  
FISCAL YEAR 2023/2024 BUDGET;  
AND NOTICE OF REGULAR BOARD  
OF SUPERVISORS' MEETING**

The Board of Supervisors (the "Board") of the Midtown Miami Community Development District (the "District") will hold a public hearing on September 12, 2023 at 2:00 p.m., at the offices of the CDD, Shops at Midtown Miami, 3401 N. Miami Avenue, 2nd floor parking garage, Suite 132, Miami, Florida 33127 for the purpose of hearing comments and objections on the adoption of the proposed budgets ("Proposed Budget") of the District for the fiscal year beginning October 1, 2023 and ending September 30, 2024 ("Fiscal Year 2023/2024"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it. A copy of the agenda and Proposed Budget may be obtained at the offices of the District Manager, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010 ("District Manager's Office"), during normal business hours or on the District's website at <http://www.midtownmiamicdd.net/>.

The public hearing 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 hearing and meeting may be obtained at the offices of the District Manager, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010 ("District Manager's Office"), during normal business hours or via the District's website, <http://www.midtownmiamicdd.net/>. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the hearing or meeting. There may be occasions when staff or board members may participate by speaker telephone.

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

District Manager  
8/23-30

23-02/0000679077M

**MIDTOWN MIAMI**  
**COMMUNITY DEVELOPMENT DISTRICT**

**5B**

**RESOLUTION 2023-08**

**THE ANNUAL APPROPRIATION RESOLUTION OF THE MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the District Manager has, prior to the fifteenth (15<sup>th</sup>) day in June, 2023, submitted to the Board of Supervisors (“**Board**”) of the Midtown Miami Community Development District (“**District**”) proposed budget (“**Proposed Budget**”) for the fiscal year beginning October 1, 2023 and ending September 30, 2024 (“**Fiscal Year 2023/2024**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

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

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

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

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

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

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

**SECTION 1. BUDGET**

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



- b. The Proposed Budget, attached hereto as **Exhibit “A,”** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes (“Adopted Budget”)*, and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District’s Local Records Office and identified as “The Budget for the Midtown Miami Community Development District for the Fiscal Year Ending September 30, 2024.”
- d. The Adopted Budget shall be posted by the District Manager on the District’s official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

**SECTION 2. APPROPRIATIONS**

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2023/2024, the sum of \$9,539,761 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 in the following fashion:

TOTAL GENERAL FUND	\$3,248,084
TOTAL DEBT SERVICES FUND - SERIES 2014B	\$1,962,437
ENTERPRISE FUND	<u>\$4,329,240</u>
<b>TOTAL ALL FUNDS</b>	<b>\$9,539,761</b>

**SECTION 3. BUDGET AMENDMENTS**

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2023/2024 or within 60 days following the end of the Fiscal Year 2023/2024 may amend its Adopted Budget for that fiscal year as follows:

- a. The Board may authorize an increase or decrease in line item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may authorize an increase or decrease in line item appropriations within a fund if the total appropriations of the fund do not increase and if the aggregate change in the original appropriation item does not exceed \$15,000 or 15% of the original appropriation.

- c. By resolution, the Board may increase any appropriation item and/or fund to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.
- d. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and Section 189.016, *Florida Statutes*, among other applicable laws. Among other procedures, the District Manager or Treasurer must ensure that any amendments to budget under subparagraphs c. and d. above are posted on the District’s website within 5 days after adoption and remain on the website for at least 2 years.

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

**PASSED AND ADOPTED THIS 12TH DAY OF SEPTEMBER, 2023.**

ATTEST:

**MIDTOWN MIAMI COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**Exhibit A: Fiscal Year 2023/2024 Budget**

**Exhibit A: Fiscal Year 2023/2024 Budget**

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
PROPOSED BUDGET  
FISCAL YEAR 2024**

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
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**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND BUDGET  
FISCAL YEAR 2024**

	Fiscal Year 2023				Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual Through 03/31/23	Projected Through 09/30/23	Total Actual & Projected	
<b>REVENUES</b>					
Assessment levy: on-roll - gross	\$ 451,519				\$ 448,333
Allowable discounts (4%)	(18,061)				(17,933)
Assessments: on-roll (net of discounts)	433,458	390,872	\$42,586	\$433,458	430,400
Assessments: off-roll	2,819,159	2,185,320	633,839	2,819,159	2,816,281
Interest & miscellaneous	708	1,403	-	1,403	1,403
Total revenues	<u>3,253,325</u>	<u>2,577,595</u>	<u>676,425</u>	<u>3,254,020</u>	<u>3,248,084</u>
<b>EXPENDITURES</b>					
<b>Administrative</b>					
Supervisors	12,000	1,200	3,000	4,200	12,000
FICA	912	84	228	312	912
Engineering	15,000	4,900	5,000	9,900	15,000
Consulting services	57,500	1,665	55,835	57,500	57,500
Legal	60,000	8,635	10,000	18,635	60,000
Management	62,151	31,076	31,075	62,151	62,151
Assessment roll preparation	4,668	2,334	2,334	4,668	4,668
Audit	8,300	-	8,300	8,300	8,500
Postage	600	43	557	600	600
Insurance	62,446	56,030	-	56,030	62,446
Property insurance	4,200	1,146	-	1,146	5,880
Worker's compensation	4,100	2,528	1,572	4,100	4,100
Printing and binding	600	300	300	600	600
Legal advertising	1,250	-	1,250	1,250	1,250
Bank charges	1,500	-	1,500	1,500	1,500
Arbitrage rebate	1,250	-	1,250	1,250	1,250
Property taxes	200	-	200	200	200
Tax collector	4,515	3,907	608	4,515	4,483
Web hosting	705	705	-	705	705
Website ADA compliance	210	-	210	210	210
Annual filing fee	175	175	-	175	175
Total administrative	<u>302,282</u>	<u>114,728</u>	<u>123,219</u>	<u>237,947</u>	<u>304,130</u>

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND BUDGET  
FISCAL YEAR 2024**

Field	Fiscal Year 2023			Proposed Budget FY 2024	
	Adopted Budget FY 2023	Actual Through 03/31/23	Projected Through 09/30/23		Total Actual & Projected
Salaries	126,491	66,588	59,903	126,491	135,197
Contracts:					
Fountain	5,000	-	-	-	-
Janitorial	480,000	225,036	254,964	480,000	545,000
Security services	700,000	264,163	435,837	700,000	710,000
Street sweeping	63,000	27,048	35,952	63,000	67,000
Landscape	340,000	201,957	138,043	340,000	360,000
Road cleaning	60,000	8,100	51,900	60,000	62,000
Air conditioning	3,500	1,190	2,310	3,500	-
Pest control	6,000	2,160	3,840	6,000	6,200
Other services	720	-	720	720	720
Animal waste removal	20,000	7,500	12,500	20,000	25,000
Waste removal	18,000	6,327	11,673	18,000	22,600
Utilities:					
Telephone	2,500	2,639	-	2,639	2,800
Electricity	68,000	11,316	56,684	68,000	68,000
Irrigation	72,000	34,145	10,000	44,145	75,000
Rentals: general	10,000	-	10,000	10,000	12,000
Repairs & maintenance:					
General	76,500	33,419	43,081	76,500	80,000
Air conditioning	-	4,200	-	4,200	-
Buildings	30,000	29,106	894	30,000	36,500
Electrical	80,000	351	79,649	80,000	95,000
Grounds	90,000	29,672	60,328	90,000	98,000
Irrigation	30,000	3,670	3,000	6,670	32,000
Plant replacement	85,000	29,337	55,663	85,000	120,000
Signage	2,000	155	1,845	2,000	2,500
M Park (turf & playground equipment)	-	-	-	-	30,000
Printing and binding	600	-	600	600	600
Holiday decorations	100,000	43,638	56,362	100,000	110,000
Radio	3,000	1,466	1,534	3,000	5,500
Licenses & permits	750	-	750	750	750
Security	25,000	12,832	12,168	25,000	29,000
Office & operating supplies	12,000	10,124	1,876	12,000	14,000
Office equipment	3,000	-	2,000	2,000	4,500
General capital outlay	50,000	-	50,000	50,000	50,000
Landscaping light fixtures (Holmes)	45,000	12,469	32,531	45,000	-
Parma replacement light fixtures	36,000	35,820	180	36,000	-
MBE sprinkler pipes painting	22,000	-	22,000	22,000	-
M Park - dog park	225,000	-	225,000	225,000	-
Site - wood benches	-	-	-	-	21,000
Contingencies	60,000	26,352	33,648	60,000	60,000
Total field operations	<u>2,951,061</u>	<u>1,130,780</u>	<u>1,767,435</u>	<u>2,898,215</u>	<u>2,880,867</u>

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND BUDGET  
FISCAL YEAR 2024**

	Fiscal Year 2023				Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual Through 03/31/23	Projected Through 09/30/23	Total Actual & Projected	
Total expenditures	3,253,343	1,245,508	1,890,654	3,136,162	3,184,997
Excess/(deficiency) of revenues over/(under) expenditures	(18)	1,332,087	(1,214,229)	117,858	63,087
Net change in fund balances	(18)	1,332,087	(1,214,229)	117,858	63,087
Fund balances - beginning	2,627,842	1,956,881	3,288,968	1,956,881	2,074,739
Assigned					
3 months working capital	863,322	863,322	659,904	659,904	847,494
Disaster recovery	150,000	150,000	150,000	150,000	150,000
Unassigned	1,614,496	2,275,646	1,264,835	1,264,835	1,140,332
Fund balance - ending	<u>\$2,627,824</u>	<u>\$ 3,288,968</u>	<u>\$ 2,074,739</u>	<u>\$ 2,074,739</u>	<u>\$ 2,137,826</u>



**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITION OF GENERAL FUND EXPENDITURES**

**Expenditures**

**Administrative**

Supervisors	\$ 12,000
<p>Statutorily set at \$200 (plus applicable taxes) for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year. The District anticipates 12 meetings during the fiscal year.</p>	
FICA	912
Engineering	15,000
Consulting services	57,500
Legal	60,000
<p>Billing, Cochran, provides on-going general counsel and legal representation. Attorneys attend the noticed Board meetings in order to anticipate and deal with possible legal issues as they may arise and to respond to questions. In this capacity, as local government lawyers, realize that this type of local government is very limited in its scope - providing infrastructure and service to development.</p>	
Management	62,151
<p><b>Wrathell, Hunt and Associates, LLC</b>, 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 Districts, develop financing programs, administer the issuance of tax exempt bond financings, and finally operate and maintain the assets of the community.</p>	
Assessment roll preparation	4,668
<p><b>Wrathell, Hunt and Associates, LLC</b>, provides services including preparing, maintaining and transmitting the annual lien roll with annual special assessment amounts for capital and operating and maintenance assessments.</p>	
Audit	8,500
<p>The Districts are required by Florida State Statute to undertake an independent examination of its books, records and accounting procedures on an annual basis.</p>	
Postage	600
<p>Mailing of agenda packages, overnight deliveries, correspondence, etc.</p>	
Insurance	62,446
<p>The District's General Liability &amp; Public Officials Liability Insurance is with Egis Insurance &amp; Risk Advisors.</p>	
Property insurance	5,880
Worker's compensation	4,100
<p>Insurance for the district employees.</p>	
Printing and binding	600
<p>Letterhead, envelopes, copies, etc.</p>	
Legal advertising	1,250
<p>The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.</p>	
Bank charges	1,500
<p>Monthly bank charges incurred during the year and automated AP routing</p>	
Arbitrage rebate	1,250
Property taxes	200
<p>Billing from Miami-Dade Tax Collector for property and tangible property taxes.</p>	
Tax collector	4,483
Web hosting	705
<p>This is to comply with state Statutes for posting information on the internet.</p>	
Website ADA compliance	210
<p>Accounting and administrative supplies.</p>	

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITION OF GENERAL FUND EXPENDITURES**

**Expenditures (continued)**

Annual filing fee 175  
Annual fee paid to the Florida Department of Economic Opportunity.

**Field**

Salaries 135,197  
Payroll for District employees. This split is 40/60% between General and Enterprise Funds.

**Contracts**

Janitorial 545,000  
Janitorial services for the District are provided by Interstate Cleaning Corporation. The monthly invoices are segregated between fixed and variable costs, which are split 70/30% between General and Enterprise Funds. Miscellaneous janitorial expenses are included in this category

Security services 710,000  
Security for the District grounds. This split is 70/30% between General and Enterprise Funds.

Street sweeping 67,000  
Side Sweeping

Landscape 360,000  
Maintenance of District property.

Road cleaning 62,000  
Street sweeping.

Pest control 6,200  
Other services 720

Animal waste removal 25,000  
Waste removal 22,600

Telephone 2,800  
Telephone and fax machine connections with AT&T.

Electricity 68,000  
Electrical usage for the District property from FPL.

**Utilities**

Irrigation 75,000  
Water usage for the District.

Rentals: general 12,000  
Equipment rental throughout the year.

**Repairs and Maintenance:**

General 80,000  
Buildings 36,500

The District will incur required structural repairs & maintenance of the District buildings and property, such as painting, locksmith services, concrete repairs, pressure washing etc.

Electrical 95,000  
Supplies & labor for electrical expenditures.

Grounds 98,000  
Expenditures for ground maintenance not covered under the landscaping contract.

Irrigation 32,000  
Irrigation repairs.

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITION OF GENERAL FUND EXPENDITURES**

<b>Expenditures (continued)</b>	
Plant replacement	120,000
Planting and replacement of trees.	
Signage	2,500
Signs for District property.	
M Park (turf & playground equipment)	30,000
Printing and binding	600
Holiday decorations	110,000
Staging and storage of seasonal decorations.	
Radio	5,500
Service & supplies for the District remote frequency radios.	
Licenses & permits	750
Security	29,000
Office & operating supplies	14,000
Office supplies for on-site District office.	
Office equipment	4,500
Cleaning and maintenance supplies.	
Capital projects	
General capital outlay	50,000
Site - wood benches	21,000
Contingencies	60,000
<b>Total expenditures</b>	<b><u><u>\$ 3,184,997</u></u></b>

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
DEBT SERVICE FUND SERIES 2014B  
FISCAL YEAR 2024**

	Fiscal Year 2023				Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual Through 03/31/23	Projected Through 09/30/23	Total Actual & Projected	
<b>REVENUES</b>					
Assessment levy: on-roll - gross	\$ 332,914				\$ 331,733
Allowable discounts (4%)	(13,317)				(13,269)
Assessments: on-roll (net of discounts)	319,597	\$ 288,196	\$ 31,401	\$ 319,597	318,464
Assessments: off-roll	1,643,012	-	1,643,012	1,643,012	1,643,973
Interest and miscellaneous	-	35,479	-	35,479	-
Total revenues	<u>1,962,609</u>	<u>323,675</u>	<u>1,674,413</u>	<u>1,962,609</u>	<u>1,962,437</u>
<b>Debt service</b>					
Principal	945,000	15,000	930,000	945,000	985,000
Interest	1,004,525	502,262	502,263	1,004,525	964,363
Total debt service	<u>1,949,525</u>	<u>517,262</u>	<u>1,432,263</u>	<u>1,949,525</u>	<u>1,949,363</u>
<b>Administration</b>					
Trustee fees	3,163	-	3,163	3,163	3,163
Assessment services	4,993	2,496	2,497	4,993	4,993
Arbitrage calculation	600	500	100	600	600
Dissemination agent	1,000	-	1,000	1,000	1,000
Tax collector	3,329	2,880	449	3,329	3,317
Total administration	<u>13,085</u>	<u>5,876</u>	<u>7,209</u>	<u>13,085</u>	<u>13,073</u>
Total expenditures	<u>1,962,610</u>	<u>523,138</u>	<u>1,439,472</u>	<u>1,962,610</u>	<u>1,962,436</u>
Excess/(deficiency) of revenues over/(under) expenditures	(1)	(199,463)	234,941	(1)	1
Fund balance - beginning	1,981,712	3,002,290	2,802,827	3,002,290	3,002,289
Fund balance - ending	<u>\$1,981,711</u>	<u>\$2,802,827</u>	<u>\$3,037,768</u>	<u>\$ 3,002,289</u>	<u>3,002,290</u>
<b>Use of fund balance</b>					
Debt service reserve account balance (required)					(971,219)
Interest expense - November 1, 2024					(461,250)
Projected fund balance surplus/(deficit) as of September 30, 2024					<u>\$ 1,569,821</u>

## MIDTOWN MIAMI

Community Development District

Series 2014B

\$26,970,000

### Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
11/01/2023	-		482,181.25	482,181.25
05/01/2024	985,000.00	4.250%	482,181.25	1,467,181.25
11/01/2024	-		461,250.00	461,250.00
05/01/2025	1,035,000.00	5.000%	461,250.00	1,496,250.00
11/01/2025	-		435,375.00	435,375.00
05/01/2026	1,085,000.00	5.000%	435,375.00	1,520,375.00
11/01/2026	-		408,250.00	408,250.00
05/01/2027	1,145,000.00	5.000%	408,250.00	1,553,250.00
11/01/2027	-		379,625.00	379,625.00
05/01/2028	1,200,000.00	5.000%	379,625.00	1,579,625.00
11/01/2028	-		349,625.00	349,625.00
05/01/2029	1,265,000.00	5.000%	349,625.00	1,614,625.00
11/01/2029	-		318,000.00	318,000.00
05/01/2030	1,325,000.00	5.000%	318,000.00	1,643,000.00
11/01/2030	-		284,875.00	284,875.00
05/01/2031	1,395,000.00	5.000%	284,875.00	1,679,875.00
11/01/2031	-		250,000.00	250,000.00
05/01/2032	1,465,000.00	5.000%	250,000.00	1,715,000.00
11/01/2032	-		213,375.00	213,375.00
05/01/2033	1,540,000.00	5.000%	213,375.00	1,753,375.00
11/01/2033	-		174,875.00	174,875.00
05/01/2034	1,620,000.00	5.000%	174,875.00	1,794,875.00
11/01/2034	-		134,375.00	134,375.00
05/01/2035	1,705,000.00	5.000%	134,375.00	1,839,375.00
11/01/2035	-		91,750.00	91,750.00
05/01/2036	1,790,000.00	5.000%	91,750.00	1,881,750.00
11/01/2036	-		47,000.00	47,000.00
05/01/2037	1,880,000.00	5.000%	47,000.00	1,927,000.00
<b>Total</b>	<b>\$19,435,000.00</b>	<b>-</b>	<b>\$8,061,112.50</b>	<b>\$27,496,112.50</b>

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
ENTERPRISE FUND BUDGET  
FISCAL YEAR 2024**

	Fiscal Year 2023				Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual Through 03/31/23	Projected Through 09/30/23	Total Actual & Projected	
<b>OPERATING REVENUES</b>					
Parking fees	\$ 4,300,000	\$ 2,023,811	\$ 1,800,000	\$ 3,823,811	\$ 4,300,000
Monthly maintenance - Tesla	-	-	-	-	18,240
Off-street parking	11,000	3,274	2,800	6,074	11,000
Total revenues	<u>4,311,000</u>	<u>2,027,085</u>	<u>1,802,800</u>	<u>3,829,885</u>	<u>4,329,240</u>
<b>OPERATING EXPENSES</b>					
<b>Administrative</b>					
Engineering	30,000	-	30,000	30,000	30,000
Consulting services	8,500	-	8,500	8,500	8,500
Arbitrage rebate	750	500	250	750	750
Dissemination agent	1,000	-	1,000	1,000	1,000
Bank charges	7,000	-	7,000	7,000	7,000
Mgmt and accounting	19,599	9,800	9,799	19,599	19,599
Trustee fees	12,650	-	12,650	12,650	12,650
Credit card fees	338,690	186,444	152,246	338,690	338,690
Total administrative	<u>418,189</u>	<u>196,744</u>	<u>221,445</u>	<u>418,189</u>	<u>418,189</u>
<b>Parking facilities</b>					
Payroll	189,736	99,870	89,866	189,736	202,795
Contracts:					
Janitorial	545,000	228,321	316,679	545,000	567,000
Parking	1,300,000	456,886	843,114	1,300,000	1,353,000
Security services	300,000	113,213	186,787	300,000	310,000
Elevator	100,000	52,973	47,027	100,000	105,000
Air conditioning	1,500	510	990	1,500	5,600
Waste removal	6,000	1,784	4,216	6,000	10,500
Telephone	18,000	7,148	10,852	18,000	18,000
Electricity	135,000	47,723	87,277	135,000	135,000
Rentals	2,000	2,000	-	2,000	3,000
Insurance:					
Property	356,828	384,466	-	384,466	499,559
General liability	40,964	37,353	-	37,353	45,060
Worker's compensation	4,000	1,685	-	1,685	4,000
Repairs and maintenance:					
General	65,000	15,745	49,255	65,000	70,000
Air conditioning	4,000	1,290	2,710	4,000	5,200
Buildings	45,000	31,867	13,133	45,000	52,000
Electrical	40,000	22,663	17,337	40,000	50,000
Equipment	26,000	12,741	7,000	19,741	28,000
Signage	4,000	2,758	1,242	4,000	5,000

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
ENTERPRISE FUND BUDGET  
FISCAL YEAR 2024**

	Fiscal Year 2023				Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual Through 03/31/23	Projected Through 09/30/23	Total Actual & Projected	
Elevators (repairs and maintenance)	15,000	5,698	9,302	15,000	15,000
Elevators (graphics, flooring, ceiling & lgt cvs)	20,000	32	19,968	20,000	22,000
Licenses & permits	3,500	-	3,500	3,500	3,500
Contingency	20,000	-	20,000	20,000	25,000
Security enhancements	12,000	1,182	10,818	12,000	18,000
Signage, directories, banner & beautification	50,000	6,422	43,578	50,000	52,000
Capital projects	40,000	-	40,000	40,000	40,000
Office & operating supplies	15,000	11,465	3,535	15,000	20,000
Capital outlay - NB waterproofing membrane	-	127,000	-	127,000	-
Capital outlay - NB parking garage lightfixtures rep	-	-	-	-	36,000
Capital outlay - NB parking garage concrete & reb	-	-	-	-	22,000
Capital outlay - NB & SB elevator repairs	-	-	-	-	135,000
Total parking facilities	<u>3,358,528</u>	<u>1,672,795</u>	<u>1,828,186</u>	<u>3,500,981</u>	<u>3,857,215</u>

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
ENTERPRISE FUND BUDGET  
FISCAL YEAR 2024**

	Fiscal Year 2023				Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual Through 03/31/23	Projected Through 09/30/23	Total Actual & Projected	
Total operating expenses	3,776,717	1,869,539	2,049,631	3,919,170	4,275,404
Operating income/(loss)	534,283	157,546	(246,831)	(89,285)	53,836
<b>NONOPERATING REVENUES (EXPENSES)</b>					
Interlocal agreement	4,696,376	3,498,188	1,198,188	4,696,376	4,696,500
Interest and miscellaneous	(8,000)	21,583	(29,583)	(8,000)	(8,000)
Interest expense: Series 2014A	(2,425,650)	(606,412)	(1,819,238)	(2,425,650)	(2,328,325)
Depreciation	(2,118,501)	(529,625)	(1,588,876)	(2,118,501)	(2,118,501)
Total non operating revenues/(expenses)	144,225	2,383,734	(2,239,509)	144,225	241,674
Change in net position	678,508	2,541,280	(2,486,340)	54,940	295,510
Total net position - beginning	(12,454,199)	(11,128,358)	(8,587,078)	(11,128,358)	(11,073,418)
Net position - ending					
Invested in capital assets, net of related debt*	(17,407,295)	(18,199,134)	(17,498,010)	(17,498,010)	(17,226,511)
Restricted for debt service	1,304,200	1,304,200	1,304,200	1,304,200	-
Assigned					
Parking garage improvements**	600,000	600,000	600,000	600,000	600,000
Disaster recovery**	150,000	150,000	150,000	150,000	150,000
Working capital**	200,000	200,000	200,000	100,000	200,000
Unrestricted*	3,377,404	7,357,856	4,170,392	4,270,392	5,498,603
Total net position - ending	<u>\$(11,775,691)</u>	<u>\$ (8,587,078)</u>	<u>\$(11,073,418)</u>	<u>\$(11,073,418)</u>	<u>\$(10,777,908)</u>
*These amounts are affected by estimates and non-cash transactions (such as depreciation) and will change pursuant to the annual audits.					
**The following amounts are held in cash; however, working capital may fluctuate below budget to cover current obligations.					
<b>ADDITIONAL SOURCES/(USES) - BALANCE SHEET ITEMS</b>					
Principal expense: Series 2014A	(2,195,000)	-	(2,290,000)	(2,290,000)	(2,390,000)
Total additional sources/(uses)	(2,195,000)	-	(2,290,000)	(2,290,000)	(2,390,000)
Total budgeted sources	8,359,294	5,543,582	2,968,605	8,512,187	8,988,500
Total budgeted uses	11,180,418	3,005,576	7,747,745	10,753,321	11,120,230
Net sources/uses	<u>(2,821,124)</u>	<u>2,538,006</u>	<u>(4,779,140)</u>	<u>(2,241,134)</u>	<u>(2,131,730)</u>



**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITIONS OF ENTERPRISE FUND EXPENDITURES**

**Expenditures**

**Administration**

Engineering	\$ 30,000
Consulting services	8,500
Arbitrage rebate	750
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Dissemination agent	1,000
The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities & Exchange Act of 1934.	
Bank charges	7,000
Monthly bank charges incurred during the year.	
Mgmt and accounting	19,599
<b>Wrathell, Hunt and Associates, LLC</b> , provides services including preparing, maintaining and transmitting the annual lien roll with annual special assessment amounts for capital and operating and maintenance assessments.	
Trustee fees	12,650
Services as trustee, paying agent and registrar.	
Credit card fees	338,690
Fees for credit card transactions at garage pay stations.	
<i>Total administrative</i>	418,189

**Parking facilities**

Payroll	202,795
Payroll for District employees. This split is 40/60% between General and Enterprise Funds.	
Contracts:	
Janitorial	567,000
Janitorial services for the District. This split is 70/30% between General and Enterprise Funds.	
Parking	1,353,000
Management of the parking garages.	
Security services	310,000
Security for the District grounds. This split is 70/30% between General and Enterprise Funds.	
Elevator	105,000
Maintenance of elevators.	
Air conditioning	5,600
Maintenance of the HVAC. This split is 70/30% between General and Enterprise Funds.	
Waste removal	10,500
Maintenance of pay stations at the parking garages.	
Telephone	18,000
Telephone connections with AT&T.	
Electricity	135,000
Electrical usage for the District property from FPL.	
Rentals	3,000
Equipment rental throughout the year.	

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITIONS OF ENTERPRISE FUND EXPENDITURES**

**Expenditures (continued)**

Insurance:	
Property	499,559
Worker's compensation	4,000
Insurance for the district employees.	
Repairs and maintenance:	
General	70,000
General expenditures needed for repairs and maintenance of the District area.	
Air conditioning	5,200
Air conditioning repairs not covered under Contracts-Air Conditioning.	
Buildings	52,000
The District will incur required structural repairs & maintenance of the District buildings and property, such as painting, locksmith services, concrete repairs, pressure washing etc.	
Electrical	50,000
Supplies & labor for electrical expenditures.	
Equipment	28,000
Unforeseen repairs of equipment such as the elevators and pay stations.	
Signage	5,000
Signs for District property.	
Elevators (repairs and maintenance)	15,000
Elevators (graphics, flooring, ceiling & lgt cvs)	22,000
Licenses & permits	3,500
Contingency	25,000
Security enhancements	18,000
Signage, directories, banner & beautification	52,000
Capital projects	40,000
Capital outlay - NB parking garage lightfixtures replacement	36,000
Capital outlay - NB parking garage concrete & rebar	22,000
Office & operating supplies	20,000
Capital outlay - NB & SB elevator repairs	135,000
<i>Total parking facilities</i>	<u>3,857,215</u>
<b>Nonoperating Expenses</b>	
Interest and miscellaneous	8,000
Interest expense: Series 2014A	2,328,325
Depreciation	2,118,501
<i>Total non operating expenses</i>	<u>4,454,826</u>
<b>Additional uses - balance sheet items</b>	
Principal expense: Series 2014A	2,390,000
<i>Total additional uses - balance sheet items</i>	<u>2,390,000</u>
<b>Total budgeted uses</b>	<u><u>\$ 11,120,230</u></u>

# MIDTOWN MIAMI

Community Development District

Series 2014A

\$64,875,000

## Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
11/01/2016			1,468,781.25	1,468,781.25
05/01/2017	1,780,000.00	4.250%	1,468,300.00	3,248,300.00
11/01/2017	-		1,430,100.00	1,430,100.00
05/01/2018	1,855,000.00	4.250%	1,429,531.25	3,284,531.25
11/01/2018	-		1,389,668.75	1,389,668.75
05/01/2019	1,935,000.00	4.250%	1,389,437.50	3,324,437.50
11/01/2019	-		1,347,125.00	1,347,125.00
05/01/2020	2,020,000.00	4.250%	1,347,125.00	3,367,125.00
11/01/2020	-		1,304,200.00	1,304,200.00
05/01/2021	2,105,000.00	4.250%	1,304,200.00	3,409,200.00
11/01/2021	-		1,259,468.75	1,259,468.75
05/01/2022	2,195,000.00	4.250%	1,259,468.75	3,454,468.75
11/01/2022	-		1,212,825.00	1,212,825.00
05/01/2023	2,290,000.00	4.250%	1,212,825.00	3,502,825.00
11/01/2023	-		1,164,162.50	1,164,162.50
05/01/2024	2,390,000.00	4.250%	1,164,162.50	3,554,162.50
11/01/2024	-		1,113,375.00	1,113,375.00
05/01/2025	2,500,000.00	5.000%	1,113,375.00	3,613,375.00
11/01/2025	-		1,050,875.00	1,050,875.00
05/01/2026	2,630,000.00	5.000%	1,050,875.00	3,680,875.00
11/01/2026	-		985,125.00	985,125.00
05/01/2027	2,765,000.00	5.000%	985,125.00	3,750,125.00
11/01/2027	-		916,000.00	916,000.00
05/01/2028	2,910,000.00	5.000%	916,000.00	3,826,000.00
11/01/2028	-		843,250.00	843,250.00
05/01/2029	3,055,000.00	5.000%	843,250.00	3,898,250.00
11/01/2029	-		766,875.00	766,875.00
05/01/2030	3,200,000.00	5.000%	766,875.00	3,966,875.00
11/01/2030	-		686,875.00	686,875.00
05/01/2031	3,360,000.00	5.000%	686,875.00	4,046,875.00
11/01/2031	-		602,875.00	602,875.00
05/01/2032	3,535,000.00	5.000%	602,875.00	4,137,875.00
11/01/2032	-		514,500.00	514,500.00
05/01/2033	3,715,000.00	5.000%	514,500.00	4,229,500.00
11/01/2033	-		421,625.00	421,625.00
05/01/2034	3,905,000.00	5.000%	421,625.00	4,326,625.00
11/01/2034	-		324,000.00	324,000.00
05/01/2035	4,105,000.00	5.000%	324,000.00	4,429,000.00
11/01/2035	-		221,375.00	221,375.00
05/01/2036	4,315,000.00	5.000%	221,375.00	4,536,375.00
11/01/2036	-		113,500.00	113,500.00
05/01/2037	4,540,000.00	5.000%	113,500.00	4,653,500.00
<b>Total</b>	<b>\$46,925,000.00</b>	<b>-</b>	<b>\$19,448,825.00</b>	<b>\$66,373,825.00</b>

Midtown Miami CDD  
 Assessment Summary  
 FY 2023-2024

**On-Roll**

<b>PER ERU</b>											
Category	ERU	FY 2024			FY 2023			Difference			Overall Increase or Decrease
		2014A Assessment (Gross)	2014B Assessment (Gross)	O&M Assessment (Gross)	2014A Assessment (Gross)	2014B Assessment (Gross)	O&M Assessment (Gross)	2014A Assessment (Gross)	2014B Assessment (Gross)	O&M Assessment (Gross)	
<b>Biscayne Partners</b>											
Apartments (units) - Midblock	86.50	\$0.00	\$497.62	\$348.01	\$0.00	\$497.66	\$350.48	\$0.00	(\$0.04)	(\$2.47)	(\$2.51)
Offices (square feet)	6.68	\$0.00	\$240.22	\$348.01	\$0.00	\$241.20	\$350.48	\$0.00	(\$0.98)	(\$2.47)	(\$3.45)
Other Retail or Grocery (square feet)	19.57	\$0.00	\$240.22	\$348.01	\$0.00	\$241.20	\$350.48	\$0.00	(\$0.98)	(\$2.47)	(\$3.45)
Hotel	18.02	\$0.00	\$240.22	\$348.01	\$0.00	\$241.20	\$350.48	\$0.00	(\$0.98)	(\$2.47)	(\$3.45)
Condominiums Over 1,750 square feet	52.50	\$0.00	\$240.22	\$348.01	\$0.00	\$241.20	\$350.48	\$0.00	(\$0.98)	(\$2.47)	(\$3.45)
Condominiums 1,750 square feet or Less	1,105.00	\$0.00	\$240.22	\$348.01	\$0.00	\$241.20	\$350.48	\$0.00	(\$0.98)	(\$2.47)	(\$3.45)

<b>PER Unit</b>											
Category	Units	FY 2024			FY 2023			Difference			Overall Increase or Decrease
		2014A Assessment (Gross)	2014B Assessment (Gross)	O&M Assessment (Gross)	2014A Assessment (Gross)	2014B Assessment (Gross)	O&M Assessment (Gross)	2014A Assessment (Gross)	2014B Assessment (Gross)	O&M Assessment (Gross)	
<b>Biscayne Partners</b>											
Apartments (units) - Midblock	173	\$0.00	\$248.81	\$174.01	\$0.00	\$248.83	\$175.24	\$0.00	(\$0.02)	(\$1.24)	(\$1.26)
Offices (square feet)	10,019	\$0.00	\$0.16	\$0.23	\$0.00	\$0.16	\$0.23	\$0.00	(\$0.00)	(\$0.00)	(\$0.00)
Other Retail or Grocery (square feet)	24,467	\$0.00	\$0.19	\$0.28	\$0.00	\$0.19	\$0.28	\$0.00	(\$0.00)	(\$0.00)	(\$0.00)
Hotel	60	\$0.00	\$72.15	\$104.52	\$0.00	\$72.44	\$105.26	\$0.00	(\$0.29)	(\$0.74)	(\$1.04)
Condominiums Over 1,750 square feet	35	\$0.00	\$360.33	\$522.02	\$0.00	\$361.80	\$525.73	\$0.00	(\$1.47)	(\$3.71)	(\$5.18)
Condominiums 1,750 square feet or Less	1,105	\$0.00	\$240.22	\$348.01	\$0.00	\$241.20	\$350.48	\$0.00	(\$0.98)	(\$2.47)	(\$3.45)

Midtown Miami CDD  
 Assessment Summary  
 FY 2023-2024

**Off-Roll**

<b>PER ERU</b>											
Category	ERU	FY 2024			FY 2023			Difference			Overall Increase or Decrease
		2014A Assessment (Gross)	2014B Assessment (Gross)	O&M Assessment (Gross)	2014A Assessment (Gross)	2014B Assessment (Gross)	O&M Assessment (Gross)	2014A Assessment (Gross)	2014B Assessment (Gross)	O&M Assessment (Gross)	
<b>DDR/Midtown Opportunities</b>											
Retail Shopping Center (square feet)	2,400.00	\$0.00	\$472.74	\$865.97	\$0.00	\$472.78	\$866.88	\$0.00	(\$0.04)	(\$0.91)	(\$0.95)
<b>Biscayne Partners</b>											
Offices (square feet)	48.19	\$0.00	\$228.21	\$330.61	\$0.00	\$229.14	\$332.96	\$0.00	(\$0.93)	(\$2.35)	(\$3.28)
Other Retail or Grocery (square feet)	159.96	\$0.00	\$228.21	\$330.61	\$0.00	\$229.14	\$332.96	\$0.00	(\$0.93)	(\$2.35)	(\$3.28)
Condominiums Over 1,750 square feet	3.00	\$0.00	\$228.21	\$330.61	\$0.00	\$229.14	\$332.96	\$0.00	(\$0.93)	(\$2.35)	(\$3.28)
Condominiums 1,750 square feet or Less	2,021.00	\$0.00	\$228.21	\$330.61	\$0.00	\$229.14	\$332.96	\$0.00	(\$0.93)	(\$2.35)	(\$3.28)

<b>PER Unit</b>											
Category	Units	FY 2024			FY 2023			Difference			Overall Increase or Decrease
		2014A Assessment (Gross)	2014B Assessment (Gross)	O&M Assessment (Gross)	2014A Assessment (Gross)	2014B Assessment (Gross)	O&M Assessment (Gross)	2014A Assessment (Gross)	2014B Assessment (Gross)	O&M Assessment (Gross)	
<b>DDR/Midtown Opportunities</b>											
Retail Shopping Center (square feet)	600,000	\$0.00	\$1.89	\$3.46	\$0.00	\$1.89	\$3.47	\$0.00	(\$0.00)	(\$0.00)	(\$0.00)
<b>Biscayne Partners</b>											
Offices (square feet)	72,281	\$0.00	\$0.15	\$0.22	\$0.00	\$0.15	\$0.22	\$0.00	(\$0.00)	(\$0.00)	(\$0.00)
Other Retail or Grocery (square feet)	199,947	\$0.00	\$0.18	\$0.26	\$0.00	\$0.18	\$0.27	\$0.00	(\$0.00)	(\$0.00)	(\$0.00)
Condominiums Over 1,750 square feet	2	\$0.00	\$342.31	\$495.92	\$0.00	\$343.71	\$499.44	\$0.00	(\$1.40)	(\$3.52)	(\$4.92)
Condominiums 1,750 square feet or Less	2,021	\$0.00	\$228.21	\$330.61	\$0.00	\$229.14	\$332.96	\$0.00	(\$0.93)	(\$2.35)	(\$3.28)

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT**

**6**

## RESOLUTION 2023-09

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT AND IMPOSING SPECIAL ASSESSMENTS FOR FISCAL YEAR 2023/2024; 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 Midtown Miami 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; and

**WHEREAS**, the District is located in Miami ("**City**"), Miami-Dade 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**, the Board of Supervisors ("**Board**") of the District hereby determines to undertake various operations and maintenance and other activities described in the District's budget ("**Adopted Budget**") for the fiscal year beginning October 1, 2023 and ending September 30, 2024 ("**Fiscal Year 2023/2024**"), attached hereto as **Exhibit "A"** and incorporated by reference herein; and

**WHEREAS**, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the Adopted Budget; and

**WHEREAS**, the provision of such services, facilities, and operations is a benefit to lands within the District; and

**WHEREAS**, Chapter 190, *Florida Statutes*, provides that the District may impose special assessments on benefitted lands within the District; and

**WHEREAS**, it is in the best interests of the District to proceed with the imposition of the special assessments for operations and maintenance in the amount set forth in the Adopted Budget; and

**WHEREAS**, the District has previously levied an assessment for debt service, which the District desires to collect for Fiscal Year 2023/2024; and

**WHEREAS**, Chapter 197, *Florida Statutes*, provides a mechanism pursuant to which such special assessments may be placed on the tax roll and collected by the local tax collector (“**Uniform Method**”), and the District has previously authorized the use of the Uniform Method by, among other things, adopting certain resolutions and entering into agreements with the Property Appraiser and Tax Collector of the County for that purpose; and

**WHEREAS**, it is in the best interests of the District to adopt the assessment roll attached to this Resolution as **Exhibit “B (“Assessment Roll)”**, and to certify the portion of the Assessment Roll related to certain developed property (“**Tax Roll Property**”) to the County Tax Collector pursuant to the Uniform Method and to directly collect the portion of the Assessment Roll relating to the remaining property (“**Direct Collect Property**”), all as set forth in **Exhibit “B;”** and

**WHEREAS**, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll adopted herein, including that portion certified to the County Tax Collector by this Resolution, as the Property Appraiser updates the property roll for the County, for such time as authorized by Florida law.

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

**SECTION 1. BENEFIT.** 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 **Exhibits “A” and “B,”** and is hereby determined to be fair and reasonable.

**SECTION 2. ASSESSMENT IMPOSITION.** Pursuant to Chapters 190 and 197, *Florida Statutes*, and using the procedures authorized by Florida law for the levy and collection of special assessments, a special assessment for operation and maintenance is hereby imposed and levied on benefitted lands within the District, and in accordance with **Exhibits “A” and “B.”** The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution.

**SECTION 3. COLLECTION AND ENFORCEMENT; PENALTIES; INTEREST.**

- A. **Tax Roll Assessments.** The operations and maintenance special assessments and previously levied debt service special assessments imposed on the Tax Roll Property shall be collected at the same time and in the same manner as County taxes in accordance with the Uniform Method, as set forth in **Exhibits “A” and “B.”**
- B. **Direct Bill Assessments.** The operations and maintenance special assessments imposed on the Direct Collect Property shall be collected directly by the District in accordance with Florida law, as set forth in **Exhibits “A” and “B.”** Operations and Maintenance Assessments directly collected by the District are due in full on



December 1, 2023; provided, however, that, to the extent permitted by law, the assessments due may be paid in several partial, deferred payments and according to the following schedule: 25% due no later than October 1, 2023, 25% due no later than December 1, 2023, 25% due no later than March 1, 2024 and 25% due no later than June 1, 2024. The previously levied debt service special assessments imposed on the Direct Collect Property shall be collected directly by the District in accordance with Florida law, as set forth in **Exhibits "A" and "B."** Debt Service Assessments directly collected by the District are due in full on December 1, 2023; provided, however, that, to the extent permitted by law, the assessments due may be paid in several partial, deferred payments and according to the following schedule: 100% of the amount payable on the bonds due on May 1, 2024 shall due to the District no later than April 1, 2024 and 100% of the amount payable on the bonds due on November 1, 2024 shall be due to the District no later than September 30, 2024. In the event that either assessment payment is not made in accordance with the schedule stated above, the whole assessment – including any remaining partial, deferred payments for Fiscal Year 2023/2024, 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 applicable statutory prejudgment interest rate. 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 of the Florida Statutes or other applicable law to collect and enforce the whole assessment, as set forth herein.

- C. **Future Collection Methods.** The decision to collect special 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.

**SECTION 4. ASSESSMENT ROLL.** The District's Assessment Roll, attached to this Resolution as **Exhibit "B,"** is hereby certified for collection. That portion of the District's Assessment Roll which includes the Tax Roll Property is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to the District. The balance of said assessments, which includes the Direct Collect Property are to be direct collected pursuant to Chapter 170 and 190, Florida Statutes.

**SECTION 5. ASSESSMENT ROLL AMENDMENT.** 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 District's Assessment Roll in accordance with any such updates,

for such time as authorized by Florida law, to the County property roll. After any amendment of the Assessment Roll, the District Manager shall file the updates in the District records.

**SECTION 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.

**SECTION 7. TRANSMITTAL.** The District Manager of the District is hereby directed to transmit a copy of this Resolution to the proper public and governmental officials, so that its purpose and effect may be carried out in accordance with applicable law.

**SECTION 8. EFFECTIVE DATE.** This Resolution shall take effect upon the passage and adoption of this Resolution by the Board.

**PASSED AND ADOPTED** this 12th day of September, 2023.

ATTEST:

**MIDTOWN MIAMI COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**Exhibit A:** Budget

**Exhibit B:** Assessment Roll

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT**

**7**

**AGREEMENT  
(Tesla Supercharger)**

THIS AGREEMENT (The "**Agreement**") is made and entered into as of the date last signed below (the "**Effective Date**"), by and between:

**MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special purpose government established pursuant to Chapter 190, Florida Statutes, located in City of Miami, Miami-Dade County, Florida, and with offices at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (the "**District**"),

and

**TESLA, INC.**, a Delaware corporation, having as its principal business address 3500 Deer Creek Road, Palo Alto, CA 94304 ("**Tesla**").

**RECITALS**

**WHEREAS**, the District is a local unit of special purpose government established pursuant to and governed by Chapter 190, Florida Statutes; and

**WHEREAS**, Tesla will provide electric vehicle charging services at the Property (as herein defined) which will provide a mutual benefit to Tesla, the public, and the District, specifically electric vehicle owners and users in and around the Property; and

**WHEREAS**, District acknowledges the electric vehicle charging station at the Property will provide a benefit to the public of having electric vehicle charging services at the Property and desires to grant Tesla a license to possess and control use the Premises (as herein defined) pursuant to the terms set forth herein.

**NOW THEREFORE**, in consideration of the above and for other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **CONTACT INFORMATION:**

District's Address for Notices:  
  
Midtown Miami Community Development District  
2300 Glades Road, Suite 410W, Boca Raton, Florida 33431  
Attention: District Manager  
Phone:  
Email:

Tesla's Address for Notices:  
  
Tesla, Inc.  
3500 Deer Creek Road  
Palo Alto, CA 94304  
Attention: Supercharger Team  
Phone: (650) 681-5000  
  
With a copy to:  
Email: superchargerhost@tesla.com

24-hour Technical Support & Service:

**Commented [GEW1]:** City of Miami is the correct location. Unknown why deleted.

**Commented [LW2R1]:** Thank you Ginger – I made an attempt to address your comments but moving forward please propose language on the items that we are not aligned on.

**Commented [GEW3]:** Tesla, Inc. is not registered to do business in the State of Florida. This is a legal requirement for the CDD. Tesla Florida, Inc. is registered in the State of Florida. Please provide the correct legal entity and correct address for Tesla Supercharger that is registered in the State of Florida.

**Commented [LW4R3]:** Tesla Florida Inc is an entity associated with the sale of vehicles in FL. Tesla Inc is the parent entity of Tesla Florida Inc. and is the entity used for all supercharger stations throughout the country and FL.

**Commented [GEW5]:** The District was informed that the Tesla charging services were compatible with Tesla and other electric vehicles. Has this changed? The District requires there be a public purpose, i.e. benefit to the public for these services. The reason for this sentence to show that public purpose. No need to have that Tesla will benefit since not a requirement.

**Commented [LW6R5]:** Regardless, it's true that there is a mutual benefit but not an issue for Tesla. Accordingly, I reverted to the original language while replacing "Tesla vehicles" with "Electric vehicles." **Granted, this is limited to compatible EVs but Alex can provide additional context.**

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**Commented [GEW7]:** Same comment as before. This is a public benefit and need to show as such.

**Commented [GEW8]:** Must be included or have to restate in the agreement again. Simple legal drafting of an Agreement.

**Commented [GEW9]:** Need correct registered legal entity.

**Commented [LW10R9]:** This is the appropriate legal entity for Supercharging services.

2. **PREMISES:** District hereby grants to Tesla ~~a license to the use~~ twenty (20) sixteen (16) parking spaces as expressly provided herein, including an additional five (5) feet of additional parking width to comply with the Americans with Disabilities Act of 1990 and approximately 200-400 square feet for associated equipment (the "**Premises**") on the property commonly known as The Shops at Midtown Miami, located at 3401 N Miami Ave, Miami, FL 33137 and as depicted on **Exhibit A** attached hereto (the "**Property**") in order to build an electric vehicle supercharging station to charge compatible electric vehicles (the "**Supercharger Station**").
3. **CONSTRUCTION:** Upon delivery of possession of the Premises to Tesla, Tesla shall, at its sole expense, construct improvements as described herein and pursuant to the procedures set forth in **Exhibit B**, attached hereto and made a part hereof, and will install certain trade fixtures indicated in **Exhibit B** (the "**Trade Fixtures**" as further described and defined in **Exhibit B**).
4. **INITIAL FOOTPRINT:** Tesla, at its sole cost and expense, shall outfit the ~~twenty (20) sixteen (16)~~ parking spaces within the Premises with charge posts ("**Superchargers**") and level 2 chargers ("**Level 2 Chargers**"), as follows: (a) Twelve (12) parking spaces outfitted with Superchargers and ~~four (4)~~ parking spaces outfitted with Level 2 Chargers each to serve as charging stalls to be used by compatible electric vehicles and will also be available for general parking of non-electric vehicles in accordance with the operation of the District's rules and regulations ("**Preferred Stalls**"). The Preferred Stalls and any applicable restrictions shall be identified by signage substantially similar to the signage as depicted in **Exhibit B**.
5. **POSSESSION DATE:** The first date where Tesla may enter the Premises and Property to begin its work pursuant to the Agreement is ~~March 1<sup>st</sup>~~ June, 2023 (the "**Possession Date**"). For the avoidance of doubt, the Possession Date shall not occur until (a) the District approves the construction schedule, signage, and plans and specifications for the Supercharger Station (such approval not to be unreasonably withheld, conditioned or delayed) and (b) Tesla provides the District with evidence of the insurance required by this Agreement.
6. **COMMENCEMENT DATE:** The date that the Supercharger Station opens to the public (the "**Commencement Date**") shall be within one hundred and fifty (150) days following the Possession Date, provided that no external permitting, utility, force majeure, or other requirements beyond Tesla's control delay the installation, despite the best efforts of Tesla. Tesla shall deliver written notice to District promptly following the Commencement Date to confirm such date for recordkeeping purposes.
7. **TERM:** The initial term of the Agreement shall expire five (5) years from the Commencement Date (the "**Initial Term**"), unless otherwise terminated as provided herein. Tesla may extend the Agreement for an additional five (5) year term (the "**Renewal Term**" and together with the Initial Term, the "**Term**"). To extend the Initial Term, Tesla shall deliver written notice of such extension to District no later than thirty (30) days prior to the expiration of the Initial Term, unless otherwise terminated as provided herein. In the event of a sale or transfer of the Property or Premises by District while the Agreement is in effect, Tesla's rights shall be conveyed with the Property or Premises.

**Commented [GEW11]:** Made it clear previously this is not a sole license agreement, it is an agreement to install and use the area for the charging stations.

**Commented [LW12R11]:** Reverted to original language. Alex, please add the correct #.

**Commented [GEW13]:** Deborah, please advise as to these changes since that was negotiated item as to the location and the landscaping between you and Tesla.

**Commented [LW14R13]:** Ginger, I'm not sure what you're referencing.

**Commented [LW15]:** 12 superchargers and 8 level 2

**Commented [LW16R15]:** Alex, add the correct #.

**Commented [GEW17]:** Deborah, what should the correct date be for entry onto property by Tesla to being work?

**Commented [LW18R17]:** Alex, please add the correct date.

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**Commented [GEW19]:** This is not possible. In fact, the District as a governmental entity, does not have the ability to sell or transfer the District property. This is not a license agreement that will be recorded in the public records and create a property interest.

**Commented [LW20R19]:** Then this should not be an issue. The intent of this sentence is merely to ensure that Tesla will not lose its substantial investment in the property as the result of a sale or transfer and given that this is a license it needs to be clear that this license survives such transfers.

8. **UTILITIES:** Tesla shall arrange and pay the charges for all Tesla-related utility services provided or used in or at the Premises during the Term. Tesla shall pay directly to the utility company the cost of installation of any and all such Tesla-related utility services and shall arrange to have the utility service separately metered. District shall not be responsible for any damages suffered by Tesla in connection with the quality, quantity or interruption of utility service, unless the cause of the disruption or damage was due to District's gross negligence or willful misconduct provided that Tesla's sole remedy for such interruption shall be limited to requiring District to use its best and diligent efforts to restore the utility services.

Commented [GEW21]: Business decision for District to make.

9. **USE:** Tesla shall use and occupy the Premises during the Term for a Supercharger Station and incidental purposes directly related to the same, including generating photovoltaic electricity and operating an energy storage system. All use of the Premises by Tesla shall comply with applicable federal, state, county, and municipal, codes, laws, ordinances (collectively "**Laws**") and the District's applicable rules and regulations; provided such rules and regulations should not impair the Supercharger Station.

10. **PAYMENT FOR CHARGING SERVICES:** Other than parking fees charged to all users of the Property, District shall have no right to request or accept payment from Tesla, Tesla customers or any other third-parties in connection with the use of the Supercharger Station. For clarity, parking fees charged to users of the Supercharger Station shall not exceed those charged to other users of the Property.

11. **MAINTENANCE:** Tesla shall be responsible for maintaining the Trade Fixtures and Infrastructure (as defined in **Exhibit B**) and District shall not be responsible for any damage to the Trade Fixtures or the Infrastructure unless such damage is caused by District's gross negligence or willful misconduct. Notwithstanding the foregoing, District's normal responsibility to maintain the common areas of the Property shall also apply to the paved portions of the Premises, such as garbage collection. District agrees to coordinate any parking lot maintenance with Tesla to ensure that charging stalls remain available for vehicle charging at all times. Tesla shall pay to the District Ninety-five Dollars (\$95) per parking space per month for the aforesaid District maintenance. Tesla may, in its discretion and at its sole cost, install security cameras and other equipment to monitor the Premises from off-site, upon the express written approval of the District, which shall not be unreasonably withheld, conditioned or delayed. Tesla shall promptly repair any damage to the Property caused by Tesla, its agents, contractors and employees during the installation, maintenance or removal of the Supercharger Station.

Commented [GEW22]: Business decision for District.

Commented [GEW23]: Deborah, this one is for you.

Commented [GEW24]: Deborah, this one is for you.

12. **DISTRICT COVENANTS:** District represents that it: (a) is the owner of the Property; (b) has obtained any required consents to enter into this Agreement (specifically excluding the permits and approvals that Tesla must obtain from the applicable government authorities to perform its work); and (c) this Agreement does not violate any agreement, lease or other commitment of District. District shall not take any action that would impair or interrupt the use of the Premises or the Trade Fixtures. District agrees to notify Tesla within a commercially reasonable time if (i) it has knowledge of third-parties impairing or misusing the Premises or Trade Fixtures, or (ii) it obtains knowledge of a needed repair to the Premises or Trade Fixtures. If internal combustion vehicles non-Tesla motorists repeatedly park in the Preferred Stalls, thereby impairing use of the Preferred Stalls then the parties shall, at Tesla's sole cost and expense, together determine and

implement an appropriate and effective strategy for preventing such impairment, including, without limitation, alternative signage and painted asphalt.

**Commented [GEW25]:** Business decision. Must not be limited to only Tesla electric vehicles.

**Commented [LW26R25]:** Agreed

13. **ASSIGNMENT:** Tesla shall not assign this Agreement voluntarily or by operation of law, or any right hereunder, nor sublet the Premises or any part thereof, without the prior written consent of District, which shall not be unreasonably withheld, conditioned or delayed; provided that the foregoing prohibition shall not limit Tesla's ability to transfer this Agreement to a company that is controlled by, controls, or is under common control with Tesla, provided that Tesla shall promptly notify the District in writing of any such transfer.

**Commented [GEW27]:** As long as Tesla informs the District. There are ethical requirements of supervisors regarding contracts and whether the supervisor has a financial conflict which requires the supervisor to take certain actions.

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14. **ALTERATIONS:** Excepting the items of **Exhibit B**, Tesla shall not make or authorize any alterations, changes in or additions to the Premises without the prior written consent of District. Upon the expiration or termination of this Agreement, the Infrastructure shall become the property of the District (except that Infrastructure upstream of the meter is and shall remain the property of the utility); provided that all Trade Fixtures and all related intellectual property shall at all times remain the property of Tesla and all Trade Fixtures will be promptly removed by Tesla upon the expiration or termination of the Agreement. Notwithstanding the foregoing, the District, at its sole option, may demand that Tesla remove the Infrastructure by providing written notice of such intention at least sixty (60) days prior to the expiration or termination of this Agreement and Tesla shall, at its sole cost, restore the Premises to the same condition prior to the commencement of this Agreement, normal wear tear and casualty excepted, at Tesla's sole cost.

**Commented [GEW28]:** Business decision of the District.

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15. **SIGNAGE:** Tesla signage to be installed at the Premises is represented in **Exhibit B** and shall include signage to identify the Preferred Stalls. Any material revisions or additions to the signage depicted in **Exhibit B** shall be subject to District approval, which shall not be unreasonably withheld, conditioned or delayed. All signage shall comply with Laws and be professionally prepared, installed and maintained at Tesla's expense. Location of the signage shall also be subject to District approval prior to installation, which shall not be unreasonably withheld, conditioned or delayed.

16. **INDEMNIFICATION AND LIENS:** Except to the extent of any gross negligence or willful misconduct of District, Tesla hereby agrees to indemnify, hold harmless and defend the Property, District, its managers, members, agents and representatives from all liability, damages, loss, costs and obligations, including, court costs and attorney's fees, on account of or arising out of or alleged to have arisen out of any claim of any third party directly related to Tesla's use of the Premises.

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~~16.~~ Tesla shall keep the Property free of all liens directly related to Tesla's work at the Property. In the event a lien is filed against the Property as a result of labor or materials furnished to or for Tesla then Tesla shall promptly (but no later than 30 days after written notice thereof from the District) remove or bond any liens placed on the Property as a result of any claims for labor or materials furnished to or for Tesla at or for use on the Premises. If Tesla fails to remove such liens from the Property within thirty (30) days of written notice thereof from the District then the District shall have the option (but no obligation) to remove such liens at Tesla's sole cost

**Commented [GEW29]:** District requires that sovereign immunity be acknowledged. It is a limitation of liability of the District as a local government in Florida.

**Commented [LW30R29]:** Please provide language.

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**Commented [GEW31]:** No liens are permitted on District property as a governmental entity. If Tesla is using contractors/subcontractors for the work, there may need to be a bond posted.

**Commented [LW32R31]:** I expanded the lien provision to provide additional protections for the District but Tesla will not provide a bond for this work.

and expense and Tesla shall reimburse the District for all costs incurred within thirty (30) days of written notice thereof, which notice shall include reasonable documentation for such costs.

17. **DESTRUCTION:** Any total destruction of the Premises shall, at District's or Tesla's written election within thirty (30) days of such destruction, terminate the Agreement.

18. **DEFAULT:** The following shall constitute an "Event of Default" by Tesla under this Agreement:

(1) the failure by Tesla to perform or observe any material term or condition of the Agreement and such failure continues for a period of thirty (30) days after receipt of written notice thereof, provided however, that if the nature of such default is such that the same cannot reasonably be cured within said thirty (30) day period, then Tesla shall have such additional time as is reasonably required to cure such failure provided Tesla commences to cure such failure within such ten (10) day period and proceeds to cure such failure with diligence and continuity.

(2) the appointment of a receiver or trustee to take possession of all or substantially all of the assets of Tesla located at the Premises if possession is not restored to Tesla within sixty (60) days; or a general assignment by Tesla for the benefit of creditors; or any action or proceeding commenced by or against Tesla under any insolvency or bankruptcy act, or under any other statute or regulation having as its purpose the protection of creditors and in the case of involuntary actions filed against the Tesla the same are not discharged within sixty (60) days after the date of commencement.

19. **REMEDIES:** District and Tesla acknowledge and agree that each party shall have all remedies available at law or in equity if the other party is in default under the terms of this Agreement. If an Event of Default has occurred and is continuing, then District, in addition to any other remedies given at law or in equity, may:

(A) continue this Agreement in effect by not terminating Tesla's right to possession use of said Premises and thereby be entitled to enforce all District's rights and remedies under this Agreement.

19. (B) bring an action to recover and regain possession of said Premises in the manner provided by the laws of eviction of the State where the Premises are located then in effect.

20. **INSURANCE:** Tesla shall carry commercial general liability insurance with limits of not less than Two Million Five Hundred Thousand dollars (\$2,500,000) per occurrence and Four Million dollars (\$4,000,000) aggregate for combined single limit for bodily injury or third party property damage. The total limits above may be met by any combination of primary and excess liability insurance. A certificate evidencing such insurance shall be delivered to District upon the execution of this Agreement and from time to time thereafter as may be requested by District. Tesla shall include District as an additional insured on its commercial general liability and, if applicable to meet limit requirements, umbrella and/or excess insurance policies, with respect to liability under this Agreement. Tesla will also carry worker's compensation insurance in accordance with State of Florida state and federal law. This requirement may be waived by Tesla if Tesla is a qualified self-insured in the state-State of Florida where the Premises are located. Insurance shall be maintained with responsible insurance carriers with a Best Insurance Reports rating of "A-" or better or

Commented [GEW33]: Business decision of the District.

Commented [GEW34]: Why is this deleted standard language for an agreement breach thereof?

Commented [LW35R34]: Not sure what you are referencing - my 2.8.23 redline does not show any deletion.

Commented [GEW36R34]: (b) require Tesla to remove all Improvements and/or Trade Fixtures within thirty (30) days of written notice by District to Tesla and failure of Tesla to remove all Improvements and/or Trade Fixtures, District shall have the right to remove and dispose of the same, without further notice to Tesla. Tesla will have no right to recover the Improvements and/or Trade Fixtures, if removed by the District pursuant to this subsection.

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Commented [GEW37]: It is the use of the Premises, not possession. Tesla does not have sole possession of the Premises, merely the use of a certain area to provide the Services.

Commented [LW38R37]: No issue - adjusted accordingly.

Commented [GEW39]: Business decision of the District.

Commented [GEW40]: Tesla is not a Tenant of the District. There is no eviction action.

Commented [LW41R40]:

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Commented [GEW42]: Why is this deleted? Florida law applies.

Commented [GEW43]: Which is Florida.



through a formal self-insurance mechanism that has either (a) a Best Insurance Reports rating of “A-” or better; or (b) a financial size category of “VI” or higher, provided, that if such self-insurance program does not meet either (a) or (b), then Tesla’s use of self-insurance for the coverages herein shall be subject to District’s approval, not to be unreasonably withheld, conditioned, or delayed.

21. **CONFIDENTIALITY AND PUBLICITY:**

(A) Tesla and District agree that the terms of this Agreement are confidential information, and both parties agree not to disclose such confidential information to any person or entity other than (i) financial, legal and space planning consultants that have a “need to know” such confidential information and have agreed to abide by confidentiality terms no less protective than the terms of this Agreement and (ii) as required by Florida law, ~~including compliance with applicable public information requests or applicable sunshine laws;~~ provided District shall notify Tesla in writing ~~of such a request and make all efforts to notify Tesla~~ prior to the release of this Agreement.

(B) Neither party will use the other party’s name, trademark or logo without such other party’s prior written consent.

22. **EXCLUSIONS:** Notwithstanding anything herein to the contrary, neither party shall be liable for, and each party expressly releases the other from any claims from, ~~speculative, indirect,~~ consequential or punitive damages, including any lost sales or profits of such party.

23. **ENVIRONMENTAL MATTERS:**

A. The following definitions shall be used in this Section 23.

- **“Environmental Law”** means any federal, state or local law pertaining to land use, air, soil, surface water, groundwater (including the protection, cleanup, removal, remediation, or damage thereof), public or employee health or safety or any other environmental matter, including, but not limited to, the following: (a) Clean Air Act (42 U.S.C. § 7401, et seq.); (b) Clean Water Act (33 U.S.C. § 1252, et seq.); (c) Resource Conservation and Recovery Act (42 U.S.C. § 6901, et seq.); (d) Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601, et seq.); (e) Safe Drinking Water Act (42 U.S.C. § 300f, et seq.); (f) Toxic Substances Control Act (15 U.S.C. § 2601, et seq.); (g) Endangered Species Act (16 U.S.C. § 1531, et seq.); (h) Occupational Safety and Health Act (29 U.S.C. § 651, et seq.); (i) Emergency Planning and Community Right-To-Know Act (42 U.S.C. § 11001, et seq.); and (j) any other applicable laws or regulations for the protection of the environment, human health or safety or regulating to Hazardous Materials, or Hazardous Material Activities.
- **“Hazardous Material”** means (a) any petroleum, crude oil, natural gas, or any fraction, product or derivative thereof, radioactive materials, asbestos in any form that is friable; (b) any chemicals, materials, substances or wastes that are defined as or included in the definition of hazardous substances, hazardous wastes, hazardous materials, extremely hazardous substances, toxic substances, pollutants, contaminants or words of similar import under any Environmental Law; and (c) any other chemical, material, substance,

**Commented [GEW44]:** As advised previously, the District is a governmental entity in the State of Florida and must adhere to the Florida Sunshine Laws which will not make this Agreement and other information confidential.

**Commented [LW45R44]:** (ii) expressly permits the district to release this agreement.

**Commented [GEW46]:** Too vague. District holds Tesla responsible for damages to District’s premises or any other individual that brings an action/claim against the District for their damages.

**Commented [LW47R46]:** Non-starter for Tesla. Tesla will not enter into any deal that includes indirect damages. With that said, if Tesla causes damage to the property then this agreement makes it clear that Tesla must protect, reimburse and indemnify the District for such damages.

**Commented [GEW48]:** Discuss with District Engineer. Not sure if the District is able to make this statement without it.

waste or exposure that is limited or regulated by any governmental authority having jurisdiction over the Premises.

- **“Hazardous Materials Activity”** means the handling, transportation, transfer, recycling, storage, use, treatment, manufacture, generation, investigation, removal, remediation, release, exposure of others to, sale, or distribution of any Hazardous Material or any product containing a Hazardous Material, and any consulting, management, administrative, monitoring or testing services relating to any of the foregoing.

B. The District has, and at all times has had, all permits, approvals, permissions, authorizations, franchises or other required conditions necessary for the lawful conduct of the operation of its facilities or the conduct of its business and operations under applicable Environmental Laws at the Property, and the District is, and all times has been, in compliance with all such permits, approvals, permissions, authorizations, franchises or other required conditions.

C. The District represents and warrants the following:

- (i) no Hazardous Materials have been stored, kept, used or released by or on behalf of the District or, at any time during the District’s occupancy, have been, present or released at, on, under or from any District business facility in violation of any applicable Environmental Law, other than as disclosed by the Brownfield Site Rehabilitation Agreement dated December 18, 2003 (the **“BSRA”**);
- (ii) the District has not engaged in any Hazardous Materials Activity in violation of any applicable Environmental Law;
- (iii) no claim or legal proceeding is pending or threatened against the District concerning any of the Hazardous Materials Activities of the District, or any Hazardous Materials Activity on the Property, nor is the District aware of any activities or other information that would give rise to such a claim or threat of claim; and
- (iv) no Hazardous Materials have been placed on the ground or are known to exist on, in or below the Property in violation of any applicable Environmental Law except as provided in the BSRA.

D. Based on the representations and warranties noted above and notwithstanding any provision in this Agreement to the contrary, District agrees that it will indemnify and hold Tesla harmless for any and all costs, liabilities, investigations, damages and expenses, including any remediation costs or cleanup or corrective action expenses, associated with any Hazardous Materials or other contamination discovered on the Property, except to the extent any such Hazardous Materials or other contamination is caused by Tesla, its agents, contractors or employees.

**Commented [GEW49]:** Business decision of the District.

E. District agrees that it is responsible for remediating any pre-existing contamination and any contamination not caused by Tesla, its agents, contractors or employees, in each case in order to allow complete construction of the Supercharger Station in a timely manner and use of the Premises for the intended purposes.

**Commented [GEW50]:** Same.

F. Notwithstanding any other provision of this Agreement, Tesla acknowledges that the Property is subject to the BSRA. Tesla, its agents, employees and contractors shall not take any actions which violate the BSRA or Environmental Law. Except as expressly permitted herein, Tesla shall not engage in any activities which involve disturbing of soil or groundwater, excavation, trenching, filling, grading, earth moving, filling, or mining without the express approval of any applicable government entity and shall reasonably coordinate any such activities with its environmental consultant(s) and the District.

24. **NOTICES:** All notices or demands shall be in writing and shall be deemed duly served or given only if delivered by prepaid (i) U.S. Mail, certified or registered, return receipt requested, or (ii) reputable, overnight courier service (such as UPS or FedEx) to the addresses of the respective parties as specified in Section 1 above. District and Tesla may change their respective addresses for notices by giving notice of such new address in accordance with the provisions of this paragraph.

25. **BROKERS:** District and Tesla represent to each other that each has dealt with no broker and each hereby agrees to indemnify and hold the other harmless from any claims for any such commissions or fees.

26. **INTERPRETATION:** The headings and defined terms in this Agreement are for reference purposes only and may not be construed to modify the terms of this Agreement. Neither party shall have the right to unilaterally revoke or terminate this Agreement, unless such revocation or termination is pursuant to the explicit terms of this Agreement.

27. **SUCCESSORS AND ASSIGNS:** This Agreement shall be binding upon and shall inure to the benefit of and Tesla and their respective successors and assigns.

28. **GOVERNING LAW:** This Agreement shall be governed by the laws of the State where of Florida the Premises are located.

29. **TIME:** Time is of the essence in this Agreement.

30. **COUNTERPARTS:** This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which together will constitute one agreement. Signed copies transmitted electronically in PDF or similar format shall be treated as originals.

31. **SUBORDINATION:** Subject to Section 12 12 Error! Reference source not found. above above, this Agreement is subject to and subordinate to all ground or superior leases and to all mortgages which may now or hereafter affect such leases or the real property of which the Premises are a part and to all renewals, modifications, consolidations, replacements and extensions of any such ground or superior leases and mortgages; provided that Tesla's rights under this Agreement shall not be disturbed by such subordination so long as no Event of Default by Tesla exists. This Section 31 shall be self-operative and no further instrument of subordination or non-disturbance shall be required by any ground or superior lessor or by any mortgagee, affecting any lease or the Property.

32. **INCENTIVES:** District agrees that Tesla shall own and receive the benefit of all Incentives directly derived from the construction, ownership, use or operation of the Supercharger Station,

Commented [GEW51]: Why did you delete Florida? It is the state where located.

Commented [LW52R51]: Non-issue

Commented [GEW53]: ?

including, without limitation, from electricity delivered through, stored at or generated by the Supercharger Station. District will cooperate with Tesla in obtaining all Incentives, provided that District is not obligated to incur any out-of-pocket costs in doing so unless reimbursed by Tesla. If any Incentives are paid directly to District, District agrees to immediately pay such amounts over to Tesla. "Incentives" means (a) electric vehicle charging or renewable energy credits or certificates, carbon credits and any similar environmental or pollution allowances, credits or reporting rights, (b) rebates or other payments based in whole or in part on the cost or size of equipment, (c) performance-based incentives paid as periodic payments, (d) tax credits, grants or benefits, and (e) any other attributes, commodities, revenue streams or payments, in each of (a) through (e) under any present or future law, standard or program and whether paid by a utility, private entity or any governmental, regulatory or administrative authority. Notwithstanding the foregoing, Tesla acknowledges and agrees that Incentives shall not include (i) benefits or credits intended for the District as the fee owner of the Property or (ii) Incentives derived from third party charging equipment owned by the District.

Commented [GEW54]: Business decision of the District.

33. **WAIVER OF JURY TRIAL:** TO THE EXTENT PERMITTED BY LAWS, DISTRICT AND TESLA EACH WAIVE, TO THE EXTENT PERMITTED BY APPLICABLE LAWS, THE RIGHT TO A TRIAL BY JURY IN ANY ACTION OR PROCEEDING BASED UPON OR RELATED TO, THE SUBJECT MATTER OF THIS AGREEMENT.

*[Signature page follows.]*

**IN WITNESS WHEREOF**, the parties hereto have each caused an authorized representative to execute this Agreement as of the Effective Date.

**ATTEST:**

**MIDTOWN MIAMI COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Print name: \_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Print name: \_\_\_\_\_  
Chair, Board of Supervisors

this \_\_\_\_ day of \_\_\_\_\_, 2023

**TESLA:**

**TESLA, INC., a Delaware corporation**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

this \_\_\_\_ day of \_\_\_\_\_, 2023

**EXHIBIT A**

**Premises and Property Depiction and Address**

**Property Address:** 3401 N Miami Ave, Miami, FL 33137

**Premises and Property Depiction:**





## EXHIBIT B

### Supercharger Station

Tesla shall install the Supercharger Station on the Premises pursuant to the terms of this agreement and the plans and specification approved by the District. The installation of the Supercharger Station shall consist of: (a) the necessary utility infrastructure, which may include, a utility transformer, metering equipment, switchgear, conduit, wiring, and foundations (collectively, the “**Infrastructure**”) and (b) will also include certain trade fixtures as determined by Tesla, which shall include Twelve (12) Superchargers, eight (8) Level 2 Chargers, power electronic equipment, signage, and may also include, a fence or other visual barriers, canopy, solar panels, and an energy storage system (collectively, the “**Trade Fixtures**”).

Commented [LW55]: Alex, please update.

The installation of the Infrastructure and the Trade Fixtures is collectively referred to as the Supercharger Station. Tesla will not perform any work related to the Supercharger Station the construction schedule, signage, and plans and specifications, including exact locations, have been approved by District, which approval may be by e-mail communication and shall not be unreasonably withheld, conditioned or delayed and Tesla provides evidence of the insurance required by this Agreement. The Supercharger Station and Tesla’s work related to the same shall at all times comply with Laws and the Supercharger Station shall be installed, maintained and replaced at Tesla’s sole cost.

#### Preferred Stall Signage Example





**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT**

**8**



Invoice No.: 1000386106  
File No. : 066702.010400  
Bill Date : August 7, 2023

Midtown Miami Community Development District  
c/o Wrathell, Hunt and Associates, LLC  
2300 Glades Road #410W  
Boca Raton, FL 33431

Attn: Cindy Cerbone  
District Manager

**INVOICE**

Re: Midtown Miami CRA Audit

Legal Services through July 31, 2023:

Total Fees:	\$	3,588.00
<b>Current Invoice:</b>	<b>\$</b>	<b><u>3,588.00</u></b>

RCG:CME  
Tax ID: 59-1270754

Greenberg Traurig, P.A.  
333 S.E. 2nd Avenue | Suite 4400 | Miami, Florida 33131  
Tel 305.579.0500 | Fax 305.579.0717 | www.gtlaw.com



Invoice No.: 1000386106  
File No. : 066702.010400

**REMITTANCE ADVICE**

PLEASE RETURN WITH YOUR PAYMENT  
**Note: Payment is Due 30 Days from Date of Invoice**

**CLIENT NAME:** MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT  
**FILE NUMBER:** 066702.010400  
**INVOICE NUMBER:** 1000386106\*  
**BILLING PROFESSIONAL:** Robert C. Gang

Current Invoice:	\$	3,588.00
Total Amount Due:	\$	3,588.00

FOR YOUR CONVENIENCE, WIRE TRANSFER FUNDS TO:

**For Wire Instructions:**

Bank: WELLS FARGO BANK  
ABA #: 121000248

**For ACH Instructions:**

Bank: WELLS FARGO BANK  
ABA#: 063107513

**CREDIT TO:** GREENBERG TRAURIG DEPOSITORY ACCOUNT  
**ACCOUNT #:** 2000014648663

**PLEASE**

**REFERENCE:** **CLIENT NAME:** MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT  
**FILE NUMBER:** 066702.010400  
**INVOICE NUMBER:** 1000386106\*  
**BILLING PROFESSIONAL:** Robert C. Gang

IF YOU WISH TO PAY BY CHECK PLEASE REMIT TO THE ADDRESS BELOW:

**Greenberg Traurig**  
**PO Box 936769**  
**ATLANTA GA 31193-6769**

RCG:CME  
Tax ID: 59-1270754



Invoice No.: 1000386106  
File No. : 066702.010400

Wire fees may be assessed by your bank.

**\* If paying more than one invoice, please reference all invoice numbers in wiring instructions.**  
Please contact [acct-cashreceipts@gtlaw.com](mailto:acct-cashreceipts@gtlaw.com) for any payment related questions.

RCG:CME  
Tax ID: 59-1270754

Greenberg Traurig, P.A.  
333 S.E. 2nd Avenue | Suite 4400 | Miami, Florida 33131  
Tel 305.579.0500 | Fax 305.579.0717 | [www.gtlaw.com](http://www.gtlaw.com)

Invoice No.: 1000386106  
Re: Midtown Miami CRA Audit  
Matter No.: 066702.010400

Description of Professional Services Rendered:

<u>DATE</u>	<u>TIMEKEEPER</u>	<u>DESCRIPTION</u>	<u>HOURS</u>	<u>AMOUNT</u>
06/28/23	Robert C. Gang	Call with Dist Manager for background of audit.	0.30	276.00
06/29/23	Robert C. Gang	Review audit report in draft, begin review of bond documents.	0.50	460.00
07/02/23	Robert C. Gang	Review bond document flow of funds and audit findings.	1.60	1,472.00
07/30/23	Robert C. Gang	Reviewing Indentures, offering documents re redemption provisions for extraordinary mandatory redemption requirements.	1.50	1,380.00
			<u>Total Time:</u>	3.90
			<u>Total Fees:</u>	\$ 3,588.00

Invoice No.: 1000386106  
Re: Midtown Miami CRA Audit  
Matter No.: 066702.010400

Description of Expenses Billed:

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
-------------	--------------------	---------------

**No expenses charged to this file**

**MIDTOWN MIAMI**  
**COMMUNITY DEVELOPMENT DISTRICT**

**UNAUDITED**  
**FINANCIAL**  
**STATEMENTS**

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
JULY 31, 2023**



**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
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**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
JULY 31, 2023**

	Governmental Funds		Total
	General	Debt Service Series 2014B	Governmental Funds
<b>ASSETS</b>			
Wells Fargo - operating	\$ 2,354,361	\$ -	\$ 2,354,361
Finemark	125,007	-	125,007
Finemark - ICS	836,739	-	836,739
Iberia	253,373	-	253,373
Accounts receivable	10	-	10
Undeposited funds	360,701	-	360,701
Due from governmental funds			
General fund	-	11,537	11,537
Investments			
Reserve B	-	966,337	966,337
Revenue B	-	1,894,463	1,894,463
Prepayment B	-	3,378	3,378
Prepaid expense	439	-	439
Assessments receivable	1,853	36	1,889
Deposits	4,550	-	4,550
Due from contractor	930	-	930
Due from Site Centers	360,701	-	360,701
Due from Cory Giordano	129,188	66,688	195,876
Due from PPF AMLI	-	94,194	94,194
Due from other	731	-	731
Total assets	<u>\$ 4,428,583</u>	<u>\$ 3,036,633</u>	<u>\$ 7,465,216</u>
<b>LIABILITIES</b>			
Liabilities:			
Accounts payable	\$ 15,600	\$ -	\$ 15,600
Credit card payable	385	-	385
Restroom deposits	250	-	250
Due to governmental funds			
Debt service - 2014B	11,537	-	11,537
Due to enterprise fund	713,182	-	713,182
Due to other	34,158	-	34,158
Due to Developer	75	-	75
Total liabilities	<u>775,187</u>	<u>-</u>	<u>775,187</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Unearned revenue	-	47,056	47,056
Deferred receipts	452,702	160,918	613,620
Total deferred inflows of resources	<u>452,702</u>	<u>207,974</u>	<u>660,676</u>
<b>FUND BALANCES</b>			
Restricted for:			
Unassigned	2,438,230	-	2,438,230
Total fund balances	<u>3,200,694</u>	<u>2,828,659</u>	<u>6,029,353</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 4,428,583</u>	<u>\$ 3,036,633</u>	<u>\$ 7,465,216</u>

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND  
FOR THE PERIOD ENDED JULY 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessments: on-roll (net of discounts)	\$ 1,067	\$ 432,930	\$ 433,458	100%
Assessments: off-roll	360,701	2,994,712	2,819,159	106%
Interest & miscellaneous	383	8,748	708	1236%
Total revenues	<u>362,151</u>	<u>3,436,390</u>	<u>3,253,325</u>	106%
<b>EXPENDITURES</b>				
<b>Administrative</b>				
Supervisors	-	2,410	12,000	20%
FICA	-	168	918	18%
Engineering	2,018	9,712	15,000	65%
Consulting services	-	1,665	57,500	3%
Legal	3,555	24,400	60,000	41%
Management	5,179	51,792	62,151	83%
Assessment roll preparation	389	3,890	4,668	83%
Audit	8,450	8,450	8,300	102%
Postage	32	128	600	21%
Insurance	-	55,973	62,446	90%
Property insurance	-	1,146	4,200	27%
Worker's compensation	-	2,527	4,100	62%
Printing and binding	50	500	600	83%
Legal advertising	-	-	1,250	0%
Bank charges	-	-	1,500	0%
Property taxes	-	-	200	0%
Arbitrage rebate	-	-	1,250	0%
Assessment collection (tax collector)	11	4,326	4,515	96%
ADA website compliance	-	-	210	0%
Web hosting	-	705	705	100%
Annual filing fee	-	175	175	100%
Total administrative	<u>19,684</u>	<u>167,967</u>	<u>302,288</u>	56%
<b>Field</b>				
Salaries	9,226	103,486	126,491	82%
Contracts:				
Fountain	-	-	5,000	0%
Janitorial	37,860	376,477	480,000	78%
Security services	54,189	481,540	700,000	69%
Street sweeping	4,508	45,080	63,000	72%
Landscape	22,615	292,412	340,000	86%
Road cleaning	1,500	14,100	60,000	24%
Air conditioning	-	1,666	3,500	48%
Pest control	-	3,240	6,000	54%
Other services	-	-	720	0%
Animal waste removal	2,011	13,973	20,000	70%
Waste removal	1,306	12,855	18,000	71%
Telephone	-	1,801	2,500	72%

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND  
FOR THE PERIOD ENDED JULY 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
Electricity	2,529	21,102	68,000	31%
Utilities:				
Irrigation	1,616	72,160	72,000	100%
Rentals: general	-	-	10,000	0%
Repairs & maintenance:				
General	877	49,143	76,500	64%
Buildings	7,247	22,137	30,000	74%
Electrical	7,040	72,604	80,000	91%
Equipment	-	351	-	N/A
Grounds	3,415	86,387	90,000	96%
Irrigation	-	9,720	30,000	32%
Plant replacement	4,681	73,789	85,000	87%
Signage	-	155	2,000	8%
Printing and binding	-	-	600	0%
Holiday decorations	-	86,050	100,000	86%
Radio	-	2,267	3,000	76%
Licenses & permits	-	250	750	33%
Security	1,155	18,882	25,000	76%
Office & operating supplies	(107)	11,984	12,000	100%
Office equipment	-	910	3,000	30%
General capital outlay	-	26,435	50,000	53%
Landscape light fixtures (Holmes)	1,970	26,908	45,000	60%
Parma replacement light fixtures	-	35,820	36,000	100%
MBE sprinkler pipes painting	-	15,901	22,000	72%
M Park - dog park	-	-	225,000	0%
Contingencies	-	41,142	60,000	69%
Total field operations	<u>163,638</u>	<u>2,020,727</u>	<u>2,951,061</u>	68%
Total expenditures	<u>183,322</u>	<u>2,188,694</u>	<u>3,253,349</u>	67%
Excess/(deficiency) of revenues over/(under) expenditures	178,829	1,247,696	(24)	
Fund balances - beginning	<u>3,021,865</u>	<u>1,952,998</u>	<u>2,627,842</u>	
Committed				
Assigned				
3 months working capital	863,322	863,322	863,322	
Disaster recovery	150,000	150,000	150,000	
Unassigned	<u>2,187,372</u>	<u>2,187,372</u>	<u>1,614,496</u>	
Fund balance - ending	<u><u>\$3,200,694</u></u>	<u><u>\$3,200,694</u></u>	<u><u>\$2,627,818</u></u>	

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2014B  
FOR THE PERIOD ENDED JULY 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessments: on-roll (net of discounts)	\$ 787	\$ 319,207	\$ 319,597	100%
Assessments: off-roll	-	1,165,729	1,643,012	71%
Interest and miscellaneous	9,238	82,597	-	N/A
Total revenues	<u>10,025</u>	<u>1,567,533</u>	<u>1,962,609</u>	80%
<b>Debt service</b>				
Principal	-	945,000	945,000	100%
Principal prepayment	-	15,000	-	N/A
Interest expense	-	1,004,150	1,004,525	100%
Total debt service	<u>-</u>	<u>1,964,150</u>	<u>1,949,525</u>	101%
<b>Administration</b>				
Trustee fees	-	4,041	3,163	128%
Assessment services	416	4,161	4,993	83%
Arbitrage calculation	-	500	600	83%
Dissemination agent	-	1,000	1,000	100%
Tax collector	8	3,189	3,329	96%
Total administration	<u>424</u>	<u>12,891</u>	<u>13,085</u>	99%
Total expenditures	<u>424</u>	<u>1,977,041</u>	<u>1,962,610</u>	101%
Excess/(deficiency) of revenues over/(under) expenditures	9,601	(409,508)	(1)	
Fund balance - beginning	<u>2,819,058</u>	<u>3,238,167</u>	<u>1,981,712</u>	
Fund balance - ending	<u>\$ 2,828,659</u>	<u>\$ 2,828,659</u>	<u>\$ 1,981,711</u>	

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF NET POSITION  
PARKING GARAGE (PROPRIETARY FUND)  
JULY 31, 2023**

	Balance
<b>ASSETS</b>	
<b>Current assets:</b>	
Wells Fargo - garage	\$ 4,204,352
Petty cash	2,000
Undeposited funds	455
Finemark	125,007
Finemark - ICS	784,756
Accounts receivable	4,214
Due from general fund	713,182
Due from other	8,114
Investments	
Prepayment A	1,705
Reserve A	999,628
Revenue A	532,860
Prepaid expense	188
Total current assets	7,376,461
<b>Noncurrent assets:</b>	
Capital assets:	
Land & improvements	63,555,028
Furniture, fixtures & equipment	820,759
Accumulated depreciation	(35,694,570)
Total noncurrent assets	28,681,217
Total assets	36,057,678
<b>LIABILITIES</b>	
<b>Current liabilities:</b>	
Accounts payable	104,279
Credit card payable	55
Accrued interest payable	582,081
Sales tax payable	21,501
City tax payable	44,538
Bonds payable - current	2,290,000
Total current liabilities	3,042,454
<b>Noncurrent liabilities:</b>	
Bonds payable	44,982,391
Bond premium/discount	(1,227,180)
Total noncurrent liabilities	43,755,211
Total liabilities	46,797,665
<b>DEFERRED INFLOWS OF RESOURCES</b>	
Deferred receipts	5,215
Total deferred inflows of resources	5,215
<b>NET POSITION</b>	
Net investment in capital assets	(16,730,293)
Restricted for:	
Unrestricted	3,502,603
Total net position	\$ (10,745,202)

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION  
PARKING GARAGE (PROPRIETARY FUND)  
FOR THE PERIOD ENDED JULY 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
<b>OPERATING REVENUES</b>				
Parking fees	\$ 320,427	\$ 3,318,625	\$ 4,300,000	77%
Off-street parking	455	5,566	11,000	51%
Total revenues	<u>320,882</u>	<u>3,324,191</u>	<u>4,311,000</u>	77%
<b>OPERATING EXPENSES</b>				
<b>Administrative</b>				
Engineering	-	-	30,000	0%
Consulting services	-	8,500	8,500	100%
Arbitrage rebate	-	500	750	67%
Dissemination agent	-	1,000	1,000	100%
Bank charges	-	-	7,000	0%
Mgmt and accounting	1,633	16,332	19,599	83%
Trustee fees	-	13,630	12,650	108%
Credit card fees	28,570	303,789	338,690	90%
Total administrative	<u>30,203</u>	<u>343,751</u>	<u>418,189</u>	82%
<b>Parking facilities</b>				
Payroll	13,839	155,223	189,736	82%
Contracts:				
Janitorial	38,408	381,952	545,000	70%
Parking	66,032	739,507	1,300,000	57%
Security services	23,224	206,374	300,000	69%
Elevator	8,255	73,078	100,000	73%
Air conditioning	-	714	1,500	48%
Waste removal	368	3,626	6,000	60%
Telephone	2,157	13,809	18,000	77%
Electricity	10,309	88,404	135,000	65%
Rentals	-	2,000	2,000	100%
Insurance:				
Property	-	384,466	356,828	108%
General liability	-	37,316	40,964	91%
Worker's compensation	-	1,685	4,000	42%
Repairs and maintenance:				
General	4,441	32,206	65,000	50%
Air conditioning	-	1,290	4,000	32%
Buildings	1,655	43,808	45,000	97%
Electrical	915	25,935	40,000	65%
Equipment	938	14,532	26,000	56%
Signage	-	2,758	4,000	69%

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION  
PARKING GARAGE (PROPRIETARY FUND)  
FOR THE PERIOD ENDED JULY 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
Elevators(repairs and maintenance)	-	6,482	15,000	43%
Elevators(graphics, flooring, ceiling & lgt cvs)	5,348	7,705	20,000	39%
Licenses & permits	-	-	3,500	0%
Contingency	3,800	4,360	20,000	22%
Security enhancements	20	2,323	12,000	19%
Signage, directories, banner & beautification	-	9,562	50,000	19%
Capital projects	3,050	8,892	40,000	22%
Office & operating supplies	287	10,999	15,000	73%
Capital outlay - NB Waterproofing membrane	-	127,000	-	N/A
Total parking facilities	<u>183,046</u>	<u>2,386,006</u>	<u>3,358,528</u>	71%
Total operating expenses	<u>213,249</u>	<u>2,729,757</u>	<u>3,776,717</u>	72%
Operating income/(loss)	107,633	594,434	534,283	
<b>NONOPERATING REVENUES (EXPENSES)</b>				
Interlocal agreement	-	3,498,188	4,696,376	74%
Interest and miscellaneous	4,732	52,993	(8,000)	-662%
Interest expense: series 2014A	(194,027)	(1,997,044)	(2,425,650)	82%
Depreciation	(176,542)	(1,765,418)	(2,118,501)	83%
Total non operating revenues/(expenses)	<u>(365,837)</u>	<u>(211,281)</u>	<u>144,225</u>	-146%
Change in net position	(258,204)	383,153	678,508	
Total net position - beginning	(10,486,998)	(11,128,355)	(12,454,199)	
Net position - ending				
Invested in capital assets, net of related debt*	(17,407,295)	(17,407,295)	(17,407,295)	
Restricted for debt service	1,304,200	1,304,200	1,304,200	
Assigned				
Parking garage improvements**	600,000	600,000	600,000	
Disaster recovery**	150,000	150,000	150,000	
Working capital**	200,000	200,000	200,000	
Unrestricted*	4,407,893	4,407,893	3,377,404	
Total net position - ending	<u><u>\$ (10,745,202)</u></u>	<u><u>\$ (10,745,202)</u></u>	<u><u>\$ (11,775,691)</u></u>	

\*These amounts are affected by estimates and non-cash transactions (such as depreciation) and will change pursuant to the annual audits.

\*\*The following amounts are held in cash; however, working capital may fluctuate below budget to cover current obligations.



**MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT  
LPS OF AMERICA FINANCIAL STATEMENT  
FOR THE PERIOD ENDED JULY 31, 2023**

	North Block	South Block	Mid-Block East	Off Street Parking	Total
<b>REVENUES</b>					
Monthly parking	\$ 638,142	\$ 513,058	\$ 41,555	\$ -	\$ 1,192,755
Paystation revenue	2,406,604.42	451,731.50	-	-	2,858,335.92
Validation	9,417.00	800.00	22,064.00	-	32,281.00
Miscellaneous income	856.00	-	-	-	856.00
City of Miami (off street parking)	-	-	-	5,566.38	5,566.38
Total revenues	<u>3,055,019.67</u>	<u>965,589.24</u>	<u>63,618.81</u>	<u>5,566.38</u>	<u>4,089,794.10</u>
<b>Parking payroll</b>					
Wages - attendant	154,419.19	-	-	-	154,419.19
Wages - management	133,823.24	-	-	-	133,823.24
Health insurance	2,272.41	-	-	-	2,272.41
Social Security/Medicare	2,350.00	-	-	-	2,350.00
Federal Unemployment	456.78	-	-	-	456.78
State Unemployment	0.04	-	-	-	0.04
Payroll taxes	38,136.90	-	-	-	38,136.90
Employee benefits	14,486.97	-	-	-	14,486.97
Workmen's comp. insurance	30,129.29	-	-	-	30,129.29
PPACA fee	2,350.00	-	-	-	2,350.00
Payroll processing	7,775.52	-	-	-	7,775.52
Operating supplies	6,255.84	-	-	-	6,255.84
Printing	56.47	-	-	-	56.47
Contract labor	0.73	-	-	-	0.73
Business license	348.00	-	-	-	348.00
Permits	16.61	-	-	-	16.61
Auto damage claims	18,164.71	-	-	-	18,164.71
Ins claims processing fee	15,000.00	-	-	-	15,000.00
Total operating expenses	<u>65,844.11</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>65,844.11</u>
<b>R &amp; M</b>					
R & M - vehicles	501.30	-	-	-	501.30
Service contracts/warranties	77,250.00	-	-	-	77,250.00
R & M - labor	203.29	-	-	-	203.29
Total R & M expenses	<u>77,954.59</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>77,954.59</u>
<b>Insurance</b>					
Workers comp - claims	18.82	-	-	-	18.82
General liability	17,278.00	12,850.00	3,090.00	-	33,218.00
GKLL	1,275.00	1,640.00	-	-	2,915.00
Total insurance expenses	<u>18,571.82</u>	<u>14,490.00</u>	<u>3,090.00</u>	<u>-</u>	<u>36,151.82</u>
COGS - Dental Insurance	40.02	-	-	-	40.02
COGS - Life Insurance	12.54	-	-	-	12.54
Total insurance expenses	<u>52.56</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>52.56</u>

**MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT  
LPS OF AMERICA FINANCIAL STATEMENT  
FOR THE PERIOD ENDED JULY 31, 2023**

	North Block	South Block	Mid-Block East	Off Street Parking	Total
<b>Administration expenses</b>					
Cellular phone	1,658.75	(16.84)	(41.77)	-	1,600.14
Internet services	2,031.96	-	-	-	2,031.96
Base management fee	24,730.00	8,380.00	1,670.00	-	34,780.00
Accounting fees	2,500.00	4,380.00	1,900.00	-	8,780.00
IT support	850.00	850.00	850.00	-	2,550.00
Lanier Connect	14,050.00	5,099.00	675.00	-	19,824.00
Meals/Entertainment of Client	920.61	-	-	-	920.61
Miscellaneous expenses	591.79	-	-	-	591.79
Total administration expenses	<u>110,771.06</u>	<u>28,846.89</u>	<u>6,221.73</u>	<u>-</u>	<u>145,839.68</u>
Total operating expenses	686,859.00	43,336.89	9,311.73	-	739,507.62
Net operating income/(loss)	<u>\$ 2,368,160.67</u>	<u>\$ 922,252.35</u>	<u>\$ 54,307.08</u>	<u>\$ 5,566.38</u>	<u>\$ 3,350,286.48</u>
Total operating expense/Net due	<u>\$ 686,859.00</u>	<u>\$ 43,336.89</u>	<u>\$ 9,311.73</u>	<u>\$ -</u>	<u>\$ 739,507.62</u>
Total operating expenses	\$ 686,859.00	\$ 43,336.89	\$ 9,311.73	\$ -	\$ 739,507.62
Less: base reimbursements	-	-	-	-	-
Net Pd/due Lanier System Part	<u>\$ 686,859.00</u>	<u>\$ 43,336.89</u>	<u>\$ 9,311.73</u>	<u>\$ -</u>	<u>\$ 739,507.62</u>

**MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT  
LPS OF AMERICA (NORTH BLOCK) FINANCIAL STATEMENT  
FOR THE PERIOD ENDED EACH MONTH DURING FISCAL YEAR 2023**

	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023	May 2023	Jun 2023	Jul 2023	Aug 2023	Sep 2023	Total
<b>REVENUES</b>													
Monthly parking	\$ 48,355.00	\$ 74,034.50	\$ 74,337.36	\$ 62,276.99	\$ 66,302.18	\$ 82,237.00	\$ 60,132.44	\$ 69,348.51	\$ 65,036.52	\$ 36,081.75	\$ -	\$ -	\$ 638,142
Paystation revenue	269,968.00	231,893.25	325,504.56	209,674.50	217,457.50	237,333.00	231,415.80	228,015.00	221,966.81	233,376.00	-	-	2,406,604.42
Validation	200.00	1,167.00	678.00	1,391.00	551.00	818.00	691.00	3,521.00	200.00	200.00	-	-	9,417.00
Miscellaneous Income	-	-	-	-	856.00	-	-	-	-	-	-	-	856.00
Total revenues	318,523.00	307,094.75	400,519.92	273,342.49	285,166.68	320,388.00	292,239.24	300,884.51	287,203.33	269,657.75	-	-	3,055,019.67
<b>EXPENSES</b>													
<b>Parking payroll</b>													
Wages - attendant	17,185.50	13,562.94	20,393.70	16,729.55	12,193.11	13,851.31	14,170.24	13,769.99	18,015.87	14,546.98	-	-	154,419.19
Wages - accountant	2,712.89	2,870.65	3,294.38	2,934.46	2,684.01	3,068.51	3,396.58	2,976.61	2,984.41	2,886.09	-	-	29,808.59
Wages - management	12,186.20	18,257.05	13,835.29	13,835.30	9,763.60	12,834.50	12,038.40	12,834.50	15,934.60	12,303.80	-	-	133,823.24
Payroll taxes	4,628.59	4,162.91	4,502.79	4,019.90	2,553.06	3,166.70	3,552.62	3,549.73	4,432.20	3,568.40	-	-	38,136.90
Social Security/Medicare	-	-	-	-	228.39	228.39	-	-	-	-	-	-	456.78
Federal Unemployment	-	-	-	-	5.93	-	-	-	-	-	-	-	5.93
State Unemployment	-	-	-	-	0.04	-	-	-	-	-	-	-	0.04
Employee benefits	1,921.30	1,561.10	1,688.54	1,507.49	957.38	1,187.50	1,332.25	1,331.14	1,662.08	1,338.19	-	-	14,486.97
Health insurance	876.81	-	-	-	697.80	697.80	-	-	-	-	-	-	2,272.41
Workmen's comp. insurance	3,573.91	3,299.10	3,568.49	3,185.78	2,023.29	2,509.60	2,815.47	2,813.16	3,512.51	2,827.98	-	-	30,129.29
PPACA fee	225.00	250.00	250.00	225.00	200.00	225.00	225.00	250.00	250.00	250.00	-	-	2,350.00
Payroll processing	845.65	829.12	896.83	848.53	534.02	662.35	743.08	742.47	927.05	746.42	-	-	7,775.52
Total administrative	44,155.85	44,792.87	48,430.02	43,286.01	31,840.63	38,431.66	38,273.64	38,267.60	47,718.72	38,467.86	-	-	413,664.86
<b>Operating expenses</b>													
Uniforms	-	-	-	920.90	-	-	-	-	-	-	-	-	920.90
Operating supplies	-	433.50	2,118.57	1,228.12	407.63	522.88	335.09	241.75	388.64	579.66	-	-	6,255.84
Equipment rental	-	292.67	-	865.59	215.00	-	-	296.68	215.00	430.00	-	-	2,314.94
Tickets parking/violation	8,426.00	-	-	-	8,589.40	-	-	-	-	-	-	-	17,015.40
Printing	-	-	-	-	56.47	-	-	-	-	-	-	-	56.47
Contract labor	-	0.73	-	-	-	-	-	-	-	-	-	-	0.73
Security services	515.49	-	-	1,557.56	-	1,645.54	-	-	1,503.90	528.02	-	-	5,750.51
Business license	-	348.00	-	-	-	-	-	-	-	-	-	-	348.00
Permits	-	-	-	-	16.61	-	-	-	-	-	-	-	16.61
Auto damage claims	-	-	7,078.90	243.00	10,842.81	-	-	-	-	-	-	-	18,164.71
Ins claims processing fee	-	15,000.00	-	-	-	-	-	-	-	-	-	-	15,000.00
Total operating expenses	8,941.49	16,074.90	9,197.47	4,815.17	20,127.92	2,168.42	335.09	538.43	2,107.54	1,537.68	-	-	65,844.11
<b>R &amp; M</b>													
R & M - vehicles	-	-	-	-	-	-	501.30	-	-	-	-	-	501.30
Service contracts/warranties	-	-	-	23,175.00	15,450.00	-	15,450.00	7,725.00	7,725.00	7,725.00	-	-	77,250.00
R & M - labor	-	-	-	-	-	-	203.29	-	-	-	-	-	203.29
Total R & M expenses	-	-	-	23,175.00	15,450.00	-	16,154.59	7,725.00	7,725.00	7,725.00	-	-	77,954.59

**MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT  
LPS OF AMERICA (NORTH BLOCK) FINANCIAL STATEMENT  
FOR THE PERIOD ENDED EACH MONTH DURING FISCAL YEAR 2023**

	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023	May 2023	Jun 2023	Jul 2023	Aug 2023	Sep 2023	Total
<b>Insurance</b>													
Worker Comp - Claims	-	-	-	-	-	-	-	18.82	-	-	-	-	18.82
General liability	1,720.00	1,720.00	1,720.00	1,720.00	1,720.00	1,720.00	1,720.00	1,720.00	1,720.00	1,798.00	-	-	17,278.00
GKLL	127.50	127.50	127.50	127.50	127.50	127.50	127.50	127.50	127.50	127.50	-	-	1,275.00
Total insurance expenses	1,847.50	1,847.50	1,847.50	1,847.50	1,847.50	1,847.50	1,847.50	1,866.32	1,847.50	1,925.50	-	-	18,571.82
<b>COGS</b>													
COGS - Dental Insurance	-	-	-	-	20.01	20.01	-	-	-	-	-	-	40.02
COGS - Life Insurance	-	-	-	-	6.27	6.27	-	-	-	-	-	-	12.54
Total COGSe expenses	-	-	-	-	26.28	26.28	-	-	-	-	-	-	52.56
<b>Administration expenses</b>													
Cellular phone	123.98	252.09	18.89	277.86	301.26	200.78	213.03	60.68	88.22	121.96	-	-	1,658.75
Internet services	292.51	469.06	132.01	132.40	319.65	157.41	132.02	132.02	132.43	132.45	-	-	2,031.96
Base management fee	2,473.00	2,473.00	2,473.00	2,473.00	2,473.00	2,473.00	2,473.00	2,473.00	2,473.00	2,473.00	-	-	24,730.00
Accounting fees	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	-	-	2,500.00
IT support	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	-	-	850.00
Banking fees	530.20	387.46	402.81	365.40	481.11	447.90	293.85	379.99	332.35	410.74	-	-	4,031.81
Network security	-	-	-	-	-	85.00	-	-	2,850.00	-	-	-	2,935.00
Credit card fees	5,959.74	6,314.82	-	7,432.76	5,149.62	4,758.76	6,032.49	5,929.11	5,985.32	5,846.02	-	-	53,408.64
Accounts receivable	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	-	-	1,500.00
Recruiting	156.25	156.25	156.25	156.25	156.25	156.25	156.25	156.25	156.25	156.25	-	-	1,562.50
Lanier Connect	1,300.00	1,300.00	1,300.00	1,450.00	1,450.00	1,450.00	1,450.00	1,450.00	1,450.00	1,450.00	-	-	14,050.00
Meals/Entertainment of Client	-	-	920.61	-	-	-	-	-	-	-	-	-	920.61
Miscellaneous expense	3,145.86	(2,554.07)	-	-	-	-	-	-	-	-	-	-	591.79
Total administration expenses	14,466.54	9,283.61	5,888.57	12,772.67	10,815.89	10,214.10	11,235.64	11,066.05	13,952.57	11,075.42	-	-	110,771.06
Total operating expenses	69,411.38	71,998.88	65,363.56	85,896.35	80,108.22	52,687.96	67,846.46	59,463.40	73,351.33	60,731.46	-	-	686,859.00
Net operating income/(loss)	249,111.62	235,095.87	335,156.36	187,446.14	205,058.46	267,700.04	224,392.78	241,421.11	213,852.00	208,926.29	-	-	2,368,160.67
Total operating expenses	69,411.38	71,998.88	65,363.56	85,896.35	80,108.22	52,687.96	67,846.46	59,463.40	73,351.33	60,731.46	-	-	686,859.00
Less: base reimbursements	-	-	-	-	-	-	-	-	-	-	-	-	-
Total operating expenses/Net due	\$ 69,411.38	\$ 71,998.88	\$ 65,363.56	\$ 85,896.35	\$ 80,108.22	\$ 52,687.96	\$ 67,846.46	\$ 59,463.40	\$ 73,351.33	\$ 60,731.46	\$ -	\$ -	\$ 686,859.00

**MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT  
LPS OF AMERICA (MID BLOCK) FINANCIAL STATEMENT  
FOR THE PERIOD ENDED EACH MONTH DURING FISCAL YEAR 2023**

	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023	May 2023	Jun 2023	Jul 2023	Aug 2023	Sep 2023	Total
<b>REVENUES</b>													
Monthly parking	\$ 2,565.00	\$ 2,755.00	\$ 5,224.96	\$ 6,133.85	\$ 2,850.00	\$ 3,895.00	\$ 4,465.00	\$ 4,238.00	\$ 3,135.00	\$ 6,293.00	\$ -	\$ -	\$ 41,554.81
Validation	3,170.00	3,288.00	-	4,104.00	1,720.00	4,372.00	2,944.00	-	2,466.00	-	-	-	22,064.00
Total revenues	5,735.00	6,043.00	5,224.96	10,237.85	4,570.00	8,267.00	7,409.00	4,238.00	5,601.00	6,293.00	-	-	63,618.81
<b>EXPENSES</b>													
<b>Insurance</b>													
General liability	305.00	305.00	305.00	305.00	305.00	305.00	305.00	305.00	305.00	345.00	-	-	3,090.00
Total insurance expenses	305.00	305.00	305.00	305.00	305.00	305.00	305.00	305.00	305.00	345.00	-	-	3,090.00
<b>Administration expenses</b>													
Cellular phone	-	-	(41.77)	-	-	-	-	-	-	-	-	-	(41.77)
Base management fee	167.00	167.00	167.00	167.00	167.00	167.00	167.00	167.00	167.00	167.00	-	-	1,670.00
Accounting fees	190.00	190.00	190.00	190.00	190.00	190.00	190.00	190.00	190.00	190.00	-	-	1,900.00
IT support	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	-	-	850.00
Banking fees	5.91	5.99	5.99	5.75	4.73	4.85	4.85	4.85	4.85	5.14	-	-	52.91
Credit card fees	-	-	-	-	-	-	-	-	51.81	-	-	-	51.81
Accounts receivable	92.50	92.50	92.50	92.50	115.63	115.63	115.63	115.63	115.63	115.63	-	-	1,063.78
Lanier Connect	225.00	225.00	225.00	-	-	-	-	-	-	-	-	-	675.00
Total administration expenses	765.41	765.49	723.72	540.25	562.36	562.48	562.48	562.48	614.29	562.77	-	-	6,221.73
Total operating expenses	1,070.41	1,070.49	1,028.72	845.25	867.36	867.48	867.48	867.48	919.29	907.77	-	-	9,311.73
Net operating income/(loss)	4,664.59	4,972.51	4,196.24	9,392.60	3,702.64	7,399.52	6,541.52	3,370.52	4,681.71	5,385.23	-	-	54,307.08

**MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT  
LPS AMERICA (SOUTH BLOCK) FINANCIAL STATEMENT  
FOR THE PERIOD ENDED EACH MONTH DURING FISCAL YEAR 2023**

	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023	May 2023	Jun 2023	Jul 2023	Aug 2023	Sep 2023	Total
<b>REVENUES</b>													
Monthly parking	\$ 43,225.09	\$ 48,849.00	\$ 47,121.71	\$ 56,319.41	\$ 53,118.21	\$ 47,710.00	\$ 58,558.50	\$ 45,780.50	\$ 62,175.97	\$ 50,199.35	\$ -	\$ -	\$ 513,057.74
Paystation revenue	45,743.00	38,934.00	50,250.00	46,649.50	48,041.00	51,405.00	48,049.00	42,402.00	41,379.00	38,879.00	-	-	451,731.50
Validation	105.00	-	-	-	-	105.00	350.00	240.00	-	-	-	-	800.00
Total revenues	89,073.09	87,783.00	97,371.71	102,968.91	101,159.21	99,220.00	106,957.50	88,422.50	103,554.97	89,078.35	-	-	965,589.24
<b>EXPENSES</b>													
<b>Insurance</b>													
General liability	1,280.00	1,280.00	1,280.00	1,280.00	1,280.00	1,280.00	1,280.00	1,280.00	1,280.00	1,330.00	-	-	12,850.00
GKLL	164.00	164.00	164.00	164.00	164.00	164.00	164.00	164.00	164.00	164.00	-	-	1,640.00
<b>Administration expenses</b>													
Cellular phone	-	-	(16.84)	-	-	-	-	-	-	-	-	-	(16.84)
Base management fee	838.00	838.00	838.00	838.00	838.00	838.00	838.00	838.00	838.00	838.00	-	-	8,380.00
Accounting fees	438.00	438.00	438.00	438.00	438.00	438.00	438.00	438.00	438.00	438.00	-	-	4,380.00
IT support	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	-	-	850.00
Banking fees	24.13	20.29	24.48	20.20	28.14	24.49	26.03	24.93	24.76	24.54	-	-	241.99
Credit card fees	-	702.08	-	1,378.00	728.96	1,001.92	808.10	778.54	739.29	694.85	-	-	6,831.74
Accounts receivable	140.00	140.00	140.00	140.00	140.00	140.00	140.00	140.00	140.00	140.00	-	-	1,400.00
Recruiting	164.00	205.00	164.00	164.00	164.00	164.00	164.00	164.00	164.00	164.00	-	-	1,681.00
Lanier Connect	498.00	498.00	498.00	515.00	515.00	515.00	515.00	515.00	515.00	515.00	-	-	5,099.00
Total administration expenses	2,187.13	2,926.37	2,170.64	3,578.20	2,937.10	3,206.41	3,014.13	2,983.47	2,944.05	2,899.39	-	-	28,846.89
Total operating expenses	3,631.13	4,370.37	3,614.64	5,022.20	4,381.10	4,650.41	4,458.13	4,427.47	4,388.05	4,393.39	-	-	43,336.89
Net operating income/(loss)	85,441.96	83,412.63	93,757.07	97,946.71	96,778.11	94,569.59	102,499.37	83,995.03	99,166.92	84,684.96	-	-	922,252.35
Total operating expenses	3,631.13	4,370.37	3,614.64	5,022.20	4,381.10	4,650.41	4,458.13	4,427.47	4,388.05	4,393.39	-	-	43,336.89
Total operating expenses/Net due	\$ 3,631.13	\$ 4,370.37	\$ 3,614.64	\$ 5,022.20	\$ 4,381.10	\$ 4,650.41	\$ 4,458.13	\$ 4,427.47	\$ 4,388.05	\$ 4,393.39	\$ -	\$ -	\$ 43,336.89

**MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT  
OFF-STREET PARKING  
FOR THE PERIOD ENDED EACH MONTH DURING FISCAL YEAR 2023**

<u>Month</u>	<u>Year</u>	<u>Amount</u>
October	2022	\$ 654.88
November	2022	751.62
December	2022	631.23
January	2023	583.45
February	2023	652.52
March	2023	696.27
April	2023	677.02
May	2023	464.35
June	2023	455.04
July	2023	-
August	2023	-
September	2023	-
		<u>\$ 5,566.38</u>

**MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT  
CHECK REGISTER  
JULY 31, 2023**



## Midtown Miami CDD Check Detail July 2023

Type	Num	Date	Name	Account	Paid Amount	Original Amount
Liability Check		07/07/2023	QuickBooks Payroll Service	101.002 · Wells Fargo - Garage Account		-9,031.60
				512.001 · Payroll Salaries	-5.25	5.25
			QuickBooks Payroll Service	2110 · Direct Deposit Liabilities	-9,026.35	9,026.35
TOTAL					-9,031.60	9,031.60
Liability Check		07/21/2023	QuickBooks Payroll Service	101.002 · Wells Fargo - Garage Account		-9,031.59
				512.001 · Payroll Salaries	-5.25	5.25
			QuickBooks Payroll Service	2110 · Direct Deposit Liabilities	-9,026.34	9,026.34
TOTAL					-9,031.59	9,031.59
Bill Pmt -Check CBI		07/07/2023	Coastal Waste & Recycling	101.002 · Wells Fargo - Garage Account		-368.26
Bill	WW0001034022	07/06/2023		534.126 · Waste Removal Services	-81.02	368.26
				534.126 · Waste Removal Services	-287.24	1,305.63
TOTAL					-368.26	1,673.89
Bill Pmt -Check CBI		07/07/2023	Kone Inc.	101.002 · Wells Fargo - Garage Account		-1,330.50
Bill	1158552920	07/06/2023		534.072 · Contracts - Elevator	-1,330.50	1,330.50
TOTAL					-1,330.50	1,330.50
Bill Pmt -Check CBI		07/07/2023	Coastal Waste & Recycling	101.007 · Wells Fargo Operating-8388		-1,305.63
Bill	WW0001034022	07/06/2023		534.126 · Waste Removal Services	-287.24	368.26
				534.126 · Waste Removal Services	-1,018.39	1,305.63
TOTAL					-1,305.63	1,673.89
Bill Pmt -Check CBI		07/07/2023	FedEx	101.007 · Wells Fargo Operating-8388		-9.31
Bill	8-181-64134	07/06/2023		541.006 · Postage & Freight	-9.31	9.31

## Midtown Miami CDD Check Detail July 2023

<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Paid Amount</u>	<u>Original Amount</u>
TOTAL					-9.31	9.31
<b>Bill Pmt -Check CBI</b>		<b>07/07/2023</b>	<b>Miami Dade Water &amp; Sewer Department</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-179.68</b>
Bill	0263879289 061623	07/06/2023		543.014 · Utility - Irrigation	-179.68	179.68
TOTAL					-179.68	179.68
<b>Bill Pmt -Check CBI</b>		<b>07/14/2023</b>	<b>Kone Inc.</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-3,950.00</b>
Bill	871086640	07/13/2023		534.072 · Contracts - Elevator	-3,950.00	3,950.00
TOTAL					-3,950.00	3,950.00
<b>Bill Pmt -Check CBI</b>		<b>07/21/2023</b>	<b>Miami Dade Water &amp; Sewer Department</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-1,435.84</b>
Bill	0118226890 070623	07/20/2023		543.014 · Utility - Irrigation	-180.10	180.10
Bill	9185996897 070623	07/20/2023		543.014 · Utility - Irrigation	-1,255.74	1,255.74
TOTAL					-1,435.84	1,435.84
<b>Bill Pmt -Check CBI</b>		<b>07/28/2023</b>	<b>FedEx</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-8.30</b>
Bill	8-202-07274	07/27/2023		541.006 · Postage & Freight	-8.30	8.30
TOTAL					-8.30	8.30
<b>Bill Pmt -Check CBP</b>		<b>07/14/2023</b>	<b>AT&amp;T</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-160.50</b>
Bill	146496235 062823	07/13/2023		541.003 · Telephone	-160.50	160.50
TOTAL					-160.50	160.50
<b>Bill Pmt -Check CBP</b>		<b>07/14/2023</b>	<b>AT&amp;T 2</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-647.31</b>
Bill	9163759702	07/13/2023		541.003 · Telephone	-647.31	647.31
TOTAL					-647.31	647.31

## Midtown Miami CDD Check Detail July 2023

Type	Num	Date	Name	Account	Paid Amount	Original Amount
<b>Bill Pmt -Check CBP</b>		<b>07/14/2023</b>	<b>FedEx</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-10.45</b>
Bill	8-188-91300	07/13/2023		541.006 · Postage & Freight	-10.45	10.45
TOTAL					-10.45	10.45
<b>Bill Pmt -Check 744</b>		<b>07/19/2023</b>	<b>FPL</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-816.73</b>
Bill	67055-67052 070823	07/08/2023		543.006 · Electricity - General	-816.73	816.73
TOTAL					-816.73	816.73
<b>Bill Pmt -Check 745</b>		<b>07/19/2023</b>	<b>FPL</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-509.14</b>
Bill	18842-62401 070823	07/08/2023		543.006 · Electricity - General	-509.14	509.14
TOTAL					-509.14	509.14
<b>Bill Pmt -Check 746</b>		<b>07/19/2023</b>	<b>FPL</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-62.09</b>
Bill	71576-36262 070823	07/08/2023		543.006 · Electricity - General	-62.09	62.09
TOTAL					-62.09	62.09
<b>Bill Pmt -Check 747</b>		<b>07/19/2023</b>	<b>FPL</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-7,204.11</b>
Bill	65499-25342 070823	07/08/2023		543.006 · Electricity - General	-7,204.11	7,204.11
TOTAL					-7,204.11	7,204.11
<b>Bill Pmt -Check 748</b>		<b>07/19/2023</b>	<b>FPL</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-763.19</b>
Bill	46484-22402 070823	07/08/2023		543.006 · Electricity - General	-763.19	763.19
TOTAL					-763.19	763.19
<b>Bill Pmt -Check 749</b>		<b>07/19/2023</b>	<b>FPL</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-87.48</b>
Bill	45848-07269 070823	07/08/2023		543.006 · Electricity - General	-87.48	87.48

**Midtown Miami CDD**  
**Check Detail**  
July 2023

<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Paid Amount</u>	<u>Original Amount</u>
TOTAL					-87.48	87.48
<b>Bill Pmt -Check 750</b>		<b>07/19/2023</b>	<b>FPL</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-2,215.21</b>
Bill	38854-03406 070823	07/08/2023		543.006 · Electricity - General	-1,107.61	1,107.61
				543.006 · Electricity - General	-1,107.60	1,107.60
TOTAL					-2,215.21	2,215.21
<b>Check</b>	<b>5739</b>	<b>07/07/2023</b>	<b>Wells Fargo</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-1,658.64</b>
				2040300 · Credit Card - Wells Fargo MC	-1,658.64	1,658.64
TOTAL					-1,658.64	1,658.64
<b>Bill Pmt -Check 5740</b>		<b>07/07/2023</b>	<b>BrightView Landscape Services Inc.</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-22,093.13</b>
Bill	8474784	07/06/2023		534.050 · Landscape Maintenance	-16,398.90	16,398.90
Bill	8474822	07/06/2023		534.050 · Landscape Maintenance	-4,786.95	4,786.95
Bill	8493040	07/06/2023		534.050 · Landscape Maintenance	-907.28	907.28
TOTAL					-22,093.13	22,093.13
<b>Bill Pmt -Check 5741</b>		<b>07/07/2023</b>	<b>Electrostatic Paint Solutions</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-900.00</b>
Bill	EPS-3119	07/06/2023		546.020 · R&M - Electrical	-900.00	900.00
TOTAL					-900.00	900.00
<b>Bill Pmt -Check 5742</b>		<b>07/07/2023</b>	<b>Heavenly Gates</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-3,000.00</b>
Bill	HG23-122	07/06/2023		546.012 · R&M - Buildings	-3,000.00	3,000.00
TOTAL					-3,000.00	3,000.00
<b>Bill Pmt -Check 5743</b>		<b>07/07/2023</b>	<b>Safeguard Business Systems</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-223.17</b>
Bill	9001782812	07/06/2023		551.002 · Office Supplies	-223.17	223.17

Midtown Miami CDD  
Check Detail  
July 2023

Type	Num	Date	Name	Account	Paid Amount	Original Amount
TOTAL					-223.17	223.17
<b>Bill Pmt -Check 5744</b>		<b>07/07/2023</b>	<b>South Florida Design Management, Inc.</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-3,415.00</b>
Bill	703	07/06/2023		546.037 · R&M - Grounds	-850.00	850.00
Bill	704	07/06/2023		546.037 · R&M - Grounds	-890.00	890.00
Bill	705	07/06/2023		546.037 · R&M - Grounds	-450.00	450.00
Bill	706	07/06/2023		546.037 · R&M - Grounds	-645.00	645.00
Bill	707	07/06/2023		546.037 · R&M - Grounds	-580.00	580.00
TOTAL					-3,415.00	3,415.00
<b>Bill Pmt -Check 5745</b>		<b>07/07/2023</b>	<b>SY Electronics Corp</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-6,750.00</b>
Bill	23285	07/06/2023		538.043 · Landscape light fixtrs (Holmes	-1,970.00	1,970.00
Bill	23286	07/06/2023		546.020 · R&M - Electrical	-4,780.00	4,780.00
TOTAL					-6,750.00	6,750.00
<b>Bill Pmt -Check 5746</b>		<b>07/07/2023</b>	<b>The Sherwin Williams Co.</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-931.05</b>
Bill	0804-0	07/06/2023		546.012 · R&M - Buildings	-931.05	931.05
TOTAL					-931.05	931.05
<b>Bill Pmt -Check 5747</b>		<b>07/07/2023</b>	<b>Wrathell, Hunt &amp; Associates, LLC</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-6,034.33</b>
Bill	2021-4020	07/06/2023		531.027 · Management	-4,076.03	5,179.25
				531.038 · Assessment Services	-306.14	389.00
				547.001 · Printing & Binding	-39.35	50.00
				531.038 · Assessment Services	-327.45	416.08
				531.028 · Management & Accounting	-1,285.36	1,633.25
TOTAL					-6,034.33	7,667.58
<b>Check</b>	<b>5748</b>	<b>07/14/2023</b>	<b>Wells Fargo</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-600.97</b>

## Midtown Miami CDD Check Detail July 2023

<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Paid Amount</u>	<u>Original Amount</u>
				2040300 · Credit Card - Wells Fargo MC	-600.97	600.97
TOTAL					-600.97	600.97
<b>Bill Pmt -Check 5749</b>		<b>07/14/2023</b>	<b>Allied Universal</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-116.52</b>
Bill	14457484	07/13/2023		534.037 · Security Services	-34.96	49.94
				534.037 · Security Services	-81.56	116.52
TOTAL					-116.52	166.46
<b>Bill Pmt -Check 5750</b>		<b>07/14/2023</b>	<b>Alvarez Engineers, Inc.</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-2,017.75</b>
Bill	7275	07/13/2023		531.013 · Engineering	-2,017.75	2,017.75
TOTAL					-2,017.75	2,017.75
<b>Bill Pmt -Check 5751</b>		<b>07/14/2023</b>	<b>Berger, Toombs, Elam, Gaines &amp; Frank</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-7,450.00</b>
Bill	363363	07/13/2023		532.002 · Audit	-7,450.00	8,450.00
TOTAL					-7,450.00	8,450.00
<b>Bill Pmt -Check 5752</b>		<b>07/14/2023</b>	<b>Interstate Cleaning Corporation</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-42,368.24</b>
Bill	9184372-IN	07/13/2023		534.026 · Janitorial Services	-11,230.57	16,043.68
				534.026 · Janitorial Services	-26,204.67	37,435.24
Bill	9184373-IN	07/13/2023		534.038 · Street Sweeping	-4,508.00	4,508.00
Bill	9184374-IN	07/13/2023		534.026 · Janitorial Services	-212.50	425.00
				534.026 · Janitorial Services	-212.50	425.00
TOTAL					-42,368.24	58,836.92
<b>Bill Pmt -Check 5753</b>		<b>07/14/2023</b>	<b>PME Inc.</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-1,500.00</b>
Bill	21938	07/13/2023		534.080 · Road Cleaning	-1,500.00	1,500.00
TOTAL					-1,500.00	1,500.00

## Midtown Miami CDD Check Detail July 2023

Type	Num	Date	Name	Account	Paid Amount	Original Amount
<b>Bill Pmt -Check</b>	<b>5754</b>	<b>07/14/2023</b>	<b>SY Electronics Corp</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-1,120.00</b>
Bill	23296	07/13/2023		546.020 · R&M - Electrical	-1,120.00	1,120.00
TOTAL					-1,120.00	1,120.00
<b>Bill Pmt -Check</b>	<b>5755</b>	<b>07/14/2023</b>	<b>The Sherwin Williams Co.</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-166.84</b>
Bill	9041-2	07/13/2023		546.012 · R&M - Buildings	-166.84	166.84
TOTAL					-166.84	166.84
<b>Bill Pmt -Check</b>	<b>5756</b>	<b>07/14/2023</b>	<b>Tidy Pets Pooper Scoopers</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-2,011.00</b>
Bill	000898	07/13/2023		543.087 · Animal Feces Removal	-1,250.00	1,250.00
Bill	000899	07/13/2023		543.087 · Animal Feces Removal	-761.00	761.00
TOTAL					-2,011.00	2,011.00
<b>Bill Pmt -Check</b>	<b>5757</b>	<b>07/14/2023</b>	<b>Venturita LLC</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-404.99</b>
Bill	2019181	07/13/2023		546.001 · R&M - General	-164.99	164.99
Bill	2018182	07/13/2023		546.020 · R&M - Electrical	-240.00	240.00
TOTAL					-404.99	404.99
<b>Check</b>	<b>5758</b>	<b>07/21/2023</b>	<b>Wells Fargo</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-815.12</b>
				2040300 · Credit Card - Wells Fargo MC	-815.12	815.12
TOTAL					-815.12	815.12
<b>Bill Pmt -Check</b>	<b>5759</b>	<b>07/21/2023</b>	<b>Advantage Golf Cars, Inc.</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-439.26</b>
Bill	31819	07/20/2023		155.000 · Prepaid Items	-131.78	188.25
				155.000 · Prepaid Items	-307.48	439.26
TOTAL					-439.26	627.51

## Midtown Miami CDD Check Detail July 2023

Type	Num	Date	Name	Account	Paid Amount	Original Amount
<b>Bill Pmt -Check</b>	<b>5760</b>	<b>07/21/2023</b>	<b>Allied Universal</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-53,632.94</b>
Bill	14490650	07/20/2023		534.037 · Security Services	-16,089.88	22,985.55
				534.037 · Security Services	-37,543.06	53,632.94
TOTAL					-53,632.94	76,618.49
<b>Bill Pmt -Check</b>	<b>5761</b>	<b>07/21/2023</b>	<b>BrightView Landscape Services Inc.</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-5,203.21</b>
Bill	8502925	07/20/2023		546.071 · R&M - Plant Replacement	-652.09	652.09
Bill	8502932	07/20/2023		546.071 · R&M - Plant Replacement	-1,551.49	1,551.49
Bill	8502934	07/20/2023		546.071 · R&M - Plant Replacement	-2,477.96	2,477.96
Bill	8502938	07/20/2023		534.050 · Landscape Maintenance	-217.36	217.36
Bill	8502940	07/20/2023		534.050 · Landscape Maintenance	-304.31	304.31
TOTAL					-5,203.21	5,203.21
<b>Bill Pmt -Check</b>	<b>5762</b>	<b>07/21/2023</b>	<b>Heavenly Gates</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-2,000.00</b>
Bill	HG 23-123	07/20/2023		546.012 · R&M - Buildings	-2,000.00	2,000.00
TOTAL					-2,000.00	2,000.00
<b>Bill Pmt -Check</b>	<b>5763</b>	<b>07/21/2023</b>	<b>The Sherwin Williams Co.</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-1,149.41</b>
Bill	1333-9	07/20/2023		546.012 · R&M - Buildings	-978.50	978.50
Bill	1449-3	07/20/2023		546.012 · R&M - Buildings	-170.91	170.91
TOTAL					-1,149.41	1,149.41
<b>Check</b>	<b>5764</b>	<b>07/28/2023</b>	<b>Wells Fargo</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-385.00</b>
				2040300 · Credit Card - Wells Fargo MC	-385.00	385.00
TOTAL					-385.00	385.00
<b>Bill Pmt -Check</b>	<b>5765</b>	<b>07/28/2023</b>	<b>Billing, Cochran, Lyles, Mauro &amp; Ramsey</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-3,555.00</b>



Midtown Miami CDD  
Check Detail  
July 2023

Type	Num	Date	Name	Account	Paid Amount	Original Amount
Bill	182036	07/27/2023		531.023 · Legal	-3,555.00	3,555.00
TOTAL					-3,555.00	3,555.00
<b>Bill Pmt -Check 5766</b>		<b>07/28/2023</b>	<b>Grainger</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-204.35</b>
Bill	9763581452	07/27/2023		551.002 · Office Supplies	-67.20	67.20
Bill	97632945467	07/27/2023		546.001 · R&M - General	-137.15	137.15
TOTAL					-204.35	204.35
<b>Check</b>	<b>7405</b>	<b>07/06/2023</b>	<b>City of Miami -</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-12,565.62</b>
				204.001 · City Tax Payable	-12,565.62	12,565.62
TOTAL					-12,565.62	12,565.62
<b>Check</b>	<b>7406</b>	<b>07/06/2023</b>	<b>City of Miami -</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-35,525.11</b>
				204.001 · City Tax Payable	-35,525.11	35,525.11
TOTAL					-35,525.11	35,525.11
<b>Bill Pmt -Check 7407</b>		<b>07/07/2023</b>	<b>BeefreeMedia</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-5,348.09</b>
Bill	412317	07/06/2023		538.005 · Elevators (graphics, floor, ce)	-1,479.81	1,479.81
Bill	412321	07/06/2023		538.005 · Elevators (graphics, floor, ce)	-3,868.28	3,868.28
TOTAL					-5,348.09	5,348.09
<b>Bill Pmt -Check 7408</b>		<b>07/07/2023</b>	<b>CJ Power Inc.</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-515.00</b>
Bill	2503	07/06/2023		546.020 · R&M - Electrical	-515.00	515.00
TOTAL					-515.00	515.00
<b>Bill Pmt -Check 7409</b>		<b>07/07/2023</b>	<b>Crown Lift Trucks</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-538.21</b>
Bill	117508472	07/06/2023		546.022 · R&M - Equipment	-538.21	538.21

Midtown Miami CDD  
Check Detail  
July 2023

Type	Num	Date	Name	Account	Paid Amount	Original Amount
TOTAL					-538.21	538.21
<b>Bill Pmt -Check 7410</b>		<b>07/07/2023</b>	<b>DynaFire, LLC</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-3,085.00</b>
Bill	SO139511	07/06/2023		546.012 · R&M - Buildings	-295.00	295.00
Bill	SO139616	07/06/2023		546.001 · R&M - General	-2,790.00	2,790.00
TOTAL					-3,085.00	3,085.00
<b>Bill Pmt -Check 7411</b>		<b>07/07/2023</b>	<b>Grainger</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-714.80</b>
Bill	750099989	07/06/2023		546.001 · R&M - General	-59.08	59.08
Bill	9750099997	07/06/2023		546.001 · R&M - General	-52.06	52.06
Bill	9750398712	07/06/2023		546.001 · R&M - General	-603.66	603.66
TOTAL					-714.80	714.80
<b>Bill Pmt -Check 7412</b>		<b>07/07/2023</b>	<b>Killowatts Electric &amp; Lighting Supply</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-400.00</b>
Bill	0704111-IN	07/06/2023		546.020 · R&M - Electrical	-400.00	400.00
TOTAL					-400.00	400.00
<b>Bill Pmt -Check 7413</b>		<b>07/07/2023</b>	<b>Midblock Miami Condo Association, Inc.</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-1,390.01</b>
Bill	53123139001	07/06/2023		543.006 · Electricity - General	-1,180.97	1,180.97
				546.001 · R&M - General	-183.46	183.46
				546.001 · R&M - General	-25.58	25.58
TOTAL					-1,390.01	1,390.01
<b>Bill Pmt -Check 7414</b>		<b>07/07/2023</b>	<b>Pinnacle A Roofing Company, Inc.</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-860.00</b>
Bill	23343	07/06/2023		546.012 · R&M - Buildings	-860.00	860.00
TOTAL					-860.00	860.00
<b>Bill Pmt -Check 7415</b>		<b>07/07/2023</b>	<b>Wrathell, Hunt &amp; Associates, LLC</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-1,633.25</b>

**Midtown Miami CDD**  
**Check Detail**  
July 2023

<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Paid Amount</u>	<u>Original Amount</u>
Bill	2021-4020	07/06/2023		531.027 · Management	-1,103.22	5,179.25
				531.038 · Assessment Services	-82.86	389.00
				547.001 · Printing & Binding	-10.65	50.00
				531.038 · Assessment Services	-88.63	416.08
				531.028 · Management & Accounting	-347.89	1,633.25
TOTAL					-1,633.25	7,667.58
<b>Check</b>	<b>7416</b>	<b>07/14/2023</b>	<b>Wells Fargo</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-377.67</b>
				2040300 · Credit Card - Wells Fargo MC	-377.67	377.67
TOTAL					-377.67	377.67
<b>Bill Pmt -Check 7417</b>		<b>07/14/2023</b>	<b>Allied Universal</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-49.94</b>
Bill	14457484	07/13/2023		534.037 · Security Services	-14.98	49.94
				534.037 · Security Services	-34.96	116.52
TOTAL					-49.94	166.46
<b>Bill Pmt -Check 7418</b>		<b>07/14/2023</b>	<b>Interstate Cleaning Corporation</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-38,407.68</b>
Bill	9184372-IN	07/13/2023		534.026 · Janitorial Services	-4,813.11	16,043.68
				534.026 · Janitorial Services	-11,230.57	37,435.24
Bill	9184374-IN	07/13/2023		534.026 · Janitorial Services	-212.50	425.00
				534.026 · Janitorial Services	-212.50	425.00
Bill	9184375-IN	07/13/2023		534.026 · Janitorial Services	-21,939.00	21,939.00
TOTAL					-38,407.68	76,267.92
<b>Bill Pmt -Check 7419</b>		<b>07/14/2023</b>	<b>LPS of America, Inc.</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-60,000.00</b>
Bill	138537	07/13/2023		534.030 · Contracts - Parking	-60,000.00	60,000.00
TOTAL					-60,000.00	60,000.00

## Midtown Miami CDD Check Detail July 2023

Type	Num	Date	Name	Account	Paid Amount	Original Amount
<b>Bill Pmt -Check</b>	<b>7420</b>	<b>07/14/2023</b>	<b>Safeguard Business Systems</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-232.06</b>
Bill	9001825121	07/13/2023		551.002 · Office Supplies	-232.06	232.06
TOTAL					-232.06	232.06
<b>Bill Pmt -Check</b>	<b>7421</b>	<b>07/14/2023</b>	<b>South Florida Design Management, Inc.</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-500.00</b>
Bill	708	07/13/2023		546.012 · R&M - Buildings	-500.00	500.00
TOTAL					-500.00	500.00
<b>Bill Pmt -Check</b>	<b>7422</b>	<b>07/14/2023</b>	<b>South Florida Elevator Inspectors</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-2,975.00</b>
Bill	9927	07/13/2023		534.072 · Contracts - Elevator	-2,975.00	2,975.00
TOTAL					-2,975.00	2,975.00
<b>Check</b>	<b>7423</b>	<b>07/21/2023</b>	<b>Wells Fargo</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-20.00</b>
				2040300 · Credit Card - Wells Fargo MC	-20.00	20.00
TOTAL					-20.00	20.00
<b>Bill Pmt -Check</b>	<b>7424</b>	<b>07/21/2023</b>	<b>Advantage Golf Cars, Inc.</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-188.25</b>
Bill	31819	07/20/2023		155.000 · Prepaid Items	-56.47	188.25
				155.000 · Prepaid Items	-131.78	439.26
TOTAL					-188.25	627.51
<b>Bill Pmt -Check</b>	<b>7425</b>	<b>07/21/2023</b>	<b>Allied Universal</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-22,985.55</b>
Bill	14490650	07/20/2023		534.037 · Security Services	-6,895.67	22,985.55
				534.037 · Security Services	-16,089.88	53,632.94
TOTAL					-22,985.55	76,618.49
<b>Bill Pmt -Check</b>	<b>7426</b>	<b>07/21/2023</b>	<b>Crown Lift Trucks</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-400.00</b>

**Midtown Miami CDD**  
**Check Detail**  
July 2023

<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Paid Amount</u>	<u>Original Amount</u>
Bill	117510866	07/20/2023		546.022 · R&M - Equipment	-400.00	400.00
TOTAL					<u>-400.00</u>	<u>400.00</u>
<b>Bill Pmt -Check 7427</b>		<b>07/21/2023</b>	<b>SY Electronics Corp</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-3,050.00</b>
Bill	23318	07/20/2023		538.001 · Capital Projects	-3,050.00	3,050.00
TOTAL					<u>-3,050.00</u>	<u>3,050.00</u>
<b>Bill Pmt -Check 7428</b>		<b>07/28/2023</b>	<b>Family Fire Protection, Inc.</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-726.80</b>
Bill	FF3436Q	07/27/2023		546.001 · R&M - General	-726.80	726.80
TOTAL					<u>-726.80</u>	<u>726.80</u>
<b>Bill Pmt -Check 7429</b>		<b>07/28/2023</b>	<b>LVD Plus LLC</b>	<b>101.002 · Wells Fargo - Garage Account</b>		<b>-3,800.00</b>
Bill	23071401	07/27/2023		549.900 · Misc - Contigency	-3,800.00	3,800.00
TOTAL					<u>-3,800.00</u>	<u>3,800.00</u>
<b>Liability Check 01891228</b>		<b>07/07/2023</b>	<b>IRS</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-2,501.40</b>
				202.500 · FWT Payable	-863.00	863.00
				202.501 · FICA Payable	-155.28	155.28
				202.501 · FICA Payable	-155.28	155.28
				202.501 · FICA Payable	-663.92	663.92
				202.501 · FICA Payable	-663.92	663.92
TOTAL					<u>-2,501.40</u>	<u>2,501.40</u>
<b>Liability Check 20126242</b>		<b>07/21/2023</b>	<b>IRS</b>	<b>101.007 · Wells Fargo Operating-8388</b>		<b>-2,501.42</b>
				202.500 · FWT Payable	-863.00	863.00
				202.501 · FICA Payable	-155.27	155.27
				202.501 · FICA Payable	-155.27	155.27

Midtown Miami CDD  
Check Detail  
July 2023

<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Paid Amount</u>	<u>Original Amount</u>
				202.501 · FICA Payable	-663.94	663.94
				202.501 · FICA Payable	-663.94	663.94
TOTAL					-2,501.42	2,501.42

**MIDTOWN MIAMI**  
**COMMUNITY DEVELOPMENT DISTRICT**

**MINUTES**

**DRAFT**

**MINUTES OF MEETING  
MIDTOWN MIAMI  
COMMUNITY DEVELOPMENT DISTRICT**

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The Board of Supervisors of the Midtown Miami Community Development District held a Regular Meeting on July 11, 2023 at 2:00 p.m., at the offices of the CDD, Shops at Midtown Miami, 3401 N. Miami Avenue, Suite 132, Miami, Florida 33127.

**Present were:**

Joseph Padula	Chair
Alex Miranda	Vice Chair
Lindsey Vicha	Assistant Secretary

**Also present were:**

Daniel Rom	District Manager
Ginger Wald	District Counsel
Juan Alvarez (via telephone)	District Engineer
Deborah Samuel	Operations Manager

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Rom called the meeting to order at 2:10 p.m. Supervisors Padula, Vicha and Miranda were present. Supervisors Perez and Riccobono were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**THIRD ORDER OF BUSINESS**

**Consideration of Documents Relating to the Construction Project on South Block North**

Ms. Wald presented the following:

**A. Draft First Amendment to the SBN COREA**



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**On MOTION by Mr. Padula and seconded by Ms. Vicha, with all in favor, the First Amendment to the South Block North COREA, in substantially final form, was approved.**

**B. Draft COREA Estoppel**

**On MOTION by Mr. Padula and seconded by Ms. Vicha, with all in favor, the COREA Estoppel, in substantial form, was approved.**

▪ **Presentation of District Engineer’s Annual Trust Indenture Report**

**This item, previously the Seventh Order of Business, was presented out of order.**

Mr. Alvarez presented the District Engineer’s Annual Trust Indenture Report, as it relates to the Special Assessment Bonds, Series 2004. This Report must be filed with the Trustee, who wants assurance that the CDD improvements are being well-maintained and the right amount of funds are budgeted by the CDD to finance the operations and to maintain the improvements. He reviewed the pertinent data, including the on-site roads, garages, landscaping, Mid-Block Plaza and a map depicting the boundaries and public land ownership within the CDD.

Asked if the Series 2004 bonds were supplemented by the 2014 bonds, Mr. Alvarez stated the 2014 bonds were not mentioned because the Master Trust Indenture that controls is the one from 2004.

**On MOTION by Mr. Miranda and seconded by Ms. Vicha, with all in favor, the District Engineer’s Annual Trust Indenture Report, dated June 29, 2023, was accepted.**

**Mr. Alvarez left the call.**

**FOURTH ORDER OF BUSINESS**

**Ratification of Resolution 2023-06,  
Designating a Public Depository for Funds  
of the Midtown Miami Community**

73 **Development District and Providing an**  
74 **Effective Date**

75  
76 Mr. Rom presented Resolution 2023-06 and recalled that the CDD’s Public Depository  
77 for funds was switched to Truist Bank.

78  
79 **On MOTION by Mr. Padula and seconded by Ms. Vicha, with all in favor,**  
80 **Resolution 2023-06, Designating a Public Depository for Funds of the Midtown**  
81 **Miami Community Development District and Providing an Effective Date, was**  
82 **ratified.**

83  
84  
85 **FIFTH ORDER OF BUSINESS** **Presentation of Audited Financial Report**  
86 **for the Fiscal Year Ended September 30,**  
87 **2022, Prepared by Berger, Toombs, Elam,**  
88 **Gaines & Frank**

89  
90 Mr. Rom presented the Audited Financial Report for the Fiscal Year Ended September  
91 30, 2022 and noted the pertinent information. There were no new findings, recommendations,  
92 deficiencies on internal control or instances of non-compliance. The existing finding tied to the  
93 Enterprise Fund is still due to the ongoing withhold of revenues during the City of Miami audit.  
94 It was otherwise a clean audit.

95  
96 **SIXTH ORDER OF BUSINESS** **Consideration of Resolution 2023-07,**  
97 **Hereby Accepting the Audited Annual**  
98 **Financial Report for the Fiscal Year Ended**  
99 **September 30, 2022**

100  
101 Mr. Rom presented Resolution 2023-07.

102  
103 **On MOTION by Mr. Padula and seconded by Ms. Vicha, with all in favor,**  
104 **Resolution 2023-07, Hereby Accepting the Audited Annual Financial Report for**  
105 **the Fiscal Year Ended September 30, 2022, was adopted.**

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108 **SEVENTH ORDER OF BUSINESS** **Presentation of District Engineer’s Annual**  
109 **Trust Indenture Report**

110

111 This item was presented following the Third Order of Business.

112

113 **EIGHTH ORDER OF BUSINESS** **Discussion: Fiscal Year 2024 Budget**

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115 There was no need for further budget discussions.

116

117 **NINTH ORDER OF BUSINESS** **Acceptance of Unaudited Financial**  
118 **Statements as of May 31, 2023**

119

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121 **On MOTION by Mr. Padula and seconded by Ms. Vicha, with all in favor, the**  
122 **Unaudited Financial Statements as of May 31, 2023, were accepted.**

123

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125 **TENTH ORDER OF BUSINESS** **Approval of May 9, 2023 Regular Meeting**  
126 **Minutes**

127

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129 **On MOTION by Ms. Vicha and seconded by Mr. Padula, with all in favor, the**  
130 **May 9, 2023 Regular Meeting Minutes, as presented, were approved.**

131

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133 **ELEVENTH ORDER OF BUSINESS** **Staff Reports**

134

135 **A. Operations Manager: Deborah Samuel**

136 **I. Monthly Report**

137 The Monthly Operations Manager’s Report was included for informational purposes.

138 Ms. Samuel recalled that the Board previously agreed to hire a parking consultant. The  
139 consultant performed an assessment and concluded that everything is running well but  
140 provided a list of recommendations, including converting max-ride to barcode, replacing  
141 antiquated equipment, instituting Apple Pay and updating the technology by advertising a  
142 Request for Proposals (RFP).

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144 **On MOTION by Mr. Padula and seconded by Mr. Miranda, with all in favor,**  
145 **proceeding with an RFP to update the CDD’s parking-related technology, was**  
146 **approved.**

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**II. Parking Information**

- **Executive Summary**
- **Transient Parking Year Over Year Comparison**
- **Revenue By Lane Reports**

These items were included for informational purposes.

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

- **Memorandum Regarding Required Ethics Training**

Ms. Wald reviewed the Memorandum regarding the Required Ethics Training. Beginning January 2024, Supervisors must complete four hours of ethics training every year.

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

There was no report.

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

- **1,878 Registered Voters in District as of April 15, 2023**
- **NEXT MEETING DATE: August 8, 2023 at 2:00 P.M.**
  - **QUORUM CHECK**

The next meeting will be held on August 8, 2023, unless cancelled.

**TWELFTH ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Mr. Rom asked if the Board prefers tablets instead of agenda booklets, going forward. The consensus was to switch to tablets, except for one booklet to remain.

**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Padula and seconded by Ms. Vicha, with all in favor, the meeting adjourned at 2:39 p.m.**

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Secretary/Assistant Secretary

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Chair/Vice Chair

**MIDTOWN MIAMI**  
**COMMUNITY DEVELOPMENT DISTRICT**

**STAFF**  
**REPORTS**  
**AI**



Midtown Miami Community  
Development District

3401 N. Miami Avenue, Suite 132  
Miami, Florida 33127  
305-573-3371

## Managers' Report September 12 th 2023

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### Parking Assessment and RFP

The parking consultant has finished the assessment of the Midtown Miami parking Facility. We have applied all of the recommendations to include suggestions on way finding, lighting and the contactless pay system.

He has also completed preparation of the RFP for the parking operation invitation to bid. A site tour was conducted and all participants were in attendance. The bids were submitted on August 29th. Presentations will be made on September 8th.

The parking consultant will score the presentations and present his findings along with his recommendations to the BOD for their consideration.

### Palm Tree Preparation

We have trimmed all the trees on site in preparation for the holiday lighting. We have also replaced 3 of the 5 dead palm trees on site and have planned to replace the last two in our new budget year.

Randy Christmas Inc has completed installation for the upcoming holiday season. We are in the last year of the three year contract. I would like to recommend to the BOD to enter into another 3 year contract to take advantage of the contract discount. We have a scheduled date of October 15 to turn on the holiday lighting

### Park Benches

We had a welder customize Camden style arm rest in an effort to prevent homeless from sleeping on the park benches in the district. We will also have the gray metal part of the bench electrostatic spray painted, as they were peeling. We believe this will be a better long term approach than paint and will hold up to the elements.

EXHIBIT A

Infrastructure Punch List

MISC Punch List

We started a MISC punch list to address the Utility and infrastructure damages to our infrastructure. We have required a bond from the utility companies in an effort to make sure they comply with the repairs in a timely manner. It has been challenging when the work is done outside the district, yet impacts our infrastructure i.e. on 36th street and 29th street. EXHIBIT B

Capital Improvement

Landscape Light Fixture Replacement . . . . .	\$45,000.00
COMPLETED	
Parma Replacement Light Fixtures . . . . .	\$36,000.00
COMPLETED	
MBE Sprinkler Pipes Painting.....	\$22,000.00
COMPLETED	

Stripping Street

We have received requests from residents and retailers about re-striping city streets. We explained that we do not manage the city streets. With that said we met with the city and followed up on previous requests and have a new tentative date of September 25th . We will continue to monitor until the work is completed.

- The areas to be addressed are as follows
- SR# 2023006360 NE 35th Street between E Coast and NE 1st Avenue
  - SR# 2023006363 NE 34th Street between 1st and N Miami Avenue
  - SR# 2023006367 NE 32nd Street between 1st and N Miami Avenue
  - SR# 2023006380 NE 31st Street between NE 1st and N Miami Avenue
  - SR# 2023006381 NE 1st Avenue and NE 29th Street EXHIBIT D





## Miscellaneous Damages in the District

### 1. **NE 29<sup>th</sup> Street** - All Aboard Florida: 03/07/2017

Provided Fabiola (City of Miami) again all the open info on 20190529.

20190619 Mentioned in City of Miami MOT meeting. (Mario, Collin & Genady)

20190731 Mentioned in City of Miami MOT meeting. (Mario, Collin & Genady)

20190925 Mentioned in City of Miami MOT meeting. (Mario, Collin & Genady)

20200108 Charles Alfaro sent an email to Archer Western that they need to address the issues.. (Edwin Vega & Fabio Baldini Fuentes)

20200122 Mentioned in City of Miami MOT meeting. (Mario Machin, Alejandro Munera)

20200213 Went to see Charles Alfaro to discuss.

20200219 Mentioned in City of Miami MOT meeting. (Mario Machin, Genady Beylin & Charles Alfaro)

20200805 Mentioned in City of Miami MOT meeting follow-upped with an email. (Mario Machin, Genady Beylin & Alejandro Munera)

20200902 Lien Hernandez replied that Archer Western does not get any response from All Aboard Florida.

202010xx

20201109 Forwarded the email from Lien Hernandez to Charles Alfaro (City of Miami PW) He replied asking what the issue was.

20201110 Forwarded all emails again to Charles Alfaro.

20210805 Send an email to all parties.

20210805 Mentioned in City of Miami MOT meeting follow-upped with an email. (Mario Machin, Genady Beylin & Charles Alfaro)

09.01.2021 Mentioned in City of Miami MOT (Collin Worth, Mario Machin, Genady Beylin & Charles Alfaro) Collin asked Charles if he was aware and he acknowledged. Mentioned that we would be OK with only irrigation and electrical being restored.

11.0x.2021 Mentioned to Juvenal Santana and Nzeribe I.. (Assistant City Manager)

11.10.2021 Mentioned in City of Miami MOT (Collin Worth, Mario Machin, Genady Beylin & Charles Alfaro)

09.26.2022 Send email to Juvenal & Charles to see what we can do.

10.17.2022 Send a reminder email to Juvenal & Charles.

12.12.2022 Send a reminder email to Juvenal & Charles.

01.01.2023 Send a reminder email to Juvenal & Charles. (Only requesting 2 items be fixed; Irrigation & Electricity to the landscaping lights.

01.18.2023 Discussed in the MOT with Charles Alfaro.

02.01.2023 Discussed in the MOT with Charles Alfaro. Send him a follow-up email.

- The irrigation system is NOT installed.
- The electricity to the landscaping lights is NO longer working
- One landscaping pedestal has been removed.
- The landscaping light pedestals are no longer **centered** within the median!
- The Royal Palms are no longer **centered** within the median!
- There is on the east side an unfinished cable (for a pole?) sticking out of the ground.

### 2. **NE 36<sup>th</sup> Street – VENDOR UNKNOWN** (Sat 10/29/2019) Sidewalk damages. (Email to Juvenal Santana 10/31/2019)

08.30.2021 Guadalupe will follow up with FDOT.

3. **Site: Crown Castle (AT&T)** – Several Avenues and Streets. (02.03.2021 Fernando Vazquez – First meeting 10.11.2019 Martin Mikhail) Crown Castle; Larry Polk (407) 505-8825 & Kleimer Cruz (305) 297-8162.

1. **Fiber Build 6MD1093A-011\_ED\_18** (NW 36 & 35<sup>th</sup> street & Buena Vista Ave.)
2. **Power Bore and Pole Installation:** Small Cell FL5292BA (NW 35<sup>th</sup> Street)
3. **Power Build and Pole Installation:** Small Cell FL5293BA (NW 32<sup>nd</sup> Street)

#### **FDOT – 2020 H 690 00521 AT&T Mobility (06.29.2022)**

06.29.2022 Juan Velasquez sends email Pre-Construction 2018-H-690-00601 (NW 36th St/ NW 5th Ave) (2020 H 690 00521)

07/07/2022 Pre-Construction Meeting with Kleimer to work on FDOT NE 36<sup>th</sup> street first. 2 new manholes installations.

07.22.2022 Kleimer Cruz reaches out to start next week.

08.04.2022 Kleimer Cruz & crew working on NE 36<sup>th</sup> street with a one lane closure. NE 36<sup>th</sup> ramp is accessible to entry and exit.

08.30.2022 Requested Kleimer Cruz a status on the project.

09.06.2022 Kleimer Cruz called, we will meet Thursday at 09:30

09.12.2022 Kleimer's crew did the trench today below the pavers on the corner of west side of Buena Vista Ave north bound lane and NE 36<sup>th</sup> street (by the entertainment lot). He is planning to pour concrete tomorrow.

09.29.2022 Kleimer called, he need to restore NE 36<sup>th</sup> and Buena Vista Ave east side and wait for other project to finish on NE 34<sup>th</sup> street as he wants to cross that area.

10.12.2022 Meeting with Larry Polk about several 5G poles (example: **FL5292BA & FL5293BA** City of Miami Permit PW20002133UP) in several areas.

12.01.2022 Meeting with Jessica Fernandez, Richard Ribe, Johnmani Seoane & Hector Mejia to discuss the surety bond and scope of work. The installation of 2 (two) 5G poles; FL5292BA & FL5293BA. They are requesting a Hold Harmless letter. Once provided to the district we will see if the district will accept it.

12.05.2022 Carolina send the Col Prerequisites.

01.24.2023 Larry reached out to discuss the pole color.

01.26.2023 FDOT Juan Velasquez replied to Larry in ref to the lane closure approval. Larry Provided a pole picture, could not open (see) it. I requested Larry plans for this new proposed pole.

01.27.2023 Larry provided a permit package for a new to install pole **FL5472BA** FDOT Permit #2021-H-690-00201 to be installed by Target on NE 36<sup>th</sup> Street. Requested again the Coi, etc...

01.30.2023 Received from Larry the Coi. Jessica Fernandez requesting a call-in reference to the Surety bond requested by the district.

01.31.2023 Col has been approved by Guadalupe. Send email to Larry and Jessica that we are still missing the Surety Bond.

02.09.2023 Kleimer Cruz called asking when he can resume with the project. Let's meet when I get back from Orlando.

03.08.2023 Kleimer Cruz called asking when he can resume with the project. Tariq out on Sick Leave.

03.13.2023 Kleimer Cruz called asking when he can resume with the project. Tariq still out on sick leave.

03.30.2023 Jessica Fernandez called to discuss Bond.

03.31.2023 Richard Ribe called to discuss Bond. Asked him to send an email. Replied to his email asking him what the SOW is?

04.18.2023 Richard Ribe called me to provide the Original Surety Bond. Send email with the unanswered question.

04.19.2023 Richard R came to the CDDD office and dropped the original bond of \$40,000 for the 2 poles above. Larry Polk sent an email about a 3<sup>rd</sup> pole (**FL5472BA**) (to install by Target and NE 36<sup>th</sup> str. Bond was received and will be verified.

04.20.2023 Bond was verified for \$20,000, not \$40,000 what we requested. We requested \$20,000 per pole. Richard Ribe wrote they made a mistake. Tariq Bayzid requested the right bond value and mentioned the 3<sup>rd</sup> pole.

05.03.2023 Received a \$60,00 bond, requested clarification on what poles this was for.  
05.08.2023 Send email to Richard Ribe asking to verify what 3 poles the \$60,000 bond was for? Larry Polk called me to schedule pole FL 5293BA installation.  
05.09.2023 Richard & Larry reached out to meet tomorrow.  
05.10.2023 met with Richard and Larry to discuss the proposed bores for several poles and conduit installations. Send email with a site plan of the proposed directional bores and poles to install. Discussed location and it is NOT approved. They requested closer to NE 32<sup>nd</sup> street. Called Larry Polk to discuss, I will be sending him an email to clarify location.  
05.11.2023 We are verifying the bonds. Autumn Schneider acknowledged several the bonds.  
05.23.2023 Richard called in reference to the bond; they are proposing to do one big amount bond instead of several bonds.  
06.02.2023 Larry requested a meeting on site.  
XXX  
07.18.2023 Larry Polk following up on the pole location.  
08.06.2023 Larry Polk reached out again in ref to Pole installation FL5293BA.  
08.07.2023 I replied that the pole will stay in the location that was approved; Southwest of Sugarcane.  
08.25.2023 I send them an email that the markings need to be removed due to complaints.  
XXX

**4. North Block: Verizon – 2001CVNU-3401 N. Miami Ave. (Contractor = Mastec)**

**Location:** N. Miami Ave at the height of Loading Dock entrance. (Enrique Hernandez – Meeting 03.15.2021 - Requested \$20,000 Surety bond)

**NB - Verizon (Brittney Robinson & Kevin Rodriguez) – Site Center (Glen Sullivan) for Target and Bath & Body Works.**

11.14.2022 Glen Sullivan included me in the email thread. Asked Brittney if he will be using existing conduits and manholes and requested plans. He added his Engineer Kevin Rodriguez.

11.15.2022 Brittney mentioned they do not believe that there are any existing conduits, etc.. reaching the Data room.

12.05.2022 Brittney reached out.

12.08.2022 Wrote Brittney that I did not see any plans. Brittney provided plans and I see that this is related to the project “started” in 03.2021. Glen wrote to Brittney.

12.12.2022 Kevin Rodriguez wrote to Glen in ref to a Point of Entry (POE).

03.07.2023 Kevin Rodriguez wrote to Glen to ask when they can survey the rooms. Glen approves and Kevin notifies that his team will be there on 03.08.2023.

XXX

**5. Site: SW 34<sup>th</sup> Street & N Miami Ave. – Main irrigation Leak (03.18.2021) VENDOR UNKNOWN.**

Wrote to the City of Miami, they said Mastec worked there.

03.25.2021 Met with Mastec; did not do the damages.

03.26.2021 Wrote again to the City of Miami, they said TECO People Gas worked there. PW20000670UP

03.29.2021 Met with TECO People Gas; did not do the damages.

04.06.2021 Wrote to the City of Miami, they said WASD (emergency repair) worked there. PW19001923UP

04.07.2021 Lissette Hildago (WASD); we will not repair.

04.15.2021 Wrote to the City of Miami.

05.19.2021 Follow-up with the City of Miami.

05.20.2021 City replied that WASD did not want to accept responsibility.

05.21.2021 Proposing WASD to install a new water meter with corresponding backflow meter.

06.01.2021 Contacted Oscar Vasquez WASD (Chief) to see what we can do.

06.02.2021 Oscar Vasquez put me in contact with Juan Pelay (WASD); we discussed to cap both sides of the leaking area (north and south ) of the street and install on the north side a brand new irrigation meter with a corresponding backflow meter.

06.02.2021 Contact Process Runner Patricia C. to start the process of applying for a water meter / Backflow

meter. For the application we need a survey.

06.03.2021 Contacted Oscar & Juan in reference to the survey request.

07.07.2021 Email follow to surveyor

07.08.2021 Surveyor called and I clarified what I need for WASD.

07.19.2021 Email follow with surveyor.

07.30.2021 Email follow with surveyor. Received the Survey. Forwarded the survey to the process runner.

08.05.2021 Process Runner called me and in conference with WASD, assisting with clarifying.

08.10.2021 requested process runner status of project.

08.11.2021 process runner called needs info. WASD send an automated reply that the application was received.

08.12.2021 Latarsha Cleare from WASD called asking clarification to where the new meter should be installed. Modified the survey and resend it to her. Received the invoice to pay. Send email to Oscar Valdes and Juan Pelay asking if there was anyway, we could get a discount.

08.12.2021 Ricardo Rojas gave paving contractor a notice of violation in reference to as build were we could see if they damaged the main water irrigation line.

08.13.2021 Juan Pelay replied to unfortunately no discount.

08.18.2021 Paid to have water meter installed. Send email to Juan Pelay asking to see if he can expedite.

09.01.2021 Follow-up email to Juan Pelay.

09.24.2021 Follow-up email to Juan Pelay.

10.12.2021 Follow-up email to Juan Pelay.

12.xx.2021 contacted process runner to follow up with City and WASD.

12.xx.2021 WASD revising plans & dealing with the City of Miami for the Permit.

01.19.2022 WASD – Anton discussed in MOT to install meter. Reached out to Anton. X

01.26.2022 Called Alain Nunez to request status; City inspector requested WASD to RE-asphalt the street as it is still within its moratorium.

02.16.2022 WASD – Isabel Rodriguez came back with a invoice for the restauration of the Asphalt.

03.04. & 03.07.2022 Went to WASD New Business to pay for the asphalt restoration.

03.16.2022 Received an email that a Set Meter request has been created.

03.30.2022 Met with WASD Installers to discuss location of water meter to install.

05.05.2022 Meter box has been installed on N Miami Ave. Notified Brightview; Carlos to install backflow and connect the system to the existing irrigation system.

05.12.2022 Backflow has been installed waiting for meter to be placed.

05.17.2022 Patricia process runner went back to WASD to follow-up on the water meter placement.

06.23.2022 Meter has been placed but no water is flowing.

07.15.2022 Called WASD call center that we still have no water. Met with WASD onsite and got the water turned on, notified Carlos Victoria to check the whole irrigation system (Island 1 and surrounding areas)

07.22.2022 Received a quote to repair.

07.25.2022 Approved quote.

07.27.2022 Discussing with Carlos Victoria logistics on installing irrigation on Island 1 (close to NE 36<sup>th</sup> street)

08.02.2022 Discussing with Jason Pillifant Green Island ficus in the median Island #1. Gave OK to proceed to Carlos Victoria.

08.15.2022 Requested Carlos status, Green Island Ficus needs to get removed. Gave OK to proceed.

08.30.2022 BrightView removing the Green Island Ficus from Island 1 in the median.

09.01.2022 Irrigation system has been installed.

**6. NB: MCI Metro; Verizon - Project 1808AHXZ.529 – Cynthia Ferrell (DraftPro's) & Ann Cline (06.02.2021)**

06.04.2021 Received new revised plans. (Jonathan Leon-DraftPro's)

06.16.2021 Received an updated version of the revised plans. (Jonathan Leon)

06.22.2021 Requested clarification on phase 2 of plans & time frame, etc.. Jonathan clarified and forwarded remaining questions to Aylin for more clarification.

07.06.2021 Received clarification on expected duration of project. (Aylin Alban-Mastec)

07.12.2021 Reviewed the plans & asked questions. Received clarification from (Jonathan Leon).

07.29.2021 Requested final *revised* plans to discuss the surety bond amount.

xx

10.07.2021 offered Mastec to take full responsibility for both projects going on in the district. Cynthia Ferrell said she would reach out to Mastec to see what they say.

\*\*\*\* Project on HOLD. \*\*\*\*

01.14.2022 **Steven Lencse** reached out to request status.

02.16.2022 **Steven Lencse** reached out to request status.

03.16.2022 Project has been started again.

03.17.2022 Meeting set for Thursday 03.24.2022

03.18.2022 Requested Col.

03.22.2022 Send email requesting the permits and several other questions.

03.23.2022 They provided the Col. No workers Comp and automobile, they need to revise.

03.24.2022 We were supposed to meet and no one showed up. Meeting rescheduled from next week. They provided a revised Col.

03.25.2022 Col approved.

03.28.2022 **Greg Arguez** setup meeting to meet Manuel Echevarria and or Alexander Perez.

03.29.2022 Met with **Alexander Perez** and discussed the SoW. Requested **Greg Arguez** a \$30,000 surety bond.

04.14.2022 **Steven Lencse** emailed the bond.

04.18.2022 **Carolina Reyes** verified the security bond

04.29.2022 **Trisha Arroyo** requested our address to mail the original bond to. I replied to her.

05.16.2022 Send email to **Trisha Arroyo** requesting an update on the project. **Steven Lencse** replied. Asked him for a copy of the permit.

05.17.2022 **Steven Lencse** Replied that the permit is expired and that they are trying to extend it.

06.08.2022 **Steven Lencse** supplied the renewed permit.

06.09.2022 Asked him when they plan to begin?

06.10.2022 **Steven Lencse** requested 811 (locates), he plans to start after 07.04.2022.

07.11.2022 Send email asking when they plan to start project?

07.15.2022 City of Miami Permit # PW20001959UP001; **Mercy Marus** (Sotitia Marus) called me, they worked last night on NE 34<sup>th</sup> street and they found a pipe and could not do what the planned todo. We will meet onsite on Monday.

07.18.2022 Had a meeting with **Mercy Marus**, discussed District concerns with City of Miami PW, vendor.

08.02.2022 **Mercy Marus** meeting another vendor today as previous vendor could not do the work. **Steven Lencse** informed us that he is still waiting for the markings to be done before start..

08.30.2022 **Greg Arguez** send an email and **Alex Perez** called me to mention that work would start on Thursday 9/1.

09.07.2022 **Mercy** called to discuss restoration. I send an email with an area of concern.

09.16.2022 **Mercy** called to provide an update. Waiting on contractor to restore.

09.26.2022 Send **Mercy** & **Greg** an email asking about restoration. **Greg** replied that **Anthony** from **JM Builders** will be doing the restoration.

09.30.2022 Met with **Greg** to discuss restoration and access into NB data room, I put him in contact with **Glen Sullivan** from Site Centers.

10.05.2022 **Greg** .... XX

10.06.2022 Met with **Mercy** to discuss the restoration & pressure washing of the area next week.

10.11.2022 Installing fiber

10.20.2022 Pavers are missing

10.24.2022 Anthony Sans called me if I had any extra pavers he could buy.

10.25.2022 Restoration of pavers.

10.26.2022 Anthony called me asking me about the restoration of the concrete on NE 34<sup>th</sup> street.

10.29.2022 They took pavers from another location to fix the work area.

10.31.2022 Send email that pavers were removed at another location to finalize worked area and that some pavers were a trip hazard.

11.02.2022 Pavers repaired.

12.13.2022 All marking on sidewalk were removed. Project is DONE.

04.18.2023 Andrew Blackwood requested closeout of permit 2022-H-491-00473, I am not aware of this permit nr. He asked to disregard the permit nr, the permit number is TDB5 associated with 1808AHXZ.529.

04.25.2023 Andrew Blackwood Requested again closeout of the permit. Gave him the OK.

**7. Site: N. Miami Ave. & South Block (Comcast) – MFI 052044 Summer DeBella & Andrea Chavez & Nicole Lambert (07.16.2021)**

07.16.2021 Requested permit # & MOT Plan, Col & Surety Bond (No amount established yet).

07.26.2021 Provide Col is incorrect.

\*\*\*\* Project on HOLD. \*\*\*\*

**8. Site: MidBlock - Comcast: Julio (07.19.2021) (610) 628-9411 & Diana Goecke.**

\*\*\*\* Project on HOLD. \*\*\*\*

**9. Site: Midblock West Nordstrom – Lumen/CenturyLink; Jamie Jallick, Rolando Santos, Anelissa Roncal (08.12.2021)**

08.20.2021 Requested Col and Permits, etc..

08.30.2021 Follow-up on site meeting.

09.02.2021 Site meeting with Ricardo Santos; Discussed concerns.

09.08.2021 received updates plans from Jaime Jallick.

09.14.2021 & 09.16.2021 building access agreement

09.20.2021 Resend my concerns.

09.30.2021 Engineers are working on items noted in my request.

\*\*\*\* Project on HOLD. \*\*\*\*

02.04.2022 Victoria Crump reached out if they can start? They are still missing permit, etc... Col is expired, requested an updated one.

02.08.2022 Advised that Comcast still needs to finish.

02.09.2022 Received updated Col.

02.17.2022 Nicole Mulloy (Site Centers) discussing agreement for Site Centers.

02.22.2022 Agreement with Site Centers has been fully executed.

03.23.2022 Nicole Mulloy (Site Centers) asking about a check.

03.30.2022 Nicole Mulloy (Site Centers) following-up on request.

09.28.2022 Victoria Crump reached out; Provided City of Miami permit (PW21001551UP 07/22/22) Is the Comcast project done? Col is expired. Waiting on 2 projects on NE 34<sup>th</sup> street to finish. (Mastec; FDOT/ Kleimer Cruz & Mercy Sotiria/Greg Arguez). Did not receive any bond yet!

04.20.2023 Victoria Crump reached out; They are still working on the FEC Permit. She requested if we received the bond in December 2022. We could not find the bond.

04.21.2023 She will check what she needs to do.

05/02/2023 She send a duplicate surety bond.

05/03/2023 Received the surety bond, Guadalupe will verify it.

05.10.2023 Walter Emmons Send an email stating they are **waiting** for the FEC permit.

05.11.2023 Victoria Crump provided update Col.

06.07.2023 Victoria Crump, resent project drawings.

06.12.2023 Victoria Crump, following up on project hold-up.

07.05.2023 Victoria Crump, following up on project hold-up.

08.02.2023 Victoria Crump & Elizabeth Rebastillo asking about the status of the other Project.

08.21.2023 Victoria Crump, following up on project hold-up. Replied Spire M4 is still NOT done with it project.

\*\*\*\* Project on HOLD. \*\*\*\*

**10. N. Miami Ave. – MMCCDD - PW21002024UP Street lights (CDD Project) – Omar Electric & Antonio Varona & Castor Construction.**

09.27.2021 Short under the road.  
xx.xx.2021 created MOT drawings  
xx.xx.2021 Locator marked N. Miami Ave.  
10.28.2021 Signed City of Miami application  
12.zz.2021 City of Miami plans approved waiting for Miami-Dade County plans.  
01.26.2022 Antonio Varona Provide status? – MDC wants a revision.  
02.11.2022 Antonio Varona Provide status  
XX  
04.01.2022 Request status on the Miami-Dade permit.  
04.04.2022 waiting for Miami Dade county to complete their review of the plans submitted.  
05.03.2022 Requested an update on the County permit.  
05.06.2022 Antonio Varona notified me that we can pay the permit. Cost \$910.00. Paid the permit. Antonio will provide an **invoice** and get it to me.  
XX  
05.xx.2022 Need to discuss / organize what vendor does what?  
06.xx.2022 Contacted Road GC.  
XX  
01.04.2023 Moratorium is over. Reached out to Glen to check Loading dock dates.  
01.13.2023 Send Glen a reminder.  
01.18.2023 Discussed in the MOT.  
01.25.2023 Send Glen a reminder. Glen asked if on a Sunday it would work.  
01.26.2023 Glen set dates for Monday 27<sup>th</sup> and Tuesday 28<sup>th</sup> February, Notified Alex from Omar Electric and Dennis from Castor Construction. They BOTH acknowledged the dates.  
02.09.2023 Confirming with Omar Electrical and Castor Construction the dates  
02.27.2023 Crew started working in the West Loading Dock area to fix lights.  
02.28.2023 Crew continued working, managed to get the lights back on. They found that a 4" piped went through our existing conduit. Crew needs one more day. Requested permission from Glen (Site Centers). Received authorization.  
03.01.2023 Concrete was poured in the driveway.  
03.17.2023 Started creating email to City of Miami in ref to 4" directional bore conduit.

**11. N. Miami Ave. – MMCCD – Royal Palms Project (CDD Project) – Brightview.**

09.10.2021 Contacted Antonio Varona the permit process Runner.  
09.13.2021 Discussed plans, MOT, etc.  
09.16.2021 Discussing MOT specifics.  
10.08.2021 Getting all paperwork ready to register Brightview in the City of Miami.  
10.13.2021 Process Runner requesting licenses and Insurance documents.  
04.XX Issues with MDC, requested assistance from City of Miami; Mario  
05.03.2022 Requested an update on the County permit.  
05.24.2022 Antonio called me, we need a copy of a recorded covenant.  
06.17.2022 Emailed Antonio requesting screen shot of what reviewers want.  
06.19.2022 Requested process runner to search for covenant.  
06.21.2022 Process runner went to MDC; could not find.  
06.23.2022 Looking for recorded covenant.  
06.30.2022 Received recorded covenant.  
07.01.2022 provide recorded covenant to permit process runner; uploaded to MDC.  
07.06.2022 Requested an update  
07.07.2022 Miami Dade county want revision of plans.  
07.18.2022 Antonio contacted Jose from Interactive Blue to get a quote for the drawings.  
07.25.2022 Follow-up with Antonio.  
07.27.2022 Requested plans from Antonio.  
07.29.2022 Requested again plans from Antonio.  
08.01.2022 Requested again plans from Antonio.  
08.02.2022 Requested again plans from Antonio.



08.03.2022 Antonio requested the Covenant for Miami Dade County.  
08.04.2022 Requested Patricia if we need a covenant whole we have one. She replied that this would be one for MDC as the one we have is for City of Miami.  
08.05.2022 I approved for her to follow-up.  
08.16.2022 Provided Covenant to Antonio. He will get it recorded and will uploaded asap.  
08.29.2022 Received a Miami Dade Public works application from him.  
08.30.2022 Got BrightView to sign and notarize the application form and send it back to Antonio.  
08.31.2022 Requested Antonio for the plans. Received them.  
09.14.2022 Requested an update of the permit approval status.  
09.16.2022 No update yet.  
09.21.2022 2 Reviewers approved, 3 still pending.  
11.17.2022 Requested an update on the review, still pending.  
01.04.2023 Requested an update on the review, still pending.  
01.12.2023 Permit has been issued.  
01.18.2023 Received Permit & Discussed in the MOT. Discussed with Jason P the Royal palms.  
01.31.2023 Follow up on Royal Palms with Jason and Jay. Send email to Antonio Varona.  
02.xx.2023 Follow up on financial payments  
03.15.2023 Jason Pillifant in reference to Police presence. Tariq provided dates for them to choose from.  
03.20.2023 Date was set for Royal Palm Install on 04.17.2023, they might need 3 days.  
04.04.2023 Follow-up with Antonio process Runner.  
04.05.2023 Follow-up with Antonio process Runner.  
04.20.2023 Follow-up with Antonio process Runner.  
04.25.2023 Follow-up with Antonio process Runner.  
05.03.2023 Follow-up with Antonio process Runner.  
05.05.2023 Follow-up with Antonio process Runner.  
05.10.2023 Follow-up with Antonio process Runner.  
05.26.2023 Follow-up with Antonio process Runner.  
06.05.2023 Met with MDPW Inspector and need a revision for 1 palm.  
06.20.2023 Follow-up with Antonio process Runner.  
07.05.2023 Spoke with Antonio, he provided info on revision.  
07.15.2023 Antonio received the revised plans.  
07.19.2023 Mentioned in City of Miami MOT meeting.  
08.14.2023 Follow-up with Antonio process Runner.  
08.16.2023 Mentioned in City of Miami MOT meeting, we need a plumbing permit.  
XX

## 12. Lot 7

12.xx.2021 Damage of SOD and possible irrigation system.  
08.04.2022 Send an email as the weeds are overgrowing over the existing chain-link fence. They replied they will take care of the issue.  
08.05.2022 Send a follow-up email as there are other areas of concern.  
08.08.2022 **Camilo Cedeno** reported that the lot will be cleaned today.  
09.20.2022 Send an email as the weeds are overgrowing over the existing chain-link fence.  
09.30.2022 Followed-up on the previous email. They replied they will take care of the issue.  
10.01.2022 **Francys Soza** send an email with pictures of the cleaning of the weeds, etc.. on the East and South side.  
01.13.2023 Send Camilo an email about the fence wrap around the lot.  
04.17.2023 Send Camilo an email about the fence wrap around the lot.  
08.23.2023 **Francys Soza** send an email with pictures of the cleaning of the weeds, etc.. on All the sides of the lot.

## 13. South Block North: The Standard Residences

11.16.2021 a sale center pad has been installed.  
12.27.2022 s sale banner has been installed on the façade of South Block Garage.  
03.02.2022 A fence and fence wrap has been installed; it does not provide the CDD access to the existing electrical panels and they are encroaching into CDD property on the north and south side of the lot.

03.10.2022 A fence banner has been installed.

03.14.2022 Juan Alvarez reached out to Bruce Cavossa and Luis Franco to have a site meeting.

03.21.2022 Juan Alvarez sends a reminder to Bruce and Luis.

04.01.2022 Tariq send Email to Carlos Rosso requesting to assist as his staff is not responsive.

04.07.2022 District engineer approved encroachment in order to facilitate construction .

08.01.2022 District bollard has been removed without approval, trip hazard in concrete sidewalk was left behind.

08.05.2022 Notified Carlos Rosso and team about the bollard. Luis wrote back it was fixed but it is NOT fixed.

08.08.2022 Bollard has been restored.

09.13.2022 Buena Vista Ave sales center. Added plants in Districts planters and added plant pots all over the sidewalk. Requested them to remove & relocate.

09.16.2022 Emailed management in reference to the 4x4 wood posts installed in the ENT lot.

09.21.2022 ENT-Lot; Follow-up on the previous send email. Container will be removed 09.22.2022.

09.23.2022 ENT-Lot; Southwest post have been removed. Container is still on site.

09.26.2022 ENT-Lot; Container will be removed today.

xx

01.xx.2023 Discussing with District Engineer of the proposed digging they plan todo.

xx

03.16.2023 Irrigation team found a leak coming from inside the lot. It seems our irrigation lines are running within the lot. (Irrigation main, parallel line and controller lines)

03.20.2023 Send email to Juan Alvarez in Reference to irrigation damages on the northwest side of the lot. He asked Angel Camacho to meet up with me to discuss the concerns. Angel and I set up a call meeting for tomorrow 03.21.2023 as he will be onsite.

xx

03.28.2023 Received email from Jorge Quintero (Civic Construction) in reference to parking Garage Footing Encroachments = today's meeting.

03.29.2023 Tariq Bayzid replied to Jorge's email.

04.03.2023 Carlos Rosso requested Tariq Bayzid and or Juan Alvarez to confirm if they could start chipping. Jorge Q scheduled a mobilization date (04/05) to start "exploratory chipping". Tariq Bayzid replied to Jorge Q.

04.05.2023 Jorge Q emailed images of the first footer that was chipped.

04.11.2023 Jorge Q emailed images of several footers. Carlos R emailed asking Claudia Bruder (Thornton & Tomasetti)

04.14.2023 Jaime Jaramillo (BJEFL) emailed Claudia

04.18.2023 Jaime J (BJEFL) emailed Claudia. Carlos R emailed Jorge Q.

04.20.2023 Breaking Ground Party.

04.21.2023 Jorge Q requesting AS IS plans.

04.27.2023 Angel Camacho replying we do not have AS IS Plans

05.03.2023 Jorge Q reaching out to Jeffrey Miterko from Thorson Baker for plans.

05.08.2023 Jorge Q following up on Jeffrey.

05.09.2023 As Jeffrey is unresponsive Jorge Q requests Angel Camacho and Juan Alvarez to decide.

05.16.2023 Jorge Q emailing to Richard Way from the City of Miami in ref to the relocation of the Electrical Panel.

05.18.2023 Jorge Q emailing to confirm onsite meeting with electrical contractor.

05.19.2023 Had onsite meeting.

05.25.2023 Jorge Q requested electrical calculations of street lights and landscaping lights.

06.01.2023 CDD Office meeting with Jorge Q in reference to the MOT plan and other CDD concerns.

06.05.2023 Replied to email referring parking garage footer that I will defer to districts engineer; Juan Alvarez.

06.06.2023 Juan Alvarez replied to the parking garage footer email. Jorge Q emailed asking me the status of my MOT comments. Carlos Rosso emailed he wants to start removing tree and grading the site.

06.07.2023 Carlos R requested if I could help speed up the process.

06.08.2023 Send Jorge Q the comments I have on the proposed MOT plan.

06.09.2023 Jorge Q replied to my comments. Carlos R requested we speed up and advise the City of Miami. Notified Jorge Q that we have removed some bollard caps and some landscaping lights.

06.13.2023 Send email to Ana Vasquez from the City of Miami that we partially agree on the proposed MOT plan.

07.13.2023 Meeting onsite to discuss and resolve the irrigation issue for the 3 palms on the northwest corner where TSR encroached the property? Controller cables, parallel lines, etc.. AND all the planters on the north side and east side of the project.  
07.19.2023 City of Miami MOT meeting Christian (Process Runner) proposed the revised MOT plan.  
07.26.2023 Send a friendly reminder about the potential trip hazard.  
08.07.2023 Send an email asking about status about the irrigation repairs.  
08.09.2023 Jorge Quintero replied that those irrigation repairs will get done once the MOT Fence is set up. Replied that they are responsible for the lack of water. Jorge requested the proposed route for the irrigation mainline.  
08.16.2023 Provided Jorge Q the proposed temporary irrigation connection.  
08.25.2023 Requested them to repair the fallen Fence Wrap and Marketing banner. Carlos Rosso replied that next week they will be scheduling the MOT plan. I requested Carlos to please have the Fence Wrap fixed.  
xx

#### **14. Gio – Removery (Buildout) - NE 32nd Street – 04.05.2022**

Daniel Franco  
04.05.2022 Requested an onsite meeting.  
04.18.2022 Daniel wants to meet on 4.25.2022 I will not be available. Proposed 4.26.2022  
04.21.2022 Daniel Franco onsite meeting set up for 04.26.2022  
04.26.2022 Meeting Daniel & Contractor to discuss MMCDD sidewalk, etc..  
07.05.2022 they contacted me for putting a generator outside. Put them in contact with Stephen E.  
11.17.2022 Requested an update on completion date. Joe Silvaggi; they received their Certificate of Completion on 09.03.2022.  
12.02.2022 Will Douglas reached out that they will hang the exterior sign on Tue 12/06/2023.  
12.05.2022 Send email requesting the Col, etc from them before any work get's done.

#### **15. MBW – Fresh Kitchen (Buildout) – Ex Hurricane Grill Space. – 04.20.2022 (BD2102004600B001)**

Pippa send email.  
04.20.2022 Pippa requested an onsite meeting for 05.02.2022  
04.21.2022 Pippa provided the Col. Carolina verified the Col and approved.  
04.27.2022 Diana Keller (**DK**) called me to discuss staging plans. City of Miami Permit: BD21-020046-B001  
05.06.2022 They put temporary for demo a dumpster outside on the parking lot.  
05.23.2022 Dumpster has been removed.  
07.20.2022 David Rose (**DR**) reached out as Fresh Kitchen hired them to install a brand-new grease trap.  
07.25.2022 Meeting with **DR** to discuss Districts concerns. They still did not receive their permit. Put him in touch with Javier A. from MPA and Thad Carraway from Lanier parking for parking in the garage.  
07.29.2022 AC Vendor (754) 209-9576 contacted me for a MOT as they want to close the street to put a crane.  
08.05.2022 Send email to **DK** to notify about no response from AC Vendor. **DK** called me to discuss the AC Vendor.  
08.15.2022 **DR** stated his grease trap project.  
8.29.2022 **DR** finished his grease Trap project.  
09.07.2022 Delivery of Materials and Equipment.  
11.17.2022 Requested an update on completion date. Diana Keller; closing finals and waiting for outdoor seating.  
01.04.2022 Diana reached out and they received their Certificate of Completion yesterday.  
01.xx.2022 Stopped Sign company from blocking the sidewalk without approval, did not receive Col, etc..  
01.xx.2023 Received Col, etc.  
01.27.2023 They plan to install the sign on Thursday 02.02.2023.  
02.03.2023 Sign was installed

#### **16. NB – Midtown Miami CDD Warranty Waterproofing of North Block 2<sup>nd</sup> floor garage floor.**

Michael Matthew, Tom Slater, Calvin x, Carlos Paulino, Juan Alvarez.

07.11.2022 Started Major Phase I Project  
 07.27.2022 Materials arrived on site.  
 07.25.2022 Closed sub-phase I (Ramp on NE 34<sup>th</sup> street).  
 08.02.2022 Opened sub-Phase 1A; Ramp on NE 34<sup>th</sup> street. Started sub-Phase 2.  
 08.04.2022 sub-Phase 1 stripping  
 08.05.2022 sub-Phase 1 open again.  
 08.10.2022 sub-Phase 2 open again Started Phase 3.  
 08.19.2022 sub-Phase 3 started stripping.  
 08.22.2022 sub-Phase 3 open again and started phase 4. Phase 4 slit in 2 phases.  
 08.26.2022 sub-Phase 4A started stripping.  
 08.29.2022 sub-Phase 4A is back open. sub-Phase 4B is still closed as we are waiting for material. (Access to Target and Marshalls is open). Tom Slater is waiting for feedback from Ronald (Ron) Poleon from Lymtal to material delivery.  
 09.05.2022 Received a partial of the pending materials.  
 09.06.2022 Tom Slater informed me he is waiting for the pending materials.  
 09.07.2022 Tom Slater informed that he is expecting the materials to arrive today.  
 09.12.2022 sub-Phase 4B is Back open, missing NO PARKING signs in front of the CDD Office and the expansion joint "protection" plates. Restocon has ordered new stencils.  
 09.21.2022 NO PARKING signs have been painted. Project is DONE.  
 Project ramps will be added to this project. - Major Phase I DONE.  
 Major Phase II will start on 16<sup>th</sup> Jan 2023.  
 sub-phase I; 34<sup>th</sup> street Ramp & Ramp between 2<sup>nd</sup> & 4<sup>rd</sup> Floor.  
 sub-Phase II; 36<sup>th</sup> street Ramp.  
 10.13.2022 Send email in reference to 2<sup>nd</sup> floor entry and exit gates area. Membrane has come loose from base.  
 10.18.2022 Ron Poleon came to check on the gate area. Area was not done correctly.  
 11.03.2022 Material arrived and was stored.  
 11.17.2022 Send email in reference to Core A (Target area) close to Column A01. Membrane has come loose from base. Tom Slater replied the area will be repaired once they come out in Jan 2023.  
 01.16.2023 Closed NE 34<sup>th</sup> street Ramp and the Ramp between the 2<sup>nd</sup> and 3<sup>rd</sup> floor.  
 01.23.2023 NE 34<sup>th</sup> street ramp was opened and NE 36<sup>th</sup> street ramp was started.  
 01.30.2023 Ramp opened. Project done.  
 03.03.2023 Dumpster is still on site. Contacted Bill Howell to remind him.  
 03.07.2023 Dumpster is gone.

**17. Hyde – Swing Stages – Henry Souto (Hyde Chief Engineer) 08.05.2022**

08.05.2022 He called and discussed the project.  
 08.08.2022 Antoine (786) 825-9623 called he works for Empire Works, he will be doing work on the south and west side of the Hyde. North as well but that does not concern MMCCDD.  
 08.09.2022 Met with John & Henry Souto to go over the MOT and concerns.  
 08.19.2022 Alina Cruz contacted me (Midtown 2) that NO one has reached out to her. We are still waiting for a Col.  
 08.22.2022 Send a reminder on the Col.  
 08.30.2022 Send a reminder of the unreceived Col.  
 09.02.2022 received the Col and WC.  
 11.10.2022 project has been finished.

**18. NE 36<sup>th</sup> street Pole Installation – Crown Castle (This is partial work that is connected to item nr 3 above) Urma Charlemange (08.10.2022)**

08.10.2022 Urma Charlemange (UC) (Permit Coordinator) send the email with the MOT Plan. 2021-H-690-00035 (FL5292BA)  
 08.11.2022 Send Urma an email to let her know that there is another project going on on NE 36<sup>th</sup> street and she has to wait till they are done. Carolina sent her the Col requirements.  
 08.23.2022 Larry Polk (LP) email (LCIS-2 FL5292BA Site – CMS PO 3948) me with answers to my questions.

Kerry Ann Baychu sent us the Col.

08.24.2022 **LP** send the latest plans.

08.30.2022 Forwarded the Col to Carolina so she can check it.

09.07.2022 Col has been approved by Carolina Reyes.

XX

09.21.2022 **UC** send an email requesting an update on the **LCIS** (??)

09.23.2022 Juan Velasquez (FDOT) called if the district approves the restorations of the work that was done on NE 36<sup>th</sup> street. Send email to **UC** asking what they need?

XX

#### **19. Lot 1 TerraGroup- Santiago Eliashev & Rocio Martinez (09.08.2022)**

09.08.2022 Received email on scheduling an appointment to discuss the non-standard improvements.

09.19.2022 Received a follow-up on scheduling an appointment. Set appointment for Friday 9.23.2022.

09.23.2022 Had a MS Teams meeting with Santiago & Rocio (and others) discussed the Districts Non-Standard improvements.

10.21.2022 Send them the specifications of the non-standard improvements & the introduction email to FDOT & requesting what light fixtures on NE 35<sup>th</sup> street they are proposing to remove. They are proposing to remove 4 Hess Faro light Fixtures from NE 35<sup>th</sup> street.

10.24.2022 Rocio Martinez emailed FDOT in reference to design guidelines, etc..

XX

#### **20. Hyde – Salvaje Restaturant - Martina Maione (10.19.2022)**

10.19.2022 Received email from Karen Diaz (**KD**) property manager of the Hyde in reference to a crane needed to bring up to the deck several items.

10.20.2022 received a call from Elan the architect of the work, discussed MOT plans, noise waiver, closing on the north bound lane and the side walk, days of allowed closure, etc..

10.21.2022 Christopher provided a MOT plan for the proposed crane location, etc.. (Gold Coast Crane) CDD Provided Col prerequisites.

10.22.2022 Martina Maione provided plans.

10.24.2022 Plans are finalized and expired. Looking at other ways of resolving the issue.

10.25.2022 They plan to make use of Swing Stages that are currently there.

12.01.2022 Project has been finalized.

#### **21. MBE – Harrison Crane – Replacing AC units on Roof. – 08.04.2022**

Mario Machin (**MM**) sent an email with Michael Harrison (**MH**) info.

08.04.2022 Received proposed MOT plan. On call with **MH**, Carlos Sanchez (**CS**) & Michael Samuel (**MS**) to discuss MOT and proposed day & hours. Requested Col and received it.

08.12.2022 send email to **MH** to see if there is any update. He replied.

08.15.2022 Send email to **MH** to be sure to talk to Manuel Arango (Fire Rescue)

08.22.2022 Midtown Blvd. closed with MOT. MPD on site as well.

Project Phase I - DONE.

10.20.2022 Continuation from last year... Mike reached out as they want to close the road again. Discussing proposed 2<sup>nd</sup> and final closure of Midtown Blvd. for Monday 11/07/2022.

10.21.2022 Mike provided the plans and has requested the city of Miami to revise the permit dates.

10.26.2022 David Harrison in the MOT. Mario Machin said that MPD and MPA are still missing to approve.

10.27.2022 MPA States parking spots were not paid back on 22<sup>nd</sup> Aug 2022.

11.01.2022 Previous parking spots have been agreed to get paid.

11.04.2022 Material has NOT arrived, so the road closure & Crane setup got cancelled.

11.16.2022 Send **MH** & **CS** a reminder as 2022 Holiday Season Moratorium is starting Tuesday 11.22.2022.

11.30.2022 **MH** emailed asking for a follow-up. **Evelyn Brache** (HVAC Masters) replied they are still waiting for parts.

03.31.2023 Carlos requested to have parking spots available for loading.

04.11.2023 Carlos requested to have parking spots available for loading.

04.14.2023 Project is done.

#### **22. Midtown 2 – Alina Cruz (10.20.2022)**

10.20.2022 Discussed scaffolding.  
11.16.2022 Send a follow-up email asking about the status.

**23. NE 36<sup>th</sup> street & N Miami Ave. - Breezeline / Atlantic Broadband utility work / FDOT Permit 2022-H-690-00336.**

FDOT; Juan Velasquez

Breezeline; Roberto Cruz & Adriana Contreras.

11.14.2022 Juan called that Breezeline would like to work on NE 36<sup>th</sup> and N Miami Ave. right in front of Ross 1<sup>st</sup> floor entrance.

11.15.2022 Roberto Cruz reached out, he emailed plans & permits. Due to the short time before the start of the 2022 Holiday Season Moratorium Tariq did not approve the proposed start on Monday 11.21.2022 of the project. Tariq recommended they plan/schedule for start on Jan 2023.

11.16.2022 Roberto Cruz confirmed proposed start on Monday 11.21.2022 has been declined. I notified him to plan for Jan 2023. Adriana Contreras (Permit Manager) contacted me for Jan 2023.

11.17.2022 Replied to Adriana that she can schedule for Jan 4<sup>th</sup> but will need to revise all documents and deliver a valid Col.

11.18.2022 Adriana requested Carolina info about the Col, etc..

01.04.2023 Adriana resent the email I send her on 11.18.2022. I send her the Col Guidelines.

01.05.2023 Received the Col. Asked if Unitec will be doing the work?

01.11.2023 Adriana asked if we approve for them to start. They need a letter from us that we approved.

01.13.2023 Adriana requested the letter. Replied to her with a few questions.

01.18.2023 Adriana replied to my questions, and I asked questions again.

01.23.2023 Adriana replied to my questions and I asked questions again.

02.08.2023 Adriana replied to my questions and I asked questions again.

02.15.2023 Adriana replied to my questions.

02.16.2023 Deborah Samuel replied to Adriana that Tariq is out of Town.

02.21.2023 Adriana requesting the letter. Deborah approved in an email.

02.24.2023 Adriana provided Heberto Duo (786) 258-7470 contact information.

02.27.2023 Roberto Cruz reached out as they need an approval for the lane closure. Tariq replied to meet closer to the proposed work date.

03.01.2023 Roberto called to setup a call meeting with The District & FDOT as well for 03.06.2023.

03.06.2023 Roberto Cruz & Javier attended the online meeting.

03.07.2023 Tariq send a summary of the online meeting yesterday. FDOT Juan Velasquez approved they can proceed requesting the lane closure.

**24. Five Guys Midtown RTU Replacement; Chris Sonnhalter, Kevin Garden, Glen Sullivan.**

11.28.2022 Glen forwarded an email from Chris. Replied with requirement for Col and MOT, etc..

Requested Carolina to provide Col prerequisites. She provided Chris with the prerequisites.

Chris said Kevin Garden will be managing the project.

Kevin acknowledged receiving the Col prerequisites.

12.01.2022 Kevin Garden provided the Col.

Never heard back from them...

03.21.2023 Emailed Kevin Garden to find out if this project was ever done/finalized. He replied that he received the permit today.

03.22.2023 Emailed Kevin requesting a valid Col, Permit, MOT, etc..

03.29.2023 Kevin provided the Col (Supreme Mechanical Services)

05.04.2023 Carol Judd & Christian Russo (Right O Way Consultants) called me in reference to the MOT Plan. Discussing closing the NB Lane & a noise waiver they will need approximately 3 hours of work time. Work will need to get done on either Mon-Wed as we do not allow any road closures Thu-Sun.

05.18.2023 The Col has been approved.

XX

06.09.2023 Meeting on site with team member.

06.13.2023 Road closure. Project done.

**25. NE 36<sup>th</sup> Street - IKE Smart City Kiosks - Permit # 2023-K-690-00030; Gunnar Samuelson.**

04.28.2023 Received an email from Gunnar S, replied to him.

05.03.2023 He called me to discuss my concerns; move the kiosk more to the east so the visibility triangle is better when people drive out of the North Garage (ramp on NE 36<sup>th</sup> street).

05.xx meeting with William Pino.

06.xx.2023 They will have another one by Lot1.

06.xx.2023 They reached out to discuss install.

**26. OXXO Cleaners; Midtown 2 – Well; Gianni Lannelli, Rick Wood**

08.08.2018 MIAMI-DADE COUNTY DRY CLEANER COMPLIANCE MONITORING WELL APPLICATION

\*\*\*\* Project on HOLD. \*\*\*\*

05.03.2023 Gianni called me with Rick in conference, discussed MOT for the proposed well and sidewalk prerequisites.

Planned **FUTURE** Projects:

1. **East Coast Ave** - Hotwire –(20190618)  
Pay attention to: Sidewalk damages, SOW Directional Boring, installing man holes and pulling cable from man hole to man hole.
2. **FDOT & MDC & City of Miami** - Railroad Crossing and Roadway Reconstruction Project.  
NE 36<sup>th</sup> Street & NE 4<sup>th</sup> Ave & Federal Highway. (Virtual Meeting 11/30/2020 Fernando Gomez, Hector Badia)

**MIDTOWN MIAMI**  
**COMMUNITY DEVELOPMENT DISTRICT**

**STAFF**  
**REPORTS**  
**ALL**





Lanier Parking Solution  
 3401 N Miami Ave Ste 134  
 Miami, Fl. 33127

**Monthly Parking Report- August 2023**  
**Executive Summary**

	<u>North Garage</u>		<u>South Garage</u>		<u>Mid Block Garage</u>	
	<u>Jul-23</u>	<u>Aug-23</u>	<u>Jul-23</u>	<u>Aug-23</u>	<u>Jul-23</u>	<u>Aug-23</u>
Garage Retail and Office	578	577	354	366	0	0
2 Midtown Residents	11	11	8	7	0	0
2 Midtown Retail	1	1	0	0	0	0
3 Midtown- Hyde Resident	0	0	2	4	0	0
4 Midtown Resident	1	1	27	27	0	0
4 Midtown Retail	0	0	4	3	0	0
5 Midtown Residents	0	0	30	29	0	0
6 Midtown Residents	0	0	1	1	0	0
GIO Residential	0	0	3	3	0	0
Midtown Yard 8 Residents	0	0	2	2	0	0
Midblock Residents	0	0	4	3	0	0
Midblock East Offices	4	4	32	32	34	37
Midblock East Retail	13	13	49	49	0	0
Midblock West Retail	46	46	43	40	0	0
Secondary Vehicles	55	55	27	27	1	1
Complimentary	98	96	0	0	322	320
	<b>807</b>	<b>804</b>	<b>586</b>	<b>593</b>	<b>357</b>	<b>358</b>

**Notes**

Secondary vehicles are necessary due to the AVI but are accounted for as complimentary.



Lanier Parking Solution  
 3401 N Miami Ave Ste 134  
 Miami, Fl. 33127

Transient Parking  
 Year-over-Year Comparison

North Block

South Block

		Revenue					Tickets			Revenue					Tickets				
		<u>2022</u>		<u>2023</u>		<u>2022</u>		<u>2023</u>		<u>2022</u>		<u>2023</u>		<u>2022</u>		<u>2023</u>		<u>2022</u>	
		\$6,073.00				2128				\$ 1,351.00				259					
8/1/2023	Tuesday	\$6,553.00	\$6,602.25	0.75%	2327	2274	-2.28%			\$1,106.00	\$ 988.00	-10.67%	225	219	-2.67%			Monday	8/1/2022
8/2/2023	Wednesday	\$7,395.00	\$6,988.00	-5.50%	2417	2352	-2.69%			\$1,267.00	\$ 1,135.00	-10.42%	268	265	-1.12%			Tuesday	8/2/2022
8/3/2023	Thursday	\$7,093.00	\$7,321.20	3.22%	2362	2477	4.87%			\$1,314.00	\$ 1,419.00	7.99%	253	289	14.23%			Wednesday	8/3/2022
8/4/2023	Friday	\$8,372.00	\$8,119.00	-3.02%	2784	2752	-1.15%			\$1,221.00	\$ 1,254.00	2.70%	251	305	21.51%			Thursday	8/4/2022
8/5/2023	Saturday	\$11,363.00	\$10,170.50	-10.49%	3626	3501	-3.45%			\$2,335.00	\$ 1,578.00	-32.42%	499	430	-13.83%			Friday	8/5/2022
8/6/2023	Sunday	\$8,932.00	\$8,336.00	-6.67%	3065	2918	-4.80%			\$1,670.00	\$ 1,633.00	-2.22%	314	308	-1.91%			Saturday	8/6/2022
8/7/2023	Monday	\$6,562.00	\$6,436.00	-1.92%	2302	2228	-3.21%			\$832.00	\$ 926.00	11.30%	196	251	28.06%			Sunday	8/7/2022
8/8/2023	Tuesday	\$6,962.00	\$6,777.00	-2.66%	2381	2281	-4.20%			\$1,088.00	\$ 1,020.00	-6.25%	233	233	0.00%			Monday	8/8/2022
8/9/2023	Wednesday	\$7,555.00	\$7,190.00	-4.83%	2571	2485	-3.35%			\$1,454.00	\$ 1,269.00	-12.72%	275	309	12.36%			Tuesday	8/9/2022
8/10/2023	Thursday	\$7,190.00	\$6,946.00	-3.39%	2579	2373	-7.99%			\$1,122.00	\$ 952.00	-15.15%	276	233	-15.58%			Wednesday	8/10/2022
8/11/2023	Friday	\$2,724.10	\$8,179.00	200.25%	2323	2795	20.32%			\$715.00	\$ 1,244.00	73.99%	226	252	11.50%			Thursday	8/11/2022
8/12/2023	Saturday	\$11,040.00	\$10,944.50	-0.87%	3707	3667	-1.08%			\$1,845.00	\$ 1,842.00	-0.16%	433	463	6.93%			Friday	8/12/2022
8/13/2023	Sunday	\$9,523.00	\$8,954.00	-5.98%	3264	3167	-2.97%			\$1,473.00	\$ 1,449.00	-1.63%	283	291	2.83%			Saturday	8/13/2022
8/14/2023	Monday	\$7,587.00	\$7,047.00	-7.12%	2829	2547	-9.97%			\$1,138.00	\$ 757.00	-33.48%	275	201	-26.91%			Sunday	8/14/2022
8/15/2023	Tuesday	\$8,171.00	\$7,561.00	-7.47%	3268	2680	-17.99%			\$978.00	\$ 1,019.00	4.19%	226	231	2.21%			Monday	8/15/2022
8/16/2023	Wednesday	\$7,067.00	\$8,561.00	21.14%	2663	3158	18.59%			\$1,247.00	\$ 1,071.00	-14.11%	267	242	-9.36%			Tuesday	8/16/2022
8/17/2023	Thursday	\$7,061.00	\$7,752.00	9.79%	2532	2715	7.23%			\$1,185.00	\$ 1,161.00	-2.03%	289	286	-1.04%			Wednesday	8/17/2022
8/18/2023	Friday	\$8,100.00	\$8,414.75	3.89%	2856	2855	-0.04%			\$1,139.00	\$ 1,238.00	8.69%	275	301	9.45%			Thursday	8/18/2022
8/19/2023	Saturday	\$10,488.00	\$11,584.00	10.45%	3709	3831	3.29%			\$1,777.00	\$ 2,074.00	16.71%	422	518	22.75%			Friday	8/19/2022
8/20/2023	Sunday	\$10,148.00	\$10,499.00	3.46%	3474	3760	8.23%			\$1,601.00	\$ 1,778.00	11.06%	358	374	4.47%			Saturday	8/20/2022
8/21/2023	Monday	\$6,463.00	\$6,771.00	4.77%	2297	2311	0.61%			\$1,199.00	\$ 818.00	-31.78%	246	223	-9.35%			Sunday	8/21/2022
8/22/2023	Tuesday	\$6,164.00	\$6,315.00	2.45%	2187	2144	-1.97%			\$988.00	\$ 838.00	-15.18%	235	202	-14.04%			Monday	8/22/2022
8/23/2023	Wednesday	\$6,557.00	\$6,414.00	-2.18%	2230	1976	-11.39%			\$1,212.00	\$ 890.00	-26.57%	251	238	-5.18%			Tuesday	8/23/2022
8/24/2023	Thursday	\$6,587.00	\$6,593.00	0.09%	2300	2179	-5.26%			\$1,233.00	\$ 1,263.00	2.43%	264	249	-5.68%			Wednesday	8/24/2022
8/25/2023	Friday	\$7,842.00	\$7,926.00	1.07%	2686	2678	-0.30%			\$1,234.00	\$ 2,739.00	121.96%	288	309	7.29%			Thursday	8/25/2022
8/26/2023	Saturday	\$10,827.00	\$10,627.00	-1.85%	3628	3491	-3.78%			\$1,775.00	\$ 2,044.00	15.15%	434	462	6.45%			Friday	8/26/2022
8/27/2023	Sunday	\$8,994.00	\$8,917.00	-0.86%	3107	3122	0.48%			\$1,853.00	\$ 1,498.00	-19.16%	363	332	-8.54%			Saturday	8/27/2022
8/28/2023	Monday	\$6,319.00	\$5,618.00	-11.09%	2203	2000	-9.21%			\$988.00	\$ 881.00	-10.83%	195	224	14.87%			Sunday	8/28/2022
8/29/2023	Tuesday	\$5,997.00	\$5,862.00	-2.25%	2012	1721	-14.46%			\$928.00	\$ 812.00	-12.50%	234	190	-18.80%			Monday	8/29/2022
8/30/2023	Wednesday	\$6,426.00	\$5,890.00	-8.34%	2188	2100	-4.02%			\$1,126.00	\$ 1,102.00	-2.13%	296	222	-25.00%			Tuesday	8/30/2022
8/31/2023	Thursday	\$6,252.00			2206					\$ 958.00				211				Wednesday	8/31/2022
		<b>\$238,135.10</b>	<b>\$241,567.20</b>	<b>1%</b>	<b>84005</b>	<b>82744</b>	<b>-1.50%</b>			<b>\$40,394.00</b>	<b>\$39,650.00</b>	<b>-2%</b>	<b>8909</b>	<b>8863</b>	<b>-0.52%</b>				

# Revenue-by-lane Report

From:	3 :00:00 AM	Prepared by:	jencarnacion
To:	31/2023 11:59:59 PM	Generated:	9/1/2023 12:40:19 PM
System server:	[1] DBS Central	Extended Income Report:	No
Car park:	[50] North Block		

Lane	Rate	Count VISA	VISA	Count MASTERCARD	MASTERCARD	Count AMEX	AMEX	Count DISCOVER	DISCOVER	Total Amount CC	Count Cash	Cash	Count Chaser	Chaser	Other	Total Revenue
4	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	69	.00 USD		.00 USD	.00 USD	.00 USD
4	.00 USD	4197	,394.00 USD	797	3,594.00 USD	723	,446.00 USD	9	58.00 USD	3,692.00 USD		.00 USD	60	.00 USD	.00 USD	3,812.00 USD
4	3.00 USD	7	6,860.00 USD	75	3,225.00 USD	352	,056.00 USD	53	59.00 USD	,300.00 USD		.00 USD	7	9.00 USD	6.00 USD	,325.00 USD
4	4.00 USD	681	,722.00 USD	93	,172.00 USD	5	500.00 USD	5	60.00 USD	4,454.00 USD		.00 USD		6.00 USD	4.00 USD	4,464.00 USD
4	.00 USD		,680.00 USD	4	.00 USD	41	328.00 USD	5	40.00 USD	,876.00 USD		.00 USD		.00 USD	.00 USD	,888.00 USD
4	.00 USD	72	,718.00 USD	39	390.00 USD		.00 USD	4	40.00 USD	,258.00 USD		.00 USD		.00 USD	.00 USD	,270.00 USD
4	5.00 USD	30	450.00 USD		300.00 USD	6	90.00 USD	3	45.00 USD	5.00 USD		.00 USD		.00 USD	30.00 USD	915.00 USD
4	.00 USD	9	380.00 USD	3	60.00 USD		.00 USD		.00 USD	480.00 USD		.00 USD		.00 USD	40.00 USD	520.00 USD
4	5.00 USD	4	350.00 USD	5	5.00 USD		5.00 USD		.00 USD	500.00 USD		.00 USD		.00 USD	.00 USD	500.00 USD
4	30.00 USD	9	70.00 USD	4	.00 USD		.00 USD		.00 USD	390.00 USD		.00 USD		.00 USD	60.00 USD	450.00 USD
4	35.00 USD	6	910.00 USD		350.00 USD	3	455.00 USD		35.00 USD	,750.00 USD		.00 USD		.00 USD	45.00 USD	,995.00 USD
4	70.00 USD	3	.00 USD		.00 USD		70.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
24	<b>Total Lane</b>	<b>7548</b>	<b>22,944.00 USD</b>	<b>3350</b>	<b>10,164.00 USD</b>	<b>1274</b>	<b>4,100.00 USD</b>	<b>211</b>	<b>657.00 USD</b>	<b>37,865.00 USD</b>	<b>69</b>	<b>0.00 USD</b>	<b>73</b>	<b>169.00 USD</b>	<b>385.00 USD</b>	<b>38,419.00 USD</b>
26	<b>Total Lane</b>	<b>0</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0.00 USD</b>	<b>0.00 USD</b>
	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	90	.00 USD		.00 USD	.00 USD	.00 USD
	.00 USD	4267	,534.00 USD	752	3,504.00 USD	686	,372.00 USD		40.00 USD	3,650.00 USD		.00 USD	40	.00 USD	4.00 USD	3,734.00 USD
	3.00 USD	73	6,519.00 USD	7	3,019.00 USD	318	954.00 USD	61	.00 USD	,674.00 USD		.00 USD	3	7.00 USD	4.00 USD	,695.00 USD
	4.00 USD	654	,616.00 USD	97	,188.00 USD	4	416.00 USD		.00 USD	4,300.00 USD		.00 USD	3	.00 USD	.00 USD	4,312.00 USD
	.00 USD		,608.00 USD		,648.00 USD	33	64.00 USD		6.00 USD	,536.00 USD		.00 USD		.00 USD	.00 USD	,544.00 USD
	.00 USD	68	680.00 USD	33	330.00 USD	4	40.00 USD		4.00 USD	,154.00 USD		.00 USD	3	6.00 USD	.00 USD	,170.00 USD
	5.00 USD	37	555.00 USD	3	345.00 USD		30.00 USD		30.00 USD	960.00 USD		.00 USD		5.00 USD	.00 USD	975.00 USD
	.00 USD		360.00 USD	6	.00 USD		.00 USD		.00 USD	500.00 USD		.00 USD		.00 USD	.00 USD	500.00 USD
	5.00 USD		.00 USD	3	75.00 USD	6	50.00 USD		5.00 USD	450.00 USD		.00 USD		.00 USD	5.00 USD	475.00 USD
	30.00 USD	4	.00 USD	3	90.00 USD		30.00 USD		.00 USD	40.00 USD		.00 USD		.00 USD	.00 USD	40.00 USD
	35.00 USD	9	665.00 USD	6	.00 USD		385.00 USD		.00 USD	,260.00 USD		.00 USD		.00 USD	5.00 USD	,365.00 USD
	70.00 USD		70.00 USD		.00 USD		.00 USD		.00 USD	70.00 USD		.00 USD		.00 USD	.00 USD	70.00 USD
28	<b>Total Lane</b>	<b>7450</b>	<b>21,927.00 USD</b>	<b>3211</b>	<b>9,529.00 USD</b>	<b>1176</b>	<b>3,761.00 USD</b>	<b>207</b>	<b>577.00 USD</b>	<b>35,794.00 USD</b>	<b>90</b>	<b>0.00 USD</b>	<b>51</b>	<b>138.00 USD</b>	<b>148.00 USD</b>	<b>36,080.00 USD</b>
9	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	5	.00 USD		.00 USD	.00 USD	.00 USD
9	.00 USD	48	4,296.00 USD	948	,896.00 USD	304	608.00 USD	40	.00 USD	6,880.00 USD	43	4,486.00 USD		.00 USD	.00 USD	,366.00 USD
9	3.00 USD	60	,580.00 USD	412	,236.00 USD	4	372.00 USD	7	51.00 USD	4,239.00 USD	912	,736.00 USD		.00 USD	.00 USD	6,975.00 USD
9	4.00 USD	4	6.00 USD		444.00 USD	38	52.00 USD		.00 USD	,420.00 USD	99	797.00 USD		.00 USD	-1.00 USD	,216.00 USD
9	.00 USD	58	461.00 USD	9	32.00 USD		44.00 USD		.00 USD	45.00 USD	51	408.00 USD		.00 USD	3.00 USD	,256.00 USD
9	.00 USD		.00 USD	3	30.00 USD	3	30.00 USD		.00 USD	360.00 USD	7	70.00 USD		.00 USD	.00 USD	630.00 USD
9	5.00 USD		70.00 USD	3	45.00 USD		30.00 USD		.00 USD	345.00 USD	7	55.00 USD		.00 USD	.00 USD	600.00 USD
9	.00 USD	4	.00 USD	3	60.00 USD		.00 USD		.00 USD	60.00 USD	4	.00 USD		.00 USD	.00 USD	40.00 USD
9	5.00 USD	4	.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		50.00 USD		.00 USD	.00 USD	50.00 USD
9	30.00 USD		330.00 USD	4	.00 USD		.00 USD		.00 USD	450.00 USD		60.00 USD		.00 USD	.00 USD	510.00 USD

29	35.00 USD		.00 USD	4	40.00 USD		.00 USD		.00 USD	420.00 USD	3	5.00 USD		.00 USD	.00 USD	525.00 USD
9	39.00 USD		39.00 USD		.00 USD		.00 USD		.00 USD	39.00 USD		.00 USD		.00 USD	.00 USD	39.00 USD
<b>29</b>	<b>Total Lane</b>	<b>3334</b>	<b>9,432.00 USD</b>	<b>1527</b>	<b>4,303.00 USD</b>	<b>490</b>	<b>1,356.00 USD</b>	<b>62</b>	<b>167.00 USD</b>	<b>15,258.00 USD</b>	<b>3485</b>	<b>9,247.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>2.00 USD</b>	<b>24,507.00 USD</b>
30	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
30	.00 USD	3877	7,754.00 USD	679	3,358.00 USD	551	,102.00 USD	6	.00 USD	426.00 USD		.00 USD		42.00 USD	4.00 USD	,472.00 USD
30	3.00 USD	670	5,010.00 USD	773	,318.00 USD	55	765.00 USD	55	65.00 USD	,258.00 USD		.00 USD		4.00 USD	6.00 USD	,268.00 USD
30	4.00 USD	391	,564.00 USD	67	668.00 USD	60	40.00 USD		48.00 USD	,520.00 USD		.00 USD		.00 USD	.00 USD	,520.00 USD
30	.00 USD		.00 USD	41	328.00 USD	6	.00 USD	3	4.00 USD	,280.00 USD		.00 USD		.00 USD	.00 USD	,280.00 USD
30	.00 USD	48	480.00 USD		.00 USD	5	50.00 USD		.00 USD	720.00 USD		.00 USD		.00 USD	.00 USD	720.00 USD
30	5.00 USD	3	95.00 USD	7	5.00 USD	4	60.00 USD		30.00 USD	390.00 USD		.00 USD		.00 USD	.00 USD	390.00 USD
30	.00 USD	5	.00 USD		.00 USD		40.00 USD		.00 USD	40.00 USD		.00 USD		.00 USD	.00 USD	40.00 USD
30	5.00 USD	6	50.00 USD	3	75.00 USD		.00 USD		.00 USD	5.00 USD		.00 USD		.00 USD	.00 USD	5.00 USD
30	30.00 USD		60.00 USD		30.00 USD		.00 USD		.00 USD	90.00 USD		.00 USD		.00 USD	90.00 USD	.00 USD
30	35.00 USD	9	665.00 USD	6	.00 USD		70.00 USD		35.00 USD	980.00 USD		.00 USD		.00 USD	40.00 USD	,120.00 USD
30	5.00 USD		.00 USD		5.00 USD		.00 USD		.00 USD	5.00 USD		.00 USD		.00 USD	.00 USD	5.00 USD
30	5.00 USD		5.00 USD		.00 USD		.00 USD		.00 USD	5.00 USD		.00 USD		.00 USD	.00 USD	5.00 USD
<b>30</b>	<b>Total Lane</b>	<b>6132</b>	<b>16,883.00 USD</b>	<b>2696</b>	<b>7,357.00 USD</b>	<b>895</b>	<b>2,455.00 USD</b>	<b>180</b>	<b>524.00 USD</b>	<b>27,219.00 USD</b>	<b>111</b>	<b>0.00 USD</b>	<b>23</b>	<b>46.00 USD</b>	<b>240.00 USD</b>	<b>27,505.00 USD</b>
31	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	61	.00 USD		.00 USD	.00 USD	.00 USD
31	.00 USD	72	,744.00 USD	400	.00 USD	50	300.00 USD		42.00 USD	,886.00 USD	582	,164.00 USD		.00 USD	.00 USD	4,050.00 USD
31	3.00 USD	418	,254.00 USD		633.00 USD	94	.00 USD	3	9.00 USD	,178.00 USD	300	904.00 USD		.00 USD	-4.00USD	3,078.00 USD
31	4.00 USD	7	508.00 USD	58	32.00 USD		.00 USD	4	6.00 USD	36.00 USD	9	356.00 USD		.00 USD	.00 USD	,192.00 USD
31	.00 USD	41	328.00 USD	5	.00 USD	7	56.00 USD		.00 USD	584.00 USD	33	64.00 USD		.00 USD	.00 USD	48.00 USD
31	.00 USD		.00 USD	7	70.00 USD		.00 USD		.00 USD	300.00 USD	3	30.00 USD		.00 USD	.00 USD	430.00 USD
31	5.00 USD	3	45.00 USD		.00 USD		.00 USD		.00 USD	45.00 USD	5	75.00 USD		.00 USD	.00 USD	.00 USD
31	.00 USD		40.00 USD		.00 USD		.00 USD		.00 USD	60.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
31	5.00 USD		50.00 USD		.00 USD		.00 USD		.00 USD	50.00 USD		5.00 USD		.00 USD	.00 USD	75.00 USD
31	30.00 USD	4	.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
31	35.00 USD	3	5.00 USD		70.00 USD		70.00 USD		.00 USD	45.00 USD	5	.00 USD		.00 USD	-5.00USD	420.00 USD
<b>31</b>	<b>Total Lane</b>	<b>1493</b>	<b>4,404.00 USD</b>	<b>704</b>	<b>2,025.00 USD</b>	<b>275</b>	<b>808.00 USD</b>	<b>28</b>	<b>67.00 USD</b>	<b>7,304.00 USD</b>	<b>1090</b>	<b>3,118.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>9.00USD</b>	<b>10,413.00 USD</b>
32	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	9	.00 USD		.00 USD	.00 USD	.00 USD
32	.00 USD	638	5,276.00 USD	52	,304.00 USD	441	.00 USD		62.00 USD	,624.00 USD		.00 USD	5	50.00 USD	.00 USD	,676.00 USD
32	3.00 USD	56	3,468.00 USD	539	,617.00 USD	6	618.00 USD	6	78.00 USD	5,781.00 USD		.00 USD		.00 USD	6.00 USD	5,787.00 USD
32	4.00 USD	51	,004.00 USD		472.00 USD	36	44.00 USD	3	.00 USD	,632.00 USD		.00 USD		4.00 USD	.00 USD	,636.00 USD
32	.00 USD	79	632.00 USD	33	64.00 USD	3	4.00 USD		.00 USD	,008.00 USD		.00 USD		.00 USD	.00 USD	,008.00 USD
32	.00 USD	6	60.00 USD		.00 USD		.00 USD		.00 USD	90.00 USD		.00 USD		.00 USD	.00 USD	90.00 USD
32	5.00 USD	7	5.00 USD		30.00 USD		5.00 USD		.00 USD	50.00 USD		.00 USD		.00 USD	.00 USD	50.00 USD
32	.00 USD	3	60.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
32	5.00 USD		5.00 USD	3	75.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	50.00 USD	50.00 USD
32	30.00 USD		60.00 USD		30.00 USD		.00 USD		.00 USD	90.00 USD		.00 USD		.00 USD	.00 USD	90.00 USD
32	35.00 USD	6	560.00 USD		70.00 USD	4	40.00 USD		.00 USD	770.00 USD		.00 USD		.00 USD	5.00 USD	75.00 USD
32	77.00 USD		77.00 USD		.00 USD		.00 USD		.00 USD	77.00 USD		.00 USD		.00 USD	.00 USD	77.00 USD
<b>32</b>	<b>Total Lane</b>	<b>4170</b>	<b>11,527.00 USD</b>	<b>1862</b>	<b>4,992.00 USD</b>	<b>703</b>	<b>1,923.00 USD</b>	<b>111</b>	<b>260.00 USD</b>	<b>18,702.00 USD</b>	<b>89</b>	<b>0.00 USD</b>	<b>26</b>	<b>54.00 USD</b>	<b>163.00 USD</b>	<b>18,919.00 USD</b>
33	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	7	.00 USD		.00 USD	.00 USD	.00 USD
33	.00 USD	711	3,422.00 USD	789	,578.00 USD	322	644.00 USD	42	4.00 USD	5,728.00 USD		.00 USD		.00 USD	.00 USD	5,732.00 USD
33	3.00 USD	4	,412.00 USD	365	,095.00 USD	43	429.00 USD		60.00 USD	3,996.00 USD		.00 USD		.00 USD	3.00 USD	3,999.00 USD
33	4.00 USD		.00 USD	5	417.00 USD	41	64.00 USD		.00 USD	,477.00 USD		.00 USD		.00 USD	5.00 USD	,492.00 USD
33	.00 USD	50	400.00 USD	32	56.00 USD		.00 USD		.00 USD	744.00 USD		.00 USD		.00 USD	.00 USD	744.00 USD
33	.00 USD	5	50.00 USD		.00 USD	4	40.00 USD		.00 USD	310.00 USD		.00 USD		.00 USD	.00 USD	310.00 USD
33	5.00 USD	7	5.00 USD		5.00 USD		5.00 USD		.00 USD	35.00 USD		.00 USD		.00 USD	.00 USD	35.00 USD

33	.00 USD	4	.00 USD	5	.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
33	5.00 USD	3	75.00 USD		.00 USD		.00 USD		.00 USD	75.00 USD		.00 USD		.00 USD	.00 USD	75.00 USD
33	30.00 USD		60.00 USD		.00 USD		60.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
33	35.00 USD		70.00 USD		.00 USD		.00 USD		.00 USD	70.00 USD		.00 USD		.00 USD	.00 USD	70.00 USD
<b>33</b>	<b>Total Lane</b>	<b>2820</b>	<b>7,662.00 USD</b>	<b>1309</b>	<b>3,581.00 USD</b>	<b>525</b>	<b>1,460.00 USD</b>	<b>64</b>	<b>152.00 USD</b>	<b>12,855.00 USD</b>	<b>117</b>	<b>0.00 USD</b>	<b>0</b>	<b>2.00 USD</b>	<b>20.00 USD</b>	<b>12,877.00 USD</b>
35	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
35	.00 USD	632	3,264.00 USD	768	,536.00 USD	60	520.00 USD	33	66.00 USD	5,386.00 USD		.00 USD		4.00 USD	.00 USD	5,390.00 USD
35	3.00 USD	746	,238.00 USD	397	,191.00 USD	38	413.00 USD	7	51.00 USD	3,893.00 USD		.00 USD		.00 USD	7.00 USD	3,900.00 USD
35	4.00 USD	63	652.00 USD	7	348.00 USD	5	.00 USD	5	.00 USD	,120.00 USD		.00 USD		.00 USD	.00 USD	,120.00 USD
35	.00 USD	61	488.00 USD	7	6.00 USD	6	48.00 USD	3	4.00 USD	776.00 USD		.00 USD		.00 USD	.00 USD	776.00 USD
35	.00 USD	4	40.00 USD		.00 USD	4	40.00 USD		.00 USD	70.00 USD		.00 USD		.00 USD	.00 USD	70.00 USD
35	5.00 USD	4	60.00 USD	4	60.00 USD		5.00 USD		.00 USD	35.00 USD		.00 USD		.00 USD	.00 USD	35.00 USD
35	.00 USD	4	.00 USD		40.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
35	5.00 USD		50.00 USD		.00 USD		.00 USD		.00 USD	50.00 USD		.00 USD		.00 USD	.00 USD	50.00 USD
35	35.00 USD	3	5.00 USD		.00 USD		.00 USD		.00 USD	5.00 USD		.00 USD		.00 USD	.00 USD	5.00 USD
<b>35</b>	<b>Total Lane</b>	<b>2629</b>	<b>7,077.00 USD</b>	<b>1293</b>	<b>3,471.00 USD</b>	<b>434</b>	<b>1,136.00 USD</b>	<b>59</b>	<b>171.00 USD</b>	<b>11,855.00 USD</b>	<b>100</b>	<b>0.00 USD</b>	<b>0</b>	<b>4.00 USD</b>	<b>7.00 USD</b>	<b>11,866.00 USD</b>
<b>37</b>	<b>Total Lane</b>	<b>0</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0.00 USD</b>	<b>0.00 USD</b>
39	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	7	.00 USD		.00 USD	.00 USD	.00 USD
39	.00 USD	71	342.00 USD	71	42.00 USD		44.00 USD	3	6.00 USD	534.00 USD		.00 USD		.00 USD	.00 USD	534.00 USD
39	3.00 USD	6	58.00 USD	48	44.00 USD		66.00 USD		.00 USD	468.00 USD		.00 USD		.00 USD	.00 USD	468.00 USD
39	4.00 USD	36	44.00 USD	7	68.00 USD		.00 USD		4.00 USD	4.00 USD		.00 USD		.00 USD	.00 USD	4.00 USD
39	.00 USD	7	56.00 USD		6.00 USD		6.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
39	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	30.00 USD		.00 USD		.00 USD	.00 USD	30.00 USD
39	5.00 USD		30.00 USD		5.00 USD		.00 USD		.00 USD	45.00 USD		.00 USD		.00 USD	.00 USD	45.00 USD
<b>39</b>	<b>Total Lane</b>	<b>304</b>	<b>850.00 USD</b>	<b>139</b>	<b>385.00 USD</b>	<b>49</b>	<b>144.00 USD</b>	<b>4</b>	<b>10.00 USD</b>	<b>1,389.00 USD</b>	<b>7</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0.00 USD</b>	<b>1,389.00 USD</b>
41	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	71	.00 USD		.00 USD	.00 USD	.00 USD
41	.00 USD	428	56.00 USD	63	326.00 USD	7	54.00 USD		.00 USD	,258.00 USD	686	,372.00 USD		.00 USD	.00 USD	,630.00 USD
41	3.00 USD	97	91.00 USD	6	378.00 USD	9	7.00 USD	6	.00 USD	,374.00 USD	483	,449.00 USD		.00 USD	.00 USD	,823.00 USD
41	4.00 USD		328.00 USD	50	.00 USD		44.00 USD		.00 USD	580.00 USD	3	492.00 USD		.00 USD	.00 USD	,072.00 USD
41	.00 USD	32	56.00 USD	9	52.00 USD		64.00 USD		.00 USD	480.00 USD	39	312.00 USD		.00 USD	.00 USD	792.00 USD
41	.00 USD		.00 USD	4	40.00 USD		.00 USD		.00 USD	40.00 USD		.00 USD		.00 USD	.00 USD	50.00 USD
41	5.00 USD	3	45.00 USD		30.00 USD		.00 USD		.00 USD	75.00 USD	5	75.00 USD		.00 USD	.00 USD	50.00 USD
41	.00 USD	3	60.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
41	5.00 USD		5.00 USD		.00 USD		.00 USD		.00 USD	5.00 USD		.00 USD		.00 USD	.00 USD	5.00 USD
41	30.00 USD	7	.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		60.00 USD		.00 USD	.00 USD	70.00 USD
41	35.00 USD	5	75.00 USD		70.00 USD		.00 USD		.00 USD	45.00 USD		35.00 USD		.00 USD	.00 USD	.00 USD
<b>41</b>	<b>Total Lane</b>	<b>868</b>	<b>2,946.00 USD</b>	<b>367</b>	<b>1,216.00 USD</b>	<b>76</b>	<b>269.00 USD</b>	<b>20</b>	<b>56.00 USD</b>	<b>4,487.00 USD</b>	<b>1422</b>	<b>3,925.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0.00 USD</b>	<b>8,412.00 USD</b>
43	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	64	.00 USD		.00 USD	.00 USD	.00 USD
43	.00 USD	3	426.00 USD	32	64.00 USD		42.00 USD		.00 USD	734.00 USD		.00 USD		.00 USD	.00 USD	734.00 USD
43	3.00 USD	51	453.00 USD	68	4.00 USD		4.00 USD		6.00 USD	687.00 USD		.00 USD		.00 USD	3.00 USD	690.00 USD
43	4.00 USD	35	40.00 USD		4.00 USD	5	.00 USD		4.00 USD	48.00 USD		.00 USD		.00 USD	.00 USD	48.00 USD
43	.00 USD		96.00 USD	7	56.00 USD	3	4.00 USD		.00 USD	76.00 USD		.00 USD		.00 USD	.00 USD	76.00 USD
43	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	30.00 USD		.00 USD		.00 USD	.00 USD	30.00 USD
43	5.00 USD		5.00 USD		.00 USD		.00 USD		.00 USD	5.00 USD		.00 USD		.00 USD	.00 USD	5.00 USD
43	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
43	5.00 USD		5.00 USD		.00 USD		.00 USD		.00 USD	5.00 USD		.00 USD		.00 USD	.00 USD	5.00 USD
<b>43</b>	<b>Total Lane</b>	<b>415</b>	<b>1,175.00 USD</b>	<b>230</b>	<b>638.00 USD</b>	<b>37</b>	<b>110.00 USD</b>	<b>4</b>	<b>12.00 USD</b>	<b>1,935.00 USD</b>	<b>64</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>3.00 USD</b>	<b>1,938.00 USD</b>
45	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	39	.00 USD		.00 USD	.00 USD	.00 USD
45	.00 USD	546	,092.00 USD	43	486.00 USD		4.00 USD	4	.00 USD	,830.00 USD		.00 USD		.00 USD	.00 USD	,830.00 USD

45	3.00 USD	65	795.00 USD	6	378.00 USD	56	68.00 USD		30.00 USD	,371.00 USD		.00 USD		.00 USD	.00 USD	,371.00 USD
45	4.00 USD	91	364.00 USD	31	4.00 USD		.00 USD		4.00 USD	572.00 USD		.00 USD		.00 USD	.00 USD	572.00 USD
45	.00 USD	3	4.00 USD		96.00 USD	4	32.00 USD		.00 USD	312.00 USD		.00 USD		.00 USD	.00 USD	312.00 USD
45	.00 USD	6	60.00 USD	6	60.00 USD	3	30.00 USD		.00 USD	60.00 USD		.00 USD		.00 USD	.00 USD	60.00 USD
45	5.00 USD	3	45.00 USD		5.00 USD		.00 USD		.00 USD	60.00 USD		.00 USD		.00 USD	.00 USD	60.00 USD
45	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	60.00 USD		.00 USD		.00 USD	.00 USD	60.00 USD
45	30.00 USD		30.00 USD		.00 USD		.00 USD		.00 USD	30.00 USD		.00 USD		.00 USD	.00 USD	30.00 USD
45	70.00 USD		70.00 USD		.00 USD		.00 USD		.00 USD	70.00 USD		.00 USD		.00 USD	.00 USD	70.00 USD
45	<b>Total Lane</b>	<b>937</b>	<b>2,660.00 USD</b>	<b>420</b>	<b>1,179.00 USD</b>	<b>196</b>	<b>554.00 USD</b>	<b>26</b>	<b>72.00 USD</b>	<b>4,465.00 USD</b>	<b>39</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0.00 USD</b>	<b>4,465.00 USD</b>
47	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	33	.00 USD		.00 USD	.00 USD	.00 USD
47	.00 USD	35	470.00 USD		4.00 USD	39	78.00 USD	6	.00 USD	784.00 USD	33	488.00 USD		.00 USD	-20.00USD	,252.00 USD
47	3.00 USD		354.00 USD	59	77.00 USD	30	90.00 USD	6	.00 USD	639.00 USD		330.00 USD		.00 USD	.00 USD	969.00 USD
47	4.00 USD	51	4.00 USD	9	76.00 USD		44.00 USD		.00 USD	324.00 USD	37	50.00 USD		.00 USD	-2.00USD	472.00 USD
47	.00 USD	5	.00 USD	5	40.00 USD	4	32.00 USD		.00 USD	.00 USD		66.00 USD		.00 USD	-2.00USD	64.00 USD
47	.00 USD	5	50.00 USD	4	40.00 USD		.00 USD		.00 USD	.00 USD	5	55.00 USD		.00 USD	-5.00USD	50.00 USD
47	5.00 USD	4	60.00 USD		5.00 USD		30.00 USD		.00 USD	5.00 USD	6	90.00 USD		.00 USD	.00 USD	95.00 USD
47	.00 USD	3	60.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
47	5.00 USD		5.00 USD		.00 USD		5.00 USD		.00 USD	50.00 USD		5.00 USD		.00 USD	.00 USD	75.00 USD
47	30.00 USD		30.00 USD		30.00 USD		30.00 USD		.00 USD	90.00 USD		.00 USD		.00 USD	.00 USD	90.00 USD
47	35.00 USD		70.00 USD		.00 USD		70.00 USD		.00 USD	40.00 USD		.00 USD		.00 USD	.00 USD	40.00 USD
47	<b>Total Lane</b>	<b>435</b>	<b>1,443.00 USD</b>	<b>201</b>	<b>602.00 USD</b>	<b>91</b>	<b>419.00 USD</b>	<b>14</b>	<b>48.00 USD</b>	<b>2,512.00 USD</b>	<b>434</b>	<b>1,224.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>29.00USD</b>	<b>3,707.00 USD</b>
49	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	39	.00 USD		.00 USD	.00 USD	.00 USD
49	.00 USD	7	414.00 USD	92	4.00 USD	32	64.00 USD	7	4.00 USD	676.00 USD		.00 USD		.00 USD	.00 USD	678.00 USD
49	3.00 USD	60	480.00 USD	60	.00 USD	9	57.00 USD		.00 USD	717.00 USD		.00 USD		.00 USD	.00 USD	717.00 USD
49	4.00 USD	34	36.00 USD		4.00 USD	7	.00 USD		.00 USD	48.00 USD		.00 USD		.00 USD	.00 USD	48.00 USD
49	.00 USD	30	40.00 USD		64.00 USD		6.00 USD		.00 USD	320.00 USD		.00 USD		.00 USD	.00 USD	320.00 USD
49	.00 USD	4	40.00 USD	5	50.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
49	5.00 USD		30.00 USD		.00 USD		.00 USD		.00 USD	30.00 USD		.00 USD		.00 USD	.00 USD	30.00 USD
49	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
49	5.00 USD		.00 USD		5.00 USD		.00 USD		.00 USD	5.00 USD		.00 USD		.00 USD	.00 USD	5.00 USD
49	30.00 USD		30.00 USD		.00 USD		.00 USD		.00 USD	30.00 USD		.00 USD		.00 USD	.00 USD	30.00 USD
49	35.00 USD		35.00 USD		.00 USD		.00 USD		.00 USD	35.00 USD		.00 USD		.00 USD	.00 USD	35.00 USD
49	<b>Total Lane</b>	<b>440</b>	<b>1,425.00 USD</b>	<b>187</b>	<b>587.00 USD</b>	<b>61</b>	<b>175.00 USD</b>	<b>7</b>	<b>14.00 USD</b>	<b>2,201.00 USD</b>	<b>39</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>2.00 USD</b>	<b>2,203.00 USD</b>
51	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
51	<b>Total Lane</b>	<b>0</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0.00 USD</b>	<b>1</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0.00 USD</b>	<b>0.00 USD</b>
53	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
53	.00 USD		4.00 USD	5	.00 USD		.00 USD		.00 USD	36.00 USD		.00 USD		.00 USD	.00 USD	36.00 USD
53	3.00 USD		33.00 USD		6.00 USD		6.00 USD		.00 USD	45.00 USD		.00 USD		6.00 USD	.00 USD	51.00 USD
53	4.00 USD		40.00 USD		4.00 USD		4.00 USD		.00 USD	48.00 USD		.00 USD		.00 USD	.00 USD	48.00 USD
53	.00 USD		6.00 USD		.00 USD		.00 USD		.00 USD	4.00 USD		.00 USD		.00 USD	.00 USD	4.00 USD
53	.00 USD	3	30.00 USD		.00 USD		.00 USD		.00 USD	40.00 USD		.00 USD		.00 USD	.00 USD	40.00 USD
53	5.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		30.00 USD	.00 USD	30.00 USD
53	.00 USD		3.00 USD		.00 USD		.00 USD		.00 USD	3.00 USD		.00 USD		37.00 USD	.00 USD	40.00 USD
53	5.00 USD		.00 USD		5.00 USD		.00 USD		.00 USD	5.00 USD		.00 USD		5.00 USD	.00 USD	50.00 USD
53	<b>Total Lane</b>	<b>39</b>	<b>146.00 USD</b>	<b>11</b>	<b>63.00 USD</b>	<b>4</b>	<b>12.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>221.00 USD</b>	<b>1</b>	<b>0.00 USD</b>	<b>0</b>	<b>98.00 USD</b>	<b>0.00 USD</b>	<b>319.00 USD</b>
55	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
55	.00 USD	40	.00 USD	73	46.00 USD	37	74.00 USD		6.00 USD	516.00 USD		.00 USD		.00 USD	.00 USD	516.00 USD
55	3.00 USD	74	522.00 USD	76	.00 USD	35	5.00 USD	5	5.00 USD	70.00 USD		.00 USD		.00 USD	.00 USD	70.00 USD
55	4.00 USD	97	388.00 USD	9	6.00 USD	9	76.00 USD	3	.00 USD	592.00 USD		.00 USD		.00 USD	.00 USD	592.00 USD

55	.00 USD	39	312.00 USD		68.00 USD		64.00 USD	3	4.00 USD	568.00 USD		.00 USD		.00 USD	.00 USD	568.00 USD
55	.00 USD	7	64.00 USD	7	70.00 USD	9	90.00 USD		.00 USD	434.00 USD		.00 USD		6.00 USD	.00 USD	440.00 USD
55	5.00 USD		31.00 USD	3	45.00 USD	4	60.00 USD		.00 USD	36.00 USD		.00 USD		.00 USD	7.00 USD	55.00 USD
55	.00 USD	6	.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	40.00 USD
55	5.00 USD		5.00 USD		.00 USD		.00 USD		.00 USD	5.00 USD		.00 USD		.00 USD	.00 USD	5.00 USD
55	30.00 USD		60.00 USD		.00 USD		.00 USD		.00 USD	60.00 USD		.00 USD		.00 USD	.00 USD	60.00 USD
55	35.00 USD	4	40.00 USD		35.00 USD		.00 USD		.00 USD	75.00 USD		.00 USD		.00 USD	.00 USD	75.00 USD
<b>55</b>	<b>Total Lane</b>	<b>500</b>	<b>2,242.00 USD</b>	<b>210</b>	<b>808.00 USD</b>	<b>112</b>	<b>469.00 USD</b>	<b>20</b>	<b>77.00 USD</b>	<b>3,596.00 USD</b>	<b>22</b>	<b>0.00 USD</b>	<b>0</b>	<b>38.00 USD</b>	<b>7.00 USD</b>	<b>3,641.00 USD</b>
57	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	58	.00 USD		.00 USD	.00 USD	.00 USD
57	.00 USD	786	,572.00 USD	386	,772.00 USD	68	,336.00 USD	7	34.00 USD	,714.00 USD		.00 USD		4.00 USD	.00 USD	,718.00 USD
57	3.00 USD	51	,552.00 USD	411	,233.00 USD	51	,453.00 USD		54.00 USD	,4,292.00 USD		.00 USD		3.00 USD	.00 USD	,4,296.00 USD
57	4.00 USD	371	,484.00 USD	77	,708.00 USD	4	,336.00 USD		48.00 USD	,576.00 USD		.00 USD		.00 USD	.00 USD	,576.00 USD
57	.00 USD	33	,064.00 USD	52	,416.00 USD		60.00 USD	7	56.00 USD	,696.00 USD		.00 USD		.00 USD	.00 USD	,696.00 USD
57	.00 USD	46	,460.00 USD		.00 USD	4	40.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
57	5.00 USD		70.00 USD		65.00 USD		50.00 USD		5.00 USD	600.00 USD		.00 USD		.00 USD	.00 USD	600.00 USD
57	.00 USD	7	40.00 USD	9	.00 USD	3	60.00 USD		.00 USD	380.00 USD		.00 USD		.00 USD	.00 USD	380.00 USD
57	5.00 USD		5.00 USD		.00 USD		5.00 USD		.00 USD	50.00 USD		.00 USD		.00 USD	.00 USD	50.00 USD
57	30.00 USD		60.00 USD		30.00 USD	4	.00 USD		.00 USD	.00 USD		.00 USD		.00 USD	.00 USD	.00 USD
57	35.00 USD	4	,490.00 USD	4	40.00 USD		35.00 USD		.00 USD	,665.00 USD		.00 USD		.00 USD	.00 USD	,665.00 USD
57	37.00 USD		.00 USD		.00 USD		37.00 USD		.00 USD	37.00 USD		.00 USD		.00 USD	.00 USD	37.00 USD
<b>57</b>	<b>Total Lane</b>	<b>2229</b>	<b>8,117.00 USD</b>	<b>1072</b>	<b>3,854.00 USD</b>	<b>457</b>	<b>1,852.00 USD</b>	<b>56</b>	<b>217.00 USD</b>	<b>14,040.00 USD</b>	<b>58</b>	<b>0.00 USD</b>	<b>0</b>	<b>7.00 USD</b>	<b>1.00 USD</b>	<b>14,048.00 USD</b>
59	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	30	.00 USD		.00 USD	.00 USD	.00 USD
59	.00 USD	471	,942.00 USD		,420.00 USD	6	72.00 USD	3	6.00 USD	,560.00 USD		4.00 USD		.00 USD	.00 USD	,564.00 USD
59	3.00 USD	491	,473.00 USD	36	,708.00 USD	3	49.00 USD	5	45.00 USD	,475.00 USD		3.00 USD		.00 USD	3.00 USD	,481.00 USD
59	4.00 USD	90	,759.00 USD	98	,392.00 USD		.00 USD		.00 USD	,271.00 USD		.00 USD		.00 USD	.00 USD	,272.00 USD
59	.00 USD	9	,712.00 USD	38	,304.00 USD	7	36.00 USD		.00 USD	,152.00 USD		.00 USD		.00 USD	.00 USD	,152.00 USD
59	.00 USD	42	,420.00 USD	4	40.00 USD	3	30.00 USD		.00 USD	,590.00 USD		.00 USD		.00 USD	.00 USD	,590.00 USD
59	5.00 USD		.00 USD	5	75.00 USD		30.00 USD		.00 USD	5.00 USD		.00 USD		.00 USD	.00 USD	5.00 USD
59	.00 USD	9	.00 USD		40.00 USD		.00 USD		.00 USD	60.00 USD		.00 USD		.00 USD	.00 USD	60.00 USD
59	5.00 USD	5	5.00 USD		50.00 USD		.00 USD		.00 USD	75.00 USD		.00 USD		.00 USD	.00 USD	75.00 USD
59	30.00 USD		60.00 USD		.00 USD		.00 USD		.00 USD	60.00 USD		.00 USD		.00 USD	.00 USD	60.00 USD
59	35.00 USD	31	,085.00 USD		70.00 USD		35.00 USD		.00 USD	,190.00 USD		.00 USD		.00 USD	.00 USD	,190.00 USD
<b>59</b>	<b>Total Lane</b>	<b>1338</b>	<b>5,876.00 USD</b>	<b>607</b>	<b>2,199.00 USD</b>	<b>221</b>	<b>784.00 USD</b>	<b>31</b>	<b>99.00 USD</b>	<b>8,958.00 USD</b>	<b>33</b>	<b>7.00 USD</b>	<b>1</b>	<b>1.00 USD</b>	<b>3.00 USD</b>	<b>8,969.00 USD</b>
61	.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD	75	.00 USD		.00 USD	.00 USD	.00 USD
61	.00 USD	371	,742.00 USD	98	,396.00 USD	51	.00 USD		.00 USD	,262.00 USD		.00 USD		.00 USD	.00 USD	,264.00 USD
61	3.00 USD	9	67.00 USD	60	,480.00 USD	46	38.00 USD	3	9.00 USD	,494.00 USD		.00 USD		6.00 USD	.00 USD	,500.00 USD
61	4.00 USD	4	,416.00 USD	65	60.00 USD		.00 USD	3	.00 USD	,768.00 USD		.00 USD		.00 USD	.00 USD	,768.00 USD
61	.00 USD	36	.00 USD	6	.00 USD		.00 USD		.00 USD	,496.00 USD		.00 USD		.00 USD	.00 USD	,496.00 USD
61	.00 USD		.00 USD	4	40.00 USD	3	30.00 USD		.00 USD	90.00 USD		.00 USD		.00 USD	.00 USD	90.00 USD
61	5.00 USD	4	60.00 USD	7	5.00 USD		.00 USD		.00 USD	65.00 USD		.00 USD		.00 USD	.00 USD	65.00 USD
61	.00 USD	5	.00 USD		40.00 USD		.00 USD		.00 USD	60.00 USD		.00 USD		.00 USD	.00 USD	60.00 USD
61	5.00 USD		5.00 USD		5.00 USD		.00 USD		.00 USD	50.00 USD		.00 USD		.00 USD	.00 USD	50.00 USD
61	30.00 USD		30.00 USD		.00 USD		.00 USD		30.00 USD	60.00 USD		.00 USD		.00 USD	.00 USD	60.00 USD
61	35.00 USD		35.00 USD		35.00 USD		35.00 USD		.00 USD	5.00 USD		.00 USD		.00 USD	.00 USD	5.00 USD
61	37.00 USD		.00 USD		.00 USD		37.00 USD		.00 USD	37.00 USD		.00 USD		.00 USD	.00 USD	37.00 USD
<b>61</b>	<b>Total Lane</b>	<b>824</b>	<b>2,683.00 USD</b>	<b>454</b>	<b>1,509.00 USD</b>	<b>133</b>	<b>522.00 USD</b>	<b>18</b>	<b>73.00 USD</b>	<b>4,787.00 USD</b>	<b>75</b>	<b>0.00 USD</b>	<b>0</b>	<b>6.00 USD</b>	<b>2.00 USD</b>	<b>4,795.00 USD</b>
<b>Total</b>	<b>Total</b>	<b>43905</b>	<b>131,419.00 USD</b>	<b>19850</b>	<b>58,462.00 USD</b>	<b>7209</b>	<b>22,309.00 USD</b>	<b>1122</b>	<b>3,253.00 USD</b>	<b>215,443.00 USD</b>	<b>7346</b>	<b>17,521.00 USD</b>	<b>174</b>	<b>563.00 USD</b>	<b>945.00 USD</b>	<b>234,472.00 USD</b>

# Total summary

## Revenue-by-lane Report

From:	3 :00:00 AM	Prepared by:	jencarnacion
To:	31/2023 11:59:59 PM	Generated:	9/1/2023 12:40:19 PM
System server:	[1] DBS Central	Extended Income Report:	No
Car park:	[50] North Block		

Rate	Count VISA	VISA	Count MASTERCARD	MASTERCARD	Count AMEX	AMEX	Count DISCOVER	DISCOVER	Total Count CC	Total Amount CC	Count Cash	Cash	Count Chaser	Chaser	Other	Total Count	Total Revenue
.00 USD		.00 USD		.00 USD		.00 USD		.00 USD		.00 USD		.00 USD		.00 USD	.00 USD		.00 USD
.00 USD	4922	49,844.00 USD	970	,940.00 USD	4033	,066.00 USD	663	,326.00 USD	40588	,176.00 USD	3746	7,514.00 USD	46	302.00 USD	-4.00USD	44492	,988.00 USD
3.00 USD	3007	39,019.00 USD	6151	,450.00 USD		6,332.00 USD	317	950.00 USD	586	64,751.00 USD	6	5,422.00 USD		45.00 USD	45.00 USD	3415	70,263.00 USD
4.00 USD	3794	5,173.00 USD	765	7,057.00 USD	657	,628.00 USD		352.00 USD	6304	5,210.00 USD	448	,795.00 USD	7	3.00 USD	6.00 USD	6759	7,044.00 USD
.00 USD		9,741.00 USD	553	4,420.00 USD	3	,784.00 USD	7	6.00 USD		6,161.00 USD	31	,050.00 USD	3	.00 USD	.00 USD	54	7,232.00 USD
.00 USD	431	4,302.00 USD		,080.00 USD	79	790.00 USD	3	4.00 USD	731	7,296.00 USD	56	565.00 USD	5	34.00 USD	-5.00USD	789	7,890.00 USD
5.00 USD	74	,591.00 USD	91	,365.00 USD	35	525.00 USD		.00 USD	308	4,601.00 USD	33	495.00 USD		57.00 USD	37.00 USD	344	5,190.00 USD
.00 USD	95	,883.00 USD	37	740.00 USD	4	.00 USD		40.00 USD	48	,943.00 USD	7	40.00 USD		57.00 USD	40.00 USD	57	3,180.00 USD
5.00 USD	51	,275.00 USD	9	475.00 USD	9	5.00 USD		5.00 USD		,000.00 USD	4	.00 USD		5.00 USD	75.00 USD	5	,200.00 USD
30.00 USD	51	,530.00 USD	5	450.00 USD		40.00 USD		30.00 USD	75	,250.00 USD	4	.00 USD		.00 USD	50.00 USD	79	,520.00 USD
35.00 USD	54	5,390.00 USD	40	,400.00 USD	37	,295.00 USD		70.00 USD	33	,155.00 USD	9	320.00 USD		.00 USD	590.00 USD	42	9,065.00 USD
37.00 USD		.00 USD		.00 USD		74.00 USD		.00 USD		74.00 USD		.00 USD		.00 USD	.00 USD		74.00 USD
39.00 USD		39.00 USD		.00 USD		.00 USD		.00 USD		39.00 USD		.00 USD		.00 USD	.00 USD		39.00 USD
70.00 USD	5	350.00 USD		.00 USD		70.00 USD		.00 USD	6	420.00 USD		.00 USD		.00 USD	.00 USD	6	420.00 USD
5.00 USD		.00 USD		5.00 USD		.00 USD		.00 USD		5.00 USD		.00 USD		.00 USD	.00 USD		5.00 USD
5.00 USD		5.00 USD		.00 USD		.00 USD		.00 USD		5.00 USD		.00 USD		.00 USD	.00 USD		5.00 USD
77.00 USD		77.00 USD		.00 USD		.00 USD		.00 USD		77.00 USD		.00 USD		.00 USD	.00 USD		77.00 USD
<b>Total</b>	<b>43905</b>	<b>131,419.00 USD</b>	<b>19850</b>	<b>58,462.00 USD</b>	<b>7209</b>	<b>22,309.00 USD</b>	<b>1122</b>	<b>3,253.00 USD</b>	<b>72086</b>	<b>215,443.00 USD</b>	<b>7346</b>	<b>17,521.00 USD</b>	<b>174</b>	<b>563.00 USD</b>	<b>945.00 USD</b>	<b>79630</b>	<b>234,472.00 USD</b>



# Revenue-by-lane Report

From:	8/1/2023 12:00:00 AM	Prepared by:	jencarnacion
To:	8/31/2023 11:59:59 PM	Generated:	9/1/2023 12:42:27 PM
System server:	[1] DBS Central	Extended Income Report:	No
Car park:	[54] South Block		

Lane	Rate	Count VISA	VISA	Count MASTERCARD	MASTERCARD	Count AMEX	AMEX	Count DISCOVER	DISCOVER	Total Amount CC	Count Cash	Cash	Count Chaser	Chaser	Other	Total Revenue
8	0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	38	0.00 USD	0	0.00 USD	0.00 USD	0.00 USD
8	2.00 USD	436	872.00 USD	160	320.00 USD	78	156.00 USD	13	26.00 USD	1,374.00 USD	0	0.00 USD	20	40.00 USD	0.00 USD	1,414.00 USD
8	3.00 USD	281	842.00 USD	110	330.00 USD	75	225.00 USD	14	42.00 USD	1,439.00 USD	0	0.00 USD	4	12.00 USD	1.00 USD	1,452.00 USD
8	4.00 USD	135	540.00 USD	67	268.00 USD	23	92.00 USD	7	28.00 USD	928.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	928.00 USD
8	8.00 USD	66	528.00 USD	22	176.00 USD	13	104.00 USD	1	8.00 USD	816.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	816.00 USD
8	10.00 USD	31	310.00 USD	14	140.00 USD	7	70.00 USD	0	0.00 USD	520.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	520.00 USD
8	15.00 USD	18	270.00 USD	14	210.00 USD	6	90.00 USD	3	45.00 USD	615.00 USD	0	0.00 USD	2	30.00 USD	0.00 USD	645.00 USD
8	20.00 USD	9	180.00 USD	2	40.00 USD	3	60.00 USD	0	0.00 USD	280.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	280.00 USD
8	25.00 USD	8	200.00 USD	2	50.00 USD	2	50.00 USD	0	0.00 USD	300.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	300.00 USD
8	30.00 USD	5	150.00 USD	0	0.00 USD	1	30.00 USD	0	0.00 USD	180.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	180.00 USD
8	35.00 USD	30	1,050.00 USD	8	280.00 USD	11	385.00 USD	0	0.00 USD	1,715.00 USD	0	0.00 USD	5	35.00 USD	0.00 USD	1,750.00 USD
8	39.00 USD	1	39.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	39.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	39.00 USD
8	105.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	1	105.00 USD	105.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	105.00 USD
<b>8</b>	<b>Total Lane</b>	<b>1020</b>	<b>4,981.00 USD</b>	<b>399</b>	<b>1,814.00 USD</b>	<b>219</b>	<b>1,262.00 USD</b>	<b>39</b>	<b>254.00 USD</b>	<b>8,311.00 USD</b>	<b>38</b>	<b>0.00 USD</b>	<b>31</b>	<b>117.00 USD</b>	<b>1.00 USD</b>	<b>8,429.00 USD</b>
10	0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	96	0.00 USD	0	0.00 USD	0.00 USD	0.00 USD
10	2.00 USD	765	1,530.00 USD	376	752.00 USD	136	272.00 USD	29	58.00 USD	2,612.00 USD	0	0.00 USD	56	112.00 USD	0.00 USD	2,724.00 USD
10	3.00 USD	531	1,591.00 USD	228	683.00 USD	115	345.00 USD	14	42.00 USD	2,661.00 USD	0	0.00 USD	13	33.00 USD	9.00 USD	2,703.00 USD
10	4.00 USD	233	932.00 USD	76	304.00 USD	63	252.00 USD	4	16.00 USD	1,504.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	1,504.00 USD
10	8.00 USD	111	888.00 USD	36	288.00 USD	21	168.00 USD	5	40.00 USD	1,384.00 USD	0	0.00 USD	1	8.00 USD	0.00 USD	1,392.00 USD
10	10.00 USD	50	500.00 USD	19	190.00 USD	4	40.00 USD	1	10.00 USD	740.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	740.00 USD
10	15.00 USD	22	330.00 USD	17	255.00 USD	5	75.00 USD	0	0.00 USD	660.00 USD	0	0.00 USD	3	15.00 USD	0.00 USD	675.00 USD
10	20.00 USD	19	380.00 USD	5	100.00 USD	4	80.00 USD	1	20.00 USD	580.00 USD	0	0.00 USD	0	0.00 USD	20.00 USD	600.00 USD
10	25.00 USD	9	225.00 USD	2	50.00 USD	2	50.00 USD	1	25.00 USD	350.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	350.00 USD
10	30.00 USD	11	330.00 USD	1	30.00 USD	0	0.00 USD	1	30.00 USD	390.00 USD	0	0.00 USD	5	30.00 USD	0.00 USD	420.00 USD
10	35.00 USD	42	1,470.00 USD	17	595.00 USD	11	385.00 USD	2	70.00 USD	2,520.00 USD	0	0.00 USD	12	140.00 USD	0.00 USD	2,660.00 USD
10	39.00 USD	0	0.00 USD	0	0.00 USD	1	39.00 USD	0	0.00 USD	39.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	39.00 USD
10	45.00 USD	1	45.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	45.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	45.00 USD
10	70.00 USD	1	70.00 USD	0	0.00 USD	1	70.00 USD	0	0.00 USD	140.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	140.00 USD
10	80.00 USD	0	0.00 USD	0	0.00 USD	1	80.00 USD	0	0.00 USD	80.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	80.00 USD
10	100.00 USD	0	0.00 USD	1	100.00 USD	0	0.00 USD	0	0.00 USD	100.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	100.00 USD
10	140.00 USD	0	0.00 USD	0	0.00 USD	1	140.00 USD	0	0.00 USD	140.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	140.00 USD
<b>10</b>	<b>Total Lane</b>	<b>1795</b>	<b>8,291.00 USD</b>	<b>778</b>	<b>3,347.00 USD</b>	<b>365</b>	<b>1,996.00 USD</b>	<b>58</b>	<b>311.00 USD</b>	<b>13,945.00 USD</b>	<b>96</b>	<b>0.00 USD</b>	<b>90</b>	<b>338.00 USD</b>	<b>29.00 USD</b>	<b>14,312.00 USD</b>
13	0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	11	0.00 USD	0	0.00 USD	0.00 USD	0.00 USD
13	2.00 USD	91	182.00 USD	38	76.00 USD	25	50.00 USD	2	4.00 USD	312.00 USD	43	84.00 USD	1	2.00 USD	0.00 USD	398.00 USD
13	3.00 USD	160	480.00 USD	50	150.00 USD	42	126.00 USD	7	21.00 USD	777.00 USD	30	87.00 USD	1	3.00 USD	3.00 USD	870.00 USD
13	4.00 USD	74	296.00 USD	36	144.00 USD	17	68.00 USD	3	12.00 USD	520.00 USD	12	48.00 USD	0	0.00 USD	0.00 USD	568.00 USD
13	8.00 USD	29	232.00 USD	9	72.00 USD	6	48.00 USD	2	16.00 USD	368.00 USD	5	40.00 USD	0	0.00 USD	0.00 USD	408.00 USD

13	10.00 USD	14	140.00 USD	5	50.00 USD	6	60.00 USD	0	0.00 USD	250.00 USD	1	10.00 USD	0	0.00 USD	0.00 USD	260.00 USD
13	15.00 USD	5	75.00 USD	2	30.00 USD	2	30.00 USD	0	0.00 USD	135.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	135.00 USD
13	20.00 USD	6	120.00 USD	5	100.00 USD	4	80.00 USD	1	20.00 USD	320.00 USD	1	20.00 USD	0	0.00 USD	0.00 USD	340.00 USD
13	25.00 USD	1	25.00 USD	0	0.00 USD	1	25.00 USD	0	0.00 USD	50.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	50.00 USD
13	30.00 USD	3	90.00 USD	5	150.00 USD	0	0.00 USD	0	0.00 USD	240.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	240.00 USD
13	35.00 USD	8	280.00 USD	9	315.00 USD	2	70.00 USD	0	0.00 USD	665.00 USD	2	70.00 USD	0	0.00 USD	0.00 USD	735.00 USD
13	37.00 USD	1	37.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	37.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	37.00 USD
<b>13</b>	<b>Total Lane</b>	<b>392</b>	<b>1,957.00 USD</b>	<b>159</b>	<b>1,087.00 USD</b>	<b>105</b>	<b>557.00 USD</b>	<b>15</b>	<b>73.00 USD</b>	<b>3,674.00 USD</b>	<b>105</b>	<b>359.00 USD</b>	<b>2</b>	<b>5.00 USD</b>	<b>3.00 USD</b>	<b>4,041.00 USD</b>
15	0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	26	0.00 USD	0	0.00 USD	0.00 USD	0.00 USD
15	2.00 USD	359	718.00 USD	170	340.00 USD	90	180.00 USD	10	20.00 USD	1,258.00 USD	0	0.00 USD	0	8.00 USD	0.00 USD	1,266.00 USD
15	3.00 USD	417	1,251.00 USD	225	674.00 USD	109	327.00 USD	9	27.00 USD	2,279.00 USD	0	0.00 USD	0	3.00 USD	1.00 USD	2,283.00 USD
15	4.00 USD	209	836.00 USD	95	380.00 USD	53	212.00 USD	7	28.00 USD	1,456.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	1,456.00 USD
15	8.00 USD	64	512.00 USD	30	240.00 USD	17	136.00 USD	1	8.00 USD	896.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	896.00 USD
15	10.00 USD	31	310.00 USD	20	200.00 USD	7	70.00 USD	1	10.00 USD	590.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	590.00 USD
15	15.00 USD	24	360.00 USD	15	225.00 USD	1	15.00 USD	2	30.00 USD	630.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	630.00 USD
15	20.00 USD	12	240.00 USD	1	20.00 USD	1	20.00 USD	1	20.00 USD	300.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	300.00 USD
15	25.00 USD	8	200.00 USD	1	25.00 USD	0	0.00 USD	0	0.00 USD	225.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	225.00 USD
15	30.00 USD	4	120.00 USD	1	30.00 USD	1	30.00 USD	0	0.00 USD	180.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	180.00 USD
15	35.00 USD	12	420.00 USD	7	245.00 USD	7	245.00 USD	0	0.00 USD	910.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	910.00 USD
15	45.00 USD	1	45.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	45.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	45.00 USD
15	65.00 USD	0	0.00 USD	1	65.00 USD	0	0.00 USD	0	0.00 USD	65.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	65.00 USD
15	70.00 USD	1	70.00 USD	0	0.00 USD	0	0.00 USD	1	70.00 USD	140.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	140.00 USD
<b>15</b>	<b>Total Lane</b>	<b>1142</b>	<b>5,082.00 USD</b>	<b>566</b>	<b>2,444.00 USD</b>	<b>286</b>	<b>1,235.00 USD</b>	<b>32</b>	<b>213.00 USD</b>	<b>8,974.00 USD</b>	<b>26</b>	<b>0.00 USD</b>	<b>0</b>	<b>11.00 USD</b>	<b>1.00 USD</b>	<b>8,986.00 USD</b>
17	0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	47	0.00 USD	0	0.00 USD	0.00 USD	0.00 USD
17	2.00 USD	303	606.00 USD	140	280.00 USD	38	76.00 USD	5	10.00 USD	972.00 USD	283	552.00 USD	7	14.00 USD	0.00 USD	1,538.00 USD
17	3.00 USD	60	180.00 USD	28	84.00 USD	4	12.00 USD	0	0.00 USD	276.00 USD	43	127.00 USD	2	2.00 USD	0.00 USD	405.00 USD
17	4.00 USD	28	112.00 USD	10	40.00 USD	3	12.00 USD	0	0.00 USD	164.00 USD	15	59.00 USD	1	1.00 USD	0.00 USD	224.00 USD
17	8.00 USD	13	104.00 USD	6	48.00 USD	1	8.00 USD	0	0.00 USD	160.00 USD	9	72.00 USD	0	0.00 USD	0.00 USD	232.00 USD
17	10.00 USD	7	70.00 USD	3	30.00 USD	1	10.00 USD	0	0.00 USD	110.00 USD	3	30.00 USD	0	0.00 USD	0.00 USD	140.00 USD
17	15.00 USD	0	0.00 USD	4	60.00 USD	0	0.00 USD	0	0.00 USD	60.00 USD	2	30.00 USD	0	0.00 USD	0.00 USD	90.00 USD
17	20.00 USD	0	0.00 USD	0	0.00 USD	1	20.00 USD	0	0.00 USD	20.00 USD	1	20.00 USD	0	0.00 USD	0.00 USD	40.00 USD
17	30.00 USD	1	30.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	30.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	30.00 USD
17	35.00 USD	0	0.00 USD	0	0.00 USD	1	35.00 USD	0	0.00 USD	35.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	35.00 USD
<b>17</b>	<b>Total Lane</b>	<b>412</b>	<b>1,102.00 USD</b>	<b>191</b>	<b>542.00 USD</b>	<b>49</b>	<b>173.00 USD</b>	<b>5</b>	<b>10.00 USD</b>	<b>1,827.00 USD</b>	<b>403</b>	<b>890.00 USD</b>	<b>10</b>	<b>17.00 USD</b>	<b>0.00 USD</b>	<b>2,734.00 USD</b>
19	0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	1	0.00 USD	0	0.00 USD	0.00 USD	0.00 USD
19	2.00 USD	4	8.00 USD	2	4.00 USD	0	0.00 USD	0	0.00 USD	12.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	12.00 USD
19	3.00 USD	0	0.00 USD	1	3.00 USD	0	0.00 USD	0	0.00 USD	3.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	3.00 USD
19	4.00 USD	1	4.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	4.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	4.00 USD
19	8.00 USD	0	0.00 USD	0	0.00 USD	1	8.00 USD	0	0.00 USD	8.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	8.00 USD
19	35.00 USD	1	35.00 USD	0	0.00 USD	1	35.00 USD	0	0.00 USD	70.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	70.00 USD
<b>19</b>	<b>Total Lane</b>	<b>6</b>	<b>47.00 USD</b>	<b>3</b>	<b>7.00 USD</b>	<b>2</b>	<b>43.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>97.00 USD</b>	<b>1</b>	<b>0.00 USD</b>	<b>0</b>	<b>0.00 USD</b>	<b>0.00 USD</b>	<b>97.00 USD</b>
<b>Total</b>	<b>Total</b>	<b>4767</b>	<b>21,460.00 USD</b>	<b>2096</b>	<b>9,241.00 USD</b>	<b>1026</b>	<b>5,266.00 USD</b>	<b>149</b>	<b>861.00 USD</b>	<b>36,828.00 USD</b>	<b>669</b>	<b>1,249.00 USD</b>	<b>133</b>	<b>488.00 USD</b>	<b>34.00 USD</b>	<b>38,599.00 USD</b>

# Total summary

## Revenue-by-lane Report

From:	8/1/2023 12:00:00 AM	Prepared by:	jencarnacion
To:	8/31/2023 11:59:59 PM	Generated:	9/1/2023 12:42:27 PM
System server:	[1] DBS Central	Extended Income Report:	No
Car park:	[54] South Block		

Rate	Count VISA	VISA	Count MASTERCARD	MASTERCARD	Count AMEX	AMEX	Count DISCOVER	DISCOVER	Total Count CC	Total Amount CC	Count Cash	Cash	Count Chaser	Chaser	Other	Total Count	Total Revenue
0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	219	0.00 USD	0	0.00 USD	0.00 USD	219	0.00 USD
2.00 USD	1958	3,916.00 USD	886	1,772.00 USD	367	734.00 USD	59	118.00 USD	3270	6,540.00 USD	326	636.00 USD	84	176.00 USD	0.00 USD	3676	7,352.00 USD
3.00 USD	1449	4,344.00 USD	642	1,924.00 USD	345	1,035.00 USD	44	132.00 USD	2480	7,435.00 USD	73	214.00 USD	20	53.00 USD	14.00 USD	2568	7,716.00 USD
4.00 USD	680	2,720.00 USD	284	1,136.00 USD	159	636.00 USD	21	84.00 USD	1144	4,576.00 USD	27	107.00 USD	1	1.00 USD	0.00 USD	1171	4,684.00 USD
8.00 USD	283	2,264.00 USD	103	824.00 USD	59	472.00 USD	9	72.00 USD	454	3,632.00 USD	14	112.00 USD	1	8.00 USD	0.00 USD	469	3,752.00 USD
10.00 USD	133	1,330.00 USD	61	610.00 USD	25	250.00 USD	2	20.00 USD	221	2,210.00 USD	4	40.00 USD	0	0.00 USD	0.00 USD	225	2,250.00 USD
15.00 USD	69	1,035.00 USD	52	780.00 USD	14	210.00 USD	5	75.00 USD	140	2,100.00 USD	2	30.00 USD	5	45.00 USD	0.00 USD	145	2,175.00 USD
20.00 USD	46	920.00 USD	13	260.00 USD	13	260.00 USD	3	60.00 USD	75	1,500.00 USD	2	40.00 USD	0	0.00 USD	20.00 USD	77	1,560.00 USD
25.00 USD	26	650.00 USD	5	125.00 USD	5	125.00 USD	1	25.00 USD	37	925.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	37	925.00 USD
30.00 USD	24	720.00 USD	7	210.00 USD	2	60.00 USD	1	30.00 USD	34	1,020.00 USD	0	0.00 USD	5	30.00 USD	0.00 USD	35	1,050.00 USD
35.00 USD	93	3,255.00 USD	41	1,435.00 USD	33	1,155.00 USD	2	70.00 USD	169	5,915.00 USD	2	70.00 USD	17	175.00 USD	0.00 USD	176	6,160.00 USD
37.00 USD	1	37.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	1	37.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	1	37.00 USD
39.00 USD	1	39.00 USD	0	0.00 USD	1	39.00 USD	0	0.00 USD	2	78.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	2	78.00 USD
45.00 USD	2	90.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	2	90.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	2	90.00 USD
65.00 USD	0	0.00 USD	1	65.00 USD	0	0.00 USD	0	0.00 USD	1	65.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	1	65.00 USD
70.00 USD	2	140.00 USD	0	0.00 USD	1	70.00 USD	1	70.00 USD	4	280.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	4	280.00 USD
80.00 USD	0	0.00 USD	0	0.00 USD	1	80.00 USD	0	0.00 USD	1	80.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	1	80.00 USD
100.00 USD	0	0.00 USD	1	100.00 USD	0	0.00 USD	0	0.00 USD	1	100.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	1	100.00 USD
105.00 USD	0	0.00 USD	0	0.00 USD	0	0.00 USD	1	105.00 USD	1	105.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	1	105.00 USD
140.00 USD	0	0.00 USD	0	0.00 USD	1	140.00 USD	0	0.00 USD	1	140.00 USD	0	0.00 USD	0	0.00 USD	0.00 USD	1	140.00 USD
<b>Total</b>	<b>4767</b>	<b>21,460.00 USD</b>	<b>2096</b>	<b>9,241.00 USD</b>	<b>1026</b>	<b>5,266.00 USD</b>	<b>149</b>	<b>861.00 USD</b>	<b>8038</b>	<b>36,828.00 USD</b>	<b>669</b>	<b>1,249.00 USD</b>	<b>133</b>	<b>488.00 USD</b>	<b>34.00 USD</b>	<b>8812</b>	<b>38,599.00 USD</b>

**MIDTOWN MIAMI**  
**COMMUNITY DEVELOPMENT DISTRICT**

**STAFF**  
**REPORTS**  
**B**

# MEMORANDUM

TO: District Manager

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

DATE: July 20, 2023

RE: 2023 Legislative Update

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

**1. Chapter 2023 – 134, Laws of Florida (SB 346).** The legislation requires contracts for construction services between a local government entity and a contractor to include a “punch list”<sup>1</sup> of items required to render complete, satisfactory, and acceptable the construction services contracted for, which punch list outlines the estimated cost of each item necessary to complete the work. The law requires local governments to pay all portions of the contract balance, except for 150 percent of the portion of the contract balance attributed to those projects on the punch list, within 20 days after the punch list is created, subject to certain exceptions. The legislation limits a local government’s ability to withhold payment of certain amounts under the contract to only those subject to a written good faith dispute or claims against public surety bonds. The law clarifies that a local government must pay the undisputed portions of a contract within 20 days of the request for payment. Lastly, the legislation amends the definition of “public works project” in section 255.0992, F.S., to include any construction, maintenance, repair, renovation, remodeling, or improvement activity that is paid for with state-appropriated funds. The effective date of this act is July 1, 2023.

**2. Chapter 2023 – 17, Laws of Florida (SB 102).** The legislation makes various changes and additions to affordable housing related programs and policies at both the state and local level. With regard to local governments, the law:

- Preempts local government requirements regarding zoning, density, and height to allow for streamlined development of affordable housing in commercial and mixed-use zoned areas under certain circumstances. Developments that meet the requirements may not require a zoning change or comprehensive plan amendment.

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<sup>1</sup> The punch list is created within a contractually-specified timeframe after the contractor reaches substantial completion of the construction services as defined in the contract, or if that is not defined, then after the project reaches beneficial occupancy or use. If the contract is valued at less than \$10 million, then the punch list must be developed within 30 calendar days; if the contract is valued at \$10 million or more, then the punch list must be developed within 45 calendar days.

- Removes a local government’s ability to approve affordable housing on residential parcels by bypassing state and local laws that may otherwise preclude such development, while retaining such right for commercial and industrial parcels.
- Removes a provision that allows local governments to impose rent control under certain circumstances, preempting rent control ordinances entirely.
- Requires counties and cities to update and electronically publish the inventory of publicly owned properties, for counties including property owned by a dependent special district, which may be appropriate for affordable housing development.
- Authorizes the Florida Housing Finance Corporation, through contract with the Florida Housing Coalition, to provide technical assistance to local governments to facilitate the use or lease of county or municipal property for affordable housing purposes.
- Requires local governments to maintain a public written policy outlining procedures for expediting building permits and development orders for affordable housing projects.
- Provides that the Keys Workforce Housing Initiative is an exception to evacuation time requirements and that comprehensive plan and land use amendments approved under that initiative are valid.

The effective date of this act is July 1, 2023.

**3. Chapter 2023 – 31, Laws of Florida (SB 1604).** The law makes a number of changes relating to comprehensive plans and land development regulations. Of interest to special districts, section 4 of the legislation amends section 189.031, F.S., to preclude independent special districts from complying with the terms of any development agreement, which is executed within three months preceding the effective date of a law, which modifies the manner of selecting members of the governing body of the special district from election to appointment or appointment to election. The newly elected or appointed governing body of the special district must review within four months of taking office any such development agreement and vote on whether to seek readoption of the agreement. The law applies to any development agreement that is in effect on, or is executed after July 1, 2023, which is the effective date of this law. Section 4 of the Act expires July 1, 2028, unless reviewed and reenacted by the Legislature.

**4. Chapter 2023 – 28, Laws of Florida (HB 3).** This legislation codifies and extends the policy adopted by the Trustees<sup>2</sup> requiring all investment decisions relating to the state retirement system be based solely on pecuniary factors<sup>3</sup>. The law extended that policy to all funds managed by the State Board of Administration (SBA), all funds of the state Treasury, all local government retirement plans, investments of local government surplus funds, and investments of funds raised by citizen support and direct-support organizations. Investment managers who invest public funds on behalf of any of these entities may not sacrifice investment return or take additional investment risk to promote any non-pecuniary factor. The law requires any contract between a governmental

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<sup>2</sup> The Governor, Chief Financial Officer, and Attorney General serve as the SBA’s Board of Trustees.

<sup>3</sup> The term “pecuniary factor” is defined as a factor that is expected “to have a material effect on the risk or return of an investment based on appropriate investment horizons consistent with applicable investment objectives and funding policy. The term does not include the consideration of the furtherance of any social, political, or ideological interests.”

entity<sup>4</sup> and an investment manager executed, amended, or renewed on or after July 1, 2023, to contain a provision requiring the investment manager to include a disclaimer in an external communication, if the communication is to a company in which the investment manager has invested public funds and discusses social, political, or ideological interests. The required disclaimer must state: “The views and opinions expressed in this communication are those of the sender and do not reflect the views and opinions of the people of the state of Florida.” All contracts with investment managers executed, amended, or renewed on or after July 1, 2023, may be unilaterally terminated if certain communications of an investment manager include discussion of social, political, or ideological interests and omit the required disclaimer.

In addition, the legislation prohibits bond issuers<sup>5</sup> from issuing an environmental, social, and corporate governance (ESG) bond or paying for a third-party verifier that certifies or verifies that a bond may be designated or labeled as an ESG bond<sup>6</sup>, renders opinions or produces a report on ESG compliance, among other ESG-related services. Issuers are also prohibited from contracting with a rating agency whose ESG scores for the issuer will have a direct, negative impact on the issuer’s bond ratings.

The act further prohibits consideration of social, political, or ideological beliefs in state and local government contracting, and explicitly notes that this includes all political subdivisions of the state. Specifically, the law prohibits an awarding body from (1) requesting documentation or considering a vendor’s social, political, or ideological beliefs when determining if the vendor is a responsible vendor; or (2) giving a preference to a vendor based on the vendor’s social, political, or ideological beliefs.

Lastly, the legislation amends the definition of a “qualified public depository” to prohibit government entities from depositing funds in banks that make it a practice to deny or cancel services of their customers based on a person’s political opinions, speech, affiliations, lawful ownership or sales of firearms, production of fossil fuels or other factors related to ESG. Pursuant to current law, all public deposits may only be deposited in a qualified public depository. The effective date of this legislation is July 1, 2023.

**5. Chapter 2023 – 32, Laws of Florida (SB 258).** The legislation bans the use of prohibited applications<sup>7</sup> on devices issued to an employee or officer by a public employer, or otherwise used on a network that is owned, operated, or maintained by a public employer. This law requires the Department of Management Services (DMS) to create and maintain a list of prohibited applications of any Internet application that it deems to present a security risk in the form of

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<sup>4</sup> The law defines “governmental entity” to mean a state, regional, county, municipal, special district, or other political subdivision whether executive, judicial, or legislative, including, but not limited to, a department, division, board, bureau, commission, authority, district, or agency thereof, or a public school, Florida College System institution, state university, or associated board.

<sup>5</sup> Any public body corporate and politic authorized or created by general or special law and granted the power to issue bonds.

<sup>6</sup> An ESG bond is any bond that has been designated or labeled as a bond that will be used to finance a project with an ESG purpose, including, but not limited to, green bonds, Certified Climate Bonds, GreenStar designated bonds, and other environmental bonds marketed as promoting a generalized or global environmental objective; social bonds marketed as promoting a social objective; and sustainability bonds and sustainable development goal bonds marketed as promoting both environmental and social objectives. It includes bonds self-designated by the issuer as ESG-labeled bonds and those designated as ESG-labeled bonds by a third-party verifier.

<sup>7</sup> A “prohibited application” is defined as any application that participates in certain activities, such as conducting cyber-espionage against a public employer, and that is created, maintained, or owned by a foreign principal.

unauthorized access to, or temporary unavailability of the public employer’s records, digital assets, systems, networks, servers, or information. Public employers must block access to any prohibited application via their wireless networks and virtual private networks; restrict access to any prohibited application on any government cell phone, laptop, desktop computer, tablet computer, or other electronic device that can connect to the Internet that has been issued to an employee or officer for a work-related purpose; and retain the ability to remotely wipe and uninstall any prohibited application from any such device that is believed to have been adversely impacted by a prohibited application. The legislation requires an employee or officer of a CDD to remove any prohibited application from his or her government-issued device within 15 days of the DMS’ publication of its list of prohibited applications, and within 15 days of any subsequent update to the list of prohibited applications. The effective date of this legislation is July 1, 2023.

**6. Chapter 2023 – 33, Laws of Florida (SB 264).** The legislation restricts the issuance of government contracts or economic development incentives to foreign entities that are owned by, controlled by or organized under the laws of a foreign country of concern<sup>8</sup>. The law further prohibits a foreign principal<sup>9</sup> from owning or acquiring agricultural land or other interests in real property on or within 10 miles of a military installation or critical infrastructure facility. A foreign principal that owns agricultural land acquired before July 1, 2023, may continue to hold such land and must register with the Florida Department of Agriculture and Consumer Services (DACS) by January 1, 2024. If the property owned or acquired before July 1, 2023, is on or within 10 miles of a military installation or critical infrastructure facility, the foreign principal must similarly register with the Department of Economic Opportunity by December 31, 2023. The law prohibits the People’s Republic of China, the Chinese Communist Party, its officials and members, other political party official or members, other legal entities or subsidiaries organized under the laws of, or having a principal place of business in, China or its political subdivisions, or other persons domiciled in China, who are not U.S. citizens or lawful permanent residents of the United States, from purchasing or acquiring an interest in, real property in Florida. Finally, the act amends s. 836.05, F.S., relating to criminal threats and extortion, to provide that a person who violates the statute while acting as a foreign agent for the purpose of benefitting a foreign country of concern, commits a first degree felony. The effective date of this legislation is July 1, 2023.

**7. Chapter 2023 – 264, Laws of Florida (SB 7008).** The legislation amends Section 119.071(3)(c)1., F.S., to save from repeal, the public records exemption for information relating to the following information held by an agency:

- Building plans;
- Blueprints;
- Schematic drawings; and

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<sup>8</sup> The People’s Republic of China, The Russian Federation, The Islamic Republic of Iran, The Democratic People’s Republic of Korea, The Republic of Cuba, The Venezuelan Regime of Nicolas Maduro, or The Syrian Arab Republic, including any agency of or other entity within significant control of such foreign country of concern.

<sup>9</sup> “Foreign principal” means: The government or any official of the government of a foreign country of concern; A political party or member of a political party or any subdivision of a political party in a foreign country of concern; A partnership, association, corporation, organization, or other combination of persons organized under the laws of, or having its principal place of business in, a foreign country of concern, or a subsidiary of such entity; or o Any person who is domiciled in a foreign country of concern and is not a citizen or lawful permanent resident of the United States.



- Diagrams, including draft, preliminary, and final formats, which depict the internal layout or structural elements of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, health care facility, or hotel or motel development.

The effective date of this act is October 1, 2023.

**8. Chapter 2023 – 75, Laws of Florida (HB 7007).** The legislation removes the scheduled repeal date of the public record and public meeting exemptions for security or fire safety system plans under Sections 119.071(3)(a) and 286.0113(1), F.S., thereby maintaining the public record and public meeting exemptions for such plans. The effective date of this act is October 1, 2023.

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

## CHAPTER 2023-134

### Committee Substitute for Committee Substitute for Senate Bill No. 346

An act relating to public construction; amending s. 218.735, F.S.; requiring that certain contracts provide the estimated cost to complete each item on a specified list; requiring that such contracts specify the process for determining the cost to complete each item on the list; revising the extension by contract of a specified timeframe to develop and review a specified list; requiring a local governmental entity to pay a contractor the remaining contract balance within a specified timeframe; authorizing the contractor to submit a payment request for the amount withheld by the local governmental entity under specified conditions; authorizing a contractor to submit a payment request to the local governmental entity for the remaining balance of the contract, under specified conditions; requiring a local governmental entity to pay the contractor within a specified timeframe; requiring the local governmental entity to pay the remaining balance of the contract under specified conditions; revising the conditions that require a local governmental entity to pay or release amounts subject to certain disputes or claims; amending s. 218.76, F.S.; revising the timeframe within which proceedings must commence to resolve disputes between vendors and local governmental entities; revising the timeframe for such proceedings to conclude; amending s. 255.073, F.S.; requiring that undisputed portions of payment requests be paid within a specified timeframe; amending s. 255.074, F.S.; revising the timeframe for a public entity to submit a payment request to the Chief Financial Officer; amending s. 255.077, F.S.; requiring that certain contracts provide the estimated cost to complete each item on a specified list; requiring that such contracts specify the process for determining the cost to complete the items on the list; revising the extension authorized by contract to develop the specified list; requiring the public entity to pay the contractor the remaining balance of the contract within a specified timeframe; requiring a public entity to pay all remaining retainage if the public entity has not developed a specified list; amending s. 255.078, F.S.; revising the conditions that require a public entity to pay or release amounts subject to certain disputes or claims; amending s. 255.0992, F.S.; revising the definition of the term “public works project”; providing an effective date.

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

Section 1. Subsection (7) and paragraph (c) of subsection (8) of section 218.735, Florida Statutes, are amended to read:

218.735 Timely payment for purchases of construction services.—

(7) Each contract for construction services between a local governmental entity and a contractor must provide for the development of a single list of

items and the estimated cost to complete each item on the list required to render complete, satisfactory, and acceptable the construction services purchased by the local governmental entity.

(a) The contract must specify the process for developing the list and for determining the cost to complete each item on the list, and should include, ~~including~~ the responsibilities of the local governmental entity and the contractor in developing and reviewing the list and a reasonable time for developing the list:

1. For construction projects having an estimated cost of less than \$10 million, within 30 calendar days after reaching substantial completion of the construction services purchased as defined in the contract, or, if not defined in the contract, upon reaching beneficial occupancy or use; or

2. For construction projects having an estimated cost of \$10 million or more, within 30 calendar days, or, if extended by contract, up to 45 ~~60~~ calendar days after reaching substantial completion of the construction services purchased as defined in the contract, or, if not defined in the contract, upon reaching beneficial occupancy or use.

The contract must also specify a date for the delivery of the list of items, not to exceed 5 days after the list of items has been developed and reviewed in accordance with the time periods set forth in subparagraphs 1. and 2.

(b) If the contract between the local governmental entity and the contractor relates to the purchase of construction services on more than one building or structure, or involves a multiphased project, the contract must provide for the development of a list of items required to render complete, satisfactory, and acceptable all the construction services purchased pursuant to the contract for each building, structure, or phase of the project within the time limitations provided in paragraph (a).

(c) The final contract completion date must be at least 30 days after the delivery of the list of items. If the list is not provided to the contractor by the agreed upon date for delivery of the list, the contract time for completion must be extended by the number of days the local governmental entity exceeded the delivery date. Damages may not be assessed against a contractor for failing to complete a project within the time required by the contract, unless the contractor failed to complete the project within the contract period as extended under this paragraph.

(d) The failure to include any corrective work or pending items not yet completed on the list does not alter the responsibility of the contractor to complete all the construction services purchased pursuant to the contract.

(e) Within 20 business days after the list is created, the local governmental entity must pay the contractor the remaining contract balance that includes all retainage previously withheld by the local governmental entity

less an amount equal to 150 percent of the estimated cost to complete the items on the list.

(f) Upon completion of all items on the list, the contractor may submit a payment request for the amount ~~all remaining retainage~~ withheld by the local governmental entity pursuant to paragraph (e) this section. If a good faith dispute exists as to whether one or more items identified on the list have been completed pursuant to the contract, the local governmental entity may continue to withhold up to 150 percent of the total costs to complete such items.

(g)(f) All items that require correction under the contract which ~~and that~~ are identified after the preparation and delivery of the list remain the obligation of the contractor as defined by the contract.

(h)(g) Warranty items or items not included in the list of items required under paragraph (a) may not affect the final payment of retainage as provided in paragraph (e) this section or as provided in the contract between the contractor and its subcontractors and suppliers.

(i)(h) Retainage may not be held by a local governmental entity or a contractor to secure payment of insurance premiums under a consolidated insurance program or series of insurance policies issued to a local governmental entity or a contractor for a project or group of projects, and the final payment of retainage as provided in this section may not be delayed pending a final audit by the local governmental entity's or contractor's insurance provider.

(j)(i) If a local governmental entity fails to comply with its responsibilities to develop the list required under paragraph (a) or paragraph (b) within the time limitations provided in paragraph (a), the contractor may submit a payment request to the local governmental entity for the all remaining balance of the contract, including all remaining retainage withheld by the local governmental entity. The local governmental entity must pay the contractor pursuant to this section; and payment of any remaining undisputed contract amount, less any amount withheld pursuant to the contract for incomplete or uncorrected work, must be paid within 20 business days after receipt of a proper invoice or payment request. If the local governmental entity has provided written notice to the contractor specifying the failure of the contractor to meet contract requirements in the development of the list of items to be completed, the local governmental entity must pay the contractor the remaining balance of the contract, less an amount equal to 150 percent of the estimated cost to complete the items that the local governmental entity intended to include on the list need not pay or process any payment request for retainage if the contractor has, in whole or in part, failed to cooperate with the local governmental entity in the development of the list or to perform its contractual responsibilities, if any, with regard to the development of the list or if paragraph (8)(e) applies.

(8)

(c) This section does not require the local governmental entity to pay or release any amounts that are the subject of a good faith dispute made in writing pursuant to the contract or, the subject of a claim brought pursuant to s. 255.05, ~~or otherwise the subject of a claim or demand by the local governmental entity or contractor.~~

Section 2. Paragraph (a) of subsection (2) of section 218.76, Florida Statutes, is amended to read:

218.76 Improper payment request or invoice; resolution of disputes.—

(2)(a) If a dispute arises between a vendor and a local governmental entity concerning payment of a payment request or an invoice, the dispute must shall be finally determined by the local governmental entity pursuant to a dispute resolution procedure established by the local governmental entity. Such procedure must provide that proceedings to resolve the dispute commence ~~are commenced~~ within 30 ~~45~~ days after the date the payment request or proper invoice was received by the local governmental entity and conclude ~~concluded~~ by final decision of the local governmental entity within 45 ~~60~~ days after the date the payment request or proper invoice was received by the local governmental entity. Such procedures are not subject to chapter 120 and do not constitute an administrative proceeding that prohibits a court from deciding de novo any action arising out of the dispute. If the dispute is resolved in favor of the local governmental entity, interest charges begin to accrue 15 days after the local governmental entity's final decision. If the dispute is resolved in favor of the vendor, interest begins to accrue as of the original date the payment became due.

Section 3. Subsection (2) of section 255.073, Florida Statutes, is amended to read:

255.073 Timely payment for purchases of construction services.—

(2) If a public entity disputes a portion of a payment request, the undisputed portion must be timely paid by the date required under the contract or by 20 business days after receipt of the request, whichever is earlier.

Section 4. Subsection (3) of section 255.074, Florida Statutes, is amended to read:

255.074 Procedures for calculation of payment due dates.—

(3) A public entity must submit a payment request to the Chief Financial Officer for payment no later ~~more~~ than 14 ~~20~~ days after receipt of the payment request.

Section 5. Present subsections (4) through (8) of section 255.077, Florida Statutes, are redesignated as subsections (5) through (9), respectively, a new subsection (4) is added to that section, and subsection (1) and present subsection (8) of that section are amended, to read:

255.077 Project closeout and payment of retainage.—

(1) Each contract for construction services between a public entity and a contractor must provide for the development of a list of items and the estimated cost to complete each item on the list required to render complete, satisfactory, and acceptable the construction services purchased by the public entity. The contract must specify the process for the development of the list and for determining the cost to complete each item on the list, and should include the, including responsibilities of the public entity and the contractor in developing and reviewing the list and a reasonable time for developing the list, as follows:

(a) For construction projects having an estimated cost of less than \$10 million, within 30 calendar days after reaching substantial completion of the construction services purchased as defined in the contract, or, if not defined in the contract, upon reaching beneficial occupancy or use; or

(b) For construction projects having an estimated cost of \$10 million or more, within 30 calendar days, unless otherwise extended by contract not to exceed 45 60 calendar days, after reaching substantial completion of the construction services purchased as defined in the contract, or, if not defined in the contract, upon reaching beneficial occupancy or use.

(4) Within 20 business days after developing the list, and after receipt of a proper invoice or payment request, the public entity must pay the contractor the remaining balance of the contract, including any remaining retainage withheld by the public entity pursuant to s. 255.078, less an amount equal to 150 percent of the estimated cost to complete the items on the list.

(9)(8) If a public entity fails to comply with its responsibilities to develop the list required under subsection (1) or subsection (2), as defined in the contract, within the time limitations provided in subsection (1), the contractor may submit a payment request for all remaining retainage withheld by the public entity pursuant to s. 255.078 and the public entity must pay the contractor all remaining retainage previously withheld within 20 days after receipt of the payment request. The public entity is not required to need not pay or process any payment request for retainage if the contractor has, in whole or in part, failed to cooperate with the public entity in the development of the list or failed to perform its contractual responsibilities, if any, with regard to the development of the list or if s. 255.078(3) applies.

Section 6. Subsection (3) of section 255.078, Florida Statutes, is amended to read:

255.078 Public construction retainage.—

(3) This section and s. 255.077 do not require the public entity to pay or release any amounts that are the subject of a good faith dispute made in

~~writing pursuant to the contract or, the subject of a claim brought pursuant to s. 255.05, or otherwise the subject of a claim or demand by the public entity or contractor.~~

Section 7. Paragraph (b) of subsection (1) of section 255.0992, Florida Statutes, is amended to read:

255.0992 Public works projects; prohibited governmental actions.—

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

(b) “Public works project” means an activity ~~exceeding \$1 million in value~~ that is paid for with any state-appropriated funds and that ~~which~~ consists of the construction, maintenance, repair, renovation, remodeling, or improvement of a building, road, street, sewer, storm drain, water system, site development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or other facility, project, or portion thereof ~~that is owned in whole or in part by any political subdivision.~~

Section 8. This act shall take effect July 1, 2023.

Approved by the Governor May 25, 2023.

Filed in Office Secretary of State May 25, 2023.

## CHAPTER 2023-17

### Committee Substitute for Senate Bill No. 102

An act relating to housing; providing a short title; amending s. 125.0103, F.S.; deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; amending s. 125.01055, F.S.; revising applicability for areas of critical state concern; specifying requirements for, and restrictions on, counties in approving certain housing developments; providing for future expiration; amending s. 125.379, F.S.; revising the date by which counties must prepare inventory lists of real property; requiring counties to make the inventory lists publicly available on their websites; authorizing counties to use certain properties for affordable housing through a long-term land lease; revising requirements for counties relating to inventory lists of certain property for affordable housing; providing that counties are encouraged to adopt best practices for surplus land programs; amending s. 166.04151, F.S.; revising applicability for areas of critical state concern; specifying requirements for, and restrictions on, municipalities in approving applications for certain housing developments; providing for future expiration; amending s. 166.043, F.S.; deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; amending s. 166.0451, F.S.; revising the date by which municipalities must prepare inventory lists of real property; requiring municipalities to make the inventory lists publicly available on their websites; authorizing municipalities to use certain properties for affordable housing through a long-term land lease; revising requirements for municipalities relating to inventory lists of certain property for affordable housing; providing that municipalities are encouraged to adopt best practices for surplus land programs; amending s. 196.1978, F.S.; providing an exemption from ad valorem taxation for land that meets certain criteria; providing applicability; providing for future repeal; defining terms; providing an ad valorem tax exemption for portions of property in a multifamily project if certain conditions are met; providing that vacant units may be eligible for the exemption under certain circumstances; specifying percentages of the exemption for qualified properties; specifying requirements for applying for the exemption with the property appraiser; specifying requirements for requesting certification from the Florida Housing Finance Corporation; specifying requirements for the corporation in reviewing requests, certifying property, and posting deadlines for applications; specifying requirements for property appraisers in reviewing and granting exemptions and for improperly granted exemptions; providing a penalty; providing limitations on eligibility; specifying requirements for a rental market study; authorizing the corporation to adopt rules; providing applicability; providing for future repeal; creating s. 196.1979, F.S.; authorizing local governments to adopt ordinances to provide an ad valorem tax exemption for portions of property



used to provide affordable housing meeting certain requirements; specifying requirements and limitations for the exemption; providing that vacant units may be eligible for the exemption under certain circumstances; specifying requirements for ordinances granting an exemption; specifying requirements for a rental market study; providing that ordinances must expire within a certain timeframe; requiring the property appraiser to take certain action in response to an improperly granted exemption; providing a penalty; providing applicability; amending s. 201.15, F.S.; suspending, for a specified period, the General Revenue Fund service charge on documentary stamp tax collections; providing for specified amounts of such collections to be credited to the State Housing Trust Fund for certain purposes; providing for certain amounts to be credited to the General Revenue Fund under certain circumstances; prohibiting the transfer of such funds to the General Revenue Fund in the General Appropriations Act; providing for the future expiration and reversion of specified statutory text; amending s. 212.08, F.S.; revising the total amount of community contribution tax credits which may be granted for certain projects; defining terms; providing a sales tax exemption for building materials used in the construction of affordable housing units; defining terms; specifying eligibility requirements; specifying requirements for applying for a sales tax refund with the Department of Revenue; specifying requirements for and limitations on refunds; providing requirements for the department in issuing refunds; authorizing the department to adopt rules; providing applicability; amending s. 213.053, F.S.; authorizing the department to make certain information available to the corporation to administer the Live Local Program; creating s. 215.212, F.S.; prohibiting the deduction of the General Revenue Fund service charge on documentary stamp tax proceeds; providing for future repeal; amending s. 215.22, F.S.; conforming a provision to changes made by the act; providing for the future expiration and reversion of specified statutory text; amending s. 220.02, F.S.; specifying the order of application of Live Local Program tax credits against the state corporate income tax; amending s. 220.13, F.S.; specifying requirements for the addition to adjusted federal income of amounts taken as a credit under the Live Local Program; amending s. 220.183, F.S.; conforming a provision to changes made by the act; amending s. 220.186, F.S.; providing applicability of Live Local Program tax credits to the Florida alternative minimum tax credit; creating s. 220.1878, F.S.; providing a credit against the state corporate income tax under the Live Local Program; specifying requirements and procedures for making eligible contributions and claiming the credit; amending s. 220.222, F.S.; requiring returns filed in connection with the Live Local Program tax credits to include the amount of certain credits; amending s. 253.034, F.S.; modifying requirements for the analysis included in land use plans; making technical changes; amending s. 253.0341, F.S.; requiring that local government requests for the state to surplus conservation or nonconservation lands for any means of transfer be expedited throughout the surplus process; amending s. 288.101, F.S.; authorizing the Governor, under the Florida Job Growth Grant Fund, to approve state or local public infrastructure projects to facilitate

the development or construction of affordable housing; providing for future repeal; amending s. 420.0003, F.S.; revising legislative intent for, and policies of, the state housing strategy; revising requirements for the implementation of the strategy; revising duties of the Shimberg Center for Housing Studies at the University of Florida; requiring the Office of Program Policy Analysis and Government Accountability to evaluate specified strategies, policies, and programs at specified intervals; specifying requirements for the office's analyses; authorizing rule amendments; amending s. 420.503, F.S.; revising the definition of the term "qualified contract" for purposes of the Florida Housing Finance Corporation Act; amending s. 420.504, F.S.; revising the composition of the corporation's board of directors; providing specifications for filling vacancies on the board of directors; amending s. 420.507, F.S.; specifying a requirement for the corporation's annual budget request to the Secretary of Economic Opportunity; providing for the future expiration and reversion of specified statutory text; amending s. 420.5087, F.S.; revising prioritization of funds for the State Apartment Incentive Loan Program; creating s. 420.50871, F.S.; specifying requirements for, and authorized actions by, the corporation in allocating certain increased revenues during specified fiscal years to finance certain housing projects; providing construction; providing for future repeal; providing a directive to the Division of Law Revision; creating s. 420.50872, F.S.; defining terms; creating the Live Local Program; specifying responsibilities of the corporation; specifying the annual tax credit cap; specifying requirements for applying for tax credits with the department; providing requirements for the carryforward of credits; specifying restrictions on, and requirements for, the conveyance, transfer, or assignment of credits; providing requirements and procedures for the rescindment of credits; specifying procedures for calculating underpayments and penalties; providing construction; authorizing the department and the corporation to develop a cooperative agreement; authorizing the department to adopt rules; requiring the department to annually notify certain taxpayers of certain information; creating s. 420.5096, F.S.; providing legislative findings; creating the Florida Hometown Hero Program for a specified purpose; authorizing the corporation to underwrite and make certain mortgage loans; specifying terms for such loans and requirements for borrowers; authorizing loans made under the program to be used for the purchase of certain manufactured homes; providing construction; amending s. 420.531, F.S.; authorizing the Florida Housing Corporation to contract with certain entities to provide technical assistance to local governments in establishing selection criteria for proposals to use certain property for affordable housing purposes; amending s. 420.6075, F.S.; making technical changes; amending s. 553.792, F.S.; requiring local governments to maintain on their websites a policy relating to the expedited processing of certain building permits and development orders; amending s. 624.509, F.S.; specifying the order of application of Live Local Program tax credits against the insurance premium tax; amending s. 624.5105, F.S.; conforming a provision to changes made by the act; creating s. 624.51058, F.S.; providing a credit against the insurance premium tax under the Live Local

Program; providing a requirement for making eligible contributions; providing construction; providing applicability; exempting a certain initiative from certain evacuation time constraints; specifying that certain comprehensive plan amendments are valid; authorizing certain local governments to adopt local ordinances or regulations for certain purposes; authorizing the department to adopt emergency rules; providing for future expiration of such rulemaking authority; providing appropriations; providing a declaration of important state interest; providing effective dates.

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

Section 1. This act may be cited as the “Live Local Act.”

Section 2. Section 125.0103, Florida Statutes, is amended to read:

125.0103 Ordinances and rules imposing price controls; ~~findings required; procedures.~~—

(1)(a) Except as hereinafter provided, ~~a~~ no county, municipality, or other entity of local government may not ~~shall~~ adopt or maintain in effect an ordinance or a rule ~~that which~~ has the effect of imposing price controls upon a lawful business activity ~~that which~~ is not franchised by, owned by, or under contract with, the governmental agency, unless specifically provided by general law.

(b) This section does not prevent the enactment by local governments of public service rates otherwise authorized by law, including water, sewer, solid waste, public transportation, taxicab, or port rates, rates for towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, or rates for removal and storage of wrecked or disabled vehicles or vessels from an accident scene or the removal and storage of vehicles or vessels in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel.

(c) Counties must establish maximum rates which may be charged on the towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, removal and storage of wrecked or disabled vehicles or vessels from an accident scene or for the removal and storage of vehicles or vessels, in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel. However, if a municipality chooses to enact an ordinance establishing the maximum rates for the towing or immobilization of vehicles or vessels as described in paragraph (b), the county’s ordinance does ~~shall~~ not apply within such municipality.

~~(2) No law, ordinance, rule, or other measure which would have the effect of imposing controls on rents shall be adopted or maintained in effect except as provided herein and unless it is found and determined, as hereinafter provided, that such controls are necessary and proper to eliminate an existing housing emergency which is so grave as to constitute a serious menace to the general public.~~

~~(3) Any law, ordinance, rule, or other measure which has the effect of imposing controls on rents shall terminate and expire within 1 year and shall not be extended or renewed except by the adoption of a new measure meeting all the requirements of this section.~~

~~(4) Notwithstanding any other provisions of this section, no controls shall be imposed on rents for any accommodation used or offered for residential purposes as a seasonal or tourist unit, as a second housing unit, or on rents for dwelling units located in luxury apartment buildings. For the purposes of this section, a luxury apartment building is one wherein on January 1, 1977, the aggregate rent due on a monthly basis from all dwelling units as stated in leases or rent lists existing on that date divided by the number of dwelling units exceeds \$250.~~

~~(5) A~~ No municipality, county, or other entity of local government may not ~~shall~~ adopt or maintain in effect any law, ordinance, rule, or other measure that ~~which~~ would have the effect of imposing controls on rents unless:

~~(a) Such measure is duly adopted by the governing body of such entity of local government, after notice and public hearing, in accordance with all applicable provisions of the Florida and United States Constitutions, the charter or charters governing such entity of local government, this section, and any other applicable laws.~~

~~(b) Such governing body makes and recites in such measure its findings establishing the existence in fact of a housing emergency so grave as to constitute a serious menace to the general public and that such controls are necessary and proper to eliminate such grave housing emergency.~~

~~(c) Such measure is approved by the voters in such municipality, county, or other entity of local government.~~

~~(6) In any court action brought to challenge the validity of rent control imposed pursuant to the provisions of this section, the evidentiary effect of any findings or recitations required by subsection (5) shall be limited to imposing upon any party challenging the validity of such measure the burden of going forward with the evidence, and the burden of proof (that is, the risk of nonpersuasion) shall rest upon any party seeking to have the measure upheld.~~

~~(3)~~<sup>(7)</sup> Notwithstanding any other provisions of this section, municipalities, counties, or other entities of local government may adopt and maintain

in effect any law, ordinance, rule, or other measure which is adopted for the purposes of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing ordinances.

Section 3. Subsections (5) and (6) of section 125.01055, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

125.01055 Affordable housing.—

(5) Subsection ~~(4)~~ (2) does not apply in an area of critical state concern, as designated in s. 380.0552.

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the board of county commissioners may approve the development of housing that is affordable, as defined in s. 420.0004, including, but not limited to, a mixed-use residential development, on any parcel zoned for residential, commercial, or industrial use. ~~If a parcel is zoned for commercial or industrial use, an approval pursuant to this subsection may include any residential development project, including a mixed-use residential development project, so long as at least 10 percent of the units included in the project are for housing that is affordable and the developer of the project agrees not to apply for or receive funding under s. 420.5087. The provisions of this subsection are self-executing and do not require the board of county commissioners to adopt an ordinance or a regulation before using the approval process in this subsection.~~

(7)(a) A county must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a county may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

(b) A county may not restrict the density of a proposed development authorized under this subsection below the highest allowed density on any unincorporated land in the county where residential development is allowed.

(c) A county may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.

(d) A proposed development authorized under this subsection must be administratively approved and no further action by the board of county commissioners is required if the development satisfies the county's land

development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements.

(e) A county must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-half mile of a major transit stop, as defined in the county's land development code, and the major transit stop is accessible from the development.

(f) For proposed multifamily developments in an unincorporated area zoned for commercial or industrial use which is within the boundaries of a multicounty independent special district that was created to provide municipal services and is not authorized to levy ad valorem taxes, and less than 20 percent of the land area within such district is designated for commercial or industrial use, a county must authorize, as provided in this subsection, such development only if the development is mixed-use residential.

(g) Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.

(h) This subsection does not apply to property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.

(i) This subsection expires October 1, 2033.

Section 4. Section 125.379, Florida Statutes, is amended to read:

125.379 Disposition of county property for affordable housing.—

(1) By October 1, 2023 ~~July 1, 2007~~, and every 3 years thereafter, each county shall prepare an inventory list of all real property within its jurisdiction to which the county or any dependent special district within its boundaries holds fee simple title which ~~that~~ is appropriate for use as affordable housing. The inventory list must include the address and legal description of each such real property and specify whether the property is vacant or improved. The governing body of the county must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. The governing body of the county shall adopt a resolution that includes an inventory list of such property following the public hearing. Each county shall make the inventory list publicly available on its website to encourage potential development.

(2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the county may be used for affordable housing through a long-term land lease requiring the development and

maintenance of affordable housing, offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, ~~or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing.~~ Alternatively, the county or special district may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term “affordable” has the same meaning as in s. 420.0004(3).

(3) Counties are encouraged to adopt best practices for surplus land programs, including, but not limited to:

(a) Establishing eligibility criteria for the receipt or purchase of surplus land by developers;

(b) Making the process for requesting surplus lands publicly available; and

(c) Ensuring long-term affordability through ground leases by retaining the right of first refusal to purchase property that would be sold or offered at market rate and by requiring reversion of property not used for affordable housing within a certain timeframe.

Section 5. Subsections (5) and (6) of section 166.04151, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

166.04151 Affordable housing.—

(5) Subsection (4) (2) does not apply in an area of critical state concern, as designated by s. 380.0552 or chapter 28-36, Florida Administrative Code.

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the governing body of a municipality may approve the development of housing that is affordable, as defined in s. 420.0004, including, but not limited to, a mixed-use residential development, on any parcel zoned for residential, commercial, or industrial use. If a parcel is zoned for commercial or industrial use, an approval pursuant to this subsection may include any residential development project, including a mixed-use residential development project, so long as at least 10 percent of the units included in the project are for housing that is affordable and the developer of the project agrees not to apply for or receive funding under s. 420.5087. The provisions of this subsection are self-executing and do not require the governing body to adopt an ordinance or a regulation before using the approval process in this subsection.

(7)(a) A municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years,

affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

(b) A municipality may not restrict the density of a proposed development authorized under this subsection below the highest allowed density on any land in the municipality where residential development is allowed.

(c) A municipality may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.

(d) A proposed development authorized under this subsection must be administratively approved and no further action by the governing body of the municipality is required if the development satisfies the municipality's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements.

(e) A municipality must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-half mile of a major transit stop, as defined in the municipality's land development code, and the major transit stop is accessible from the development.

(f) A municipality that designates less than 20 percent of the land area within its jurisdiction for commercial or industrial use must authorize a proposed multifamily development as provided in this subsection in areas zoned for commercial or industrial use only if the proposed multifamily development is mixed-use residential.

(g) Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.

(h) This subsection does not apply to property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.

(i) This subsection expires October 1, 2033.

Section 6. Section 166.043, Florida Statutes, is amended to read:



166.043 Ordinances and rules imposing price controls; ~~findings required;~~  
~~procedures.~~—

(1)(a) Except as hereinafter provided, ~~a~~ ~~no~~ county, municipality, or other entity of local government may not ~~shall~~ adopt or maintain in effect an ordinance or a rule that ~~which~~ has the effect of imposing price controls upon a lawful business activity that ~~which~~ is not franchised by, owned by, or under contract with, the governmental agency, unless specifically provided by general law.

(b) This section does not prevent the enactment by local governments of public service rates otherwise authorized by law, including water, sewer, solid waste, public transportation, taxicab, or port rates, rates for towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, or rates for removal and storage of wrecked or disabled vehicles or vessels from an accident scene or the removal and storage of vehicles or vessels in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel.

(c) Counties must establish maximum rates which may be charged on the towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, removal and storage of wrecked or disabled vehicles or vessels from an accident scene or for the removal and storage of vehicles or vessels, in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel. However, if a municipality chooses to enact an ordinance establishing the maximum rates for the towing or immobilization of vehicles or vessels as described in paragraph (b), the county's ordinance established under s. 125.0103 does ~~shall~~ not apply within such municipality.

~~(2) No law, ordinance, rule, or other measure which would have the effect of imposing controls on rents shall be adopted or maintained in effect except as provided herein and unless it is found and determined, as hereinafter provided, that such controls are necessary and proper to eliminate an existing housing emergency which is so grave as to constitute a serious menace to the general public.~~

~~(3) Any law, ordinance, rule, or other measure which has the effect of imposing controls on rents shall terminate and expire within 1 year and shall not be extended or renewed except by the adoption of a new measure meeting all the requirements of this section.~~

~~(4) Notwithstanding any other provisions of this section, no controls shall be imposed on rents for any accommodation used or offered for residential purposes as a seasonal or tourist unit, as a second housing unit, or on rents for dwelling units located in luxury apartment buildings. For the purposes of this section, a luxury apartment building is one wherein on~~

January 1, 1977, the aggregate rent due on a monthly basis from all dwelling units as stated in leases or rent lists existing on that date divided by the number of dwelling units exceeds \$250.

(5) ~~A~~ No municipality, county, or other entity of local government may not shall adopt or maintain in effect any law, ordinance, rule, or other measure that which would have the effect of imposing controls on rents unless:

(a) ~~Such measure is duly adopted by the governing body of such entity of local government, after notice and public hearing, in accordance with all applicable provisions of the Florida and United States Constitutions, the charter or charters governing such entity of local government, this section, and any other applicable laws.~~

(b) ~~Such governing body makes and recites in such measure its findings establishing the existence in fact of a housing emergency so grave as to constitute a serious menace to the general public and that such controls are necessary and proper to eliminate such grave housing emergency.~~

(c) ~~Such measure is approved by the voters in such municipality, county, or other entity of local government.~~

(6) ~~In any court action brought to challenge the validity of rent control imposed pursuant to the provisions of this section, the evidentiary effect of any findings or recitations required by subsection (5) shall be limited to imposing upon any party challenging the validity of such measure the burden of going forward with the evidence, and the burden of proof (that is, the risk of nonpersuasion) shall rest upon any party seeking to have the measure upheld.~~

(3)(7) Notwithstanding any other provisions of this section, municipalities, counties, or other entity of local government may adopt and maintain in effect any law, ordinance, rule, or other measure which is adopted for the purposes of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing ordinances.

Section 7. Section 166.0451, Florida Statutes, is amended to read:

166.0451 Disposition of municipal property for affordable housing.—

(1) ~~By October 1, 2023~~ July 1, 2007, and every 3 years thereafter, each municipality shall prepare an inventory list of all real property within its jurisdiction to which the municipality or any dependent special district within its boundaries holds fee simple title which that is appropriate for use as affordable housing. The inventory list must include the address and legal description of each such property and specify whether the property is vacant or improved. The governing body of the municipality must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. Following the public hearing, the governing body of the municipality shall adopt a resolution that includes an inventory list of such

property. Each municipality shall make the inventory list publicly available on its website to encourage potential development.

(2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the municipality may be used for affordable housing through a long-term land lease requiring the development and maintenance of affordable housing, offered for sale and the proceeds ~~may be~~ used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, ~~or~~ ~~may be~~ sold with a restriction that requires the development of the property as permanent affordable housing, or ~~may be~~ donated to a nonprofit housing organization for the construction of permanent affordable housing. Alternatively, the municipality or special district may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term “affordable” has the same meaning as in s. 420.0004(3).

(3) Municipalities are encouraged to adopt best practices for surplus land programs, including, but not limited to:

(a) Establishing eligibility criteria for the receipt or purchase of surplus land by developers;

(b) Making the process for requesting surplus lands publicly available; and

(c) Ensuring long-term affordability through ground leases by retaining the right of first refusal to purchase property that would be sold or offered at market rate and by requiring reversion of property not used for affordable housing within a certain timeframe.

Section 8. Effective January 1, 2024, subsection (1) of section 196.1978, Florida Statutes, is amended, and subsection (3) is added to that section, to read:

196.1978 Affordable housing property exemption.—

(1)(a) Property used to provide affordable housing to eligible persons as defined by s. 159.603 and natural persons or families meeting the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, which is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, is considered property owned by an exempt entity and used for a charitable purpose, and those portions of the affordable housing property that provide housing to natural persons or families classified as extremely low income, very low income, low income, or moderate income under s. 420.0004 are exempt from ad valorem taxation to the extent authorized under s. 196.196. All property identified in this subsection must comply with the criteria provided under s. 196.195 for determining exempt status and

applied by property appraisers on an annual basis. The Legislature intends that any property owned by a limited liability company which is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii) be treated as owned by its sole member. If the sole member of the limited liability company that owns the property is also a limited liability company that is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii), the Legislature intends that the property be treated as owned by the sole member of the limited liability company that owns the limited liability company that owns the property. Units that are vacant and units that are occupied by natural persons or families whose income no longer meets the income limits of this subsection, but whose income met those income limits at the time they became tenants, shall be treated as portions of the affordable housing property exempt under this subsection if a recorded land use restriction agreement in favor of the Florida Housing Finance Corporation or any other governmental or quasi-governmental jurisdiction requires that all residential units within the property be used in a manner that qualifies for the exemption under this subsection and if the units are being offered for rent.

(b) Land that is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, and is leased for a minimum of 99 years for the purpose of, and is predominantly used for, providing housing to natural persons or families meeting the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004 is exempt from ad valorem taxation. For purposes of this paragraph, land is predominantly used for qualifying purposes if the square footage of the improvements on the land used to provide qualifying housing is greater than 50 percent of the square footage of all improvements on the land. This paragraph first applies to the 2024 tax roll and is repealed December 31, 2059.

(3)(a) As used in this subsection, the term:

1. “Corporation” means the Florida Housing Finance Corporation.
2. “Newly constructed” means an improvement to real property which was substantially completed within 5 years before the date of an applicant’s first submission of a request for certification or an application for an exemption pursuant to this section, whichever is earlier.
3. “Substantially completed” has the same meaning as in s. 192.042(1).

(b) Notwithstanding ss. 196.195 and 196.196, portions of property in a multifamily project are considered property used for a charitable purpose and are eligible to receive an ad valorem property tax exemption if such portions:

1. Provide affordable housing to natural persons or families meeting the income limitations provided in paragraph (d);

2. Are within a newly constructed multifamily project that contains more than 70 units dedicated to housing natural persons or families meeting the income limitations provided in paragraph (d); and

3. Are rented for an amount that does not exceed the amount as specified by the most recent multifamily rental programs income and rent limit chart posted by the corporation and derived from the Multifamily Tax Subsidy Projects Income Limits published by the United States Department of Housing and Urban Development or 90 percent of the fair market value rent as determined by a rental market study meeting the requirements of paragraph (m), whichever is less.

(c) If a unit that in the previous year qualified for the exemption under this subsection and was occupied by a tenant is vacant on January 1, the vacant unit is eligible for the exemption if the use of the unit is restricted to providing affordable housing that would otherwise meet the requirements of this subsection and a reasonable effort is made to lease the unit to eligible persons or families.

(d)1. Qualified property used to house natural persons or families whose annual household income is greater than 80 percent but not more than 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides, must receive an ad valorem property tax exemption of 75 percent of the assessed value.

2. Qualified property used to house natural persons or families whose annual household income does not exceed 80 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides, is exempt from ad valorem property taxes.

(e) To receive an exemption under this subsection, a property owner must submit an application on a form prescribed by the department by March 1 for the exemption, accompanied by a certification notice from the corporation to the property appraiser.

(f) To receive a certification notice, a property owner must submit a request to the corporation for certification on a form provided by the corporation which includes all of the following:

1. The most recently completed rental market study meeting the requirements of paragraph (m).

2. A list of the units for which the property owner seeks an exemption.

3. The rent amount received by the property owner for each unit for which the property owner seeks an exemption. If a unit is vacant and qualifies for an exemption under paragraph (c), the property owner must provide evidence of the published rent amount for each vacant unit.

4. A sworn statement, under penalty of perjury, from the applicant restricting the property for a period of not less than 3 years to housing persons or families who meet the income limitations under this subsection.

(g) The corporation shall review the request for certification and certify property that meets the eligibility criteria of this subsection. A determination by the corporation regarding a request for certification does not constitute final agency action pursuant to chapter 120.

1. If the corporation determines that the property meets the eligibility criteria for an exemption under this subsection, the corporation must send a certification notice to the property owner and the property appraiser.

2. If the corporation determines that the property does not meet the eligibility criteria, the corporation must notify the property owner and include the reasons for such determination.

(h) The corporation shall post on its website the deadline to submit a request for certification. The deadline must allow adequate time for a property owner to submit a timely application for exemption to the property appraiser.

(i) The property appraiser shall review the application and determine if the applicant is entitled to an exemption. A property appraiser may grant an exemption only for a property for which the corporation has issued a certification notice.

(j) If the property appraiser determines that for any year during the immediately previous 10 years a person who was not entitled to an exemption under this subsection was granted such an exemption, the property appraiser must serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and that property must be identified in the notice of tax lien. Any property owned by the taxpayer and situated in this state is subject to the taxes exempted by the improper exemption, plus a penalty of 50 percent of the unpaid taxes for each year and interest at a rate of 15 percent per annum. If an exemption is improperly granted as a result of a clerical mistake or an omission by the property appraiser, the property owner improperly receiving the exemption may not be assessed a penalty or interest.

(k) Units subject to an agreement with the corporation pursuant to chapter 420 recorded in the official records of the county in which the property is located to provide housing to natural persons or families meeting

the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004 are not eligible for this exemption.

(l) Property receiving an exemption pursuant to s. 196.1979 is not eligible for this exemption.

(m) A rental market study submitted as required by paragraph (f) must identify the fair market value rent of each unit for which a property owner seeks an exemption. Only a certified general appraiser as defined in s. 475.611 may issue a rental market study. The certified general appraiser must be independent of the property owner who requests the rental market study. In preparing the rental market study, a certified general appraiser shall comply with the standards of professional practice pursuant to part II of chapter 475 and use comparable property within the same geographic area and of the same type as the property for which the exemption is sought. A rental market study must have been completed within 3 years before submission of the application.

(n) The corporation may adopt rules to implement this section.

(o) This subsection first applies to the 2024 tax roll and is repealed December 31, 2059.

Section 9. Section 196.1979, Florida Statutes, is created to read:

196.1979 County and municipal affordable housing property exemption.

(1)(a) Notwithstanding ss. 196.195 and 196.196, the board of county commissioners of a county or the governing body of a municipality may adopt an ordinance to exempt those portions of property used to provide affordable housing meeting the requirements of this section. Such property is considered property used for a charitable purpose. To be eligible for the exemption, the portions of property:

1. Must be used to house natural persons or families whose annual household income:

a. Is greater than 30 percent but not more than 60 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides; or

b. Does not exceed 30 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides;

2. Must be within a multifamily project containing 50 or more residential units, at least 20 percent of which are used to provide affordable housing that meets the requirements of this section;

3. Must be rented for an amount no greater than the amount as specified by the most recent multifamily rental programs income and rent limit chart posted by the corporation and derived from the Multifamily Tax Subsidy Projects Income Limits published by the United States Department of Housing and Urban Development or 90 percent of the fair market value rent as determined by a rental market study meeting the requirements of subsection (4), whichever is less;

4. May not have been cited for code violations on three or more occasions in the 24 months before the submission of a tax exemption application;

5. May not have any cited code violations that have not been properly remedied by the property owner before the submission of a tax exemption application; and

6. May not have any unpaid fines or charges relating to the cited code violations. Payment of unpaid fines or charges before a final determination on a property's qualification for an exemption under this section will not exclude such property from eligibility if the property otherwise complies with all other requirements for the exemption.

(b) Qualified property may receive an ad valorem property tax exemption of:

1. Up to 75 percent of the assessed value of each residential unit used to provide affordable housing if fewer than 100 percent of the multifamily project's residential units are used to provide affordable housing meeting the requirements of this section.

2. Up to 100 percent of the assessed value if 100 percent of the multifamily project's residential units are used to provide affordable housing meeting the requirements of this section.

(c) The board of county commissioners of the county or the governing body of the municipality, as applicable, may choose to adopt an ordinance that exempts property used to provide affordable housing for natural persons or families meeting the income limits of sub-subparagraph (a)1.a., natural persons or families meeting the income limits of sub-subparagraph (a)1.b., or both.

(2) If a residential unit that in the previous year qualified for the exemption under this section and was occupied by a tenant is vacant on January 1, the vacant unit may qualify for the exemption under this section if the use of the unit is restricted to providing affordable housing that would otherwise meet the requirements of this section and a reasonable effort is made to lease the unit to eligible persons or families.

(3) An ordinance granting the exemption authorized by this section must:



(a) Be adopted under the procedures for adoption of a nonemergency ordinance by a board of county commissioners specified in chapter 125 or by a municipal governing body specified in chapter 166.

(b) Designate the local entity under the supervision of the board of county commissioners or governing body of a municipality which must develop, receive, and review applications for certification and develop notices of determination of eligibility.

(c) Require the property owner to apply for certification by the local entity in order to receive the exemption. The application for certification must be on a form provided by the local entity designated pursuant to paragraph (b) and include all of the following:

1. The most recently completed rental market study meeting the requirements of subsection (4).

2. A list of the units for which the property owner seeks an exemption.

3. The rent amount received by the property owner for each unit for which the property owner seeks an exemption. If a unit is vacant and qualifies for an exemption under subsection (2), the property owner must provide evidence of the published rent amount for the vacant unit.

(d) Require the local entity to verify and certify property that meets the requirements of the ordinance as qualified property and forward the certification to the property owner and the property appraiser. If the local entity denies the exemption, it must notify the applicant and include reasons for the denial.

(e) Require the eligible unit to meet the eligibility criteria of paragraph (1)(a).

(f) Require the property owner to submit an application for exemption, on a form prescribed by the department, accompanied by the certification of qualified property, to the property appraiser no later than March 1.

(g) Specify that the exemption applies only to the taxes levied by the unit of government granting the exemption.

(h) Specify that the property may not receive an exemption authorized by this section after expiration or repeal of the ordinance.

(i) Identify the percentage of the assessed value which is exempted, subject to the percentage limitations in paragraph (1)(b).

(j) Identify whether the exemption applies to natural persons or families meeting the income limits of sub-subparagraph (1)(a)1.a., natural persons or families meeting the income limits of sub-subparagraph (1)(a)1.b., or both.

(k) Require that the deadline to submit an application for certification be published on the county's or municipality's website. The deadline must allow adequate time for a property owner to make a timely application for exemption to the property appraiser.

(l) Require the county or municipality to post on its website a list of certified properties for the purpose of facilitating access to affordable housing.

(4) A rental market study submitted as required by paragraph (3)(c) must identify the fair market value rent of each unit for which a property owner seeks an exemption. Only a certified general appraiser, as defined in s. 475.611, may issue a rental market study. The certified general appraiser must be independent of the property owner who requests a rental market study. In preparing the rental market study, a certified general appraiser shall comply with the standards of professional practice pursuant to part II of chapter 475 and use comparable property within the same geographic area and of the same type as the property for which the exemption is sought. A rental market study must have been completed within 3 years before submission of the application.

(5) An ordinance adopted under this section must expire before the fourth January 1 after adoption; however, the board of county commissioners or the governing body of the municipality may adopt a new ordinance to renew the exemption. The board of county commissioners or the governing body of the municipality shall deliver a copy of an ordinance adopted under this section to the department and the property appraiser within 10 days after its adoption. If the ordinance expires or is repealed, the board of county commissioners or the governing body of the municipality must notify the department and the property appraiser within 10 days after its expiration or repeal.

(6) If the property appraiser determines that for any year during the immediately previous 10 years a person who was not entitled to an exemption under this section was granted such an exemption, the property appraiser must serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and that property must be identified in the notice of tax lien. Any property owned by the taxpayer and situated in this state is subject to the taxes exempted by the improper exemption, plus a penalty of 50 percent of the unpaid taxes for each year and interest at a rate of 15 percent per annum. If an exemption is improperly granted as a result of a clerical mistake or an omission by the property appraiser, the property owner improperly receiving the exemption may not be assessed a penalty or interest.

(7) This section first applies to the 2024 tax roll.

Section 10. Section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter are hereby pledged and shall be first made available to make payments when due on bonds issued pursuant to s. 215.618 or s. 215.619, or any other bonds authorized to be issued on a parity basis with such bonds. Such pledge and availability for the payment of these bonds shall have priority over any requirement for the ~~payment of service charges or costs of collection and enforcement under this section. All taxes collected under this chapter, except taxes distributed to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), are subject to the service charge imposed in s. 215.20(1).~~ Before distribution pursuant to this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. The costs ~~and service charge~~ may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs ~~and service charge~~ are required to pay any amounts relating to the bonds. All of the costs of the collection and enforcement of the tax levied by this chapter ~~and the service charge~~ shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2017, secured by revenues distributed pursuant to this section. All taxes remaining after deduction of costs shall be distributed as follows:

(1) Amounts necessary to make payments on bonds issued pursuant to s. 215.618 or s. 215.619, as provided under paragraphs (3)(a) and (b), or on any other bonds authorized to be issued on a parity basis with such bonds shall be deposited into the Land Acquisition Trust Fund.

(2) If the amounts deposited pursuant to subsection (1) are less than 33 percent of all taxes collected after first deducting the costs of collection, an amount equal to 33 percent of all taxes collected after first deducting the costs of collection, minus the amounts deposited pursuant to subsection (1), shall be deposited into the Land Acquisition Trust Fund.

(3) Amounts on deposit in the Land Acquisition Trust Fund shall be used in the following order:

(a) Payment of debt service or funding of debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds issued pursuant to s. 215.618. The amount used for such purposes may not exceed \$300 million in each fiscal year. It is the intent of the Legislature that all bonds issued to fund the Florida Forever Act be retired by December 31, 2040. Except for bonds issued to refund previously issued bonds, no series of bonds may be issued pursuant to this paragraph unless such bonds are approved and the debt service for the remainder of the fiscal year in which the bonds are issued is specifically appropriated in the General Appropriations Act or other law with respect to bonds issued for the purposes of s. 373.4598.

(b) Payment of debt service or funding of debt service reserve funds, rebate obligations, or other amounts due with respect to Everglades

restoration bonds issued pursuant to s. 215.619. Taxes distributed under paragraph (a) and this paragraph must be collectively distributed on a pro rata basis when the available moneys under this subsection are not sufficient to cover the amounts required under paragraph (a) and this paragraph.

Bonds issued pursuant to s. 215.618 or s. 215.619 are equally and ratably secured by moneys distributable to the Land Acquisition Trust Fund.

(4) After the required distributions to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), the lesser of 8 percent of the remainder or \$150 million in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund and shall be expended pursuant to s. 420.50871. If 8 percent of the remainder is greater than \$150 million in any fiscal year, the difference between 8 percent of the remainder and \$150 million shall be paid into the State Treasury to the credit of the General Revenue Fund. ~~and deduction of the service charge imposed pursuant to s. 215.20(1),~~ The remainder shall be distributed as follows:

(a) The lesser of 20.5453 percent of the remainder or \$466.75 million in each fiscal year shall be paid into the State Treasury to the credit of the State Transportation Trust Fund. Notwithstanding any other law, the amount credited to the State Transportation Trust Fund shall be used for:

1. Capital funding for the New Starts Transit Program, authorized by Title 49, U.S.C. s. 5309 and specified in s. 341.051, in the amount of 10 percent of the funds;

2. The Small County Outreach Program specified in s. 339.2818, in the amount of 10 percent of the funds;

3. The Strategic Intermodal System specified in ss. 339.61, 339.62, 339.63, and 339.64, in the amount of 75 percent of the funds after deduction of the payments required pursuant to subparagraphs 1. and 2.; and

4. The Transportation Regional Incentive Program specified in s. 339.2819, in the amount of 25 percent of the funds after deduction of the payments required pursuant to subparagraphs 1. and 2. The first \$60 million of the funds allocated pursuant to this subparagraph shall be allocated annually to the Florida Rail Enterprise for the purposes established in s. 341.303(5).

(b) The lesser of 0.1456 percent of the remainder or \$3.25 million in each fiscal year shall be paid into the State Treasury to the credit of the Grants and Donations Trust Fund in the Department of Economic Opportunity to fund technical assistance to local governments.

Moneys distributed pursuant to paragraphs (a) and (b) may not be pledged for debt service unless such pledge is approved by referendum of the voters.

(c) An amount equaling 4.5 percent of the remainder in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. The funds shall be used as follows:

1. Half of that amount shall be used for the purposes for which the State Housing Trust Fund was created and exists by law.

2. Half of that amount shall be paid into the State Treasury to the credit of the Local Government Housing Trust Fund and used for the purposes for which the Local Government Housing Trust Fund was created and exists by law.

(d) An amount equaling 5.20254 percent of the remainder in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. Of such funds:

1. Twelve and one-half percent of that amount shall be deposited into the State Housing Trust Fund and expended by the Department of Economic Opportunity and the Florida Housing Finance Corporation for the purposes for which the State Housing Trust Fund was created and exists by law.

2. Eighty-seven and one-half percent of that amount shall be distributed to the Local Government Housing Trust Fund and used for the purposes for which the Local Government Housing Trust Fund was created and exists by law. Funds from this category may also be used to provide for state and local services to assist the homeless.

(e) The lesser of 0.017 percent of the remainder or \$300,000 in each fiscal year shall be paid into the State Treasury to the credit of the General Inspection Trust Fund to be used to fund oyster management and restoration programs as provided in s. 379.362(3).

(f) A total of \$75 million shall be paid into the State Treasury to the credit of the State Economic Enhancement and Development Trust Fund within the Department of Economic Opportunity.

(g) An amount equaling 5.4175 percent of the remainder shall be paid into the Resilient Florida Trust Fund to be used for the purposes for which the Resilient Florida Trust Fund was created and exists by law. Funds may be used for planning and project grants.

(h) An amount equaling 5.4175 percent of the remainder shall be paid into the Water Protection and Sustainability Program Trust Fund to be used to fund wastewater grants as specified in s. 403.0673.

(5) Notwithstanding s. 215.32(2)(b)4.a., funds distributed to the State Housing Trust Fund and expended pursuant to s. 420.50871 and funds distributed to the State Housing Trust Fund and the Local Government Housing Trust Fund pursuant to ~~paragraphs (4)(c) and (d)~~ paragraph (4)(e) may not be transferred to the General Revenue Fund in the General Appropriations Act.

(6) After the distributions provided in the preceding subsections, any remaining taxes shall be paid into the State Treasury to the credit of the General Revenue Fund.

Section 11. The amendments made by this act to s. 201.15, Florida Statutes, expire on July 1, 2033, and the text of that section shall revert to that in existence on June 30, 2023, except that any amendments to such text enacted other than by this act must be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of the text which expire pursuant to this section.

Section 12. Paragraph (p) of subsection (5) of section 212.08, Florida Statutes, is amended, and paragraph (v) is added to that subsection, to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(p) *Community contribution tax credit for donations.*—

1. Authorization.—Persons who are registered with the department under s. 212.18 to collect or remit sales or use tax and who make donations to eligible sponsors are eligible for tax credits against their state sales and use tax liabilities as provided in this paragraph:

a. The credit shall be computed as 50 percent of the person's approved annual community contribution.

b. The credit shall be granted as a refund against state sales and use taxes reported on returns and remitted in the 12 months preceding the date of application to the department for the credit as required in sub-subparagraph 3.c. If the annual credit is not fully used through such refund because of insufficient tax payments during the applicable 12-month period, the unused amount may be included in an application for a refund made pursuant to sub-subparagraph 3.c. in subsequent years against the total tax payments made for such year. Carryover credits may be applied for a 3-year period without regard to any time limitation that would otherwise apply under s. 215.26.

c. A person may not receive more than \$200,000 in annual tax credits for all approved community contributions made in any one year.

d. All proposals for the granting of the tax credit require the prior approval of the Department of Economic Opportunity.

e. The total amount of tax credits which may be granted for all programs approved under this paragraph and ss. 220.183 and 624.5105 is ~~\$25~~ \$14.5

million in the 2023-2024 ~~2022-2023~~ fiscal year and in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households and \$4.5 million in the 2022-2023 fiscal year and in each fiscal year thereafter for all other projects. As used in this paragraph, the term “person with special needs” has the same meaning as in s. 420.0004 and the terms “low-income person,” “low-income household,” “very-low-income person,” and “very-low-income household” have the same meanings as in s. 420.9071.

f. A person who is eligible to receive the credit provided in this paragraph, s. 220.183, or s. 624.5105 may receive the credit only under one section of the person’s choice.

2. Eligibility requirements.—

a. A community contribution by a person must be in the following form:

(I) Cash or other liquid assets;

(II) Real property, including 100 percent ownership of a real property holding company;

(III) Goods or inventory; or

(IV) Other physical resources identified by the Department of Economic Opportunity.

For purposes of this sub-subparagraph, the term “real property holding company” means a Florida entity, such as a Florida limited liability company, that is wholly owned by the person; is the sole owner of real property, as defined in s. 192.001(12), located in this ~~the~~ state; is disregarded as an entity for federal income tax purposes pursuant to 26 C.F.R. s. 301.7701-3(b)(1)(ii); and at the time of contribution to an eligible sponsor, has no material assets other than the real property and any other property that qualifies as a community contribution.

b. All community contributions must be reserved exclusively for use in a project. As used in this sub-subparagraph, the term “project” means activity undertaken by an eligible sponsor which is designed to construct, improve, or substantially rehabilitate housing that is affordable to low-income households or very-low-income households; designed to provide housing opportunities for persons with special needs; designed to provide commercial, industrial, or public resources and facilities; or designed to improve entrepreneurial and job-development opportunities for low-income persons. A project may be the investment necessary to increase access to high-speed broadband capability in a rural community that had an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, including projects that result in improvements to communications assets that are owned by a business. A project may include the provision of museum educational programs and materials that are directly related to a project approved

between January 1, 1996, and December 31, 1999, and located in an area which was in an enterprise zone designated pursuant to s. 290.0065 as of May 1, 2015. This paragraph does not preclude projects that propose to construct or rehabilitate housing for low-income households or very-low-income households on scattered sites or housing opportunities for persons with special needs. With respect to housing, contributions may be used to pay the following eligible special needs, low-income, and very-low-income housing-related activities:

(I) Project development impact and management fees for special needs, low-income, or very-low-income housing projects;

(II) Down payment and closing costs for persons with special needs, low-income persons, and very-low-income persons;

(III) Administrative costs, including housing counseling and marketing fees, not to exceed 10 percent of the community contribution, directly related to special needs, low-income, or very-low-income projects; and

(IV) Removal of liens recorded against residential property by municipal, county, or special district local governments if satisfaction of the lien is a necessary precedent to the transfer of the property to a low-income person or very-low-income person for the purpose of promoting home ownership. Contributions for lien removal must be received from a nonrelated third party.

c. The project must be undertaken by an “eligible sponsor,” which includes:

(I) A community action program;

(II) A nonprofit community-based development organization whose mission is the provision of housing for persons with special needs, low-income households, or very-low-income households or increasing entrepreneurial and job-development opportunities for low-income persons;

(III) A neighborhood housing services corporation;

(IV) A local housing authority created under chapter 421;

(V) A community redevelopment agency created under s. 163.356;

(VI) A historic preservation district agency or organization;

(VII) A local workforce development board;

(VIII) A direct-support organization as provided in s. 1009.983;

(IX) An enterprise zone development agency created under s. 290.0056;

(X) A community-based organization incorporated under chapter 617 which is recognized as educational, charitable, or scientific pursuant to s.



501(c)(3) of the Internal Revenue Code and whose bylaws and articles of incorporation include affordable housing, economic development, or community development as the primary mission of the corporation;

(XI) Units of local government;

(XII) Units of state government; or

(XIII) Any other agency that the Department of Economic Opportunity designates by rule.

A contributing person may not have a financial interest in the eligible sponsor.

d. The project must be located in an area which was in an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, or a Front Porch Florida Community, unless the project increases access to high-speed broadband capability in a rural community that had an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, but is physically located outside the designated rural zone boundaries. Any project designed to construct or rehabilitate housing for low-income households or very-low-income households or housing opportunities for persons with special needs is exempt from the area requirement of this sub-subparagraph.

e.(I) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and grant remaining tax credits on a first-come, first-served basis for subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications as follows:

(A) If tax credit applications submitted for approved projects of an eligible sponsor do not exceed \$200,000 in total, the credits shall be granted in full if the tax credit applications are approved.

(B) If tax credit applications submitted for approved projects of an eligible sponsor exceed \$200,000 in total, the amount of tax credits granted pursuant to sub-sub-sub-subparagraph (A) shall be subtracted from the amount of available tax credits, and the remaining credits shall be granted to each approved tax credit application on a pro rata basis.

(II) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide housing

opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications on a pro rata basis.

3. Application requirements.—

a. An eligible sponsor seeking to participate in this program must submit a proposal to the Department of Economic Opportunity which sets forth the name of the sponsor, a description of the project, and the area in which the project is located, together with such supporting information as is prescribed by rule. The proposal must also contain a resolution from the local governmental unit in which the project is located certifying that the project is consistent with local plans and regulations.

b. A person seeking to participate in this program must submit an application for tax credit to the Department of Economic Opportunity which sets forth the name of the sponsor; a description of the project; and the type, value, and purpose of the contribution. The sponsor shall verify, in writing, the terms of the application and indicate its receipt of the contribution, and such verification must accompany the application for tax credit. The person must submit a separate tax credit application to the Department of Economic Opportunity for each individual contribution that it makes to each individual project.

c. A person who has received notification from the Department of Economic Opportunity that a tax credit has been approved must apply to the department to receive the refund. Application must be made on the form prescribed for claiming refunds of sales and use taxes and be accompanied by a copy of the notification. A person may submit only one application for refund to the department within a 12-month period.

4. Administration.—

a. The Department of Economic Opportunity may adopt rules necessary to administer this paragraph, including rules for the approval or disapproval of proposals by a person.

b. The decision of the Department of Economic Opportunity must be in writing, and, if approved, the notification shall state the maximum credit

allowable to the person. Upon approval, the Department of Economic Opportunity shall transmit a copy of the decision to the department.

c. The Department of Economic Opportunity shall periodically monitor all projects in a manner consistent with available resources to ensure that resources are used in accordance with this paragraph; however, each project must be reviewed at least once every 2 years.

d. The Department of Economic Opportunity shall, in consultation with the statewide and regional housing and financial intermediaries, market the availability of the community contribution tax credit program to community-based organizations.

(v) *Building materials used in construction of affordable housing units.*

1. As used in this paragraph, the term:

a. “Affordable housing development” means property that has units subject to an agreement with the Florida Housing Finance Corporation pursuant to chapter 420 recorded in the official records of the county in which the property is located to provide affordable housing to natural persons or families meeting the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004.

b. “Building materials” means tangible personal property that becomes a component part of eligible residential units in an affordable housing development. The term includes appliances and does not include plants, landscaping, fencing, and hardscaping.

c. “Eligible residential units” means newly constructed units within an affordable housing development which are restricted under the land use restriction agreement.

d. “Newly constructed” means improvements to real property which did not previously exist or the construction of a new improvement where an old improvement was removed. The term does not include the renovation, restoration, rehabilitation, modification, alteration, or expansion of buildings already located on the parcel on which the eligible residential unit is built.

e. “Real property” has the same meaning as provided in s. 192.001(12).

f. “Substantially completed” has the same meaning as in s. 192.042(1).

2. Building materials used in eligible residential units are exempt from the tax imposed by this chapter if an owner demonstrates to the satisfaction of the department that the requirements of this paragraph have been met. Except as provided in subparagraph 3., this exemption inures to the owner at the time an eligible residential unit is substantially completed, but only through a refund of previously paid taxes. To receive a refund pursuant to this paragraph, the owner of the eligible residential units must file an

application with the department. The application must include all of the following:

- a. The name and address of the person claiming the refund.
- b. An address and assessment roll parcel number of the real property that was improved for which a refund of previously paid taxes is being sought.
- c. A description of the eligible residential units for which a refund of previously paid taxes is being sought, including the number of such units.
- d. A copy of a valid building permit issued by the county or municipal building department for the eligible residential units.
- e. A sworn statement, under penalty of perjury, from the general contractor licensed in this state with whom the owner contracted to build the eligible residential units which specifies the building materials, the actual cost of the building materials, and the amount of sales tax paid in this state on the building materials, and which states that the improvement to the real property was newly constructed. If a general contractor was not used, the owner must make the sworn statement required by this sub-subparagraph. Copies of the invoices evidencing the actual cost of the building materials and the amount of sales tax paid on such building materials must be attached to the sworn statement provided by the general contractor or by the owner. If copies of such invoices are not attached, the cost of the building materials is deemed to be an amount equal to 40 percent of the increase in the final assessed value of the eligible residential units for ad valorem tax purposes less the most recent assessed value of land for the units.
- f. A certification by the local building code inspector that the eligible residential unit is substantially completed.
- g. A copy of the land use restriction agreement with the Florida Housing Finance Corporation for the eligible residential units.

3. The exemption under this paragraph inures to a municipality, county, other governmental unit or agency, or nonprofit community-based organization through a refund of previously paid taxes if the building materials are paid for from the funds of a community development block grant, the State Housing Initiatives Partnership Program, or a similar grant or loan program. To receive a refund, a municipality, county, other governmental unit or agency, or nonprofit community-based organization must submit an application that includes the same information required under subparagraph 2. In addition, the applicant must include a sworn statement signed by the chief executive officer of the municipality, county, other governmental unit or agency, or nonprofit community-based organization seeking a refund which states that the building materials for which a refund is sought were

funded by a community development block grant, the State Housing Initiatives Partnership Program, or a similar grant or loan program.

4. The person seeking a refund must submit an application for refund to the department within 6 months after the eligible residential unit is deemed to be substantially completed by the local building code inspector or by November 1 after the improved property is first subject to assessment.

5. Only one exemption through a refund of previously paid taxes may be claimed for any eligible residential unit. A refund may not be granted unless the amount to be refunded exceeds \$500. A refund may not exceed the lesser of \$5,000 or 97.5 percent of the Florida sales or use tax paid on the cost of building materials as determined pursuant to sub-subparagraph 2.e. The department shall issue a refund within 30 days after it formally approves a refund application.

6. The department may adopt rules governing the manner and format of refund applications and may establish guidelines as to the requisites for an affirmative showing of qualification for exemption under this paragraph.

7. This exemption under this paragraph applies to sales of building materials that occur on or after July 1, 2023.

Section 13. Subsection (24) is added to section 213.053, Florida Statutes, to read:

213.053 Confidentiality and information sharing.—

(24) The department may make available to the Florida Housing Finance Corporation, exclusively for official purposes, information for the purpose of administering the Live Local Program pursuant to s. 420.50872.

Section 14. Section 215.212, Florida Statutes, is created to read:

215.212 Service charge elimination.—

(1) Notwithstanding s. 215.20(1), the service charge provided in s. 215.20(1) may not be deducted from the proceeds of the taxes distributed under s. 201.15.

(2) This section is repealed July 1, 2033.

Section 15. Paragraph (i) of subsection (1) of section 215.22, Florida Statutes, is amended to read:

215.22 Certain income and certain trust funds exempt.—

(1) The following income of a revenue nature or the following trust funds shall be exempt from the appropriation required by s. 215.20(1):

(i) Bond proceeds or revenues dedicated for bond repayment, ~~except for the Documentary Stamp Clearing Trust Fund administered by the Department of Revenue.~~

Section 16. The amendment made by this act to s. 215.22, Florida Statutes, expires on July 1, 2033, and the text of that section shall revert to that in existence on June 30, 2023, except that any amendments to such text enacted other than by this act must be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of the text which expire pursuant to this section.

Section 17. Subsection (8) of section 220.02, Florida Statutes, is amended to read:

220.02 Legislative intent.—

(8) It is the intent of the Legislature that credits against either the corporate income tax or the franchise tax be applied in the following order: those enumerated in s. 631.828, those enumerated in s. 220.191, those enumerated in s. 220.181, those enumerated in s. 220.183, those enumerated in s. 220.182, those enumerated in s. 220.1895, those enumerated in s. 220.195, those enumerated in s. 220.184, those enumerated in s. 220.186, those enumerated in s. 220.1845, those enumerated in s. 220.19, those enumerated in s. 220.185, those enumerated in s. 220.1875, those enumerated in s. 220.1876, those enumerated in s. 220.1877, those enumerated in s. 220.1878, those enumerated in s. 220.193, those enumerated in s. 288.9916, those enumerated in s. 220.1899, those enumerated in s. 220.194, those enumerated in s. 220.196, those enumerated in s. 220.198, and those enumerated in s. 220.1915.

Section 18. Paragraph (a) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 “Adjusted federal income” defined.—

(1) The term “adjusted federal income” means an amount equal to the taxpayer’s taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(a) *Additions.*—There shall be added to such taxable income:

1.a. The amount of any tax upon or measured by income, excluding taxes based on gross receipts or revenues, paid or accrued as a liability to the District of Columbia or any state of the United States which is deductible from gross income in the computation of taxable income for the taxable year.

b. Notwithstanding sub-subparagraph a., if a credit taken under s. 220.1875, s. 220.1876, ~~or s. 220.1877~~, or s. 220.1878 is added to taxable income in a previous taxable year under subparagraph 11. and is taken as a deduction for federal tax purposes in the current taxable year, the amount of

the deduction allowed shall not be added to taxable income in the current year. The exception in this sub-subparagraph is intended to ensure that the credit under s. 220.1875, s. 220.1876, ~~or~~ s. 220.1877, or s. 220.1878 is added in the applicable taxable year and does not result in a duplicate addition in a subsequent year.

2. The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law, less the associated expenses disallowed in the computation of taxable income under s. 265 of the Internal Revenue Code or any other law, excluding 60 percent of any amounts included in alternative minimum taxable income, as defined in s. 55(b)(2) of the Internal Revenue Code, if the taxpayer pays tax under s. 220.11(3).

3. In the case of a regulated investment company or real estate investment trust, an amount equal to the excess of the net long-term capital gain for the taxable year over the amount of the capital gain dividends attributable to the taxable year.

4. That portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.181. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

5. That portion of the ad valorem school taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

6. The amount taken as a credit under s. 220.195 which is deductible from gross income in the computation of taxable income for the taxable year.

7. That portion of assessments to fund a guaranty association incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year.

8. In the case of a nonprofit corporation which holds a pari-mutuel permit and which is exempt from federal income tax as a farmers' cooperative, an amount equal to the excess of the gross income attributable to the pari-mutuel operations over the attributable expenses for the taxable year.

9. The amount taken as a credit for the taxable year under s. 220.1895.

10. Up to nine percent of the eligible basis of any designated project which is equal to the credit allowable for the taxable year under s. 220.185.

11. Any amount taken as a credit for the taxable year under s. 220.1875, s. 220.1876, ~~or~~ s. 220.1877, or s. 220.1878. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against

the tax. This addition is not intended to result in adding the same expense back to income more than once.

12. The amount taken as a credit for the taxable year under s. 220.193.

13. Any portion of a qualified investment, as defined in s. 288.9913, which is claimed as a deduction by the taxpayer and taken as a credit against income tax pursuant to s. 288.9916.

14. The costs to acquire a tax credit pursuant to s. 288.1254(5) that are deducted from or otherwise reduce federal taxable income for the taxable year.

15. The amount taken as a credit for the taxable year pursuant to s. 220.194.

16. The amount taken as a credit for the taxable year under s. 220.196. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against the tax. The addition is not intended to result in adding the same expense back to income more than once.

17. The amount taken as a credit for the taxable year pursuant to s. 220.198.

18. The amount taken as a credit for the taxable year pursuant to s. 220.1915.

Section 19. Paragraph (c) of subsection (1) of section 220.183, Florida Statutes, is amended to read:

220.183 Community contribution tax credit.—

(1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM SPENDING.—

(c) The total amount of tax credit which may be granted for all programs approved under this section and ss. 212.08(5)(p) and 624.5105 is ~~\$25~~ \$14.5 million in the 2023-2024 ~~2022-2023~~ fiscal year and in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs as defined in s. 420.0004 and homeownership opportunities for low-income households or very-low-income households as defined in s. 420.9071 and \$4.5 million in the 2022-2023 fiscal year and in each fiscal year thereafter for all other projects.

Section 20. Subsection (2) of section 220.186, Florida Statutes, is amended to read:

220.186 Credit for Florida alternative minimum tax.—



(2) The credit pursuant to this section shall be the amount of the excess, if any, of the tax paid based upon taxable income determined pursuant to s. 220.13(2)(k) over the amount of tax which would have been due based upon taxable income without application of s. 220.13(2)(k), before application of this credit without application of any credit under s. 220.1875, s. 220.1876, ~~or s. 220.1877, or s. 220.1878.~~

Section 21. Section 220.1878, Florida Statutes, is created to read:

220.1878 Credit for contributions to the Live Local Program.—

(1) For taxable years beginning on or after January 1, 2023, there is allowed a credit of 100 percent of an eligible contribution made to the Live Local Program under s. 420.50872 against any tax due for a taxable year under this chapter after the application of any other allowable credits by the taxpayer. An eligible contribution must be made to the Live Local Program on or before the date the taxpayer is required to file a return pursuant to s. 220.222. The credit granted by this section must be reduced by the difference between the amount of federal corporate income tax, taking into account the credit granted by this section, and the amount of federal corporate income tax without application of the credit granted by this section.

(2) A taxpayer who files a Florida consolidated return as a member of an affiliated group pursuant to s. 220.131(1) may be allowed the credit on a consolidated return basis; however, the total credit taken by the affiliated group is subject to the limitation established under subsection (1).

(3) Section 420.50872 applies to the credit authorized by this section.

(4) If a taxpayer applies and is approved for a credit under s. 420.50872 after timely requesting an extension to file under s. 220.222(2):

(a) The credit does not reduce the amount of tax due for purposes of the department's determination as to whether the taxpayer was in compliance with the requirement to pay tentative taxes under ss. 220.222 and 220.32.

(b) The taxpayer's noncompliance with the requirement to pay tentative taxes shall result in the revocation and rescindment of any such credit.

(c) The taxpayer shall be assessed for any taxes, penalties, or interest due from the taxpayer's noncompliance with the requirement to pay tentative taxes.

Section 22. Paragraph (c) of subsection (2) of section 220.222, Florida Statutes, is amended to read:

220.222 Returns; time and place for filing.—

(2)

(c)1. For purposes of this subsection, a taxpayer is not in compliance with s. 220.32 if the taxpayer underpays the required payment by more than the greater of \$2,000 or 30 percent of the tax shown on the return when filed.

2. For the purpose of determining compliance with s. 220.32 as referenced in subparagraph 1., the tax shown on the return when filed must include the amount of the allowable credits taken on the return pursuant to s. 220.1878.

Section 23. Subsection (5) of section 253.034, Florida Statutes, is amended to read:

253.034 State-owned lands; uses.—

(5) Each manager of conservation lands shall submit to the Division of State Lands a land management plan at least every 10 years in a form and manner adopted by rule of the board of trustees and in accordance with s. 259.032. Each manager of conservation lands shall also update a land management plan whenever the manager proposes to add new facilities or make substantive land use or management changes that were not addressed in the approved plan, or within 1 year after the addition of significant new lands. Each manager of nonconservation lands shall submit to the Division of State Lands a land use plan at least every 10 years in a form and manner adopted by rule of the board of trustees. The division shall review each plan for compliance with the requirements of this subsection and the requirements of the rules adopted by the board of trustees pursuant to this section. All nonconservation land use plans, whether for single-use or multiple-use properties, shall be managed to provide the greatest benefit to the state. Plans for managed areas larger than 1,000 acres shall contain an analysis of the multiple-use potential of the property which includes the potential of the property to generate revenues to enhance the management of the property. In addition, the plan shall contain an analysis of the potential use of private land managers to facilitate the restoration or management of these lands and whether nonconservation lands would be more appropriately transferred to the county or municipality in which the land is located for the purpose of providing affordable multifamily rental housing that meets the criteria of s. 420.0004(3). If a newly acquired property has a valid conservation plan that was developed by a soil and conservation district, such plan shall be used to guide management of the property until a formal land use plan is completed.

(a) State conservation lands shall be managed to ensure the conservation of this the state's plant and animal species and to ensure the accessibility of state lands for the benefit and enjoyment of all people of this the state, both present and future. Each land management plan for state conservation lands shall provide a desired outcome, describe both short-term and long-term management goals, and include measurable objectives to achieve those goals. Short-term goals shall be achievable within a 2-year planning period, and long-term goals shall be achievable within a 10-year

planning period. These short-term and long-term management goals shall be the basis for all subsequent land management activities.

(b) Short-term and long-term management goals for state conservation lands shall include measurable objectives for the following, as appropriate:

1. Habitat restoration and improvement.
2. Public access and recreational opportunities.
3. Hydrological preservation and restoration.
4. Sustainable forest management.
5. Exotic and invasive species maintenance and control.
6. Capital facilities and infrastructure.
7. Cultural and historical resources.
8. Imperiled species habitat maintenance, enhancement, restoration, or population restoration.

(c) The land management plan shall, at a minimum, contain the following elements:

1. A physical description of the land.
2. A quantitative data description of the land which includes an inventory of forest and other natural resources; exotic and invasive plants; hydrological features; infrastructure, including recreational facilities; and other significant land, cultural, or historical features. The inventory shall reflect the number of acres for each resource and feature, when appropriate. The inventory shall be of such detail that objective measures and benchmarks can be established for each tract of land and monitored during the lifetime of the plan. All quantitative data collected shall be aggregated, standardized, collected, and presented in an electronic format to allow for uniform management reporting and analysis. The information collected by the Department of Environmental Protection pursuant to s. 253.0325(2) shall be available to the land manager and his or her assignee.
3. A detailed description of each short-term and long-term land management goal, the associated measurable objectives, and the related activities that are to be performed to meet the land management objectives. Each land management objective must be addressed by the land management plan, and if practicable, a land management objective may not be performed to the detriment of the other land management objectives.
4. A schedule of land management activities which contains short-term and long-term land management goals and the related measurable objective and activities. The schedule shall include for each activity a timeline for completion, quantitative measures, and detailed expense and manpower

budgets. The schedule shall provide a management tool that facilitates development of performance measures.

5. A summary budget for the scheduled land management activities of the land management plan. For state lands containing or anticipated to contain imperiled species habitat, the summary budget shall include any fees anticipated from public or private entities for projects to offset adverse impacts to imperiled species or such habitat, which fees shall be used solely to restore, manage, enhance, repopulate, or acquire imperiled species habitat. The summary budget shall be prepared in such manner that it facilitates computing an aggregate of land management costs for all state-managed lands using the categories described in s. 259.037(3).

(d) Upon completion, the land management plan must be transmitted to the Acquisition and Restoration Council for review. The council shall have 90 days after receipt of the plan to review the plan and submit its recommendations to the board of trustees. During the review period, the land management plan may be revised if agreed to by the primary land manager and the council taking into consideration public input. The land management plan becomes effective upon approval by the board of trustees.

(e) Land management plans are to be updated every 10 years on a rotating basis. Each updated land management plan must identify any conservation lands under the plan, in part or in whole, that are no longer needed for conservation purposes and could be disposed of in fee simple or with the state retaining a permanent conservation easement.

(f) In developing land management plans, at least one public hearing shall be held in any one affected county.

(g) The Division of State Lands shall make available to the public an electronic copy of each land management plan for parcels that exceed 160 acres in size. The division shall review each plan for compliance with the requirements of this subsection, the requirements of chapter 259, and the requirements of the rules adopted by the board of trustees pursuant to this section. The Acquisition and Restoration Council shall also consider the propriety of the recommendations of the managing entity with regard to the future use of the property, the protection of fragile or nonrenewable resources, the potential for alternative or multiple uses not recognized by the managing entity, and the possibility of disposal of the property by the board of trustees. After its review, the council shall submit the plan, along with its recommendations and comments, to the board of trustees. The council shall specifically recommend to the board of trustees whether to approve the plan as submitted, approve the plan with modifications, or reject the plan. If the council fails to make a recommendation for a land management plan, the Secretary of Environmental Protection, Commissioner of Agriculture, or executive director of the Fish and Wildlife Conservation Commission or their designees shall submit the land management plan to the board of trustees.

(h) The board of trustees shall consider the land management plan submitted by each entity and the recommendations of the Acquisition and Restoration Council and the Division of State Lands and shall approve the plan with or without modification or reject such plan. The use or possession of any such lands that is not in accordance with an approved land management plan is subject to termination by the board of trustees.

(i)1. State nonconservation lands shall be managed to provide the greatest benefit to the state. State nonconservation lands may be grouped by similar land use types under one land use plan. Each land use plan shall, at a minimum, contain the following elements:

a. A physical description of the land to include any significant natural or cultural resources as well as management strategies developed by the land manager to protect such resources.

b. A desired development outcome.

c. A schedule for achieving the desired development outcome.

d. A description of both short-term and long-term development goals.

e. A management and control plan for invasive nonnative plants.

f. A management and control plan for soil erosion and soil and water contamination.

g. Measureable objectives to achieve the goals identified in the land use plan.

2. Short-term goals shall be achievable within a 5-year planning period and long-term goals shall be achievable within a 10-year planning period.

3. The use or possession of any such lands that is not in accordance with an approved land use plan is subject to termination by the board of trustees.

4. Land use plans submitted by a manager shall include reference to appropriate statutory authority for such use or uses and shall conform to the appropriate policies and guidelines of the state land management plan.

Section 24. Subsection (1) of section 253.0341, Florida Statutes, is amended to read:

253.0341 Surplus of state-owned lands.—

(1) The board of trustees shall determine which lands, the title to which is vested in the board, may be surplus. For all conservation lands, the Acquisition and Restoration Council shall make a recommendation to the board of trustees, and the board of trustees shall determine whether the lands are no longer needed for conservation purposes. If the board of trustees determines the lands are no longer needed for conservation purposes, it may dispose of such lands by an affirmative vote of at least three members. In the

case of a land exchange involving the disposition of conservation lands, the board of trustees must determine by an affirmative vote of at least three members that the exchange will result in a net positive conservation benefit. For all nonconservation lands, the board of trustees shall determine whether the lands are no longer needed. If the board of trustees determines the lands are no longer needed, it may dispose of such lands by an affirmative vote of at least three members. Local government requests for the state to surplus conservation or nonconservation lands, whether for purchase, ~~or~~ exchange, or any other means of transfer, must shall be expedited throughout the surplus process. Property jointly acquired by the state and other entities may not be surplus without the consent of all joint owners.

Section 25. Subsection (2) of section 288.101, Florida Statutes, is amended to read:

288.101 Florida Job Growth Grant Fund.—

(2) The department and Enterprise Florida, Inc., may identify projects, solicit proposals, and make funding recommendations to the Governor, who is authorized to approve:

(a) State or local public infrastructure projects to promote:

- 1. Economic recovery in specific regions of this the state;
- 2. Economic diversification; or
- 3. Economic enhancement in a targeted industry.

(b) State or local public infrastructure projects to facilitate the development or construction of affordable housing. This paragraph is repealed July 1, 2033.

(c) Infrastructure funding to accelerate the rehabilitation of the Herbert Hoover Dike. The department or the South Florida Water Management District may enter into agreements, as necessary, with the United States Army Corps of Engineers to implement this paragraph.

(d)(e) Workforce training grants to support programs at state colleges and state technical centers that provide participants with transferable, sustainable workforce skills applicable to more than a single employer, and for equipment associated with these programs. The department shall work with CareerSource Florida, Inc., to ensure programs are offered to the public based on criteria established by the state college or state technical center and do not exclude applicants who are unemployed or underemployed.

Section 26. Section 420.0003, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 420.0003, F.S., for present text.)

420.0003 State housing strategy.—

(1) LEGISLATIVE INTENT.—It is the intent of this act to articulate a state housing strategy that will carry the state toward the goal of ensuring that each Floridian has safe, decent, and affordable housing. This strategy must involve state and local governments working in partnership with communities and the private sector and must involve financial, as well as regulatory, commitment to accomplish this goal.

(2) POLICIES.—

(a) *Housing production and rehabilitation programs.*—Programs to encourage housing production or rehabilitation must be guided by the following general policies, as appropriate for the purpose of the specific program:

1. State and local governments shall provide incentives to encourage the private sector to be the primary delivery vehicle for the development of affordable housing. When possible, state funds should be heavily leveraged to achieve the maximum federal, local, and private commitment of funds and be used to ensure long-term affordability. To the maximum extent possible, state funds should be expended to create new housing stock and be used for repayable loans rather than grants. Local incentives to stimulate private sector development of affordable housing may include establishment of density bonus incentives.

2. State and local governments should consider and implement innovative solutions to housing issues where appropriate. Innovative solutions include, but are not limited to:

a. Utilizing publicly held land to develop affordable housing through state or local land purchases, long-term land leasing, and school district affordable housing programs. To the maximum extent possible, state-owned lands that are appropriate for the development of affordable housing must be made available for that purpose.

b. Community-led planning that focuses on urban infill, flexible zoning, redevelopment of commercial property into mixed-use property, resiliency, and furthering development in areas with preexisting public services, such as wastewater, transit, and schools.

c. Project features that maximize efficiency in land and resource use, such as high density, high rise, and mixed use.

d. Mixed-income projects that facilitate more diverse and successful communities.

e. Modern housing concepts such as manufactured homes, tiny homes, 3D-printed homes, and accessory dwelling units.

3. State funds should be available only to local governments that provide incentives or financial assistance for housing. State funding for housing should not be made available to local governments whose comprehensive plans have been found not in compliance with chapter 163 and who have not entered into a stipulated settlement agreement with the department to bring the plans into compliance. State funds should be made available only for projects consistent with the local government's comprehensive plan.

4. Local governments are encouraged to enter into interlocal agreements, as appropriate, to coordinate strategies and maximize the use of state and local funds.

5. State-funded development should emphasize use of developed land, urban infill, and the transformation of existing infrastructure in order to minimize sprawl, separation of housing from employment, and effects of increased housing on ecological preservation areas. Housing available to the state's workforce should prioritize proximity to employment and services.

(b) *Public-private partnerships.*—Cost-effective public-private partnerships must emphasize production and preservation of affordable housing.

1. Data must be developed and maintained on the affordable housing activities of local governments, community-based organizations, and private developers.

2. The state shall assist local governments and community-based organizations by providing training and technical assistance.

3. In coordination with local activities and with federal initiatives, the state shall provide incentives for public sector and private sector development of affordable housing.

(c) *Preservation of housing stock.*—The existing stock of affordable housing must be preserved and improved through rehabilitation programs and expanded neighborhood revitalization efforts to promote suitable living environments for individuals and families.

(d) *Unique housing needs.*—The wide range of need for safe, decent, and affordable housing must be addressed, with an emphasis on assisting the neediest persons.

1. State housing programs must promote the self-sufficiency and economic dignity of the people of this state, including elderly persons and persons with disabilities.

2. The housing requirements of special needs populations must be addressed through programs that promote a range of housing options bolstering integration with the community.

3. All housing initiatives and programs must be nondiscriminatory.



4. The geographic distribution of resources must provide for the development of housing in rural and urban areas.

5. The important contribution of public housing to the well-being of citizens in need shall be acknowledged through efforts to continue and bolster existing programs. State and local government funds allocated to enhance public housing must be used to supplement, not supplant, federal support.

(3) IMPLEMENTATION.—The state, in carrying out the strategy articulated in this section, shall have the following duties:

(a) State fiscal resources must be directed to achieve the following programmatic objectives:

1. Effective technical assistance and capacity-building programs must be established at the state and local levels.

2. The Shimberg Center for Housing Studies at the University of Florida shall develop and maintain statewide data on housing needs and production, provide technical assistance relating to real estate development and finance, operate an information clearinghouse on housing programs, and coordinate state housing initiatives with local government and federal programs.

3. The corporation shall maintain a consumer-focused website for connecting tenants with affordable housing.

(b) The long-range program plan of the department must include specific goals, objectives, and strategies that implement the housing policies in this section.

(c) The Shimberg Center for Housing Studies at the University of Florida, in consultation with the department and the corporation, shall perform functions related to the research and planning for affordable housing. Functions must include quantifying affordable housing needs, documenting results of programs administered, and inventorying the supply of affordable housing units made available in this state. The recommendations required in this section and a report of any programmatic modifications made as a result of these policies must be included in the housing report required by s. 420.6075. The report must identify the needs of specific populations, including, but not limited to, elderly persons, persons with disabilities, and persons with special needs, and may recommend statutory modifications when appropriate.

(d) The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall evaluate affordable housing issues pursuant to the schedule set forth in this paragraph. OPPAGA may coordinate with and rely upon the expertise and research activities of the Shimberg Center for Housing Studies in conducting the evaluations. The analysis may include relevant reports prepared by the Shimberg Center for Housing Studies, the department, the corporation, and the provider of the Affordable Housing

Catalyst Program; interviews with the agencies, providers, offices, developers, and other organizations related to the development and provision of affordable housing at the state and local levels; and any other relevant data. When appropriate, each report must recommend policy and statutory modifications for consideration by the Legislature. Each report must be submitted to the President of the Senate and the Speaker of the House of Representatives pursuant to the schedule. OPPAGA shall review and evaluate:

1. By December 15, 2023, and every 5 years thereafter, innovative affordable housing strategies implemented by other states, their effectiveness, and their potential for implementation in this state.

2. By December 15, 2024, and every 5 years thereafter, affordable housing policies enacted by local governments, their effectiveness, and which policies constitute best practices for replication across this state. The report must include a review and evaluation of the extent to which interlocal cooperation is used, effective, or hampered.

3. By December 15, 2025, and every 5 years thereafter, existing state-level housing rehabilitation, production, preservation, and finance programs to determine their consistency with relevant policies in this section and effectiveness in providing affordable housing. The report must also include an evaluation of the degree of coordination between housing programs of this state, and between state, federal, and local housing activities, and shall recommend improved program linkages when appropriate.

(e) The department and the corporation should conform the administrative rules for each housing program to the policies stated in this section, provided that such changes in the rules are consistent with the statutory intent or requirements for the program. This authority applies only to programs offering loans, grants, or tax credits and only to the extent that state policies are consistent with applicable federal requirements.

Section 27. Subsection (36) of section 420.503, Florida Statutes, is amended to read:

420.503 Definitions.—As used in this part, the term:

(36) “Qualified contract” has the same meaning as in 26 U.S.C. s. 42(h)(6)(F) in effect on the date of the preliminary determination certificate for the low-income housing tax credits for the development that is the subject of the qualified contract request, unless the Internal Revenue Code requires a different statute or regulation to apply to the development. The corporation shall deem a bona fide contract to be a qualified contract at the time the bona fide contract is presented to the owner and the initial second-earnest money deposit is deposited in escrow in accordance with the terms of the bona fide contract, and, in such event, the corporation is deemed to have fulfilled its responsibility to present the owner with a qualified contract.

Section 28. Subsection (3) and paragraph (a) of subsection (4) of section 420.504, Florida Statutes, are amended to read:

420.504 Public corporation; creation, membership, terms, expenses.—

(3) The corporation is a separate budget entity and is not subject to control, supervision, or direction by the department of ~~Economic Opportunity~~ in any manner, including, but not limited to, personnel, purchasing, transactions involving real or personal property, and budgetary matters. The corporation shall consist of a board of directors composed of the Secretary of Economic Opportunity as an ex officio and voting member, or a senior-level agency employee designated by the secretary, one member appointed by the President of the Senate, one member appointed by the Speaker of the House of Representatives, and eight members appointed by the Governor subject to confirmation by the Senate from the following:

(a) One citizen actively engaged in the residential home building industry.

(b) One citizen actively engaged in the banking or mortgage banking industry.

(c) One citizen who is a representative of those areas of labor engaged in home building.

(d) One citizen with experience in housing development who is an advocate for low-income persons.

(e) One citizen actively engaged in the commercial building industry.

(f) One citizen who is a former local government elected official.

(g) Two citizens of the state who are not principally employed as members or representatives of any of the groups specified in paragraphs (a)-(f).

(4)(a) Members of the corporation shall be appointed for terms of 4 years, except that any vacancy shall be filled for the unexpired term. Vacancies on the board shall be filled by appointment by the Governor, the President of the Senate, or the Speaker of the House of Representatives, respectively, depending on who appointed the member whose vacancy is to be filled or whose term has expired.

Section 29. Subsection (30) of section 420.507, Florida Statutes, is amended to read:

420.507 Powers of the corporation.—The corporation shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers which are in addition to all other powers granted by other provisions of this part:

(30) To prepare and submit to the Secretary of Economic Opportunity a budget request for purposes of the corporation, which request must shall, notwithstanding the provisions of chapter 216 and in accordance with s. 216.351, contain a request for operational expenditures and separate requests for other authorized corporation programs. The request must include, for informational purposes, the amount of state funds necessary to use all federal housing funds anticipated to be received by, or allocated to, the state in the fiscal year in order to maximize the production of new, affordable multifamily housing units in this state. The request need not contain information on the number of employees, salaries, or any classification thereof, and the approved operating budget therefor need not comply with s. 216.181(8)-(10). The secretary may include within the department's budget request the corporation's budget request in the form as authorized by this section.

Section 30. The amendment made by this act to s. 420.507(30), Florida Statutes, expires July 1, 2033, and the text of that subsection shall revert to that in existence on June 30, 2023, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 31. Subsection (10) of section 420.5087, Florida Statutes, is amended to read:

420.5087 State Apartment Incentive Loan Program.—There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.

(10) The corporation may prioritize a portion of the program funds set aside under paragraph (3)(d) for persons with special needs as defined in s. 420.0004(13) to provide funding for the development of newly constructed permanent rental housing ~~on a campus~~ that provides housing for persons in foster care or persons aging out of foster care pursuant to s. 409.1451. Such housing shall promote and facilitate access to community-based supportive, educational, and employment services and resources that assist persons aging out of foster care to successfully transition to independent living and adulthood. The corporation must consult with the Department of Children and Families to create minimum criteria for such housing.

Section 32. Section 420.50871, Florida Statutes, is created to read:

420.50871 Allocation of increased revenues derived from amendments to s. 201.15 made by this act.—Funds that result from increased revenues to the State Housing Trust Fund derived from amendments made to s. 201.15 made by this act must be used annually for projects under the State Apartment Incentive Loan Program under s. 420.5087 as set forth in this section, notwithstanding ss. 420.507(48) and (50) and 420.5087(1) and (3).

The Legislature intends for these funds to provide for innovative projects that provide affordable and attainable housing for persons and families working, going to school, or living in this state. Projects approved under this section are intended to provide housing that is affordable as defined in s. 420.0004, notwithstanding the income limitations in s. 420.5087(2). Beginning in the 2023-2024 fiscal year and annually for 10 years thereafter:

(1) The corporation shall allocate 70 percent of the funds provided by this section to issue competitive requests for application for the affordable housing project purposes specified in this subsection. The corporation shall finance projects that:

(a) Both redevelop an existing affordable housing development and provide for the construction of a new development within close proximity to the existing development to be rehabilitated. Each project must provide for building the new affordable housing development first, relocating the tenants of the existing development to the new development, and then demolishing the existing development for reconstruction of an affordable housing development with more overall and affordable units.

(b) Address urban infill, including conversions of vacant, dilapidated, or functionally obsolete buildings or the use of underused commercial property.

(c) Provide for mixed use of the location, incorporating nonresidential uses, such as retail, office, institutional, or other appropriate commercial or nonresidential uses.

(d) Provide housing near military installations in this state, with preference given to projects that incorporate critical services for service-members, their families, and veterans, such as mental health treatment services, employment services, and assistance with transition from active-duty service to civilian life.

(2) From the remaining funds, the corporation shall allocate the funds to issue competitive requests for application for any of the following affordable housing purposes specified in this subsection. The corporation shall finance projects that:

(a) Propose using or leasing public lands. Projects that propose to use or lease public lands must include a resolution or other agreement with the unit of government owning the land to use the land for affordable housing purposes.

(b) Address the needs of young adults who age out of the foster care system.

(c) Meet the needs of elderly persons.

(d) Provide housing to meet the needs in areas of rural opportunity, designated pursuant to s. 288.0656.

(3) Under any request for application under this section, the corporation shall coordinate with the appropriate state department or agency and prioritize projects that provide for mixed-income developments.

(4) This section does not prohibit the corporation from allocating additional funds to the purposes described in this section. In any fiscal year, if the funds allocated by the corporation to any request for application under subsections (1) and (2) are not fully used after the application and award processes are complete, the corporation may use those funds to supplement any future request for application under this section.

(5) This section is repealed June 30, 2033.

Section 33. The Division of Law Revision is directed to replace the phrase “this act” wherever it occurs in s. 420.50871, Florida Statutes, as created by this act, with the assigned chapter number of this act.

Section 34. Section 420.50872, Florida Statutes, is created to read:

420.50872 Live Local Program.—

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

(a) “Annual tax credit amount” means, for any state fiscal year, the sum of the amount of tax credits approved under paragraph (3)(a), including tax credits to be taken under s. 220.1878 or s. 624.51058, which are approved for taxpayers whose taxable years begin on or after January 1 of the calendar year preceding the start of the applicable state fiscal year.

(b) “Eligible contribution” means a monetary contribution from a taxpayer, subject to the restrictions provided in this section, to the corporation for use in the State Apartment Incentive Loan Program under s. 420.5087. The taxpayer making the contribution may not designate a specific project, property, or geographic area of this state as the beneficiary of the eligible contribution.

(c) “Live Local Program” means the program described in this section whereby eligible contributions are made to the corporation.

(d) “Tax credit cap amount” means the maximum annual tax credit amount that the Department of Revenue may approve for a state fiscal year.

(2) RESPONSIBILITIES OF THE CORPORATION.—The corporation shall:

(a) Expend 100 percent of eligible contributions received under this section for the State Apartment Incentive Loan Program under s. 420.5087. However, the corporation may use up to \$25 million of eligible contributions to provide loans for the construction of large-scale projects of significant regional impact. Such projects must include a substantial civic, educational, or health care use and may include a commercial use, any of which must be

incorporated within or contiguous to the project property. Such a loan must be made, except as otherwise provided in this subsection, in accordance with the practices and policies of the State Apartment Incentive Loan Program. Such a loan is subject to the competitive application process and may not exceed 25 percent of the total project cost. The corporation must find that the loan provides a unique opportunity for investment alongside local government participation that would enable creation of a significant amount of affordable housing. Projects approved under this section are intended to provide housing that is affordable as defined in s. 420.0004, notwithstanding the income limitations in s. 420.5087(2).

(b) Upon receipt of an eligible contribution, provide the taxpayer that made the contribution with a certificate of contribution. A certificate of contribution must include the taxpayer's name; its federal employer identification number, if available; the amount contributed; and the date of contribution.

(c) Within 10 days after issuing a certificate of contribution, provide a copy to the Department of Revenue.

### (3) LIVE LOCAL TAX CREDITS; APPLICATIONS, TRANSFERS, AND LIMITATIONS.—

(a) Beginning in the 2023-2024 fiscal year, the tax credit cap amount is \$100 million in each state fiscal year.

(b) Beginning October 1, 2023, a taxpayer may submit an application to the Department of Revenue for an allocation of the tax credit cap for tax credits to be taken under either or both of s. 220.1878 or s. 624.51058.

1. The taxpayer shall specify in the application each tax for which the taxpayer requests a credit and the applicable taxable year. For purposes of s. 220.1878, a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that year pursuant to s. 220.222. For purposes of s. 624.51058, a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that prior taxable year pursuant to ss. 624.509 and 624.5092. The Department of Revenue shall approve tax credits on a first-come, first-served basis.

2. Within 10 days after approving or denying an application, the Department of Revenue shall provide a copy of its approval or denial letter to the corporation.

(c) If a tax credit approved under paragraph (b) is not fully used for the specified taxable year for credits under s. 220.1878 or s. 624.51058 because of insufficient tax liability on the part of the taxpayer, the unused amount may be carried forward for a period not to exceed 10 taxable years. For purposes of s. 220.1878, a credit carried forward may be used in a subsequent year

after applying the other credits and unused carryovers in the order provided in s. 220.02(8).

(d) A taxpayer may not convey, transfer, or assign an approved tax credit or a carryforward tax credit to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction. However, a tax credit under s. 220.1878 or s. 624.51058 may be conveyed, transferred, or assigned between members of an affiliated group of corporations if the type of tax credit under s. 220.1878 or s. 624.51058 remains the same. A taxpayer shall notify the Department of Revenue of its intent to convey, transfer, or assign a tax credit to another member within an affiliated group of corporations. The amount conveyed, transferred, or assigned is available to another member of the affiliated group of corporations upon approval by the Department of Revenue.

(e) Within any state fiscal year, a taxpayer may rescind all or part of a tax credit allocation approved under paragraph (b). The amount rescinded must become available for that state fiscal year to another eligible taxpayer as approved by the Department of Revenue if the taxpayer receives notice from the Department of Revenue that the rescindment has been accepted by the Department of Revenue. Any amount rescinded under this paragraph must become available to an eligible taxpayer on a first-come, first-served basis based on tax credit applications received after the date the rescindment is accepted by the Department of Revenue.

(f) Within 10 days after approving or denying the conveyance, transfer, or assignment of a tax credit under paragraph (d), or the rescindment of a tax credit under paragraph (e), the Department of Revenue shall provide a copy of its approval or denial letter to the corporation.

(g) For purposes of calculating the underpayment of estimated corporate income taxes under s. 220.34 and tax installment payments for taxes on insurance premiums or assessments under s. 624.5092, the final amount due is the amount after credits earned under s. 220.1878 or s. 624.51058 for contributions to eligible charitable organizations are deducted.

1. For purposes of determining if a penalty or interest under s. 220.34(2)(d)1. will be imposed for underpayment of estimated corporate income tax, a taxpayer may, after earning a credit under s. 220.1878, reduce any estimated payment in that taxable year by the amount of the credit.

2. For purposes of determining if a penalty under s. 624.5092 will be imposed, an insurer, after earning a credit under s. 624.51058 for a taxable year, may reduce any installment payment for such taxable year of 27 percent of the amount of the net tax due as reported on the return for the preceding year under s. 624.5092(2)(b) by the amount of the credit.

(4) PRESERVATION OF CREDIT.—If any provision or portion of this section, s. 220.1878, or s. 624.51058 or the application thereof to any person or circumstance is held unconstitutional by any court or is otherwise



declared invalid, the unconstitutionality or invalidity does not affect any credit earned under s. 220.1878 or s. 624.51058 by any taxpayer with respect to any contribution paid to the Live Local Program before the date of a determination of unconstitutionality or invalidity. The credit must be allowed at such time and in such a manner as if a determination of unconstitutionality or invalidity had not been made, provided that nothing in this subsection by itself or in combination with any other provision of law may result in the allowance of any credit to any taxpayer in excess of \$1 of credit for each dollar paid to an eligible charitable organization.

(5) ADMINISTRATION; RULES.—

(a) The Department of Revenue and the corporation may develop a cooperative agreement to assist in the administration of this section, as needed.

(b) The Department of Revenue may adopt rules necessary to administer this section, s. 220.1878, and s. 624.51058, including rules establishing application forms, procedures governing the approval of tax credits and carryforward tax credits under subsection (3), and procedures to be followed by taxpayers when claiming approved tax credits on their returns.

(c) By August 15, 2023, and by each August 15 thereafter, the Department of Revenue shall determine the 500 taxpayers with the greatest total corporate income or franchise tax due as reported on the taxpayer's return filed pursuant to s. 220.22 during the previous calendar year and notify those taxpayers of the existence of the Live Local Program and the process for obtaining an allocation of the tax credit cap. The Department of Revenue shall confer with the corporation in the drafting of the notification. The Department of Revenue may provide this notification by electronic means.

Section 35. Section 420.5096, Florida Statutes, is created to read:

420.5096 Florida Hometown Hero Program.—

(1) The Legislature finds that individual homeownership is vital to building long-term housing and financial security. With rising home prices, down payment and closing costs are often significant barriers to homeownership for working Floridians. Each person in Florida's hometown workforce is essential to creating thriving communities, and the Legislature finds that the ability of Floridians to reside within the communities in which they work is of great importance. Therefore, the Legislature finds that providing assistance to homebuyers in this state by reducing the amount of down payment and closing costs is a necessary step toward expanding access to homeownership and achieving safe, decent, and affordable housing for all Floridians.

(2) The Florida Hometown Hero Program is created to assist Florida's hometown workforce in attaining homeownership by providing financial

assistance to residents to purchase a home as their primary residence. Under the program, a borrower may apply to the corporation for a loan to reduce the amount of the down payment and closing costs paid by the borrower by a minimum of \$10,000 and up to 5 percent of the first mortgage loan, not exceeding \$35,000. Loans must be made available at a zero percent interest rate and must be made available for the term of the first mortgage. The balance of any loan is due at closing if the property is sold, refinanced, rented, or transferred, unless otherwise approved by the corporation.

(3) For loans made available pursuant to s. 420.507(23)(a)1. or 2., the corporation may underwrite and make those mortgage loans through the program to persons or families who have household incomes that do not exceed 150 percent of the state median income or local median income, whichever is greater. A borrower must be seeking to purchase a home as a primary residence; a first-time homebuyer and a Florida resident; and employed full-time by a Florida-based employer. The borrower must provide documentation of full-time employment, or full-time status for self-employed individuals, of 35 hours or more per week. The requirement to be a first-time homebuyer does not apply to a borrower who is an active duty service-member of a branch of the armed forces or the Florida National Guard, as defined in s. 250.01, or a veteran.

(4) Loans made under the Florida Hometown Hero Program may be used for the purchase of manufactured homes, as defined in s. 320.01(2)(b), which were constructed after July 13, 1994; which are permanently affixed to real property in this state, whether owned or leased by the borrower; and which are titled and financed as tangible personal property or as real property.

(5) This program is intended to be evergreen, and repayments for loans made under this program shall be retained within the program to make additional loans.

Section 36. Subsection (3) is added to section 420.531, Florida Statutes, to read:

420.531 Affordable Housing Catalyst Program.—

(3) The corporation may contract with the entity providing statewide training and technical assistance to provide technical assistance to local governments to establish selection criteria and related provisions for requests for proposals or other competitive solicitations for use or lease of government-owned real property for affordable housing purposes. The entity providing statewide training and technical assistance may develop best practices or other key elements for successful use of public property for affordable housing, in conjunction with technical support provided under subsection (1).

Section 37. Section 420.6075, Florida Statutes, is amended to read:

420.6075 Research and planning for affordable housing; annual housing report.—

(1) The research and planning functions of the department shall include the collection of data on the need for affordable housing in this state and the extent to which that need is being met through federal, state, and local programs, in order to facilitate planning to meet the housing needs in this state and to enable the development of sound strategies and programs for affordable housing. To fulfill this function, the Shimberg Center for Housing Studies ~~Affordable Housing~~ at the University of Florida shall perform the following functions:

(a) Quantify affordable housing needs in ~~this the~~ state by analyzing available data, including information provided through the housing elements of local comprehensive plans, and identify revisions in the housing element data requirements that would result in more uniform, meaningful information being obtained.

(b) Document the results since 1980 of all programs administered by the department which provide for or act as incentives for housing production or improvement. Data on program results must include the number of units produced and the unit cost under each program.

(c) Inventory the supply of affordable housing units made available through federal, state, and local programs. Data on the geographic distribution of affordable units must show the availability of units in each county and municipality.

(2) By December 31 of each year, the Shimberg Center for Housing Studies ~~Affordable Housing~~ shall submit to the Legislature an updated housing report describing the supply of and need for affordable housing. This annual housing report shall include:

(a) A synopsis of training and technical assistance activities and community-based organization housing activities for the year.

(b) A status report on the degree of progress toward meeting the housing objectives of the department's agency functional plan.

(c) Recommended housing initiatives for the next fiscal year and recommended priorities for assistance to the various target populations within the spectrum of housing need.

(3) The Shimberg Center for Housing Studies ~~Affordable Housing~~ shall:

(a) Conduct research on program options to address the need for affordable housing.

(b) Conduct research on training models to be replicated or adapted to meet the needs of community-based organizations and state and local government staff involved in housing development.

Section 38. Paragraph (a) of subsection (1) of section 553.792, Florida Statutes, is amended to read:

553.792 Building permit application to local government.—

(1)(a) Within 10 days of an applicant submitting an application to the local government, the local government shall advise the applicant what information, if any, is needed to deem the application properly completed in compliance with the filing requirements published by the local government. If the local government does not provide written notice that the applicant has not submitted the properly completed application, the application shall be automatically deemed properly completed and accepted. Within 45 days after receiving a completed application, a local government must notify an applicant if additional information is required for the local government to determine the sufficiency of the application, and shall specify the additional information that is required. The applicant must submit the additional information to the local government or request that the local government act without the additional information. While the applicant responds to the request for additional information, the 120-day period described in this subsection is tolled. Both parties may agree to a reasonable request for an extension of time, particularly in the event of a force majeure or other extraordinary circumstance. The local government must approve, approve with conditions, or deny the application within 120 days following receipt of a completed application. A local government shall maintain on its website a policy containing procedures and expectations for expedited processing of those building permits and development orders required by law to be expedited.

Section 39. Subsection (7) of section 624.509, Florida Statutes, is amended to read:

624.509 Premium tax; rate and computation.—

(7) Credits and deductions against the tax imposed by this section shall be taken in the following order: deductions for assessments made pursuant to s. 440.51; credits for taxes paid under ss. 175.101 and 185.08; credits for income taxes paid under chapter 220 and the credit allowed under subsection (5), as these credits are limited by subsection (6); the credit allowed under s. 624.51057; the credit allowed under s. 624.51058; all other available credits and deductions.

Section 40. Paragraph (c) of subsection (1) of section 624.5105, Florida Statutes, is amended to read:

624.5105 Community contribution tax credit; authorization; limitations; eligibility and application requirements; administration; definitions; expiration.—

(1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

(c) The total amount of tax credit which may be granted for all programs approved under this section and ss. 212.08(5)(p) and 220.183 is ~~\$25~~ \$14.5 million in the ~~2023-2024~~ ~~2022-2023~~ fiscal year and in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs as defined in s. 420.0004 or homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071 and \$4.5 million in the 2022-2023 fiscal year and in each fiscal year thereafter for all other projects.

Section 41. Section 624.51058, Florida Statutes, is created to read:

624.51058 Credit for contributions to the Live Local Program.—

(1) For taxable years beginning on or after January 1, 2023, there is allowed a credit of 100 percent of an eligible contribution made to the Live Local Program under s. 420.50872 against any tax due for a taxable year under s. 624.509(1) after deducting from such tax deductions for assessments made pursuant to s. 440.51; credits for taxes paid under ss. 175.101 and 185.08; credits for income taxes paid under chapter 220; and the credit allowed under s. 624.509(5), as such credit is limited by s. 624.509(6). An eligible contribution must be made to the Live Local Program on or before the date the taxpayer is required to file a return pursuant to ss. 624.509 and 624.5092. An insurer claiming a credit against premium tax liability under this section is not required to pay any additional retaliatory tax levied under s. 624.5091 as a result of claiming such credit. Section 624.5091 does not limit such credit in any manner.

(2) Section 420.50872 applies to the credit authorized by this section.

Section 42. The Department of Economic Opportunity's Keys Workforce Housing Initiative, approved by the Administration Commission on June 13, 2018, is considered an exception to the evacuation time constraints of s. 380.0552(9)(a)2., Florida Statutes, by requiring deed-restricted affordable workforce housing properties receiving permit allocations to agree to evacuate at least 48 hours in advance of hurricane landfall. A comprehensive plan amendment approved by the Department of Economic Opportunity to implement the initiative is hereby valid and the respective local governments may adopt local ordinances or regulations to implement such plan amendment.

Section 43. (1) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules under s. 120.54(4), Florida Statutes, for the purpose of implementing provisions related to the Live Local Program created by this act. Notwithstanding any other law, emergency rules adopted under this section are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(2) This section expires July 1, 2026.

Section 44. For the 2023-2024 fiscal year, the sum of \$100 million in nonrecurring funds from the General Revenue Fund is appropriated to the Florida Housing Finance Corporation to implement the Florida Hometown Hero Housing Program established in s. 420.5096, Florida Statutes, as created by this act.

Section 45. For the 2023-2024 fiscal year, the sum of \$252 million in nonrecurring funds from the Local Government Housing Trust Fund is appropriated in the Grants and Aids - Housing Finance Corporation (HFC) - State Housing Initiatives Partnership (SHIP) Program appropriation category to the Florida Housing Finance Corporation.

Section 46. For the 2023-2024 fiscal year, the sum of \$150 million in recurring funds and \$109 million in nonrecurring funds from the State Housing Trust Fund is appropriated in the Grants and Aids - Housing Finance Corporation (HFC) - Affordable Housing Programs appropriation category to the Florida Housing Finance Corporation. The recurring funds are appropriated to implement s. 420.50871, Florida Statutes, as created by this act.

Section 47. For the 2022-2023 fiscal year, the sum of \$100 million in nonrecurring funds from the General Revenue Fund is appropriated to the Florida Housing Finance Corporation to implement a competitive assistance loan program for new construction projects in the development pipeline that have not commenced construction and are experiencing verifiable cost increases due to market inflation. These funds are intended to support the corporation's efforts to maintain the viability of projects in the development pipeline as the unprecedented economic factors coupled with the housing crisis makes it of upmost importance to deliver much-needed affordable housing units in communities in a timely manner. Eligible projects are those that accepted an invitation to enter credit underwriting by the corporation for funding during the period of time of July 1, 2020, through June 30, 2022. The corporation may establish such criteria and application processes as necessary to implement this section. The unexpended balance of funds appropriated to the corporation as of June 30, 2023, shall revert and is appropriated to the corporation for the same purpose for the 2023-2024 fiscal year. Any funds not awarded by December 1, 2023, must be used for the State Apartment Incentive Loan Program under s. 420.5087, Florida Statutes. This section is effective upon becoming a law.

Section 48. The Legislature finds and declares that this act fulfills an important state interest.

Section 49. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2023.

Approved by the Governor March 29, 2023.

Filed in Office Secretary of State March 29, 2023.

## CHAPTER 2023-31

### Committee Substitute for Committee Substitute for Senate Bill No. 1604

An act relating to land use and development regulations; amending s. 163.3177, F.S.; revising the planning periods that must be included in a comprehensive plan; amending s. 163.3191, F.S.; requiring local governments to determine if plan amendments are necessary to reflect a certain minimum planning period; specifying requirements for a certain notification; requiring, rather than encouraging, a local government to comprehensively evaluate and update its comprehensive plan to reflect changes in local conditions; requiring that updates to certain elements of the comprehensive plan be processed in the same plan amendment cycle; prohibiting a local government from initiating or adopting any publicly initiated plan amendments to its comprehensive plan under certain circumstances; providing applicability; prohibiting a certain denial of plan amendments from being based on the failure of a local government to update its comprehensive plan; requiring the state land planning agency to provide population projections if a local government fails to update its comprehensive plan; requiring the local government to update its comprehensive plan within a specified timeframe after receiving the population projections and to transmit the update within a specified timeframe; requiring the state land planning agency to establish a certain timeline if such update is not in compliance; authorizing the local government to seek approval from the state land planning agency to process publicly initiated plan amendments under certain circumstances; authorizing the local government to provide certain alternative population projections under certain circumstances; amending s. 163.3202, F.S.; revising exceptions to applicability of land development regulations relating to single-family or two-family dwelling building design elements; amending s. 163.3208, F.S.; revising the definition of the term “distribution electric substation”; revising the substation approval process to include applications for changes to existing electric substations; amending s. 189.031, F.S.; precluding an independent special district from complying with the terms of certain development agreements under certain circumstances; requiring a newly elected or appointed governing body to review, within a certain timeframe, certain agreements and vote on whether to seek readoption of such agreement; providing retroactive applicability; providing for future expiration; amending s. 189.08, F.S.; conforming a cross-reference; providing effective dates.

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

Section 1. Paragraph (a) of subsection (5) of section 163.3177, Florida Statutes, is amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(5)(a) Each local government comprehensive plan must include at least two planning periods, one covering at least the first ~~10-year~~ 5-year period occurring after the plan's adoption and one covering at least a ~~20-year~~ 10-year period. Additional planning periods for specific components, elements, land use amendments, or projects shall be permissible and accepted as part of the planning process.

Section 2. Section 163.3191, Florida Statutes, is amended to read:

163.3191 Evaluation and appraisal of comprehensive plan.—

(1) At least once every 7 years, each local government shall evaluate its comprehensive plan to determine if plan amendments are necessary to reflect a minimum planning period of at least 10 years as provided in s. 163.3177(5) or to reflect changes in state requirements in this part since the last update of the comprehensive plan, and notify the state land planning agency as to its determination. The notification must include a separate affidavit, signed by the chair of the governing body of the county or the mayor of the municipality, attesting that all elements of its comprehensive plan comply with this subsection. The affidavit must also include a certification that the adopted comprehensive plan contains the minimum planning period of 10 years, as provided in s. 163.3177(5), and must cite the source and date of the population projections used in establishing the 10-year planning period.

(2) If the local government determines amendments to its comprehensive plan are necessary to reflect changes in state requirements, the local government ~~must~~ shall prepare and transmit within 1 year such plan amendment or amendments for review pursuant to s. 163.3184.

(3) Local governments ~~shall be encouraged to~~ comprehensively evaluate and, as necessary, update comprehensive plans to reflect changes in local conditions. Plan amendments transmitted pursuant to this section must shall be reviewed pursuant to s. 163.3184(4). Updates to the required elements and optional elements of the comprehensive plan must be processed in the same plan amendment cycle.

(4) If a local government fails to submit ~~the its letter and affidavit prescribed by subsection (1) or to transmit the update to its plan pursuant to subsection (3) within 1 year after the date the letter was transmitted to the state land planning agency (2), it may not initiate or adopt any publicly initiated plan amendments to amend its comprehensive plan until such time as it complies with this section, unless otherwise required by general law. This prohibition on plan amendments does not apply to privately initiated plan amendments. The failure of the local government to timely update its plan may not be the basis for the denial of privately initiated comprehensive plan amendments.~~



(5) If it is determined that a local government has failed to update its comprehensive plan pursuant to this section, the state land planning agency must provide the required population projections that must be used by the local government to update the comprehensive plan. The local government shall initiate an update to its comprehensive plan within 3 months following the receipt of the population projections and must transmit the update within 12 months. If the state land planning agency finds the update is not in compliance, it must establish the timeline to address the deficiencies, not to exceed an additional 12-month period. If the update is challenged by a third party, the local government may seek approval from the state land planning agency to process publicly initiated plan amendments that are necessary to accommodate population growth during the pendency of the litigation. During the update process, the local government may provide alternative population projections based on professionally accepted methodologies, but only if those population projections exceed the population projections provided by the state land planning agency and only if the update is completed within the timeframe set forth in this subsection.

(6) The state land planning agency may not adopt rules to implement this section, other than procedural rules or a schedule indicating when local governments must comply with the requirements of this section.

Section 3. Paragraphs (a) and (b) of subsection (5) of section 163.3202, Florida Statutes, are amended to read:

163.3202 Land development regulations.—

(5)(a) Land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling unless:

1. The dwelling is listed in the National Register of Historic Places, as defined in s. 267.021(5); is located in a National Register Historic District; or is designated as a historic property or located in a historic district, under the terms of a local preservation ordinance;

2. The regulations are adopted in order to implement the National Flood Insurance Program;

3. The regulations are adopted pursuant to and in compliance with chapter 553;

4. The dwelling is located in a community redevelopment area, as defined in s. 163.340(10);

5. The regulations are required to ensure protection of coastal wildlife in compliance with s. 161.052, s. 161.053, s. 161.0531, s. 161.085, s. 161.163, or chapter 373;

6. The dwelling is located in a planned unit development or master planned community created pursuant to a local ordinance, resolution, or

other final action approved by the local governing body before July 1, 2023;  
or

7. The dwelling is located within the jurisdiction of a local government that has a design review board or an architectural review board created before January 1, 2020.

(b) For purposes of this subsection, the term:

1. “Building design elements” means the external building color; the type or style of exterior cladding material; the style or material of roof structures or porches; the exterior nonstructural architectural ornamentation; the location or architectural styling of windows or doors; the location or orientation of the garage; the number and type of rooms; and the interior layout of rooms. The term does not include the height, bulk, orientation, or location of a dwelling on a zoning lot; or the use of buffering or screening to minimize potential adverse physical or visual impacts or to protect the privacy of neighbors.

2. “Planned unit development” or “master planned community” means an area of land that is planned and developed as a single entity or in approved stages with uses and structures substantially related to the character of the entire development, or a self-contained development in which the subdivision and zoning controls are applied to the project as a whole rather than to individual lots.

Section 4. Section 163.3208, Florida Statutes, is amended to read:

163.3208 Substation approval process.—

(1) It is the intent of the Legislature to maintain, encourage, and ensure adequate and reliable electric infrastructure in the state. It is essential that electric infrastructure be constructed and maintained in various locations in order to ensure the efficient and reliable delivery of electric service. Electric infrastructure should be constructed, to the maximum extent practicable, to achieve compatibility with adjacent and surrounding land uses, and the criteria included in this section are intended to balance the need for electricity with land use compatibility.

(2) The term “~~distribution~~ electric substation” means an electric substation, including accessory administration or maintenance buildings and related accessory uses and structures, which takes electricity from the transmission grid and converts it to another voltage or a lower voltage so it can be distributed to customers in the local area on the local distribution grid through one or more ~~distribution lines less than 69 kilovolts in size~~.

(3) Electric substations are a critical component of electric transmission and distribution. Except for substations in s. 163.3205(2)(c), local governments may adopt and enforce reasonable land development regulations for new and existing ~~distribution~~ electric substations, addressing only setback, landscaping, buffering, screening, lighting, and other aesthetic

compatibility-based standards. Vegetated buffers or screening beneath aerial access points to the substation equipment shall not be required to have a mature height in excess of 14 feet.

(4) New and existing distribution electric substations shall be a permitted use in all land use categories in the applicable local government comprehensive plan and zoning districts within a utility's service territory except those designated as preservation, conservation, or historic preservation on the future land use map or duly adopted ordinance. If a local government has not adopted reasonable standards for substation siting in accordance with subsection (3), the following standards shall apply to new ~~distribution~~ electric substations:

(a) In nonresidential areas, the substation must comply with the setback and landscaped buffer area criteria applicable to other similar uses in that district, if any.

(b) Unless the local government approves a lesser setback or landscape requirement, in residential areas, a setback of up to 100 feet between the substation property boundary and permanent equipment structures shall be maintained as follows:

1. For setbacks between 100 feet and 50 feet, an open green space shall be formed by installing native landscaping, including trees and shrub material, consistent with the relevant local government's land development regulations. Substation equipment shall be protected by a security fence consistent with the relevant local government's land development regulations.

2. For setbacks of less than 50 feet, a buffer wall 8 feet high or a fence 8 feet high with native landscaping consistent with the relevant local government's regulations shall be installed around the substation.

(5) If the application for a proposed ~~distribution~~ electric substation or for changes to an existing electric substation demonstrates that the substation design is consistent with the local government's applicable setback, landscaping, buffering, screening, and other aesthetic compatibility-based standards, the application for development approval for or changes to the substation shall be approved.

(6)(a) This paragraph ~~applies~~ may apply to the proposed placement or construction of a new ~~distribution~~ electric substation within a residential area. Before ~~Prior to~~ submitting an application for the location of a new ~~distribution~~ electric substation in residential areas, the utility shall consult with the local government regarding the selection of a site. The utility shall provide information regarding the utility's preferred site and as many as three alternative available sites, including sites within nonresidential areas, that are technically and electrically reasonable for the load to be served, if the local government deems that the siting of a new ~~distribution~~ electric substation warrants this additional review and consideration. The final

determination on the site application as to the preferred and alternative sites shall be made solely by the local government within 90 days of presentation of all the necessary and required information on the preferred site and on the alternative sites. In the event the utility and the local government are unable to reach agreement on an appropriate location, the substation site selection shall be submitted to mediation conducted pursuant to ss. 44.401-44.406, unless otherwise agreed to in writing by the parties, and the mediation shall be concluded within 30 days unless extended by written agreement of the parties. The 90-day time period for the local government to render a final decision on the site application is tolled from the date a notice of intent to mediate the site selection issue is served on the utility or local government, until the mediation is concluded, terminated, or an impasse is declared. The local government and utility may agree to waive or extend this 90-day time period. Upon rendition of a final decision of the local government, a person may pursue available legal remedies in accordance with law, and the matter shall be considered on an expedited basis.

(b) A local government's land development and construction regulations for new ~~distribution~~ electric substations or for changes to existing electric substations and the local government's review of an application for the placement or construction of a new ~~distribution~~ electric substation or for changes to an existing electric substation shall only address land development, zoning, or aesthetic compatibility-based issues. In such local government regulations or review, a local government may not require information or evaluate a utility's business decisions about its service, customer demand for its service, or quality of its service to or from a particular area or site, unless the utility voluntarily offers this information to the local government.

(7) Substation siting standards adopted after the effective date of this act ~~does~~ shall not apply to applications for new ~~distribution~~ electric substations or for changes to existing electric substations which ~~substation applications that were submitted before~~ prior to the notice of the local government's adoption hearing.

(8)(a) If a local government has adopted standards for the siting of new ~~distribution~~ electric substations or for changes to existing electric substations within any of the local government's land use categories or zoning districts, the local government shall grant or deny a properly completed application for a permit to locate a new electric substation or change an existing ~~distribution~~ electric substation within the land use category or zoning district within 90 days after the date the properly completed application is declared complete in accordance with the applicable local government application procedures. If the local government fails to approve or deny a properly completed application for a new ~~distribution~~ electric substation or for changes to an existing electric substation within the timeframes set forth, the application ~~is~~ shall be deemed automatically approved, and the applicant may proceed with construction consistent with its application without interference or penalty. Issuance of such local permit does not relieve the applicant from complying with applicable federal or

state laws or regulations and other applicable local land development or building regulations, if any.

(b) The local government shall notify the permit applicant within 30 days after the date the application is submitted as to whether the application is, for administrative purposes only, properly completed and has been properly submitted. Further completeness determinations shall be provided within 15 days after the receipt of additional information. However, such determination ~~is not shall not be not deemed an~~ approval of the application.

(c) To be effective, a waiver of the timeframes set forth in this subsection must be voluntarily agreed to by the utility applicant and the local government. A local government may request, but not require, a waiver of the timeframes by the applicant, except that, with respect to a specific application, a one-time waiver may be required in the case of a declared local, state, or federal emergency that directly affects the administration of all permitting activities of the local government.

(d) The local government may establish reasonable timeframes within which the required information to cure the application deficiency is to be provided, or the application will be considered withdrawn or closed.

Section 5. Effective upon becoming a law, subsection (7) is added to section 189.031, Florida Statutes, to read:

189.031 Legislative intent for the creation of independent special districts; special act prohibitions; model elements and other requirements; local general-purpose government/Governor and Cabinet creation authorizations.—

(7) REVIEW OF DEVELOPMENT AGREEMENTS.—An independent special district is precluded from complying with the terms of any development agreement, or any other agreement for which the development agreement serves in whole or part as consideration, which is executed within 3 months preceding the effective date of a law modifying the manner of selecting members of the governing body of the independent special district from election to appointment or from appointment to election. The newly elected or appointed governing body of the independent special district shall review within 4 months of taking office any development agreement or any other agreement for which the development agreement serves in whole or part as consideration and shall, after such review, vote on whether to seek readoption of such agreement. This subsection shall apply to any development agreement that is in effect on, or is executed after, the effective date of this section. This subsection expires July 1, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 6. Paragraph (a) of subsection (2) of section 189.08, Florida Statutes, is amended to read:

189.08 Special district public facilities report.—

(2) Each independent special district shall submit to each local general-purpose government in which it is located a public facilities report and an annual notice of any changes. The public facilities report shall specify the following information:

(a) A description of existing public facilities owned or operated by the special district, and each public facility that is operated by another entity, except a local general-purpose government, through a lease or other agreement with the special district. This description shall include the current capacity of the facility, the current demands placed upon it, and its location. This information shall be required in the initial report and updated every 7 years at least 12 months before the submission date of the evaluation and appraisal notification letter of the appropriate local government required by s. 163.3191. The department shall post a schedule on its website, based on the evaluation and appraisal notification schedule prepared pursuant to s. 163.3191(6) ~~s. 163.3191(5)~~, for use by a special district to determine when its public facilities report and updates to that report are due to the local general-purpose governments in which the special district is located.

Section 7. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2023.

Approved by the Governor May 5, 2023.

Filed in Office Secretary of State May 5, 2023.

## CHAPTER 2023-28

### Committee Substitute for Committee Substitute for House Bill No. 3

An act relating to government and corporate activism; amending s. 17.57, F.S.; defining the term “pecuniary factor”; requiring that the Chief Financial Officer, or a party authorized to invest on his or her behalf, make investment decisions based solely on pecuniary factors; amending s. 20.058, F.S.; requiring a specified attestation, under penalty of perjury, from certain organizations; defining the term “pecuniary factor”; requiring citizen support organizations and direct-support organizations to make investment decisions based solely on pecuniary factors; amending s. 112.656, F.S.; requiring that investment decisions comply with a specified requirement related to the consideration of pecuniary factors; amending s. 112.661, F.S.; conforming a provision to changes made by the act; creating s. 112.662, F.S.; defining the term “pecuniary factor”; providing that only pecuniary factors may be considered in investment decisions for retirement systems or plans; providing that the interests of participants and beneficiaries of such systems or plans may not be subordinated to other objectives; requiring shareholder rights to be exercised considering only pecuniary factors; requiring specified reports; providing requirements for such reports; requiring the Department of Management Services to report certain noncompliance to the Attorney General; authorizing certain proceedings to be brought by the Attorney General who, if successful in those proceedings, is entitled to reasonable attorney fees and costs; requiring the department to adopt rules; providing applicability; amending ss. 175.071 and 185.06, F.S.; specifying that certain public boards of trustees are subject to the requirement that only pecuniary factors be considered in investment decisions; amending s. 215.47, F.S.; defining the term “pecuniary factor”; requiring the State Board of Administration to make investment decisions based solely on pecuniary factors; providing an exception to current investment and fiduciary standards in the event of a conflict; amending s. 215.475, F.S.; requiring the Florida Retirement System Defined Benefit Plan Investment Policy Statement to comply with the requirement that only pecuniary factors be considered in investment decisions; amending s. 215.4755, F.S.; requiring certain investment advisors or managers to certify in writing that investment decisions are based solely on pecuniary factors; providing applicability; providing that failure to file a required certification is grounds for termination of certain contracts; providing that a submission of a materially false certification is deemed a willful refusal to comply with a certain fiduciary standard; requiring that certain noncompliance be reported to the Attorney General, who is authorized to bring certain civil or administrative actions; providing that if the Attorney General is successful in those proceedings, he or she is entitled to reasonable attorney fees and costs; creating s. 215.681, F.S.; defining terms; prohibiting bond issuers from issuing environmental, social, and governance bonds and taking other related

actions; authorizing certain financial institutions to purchase and underwrite specified bonds; providing applicability; creating s. 215.855, F.S.; defining terms; requiring that contracts between governmental entities and investment managers contain certain provisions and a specified disclaimer; providing applicability; amending s. 218.415, F.S.; defining the term “pecuniary factor”; requiring units of local government to make investment decisions based solely on pecuniary factors; amending s. 280.02, F.S.; revising the definition of the term “qualified public depository”; creating s. 280.025, F.S.; requiring a specified attestation, under penalty of perjury, from certain entities; amending s. 280.05, F.S.; requiring the Chief Financial Officer to verify such attestations; requiring the Chief Financial Officer to report materially false attestations to the Attorney General, who is authorized to bring certain civil and administrative actions; providing that if the Attorney General is successful in those proceedings, he or she is entitled to reasonable attorney fees and costs; providing construction; authorizing the Chief Financial Officer to suspend or disqualify a qualified public depository that no longer meets the definition of that term; amending s. 280.051, F.S.; adding grounds for suspension or disqualification of a qualified public depository; amending s. 280.054, F.S.; providing that failure to timely file a required attestation is deemed a knowing and willful violation; amending s. 280.055, F.S.; adding a circumstance under which the Chief Financial Officer may issue certain orders against a qualified public depository; creating s. 287.05701, F.S.; defining the term “awarding body”; prohibiting an awarding body from requesting certain documentation or giving preference to vendors based on their social, political, or ideological interests; requiring that solicitations for the procurement of commodities or contractual services by an awarding body contain a specified notification, beginning on a specified date; creating s. 516.037, F.S.; requiring licensees to make certain determinations based on an analysis of certain risk factors; prohibiting such licensees from engaging in unsafe and unsound practices; providing construction; providing that certain actions on the part of licensees are an unsafe and unsound practice; requiring a specified attestation, under penalty of perjury, from applicants and licensees, beginning on a specified date; providing that a failure to comply with specified requirements or engaging in unsafe and unsound practices constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act, subject to specified sanctions and penalties; providing that only the enforcing authority can enforce such violations; providing that an enforcing authority that brings a successful action for violations is entitled to reasonable attorney fees and costs; creating s. 560.1115, F.S.; requiring licensees to make determinations about the provision or denial of services based on an analysis of certain risk factors; prohibiting the licensees from engaging in unsafe and unsound practices; providing construction; providing that certain actions are an unsafe and unsound practice; requiring a specified attestation, under penalty of perjury, from applicants and licensees, beginning on a specified date; providing that a failure to comply with specified requirements or engaging in unsafe and unsound practices constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act, subject to



specified sanctions and penalties; providing that only the enforcing authority can enforce such violations; providing that an enforcing authority that brings a successful action for violations is entitled to reasonable attorney fees and costs; amending s. 560.114, F.S.; revising the actions that constitute grounds for specified disciplinary action of a money services business, an authorized vendor, or an affiliated party; amending s. 655.005, F.S.; revising a definition; creating s. 655.0323, F.S.; requiring financial institutions to make determinations about the provision or denial of services based on an analysis of specified risk factors; prohibiting financial institutions from engaging in unsafe and unsound practices; providing construction; providing that certain actions are an unsafe and unsound practice; requiring a specified attestation, under penalty of perjury, from financial institutions annually, beginning on a specified date; providing that a failure to comply with specified requirements or engaging in unsafe and unsound practices constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act, subject to specified sanctions and penalties; providing that only the enforcing authority can enforce such violations; providing that an enforcing authority that brings a successful action for violations is entitled to reasonable attorney fees and costs; prohibiting certain entities from exercising specified authority; amending s. 1010.04, F.S.; prohibiting school districts, Florida College System Institutions, and state universities from requesting certain documentation from vendors and giving preference to vendors based on their social, political, or ideological interests; requiring that solicitations for purchases or leases include a specified notice; reenacting s. 17.61(1), F.S., relating to powers and duties of the Chief Financial Officer in the investment of certain funds, to incorporate the amendment made to s. 17.57, F.S., in references thereto; reenacting s. 215.44(3), F.S., relating to the powers and duties of the Board of Administration in the investment of trust funds, to incorporate the amendment made to s. 215.47, F.S., in a reference thereto; providing an effective date.

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

Section 1. Subsection (1) of section 17.57, Florida Statutes, is amended to read:

17.57 Deposits and investments of state money.—

(1)(a) As used in this subsection, the term “pecuniary factor” means a factor that the Chief Financial Officer, or other party authorized to invest on his or her behalf, prudently determines is expected to have a material effect on the risk or returns of an investment based on appropriate investment horizons consistent with applicable investment objectives and funding policy. The term does not include the consideration of the furtherance of any social, political, or ideological interests.

(b) The Chief Financial Officer, or other parties with the permission of the Chief Financial Officer, shall deposit the money of the state or any money in the State Treasury in such qualified public depositories of the state

as will offer satisfactory collateral security for such deposits, pursuant to chapter 280. It is the duty of the Chief Financial Officer, consistent with the cash requirements of the state, to keep such money fully invested or deposited as provided herein in order that the state may realize maximum earnings and benefits.

(c) Notwithstanding any other law except for s. 215.472, when deciding whether to invest and when investing, the Chief Financial Officer, or other party authorized to invest on his or her behalf, must make decisions based solely on pecuniary factors and may not subordinate the interests of the people of this state to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. The weight given to any pecuniary factor must appropriately reflect a prudent assessment of its impact on risk or returns.

Section 2. Present subsections (4) and (5) of section 20.058, Florida Statutes, are redesignated as subsections (5) and (6), respectively, and paragraph (g) is added to subsection (1) and a new subsection (4) is added to that section, to read:

20.058 Citizen support and direct-support organizations.—

(1) By August 1 of each year, a citizen support organization or direct-support organization created or authorized pursuant to law or executive order and created, approved, or administered by an agency, shall submit the following information to the appropriate agency:

(g) An attestation, under penalty of perjury, stating that the organization has complied with subsection (4).

(4)(a) As used in this section, the term “pecuniary factor” means a factor that the citizen support organization or direct-support organization prudently determines is expected to have a material effect on the risk or returns of an investment based on appropriate investment horizons consistent with applicable investment objectives and funding policy. The term does not include the consideration of the furtherance of any social, political, or ideological interests.

(b) Notwithstanding any other law, when deciding whether to invest and when investing funds on behalf of an agency, the citizen support organization or direct-support organization must make decisions based solely on pecuniary factors and may not subordinate the interests of the people of this state to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. The weight given to any pecuniary factor must appropriately reflect a prudent assessment of its impact on risk or returns.

Section 3. Subsection (1) of section 112.656, Florida Statutes, is amended to read:

112.656 Fiduciary duties; certain officials included as fiduciaries.—

(1) A fiduciary shall discharge his or her duties with respect to a plan solely in the interest of the participants and beneficiaries for the exclusive purpose of providing benefits to participants and their beneficiaries and defraying reasonable expenses of administering the plan. Investment decisions must comply with s. 112.662.

Section 4. Subsection (4) of section 112.661, Florida Statutes, is amended to read:

112.661 Investment policies.—Investment of the assets of any local retirement system or plan must be consistent with a written investment policy adopted by the board. Such policies shall be structured to maximize the financial return to the retirement system or plan consistent with the risks incumbent in each investment and shall be structured to establish and maintain an appropriate diversification of the retirement system or plan’s assets.

(4) INVESTMENT AND FIDUCIARY STANDARDS.—The investment policy shall describe the level of prudence and ethical standards to be followed by the board in carrying out its investment activities with respect to funds described in this section. The board in performing its investment duties shall comply with the fiduciary standards set forth in the Employee Retirement Income Security Act of 1974 at 29 U.S.C. s. 1104(a)(1)(A)-(C). Except as provided in s. 112.662, in case of conflict with other provisions of law authorizing investments, the investment and fiduciary standards set forth in this section shall prevail.

Section 5. Section 112.662, Florida Statutes, is created to read:

112.662 Investments; exercising shareholder rights.—

(1) As used in this section, the term “pecuniary factor” means a factor that the plan administrator, named fiduciary, board, or board of trustees prudently determines is expected to have a material effect on the risk or returns of an investment based on appropriate investment horizons consistent with the investment objectives and funding policy of the retirement system or plan. The term does not include the consideration of the furtherance of any social, political, or ideological interests.

(2) Notwithstanding any other law, when deciding whether to invest and when investing the assets of any retirement system or plan, only pecuniary factors may be considered and the interests of the participants and beneficiaries of the system or plan may not be subordinated to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. The weight given to any pecuniary factor must appropriately reflect a prudent assessment of its impact on risk or returns.

(3) Notwithstanding any other law, when deciding whether to exercise shareholder rights or when exercising such rights on behalf of a retirement

system or plan, including the voting of proxies, only pecuniary factors may be considered and the interests of the participants and beneficiaries of the system or plan may not be subordinated to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor.

(4)(a) By December 15, 2023, and by December 15 of each odd-numbered year thereafter, each retirement system or plan shall file a comprehensive report detailing and reviewing the governance policies concerning decision-making in vote decisions and adherence to the fiduciary standards required of such retirement system or plan under this section, including the exercise of shareholder rights.

1. The State Board of Administration, on behalf of the Florida Retirement System, shall submit its report to the Governor, the Attorney General, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives.

2. All other retirement systems or plans shall submit their reports to the Department of Management Services.

(b) By January 15, 2024, and by January 15 of each even-numbered year thereafter, the Department of Management Services shall submit a summary report to the Governor, the Attorney General, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives that includes a summary of the reports submitted under paragraph (a) and identifies any relevant trends among such systems and plans.

(c) The Department of Management Services shall report incidents of noncompliance to the Attorney General, who may institute proceedings to enjoin any person found violating this section. If such action is successful, the Attorney General is entitled to reasonable attorney fees and costs.

(d) The Department of Management Services shall adopt rules to implement this subsection.

(5) This section does not apply to individual member-directed investment accounts established as part of a defined contribution plan under s. 401(a), s. 403(b), or s. 457 of the Internal Revenue Code.

Section 6. Subsection (1) of section 175.071, Florida Statutes, is amended to read:

175.071 General powers and duties of board of trustees.—For any municipality, special fire control district, chapter plan, local law municipality, local law special fire control district, or local law plan under this chapter:

(1) The board of trustees, subject to the fiduciary standards in ss. 112.656, 112.661, and 518.11, ~~and the Code of Ethics in ss. 112.311-112.3187, and the requirements in s. 112.662,~~ may:

(a) Invest and reinvest the assets of the firefighters' pension trust fund in annuity and life insurance contracts of life insurance companies in amounts sufficient to provide, in whole or in part, the benefits to which all of the participants in the firefighters' pension trust fund are entitled under this chapter and pay the initial and subsequent premiums thereon.

(b) Invest and reinvest the assets of the firefighters' pension trust fund in:

1. Time or savings accounts of a national bank, a state bank insured by the Bank Insurance Fund, or a savings, building, and loan association insured by the Savings Association Insurance Fund administered by the Federal Deposit Insurance Corporation or a state or federal chartered credit union whose share accounts are insured by the National Credit Union Share Insurance Fund.

2. Obligations of the United States or obligations guaranteed as to principal and interest by the government of the United States.

3. Bonds issued by the State of Israel.

4. Bonds, stocks, or other evidences of indebtedness issued or guaranteed by a corporation organized under the laws of the United States, any state or organized territory of the United States, or the District of Columbia, if:

a. The corporation is listed on any one or more of the recognized national stock exchanges or on the National Market System of the NASDAQ Stock Market and, in the case of bonds only, holds a rating in one of the three highest classifications by a major rating service; and

b. The board of trustees may not invest more than 5 percent of its assets in the common stock or capital stock of any one issuing company, nor may the aggregate investment in any one issuing company exceed 5 percent of the outstanding capital stock of that company or the aggregate of its investments under this subparagraph at cost exceed 50 percent of the assets of the fund.

This paragraph applies to all boards of trustees and participants. However, if a municipality or special fire control district has a duly enacted pension plan pursuant to, and in compliance with, s. 175.351, and the trustees desire to vary the investment procedures, the trustees of such plan must request a variance of the investment procedures as outlined herein only through a municipal ordinance, special act of the Legislature, or resolution by the governing body of the special fire control district; if a special act, or a municipality by ordinance adopted before July 1, 1998, permits a greater than 50-percent equity investment, such municipality is not required to comply with the aggregate equity investment provisions of this paragraph.

Notwithstanding any other provision of law, this section may not be construed to take away any preexisting legal authority to make equity investments that exceed the requirements of this paragraph. Notwithstanding any other provision of law, the board of trustees may invest up to 25 percent of plan assets in foreign securities on a market-value basis. The investment cap on foreign securities may not be revised, amended, increased, or repealed except as provided by general law.

(c) Issue drafts upon the firefighters' pension trust fund pursuant to this act and rules prescribed by the board of trustees. All such drafts must be consecutively numbered, be signed by the chair and secretary, or by two individuals designated by the board who are subject to the same fiduciary standards as the board of trustees under this subsection, and state upon their faces the purpose for which the drafts are drawn. The treasurer or depository of each municipality or special fire control district shall retain such drafts when paid, as permanent vouchers for disbursements made, and no money may be otherwise drawn from the fund.

(d) Convert into cash any securities of the fund.

(e) Keep a complete record of all receipts and disbursements and the board's acts and proceedings.

Section 7. Subsection (1) of section 185.06, Florida Statutes, is amended to read:

185.06 General powers and duties of board of trustees.—For any municipality, chapter plan, local law municipality, or local law plan under this chapter:

(1) The board of trustees, subject to the fiduciary standards in ss. 112.656, 112.661, and 518.11, ~~and the Code of Ethics in ss. 112.311-112.3187, and the requirements in s. 112.662,~~ may:

(a) Invest and reinvest the assets of the retirement trust fund in annuity and life insurance contracts of life insurance companies in amounts sufficient to provide, in whole or in part, the benefits to which all of the participants in the municipal police officers' retirement trust fund are entitled under this chapter, and pay the initial and subsequent premiums thereon.

(b) Invest and reinvest the assets of the retirement trust fund in:

1. Time or savings accounts of a national bank, a state bank insured by the Bank Insurance Fund, or a savings and loan association insured by the Savings Association Insurance Fund administered by the Federal Deposit Insurance Corporation or a state or federal chartered credit union whose share accounts are insured by the National Credit Union Share Insurance Fund.

2. Obligations of the United States or obligations guaranteed as to principal and interest by the United States.

3. Bonds issued by the State of Israel.

4. Bonds, stocks, or other evidences of indebtedness issued or guaranteed by a corporation organized under the laws of the United States, any state or organized territory of the United States, or the District of Columbia, provided:

a. The corporation is listed on any one or more of the recognized national stock exchanges or on the National Market System of the NASDAQ Stock Market and, in the case of bonds only, holds a rating in one of the three highest classifications by a major rating service; and

b. The board of trustees may not invest more than 5 percent of its assets in the common stock or capital stock of any one issuing company, nor shall the aggregate investment in any one issuing company exceed 5 percent of the outstanding capital stock of the company or the aggregate of its investments under this subparagraph at cost exceed 50 percent of the fund's assets.

This paragraph applies to all boards of trustees and participants. However, if a municipality has a duly enacted pension plan pursuant to, and in compliance with, s. 185.35 and the trustees desire to vary the investment procedures, the trustees of such plan shall request a variance of the investment procedures as outlined herein only through a municipal ordinance or special act of the Legislature; if a special act, or a municipality by ordinance adopted before July 1, 1998, permits a greater than 50-percent equity investment, such municipality is not required to comply with the aggregate equity investment provisions of this paragraph. Notwithstanding any other provision of law, this section may not be construed to take away any preexisting legal authority to make equity investments that exceed the requirements of this paragraph. Notwithstanding any other provision of law, the board of trustees may invest up to 25 percent of plan assets in foreign securities on a market-value basis. The investment cap on foreign securities may not be revised, amended, repealed, or increased except as provided by general law.

(c) Issue drafts upon the municipal police officers' retirement trust fund pursuant to this act and rules prescribed by the board of trustees. All such drafts shall be consecutively numbered, be signed by the chair and secretary or by two individuals designated by the board who are subject to the same fiduciary standards as the board of trustees under this subsection, and state upon their faces the purposes for which the drafts are drawn. The city treasurer or other depository shall retain such drafts when paid, as permanent vouchers for disbursements made, and no money may otherwise be drawn from the fund.

(d) Finally decide all claims to relief under the board's rules and regulations and pursuant to the provisions of this act.

(e) Convert into cash any securities of the fund.

(f) Keep a complete record of all receipts and disbursements and of the board's acts and proceedings.

Section 8. Subsection (10) of section 215.47, Florida Statutes, is amended to read:

215.47 Investments; authorized securities; loan of securities.—Subject to the limitations and conditions of the State Constitution or of the trust agreement relating to a trust fund, moneys available for investments under ss. 215.44-215.53 may be invested as follows:

(10)(a) As used in this subsection, the term “pecuniary factor” means a factor that the State Board of Administration prudently determines is expected to have a material effect on the risk or returns of an investment based on appropriate investment horizons consistent with applicable investment objectives and funding policy. The term does not include the consideration of the furtherance of any social, political, or ideological interests.

(b) Notwithstanding any other law except for ss. 215.471, 215.4725, and 215.473, when deciding whether to invest and when investing the assets of any fund, the State Board of Administration must make decisions based solely on pecuniary factors and may not subordinate the interests of the participants and beneficiaries of the fund to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. The weight given to any pecuniary factor must appropriately reflect a prudent assessment of its impact on risk or returns.

(c) Investments made by the State Board of Administration shall be designed to maximize the financial return to the fund consistent with the risks incumbent in each investment and shall be designed to preserve an appropriate diversification of the portfolio. The board shall discharge its duties with respect to a plan solely in the interest of its participants and beneficiaries. The board in performing the above investment duties shall comply with the fiduciary standards set forth in the Employee Retirement Income Security Act of 1974 at 29 U.S.C. s. 1104(a)(1)(A) through (C). Except as provided in paragraph (b), in case of conflict with other provisions of law authorizing investments, the investment and fiduciary standards set forth in this paragraph subsection shall prevail.

Section 9. Subsection (1) of section 215.475, Florida Statutes, is amended to read:

215.475 Investment policy statement.—

(1) In making investments for the System Trust Fund pursuant to ss. 215.44-215.53, the board shall make no investment which is not in conformance with the Florida Retirement System Defined Benefit Plan



Investment Policy Statement, hereinafter referred to as “the IPS,” as developed by the executive director and approved by the board. The IPS must comply with s. 215.47(10) and include, among other items, the investment objectives of the System Trust Fund; permitted types of securities in which the board may invest; and evaluation criteria necessary to measure the investment performance of the fund. As required from time to time, the executive director of the board may present recommended changes in the IPS to the board for approval.

Section 10. Present paragraphs (b), (c), and (d) of subsection (1) of section 215.4755, Florida Statutes, are redesignated as paragraphs (c), (d), and (e), respectively, a new paragraph (b) is added to that subsection, and subsection (3) of that section is amended, to read:

215.4755 Certification and disclosure requirements for investment advisers and managers.—

(1) An investment adviser or manager who has discretionary investment authority for direct holdings and who is retained as provided in s. 215.44(2)(b) shall agree pursuant to contract to annually certify in writing to the board that:

(b) All investment decisions made on behalf of the trust funds and the board are made based solely on pecuniary factors as defined in s. 215.47(10)(a) and do not subordinate the interests of the participants and beneficiaries of the funds to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. This paragraph applies to any contract executed, amended, or renewed on or after July 1, 2023.

(3)(a) An investment adviser or manager certification required under subsection (1) ~~must shall~~ be provided by each annually, ~~no later than~~ January 31, for the reporting period of the previous calendar year on a form prescribed by the board.

(b) Failure to timely file the certification required under subsection (1) is grounds for termination of any contract between the board and the investment adviser or manager.

(c) Submission of a materially false certification is deemed a willful refusal to comply with the fiduciary standard described in paragraph (1)(b).

(d) If an investment adviser or manager fails to comply with the fiduciary standard described in paragraph (1)(b) while providing services to the board, the board must report such noncompliance to the Attorney General, who may bring a civil or administrative action for damages, injunctive relief, and such other relief as may be appropriate. If such action is successful, the Attorney General is entitled to reasonable attorney fees and costs.

Section 11. Section 215.681, Florida Statutes, is created to read:

215.681 ESG bonds; prohibitions.—

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

(a) “Bonds” means any note, general obligation bond, revenue bond, special assessment bond, special obligation bond, private activity bond, certificate of participation, or other evidence of indebtedness or obligation, in either temporary or definitive form.

(b) “ESG” means environmental, social, and governance.

(c) “ESG bonds” means any bonds that have been designated or labeled as bonds that will be used to finance a project with an ESG purpose, including, but not limited to, green bonds, Certified Climate Bonds, GreenStar designated bonds, and other environmental bonds marketed as promoting a generalized or global environmental objective; social bonds marketed as promoting a social objective; and sustainability bonds and sustainable development goal bonds marketed as promoting both environmental and social objectives. The term includes those bonds self-designated by the issuer as ESG-labeled bonds and those designated as ESG-labeled bonds by a third-party verifier.

(d) “Issuer” means the division, acting on behalf of any entity; any local government, educational entity, or entity of higher education as defined in s. 215.89(2)(c), (d), and (e), respectively, or other political subdivision granted the power to issue bonds; any public body corporate and politic authorized or created by general or special law and granted the power to issue bonds, including, but not limited to, a water and sewer district created under chapter 153, a health facilities authority as defined in s. 154.205, an industrial development authority created under chapter 159, a housing financing authority as defined in s. 159.603(3), a research and development authority as defined in s. 159.702(1)(c), a legal or administrative entity created by interlocal agreement pursuant to s. 163.01(7), a community redevelopment agency as defined in s. 163.340(1), a regional transportation authority created under chapter 163, a community development district as defined in s. 190.003, an educational facilities authority as defined in s. 243.52(1), the Higher Educational Facilities Financing Authority created under s. 243.53, the Florida Development Finance Corporation created under s. 288.9604, a port district or port authority as defined in s. 315.02(1) and (2), respectively, the South Florida Regional Transportation Authority created under s. 343.53, the Central Florida Regional Transportation Authority created under s. 343.63, the Tampa Bay Area Regional Transit Authority created under s. 343.92, the Greater Miami Expressway Agency created under s. 348.0304, the Tampa-Hillsborough County Expressway Authority created under s. 348.52, the Central Florida Expressway Authority created under s. 348.753, the Jacksonville Transportation Authority created under s. 349.03, and the Florida Housing Finance Corporation created under s. 420.504.

(e) “Rating agency” means any nationally recognized rating service or nationally recognized statistical rating organization.

(f) “Third-party verifier” means any entity that contracts with an issuer to conduct an external review and independent assessment of proposed ESG bonds to ensure that such bonds may be designated or labeled as ESG bonds or will be used to finance a project that will comply with applicable ESG standards.

(2) Notwithstanding any other provision of law relating to the issuance of bonds, it is a violation of this section and it is prohibited for any issuer to:

(a) Issue ESG bonds.

(b) Expend public funds as defined in s. 215.85(3) or use moneys derived from the issuance of bonds to pay for the services of a third-party verifier related to the designation or labeling of bonds as ESG bonds, including, but not limited to, certifying or verifying that bonds may be designated or labeled as ESG bonds, rendering a second-party opinion or producing a verifier’s report as to the compliance of proposed ESG bonds with applicable ESG standards and metrics, complying with post-issuance reporting obligations, or other services that are only provided due to the designation or labeling of bonds as ESG bonds.

(c) Enter into a contract with any rating agency whose ESG scores for such issuer will have a direct, negative impact on the issuer’s bond ratings.

(3) Notwithstanding s. 655.0323, a financial institution as defined in s. 655.005(1) may purchase and underwrite bonds issued by a governmental entity.

(4) This section does not apply to any bonds issued before July 1, 2023, or to any agreement entered into or any contract executed before July 1, 2023.

Section 12. Section 215.855, Florida Statutes, is created to read:

215.855 Investment manager external communication.—

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

(a) “Governmental entity” means a state, regional, county, municipal, special district, or other political subdivision whether executive, judicial, or legislative, including, but not limited to, a department, division, board, bureau, commission, authority, district, or agency thereof, or a public school, Florida College System institution, state university, or associated board.

(b) “Investment manager” means a private sector company that offers one or more investment products or services to a governmental entity and that has the discretionary investment authority for direct holdings.

(c) “Public funds” means all moneys under the jurisdiction of a governmental entity and includes all manner of pension and retirement funds and all other funds held, as trust funds or otherwise, for any public purpose, subject to investment.

(2) Any contract between a governmental entity and an investment manager must contain the following provisions:

(a) That any written communication made by the investment manager to a company in which such manager invests public funds on behalf of a governmental entity must include the following disclaimer in a conspicuous location if such communication discusses social, political, or ideological interests; subordinates the interests of the company’s shareholders to the interest of another entity; or advocates for the interest of an entity other than the company’s shareholders:

The views and opinions expressed in this communication are those of the sender and do not reflect the views and opinions of the people of the State of Florida.

(b) That the contract may be unilaterally terminated at the option of the governmental entity if the investment manager does not include the disclaimer required in paragraph (a).

(3) This section applies to contracts between a governmental entity and an investment manager executed, amended, or renewed on or after July 1, 2023.

Section 13. Subsection (24) is added to section 218.415, Florida Statutes, to read:

218.415 Local government investment policies.—Investment activity by a unit of local government must be consistent with a written investment plan adopted by the governing body, or in the absence of the existence of a governing body, the respective principal officer of the unit of local government and maintained by the unit of local government or, in the alternative, such activity must be conducted in accordance with subsection (17). Any such unit of local government shall have an investment policy for any public funds in excess of the amounts needed to meet current expenses as provided in subsections (1)-(16), or shall meet the alternative investment guidelines contained in subsection (17). Such policies shall be structured to place the highest priority on the safety of principal and liquidity of funds. The optimization of investment returns shall be secondary to the requirements for safety and liquidity. Each unit of local government shall adopt policies that are commensurate with the nature and size of the public funds within its custody.

(24) INVESTMENT DECISIONS.—

(a) As used in this subsection, the term “pecuniary factor” means a factor that the governing body of the unit of local government, or in the absence of the existence of a governing body, the respective principal officer of the unit of local government, prudently determines is expected to have a material effect on the risk or returns of an investment based on appropriate investment horizons consistent with applicable investment objectives and funding policy. The term does not include the consideration of the furtherance of any social, political, or ideological interests.

(b) Notwithstanding any other law, when deciding whether to invest and when investing public funds pursuant to this section, the unit of local government must make decisions based solely on pecuniary factors and may not subordinate the interests of the people of this state to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. The weight given to any pecuniary factor must appropriately reflect a prudent assessment of its impact on risk or returns.

Section 14. Present paragraphs (e) and (f) of subsection (26) of section 280.02, Florida Statutes, are redesignated as paragraphs (g) and (h), respectively, and new paragraphs (e) and (f) are added to that subsection, to read:

280.02 Definitions.—As used in this chapter, the term:

(26) “Qualified public depository” means a bank, savings bank, or savings association that:

(e) Makes determinations about the provision of services or the denial of services based on an analysis of risk factors unique to each customer or member. This paragraph does not restrict a qualified public depository that claims a religious purpose from making such determinations based on the religious beliefs, religious exercise, or religious affiliations of a customer or member.

(f) Does not engage in the unsafe and unsound practice of denying or canceling its services to a person, or otherwise discriminating against a person in making available such services or in the terms or conditions of such services, on the basis of:

1. The person’s political opinions, speech, or affiliations;
2. Except as provided in paragraph (e), the person’s religious beliefs, religious exercise, or religious affiliations;
3. Any factor if it is not a quantitative, impartial, and risk-based standard, including any such factor related to the person’s business sector; or
4. The use of any rating, scoring, analysis, tabulation, or action that considers a social credit score based on factors including, but not limited to:

- a. The person's political opinions, speech, or affiliations.
- b. The person's religious beliefs, religious exercise, or religious affiliations.
- c. The person's lawful ownership of a firearm.
- d. The person's engagement in the lawful manufacture, distribution, sale, purchase, or use of firearms or ammunition.
- e. The person's engagement in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy, timber, mining, or agriculture.
- f. The person's support of the state or Federal Government in combatting illegal immigration, drug trafficking, or human trafficking.
- g. The person's engagement with, facilitation of, employment by, support of, business relationship with, representation of, or advocacy for any person described in this subparagraph.
- h. The person's failure to meet or commit to meet, or expected failure to meet, any of the following as long as such person is in compliance with applicable state or federal law:
  - (I) Environmental standards, including emissions standards, benchmarks, requirements, or disclosures;
  - (II) Social governance standards, benchmarks, or requirements, including, but not limited to, environmental or social justice;
  - (III) Corporate board or company employment composition standards, benchmarks, requirements, or disclosures based on characteristics protected under the Florida Civil Rights Act of 1992; or
  - (IV) Policies or procedures requiring or encouraging employee participation in social justice programming, including, but not limited to, diversity, equity, or inclusion training.

Section 15. Section 280.025, Florida Statutes, is created to read:

280.025 Attestation required.—

- (1) Beginning July 1, 2023, the following entities must attest, under penalty of perjury, on a form prescribed by the Chief Financial Officer, whether the entity is in compliance with s. 280.02(26)(e) and (f):
  - (a) A bank, savings bank, or savings association, upon application or reapplication for designation as a qualified public depository.
  - (b) A qualified public depository, upon filing the report required by s. 280.16(1)(d).

(2) If an application or reapplication for designation as a qualified public depository is pending on July 1, 2023, the bank, savings bank, or savings association must file the attestation required under subsection (1) before being designated or redesignated a qualified public depository.

Section 16. Paragraph (d) of subsection (13) and subsection (17) of section 280.05, Florida Statutes, are amended to read:

280.05 Powers and duties of the Chief Financial Officer.—In fulfilling the requirements of this act, the Chief Financial Officer has the power to take the following actions he or she deems necessary to protect the integrity of the public deposits program:

(13) Require the filing of the following reports, which the Chief Financial Officer shall process as provided:

(d)1. Any related documents, reports, records, or other information deemed necessary by the Chief Financial Officer in order to ascertain compliance with this chapter, including, but not limited to, verifying the attestation required under s. 280.025.

2. If the Chief Financial Officer determines that the attestation required under s. 280.025 is materially false, he or she must report such determination to the Attorney General, who may bring a civil or administrative action for damages, injunctive relief, and such other relief as may be appropriate. If such action is successful, the Attorney General is entitled to reasonable attorney fees and costs.

3. As related to federally chartered financial institutions, this paragraph may not be construed to create a power exceeding the visitorial powers of the Chief Financial Officer allowed under federal law.

(17) Suspend or disqualify or disqualify after suspension any qualified public depository that has violated any of the provisions of this chapter or of rules adopted hereunder or that no longer meets the definition of a qualified public depository under s. 280.02.

(a) Any qualified public depository that is suspended or disqualified pursuant to this subsection is subject to the provisions of s. 280.11(2) governing withdrawal from the public deposits program and return of pledged collateral. Any suspension shall not exceed a period of 6 months. Any qualified public depository which has been disqualified may not reapply for qualification until after the expiration of 1 year from the date of the final order of disqualification or the final disposition of any appeal taken therefrom.

(b) In lieu of suspension or disqualification, impose an administrative penalty upon the qualified public depository as provided in s. 280.054.

(c) If the Chief Financial Officer has reason to believe that any qualified public depository or any other financial institution holding public deposits is

or has been violating ~~any of the provisions of this chapter or of rules adopted hereunder or no longer meets the definition of a qualified public depository under s. 280.02~~, he or she may issue to the qualified public depository or other financial institution an order to cease and desist from the violation or to correct the condition giving rise to or resulting from the violation. If any qualified public depository or other financial institution violates a cease-and-desist or corrective order, the Chief Financial Officer may impose an administrative penalty upon the qualified public depository or other financial institution as provided in s. 280.054 or s. 280.055. In addition to the administrative penalty, the Chief Financial Officer may suspend or disqualify any qualified public depository for violation of any order issued pursuant to this paragraph.

Section 17. Subsections (14) and (15) are added to section 280.051, Florida Statutes, to read:

280.051 Grounds for suspension or disqualification of a qualified public depository.—A qualified public depository may be suspended or disqualified or both if the Chief Financial Officer determines that the qualified public depository has:

(14) Failed to file the attestation required under s. 280.025.

(15) No longer meets the definition of a qualified public depository under s. 280.02.

Section 18. Paragraph (b) of subsection (1) of section 280.054, Florida Statutes, is amended to read:

280.054 Administrative penalty in lieu of suspension or disqualification.

(1) If the Chief Financial Officer finds that one or more grounds exist for the suspension or disqualification of a qualified public depository, the Chief Financial Officer may, in lieu of suspension or disqualification, impose an administrative penalty upon the qualified public depository.

(b) With respect to any knowing and willful violation of a lawful order or rule, the Chief Financial Officer may impose a penalty upon the qualified public depository in an amount not exceeding \$1,000 for each violation. If restitution is due, the qualified public depository shall make restitution upon the order of the Chief Financial Officer and shall pay interest on such amount at the legal rate. Each day a violation continues constitutes a separate violation. Failure to timely file the attestation required under s. 280.025 is deemed a knowing and willful violation.

Section 19. Paragraphs (e) and (f) of subsection (1) of section 280.055, Florida Statutes, are amended, and paragraph (g) is added to that subsection, to read:

280.055 Cease and desist order; corrective order; administrative penalty.—



(1) The Chief Financial Officer may issue a cease and desist order and a corrective order upon determining that:

(e) A qualified public depository or a custodian has not furnished to the Chief Financial Officer, when the Chief Financial Officer requested, a power of attorney or bond power or bond assignment form required by the bond agent or bond trustee for each issue of registered certificated securities pledged and registered in the name, or nominee name, of the qualified public depository or custodian; ~~or~~

(f) A qualified public depository; a bank, savings association, or other financial institution; or a custodian has committed any other violation of this chapter or any rule adopted pursuant to this chapter that the Chief Financial Officer determines may be remedied by a cease and desist order or corrective order; or

(g) A qualified public depository no longer meets the definition of a qualified public depository under s. 280.02.

Section 20. Section 287.05701, Florida Statutes, is created to read:

287.05701 Prohibition against considering social, political, or ideological interests in government contracting.—

(1) As used in this section, the term “awarding body” means:

(a) For state contracts, an agency or the department.

(b) For local government contracts, the governing body of a county, a municipality, a special district, or any other political subdivision of the state.

(2)(a) An awarding body may not request documentation of or consider a vendor’s social, political, or ideological interests when determining if the vendor is a responsible vendor.

(b) An awarding body may not give preference to a vendor based on the vendor’s social, political, or ideological interests.

(3) Beginning July 1, 2023, any solicitation for the procurement of commodities or contractual services by an awarding body must include a provision notifying vendors of the provisions of this section.

Section 21. Section 516.037, Florida Statutes, is created to read:

516.037 Unsafe and unsound practices.—

(1) Licensees must make determinations about the provision or denial of services based on an analysis of risk factors unique to each current or prospective customer and may not engage in an unsafe and unsound practice as provided in subsection (2). This subsection does not restrict a licensee that claims a religious purpose from making such determinations based on the

current or prospective customer's religious beliefs, religious exercise, or religious affiliations.

(2) It is an unsafe and unsound practice for a licensee to deny or cancel its services to a person, or to otherwise discriminate against a person in making available such services or in the terms or conditions of such services, on the basis of:

(a) The person's political opinions, speech, or affiliations;

(b) Except as provided in subsection (1), the person's religious beliefs, religious exercise, or religious affiliations;

(c) Any factor if it is not a quantitative, impartial, and risk-based standard, including any such factor related to the person's business sector; or

(d) The use of any rating, scoring, analysis, tabulation, or action that considers a social credit score based on factors including, but not limited to:

1. The person's political opinions, speech, or affiliations.

2. The person's religious beliefs, religious exercise, or religious affiliations.

3. The person's lawful ownership of a firearm.

4. The person's engagement in the lawful manufacture, distribution, sale, purchase, or use of firearms or ammunition.

5. The person's engagement in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy, timber, mining, or agriculture.

6. The person's support of the state or Federal Government in combatting illegal immigration, drug trafficking, or human trafficking.

7. The person's engagement with, facilitation of, employment by, support of, business relationship with, representation of, or advocacy for any person described in this paragraph.

8. The person's failure to meet or commit to meet, or expected failure to meet, any of the following as long as such person is in compliance with applicable state or federal law:

a. Environmental standards, including emissions standards, benchmarks, requirements, or disclosures;

b. Social governance standards, benchmarks, or requirements, including, but not limited to, environmental or social justice;

c. Corporate board or company employment composition standards, benchmarks, requirements, or disclosures based on characteristics protected under the Florida Civil Rights Act of 1992; or

d. Policies or procedures requiring or encouraging employee participation in social justice programming, including, but not limited to, diversity, equity, or inclusion training.

(3) Beginning July 1, 2023, and upon application for a license or license renewal, applicants and licensees must attest, under penalty of perjury, on a form prescribed by the commission whether the applicant or licensee is acting in compliance with subsections (1) and (2).

(4) In addition to any sanctions and penalties under this chapter, a failure to comply with subsection (1) or engaging in a practice described in subsection (2) constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501. Notwithstanding s. 501.211, violations must be enforced only by the enforcing authority, as defined in s. 501.203(2), and subject the violator to the sanctions and penalties provided for in that part. If such action is successful, the enforcing authority is entitled to reasonable attorney fees and costs.

Section 22. Section 560.1115, Florida Statutes, is created to read:

560.1115 Unsafe and unsound practices.—

(1) Licensees must make determinations about the provision or denial of services based on an analysis of risk factors unique to each current or prospective customer and may not engage in an unsafe and unsound practice as provided in subsection (2). This subsection does not restrict a licensee that claims a religious purpose from making such determinations based on the current or prospective customer's religious beliefs, religious exercise, or religious affiliations.

(2) It is an unsafe and unsound practice for a licensee to deny or cancel its services to a person, or to otherwise discriminate against a person in making available such services or in the terms or conditions of such services, on the basis of:

(a) The person's political opinions, speech, or affiliations;

(b) Except as provided in subsection (1), the person's religious beliefs, religious exercise, or religious affiliations;

(c) Any factor if it is not a quantitative, impartial, and risk-based standard, including any such factor related to the person's business sector; or

(d) The use of any rating, scoring, analysis, tabulation, or action that considers a social credit score based on factors including, but not limited to:

1. The person's political opinions, speech, or affiliations.
  2. The person's religious beliefs, religious exercise, or religious affiliations.
  3. The person's lawful ownership of a firearm.
  4. The person's engagement in the lawful manufacture, distribution, sale, purchase, or use of firearms or ammunition.
  5. The person's engagement in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy, timber, mining, or agriculture.
  6. The person's support of the state or Federal Government in combating illegal immigration, drug trafficking, or human trafficking.
  7. The person's engagement with, facilitation of, employment by, support of, business relationship with, representation of, or advocacy for any person described in this paragraph.
  8. The person's failure to meet or commit to meet, or expected failure to meet, any of the following as long as such person is in compliance with applicable state or federal law:
    - a. Environmental standards, including emissions standards, benchmarks, requirements, or disclosures;
    - b. Social governance standards, benchmarks, or requirements, including, but not limited to, environmental or social justice;
    - c. Corporate board or company employment composition standards, benchmarks, requirements, or disclosures based on characteristics protected under the Florida Civil Rights Act of 1992; or
    - d. Policies or procedures requiring or encouraging employee participation in social justice programming, including, but not limited to, diversity, equity, or inclusion training.
- (3) Beginning July 1, 2023, and upon application for a license or license renewal, applicants and licensees, as applicable, must attest, under penalty of perjury, on a form prescribed by the commission whether the applicant or licensee is acting in compliance with subsections (1) and (2).
- (4) In addition to any sanctions and penalties under this chapter, a failure to comply with subsection (1) or engaging in a practice described in subsection (2) constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501. Notwithstanding s. 501.211, violations must be enforced only by the enforcing authority, as defined in s. 501.203(2), and subject the violator to the sanctions and

penalties provided for in that part. If such action is successful, the enforcing authority is entitled to reasonable attorney fees and costs.

Section 23. Paragraph (h) of subsection (1) of section 560.114, Florida Statutes, is amended to read:

560.114 Disciplinary actions; penalties.—

(1) The following actions by a money services business, authorized vendor, or affiliated party constitute grounds for the issuance of a cease and desist order; the issuance of a removal order; the denial, suspension, or revocation of a license; or taking any other action within the authority of the office pursuant to this chapter:

(h) Engaging in an act prohibited under s. 560.111 or s. 560.1115.

Section 24. Paragraph (y) of subsection (1) of section 655.005, Florida Statutes, is amended to read:

655.005 Definitions.—

(1) As used in the financial institutions codes, unless the context otherwise requires, the term:

(y) “Unsafe or unsound practice” or “unsafe and unsound practice” means:

1. Any practice or conduct found by the office to be contrary to generally accepted standards applicable to a financial institution, or a violation of any prior agreement in writing or order of a state or federal regulatory agency, which practice, conduct, or violation creates the likelihood of loss, insolvency, or dissipation of assets or otherwise prejudices the interest of the financial institution or its depositors or members. In making this determination, the office must consider the size and condition of the financial institution, the gravity of the violation, and the prior conduct of the person or institution involved; or

2. Failure to comply with s. 655.0323(1), or engaging in a practice described in s. 655.0323(2).

Section 25. Section 655.0323, Florida Statutes, is created to read:

655.0323 Unsafe and unsound practices.—

(1) Financial institutions must make determinations about the provision or denial of services based on an analysis of risk factors unique to each current or prospective customer or member and may not engage in an unsafe and unsound practice as provided in subsection (2). This subsection does not restrict a financial institution that claims a religious purpose from making such determinations based on the current or prospective customer’s or member’s religious beliefs, religious exercise, or religious affiliations.

(2) It is an unsafe and unsound practice for a financial institution to deny or cancel its services to a person, or to otherwise discriminate against a person in making available such services or in the terms or conditions of such services, on the basis of:

(a) The person's political opinions, speech, or affiliations;

(b) Except as provided in subsection (1), the person's religious beliefs, religious exercise, or religious affiliations;

(c) Any factor if it is not a quantitative, impartial, and risk-based standard, including any such factor related to the person's business sector; or

(d) The use of any rating, scoring, analysis, tabulation, or action that considers a social credit score based on factors including, but not limited to:

1. The person's political opinions, speech, or affiliations.

2. The person's religious beliefs, religious exercise, or religious affiliations.

3. The person's lawful ownership of a firearm.

4. The person's engagement in the lawful manufacture, distribution, sale, purchase, or use of firearms or ammunition.

5. The person's engagement in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy, timber, mining, or agriculture.

6. The person's support of the state or Federal Government in combating illegal immigration, drug trafficking, or human trafficking.

7. The person's engagement with, facilitation of, employment by, support of, business relationship with, representation of, or advocacy for any person described in this paragraph.

8. The person's failure to meet or commit to meet, or expected failure to meet, any of the following as long as such person is in compliance with applicable state or federal law:

a. Environmental standards, including emissions standards, benchmarks, requirements, or disclosures;

b. Social governance standards, benchmarks, or requirements, including, but not limited to, environmental or social justice;

c. Corporate board or company employment composition standards, benchmarks, requirements, or disclosures based on characteristics protected under the Florida Civil Rights Act of 1992; or

d. Policies or procedures requiring or encouraging employee participation in social justice programming, including, but not limited to, diversity, equity, or inclusion training.

(3) Beginning July 1, 2023, and by July 1 of each year thereafter, financial institutions subject to the financial institutions codes must attest, under penalty of perjury, on a form prescribed by the commission whether the entity is acting in compliance with subsections (1) and (2).

(4) Engaging in a practice described in subsection (2) or failing to timely provide the attestation under subsection (3) is a failure to comply with this chapter, constitutes a violation of the financial institutions codes, and is subject to the applicable sanctions and penalties provided for in the financial institutions codes.

(5) Notwithstanding ss. 501.211 and 501.212, a failure to comply with subsection (1) or engaging in a practice described in subsection (2) constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501. Violations must be enforced only by the enforcing authority, as defined in s. 501.203(2), and subject the violator to the sanctions and penalties provided for in that part. If such action is successful, the enforcing authority is entitled to reasonable attorney fees and costs.

(6) The office and the commission may not exercise authority pursuant to s. 655.061 in relation to this section.

Section 26. Subsection (5) is added to section 1010.04, Florida Statutes, to read:

1010.04 Purchasing.—

(5) Beginning July 1, 2023, school districts, Florida College System institutions, and state universities may not:

(a) Request documentation of or consider a vendor’s social, political, or ideological interests.

(b) Give preference to a vendor based on the vendor’s social, political, or ideological interests.

Any solicitation for purchases and leases must include a provision notifying vendors of the provisions of this subsection.

Section 27. For the purpose of incorporating the amendment made by this act to section 17.57, Florida Statutes, in references thereto, subsection (1) of section 17.61, Florida Statutes, is reenacted to read:

17.61 Chief Financial Officer; powers and duties in the investment of certain funds.—

(1) The Chief Financial Officer shall invest all general revenue funds and all the trust funds and all agency funds of each state agency, and of the judicial branch, as defined in s. 216.011, and may, upon request, invest funds of any board, association, or entity created by the State Constitution or by law, except for the funds required to be invested pursuant to ss. 215.44-215.53, by the procedure and in the authorized securities prescribed in s. 17.57; for this purpose, the Chief Financial Officer may open and maintain one or more demand and safekeeping accounts in any bank or savings association for the investment and reinvestment and the purchase, sale, and exchange of funds and securities in the accounts. Funds in such accounts used solely for investments and reinvestments shall be considered investment funds and not funds on deposit, and such funds shall be exempt from the provisions of chapter 280. In addition, the securities or investments purchased or held under the provisions of this section and s. 17.57 may be loaned to securities dealers and banks and may be registered by the Chief Financial Officer in the name of a third-party nominee in order to facilitate such loans, provided the loan is collateralized by cash or United States government securities having a market value of at least 100 percent of the market value of the securities loaned. The Chief Financial Officer shall keep a separate account, designated by name and number, of each fund. Individual transactions and totals of all investments, or the share belonging to each fund, shall be recorded in the accounts.

Section 28. For the purpose of incorporating the amendment made by this act to section 215.47, Florida Statutes, in a reference thereto, subsection (3) of section 215.44, Florida Statutes, is reenacted to read:

215.44 Board of Administration; powers and duties in relation to investment of trust funds.—

(3) Notwithstanding any law to the contrary, all investments made by the State Board of Administration pursuant to ss. 215.44-215.53 shall be subject to the restrictions and limitations contained in s. 215.47, except that investments made by the State Board of Administration under a trust agreement pursuant to subsection (1) shall be subject only to the restrictions and limitations contained in the trust agreement.

Section 29. This act shall take effect July 1, 2023.

Approved by the Governor May 2, 2023.

Filed in Office Secretary of State May 2, 2023.



## CHAPTER 2023-32

### Committee Substitute for Committee Substitute for Senate Bill No. 258

An act relating to prohibited applications on government-issued devices; creating s. 112.22, F.S.; defining terms; requiring public employers to take certain actions relating to prohibited applications; prohibiting employees and officers of public employers from downloading or accessing prohibited applications on government-issued devices; providing exceptions; providing a deadline by which specified employees must remove, delete, or uninstall a prohibited application; requiring the Department of Management Services to compile a specified list and establish procedures for a specified waiver; authorizing the department to adopt emergency rules; requiring that such rulemaking occur within a specified timeframe; requiring the department to adopt specified rules; providing a declaration of important state interest; providing an effective date.

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

Section 1. Section 112.22, Florida Statutes, is created to read:

112.22 Use of applications from foreign countries of concern prohibited.

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

(a) “Department” means the Department of Management Services.

(b) “Employee or officer” means a person who performs labor or services for a public employer in exchange for salary, wages, or other remuneration.

(c) “Foreign country of concern” means the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity under significant control of such foreign country of concern.

(d) “Foreign principal” means:

1. The government or an official of the government of a foreign country of concern;

2. A political party or a member of a political party or any subdivision of a political party in a foreign country of concern;

3. A partnership, an association, a corporation, an organization, or another combination of persons organized under the laws of or having its principal place of business in a foreign country of concern, or an affiliate or a subsidiary thereof; or

4. Any person who is domiciled in a foreign country of concern and is not a citizen or a lawful permanent resident of the United States.

(e) “Government-issued device” means a cellular telephone, desktop computer, laptop computer, computer tablet, or other electronic device capable of connecting to the Internet which is owned or leased by a public employer and issued to an employee or officer for work-related purposes.

(f) “Prohibited application” means an application that meets the following criteria:

1. Any Internet application that is created, maintained, or owned by a foreign principal and that participates in activities that include, but are not limited to:

a. Collecting keystrokes or sensitive personal, financial, proprietary, or other business data;

b. Compromising e-mail and acting as a vector for ransomware deployment;

c. Conducting cyber-espionage against a public employer;

d. Conducting surveillance and tracking of individual users; or

e. Using algorithmic modifications to conduct disinformation or misinformation campaigns; or

2. Any Internet application the department deems to present a security risk in the form of unauthorized access to or temporary unavailability of the public employer’s records, digital assets, systems, networks, servers, or information.

(g) “Public employer” means the state or any agency, authority, branch, bureau, commission, department, division, special district, institution, university, institution of higher education, or board thereof; or any county, district school board, charter school governing board, or municipality, or any agency, branch, department, board, or metropolitan planning organization thereof.

(2)(a) A public employer shall do all of the following:

1. Block all prohibited applications from public access on any network and virtual private network that it owns, operates, or maintains.

2. Restrict access to any prohibited application on a government-issued device.

3. Retain the ability to remotely wipe and uninstall any prohibited application from a government-issued device that is believed to have been adversely impacted, either intentionally or unintentionally, by a prohibited application.

(b) A person, including an employee or officer of a public employer, may not download or access any prohibited application on any government-issued device.

1. This paragraph does not apply to a law enforcement officer as defined in s. 943.10(1) if the use of the prohibited application is necessary to protect the public safety or conduct an investigation within the scope of his or her employment.

2. A public employer may request a waiver from the department to allow designated employees or officers to download or access a prohibited application on a government-issued device.

(c) Within 15 calendar days after the department issues or updates its list of prohibited applications pursuant to paragraph (3)(a), an employee or officer of a public employer who uses a government-issued device must remove, delete, or uninstall any prohibited applications from his or her government-issued device.

(3) The department shall do all of the following:

(a) Compile and maintain a list of prohibited applications and publish the list on its website. The department shall update this list quarterly and shall provide notice of any update to public employers.

(b) Establish procedures for granting or denying requests for waivers pursuant to subparagraph (2)(b)2. The request for a waiver must include all of the following:

1. A description of the activity to be conducted and the state interest furthered by the activity.

2. The maximum number of government-issued devices and employees or officers to which the waiver will apply.

3. The length of time necessary for the waiver. Any waiver granted pursuant to subparagraph (2)(b)2. must be limited to a timeframe of no more than 1 year, but the department may approve an extension.

4. Risk mitigation actions that will be taken to prevent access to sensitive data, including methods to ensure that the activity does not connect to a state system, network, or server.

5. A description of the circumstances under which the waiver applies.

(4)(a) Notwithstanding s. 120.74(4) and (5), the department is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4) and to implement paragraph (3)(a). Such rulemaking must occur initially by filing emergency rules within 30 days after July 1, 2023.

(b) The department shall adopt rules necessary to administer this section.

Section 2. The Legislature finds that a proper and legitimate state purpose is served when efforts are taken to secure a public employer's system, network, or server. Therefore, the Legislature determines and declares that this act fulfills an important state interest.

Section 3. This act shall take effect July 1, 2023.

Approved by the Governor May 8, 2023.

Filed in Office Secretary of State May 8, 2023.

## CHAPTER 2023-33

### Committee Substitute for Committee Substitute for Senate Bill No. 264

An act relating to interests of foreign countries; creating s. 287.138, F.S.; defining terms; prohibiting governmental entities from knowingly entering into certain contracts; prohibiting governmental entities from taking specified actions after a specified date relating to contracts that give certain access to personal identifying information; providing an exception; authorizing the Attorney General to bring a civil action; providing penalties; requiring penalties to be deposited into the General Revenue Fund; requiring the Department of Management Services to adopt rules; creating s. 288.007, F.S.; defining terms; prohibiting governmental entities from knowingly entering into certain contracts; requiring governmental entities to require an affidavit from applicants before providing any economic incentive; requiring the Department of Economic Opportunity to adopt rules; providing a directive to the Division of Law Revision to create part III of ch. 692, F.S., to be entitled “Conveyances to Foreign Entities”; creating s. 692.201, F.S.; defining terms; creating ss. 692.202 and 692.203, F.S.; prohibiting foreign principals from purchasing agricultural land, or having more than a de minimus indirect interest in such land, and certain real property in this state, respectively; providing exceptions from ownership restrictions; authorizing foreign principals to continue to own or hold such land or property under certain circumstances; requiring certain foreign principals that own or acquire such land or real property to register with a specified department; requiring the Department of Agriculture and Consumer Services and the Department of Economic Opportunity, respectively, to establish a form for such registration; providing civil penalties; authorizing the Department of Agriculture and Consumer Services and the Department of Economic Opportunity to place a lien against unregistered agricultural land or real property, respectively; requiring certain foreign principals to sell, transfer, or otherwise divest themselves of certain agricultural land or real property within a specified timeframe; requiring buyers of such land or property to provide a signed affidavit; specifying that the failure to maintain or obtain the affidavit does not affect the title or insurability of the title for the agricultural land or real property, respectively, or subject the closing agent to certain liability; authorizing the Florida Real Estate Commission to adopt rules; authorizing that certain agricultural land or real property be forfeited to the state; authorizing the Department of Agriculture and Consumer Services and the Department of Economic Opportunity to initiate civil actions for forfeiture of the interest in agricultural land or real property, respectively; requiring that such actions be filed in a certain circuit court; requiring clerks to record a lis pendens; requiring courts to advance the cause on the calendar; authorizing defendants to petition to modify or discharge the lis pendens; requiring the court to enter a specified final judgment under certain circumstances; authorizing the Department

of Agriculture and Consumer Services and the Department of Economic Opportunity, respectively, to sell the agricultural land or real property; providing requirements for the proceeds from such sale; authorizing the Department of Agriculture and Consumer Services and the Department of Economic Opportunity, respectively, to seek a specified ex parte order; providing criminal penalties; requiring the Department of Agriculture and Consumer Services and the Department of Economic Opportunity, respectively, to adopt rules; creating s. 692.204, F.S.; prohibiting the People's Republic of China, the Chinese Communist Party, any other political party or member of a political party in the People's Republic of China, and certain persons and entities from purchasing or acquiring real property in this state or having more than a de minimus indirect interest in such real property; providing exceptions from ownership restrictions; authorizing such persons and entities to continue to own or hold such real property under certain circumstances; requiring certain persons or entities that own or acquire real property in this state to register with the Department of Economic Opportunity by a specified date; requiring the Department of Economic Opportunity to establish a form for such registration; providing civil penalties; authorizing the Department of Economic Opportunity to place a lien against unregistered real property; requiring certain persons and entities to sell, transfer, or otherwise divest themselves of certain real property within a specified timeframe; requiring buyers of real property to provide a signed affidavit; specifying that the failure to maintain or obtain the affidavit does not affect the title or insurability of the title for the real property or subject the closing agent to certain liability; authorizing the commission to adopt rules; authorizing certain real property to be forfeited to the state; authorizing the Department of Economic Opportunity to initiate civil actions for forfeiture of the interest in real property; requiring such actions to be filed in a certain circuit court; requiring clerks to record a lis pendens; requiring courts to advance the cause on the calendar; authorizing defendants to petition to modify or discharge the lis pendens; requiring the court to enter a specified final judgment under certain circumstances; authorizing the Department of Economic Opportunity to sell the real property; providing requirements for the proceeds from such sale; authorizing the Department of Economic Opportunity to seek a specified ex parte order; providing criminal penalties; requiring the Department of Economic Opportunity to adopt rules; creating s. 692.205, F.S.; providing an exception from ownership restrictions and registration requirements for real property that is used for diplomatic purposes; amending s. 408.051, F.S.; defining the terms "cloud computing" and "health care provider"; requiring that certain information held by health care providers that utilize certified electronic health record technology be maintained in specified locations; providing applicability; amending s. 408.810, F.S.; requiring a licensee to sign a specified affidavit upon initial application for a license and any renewal applications; authorizing disciplinary action by the Agency for Health Care Administration; prohibiting a person or entity that possesses a controlling interest from holding an interest in certain entities; providing definitions; amending s. 836.05, F.S.; providing enhanced

criminal penalties for threatening a person while acting as a foreign agent with the intent of benefiting a foreign country of concern; providing an effective date.

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

Section 1. Section 287.138, Florida Statutes, is created to read:

287.138 Contracting with entities of foreign countries of concern prohibited.—

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

(a) “Controlling interest” means possession of the power to direct or cause the direction of the management or policies of a company, whether through ownership of securities, by contract, or otherwise. A person or entity that directly or indirectly has the right to vote 25 percent or more of the voting interests of the company or is entitled to 25 percent or more of its profits is presumed to possess a controlling interest.

(b) “Department” means the Department of Management Services.

(c) “Foreign country of concern” means the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity of significant control of such foreign country of concern.

(d) “Governmental entity” means any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, but not limited to, the Commission on Ethics, the Public Service Commission, the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.

(2) A governmental entity may not knowingly enter into a contract with an entity which would give access to an individual’s personal identifying information if:

(a) The entity is owned by the government of a foreign country of concern;

(b) The government of a foreign country of concern has a controlling interest in the entity; or

(c) The entity is organized under the laws of or has its principal place of business in a foreign country of concern.

(3) Beginning July 1, 2025, a governmental entity may not extend or renew a contract with an entity listed in paragraphs (2)(a)-(c) if the contract

would give such entity access to an individual's personal identifying information.

(4)(a) Beginning January 1, 2024, a governmental entity may not accept a bid on, a proposal for, or a reply to, or enter into, a contract with an entity which would grant the entity access to an individual's personal identifying information unless the entity provides the governmental entity with an affidavit signed by an officer or representative of the entity under penalty of perjury attesting that the entity does not meet any of the criteria in paragraphs (2)(a)-(c).

(b) Beginning July 1, 2025, when an entity extends or renews a contract with a governmental entity which would grant the entity access to an individual's personal identifying information, the entity must provide the governmental entity with an affidavit signed by an officer or representative of the entity under penalty of perjury attesting that the entity does not meet any of the criteria in paragraphs (2)(a)-(c).

(5) The Attorney General may bring a civil action in any court of competent jurisdiction against an entity that violates this section. Violations of this section may result in:

(a) A civil penalty equal to twice the amount of the contract for which the entity submitted a bid or proposal for, replied to, or entered into;

(b) Ineligibility to enter into, renew, or extend any contract, including any grant agreements, with any governmental entity for up to 5 years;

(c) Ineligibility to receive or renew any license, certification, or credential issued by a governmental entity for up to 5 years; and

(d) Placement on the suspended vendor list pursuant to s. 287.1351.

(6) Any penalties collected under subsection (5) must be deposited into the General Revenue Fund.

(7) The department shall adopt rules to implement this section, including rules establishing the form for the affidavit required under subsection (4).

Section 2. Section 288.007, Florida Statutes, is created to read:

288.007 Economic incentives to foreign countries of concern prohibited.

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

(a) "Controlled by" means having possession of the power to direct or cause the direction of the management or policies of a company, whether through ownership of securities, by contract, or otherwise. A person or entity that directly or indirectly has the right to vote 25 percent or more of the



voting interests of the company or that is entitled to 25 percent or more of its profits is presumed to control the foreign entity.

(b) “Economic incentive” means all programs administered by, or for which an applicant for the program must seek certification, approval, or other action by, the department under this chapter, chapter 212, or chapter 220; and all local economic development programs, grants, or financial benefits administered by a political subdivision or an agent thereof.

(c) “Foreign country of concern” has the same meaning as in s. 692.201.

(d) “Foreign entity” means an entity that is:

1. Owned or controlled by the government of a foreign country of concern;  
or

2. A partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity.

(e) “Government entity” means a state agency, a political subdivision, or any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.

(2) A government entity may not knowingly enter into an agreement or contract for an economic incentive with a foreign entity.

(3) Before providing any economic incentive, a government entity must require the recipient or applicant to provide the government entity with an affidavit signed under penalty of perjury attesting that the recipient or applicant is not a foreign entity.

(4) The department shall adopt rules to administer this section, including rules establishing the form for the affidavit required under subsection (3).

Section 3. The Division of Law Revision is directed to create part III of chapter 692, Florida Statutes, consisting of ss. 692.201, 692.202, 692.203, 692.204, and 692.205, Florida Statutes, to be entitled “Conveyances to Foreign Entities.”

Section 4. Section 692.201, Florida Statutes, is created to read:

692.201 Definitions.—As used in this part, the term:

(1) “Agricultural land” means land classified as agricultural under s. 193.461.

(2) “Critical infrastructure facility” means any of the following, if it employs measures such as fences, barriers, or guard posts that are designed to exclude unauthorized persons:

- (a) A chemical manufacturing facility.
  - (b) A refinery.
  - (c) An electrical power plant as defined in s. 403.031(20).
  - (d) A water treatment facility or wastewater treatment plant.
  - (e) A liquid natural gas terminal.
  - (f) A telecommunications central switching office.
  - (g) A gas processing plant, including a plant used in the processing, treatment, or fractionation of natural gas.
  - (h) A seaport as listed in s. 311.09.
  - (i) A spaceport territory as defined in s. 331.303(18).
  - (j) An airport as defined in s. 333.01.
- (3) “Foreign country of concern” means the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity of significant control of such foreign country of concern.
- (4) “Foreign principal” means:
- (a) The government or any official of the government of a foreign country of concern;
  - (b) A political party or member of a political party or any subdivision of a political party in a foreign country of concern;
  - (c) A partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity; or
  - (d) Any person who is domiciled in a foreign country of concern and is not a citizen or lawful permanent resident of the United States.
  - (e) Any person, entity, or collection of persons or entities, described in paragraphs (a) through (d) having a controlling interest in a partnership, association, corporation, organization, trust, or any other legal entity or subsidiary formed for the purpose of owning real property in this state.
- (5) “Military installation” means a base, camp, post, station, yard, or center encompassing at least 10 contiguous acres that is under the jurisdiction of the Department of Defense or its affiliates.

(6) “Real property” means land, buildings, fixtures, and all other improvements to land.

Section 5. Section 692.202, Florida Statutes, is created to read:

692.202 Purchase of agricultural land by foreign principals prohibited.

(1) A foreign principal may not directly or indirectly own, have a controlling interest in, or acquire by purchase, grant, devise, or descent agricultural land or any interest, except a de minimus indirect interest, in such land in this state. A foreign principal has a de minimus indirect interest if any ownership is the result of the foreign principal’s ownership of registered equities in a publicly traded company owning the land and if the foreign principal’s ownership interest in the company is either:

(a) Less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or

(b) A noncontrolling interest in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940, as amended, and is not a foreign entity.

(2) A foreign principal that directly or indirectly owns or acquires agricultural land or any interest in such land in this state before July 1, 2023, may continue to own or hold such land or interest, but may not purchase or otherwise acquire by grant, devise, or descent any additional agricultural land or interest in such land in this state.

(3)(a) A foreign principal that directly or indirectly owns or acquires agricultural land or any interest in such land in this state before July 1, 2023, must register with the Department of Agriculture and Consumer Services by January 1, 2024. The department must establish a form for such registration, which, at minimum, must include all of the following:

1. The name of the owner of the agricultural land or the owner of the interest in such land.

2. The address of the agricultural land, the property appraiser’s parcel identification number, and the property’s legal description.

3. The number of acres of the agricultural land.

(b) A foreign principal that fails to timely file a registration with the department is subject to a civil penalty of \$1,000 for each day that the registration is late. The department may place a lien against the unregistered agricultural land for the unpaid balance of any penalties assessed under this paragraph.

(4) Notwithstanding subsection (1), a foreign principal may acquire agricultural land on or after July 1, 2023, by devise or descent, through the

enforcement of security interests, or through the collection of debts, provided that the foreign principal sells, transfers, or otherwise divests itself of the agricultural land within 3 years after acquiring the agricultural land.

(5)(a) At the time of purchase, a buyer of agricultural land or an interest in such land must provide an affidavit signed under penalty of perjury attesting that the buyer is:

1. Not a foreign principal; and
2. In compliance with the requirements of this section.

(b) The failure to obtain or maintain the affidavit does not:

1. Affect the title or insurability of the title for the agricultural land; or
2. Subject the closing agent to civil or criminal liability, unless the closing agent has actual knowledge that the transaction will result in a violation of this section.

(c) The Florida Real Estate Commission shall adopt rules to implement this subsection, including rules establishing the form for the affidavit required under this subsection.

(6)(a) The agricultural land or an interest in such land that is owned or acquired in violation of this section may be forfeited to the state.

(b) The Department of Agriculture and Consumer Services may initiate a civil action in the circuit court of the county in which the property lies for the forfeiture of the agricultural land or any interest therein.

(c) Upon filing such action, the clerk must record a lis pendens in accordance with s. 48.23. The court must advance the cause on the calendar. The defendant may at any time petition to modify or discharge the lis pendens based upon a finding that there is no probable cause to believe that the agricultural land, or any portion thereof, is owned or held in violation of this section.

(d) If the court finds that the agricultural land, or any portion thereof, is owned or held in violation of this section, the court must enter a final judgment of forfeiture vesting title to the agricultural land in this state, subject only to the rights and interests of bona fide lienholders, and such final judgment relates back to the date of the lis pendens.

(e) The department may sell the agricultural land subject to a final judgment of forfeiture. Any proceeds from the sale must first be paid to any lienholders of the land, followed by payment of any outstanding fines assessed pursuant to this section, after which the department must be reimbursed for all costs related to the forfeiture civil action and any costs related to the sale of the land. Any remaining proceeds must be paid to the property owner.

(f) At any time during the forfeiture proceeding the department may seek an ex parte order of seizure of the agricultural land upon a showing that the defendant's control of the agricultural land constitutes a clear and present danger to the state.

(7) A foreign principal that purchases or acquires agricultural land or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(8) A person who knowingly sells agricultural land or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(9) The Department of Agriculture and Consumer Services shall adopt rules to implement this section.

Section 6. Section 692.203, Florida Statutes, is created to read:

692.203 Purchase of real property on or around military installations or critical infrastructure facilities by foreign principals prohibited.—

(1) A foreign principal may not directly or indirectly own, or have a controlling interest in, or acquire by purchase, grant, devise, or descent any interest, except a de minimus indirect interest, in real property on or within 10 miles of any military installation or critical infrastructure facility in this state. A foreign principal has a de minimus indirect interest if any ownership is the result of the foreign principal's ownership of registered equities in a publicly traded company owning the land and if the foreign principal's ownership interest in the company is either:

(a) Less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or

(b) A noncontrolling interest in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940, as amended, and is not a foreign entity.

(2) A foreign principal that directly or indirectly owns or acquires any interest in real property on or within 10 miles of any military installation or critical infrastructure facility in this state before July 1, 2023, may continue to own or hold such real property, but may not purchase or otherwise acquire by grant, devise, or descent any additional real property on or within 10 miles of any military installation or critical infrastructure facility in this state.

(3)(a) A foreign principal must register with the Department of Economic Opportunity if the foreign principal owns or acquires real property on or within 10 miles of any military installation or critical infrastructure facility in this state as authorized under subsection (4) or if the foreign principal owned or acquired an interest, other than a de minimus indirect interest, in

such property before July 1, 2023. The department must establish a form for such registration which, at a minimum, must include all of the following:

1. The name of the owner of the real property.
2. The address of the real property, the property appraiser's parcel identification number, and the property's legal description.

(b) A foreign principal that fails to timely file a registration with the department is subject to a civil penalty of \$1,000 for each day that the registration is late. A foreign principal must register a property interest owned before July 1, 2023, by December 31, 2023. The registration is considered to be late after January 31, 2024. A foreign principal who owns or acquires real property on or after July 1, 2023, as authorized under subsection (4), must register the real property within 30 days after the property is owned or acquired. The department may place a lien against the unregistered real property for the unpaid balance of any penalties assessed under this paragraph.

(4) Notwithstanding subsection (1) a foreign principal who is a natural person may purchase one residential real property that is up to 2 acres in size if all of the following apply:

(a) The parcel is not on or within 5 miles of any military installation in this state.

(b) The person has a current verified United States Visa that is not limited to authorizing tourist-based travel or official documentation confirming that the person has been granted asylum in the United States, and such visa or documentation authorizes the person to be legally present within this state.

(c) The purchase is in the name of the person who holds the visa or official documentation described in paragraph (b).

(5) Notwithstanding subsections (1) and (2), a foreign principal may acquire real property or any interest therein which is on or within 10 miles of any military installation or critical infrastructure facility in this state on or after July 1, 2023, by devise or descent, through the enforcement of security interests, or through the collection of debts, provided that the foreign principal sells, transfers, or otherwise divests itself of such real property within 3 years after acquiring the real property.

(6)(a) At the time of purchase, a buyer of the real property that is on or within 10 miles of any military installation or critical infrastructure facility in this state must provide an affidavit signed under penalty of perjury attesting that the buyer is:

1. Not a foreign principal or not a foreign principal prohibited from purchasing the subject real property; and

2. In compliance with the requirements of this section.

(b) The failure to obtain or maintain the affidavit does not:

1. Affect the title or insurability of the title for the real property; or

2. Subject the closing agent to civil or criminal liability, unless the closing agent has actual knowledge that the transaction will result in a violation of this section.

(c) The Florida Real Estate Commission shall adopt rules to implement this subsection, including rules establishing the form for the affidavit required under this subsection.

(7)(a) If any real property is owned or acquired in violation of this section, the real property may be forfeited to the state.

(b) The Department of Economic Opportunity may initiate a civil action in the circuit court of the county in which the property lies for the forfeiture of the real property or any interest therein.

(c) Upon filing such action, the clerk must record a lis pendens in accordance with s. 48.23. The court must advance the cause on the calendar. The defendant may at any time petition to modify or discharge the lis pendens based upon a finding that there is no probable cause to believe that the real property, or any portion thereof, is owned or held in violation of this section.

(d) If the court finds that the real property, or any portion thereof, is owned or held in violation of this section, the court must enter a final judgment of forfeiture vesting title to the real property in this state, subject only to the rights and interests of bona fide lienholders, and such final judgment relates back to the date of the lis pendens.

(e) The department may sell the real property subject to a final judgment of forfeiture. Any proceeds from the sale must first be paid to any lienholders of the land, followed by payment of any outstanding fines assessed pursuant to this section, after which the department must be reimbursed for all costs related to the forfeiture civil action and any costs related to the sale of the land. Any remaining proceeds must be paid to the property owner.

(f) At any time during the forfeiture proceeding the department may seek an ex parte order of seizure of the real property upon a showing that the defendant's control of the real property constitutes a clear and present danger to the state.

(8) A foreign principal that purchases or acquires real property or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(9) A person who knowingly sells real property or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(10) The Department of Economic Opportunity shall adopt rules to implement this section.

Section 7. Section 692.204, Florida Statutes, is created to read:

692.204 Purchase or acquisition of real property by the People's Republic of China prohibited.—

(1)(a) The following persons or entities may not directly or indirectly own, have a controlling interest in, or acquire by purchase, grant, devise, or descent any interest, except a de minimus indirect interest, in real property in this state:

1. The People's Republic of China, the Chinese Communist Party, or any official or member of the People's Republic of China or the Chinese Communist Party.

2. Any other political party or member of a political party or a subdivision of a political party in the People's Republic of China.

3. A partnership, an association, a corporation, an organization, or any other combination of persons organized under the laws of or having its principal place of business in the People's Republic of China, or a subsidiary of such entity.

4. Any person who is domiciled in the People's Republic of China and who is not a citizen or lawful permanent resident of the United States.

5. Any person, entity, or collection of persons or entities described in subparagraphs 1. through 4. having a controlling interest in a partnership, association, corporation, organization, trust, or any other legal entity or subsidiary formed for the purpose of owning real property in this state.

(b) A person or entity has a de minimus indirect interest if any ownership is the result of the person's or entity's ownership of registered equities in a publicly traded company owning the land and if the person's or entity's ownership interest in the company is either:

1. Less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or

2. A noncontrolling interest in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940, as amended, and is not a foreign entity.



(2) Notwithstanding subsection (1), a natural person described in paragraph (1)(a) may purchase one residential real property that is up to 2 acres in size if all of the following apply:

(a) The parcel is not on or within 5 miles of any military installation in this state.

(b) The person has a current verified United States Visa that is not limited to authorizing tourist-based travel or official documentation confirming that the person has been granted asylum in the United States and such visa or documentation authorizes the person to be legally present within this state.

(c) The purchase is in the name of the person who holds the visa or official documentation described in paragraph (b).

(3) A person or entity described in paragraph (1)(a) that directly or indirectly owns or acquires any interest in real property in this state before July 1, 2023, may continue to own or hold such real property, but may not purchase or otherwise acquire by grant, devise, or descent any additional real property in this state.

(4)(a) A person or entity described in paragraph (1)(a), subsection (2), or subsection (5) must register with the Department of Economic Opportunity if the person or entity owns or acquires more than a de minimus indirect interest in real property in this state. The department must establish a form for such registration which, at a minimum, must include all of the following:

1. The name of the owner of the real property.
2. The address of the real property, the property appraiser's parcel identification number, and the property's legal description.

(b) A person or entity that fails to timely file a registration with the department is subject to a civil penalty of \$1,000 for each day that the registration is late. The person or entity subject to the registration requirements must register the property or property interests owned or acquired before July 1, 2023, by December 31, 2023. The registration is considered to be late 30 days after January 31, 2024. A person or entity that owns or acquires real property or an interest in real property as authorized under subsection (2) or subsection (5), other than a de minimus indirect interest, on or after July 1, 2023, must register the real property or interest within 30 days after the property or interest is owned or acquired. The department may place a lien against the unregistered real property for the unpaid balance of any penalties assessed under this paragraph.

(5) Notwithstanding subsection (1), a person or an entity described in paragraph (1)(a) may acquire real property in this state on or after July 1, 2023, by devise or descent, through the enforcement of security interests, or through the collection of debts, provided that the person or entity sells, transfers, or otherwise divests itself of such real property within 3 years

after acquiring the real property, unless the person or entity is exempt under s. 692.205.

(6)(a) At the time of purchase, a buyer of real property in this state must provide an affidavit signed under penalty of perjury attesting that the buyer is:

1. Not a person or entity described in paragraph (1)(a) or that the buyer is a person described in paragraph (1)(a) but is authorized under subsection (2) to purchase the subject property; and

2. In compliance with the requirements of this section.

(b) The failure to obtain or maintain the affidavit does not:

1. Affect the title or insurability of the title for the real property; or

2. Subject the closing agent to civil or criminal liability, unless the closing agent has actual knowledge that the transaction will result in a violation of this section.

(c) The Florida Real Estate Commission shall adopt rules to implement this subsection, including rules establishing the form for the affidavit required under this subsection.

(7)(a) If any real property is owned or acquired in violation of this section, the real property may be forfeited to the state.

(b) The Department of Economic Opportunity may initiate a civil action in the circuit court of the county in which the property lies for the forfeiture of the real property or any interest therein.

(c) Upon filing such action, the clerk must record a lis pendens in accordance with s. 48.23. The court must advance the cause on the calendar. The defendant may at any time petition to modify or discharge the lis pendens based upon a finding that there is no probable cause to believe that the real property, or any portion thereof, is owned or held in violation of this section.

(d) If the court finds that the real property, or any portion thereof, is owned or held in violation of this section, the court must enter a final judgment of forfeiture vesting title to the real property in this state, subject only to the rights and interests of bona fide lienholders, and such final judgment relates back to the date of the lis pendens.

(e) The department may sell the real property subject to a final judgment of forfeiture. Any proceeds from the sale must first be paid to any lienholders of the land, followed by payment of any outstanding fines assessed pursuant to this section, after which the department must be reimbursed for all costs related to the forfeiture civil action and any costs related to the sale of the land. Any remaining proceeds must be paid to the property owner.

(f) At any time during the forfeiture proceeding the department may seek an ex parte order of seizure of the real property upon a showing that the defendant's control of the real property constitutes a clear and present danger to the state.

(8) A violation of this section constitutes a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(9) A person who knowingly sells real property or any interest therein in violation of this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(10) The Department of Economic Opportunity shall adopt rules to implement this section.

Section 8. Section 692.205, Florida Statutes, is created to read:

692.205 Inapplicability of this part to real property for diplomatic purposes.—This part does not apply to a foreign principal that acquires real property for a diplomatic purpose that is recognized, acknowledged, or allowed by the Federal Government.

Section 9. Present subsections (3), (4), and (5) of section 408.051, Florida Statutes, are redesignated as subsections (4), (5), and (6), respectively, a new subsection (3) is added to that section, and subsection (2) of that section is reordered and amended, to read:

408.051 Florida Electronic Health Records Exchange Act.—

(2) DEFINITIONS.—As used in this section, the term:

(c)(a) “Electronic health record” means a record of a person’s medical treatment which is created by a licensed health care provider and stored in an interoperable and accessible digital format.

(i)(b) “Qualified electronic health record” means an electronic record of health-related information concerning an individual which includes patient demographic and clinical health information, such as medical history and problem lists, and which has the capacity to provide clinical decision support, to support physician order entry, to capture and query information relevant to health care quality, and to exchange electronic health information with, and integrate such information from, other sources.

(a)(e) “Certified electronic health record technology” means a qualified electronic health record that is certified pursuant to s. 3001(c)(5) of the Public Health Service Act as meeting standards adopted under s. 3004 of such act which are applicable to the type of record involved, such as an ambulatory electronic health record for office-based physicians or an inpatient hospital electronic health record for hospitals.

(b) “Cloud computing” has the same meaning as in s. 282.0041.

(d) “Health care provider” means any of the following:

1. A provider as defined in s. 408.803.
2. A health care practitioner as defined in s. 456.001.
3. A health care professional certified under part IV of chapter 468.
4. A home health aide as defined in s. 400.462.
5. A service provider as defined in s. 394.455 and the service provider’s clinical and nonclinical staff who provide inpatient or outpatient services.
6. A continuing care facility licensed under chapter 651.
7. A pharmacy permitted under chapter 465.

~~(e)~~(d) “Health record” means any information, recorded in any form or medium, which relates to the past, present, or future health of an individual for the primary purpose of providing health care and health-related services.

~~(f)~~(e) “Identifiable health record” means any health record that identifies the patient or with respect to which there is a reasonable basis to believe the information can be used to identify the patient.

~~(g)~~(f) “Patient” means an individual who has sought, is seeking, is undergoing, or has undergone care or treatment in a health care facility or by a health care provider.

~~(h)~~(g) “Patient representative” means a parent of a minor patient, a court-appointed guardian for the patient, a health care surrogate, or a person holding a power of attorney or notarized consent appropriately executed by the patient granting permission to a health care facility or health care provider to disclose the patient’s health care information to that person. In the case of a deceased patient, the term also means the personal representative of the estate of the deceased patient; the deceased patient’s surviving spouse, surviving parent, or surviving adult child; the parent or guardian of a surviving minor child of the deceased patient; the attorney for the patient’s surviving spouse, parent, or adult child; or the attorney for the parent or guardian of a surviving minor child.

(3) SECURITY AND STORAGE OF PERSONAL MEDICAL INFORMATION.—In addition to the requirements in 45 C.F.R. part 160 and subparts A and C of part 164, a health care provider that utilizes certified electronic health record technology must ensure that all patient information stored in an offsite physical or virtual environment, including through a third-party or subcontracted computing facility or an entity providing cloud computing services, is physically maintained in the continental United States or its territories or Canada. This subsection applies to all qualified electronic health records that are stored using any technology that can allow information to be electronically retrieved, accessed, or transmitted.

Section 10. Subsections (14) and (15) are added to section 408.810, Florida Statutes, to read:

408.810 Minimum licensure requirements.—In addition to the licensure requirements specified in this part, authorizing statutes, and applicable rules, each applicant and licensee must comply with the requirements of this section in order to obtain and maintain a license.

(14) The licensee must sign an affidavit at the time of his or her initial application for a license and on any renewal applications thereafter that attests under penalty of perjury that he or she is in compliance with s. 408.051(3). The licensee must remain in compliance with s. 408.051(3) or the licensee shall be subject to disciplinary action by the agency.

(15)(a) The licensee must ensure that a person or entity who possesses a controlling interest does not hold, either directly or indirectly, regardless of ownership structure, an interest in an entity that has a business relationship with a foreign country of concern or that is subject to s. 287.135.

(b) For purposes of this subsection, the term:

1. “Business relationship” means engaging in commerce in any form, including, but not limited to, acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, military equipment, or any other apparatus of business or commerce.

2. “Foreign country of concern” has the same meaning as in s. 692.201.

3. “Interest” has the same meaning as in s. 286.101(1).

Section 11. Section 836.05, Florida Statutes, is amended to read:

836.05 Threats; extortion.—

(1) Whoever, either verbally or by a written or printed communication, maliciously threatens to accuse another of any crime or offense, or by such communication maliciously threatens an injury to the person, property or reputation of another, or maliciously threatens to expose another to disgrace, or to expose any secret affecting another, or to impute any deformity or lack of chastity to another, with intent thereby to extort money or any pecuniary advantage whatsoever, or with intent to compel the person so threatened, or any other person, to do any act or refrain from doing any act against his or her will, ~~commits shall be guilty of~~ a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A person who commits a violation of subsection (1) and at the time of the violation is acting as a foreign agent, as defined in s. 812.081(1), with the intent of benefiting a foreign country of concern, as defined in s. 692.201, commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 12. This act shall take effect July 1, 2023.

Approved by the Governor May 8, 2023.

Filed in Office Secretary of State May 8, 2023.

## CHAPTER 2023-264

### Senate Bill No. 7008

An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records for building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the internal layout or structural elements of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, health care facility, or hotel or motel development; removing a provision authorizing disclosure of exempt information under certain circumstances; removing the scheduled repeal of the exemption; providing an effective date.

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

Section 1. Paragraph (c) of subsection (3) of section 119.071, Florida Statutes, is amended to read:

119.071 General exemptions from inspection or copying of public records.—

(3) SECURITY AND FIRESAFETY.—

(c)1. Building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the internal layout or structural elements of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, health care facility, or hotel or motel development, which records are held by an agency are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2. This exemption applies to any such records held by an agency before, on, or after the effective date of this act.

~~3. Information made exempt by this paragraph may be disclosed to another governmental entity if disclosure is necessary for the receiving entity to perform its duties and responsibilities; to the owner or owners of the structure in question or the owner's legal representative; or upon a showing of good cause before a court of competent jurisdiction.~~

4. This paragraph does not apply to comprehensive plans or site plans, or amendments thereto, which are submitted for approval or which have been approved under local land development regulations, local zoning regulations, or development-of-regional-impact review.

~~4.5.~~ As used in this paragraph, the term:

a. “Attractions and recreation facility” means any sports, entertainment, amusement, or recreation facility, including, but not limited to, a sports arena, stadium, racetrack, tourist attraction, amusement park, or pari-mutuel facility that:

(I) For single-performance facilities:

(A) Provides single-performance facilities; or

(B) Provides more than 10,000 permanent seats for spectators.

(II) For serial-performance facilities:

(A) Provides parking spaces for more than 1,000 motor vehicles; or

(B) Provides more than 4,000 permanent seats for spectators.

b. “Entertainment or resort complex” means a theme park comprised of at least 25 acres of land with permanent exhibitions and a variety of recreational activities, which has at least 1 million visitors annually who pay admission fees thereto, together with any lodging, dining, and recreational facilities located adjacent to, contiguous to, or in close proximity to the theme park, as long as the owners or operators of the theme park, or a parent or related company or subsidiary thereof, has an equity interest in the lodging, dining, or recreational facilities or is in privity therewith. Close proximity includes an area within a 5-mile radius of the theme park complex.

c. “Industrial complex” means any industrial, manufacturing, processing, distribution, warehousing, or wholesale facility or plant, as well as accessory uses and structures, under common ownership that:

(I) Provides onsite parking for more than 250 motor vehicles;

(II) Encompasses 500,000 square feet or more of gross floor area; or

(III) Occupies a site of 100 acres or more, but excluding wholesale facilities or plants that primarily serve or deal onsite with the general public.

d. “Retail and service development” means any retail, service, or wholesale business establishment or group of establishments which deals primarily with the general public onsite and is operated under one common property ownership, development plan, or management that:

(I) Encompasses more than 400,000 square feet of gross floor area; or

(II) Provides parking spaces for more than 2,500 motor vehicles.

e. “Office development” means any office building or park operated under common ownership, development plan, or management that encompasses 300,000 or more square feet of gross floor area.



f. “Health care facility” means a hospital, ambulatory surgical center, nursing home, hospice, or intermediate care facility for the developmentally disabled.

g. “Hotel or motel development” means any hotel or motel development that accommodates 350 or more units.

~~6.—This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2023, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 2. This act shall take effect October 1, 2023.

Approved by the Governor June 19, 2023.

Filed in Office Secretary of State June 19, 2023.

## CHAPTER 2023-75

### House Bill No. 7007

An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for certain security or firesafety system plans; removing the scheduled repeal of the exemption; repealing s. 281.301, F.S., relating to security and firesafety systems; amending s. 286.0113, F.S., which provides an exemption from public meeting requirements for the portion of a meeting that would reveal a security or firesafety system plan or portion thereof; removing the scheduled repeal of the exemption; amending s. 1006.1493, F.S.; conforming a provision to changes made by the act; providing an effective date.

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

Section 1. Paragraph (a) of subsection (3) of section 119.071, Florida Statutes, is amended to read:

119.071 General exemptions from inspection or copying of public records.—

(3) SECURITY AND FIRESAFETY.—

(a)1. As used in this paragraph, the term “security or firesafety system plan” includes all:

a. Records, information, photographs, audio and visual presentations, schematic diagrams, surveys, recommendations, or consultations or portions thereof relating directly to the physical security or firesafety of the facility or revealing security or firesafety systems;

b. Threat assessments conducted by any agency or any private entity;

c. Threat response plans;

d. Emergency evacuation plans;

e. Sheltering arrangements; or

f. Manuals for security or firesafety personnel, emergency equipment, or security or firesafety training.

2. A security or firesafety system plan or portion thereof for:

a. Any property owned by or leased to the state or any of its political subdivisions; or

b. Any privately owned or leased property

held by an agency is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption is remedial in nature, and it is the intent of the Legislature that this exemption apply to security or firesafety system plans held by an agency before, on, or after April 6, 2018 the effective date of this paragraph. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2023, unless reviewed and saved from repeal through reenactment by the Legislature.

3. Information made confidential and exempt by this paragraph may be disclosed:

- a. To the property owner or leaseholder;
- b. In furtherance of the official duties and responsibilities of the agency holding the information;
- c. To another local, state, or federal agency in furtherance of that agency's official duties and responsibilities; or
- d. Upon a showing of good cause before a court of competent jurisdiction.

Section 2. Section 281.301, Florida Statutes, is repealed.

Section 3. Subsection (1) of section 286.0113, Florida Statutes, is amended to read:

286.0113 General exemptions from public meetings.—

(1) That portion of a meeting that would reveal a security or firesafety system plan or portion thereof made confidential and exempt by s. 119.071(3)(a) is exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution. ~~This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2023, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 4. Subsection (5) of section 1006.1493, Florida Statutes, is amended to read:

1006.1493 Florida Safe Schools Assessment Tool.—

(5) In accordance with s. 119.071(3)(a) ~~ss. 119.071(3)(a) and 281.301~~, data and information related to security risk assessments administered pursuant to this section and s. 1006.07(6) and the security information contained in the annual report required pursuant to subsection (4) are confidential and exempt from public records requirements.

Section 5. This act shall take effect October 1, 2023.

Approved by the Governor May 11, 2023.

Filed in Office Secretary of State May 11, 2023.

**MIDTOWN MIAMI**  
**COMMUNITY DEVELOPMENT DISTRICT**

**STAFF**  
**REPORTS**  
**D**

**MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT**

**BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE**

**LOCATION**

*Offices of the CDD, Shops at Midtown Miami, 3401 N. Miami Avenue, Suite 132  
2<sup>nd</sup> floor parking garage, Miami, Florida 33127*

<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 10, 2023</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>November 14, 2023</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>December 12, 2023</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>January 9, 2024</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>February 13, 2024</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>March 12, 2024</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>April 9, 2024</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>May 14, 2024</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>June 11, 2024</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>July 9, 2024</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>August 13, 2024</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>
<b>September 10, 2024</b>	<b>Regular Meeting</b>	<b>2:00 PM</b>