



**KEYS COVE II
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
SPECIAL BOARD MEETING
AUGUST 9, 2023
12:00 P.M.**

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

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AGENDA
KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT
Palm Breeze Management Office
2439 SE 14th Street,
Homestead, Florida 33035
SPECIAL BOARD MEETING
August 9, 2023
12:00 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. June 14, 2023 Regular Board Meeting & Public Hearing.....Page 2
- G. Old Business
 - 1. Maverick Security and Off-Duty Police Officer Update
 - 2. Update Regarding Playground – Permitting
- H. New Business
 - 1. Discussion Regarding Required Ethics Training.....Page 6
 - 2. Discussion Regarding Seasonal Flowers
 - <https://gardeningsolutions.ifas.ufl.edu/plants/ornamentals/summer-bedding-plants.html>
 - 3. Discussion Regarding Visitor Passes
 - 4. Discussion Regarding Holiday Lighting
 - 5. Discussion Regarding Removal of Resident Card Access System
- I. Administrative & Operational Matters
 - 1. Discussion Regarding Meeting Time
- J. Board Member & Staff Closing Comments
- K. Adjourn

Miscellaneous Notices Published in Miami Daily Business Review on July 28, 2023

Location

Miami-Dade County, Florida

Notice Text

NOTICE OF SPECIAL BOARD MEETING OF THE KEYS COVE II
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors (the "Board") of the Keys Cove II Community Development District (the "District") will hold a Special Board Meeting on August 9, 2023, at 12:00 p.m. in the Palm Breeze Management Office located at 2439 SE 14th Street, Homestead, Florida 33035.

The purpose of the Special Board Meeting is for the Board to discuss outstanding maintenance items, the Fiscal Year 2023/2024 Regular Meeting Schedule and any other District business which may come before the Board. A copy of the Agenda may be obtained from the District's website or at the offices of the District Manager, 8785 SW 165th Avenue, Suite 200, Miami, Florida 33193, during normal business hours. The meeting is open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. Meetings may be continued as found necessary to a time and place specified on the record.

There may be occasions when one or two Supervisors will participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at these meetings should contact the District Manager at (786) 313-3661 and/or toll free at 1-877-737-4922, at least seven (7) days prior to the date of the meeting.

If any person decides to appeal any decision made with respect to any matter considered at this Special Board Meeting, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made at their own expense and which record includes the testimony and evidence on which the appeal is based.

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

Keys Cove II Community Development District

www.keyscope2cdd.org

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**KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT
PUBLIC HEARING & REGULAR BOARD MEETING
JUNE 14, 2023**

A. CALL TO ORDER

The June 14, 2023, Regular Board Meeting of the Keys Cove II Community Development District (the “District”) was called to order at 12:09 p.m. in the Palm Breeze Clubhouse located at 1427 SE 24th Place, Homestead, Florida 33035.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Regular Board Meeting had been published in the *Miami Daily Business Review* on September 30, 2022, as part of the District’s fiscal year 2023/2024 meeting schedule, *as legally required*.

C. ESTABLISH A QUORUM

It was determined that the attendance of Chairperson Melony Fogelstrom, Vice Chairperson Janine Ferreiro and Supervisors Cynthia Portillo, Allen Llodra and Caridad Vargas constituted a quorum.

Staff in attendance: District Manager Gloria Perez of Special District Services, Inc.; and General Counsel Gregory George of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

D. ADDITIONS OR DELETIONS TO THE AGENDA

The typical meeting space was under construction therefore the meeting was moved across the street to a management office located at 2439 SE 14 Street, Homestead, FL 33035 and a notice was posted on the Clubhouse door redirecting members of the public to the meeting location, as required.

E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public for items not on the agenda.

F. APPROVAL OF MINUTES

1. May 10, 2023, Regular Board Meeting

The May 10, 2023, Regular Board Meeting Minutes were presented for consideration.

A **motion** was made by Ms. Ferreiro, seconded by Ms. Fogelstrom and passed unanimously approving the minutes of the May 10, 2023, Regular Board Meeting, as presented.

The Regular Board Meeting was then recessed and the Public Hearing was opened.

G. PUBLIC HEARING

1. Proof of Publication

Proof of publication was presented that notice of the Public Hearing had been published in the *Miami Daily Business Review* on May 25, 2023, and June 1, 2023, *as legally required*.

2. Receive Public Comment on the Fiscal Year 2023/2024 Final Budget

There was no public comment on the Fiscal Year 2023/2024 Final Budget.

3. Consider Resolution No. 2023-03 – Adopting a Fiscal Year 2023/2024 Final Budget

Mrs. Perez presented Resolution No. 2023-03, entitled:

RESOLUTION NO. 2023-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT APPROVING AND ADOPTING A FISCAL YEAR 2023/2024 FINAL BUDGET INCLUDING NON-AD VALOREM SPECIAL ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

Mrs. Perez read the title of the resolution into the record and stated that it provides for approving and adopting the fiscal year 2023/2024 final budget and the non-ad valorem special assessment tax roll (Assessment Levy).

A **motion** was made by Ms. Portillo, seconded by Ms. Fogelstrom and unanimously passed adopting Resolution No. 2023-03, approving the Fiscal Year 2023/2024 Final Budget, as presented and setting the fiscal year 2023/2024 final budget and non-ad valorem special assessment tax roll (Assessment Levy).

The Public Hearing was then closed and the Regular Board Meeting was reconvened.

H. OLD BUSINESS

1. Maverick Security Update – Vehicle Decal Registration

Mrs. Perez advised that Mr. Silva would follow-up with the Board via e-mail regarding new proposals and his suggestion to hold a Special Meeting in July.

2. Update Regarding Playground

Mrs. Perez noted that she had spoken with Mr. Silva in advance of this meeting and he advised that this project was still in the permitting process.

3. Discussion Regarding Costs to Hire an Off-Duty Police Officer

Mrs. Perez noted that ongoing Off-Duty Police Officer services were being provided.

I. NEW BUSINESS

1. Discussion Regarding Sprinkler System and Replacement of Dried Dead Bushes between the Lakes

This agenda item was tabled to a future meeting.

2. Discussion Regarding Front Gate Proposals

Mrs. Perez advised that the issue regarding the front gate protocols had been reported to the security company.

3. Consider Resolution No. 2023-04 – Adopting a Fiscal year 2023/2024 Meeting Schedule

Mrs. Perez presented Resolution No. 2023-04, entitled:

RESOLUTION NO. 2023-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2023/2024 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

Mrs. Perez provided an explanation for the document noting that the District would hold Regular Meetings in the Palm Breeze Clubhouse located at 1427 SE 24th Place, Homestead, Florida 33035 at 12:00 p.m. on the following dates:

October 11, 2023
November 8, 2023
March 13, 2024
April 10, 2024
May 8, 2024
June 12, 2024
September 11, 2024

A discussion ensued after which the Board tabled this agenda item to allow for Mr. Silva to negotiate with the management company for the use of the management office located at 2439 SE 14 Street, Homestead, FL 33035 for future meetings.

4. Consider Resolution No. 2023-05 – Adopting a Records Retention Policy

Mrs. Perez presented Resolution No. 2023-04, entitled:

RESOLUTION 2023-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR THE APPOINTMENT OF A RECORDS MANAGEMENT LIAISON OFFICER; PROVIDING THE DUTIES OF THE RECORDS MANAGEMENT LIAISON OFFICER; ADOPTING A RECORDS RETENTION POLICY; DETERMINING THE ELECTRONIC RECORD TO BE THE OFFICIAL RECORD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A **motion** was made by Ms. Ferreiro, seconded by Ms. Portillo and passed unanimously adopting Resolution No. 2023-05, as presented.

5. Consider Holding a Workshop between the District, Keys Gate Association Management Representatives and the Association’s Board Members to Coordinate Completion of Information Input and Continual Upkeep of the SOS Access Application

A discussion ensued regarding dates and times and the Board provided direction for Mr. Silva to coordinate a Workshop between the District, the Keys Gate Association Management representatives and the Association Board Members to coordinate the completion of information input and continual upkeep of the SOS Access Application for July with a start time of 6:00 p.m., with a date yet to be determined.

J. ADMINISTRATIVE & OPERATIONAL MATTERS

1. 2022 Form 1 – Statement of Financial Interests

Mrs. Perez reminded the Board that they should be receiving in the mail their 2022 Form 1- Statement of Financial Interests and to complete and mail into the Supervisor of Elections’ office by the July 1, 2023, deadline.

K. BOARD MEMBER & STAFF CLOSING COMMENTS

There were no Board Member or Staff closing comments.

L. ADJOURNMENT

There being no further business to conduct, a **motion** was made by Ms. Fogelstrom, seconded by Ms. Portillo and passed unanimously adjourning the Regular Board Meeting at 12:42 p.m.

Secretary/Assistant Secretary

Chairperson/Vice Chairperson

MEMORANDUM

TO: District Manager

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

DATE: June 6, 2023

RE: Required Ethics Training

On May 24, 2023, the Governor signed CS/HB 199 into law as Chapter 2023-121, Laws of Florida. Section 112.3142, Florida Statutes, requires that specified constitutional officers, elected municipal officers, and commissioners complete four (4) hours of ethics training annually. This requirement is noted on page 1 of the Form 1, Statement of Financial Interests. This legislation provides that beginning January 1, 2024, elected and appointed commissioners of community redevelopment agencies and local officers of independent special districts are now required to complete four (4) hours of ethics training annually. The training must address, at a minimum, s. 8, Art. II of the Florida Constitution (ethics for public officers and financial disclosure), the Code of Ethics for Public Officers and Employees, and the Florida Public Records Law and Open Meetings laws. The legislation specifically provides that this training requirement may be satisfied by completing a continuing legal education class or other continuing professional education class or seminar if the required subject matter is covered therein.

For current supervisors and officers, it is recommended that this training requirement be completed by July 1, 2024, so that the supervisor or officer can verify compliance with the required training on his or her Form 1, Statement of Financial Interests (2023). Elected local officers of independent special districts that assume office on or before March 31st must complete annual ethics training by December 31st of the year the term begins; however, if the term starts after March 31st, the officer is not required to complete the required ethics training until December 31st of the following year. The Legislature intends for those elected officers to receive the required training as close as possible to the date that he or she assumes office. The chart below can be used as a reference:

Date elected or appointed	Annual Training Completed By
Current Officer/Supervisor	December 31, 2024 (recommend completion by July 1, 2024)
January 1 – March 31, 2024	December 31, 2024
April 1 – December 31, 2024	December 31, 2025

The legislation also amends Section 112.313(a), Florida Statutes, clarifying the conflicts exception for public officers or employees of water control districts (Chapter 298, Florida Statutes)

or a special tax districts created by general (i.e. community development districts) or special law and which is limited specifically to constructing, maintaining, managing, and financing improvements in the land area over which the district has jurisdiction. Employment with or entering into a contractual relationship with a business entity is not prohibited and is not deemed a conflict per se; however, conduct by such officer or employee that is prohibited by or otherwise frustrates the intent of Section 112.313(7), Florida Statutes, including conduct that violates subsections (6) (misuse of public position) and (8) (disclosure of information not otherwise available to the public for personal benefit) thereof is deemed an impermissible conflict of interest.

For convenience, we have included a copy 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. You can expect our traditional legislative memorandum in the coming weeks, where we will summarize other legislation from the 2023 Legislative Session relevant to special districts.

CHAPTER 2023-121

Committee Substitute for House Bill No. 199

An act relating to ethics requirements for officers and employees of special tax districts; amending s. 112.313, F.S.; specifying that certain conduct by certain public officers and employees is deemed a conflict of interest; making technical changes; amending s. 112.3142, F.S.; requiring certain ethics training for elected local officers of independent special districts beginning on a specified date; specifying requirements for such training; providing an effective date.

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

Section 1. Subsection (7) of section 112.313, Florida Statutes, is amended to read:

112.313 Standards of conduct for public officers, employees of agencies, and local government attorneys.—

(7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

(a) No public officer or employee of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he or she is an officer or employee, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the state or any municipality, county, or other political subdivision of the state; nor shall an officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

1. When the agency referred to is that certain kind of special tax district created by general or special law and is limited specifically to constructing, maintaining, managing, and financing improvements in the land area over which the agency has jurisdiction, or when the agency has been organized pursuant to chapter 298, then employment with, or entering into a contractual relationship with, such business entity by a public officer or employee of such agency ~~is shall~~ not be prohibited by this subsection or be deemed a conflict per se. However, conduct by such officer or employee that is prohibited by, or otherwise frustrates the intent of, this section, including conduct that violates subsections (6) and (8), is shall be deemed a conflict of interest in violation of the standards of conduct set forth by this section.

2. When the agency referred to is a legislative body and the regulatory power over the business entity resides in another agency, or when the regulatory power which the legislative body exercises over the business entity or agency is strictly through the enactment of laws or ordinances, then employment or a contractual relationship with such business entity by a public officer or employee of a legislative body shall not be prohibited by this subsection or be deemed a conflict.

(b) This subsection shall not prohibit a public officer or employee from practicing in a particular profession or occupation when such practice by persons holding such public office or employment is required or permitted by law or ordinance.

Section 2. Paragraphs (d) and (e) of subsection (2) of section 112.3142, Florida Statutes, are redesignated as paragraphs (e) and (f), respectively, present paragraph (e) of that subsection is amended, and a new paragraph (d) is added to that subsection, to read:

112.3142 Ethics training for specified constitutional officers, elected municipal officers, and commissioners of community redevelopment agencies, and elected local officers of independent special districts.—

(2)

(d) Beginning January 1, 2024, each elected local officer of an independent special district, as defined in s. 189.012, and each person who is appointed to fill a vacancy for an unexpired term of such elective office must complete 4 hours of ethics training each calendar year which addresses, at a minimum, s. 8, Art. II of the State Constitution, the Code of Ethics for Public Officers and Employees, and the public records and public meetings laws of this state. This requirement may be satisfied by completion of a continuing legal education class or other continuing professional education class, seminar, or presentation, if the required subject matter is covered by such class, seminar, or presentation.

(f)(e) The Legislature intends that a constitutional officer, ~~or~~ elected municipal officer, or elected local officer of an independent special district who is required to complete ethics training pursuant to this section receive the required training as close as possible to the date that he or she assumes office. A constitutional officer, ~~or~~ elected municipal officer, or elected local officer of an independent special district assuming a new office or new term of office on or before March 31 must complete the annual training on or before December 31 of the year in which the term of office began. A constitutional officer, ~~or~~ elected municipal officer, or elected local officer of an independent special district assuming a new office or new term of office after March 31 is not required to complete ethics training for the calendar year in which the term of office began.

Section 3. This act shall take effect July 1, 2023.

Approved by the Governor May 24, 2023.

Filed in Office Secretary of State May 24, 2023.