



**PENTATHLON  
COMMUNITY DEVELOPMENT  
DISTRICT**

**MIAMI-DADE COUNTY  
REGULAR BOARD MEETING  
FEBRUARY 21, 2024  
6:00 P.M.**

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

[www.pentathloncdd.org](http://www.pentathloncdd.org)  
786.347.2700 ext. 2027 Telephone  
877.SDS.4922 Toll Free  
561.630.4923 Facsimile

**AGENDA**  
**PENTATHLON COMMUNITY DEVELOPMENT DISTRICT**  
Kendall Executive Center – Conference Room  
8785 SW 165<sup>th</sup> Avenue, Suite 200  
Miami, Florida 33193  
**REGULAR BOARD MEETING**  
**February 21, 2024**  
**6:00 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. October 18, 2023 Regular Board Meeting.....Page 2
- G. Old Business
  - 1. Staff Report, as Required
- H. New Business
  - 1. Consider Resolution No. 2024-01 – Adopting a Fiscal Year 2024/2025 Proposed Budget .....Page 6
  - 2. Consider Resolution No. 2024-02 – Adopting an Electronic Signature Policy.....Page 13
  - 3. Discussion Regarding Ethics Training Requirement.....Page 16
- I. Administrative Matters
- J. Board Members Comments
- K. Adjourn

## MIAMI-DADE

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

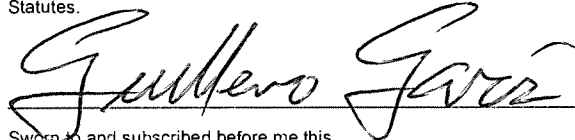
Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement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

PENTATHLON COMMUNITY DEVELOPMENT DISTRICT -  
FISCAL YEAR 2023/2024 REGULAR MEETING SCHEDULE

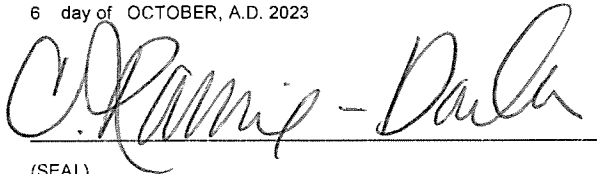
in the XXXX Court,  
was published in a newspaper by print in the issues of Miami  
Daily Business Review f/k/a Miami Review on

10/06/2023

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

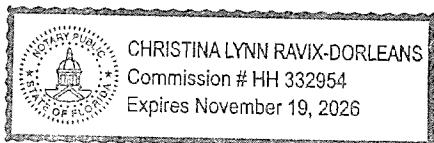


Sworn to and subscribed before me this  
6 day of OCTOBER, A.D. 2023



(SEAL)

GUILLERMO GARCIA personally known to me



### PENTATHLON COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2023/2024 REGULAR MEETING SCHEDULE

**NOTICE IS HEREBY GIVEN** that the Board of Supervisors (the "Board") of the Pentathlon Community Development District (the "District") will hold Regular Meetings in the Conference Room at Kendall Executive Center located at 8785 SW 165th Avenue, Suite 200, Miami, Florida 33193 at 6:00 p.m. on the following dates:

October 18, 2023  
November 15, 2023  
February 21, 2024  
March 20, 2024  
April 17, 2024  
May 15, 2024  
June 19, 2024  
September 18, 2024

The purpose of the meetings is for the Board to consider any District business which may lawfully and properly come before the Board. The meetings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. A copy of the Agenda for any of the meetings may be obtained from the District's website or by contacting the District Manager at [nnguyen@sdsinc.org](mailto:nnguyen@sdsinc.org) and/or toll free 1-877-737-4922 prior to the date of the particular meeting.

From time to time one or two Board members may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Board members may be fully informed of the discussions taking place. Said meeting(s) may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at [nnguyen@sdsinc.org](mailto:nnguyen@sdsinc.org) and/or toll free 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

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

**PENTATHLON COMMUNITY DEVELOPMENT DISTRICT**

[www.pentathloncdd.org](http://www.pentathloncdd.org)

10/6

23-46/0000686877M

**PENTATHLON COMMUNITY DEVELOPMENT DISTRICT  
REGULAR BOARD MEETING  
OCTOBER 18, 2023**

**A. CALL TO ORDER**

District Manager Nancy Nguyen called the October 18, 2023, Regular Board Meeting of the Pentathlon Community Development District (the “District”) to order at 6:01 p.m. in the Kendall Executive Center Second Floor Conference Room located at 8785 SW 165 Avenue, Suite 200, Miami, Florida 33193.

**B. PROOF OF PUBLICATION**

Ms. Nguyen presented proof of publication that notice of the Regular Board Meeting had been published in the *Miami Daily Business Review* on October 6, 2023, as part of the District’s Fiscal Year 2023/2024 Regular Meeting Schedule, as legally required.

**C. ESTABLISH A QUORUM**

Ms. Nguyen determined that the attendance of Chairwoman Grissobelle Reyes-Obando, Vice Chairman Andre Goins, and Supervisors Michael Hunt and Julio Obando constituted a quorum and it was in order to proceed with the meeting.

Staff in attendance included: District Manager Nancy Nguyen of Special District Services, Inc.; and District Counsel Liza Smoker of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

**D. ADDITIONS OR DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

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

There were no comments for items not on the agenda.

**F. APPROVAL OF MINUTES**

**1. May 11, 2023, Regular Board and Public Hearing**

Ms. Nguyen presented the May 11, 2023, Regular Board Meeting and Public Hearing minutes and asked if there were any comments and/or changes.

There being no changes and/or comments, a **motion** was made by Mr. Hunt, seconded by Ms. Reyes-Obando and unanimously passed approving the May 11, 2023, Regular Board Meeting and Public Hearing minutes, as presented.

**G. OLD BUSINESS**

**1. Staff Report, as Required**

There was no staff report at this time.

**H. NEW BUSINESS**

### **1. Consider Resolution No. 2023-05 – Adopting a Fiscal Year 2022/2023 Amended Budget**

Ms. Nguyen presented Resolution No. 2023-05, entitled:

#### **RESOLUTION NO. 2023-05**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE PENTATHLON COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2022/2023 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.**

Ms. Nguyen provided an explanation for the document. She indicated that there was an operating fund balance of approximately \$224,000 at the end of the fiscal year. A discussion ensued after which:

A **motion** was made by Ms. Reyes-Obando, seconded by Mr. Goins and unanimously passed adopting Resolution No. 2023-05, as presented, thereby setting the amended/revised budget for the 2022/2023 fiscal year.

### **2. Consider Resolution No. 2023-06 – Adopting a Records Retention Policy**

Ms. Nguyen presented Resolution No. 2023-06, entitled:

#### **RESOLUTION 2023-06**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE PENTATHLON 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.**

Ms. Smoker explained that this document provides that the electronic record shall be considered the official record and any paper originals are considered duplicates which may be disposed of unless required by any applicable statute, rule or ordinance, per section 668.50, Florida Statutes.

A **motion** was made by Mr. Goins, seconded by Mr. Obando and unanimously passed adopting Resolution No. 2023-06; thereby adopting a Records Retention Policy.

### **3. Discussion Regarding Required Ethics Training Memorandum**

Ms. Smoker explained that effective January 1, 2024, elected officers, such as the District Board Supervisors, will be required to complete four (4) hours of ethics training annually. She further explained that this requirement is noted on page 1 of the Form 1, Statement of Financial Interests, which is completed annually by Board Supervisors. Ms. Smoker recommended that this training requirement be completed by July 1, annually, so that the supervisor or officer can verify compliance with the required training on his or her Form 1. Additionally, if supervisors or officers assume office on or before March 31<sup>st</sup>, they must complete the ethics training by December 31<sup>st</sup> of each year the term begins; however, if

the term starts after March 31<sup>st</sup>, the supervisor or officer is not required to complete the required ethics training until December 31<sup>st</sup> of the following year.

#### **4. Discussion Regarding 2023 Legislative Update Memorandum**

Ms. Smoker explained that her firm had prepared a memorandum summarizing the legislative acts that became law during the most recent legislative session. Ms. Smoker provided the Board an explanation of the laws that pertain to the District. Ms. Smoker informed the Board that if they have any questions regarding these new laws, they may contact her office or visit <http://laws.flrules.org/>.

### **I. AUDITOR SELECTION COMMITTEE**

#### **1. Ranking pf Proposals/Consider Selection of an Auditor**

Ms. Nguyen reminded the Board that during the last Board Meeting, the Board and the District Manager were appointed as the Audit Committee.

Ms. Nguyen recessed the Regular Board Meeting and simultaneously called to order a meeting of the Audit Committee at approximately 6:20 p.m. The purpose of the Audit Committee meeting is to rank and recommend, in order of preference, no fewer than three (3) audit firms to perform the required auditing services for three (3) fiscal years commencing with the 2022/2023 audit and to include a 2-year renewal option.

Ms. Nguyen explained that only one (1) audit firm had responded to the legal advertisement requesting proposals to perform annual audits for fiscal years ending 9/30/2023, 9/30/2024, 9/30/2025 and to include a 2-year renewal option for fiscal years 9/30/2026 and 9/30/2027.

Ms. Nguyen informed the Board that they had two options. They could either waive the three (3) audit proposer rule or they can start the request for proposals process again. The Audit Committee consensus was to waive the 3 audit proposer rule. Consequently, Ms. Nguyen asked the Audit Committee to waive the 3 audit proposer rule and also rank the firm of Grau & Associates #1, the only qualified and responsible firm. A discussion ensued, after which:

A **motion** was made by Ms. Reyes-Obando, seconded by Mr. Hunt and unanimously passed waiving the three (3) audit proposer rule and ranking the firm of Grau & Associates, deemed to be most qualified to perform the auditing services, as #1.

There being no further Audit Committee business to conduct, Ms. Nguyen adjourned the Audit Committee Meeting and simultaneously reconvened the Regular Board Meeting at approximately 6:26 p.m.

A **motion** was made by Mr. Goins, seconded by Mr. Hunt and unanimously passed authorizing the District Manager to engage the firm of Grau & Associates, a qualified and responsible auditing firm proposer, to perform audits for the three (3) fiscal years ending 2023, 2024 and 2025; and the fees for the fiscal years will be \$3,400, \$3,500 and \$3,600, respectively; and to provide in the engagement a 2-year renewal option for the fiscal years 2026 and 2027; and the fees for the option years, subject to fee adjustments for inflation, will be \$3,700 and \$3,800, respectively.

### **J. ADMINISTRATIVE MATTERS**

#### **1. Staff Report, as Required**

There was no staff report at this time.

#### **K. BOARD MEMBER & STAFF CLOSING COMMENTS**

Ms. Nguyen stated that unless an emergency were to arise, the Board would not need to meet until February 21, 2024.

#### **L. ADJOURNMENT**

There being no further business to come before the Board, a **motion** was made by Ms. Reyes-Obando, seconded by Mr. Hunt adjourning the Regular Board Meeting at approximately 6:28 p.m. There were no objections.

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**Secretary/Assistant Secretary**

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**Chairperson/Vice-Chairperson**

**RESOLUTION NO. 2024-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
PENTATHLON COMMUNITY DEVELOPMENT DISTRICT  
APPROVING A PROPOSED BUDGET AND NON-AD VALOREM  
SPECIAL ASSESSMENTS FOR FISCAL YEAR 2024/2025; AND  
PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of Supervisors (the “Board”) of the Pentathlon Community Development District (the “District”) is required by Chapter 190.008, *Florida Statutes*, to approve a Proposed Budget for each fiscal year; and,

**WHEREAS**, the Proposed Budget including the Assessments for Fiscal Year 2024/2025 has been prepared and considered by the Board.

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

**Section 1.** The Proposed Budget including the Assessments for Fiscal Year 2024/2025 attached hereto as Exhibit “A” is approved and adopted.

**Section 2.** A Public Hearing is hereby scheduled for May 15, 2024 at 6:00 p.m. in the Kendall Executive Center, Conference Room located at 8785 SW 165<sup>th</sup> Avenue, Suite 200, Miami, Florida 33193, for the purpose of receiving public comments on the Proposed Fiscal Year 2024/2025 Budget.

**PASSED, ADOPTED and EFFECTIVE** this 21<sup>st</sup> day of February, 2024.

**ATTEST:**

**PENTATHLON  
COMMUNITY DEVELOPMENT DISTRICT**

By: \_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Chairperson/Vice Chairperson



# Pentathlon Community Development District

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

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- II       DETAILED PROPOSED BUDGET**
- III      DETAILED PROPOSED DEBT SERVICE FUND BUDGET**
- IV      ASSESSMENT COMPARISON**

**PROPOSED BUDGET**  
**PENTATHLON COMMUNITY DEVELOPMENT DISTRICT**  
**FISCAL YEAR 2024/2025**  
**OCTOBER 1, 2024 - SEPTEMBER 30, 2025**

	<b>FISCAL YEAR 2024/2025 BUDGET</b>
<b>REVENUES</b>	
ADMINISTRATIVE ASSESSMENTS	71,267
MAINTENANCE/INFRASTRUCTURE IMPROVEMENT ASSESSMENTS	9,042
DEBT ASSESSMENTS	212,860
INTEREST INCOME	720
<b>TOTAL REVENUES</b>	<b>\$ 293,889</b>
<b>EXPENDITURES</b>	
<b>MAINTENANCE/INFRASTRUCTURE IMPROVEMENTS</b>	
IMPROVEMENT CONTINGENCY	7,000
ENGINEERING/INSPECTIONS	1,500
<b>TOTAL MAINTENANCE/INFRASTRUCTURE IMPROVEMENTS</b>	<b>\$ 8,500</b>
<b>ADMINISTRATIVE EXPENDITURES</b>	
SUPERVISOR FEES	6,000
PAYROLL TAXES (EMPLOYER)	480
MANAGEMENT	34,656
SECRETARIAL	3,000
LEGAL	8,500
ASSESSMENT ROLL	6,000
AUDIT FEES	3,500
INSURANCE	7,100
LEGAL ADVERTISING	1,700
MISCELLANEOUS	850
POSTAGE	225
OFFICE SUPPLIES	475
DUES & SUBSCRIPTIONS	175
TRUSTEE FEES	3,600
CONTINUING DISCLOSURE FEE	350
WEBSITE MANAGEMENT	1,500
<b>TOTAL ADMINISTRATIVE EXPENDITURES</b>	<b>\$ 78,111</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 86,611</b>
<b>REVENUES LESS EXPENDITURES</b>	<b>\$ 207,278</b>
BOND PAYMENTS	(200,088)
<b>BALANCE</b>	<b>\$ 7,190</b>
COUNTY APPRAISER & TAX COLLECTOR FEE	(5,863)
DISCOUNTS FOR EARLY PAYMENTS	(11,727)
<b>EXCESS/ (SHORTFALL)</b>	<b>\$ (10,400)</b>
CARRYOVER FROM PRIOR YEAR	10,400
<b>NET EXCESS/ (SHORTFALL)</b>	<b>\$ -</b>

**DETAILED PROPOSED BUDGET**  
**PENTATHLON COMMUNITY DEVELOPMENT DISTRICT**  
**FISCAL YEAR 2024/2025**  
**OCTOBER 1, 2024 - SEPTEMBER 30, 2025**

	FISCAL YEAR 2022/2023 ACTUAL	FISCAL YEAR 2023/2024 BUDGET	FISCAL YEAR 2024/2025 BUDGET	COMMENTS
<b>REVENUES</b>				
ADMINISTRATIVE ASSESSMENTS	69,117	70,530	71,267	Expenditures Less Interest & Carryover/.94
MAINTENANCE/INFRASTRUCTURE IMPROVEMENT ASSESSMENTS	10,639	9,042	9,042	Expenditures/.94
DEBT ASSESSMENTS	213,810	213,636	212,860	Bond Payments/.94
INTEREST INCOME	8,430	360	720	Interest Projected At \$60 Per Month
<b>TOTAL REVENUES</b>	<b>\$ 301,996</b>	<b>\$ 293,568</b>	<b>\$ 293,889</b>	
<b>EXPENDITURES</b>				
<b>MAINTENANCE/INFRASTRUCTURE IMPROVEMENTS</b>				
IMPROVEMENT CONTINGENCY	0	7,000	7,000	Improvement Contingency
ENGINEERING/INSPECTIONS	1,105	1,500	1,500	No Change From 2023/2024 Budget
<b>TOTAL MAINTENANCE/INFRASTRUCTURE IMPROVEMENTS</b>	<b>\$ 1,105</b>	<b>\$ 8,500</b>	<b>\$ 8,500</b>	
<b>ADMINISTRATIVE EXPENDITURES</b>				
SUPERVISOR FEES	2,400	6,000	6,000	No Change From 2023/2024 Budget
PAYROLL TAXES (EMPLOYER)	184	480	480	Projected At 8% Of Supervisor Fees
MANAGEMENT	32,676	33,648	34,656	CPI Adjustment (Capped At 3%)
SECRETARIAL	3,000	3,000	3,000	No Change From 2023/2024 Budget
LEGAL	6,348	8,500	8,500	No Change From 2023/2024 Budget
ASSESSMENT ROLL	6,000	6,000	6,000	No Change From 2023/2024 Budget
AUDIT FEES	3,600	3,700	3,500	Approved Amount For 2023/2024 Audit
INSURANCE	6,134	6,600	7,100	Fiscal Year 2023/2024 Expenditure Was \$6,594
LEGAL ADVERTISING	261	600	1,700	Costs Will Increase Due To Closing Of The Miami Business Review
MISCELLANEOUS	798	850	850	No Change From 2023/2024 Budget
POSTAGE	135	225	225	No Change From 2023/2024 Budget
OFFICE SUPPLIES	200	500	475	\$25 Decrease From 2023/2024 Budget
DUES & SUBSCRIPTIONS	175	175	175	No Change From 2023/2024 Budget
TRUSTEE FEES	3,400	3,600	3,600	No Change From 2023/2024 Budget
CONTINUING DISCLOSURE FEE	350	350	350	No Change From 2023/2024 Budget
WEBSITE MANAGEMENT	1,500	1,500	1,500	No Change From 2023/2024 Budget
<b>TOTAL ADMINISTRATIVE EXPENDITURES</b>	<b>\$ 67,161</b>	<b>\$ 75,728</b>	<b>\$ 78,111</b>	
<b>TOTAL EXPENDITURES</b>	<b>\$ 68,266</b>	<b>\$ 84,228</b>	<b>\$ 86,611</b>	
<b>REVENUES LESS EXPENDITURES</b>	<b>\$ 233,730</b>	<b>\$ 209,340</b>	<b>\$ 207,278</b>	
BOND PAYMENTS	(203,805)	(200,818)	(200,088)	2025 P & I Payments Less Earned Interest
<b>BALANCE</b>	<b>\$ 29,925</b>	<b>\$ 8,522</b>	<b>\$ 7,190</b>	
COUNTY APPRAISER & TAX COLLECTOR FEE	(2,824)	(5,864)	(5,863)	Two Percent Of Total Assessment Roll
DISCOUNTS FOR EARLY PAYMENTS	(10,898)	(11,728)	(11,727)	Four Percent Of Total Assessment Roll
<b>EXCESS/ (SHORTFALL)</b>	<b>\$ 16,203</b>	<b>\$ (9,070)</b>	<b>\$ (10,400)</b>	
CARRYOVER FROM PRIOR YEAR	0	9,070	10,400	Carryover From Prior Year
<b>NET EXCESS/ (SHORTFALL)</b>	<b>\$ 16,203</b>	<b>\$ -</b>	<b>\$ -</b>	

**DETAILED PROPOSED DEBT SERVICE FUND BUDGET**  
**PENTATHLON COMMUNITY DEVELOPMENT DISTRICT**  
**FISCAL YEAR 2024/2025**  
**OCTOBER 1, 2024 - SEPTEMBER 30, 2025**

	FISCAL YEAR 2022/2023	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	10,973	100	500	Projected Interest For 2024/2025
NAV Tax Collection	203,805	200,818	200,088	2025 P & I Payments Less Earned Interest
<b>Total Revenues</b>	<b>\$ 214,778</b>	<b>\$ 200,918</b>	<b>\$ 200,588</b>	
<b>EXPENDITURES</b>				
Principal Payments	120,000	130,000	135,000	Principal Payment Due In 2025
Interest Payments	78,380	70,918	65,588	Interest Payments Due In 2025
<b>Total Expenditures</b>	<b>\$ 198,380</b>	<b>\$ 200,918</b>	<b>\$ 200,588</b>	
<b>Excess/ (Shortfall)</b>	<b>\$ 16,398</b>	<b>\$ -</b>	<b>\$ -</b>	

**Series 2012 Refunding Bonds Information**

Original Par Amount =	\$2,780,000	Annual Principal Payments Due =	November 1st
Interest Rate =	1.25% - 4.5%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	April 2012		
Maturity Date =	November 2033		
Par Amount As Of 1/1/24 =	\$1,595,000		

## Pentathlon Community Development District Assessment Comparison

	Fiscal Year 2020/2021 Assessment*	Fiscal Year 2021/2022 Assessment*	Fiscal Year 2022/2023 Assessment*	Fiscal Year 2023/2024 Assessment*	Fiscal Year 2024/2025 Projected Assessment*
Administrative	\$ 136.28	\$ 134.29	\$ 133.80	\$ 137.22	\$ 138.66
Maintenance/Infrastructure	\$ 20.70	\$ 20.70	\$ 20.70	\$ 17.60	\$ 17.60
Debt	<u>\$ 413.52</u>	<u>\$ 415.50</u>	<u>\$ 415.97</u>	<u>\$ 415.64</u>	<u>\$ 414.13</u>
Total	\$ 570.50	\$ 570.49	\$ 570.47	\$ 570.46	\$ 570.39

\* Assessments Include the Following :

4% Discount for Early Payments

1% County Tax Collector Fee

1% County Property Appraiser Fee

Community Information:

Total Units 514

## **RESOLUTION 2024-02**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE PENTATHLON COMMUNITY DEVELOPMENT DISTRICT ESTABLISHING AN ELECTRONIC SIGNATURE POLICY, PROVIDING DISTRICT MANAGER WITH AUTHORITY AND RESPONSIBILITY FOR APPROVAL OF ELECTRONIC SIGNATURES AND IMPLEMENTATION OF CONTROL PROCESSES AND PROCEDURES TO ENSURE COMPLIANCE, INTEGRITY, AND SECURITY, IN ACCORDANCE WITH CHAPTER 688, FLORIDA STATUTES; AND PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, the Pentathlon Community Development District (the “District”), is a local unit of special-purpose government organized and existing in accordance with the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, as amended (the “Act”), created by Ordinance No. 02-58 of the City Commission of the City of Miami, Florida enacted on May 3, 2002; and

**WHEREAS**, the Board of Supervisors of the District regularly directs the District Manager of the District to execute and accept certain documents on behalf of the District and it is customary for certain documents to be transmitted via electronic means endorsed with electronic signatures; and

**WHEREAS**, consistent with Chapter 688, Florida Statutes, the District is responsible for adopting and implementing control processes and procedures to ensure adequate integrity, security, confidentiality, and auditability of business transactions conducted using electronic commerce; and

**WHEREAS**, the District Board of Supervisors finds that it is in the best interest of the District to enact a policy pertaining to the use and receipt of electronic signatures.

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

**Section 1.** The foregoing recitals are hereby incorporated as findings of fact of the District Board of Supervisors.

**Section 2.** The Board of Supervisors of the Pentathlon Community Development District hereby establishes and adopts the “Electronic Signature Policy,” as follows:

## **ELECTRONIC SIGNATURE POLICY**

**PURPOSE:** The purpose of this policy is to establish and identify the criteria and requirements for the use and validation of electronic signatures on documents on behalf of and for District business in accordance with Chapter 688, Florida Statutes, “Electronic Signature Act”.

### **DEFINITIONS:**

*Electronic* means technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

*Electronic record* means a record created, generated, sent, communicated, received, or stored by electronic means.

*Electronic signature* means any letters, characters, or symbols, manifested by electronic or similar means, or logically associated with a record and that is executed or adopted with the intent to sign the record.

*Electronic transaction* means a transaction that is conducted or performed, in whole or in part, by electronic means or electronic records.

*Record* means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and that is retrievable in perceivable form.

**POLICY:** This policy applies to any Electronic transaction that is a replacement for or complement to handwritten signatures on any record of or for the District, including, but not limited to, contracts, agreements, official minutes, bids, proposals and resolutions. Any Electronic record or Electronic signature may not be denied legal effect or enforceability solely because the record or signature is in electronic form. This policy does not limit the District’s right or option to require original signatures or Records in a non-electronic format as the District deems necessary or as required by applicable policies, laws or regulations.

**PROCEDURE:** When a document containing an Electronic signature is signed, transmitted and received the following requirements must be met:

1. The Electronic signature must establish sender/user authenticity. The electronic signing of a document by an individual must be accompanied by documentation that shows that the signer is the individual signing the document and the individual that has the authority to bind the entity entering into an agreement or contract with the District.

2. If a document has been modified or changed, the prior Electronic signature is invalid and said document requires another Electronic signature or shall be signed by hand. This is to prevent any issue that a document has been changed after it is signed.



3. The District Manager, or his or her designee, has the authority and responsibility for approval of any Electronic signature method utilized and shall be responsible for the implementation of control processes and procedures to ensure adequate integrity, security, confidentiality, and auditability of District business transactions conducted using electronic methods.

4. The Electronic signature shall include the entire name of the individual and shall be located on or near the signature block on the document being electronically signed.

5. The date of the Electronic signature must be captured, stored, and available for retrieval for the required retention period of the document executed.

6. The Electronic record must be transmitted to all parties in a format acceptable to the District Manager, or his or her designee.

**Section 3.** The District Manager is hereby directed to take all actions necessary and consistent with the intent of this Resolution.

**Section 4.** All resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

**Section 5.** If any clause, section or other part or application of this Resolution is held by a court of competent jurisdiction to be unconstitutional, illegal or invalid, in part or as applied, it shall not affect the validity of the remaining portions or applications of this Resolution.

**Section 6.** The Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** at a meeting of the District Board of Supervisors, this 21<sup>st</sup> day of February 2024.

**PENTATHLON COMMUNITY  
DEVELOPMENT DISTRICT**

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Secretary / Assistant Secretary

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Chair / Vice Chair

## MEMORANDUM

TO: District Manager

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

DATE: January 19, 2024

RE: Required Ethics Training and Financial Disclosure

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### **Ethics Training**

This memorandum serves as a reminder that beginning January 1, 2024, elected and appointed commissioners of community redevelopment agencies and local officers of independent special districts are 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.

### **Deadlines & Recordkeeping**

The deadline to complete training for this calendar year is December 31, 2024. There is no requirement to submit proof that you have completed the training. However, the Florida Commission on Ethics recommends that Supervisors maintain a record of all completed trainings, including the date and time of completion. This documentation may be useful if Supervisors are ever required to provide evidence of training completion. The training is a calendar year requirement and corresponds to the form year. Therefore, Supervisors will report their 2024 training when filling out their Form 1 for the 2025 year.

### **Links to Online Training**

[Public Meetings and Public Records Law \(2-Hour Audio Presentation\)](#). This presentation is audio only and is offered by the Office of the Attorney General. This presentation covers public records and Florida public records law. The presentation can be accessed for free. Completing this presentation will satisfy 2 of the 4 hours of required ethics training.

[State Ethics Laws for Constitutional Officers & Elected Municipal Officers](#). This training is presented by the Florida Commission on Ethics. The training is an overview of Florida's Ethics Code (Part III, Chapter 112, and Article II, Section 8, Florida Constitution) geared toward Constitutional Officers and Elected Municipal Officers. Topics covered include gifts, voting conflict, misuse of office, prohibited business relationships, conflicting employment relationships, revolving door, and Amendment 12. This presentation can be accessed for free. Completing this training will satisfy 2 of the 4 hours of required ethics training.

[State-Mandated Continuing Education in Ethics.](#) This class is presented by the Florida League of Cities. The class covers Chapter 112 of Florida's Ethics Code (2 Hours) and Florida Public Records and Public Meetings Law (2 Hours). To take this class, you must register for it, however there is no registration fee. Completing this class will meet your ethics training requirement.

["4-Hour Ethics Course"](#). The "4-Hour Ethics Course" is available online and presented by the Florida Institute of Government. There are three sessions. Session 1 covers Florida's Public Records Laws (1 hour), session 2 covers Florida Government in the Sunshine Law (1 hour), and session 3 covers Florida's Ethics Laws (2 hours). The registration fee is \$79. Completing this entire course will meet your ethics training requirement.

[Sunshine Law, Public Records and Ethics for Public Officers and Public Employees 2023.](#) This seminar is offered by the Florida Bar. This seminar covers sunshine law and public records; true stories of excess corruption in the ethics world; navigating Florida public records law, privacy, ethics and social media; complaints, misuse, anti-nepotism and voting; ethics during and after public service: conflicting contractual relationships & revolving door restrictions; gifts bribes, honoraria, and expenditures. The cost for this seminar is \$280. Completing this entire seminar will meet your ethics training requirement. Those Supervisors or Officers who are members of the Florida Bar may wish to purchase this option as Continuing Legal Education Credits can be earned.

We will notify you directly or through the District Manager's office if and when other training opportunities become available.

## **Form 1 or Form 6**

Section 8, Article II of the Florida Constitution requires constitutional officers and certain elected public officials to file a Form 6. In the last session, the legislature expanded the requirements to include *elected members of municipalities*. Independent special district officials remain exempt from the requirement to file a Form 6. Elected and appointed commissioners of community redevelopment agencies and local officers of independent special districts (including community development districts) are required to file Form 1.

For this year's filing requirement, a completed Form 1 must be submitted prior to July 1, 2024 using the Electronic Filing System of the Florida Commission on Ethics, which can be accessed via the link at [Login - Electronic Financial Disclosure Management System \(floridaethics.gov\).](#) You will no longer be able to file your completed Form 1 through your local Supervisor of Elections office.

If you have any questions or need additional information about ethics training requirements or financial disclosure, please do not hesitate to contact our office.