



***HERITAGE HARBOR
COMMUNITY DEVELOPMENT DISTRICT***

Agenda Package

Regular Meeting

***Tuesday,
April 11, 2023
5:30 p.m.***

***Location:
Heritage Harbor Clubhouse
19502 Heritage Harbor Parkway
Lutz, FL 33558***

Note: The Advanced Meeting Package is a working document and thus all materials are considered DRAFTS prior to presentation and Board acceptance, approval or adoption.

Heritage Harbor Community Development District

[X] 250 International Parkway, Suite 208
Lake Mary FL 32746
(321) 263-0132

Board of Supervisors
Heritage Harbor Community Development District

Dear Board Members:

The Regular Meeting of the Board of Supervisors of the Heritage Harbor Community Development District is scheduled for **Tuesday, April 11, 2023, at 5:30 p.m.** at the **Heritage Harbor Clubhouse, 19502 Heritage Harbor Parkway, Lutz, FL 33558.**

The advanced copy of the agenda for the meeting is attached along with associated documentation for your review and consideration. Any additional support material will be distributed at the meeting.

Should you have any questions regarding the agenda, please contact me at (321) 263-0132 X-285 or tdobson@vestapropertyservices.com. We look forward to seeing you at the meeting.

Sincerely,

Tish Dobson

Tish Dobson
District Manager

Cc: Attorney
Engineer
District Records

District: **HERITAGE HARBOR COMMUNITY DEVELOPMENT DISTRICT**

Date of Meeting: Tuesday, April 11, 2023
Time: 5:30 PM
Location: Heritage Harbor Clubhouse
19502 Heritage Harbor Parkway
Lutz, Florida 33558

Call-in Number: +1 (929) 205-6099

Meeting ID: 913 989 9080

Passcode: 842235

Zoom Link:

<https://vestapropertyservices.zoom.us/j/9139899080?pwd=aFdWVzFxb3Y0L2w4eG9VTnZRakl0UT09>

Revised Agenda

- I. Roll Call**
- II. Audience Comments** – *(limited to 3 minutes per individual for agenda items)*
- III. Discussion of Golf Cart Usage by Minors – HCSO Presentation**
- IV. Double Bogeys Quarterly Update**
- V. Consideration of Nominations for Seat #5**
 - A. David Penzer [Exhibit 1](#)
 - B. Oath of Office [Exhibit 2](#)
 - C. Acceptance or Waiver of Compensation
 - D. Supervisor Information Sheet [Exhibit 3](#)
 - E. Form 1 [Exhibit 4](#)
 - F. Review of Sunshine Law & Supervisor Duties [Exhibit 5](#)
- VI. Landscape & Pond Maintenance**
 - A. Greenview Landscape as Inspected by OLM – March 23, 2023 – 93% [Exhibit 6](#)
 - 1. Consideration of Greenview Sod Replacement Proposal – Heritage Harbor Pkwy. & Sea Cove [Exhibit 7](#)
 - B. Steadfast Environmental – Waterway Inspection Report [Exhibit 8](#)
- VII. Golf Operations**
 - A. Golf Course Report
- VIII. Consent Agenda**
 - A. **Consideration for Approval – The Minutes of the Board of Supervisors Regular Meeting Held March 14, 2023** [Exhibit 9](#)
 - B. Consideration for Acceptance – The February 2023 Unaudited Financial Report [Exhibit 10](#)

IX. Business Matters

- A. Consideration & Adoption of **Resolution 2023-02, Adopting Policy Prohibiting Volunteer Work or Employment of Board Supervisors**
- B. Discussion & Consideration of Open Board Seat Policy
- C. Discussion of FY 2023-2024 Proposed Budget
- D. Discussion of Board Meeting Times
- E. Discussion of Reserve Study

[Exhibit 11](#)

[Exhibit 12](#)

X. Staff Reports

- A. **District Manager & Field Operations Report**
- B. District Attorney
- C. District Engineer

[Exhibit 13](#)

XI. Supervisors Requests

XII. Audience Comments – New Business – *(limited to 3 minutes per individual for non-agenda items)*

XIII. Next Meeting Quorum Check: May 9th, 5:30 PM

Benjamin Delaney	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> REMOTE	<input type="checkbox"/> NO
Russ Rossi	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> REMOTE	<input type="checkbox"/> NO
Clint Swigart	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> REMOTE	<input type="checkbox"/> NO
Shelley Grandon	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> REMOTE	<input type="checkbox"/> NO
Jeffrey Witt	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> REMOTE	<input type="checkbox"/> NO

XIV. Adjournment

EXHIBIT 1

Heritage Harbor CDD

To whom it may concern,

I would like to apply for the empty board spot which had been my spot for almost 20 years. I have served this community for that amount of time and as the Chair for 15 years. I am proud of my accomplishments which include getting our Clubhouse back with a beautiful new restaurant, getting the gates approved for community safety, & beating the odds on a golf course business in decline which is now flourishing. That is just a few of what we accomplished in the last 2 decades. To be sure, I did not do this myself as the other Board Members over the years and Staff we have hired worked as a team and I was honored to lead that team.

In November I was opposed for my seat in the election. Although I didn't win, I did receive 43% of the vote of my neighbors. As one Board Member will point out, at the time, I was burnt out and didn't really fight for my seat. That was 100% true but as that new Board Member didn't remain on the Board, it did give me the time to regain my passion about this community. I would love to be back on the Board and, to be clear, I am not looking to be Chair moving forward as that seat is in great hands. I would, however, like to be on the Board as an "At Large" Member so I can continue to provide historical insight and assistance in making this community as great as it can be and I do believe the current board is on the right track.

Regardless, I will always be here for this wonderful community and will always be proud of the guidance I gave along the way to make this a much sought out community to live in.

Thank you for your consideration.

David Penzer

EXHIBIT 2

**HERITAGE HARBOR
COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
OATH OF OFFICE**

I, _____, A CITIZEN OF THE STATE OF FLORIDA AND OF THE UNITED STATES OF AMERICA, AND BEING EMPLOYED BY OR AN OFFICER OF HERITAGE HARBOR COMMUNITY DEVELOPMENT DISTRICT AND A RECIPIENT OF PUBLIC FUNDS AS SUCH EMPLOYEE OR OFFICER, DO HEREBY SOLEMNLY SWEAR OR AFFIRM THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES AND OF THE STATE OF FLORIDA.

Board Supervisor

ACKNOWLEDGMENT OF OATH BEING TAKEN

STATE OF FLORIDA
COUNTY OF _____

The foregoing oath was administered before me this ___ day of _____, 2023, by _____, who personally appeared before me, and is personally known to me or has produced _____ as identification, and is the person described in and who took the aforementioned oath as a Member of the Board of Supervisors of _____ Community Development District and acknowledged to and before me that he/she took said oath for the purposes therein expressed.

(NOTARY SEAL)

Notary Public, State of Florida

Print Name: _____

Commission No.: _____ Expires: _____

EXHIBIT 3

Heritage Harbor
A Community Development District

NEW SUPERVISOR INFORMATION SHEET

Please return completed forms to DPF
DPFG Management & Consulting, LLC
Records Management
250 International Parkway, Suite 208
Lake Mary, FL 32746
Phone: 321-263-0132, EXT-285
District Manager: Tish Dobson

1) Name: _____

2) Address: _____

3) County of Residence _____

4) Phone or Cell _____

5) Email Address _____

6) Waive OR Accept Compensation of Statutorily Allowed \$200 per Meeting
_____. If you have elected to receive compensation
then please forward the attached payroll forms along with the New Supervisor
Information Sheet.

Payroll Information

1) Date of Birth: _____

2) Drivers License Number: _____

EXHIBIT 4

FORM 1

STATEMENT OF FINANCIAL INTERESTS

2022

Please print or type your name, mailing address, agency name, and position below:

FOR OFFICE USE ONLY:

LAST NAME -- FIRST NAME -- MIDDLE NAME :

MAILING ADDRESS :

CITY : ZIP : COUNTY :

NAME OF AGENCY :

NAME OF OFFICE OR POSITION HELD OR SOUGHT :

CHECK ONLY IF CANDIDATE OR NEW EMPLOYEE OR APPOINTEE

****** THIS SECTION MUST BE COMPLETED ******

DISCLOSURE PERIOD:

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2022.

MANNER OF CALCULATING REPORTABLE INTERESTS:

FILERS HAVE THE OPTION OF USING REPORTING THRESHOLDS THAT ARE ABSOLUTE DOLLAR VALUES, WHICH REQUIRES FEWER CALCULATIONS, OR USING COMPARATIVE THRESHOLDS, WHICH ARE USUALLY BASED ON PERCENTAGE VALUES (see instructions for further details). CHECK THE ONE YOU ARE USING (**must check one**):

COMPARATIVE (PERCENTAGE) THRESHOLDS OR **DOLLAR VALUE THRESHOLDS**

PART A -- PRIMARY SOURCES OF INCOME [Major sources of income to the reporting person - See instructions]
(If you have nothing to report, write "none" or "n/a")

NAME OF SOURCE OF INCOME	SOURCE'S ADDRESS	DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY

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

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

PART C -- REAL PROPERTY [Land, buildings owned by the reporting person - See instructions]
(If you have nothing to report, write "none" or "n/a")

You are not limited to the space on the lines on this form. Attach additional sheets, if necessary.

FILING INSTRUCTIONS for when and where to file this form are located at the bottom of page 2.

INSTRUCTIONS on who must file this form and how to fill it out begin on page 3.

PART D — INTANGIBLE PERSONAL PROPERTY [Stocks, bonds, certificates of deposit, etc. - See instructions]
 (If you have nothing to report, write "none" or "n/a")

TYPE OF INTANGIBLE	BUSINESS ENTITY TO WHICH THE PROPERTY RELATES

PART E — LIABILITIES [Major debts - See instructions]
 (If you have nothing to report, write "none" or "n/a")

NAME OF CREDITOR	ADDRESS OF CREDITOR

PART F — INTERESTS IN SPECIFIED BUSINESSES [Ownership or positions in certain types of businesses - See instructions]
 (If you have nothing to report, write "none" or "n/a")

	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2
NAME OF BUSINESS ENTITY		
ADDRESS OF BUSINESS ENTITY		
PRINCIPAL BUSINESS ACTIVITY		
POSITION HELD WITH ENTITY		
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS		
NATURE OF MY OWNERSHIP INTEREST		

PART G — TRAINING For elected municipal officers, appointed school superintendents, and commissioners of a community redevelopment agency created under Part III, Chapter 163 required to complete annual ethics training pursuant to section 112.3142, F.S.

I CERTIFY THAT I HAVE COMPLETED THE REQUIRED TRAINING.

IF ANY OF PARTS A THROUGH G ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE

SIGNATURE OF FILER:

Signature:

Date Signed:

CPA or ATTORNEY SIGNATURE ONLY

If a certified public accountant licensed under Chapter 473, or attorney in good standing with the Florida Bar prepared this form for you, he or she must complete the following statement:

I, _____, prepared the CE Form 1 in accordance with Section 112.3145, Florida Statutes, and the instructions to the form. Upon my reasonable knowledge and belief, the disclosure herein is true and correct.

CPA/Attorney Signature: _____

Date Signed: _____

FILING INSTRUCTIONS:

If you were mailed the form by the Commission on Ethics or a County Supervisor of Elections for your annual disclosure filing, return the form to that location. To determine what category your position falls under, see page 3 of instructions.

Local officers/employees file with the Supervisor of Elections of the county in which they permanently reside. (If you do not permanently reside in Florida, file with the Supervisor of the county where your agency has its headquarters.) Form 1 filers who file with the Supervisor of Elections may file by mail or email. Contact your Supervisor of Elections for the mailing address or email address to use. Do not email your form to the Commission on Ethics, it will be returned.

State officers or specified state employees who file with the Commission on Ethics may file by mail or email. To file by mail, send the completed form to P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 325 John Knox Rd, Bldg E, Ste 200, Tallahassee, FL 32303. To file with the Commission by email, scan your completed form and any attachments as a pdf (do not use any other format), send it to CEForm1@leg.state.fl.us and retain a copy for your records. Do not file by both mail and email. Choose only one filing method. Form 6s will not be accepted via email.

Candidates file this form together with their filing papers.

MULTIPLE FILING UNNECESSARY: A candidate who files a Form 1 with a qualifying officer is not required to file with the Commission or Supervisor of Elections.

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

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

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

Finally, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2022.

NOTICE

Annual Statements of Financial Interests are due July 1. If the annual form is not filed or postmarked by September 1, an automatic fine of \$25 for each day late will be imposed, up to a maximum penalty of \$1,500. Failure to file also can result in removal from public office or employment. [s. 112.3145, F.S.]

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

WHO MUST FILE FORM 1:

1) Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.

2) Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding members of solely advisory bodies, but including judicial nominating commission members; Directors of Enterprise Florida, Scripps Florida Funding Corporation, and Career Source Florida; and members of the Council on the Social Status of Black Men and Boys; the Executive Director, Governors, and senior managers of Citizens Property Insurance Corporation; Governors and senior managers of Florida Workers' Compensation Joint Underwriting Association; board members of the Northeast Fla. Regional Transportation Commission; board members of Triumph Gulf Coast, Inc; board members of Florida Is For Veterans, Inc.; and members of the Technology Advisory Council within the Agency for State Technology.

3) The Commissioner of Education, members of the State Board of Education, the Board of Governors, the local Boards of Trustees and Presidents of state universities, and the Florida Prepaid College Board.

4) Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file Form 6.

5) Appointed members of the following boards, councils, commissions, authorities, or other bodies of county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; community college or junior college district boards of trustees; boards having the power to enforce local code provisions; boards of adjustment; community redevelopment agencies; planning or zoning boards having the power to recommend, create, or modify land planning or zoning within a political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards, and except for representatives of a military installation acting on behalf of all military installations within that jurisdiction; pension or retirement boards empowered to invest pension or retirement funds or determine entitlement to or amount of pensions or other retirement benefits, and the Pinellas County Construction Licensing Board.

6) Any appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.

7) Persons holding any of these positions in local government: mayor; county or city manager; chief administrative employee or finance director of a county, municipality, or other political subdivision; county or municipal attorney; chief county or municipal building inspector; county

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

8) Officers and employees of entities serving as chief administrative officer of a political subdivision.

9) Members of governing boards of charter schools operated by a city or other public entity.

10) Employees in the office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.

11) The following positions in each state department, commission, board, or council: Secretary, Assistant or Deputy Secretary, Executive Director, Assistant or Deputy Executive Director, and anyone having the power normally conferred upon such persons, regardless of title.

12) The following positions in each state department or division: Director, Assistant or Deputy Director, Bureau Chief, and any person having the power normally conferred upon such persons, regardless of title.

13) Assistant State Attorneys, Assistant Public Defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel, Public Counsel, full-time state employees serving as counsel or assistant counsel to a state agency, administrative law judges, and hearing officers.

14) The Superintendent or Director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.

15) State agency Business Managers, Finance and Accounting Directors, Personnel Officers, Grant Coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.

16) The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.

17) Each member of the governing body of a "large-hub commercial service airport," as defined in Section 112.3144(1)(c), Florida Statutes, except for members required to comply with the financial disclosure requirements of s. 8, Article II of the State Constitution.

INSTRUCTIONS FOR COMPLETING FORM 1:

INTRODUCTORY INFORMATION (Top of Form): If your name, mailing address, public agency, and position are already printed on the form, you do not need to provide this information unless it should be changed. To change any of this information, write the correct information on the form, and contact your agency's financial disclosure coordinator. You can find your coordinator on the Commission on Ethics website: www.ethics.state.fl.us.

NAME OF AGENCY: The name of the governmental unit which you serve or served, by which you are or were employed, or for which you are a candidate.

DISCLOSURE PERIOD: The "disclosure period" for your report is the calendar year ending December 31, 2022.

OFFICE OR POSITION HELD OR SOUGHT: The title of the office or position you hold, are seeking, or held during the disclosure period even if you have since left that position. If you are a candidate for office or are a new employee or appointee, check the appropriate box.

PUBLIC RECORD: The disclosure form and everything attached to it is a public record. Your social security number, bank account, debit, charge, and credit card numbers are not required and you should redact them from any documents you file. If you are an active or former officer or employee listed in Section 119.071, F.S., whose home address is exempt from disclosure, the Commission will maintain that confidentiality if you submit a written and notarized request.

MANNER OF CALCULATING REPORTABLE INTEREST

Filers have the option of reporting based on either thresholds that are comparative (usually, based on percentage values) or thresholds that are based on absolute dollar values. The instructions on the following pages specifically describe the different thresholds. Check the box that reflects the choice you have made. You must use the type of threshold you have chosen for each part of the form. In other words, if you choose to report based on absolute dollar value thresholds, you cannot use a percentage threshold on any part of the form.

IF YOU HAVE CHOSEN DOLLAR VALUE THRESHOLDS THE FOLLOWING INSTRUCTIONS APPLY

PART A — PRIMARY SOURCES OF INCOME

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

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

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

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

Examples:

- If you were employed by a company that manufactures computers and received more than \$2,500, list the name of the company, its address, and its principal business activity (computer manufacturing).
- If you were a partner in a law firm and your distributive share of partnership gross income exceeded \$2,500, list the name of the firm, its address, and its principal business activity (practice of law).
- If you were the sole proprietor of a retail gift business and your gross income from the business exceeded \$2,500, list the name of the business, its address, and its principal business activity (retail gift sales).
- If you received income from investments in stocks and bonds, list each individual company from which you derived more than \$2,500. Do not aggregate all of your investment income.
- If more than \$2,500 of your gross income was gain from the sale of property (not just the selling price), list as a source of income the purchaser's name, address and principal business activity. If the purchaser's identity is unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of income should be listed as "sale of (name of company) stock," for example.
- If more than \$2,500 of your gross income was in the form of interest from one particular financial institution (aggregating interest from all CD's, accounts, etc., at that institution), list the name of the institution, its address, and its principal business activity.

PART B — SECONDARY SOURCES OF INCOME

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

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

- (1) You owned (either directly or indirectly in the form of an equitable

or beneficial interest) more than 5% of the total assets or capital stock of a business entity (a corporation, partnership, LLC, limited partnership, proprietorship, joint venture, trust, firm, etc., doing business in Florida); **and,**

- (2) You received more than \$5,000 of your gross income during the disclosure period from that business entity.

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

Examples:

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

PART C — REAL PROPERTY

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

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

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

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

PART D — INTANGIBLE PERSONAL PROPERTY

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

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

PART E — LIABILITIES

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

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

PART F — INTERESTS IN SPECIFIED BUSINESSES

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

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

Disclose in this part the fact that you owned during the disclosure

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

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

PART G — TRAINING CERTIFICATION

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

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

IF YOU HAVE CHOSEN COMPARATIVE (PERCENTAGE) THRESHOLDS THE FOLLOWING INSTRUCTIONS APPLY

PART A — PRIMARY SOURCES OF INCOME

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

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

Please list in this part of the form the name, address, and principal business activity of each source of your income which exceeded 5% of the gross income received by you in your own name or by any other person for your benefit or use during the disclosure period.

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

Examples:

— If you were employed by a company that manufactures computers and received more than 5% of your gross income from the company, list the name of the company, its address, and its principal business activity (computer manufacturing).

— If you were a partner in a law firm and your distributive share of partnership gross income exceeded 5% of your gross income, then list the name of the firm, its address, and its principal business activity (practice of law).

— If you were the sole proprietor of a retail gift business and your gross income from the business exceeded 5% of your total gross income, list the name of the business, its address, and its principal business activity (retail gift sales).

— If you received income from investments in stocks and

bonds, list each individual company from which you derived more than 5% of your gross income. Do not aggregate all of your investment income.

— If more than 5% of your gross income was gain from the sale of property (not just the selling price), list as a source of income the purchaser's name, address, and principal business activity. If the purchaser's identity is unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of income should be listed as "sale of (name of company) stock," for example.

— If more than 5% of your gross income was in the form of interest from one particular financial institution (aggregating interest from all CD's, accounts, etc., at that institution), list the name of the institution, its address, and its principal business activity.

PART B — SECONDARY SOURCES OF INCOME

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

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

(1) You owned (either directly or indirectly in the form of an equitable or beneficial interest) more than 5% of the total assets or capital stock of a business entity (a corporation, partnership, LLC, limited partnership, proprietorship, joint venture, trust, firm, etc., doing business in Florida); **and**,

(2) You received more than 10% of your gross income from that business entity; **and**,

(3) You received more than \$1,500 in gross income from that business entity.

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

Examples:

— You are the sole proprietor of a dry cleaning business, from which you received more than 10% of your gross income—an amount that was more than \$1,500. If only one customer, a uniform rental company, provided more than 10% of your dry cleaning business, you must list the name of the uniform rental company, its address, and its principal business activity (uniform rentals).

— You are a 20% partner in a partnership that owns a shopping mall and your partnership income exceeded the thresholds listed above. You should list each tenant of the mall that provided more than 10% of the partnership's gross income, and the tenant's address and principal business activity.

PART C — REAL PROPERTY

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

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

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

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

PART D — INTANGIBLE PERSONAL PROPERTY

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

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

Calculations: To determine whether the intangible property exceeds 10% of your total assets, total the fair market value of all of your assets (including real property, intangible property, and tangible personal property such as jewelry, furniture, etc.). When making this calculation, do not subtract any liabilities (debts) that may relate to the property. Multiply the total figure by 10% to arrive at the disclosure threshold. List only the intangibles that exceed this threshold amount. The value of a leased vehicle is the vehicle's present value minus the lease residual (a number which can be found on the lease document). Property that is only jointly owned property should be valued according to the percentage of your joint ownership. Property owned as tenants by the entirety or as joint tenants with right of survivorship, including bank accounts owned in such a manner, should be valued at 100%. None of your calculations or the value of the property have to be disclosed on the form.

Example: You own 50% of the stock of a small corporation that is worth \$100,000, the estimated fair market value of your home and other property (bank accounts, automobile, furniture, etc.) is \$200,000. As your total assets are worth \$250,000, you must disclose intangibles worth over \$25,000. Since the value of the stock exceeds this threshold, you should list "stock" and the name of the corporation. If your accounts with a particular bank exceed \$25,000, you should list "bank accounts" and bank's name.

PART E — LIABILITIES

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

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

Calculations: To determine whether the debt exceeds your net worth, total all of your liabilities (including promissory notes, mortgages, credit card debts, judgments against you, etc.). The amount of the liability of a vehicle lease is the sum of any past-due payments and all unpaid prospective lease payments. Subtract the sum total of your liabilities from the value of all your assets as calculated above for Part D. This is your "net worth." List each creditor to whom your debt exceeded this amount unless it is one of the types of indebtedness listed in the paragraph above (credit card and retail installment accounts, etc.). Joint liabilities with others for which you are "jointly and severally liable," meaning that you may be liable for either your part or the whole of the obligation, should be included in your calculations at 100% of the amount owed.

Example: You owe \$15,000 to a bank for student loans, \$5,000 for credit card debts, and \$60,000 (with spouse) to a savings and loan for a home mortgage. Your home (owned by you and your spouse) is worth \$80,000 and your other property is worth \$20,000. Since your net worth is \$20,000 (\$100,000 minus \$80,000), you must report only the name and address of the savings and loan.

PART F — INTERESTS IN SPECIFIED BUSINESSES

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

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

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

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

PART G — TRAINING CERTIFICATION

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

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

EXHIBIT 5

FLORIDA COMMISSION ON ETHICS



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

2023

State of Florida
COMMISSION ON ETHICS

John Grant, *Chair*
Tampa

Glenton “Glen” Gilzean, Jr., *Vice Chair*
Orlando

Michelle Anchors
Fort Walton Beach

William P. Cervone
Gainesville

Don Gaetz
Niceville

William N. “Willie” Meggs
Tallahassee

Ed H. Moore
Tallahassee

Wengay M. Newton, Sr.
St. Petersburg

Jim Waldman
Fort Lauderdale

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

*Please direct all requests for information to this number.

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I. HISTORY OF FLORIDA'S ETHICS LAWS

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

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

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

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

In 2018, Florida's Constitutional Revision Commission proposed, and the voters adopted, changes to Article II, Section 8. The earliest of the changes will take effect December 31, 2020, and will prohibit officials from abusing their position to obtain a disproportionate benefit for themselves

or their spouse, child, or employer, or for a business with which the official contracts or is an officer, partner, director, sole proprietor, or in which the official owns an interest. Other changes made to the Constitution place restrictions on lobbying by certain officeholders and employees, and put additional limits on lobbying by former public officers and employees. These changes will become effective December 31, 2022.

II. ROLE OF THE COMMISSION ON ETHICS

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

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

III. THE ETHICS LAWS

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

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

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

A. PROHIBITED ACTIONS OR CONDUCT

1. Solicitation and Acceptance of Gifts

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

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

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

However, notwithstanding Sec. 112.3148, Fla. Stat., no Executive Branch lobbyist or principal shall make, directly or indirectly, and no Executive Branch agency official who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.] Typically, this would include gifts valued at less than \$100 that formerly were permitted under Section 112.3148, Fla. Stat. Similar rules apply to members and employees of the Legislature. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.]

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

2. *Unauthorized Compensation*

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

3. *Misuse of Public Position*

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

4. *Abuse of Public Position*

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

5. *Disclosure or Use of Certain Information*

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

6. *Solicitation or Acceptance of Honoraria*

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

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

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

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

B. PROHIBITED EMPLOYMENT AND BUSINESS RELATIONSHIPS

1. *Doing Business With One's Agency*

(a) A public employee acting as a purchasing agent, or public officer acting in an official capacity, is prohibited from purchasing, renting, or leasing any realty, goods, or services for his or her agency from a business entity in which the officer or employee or his or her spouse or child owns more than a 5% interest. [Sec. 112.313(3), Fla. Stat.]

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

2. *Conflicting Employment or Contractual Relationship*

(a) A public officer or employee is prohibited from holding any employment or contract with any business entity or agency regulated by or doing business with his or her public agency. [Sec. 112.313(7), Fla. Stat.]

(b) A public officer or employee also is prohibited from holding any employment or having a contractual relationship which will pose a frequently recurring conflict between the official's private interests and public duties or which will impede the full and faithful discharge of the official's public duties. [Sec. 112.313(7), Fla. Stat.]

(c) Limited exceptions to this prohibition have been created in the law for legislative bodies, certain special tax districts, drainage districts, and persons whose professions or occupations qualify them to hold their public positions. [Sec. 112.313(7)(a) and (b), Fla. Stat.]

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

- (a) When the business is rotated among all qualified suppliers in a city or county.

- (b) When the business is awarded by sealed, competitive bidding and neither the official nor his or her spouse or child have attempted to persuade agency personnel to enter the contract.
NOTE: Disclosure of the interest of the official, spouse, or child and the nature of the business must be filed prior to or at the time of submission of the bid on Commission FORM 3A with the Commission on Ethics or Supervisor of Elections, depending on whether the official serves at the state or local level.

- (c) When the purchase or sale is for legal advertising, utilities service, or for passage on a common carrier.

- (d) When an emergency purchase must be made to protect the public health, safety, or welfare.

- (e) When the business entity is the only source of supply within the political subdivision and there is full disclosure of the official's interest to the governing body on Commission FORM 4A.

- (f) When the aggregate of any such transactions does not exceed \$500 in a calendar year.

- (g) When the business transacted is the deposit of agency funds in a bank of which a county, city, or district official is an officer, director, or stockholder, so long as agency records show that the governing body has determined that the member did not favor his or her bank over other qualified banks.

- (h) When the prohibitions are waived in the case of ADVISORY BOARD MEMBERS by the appointing person or by a two-thirds vote of the appointing body (after disclosure on Commission FORM 4A).

- (i) When the public officer or employee purchases in a private capacity goods or services, at a price and upon terms available to similarly situated members of the general public, from a business entity which is doing business with his or her agency.

(j) When the public officer or employee in a private capacity purchases goods or services from a business entity which is subject to the regulation of his or her agency where the price and terms of the transaction are available to similarly situated members of the general public and the officer or employee makes full disclosure of the relationship to the agency head or governing body prior to the transaction.

4. *Additional Exemptions*

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

5. *Legislators Lobbying State Agencies*

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

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

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

7. *Employees Holding Office*

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

8. *Professional and Occupational Licensing Board Members*

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

9. *Contractual Services: Prohibited Employment*

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

10. *Local Government Attorneys*

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

11. *Dual Public Employment*

Candidates and elected officers are prohibited from accepting public employment if they know or should know it is being offered for the purpose of influence. Further, public employment may not be accepted unless the position was already in existence or was created without the

anticipation of the official's interest, was publicly advertised, and the officer had to meet the same qualifications and go through the same hiring process as other applicants. For elected public officers already holding public employment, no promotion given for the purpose of influence may be accepted, nor may promotions that are inconsistent with those given other similarly situated employees. [Sec. 112.3125, Fla. Stat.]

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

1. Anti-Nepotism Law

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

2. Additional Restrictions

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

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

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

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

2. Lobbying by Former State Employees

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

(a) Executive and legislative branch employees serving in the Senior Management Service and Selected Exempt Service, as well as any person employed by the Department of the Lottery having authority over policy or procurement.

(b) Persons serving in the following position classifications: the Auditor General; the director of the Office of Program Policy Analysis and Government Accountability (OPPAGA); the Sergeant at Arms and Secretary of the Senate; the Sergeant at Arms and Clerk of the House of Representatives; the executive director and deputy executive director of the Commission on Ethics; an executive director, staff director, or deputy staff director of each joint committee, standing committee, or select committee of the Legislature; an executive director, staff director, executive assistant, legislative analyst, or attorney serving in the Office of the President of the Senate, the Office of the Speaker of the House of Representatives, the Senate Majority Party Office, the Senate Minority Party Office, the House Majority Party Office, or the House Minority Party Office; the Chancellor and Vice-Chancellors of the State University System; the general counsel to the Board of Regents; the

president, vice presidents, and deans of each state university; any person hired on a contractual basis and having the power normally conferred upon such persons, by whatever title; and any person having the power normally conferred upon the above positions.

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

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

3. *6-Year Lobbying Ban*

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

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

For a period of six years after vacation of public position occurring on or after December 31, 2022, a county commissioner, a county officer pursuant to Article VIII or county charter, a school board member, a superintendent of schools, an elected municipal officer, or an elected special district officer in a special district with ad valorem taxing authority shall not lobby for compensation on issues

of policy, appropriations, or procurement before his or her former agency or governing body. [Art. II Sec 8(f)(3)c., Fla. Const. and Sec. 112.3121, Fla. Stat.]

4. *Additional Restrictions on Former State Employees*

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

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

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

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

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

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

E. VOTING CONFLICTS OF INTEREST

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

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

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

If the conflict is unknown or not disclosed prior to the meeting, the appointed official must orally disclose the conflict at the meeting when the conflict becomes known. Also, a written memorandum of voting conflict must be filed with the meeting's recording officer within 15 days of

the disclosure being made and must be provided to the other members of the agency, with the disclosure being read publicly at the next scheduled meeting. [Sec. 112.3143, Fla. Stat.]

F. DISCLOSURES

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

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

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

1. FORM 1 - Limited Financial Disclosure

Who Must File:

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

STATE OFFICERS include:

- 1) Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.

2) Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding members of solely advisory bodies; but including judicial nominating commission members; directors of Enterprise Florida, Scripps Florida Funding Corporation, and CareerSource Florida, and members of the Council on the Social Status of Black Men and Boys; the Executive Director, governors, and senior managers of Citizens Property Insurance Corporation; governors and senior managers of Florida Workers' Compensation Joint Underwriting Association, board members of the Northeast Florida Regional Transportation Commission, and members of the board of Triumph Gulf Coast, Inc.; members of the board of Florida is for Veterans, Inc.; and members of the Technology Advisory Council within the Agency for State Technology.

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

LOCAL OFFICERS include:

1) Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.

2) Appointed members of the following boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; a community college or junior college district board of trustees; a board having the power to enforce local code provisions; a planning or zoning board, board of adjustments or appeals, community redevelopment agency board, or other board having the power to recommend, create, or modify land planning or zoning within the political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards, except for representatives of a military installation acting on behalf of all military installations within that jurisdiction; a pension board or retirement board empowered to invest pension or retirement funds or to determine entitlement to or amount of a pension or other retirement benefit.

3) Any other appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.

4) Persons holding any of these positions in local government: mayor; county or city manager; chief administrative employee or finance director of a county, municipality, or other political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; appointed district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$35,000 for the local governmental unit.

5) Members of governing boards of charter schools operated by a city or other public entity.

6) The officers, directors, and chief executive officer of a corporation, partnership, or other business entity that is serving as the chief administrative or executive officer or employee of a political subdivision, and any business entity employee who is acting as the chief administrative or executive officer or employee of the political subdivision. [Sec. 112.3136, Fla. Stat.]

SPECIFIED STATE EMPLOYEE includes:

1) Employees in the Office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.

2) The following positions in each state department, commission, board, or council: secretary or state surgeon general, assistant or deputy secretary, executive director, assistant or deputy executive director, and anyone having the power normally conferred upon such persons, regardless of title.

3) The following positions in each state department or division: director, assistant or deputy director, bureau chief, assistant bureau chief, and any person having the power normally conferred upon such persons, regardless of title.

4) Assistant state attorneys, assistant public defenders, criminal conflict and civil regional counsel, assistant criminal conflict and civil regional counsel, public counsel, full-time state employees serving as counsel or assistant counsel to a state agency, judges of compensation claims, administrative law judges, and hearing officers.

5) The superintendent or director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.

6) State agency business managers, finance and accounting directors, personnel officers, grant coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.

7) The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.

What Must Be Disclosed:

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

When to File:

CANDIDATES for elected local office must file FORM 1 together with and at the same time they file their qualifying papers.

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

Where to File:

Each LOCAL OFFICER files FORM 1 with the Supervisor of Elections in the county in which he or she permanently resides.

A STATE OFFICER or SPECIFIED STATE EMPLOYEE files with the Commission on Ethics. [Sec. 112.3145, Fla. Stat.]

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

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

3. *FORM 2 - Quarterly Client Disclosure*

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

A FORM 2 disclosure includes the names of clients represented by the reporting person or by any partner or associate of his or her professional firm for a fee or commission before agencies at the

reporting person's level of government. Such representations do not include appearances in ministerial matters, appearances before judges of compensation claims, or representations on behalf of one's agency in one's official capacity. Nor does the term include the preparation and filing of forms and applications merely for the purpose of obtaining or transferring a license, so long as the issuance of the license does not require a variance, special consideration, or a certificate of public convenience and necessity.

When to File:

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

Where To File:

LOCAL OFFICERS file with the Supervisor of Elections of the county in which they permanently reside.

STATE OFFICERS and SPECIFIED STATE EMPLOYEES file with the Commission on Ethics. [Sec. 112.3145(4), Fla. Stat.]

4. FORM 6 - Full and Public Disclosure

Who Must File:

Persons required by law to file FORM 6 include all elected constitutional officers and candidates for such office; the mayor and members of the city council and candidates for these offices in Jacksonville; the Duval County Superintendent of Schools; judges of compensation claims (pursuant to Sec. 440.442, Fla. Stat.); members of the Florida Housing Finance Corporation Board and members of expressway authorities, transportation authorities (except the Jacksonville Transportation

Authority), bridge authority, or toll authorities created pursuant to Ch. 348 or 343, or 349, or other general law.

What Must be Disclosed:

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

When and Where To File:

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

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

CANDIDATES must register and use the electronic filing system to complete the Form 6, then file the disclosure with the officer before whom they qualify at the time of qualifying. [Art. II, Sec. 8(a) and (i), Fla. Const., and Sec. 112.3144, Fla. Stat.]

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

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

6. *FORM 9 - Quarterly Gift Disclosure*

Each person required to file FORM 1 or FORM 6, and each state procurement employee, must file a FORM 9, Quarterly Gift Disclosure, with the Commission on Ethics on the last day of any calendar quarter following the calendar quarter in which he or she received a gift worth more than \$100, other than gifts from relatives, gifts prohibited from being accepted, gifts primarily associated with his or her business or employment, and gifts otherwise required to be disclosed. FORM 9 NEED NOT BE FILED if no such gift was received during the calendar quarter.

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

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

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

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

In addition, a person required to file FORM 1 or FORM 6, or a state procurement employee, who receives expenses or payment of expenses related to an honorarium event from someone who

is prohibited from giving him or her an honorarium, must disclose annually the name, address, and affiliation of the donor, the amount of the expenses, the date of the event, a description of the expenses paid or provided, and the total value of the expenses on FORM 10. The donor paying the expenses must provide the officer or employee with a statement about the expenses within 60 days of the honorarium event.

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

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

8. FORM 30 - Donor's Quarterly Gift Disclosure

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

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

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

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

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

IV. AVAILABILITY OF FORMS

LOCAL OFFICERS and EMPLOYEES who must file FORM 1 annually will be sent the form by mail from the Supervisor of Elections in the county in which they permanently reside not later than JUNE 1 of each year. Newly elected and appointed officials or employees should contact the heads of their agencies for copies of the form or download it from www.ethics.state.fl.us, as should those persons who are required to file their final disclosure statements within 60 days of leaving office or employment. The Form 1 will be filed electronically with the Florida Commission on Ethics via the Electronic Financial Disclosure Management System (EFDMS), beginning in 2023.

Beginning January 1, 2023, ELECTED CONSTITUTIONAL OFFICERS and other officials who must file Form 6 annually must file electronically via the Commission's Electronic Financial Disclosure Management System (EFDMS). Paper forms will not be promulgated. Communications regarding the

annual filing requirement will be sent via email to filers no later than June 1. Filers must maintain an updated email address in their User Profile in EFDMS.

OTHER STATE OFFICERS, and SPECIFIED STATE EMPLOYEES who must file Form 1 annually will be sent the forms by mail from the Florida Commission on Ethics by June 1, 2023. Newly elected and appointed officers and employees should contact the head of their agencies for copies of the form or download the form from www.ethics.state.fl.us, as should those persons who are required to file their final financial disclosure statement within 60 days of leaving office or employment.

V. PENALTIES

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

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

B. Penalties for Candidates

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

C. Penalties for Former Officers and Employees

FORMER PUBLIC OFFICERS or EMPLOYEES who are found in violation of a provision applicable to former officers or employees or whose violation occurred prior to such officer's or employee's

leaving public office or employment may be subject to one or more of the following penalties: public censure and reprimand, a civil penalty not to exceed \$10,000, and restitution of any pecuniary benefits received, and triple the value of a gift received from a political committee.

D. Penalties for Lobbyists and Others

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

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

E. Felony Convictions: Forfeiture of Retirement Benefits

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

F. Automatic Penalties for Failure to File Annual Disclosure

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

VI. ADVISORY OPINIONS

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

A. Who Can Request an Opinion

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

B. How to Request an Opinion

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

C. How to Obtain Published Opinions

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

VII. COMPLAINTS

A. *Citizen Involvement*

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

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

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

B. *Referrals*

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

C. *Confidentiality*

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

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

D. How the Complaint Process Works

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

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

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

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

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

E. Dismissal of Complaints At Any Stage of Disposition

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

F. Statute of Limitations

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

VIII. EXECUTIVE BRANCH LOBBYING

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

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

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

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

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

Executive Branch Lobbyist Registration
Room G-68, Claude Pepper Building
111 W. Madison Street
Tallahassee, FL 32399-1425
Phone: 850/922-4987

IX. WHISTLE-BLOWER'S ACT

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

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

X. ADDITIONAL INFORMATION

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

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

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

XI. TRAINING

Constitutional officers, elected municipal officers, and commissioners of community redevelopment agencies (CRAs) are required to receive a total of four hours training, per calendar year, in the area of ethics, public records, and open meetings. The Commission on Ethics does not

track compliance or certify providers. Officials indicate their compliance with the training requirement when they file their annual Form 1 or Form 6.

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

EXHIBIT 6



HERITAGE HARBOR CDD

LANDSCAPE INSPECTION
March 23, 2023

ATTENDING:
ADAM RHUM – GREENVIEW LANDSCAPING
PAUL WOODS – OLM, INC.

SCORE: 93%

**NEXT INSPECTION
APRIL 27, 2023 AT 9:00 AM**

CATEGORY I: MAINTENANCE CARRYOVER ITEMS

NONE

CATEGORY II: MAINTENANCE ITEMS

HARBOR TOWNE

1. Continue removing dead wood from Viburnum suspensum around perimeter of the tennis court. Also remove volunteer Oak trees or Lichens from beds.
2. Remove palm volunteers from frontage bed at the pool entrance.
3. I recommend eliminating seasonal color in Blue Daze plantings and infilling with additional Blue Daze to maintain a symmetrical appearance between the entrance beds.
4. Front of the Pro Shop: Fertilize Gardenia standards.
5. Rear of the clubhouse: Closely monitor Ilex 'Schillings' for recurring fungus. Also establish a rounded outside edge on the plants, eliminating the box sheared appearance.
6. Along south perimeter of the tennis court parking lot: Prune back wood line overgrowth, maintaining an unobstructed mow path. I recommend establishing a nongrowth band to eliminate fast growing weeds along the wood line edge.
7. Control grassy weeds promoting Bermuda and St. Augustine infill near the outdoor seating area across the rear of the restaurant.

PARKWAY

8. Rake out leaf accumulations from curb line storm water inlets.
9. **Continue removing leaf accumulations matted on right-of-way turf strips.**
10. **Improve turf vigor and color in center islands.**

ENTRANCE

11. **Remove leaves matted in turf and from mulch beds near the golf cart crossing.**
12. Lutz Lake Fern Road frontage: Fertilize newly installed sod.

13. Remove concrete left by road contractors.

COMMONS

14. Cypress Green Drive: I recommend using sanitized pruning tools to prune center island Queen Palms prior to seasonal color installation to avoid flower petal drip in newly planted beds.
15. Monterey Bay village monument: I recommend rejuvenate pruning Dwarf Oleander. Consider stagger pruning, allowing the plant to flush new growth prior to the overall reduction prior to the rainy season. The plant is screening the monument.
16. Bluewater: Remove leaf accumulations from right-of-way areas along the right-of-way frontage.

CATEGORY III: IMPROVEMENTS – PRICING

1. Along the parkway: Provide a price to remove declining, aged Juniper and replace with St. Augustine turf to improve sight lines to the golf course pond with Arbutus or Perennial Peanut in sunny areas as low groundcover.
2. Provide a price to remove dead Pine trees along the frontage drive. These trees are located in golf course operations, but if Greenview can assist please submit a proposal.

CATEGORY IV: NOTES TO OWNER

1. Contractor reports seasonal color will be installed the last week of March.

CATEGORY V: NOTES TO CONTRACTOR

NONE

cc: Jackie Leger jleger@dpfgmc.com
Tish Dobson tdobson@dpfgmc.com
Ray Leonard rleonard@greenacre.com
Larry Rhum debs@greenviewfl.com


HERITAGE HARBOR CDD

MONTHLY LANDSCAPE MAINTENANCE INSPECTION GRADESHEET

A. LANDSCAPE MAINTENANCE	VALUE	DEDUCTION	REASON FOR DEDUCTION
TURF	5		Weekly mow April 2
TURF FERTILITY	15		
TURF EDGING	5		
WEED CONTROL – TURF AREAS	10	-2	Center island /rear of Club
TURF INSECT/DISEASE CONTROL	10		
PLANT FERTILITY	5		
WEED CONTROL – BED AREAS	10		
PLANT INSECT/DISEASE CONTROL	10		
PRUNING	10	-3	Woodlines
CLEANLINESS	10	-3	Remove remainder of oak leaf in r.o.w.
MULCHING	5		
WATER/IRRIGATION MANAGEMENT	15		
CARRYOVERS	5		

B. SEASONAL COLOR/PERENNIAL MAINTENANCE	VALUE	DEDUCTION	REASON FOR DEDUCTION
VIGOR/APPEARANCE	10	-1	Improve Blue Daze
INSECT/DISEASE CONTROL	10		
DEADHEADING/PRUNING	10		
MAXIMUM VALUE	145		

Date: 3-23-23 _____ Score: 93. Performance Payment™100 _____

Contractor Signature: 

Inspector Signature: 

Property Representative Signature: _____



EXHIBIT 7

GREENVIEW LANDSCAPING INC.

P.O. BOX 12668

ST. PETERSBURG, FL 33733

CELL: 727-804-8864

OFFICE: 727-906-8864

FAX: 727-867-4393

EMAIL: DEBS@GREENVIEW LANDSCAPING INC.

TO: HERITAGE HARBOR

ATTN: TISH DOBSON

DATE: March 15, 2023

RE: SOD INSTALLATION AT THE SEA COVE ENTRANCE

Replace the sod located on the center island near the Sea Cove entrance.

Install 1620 square feet of St. Augustine sod.

COST: \$2835.00.

EXHIBIT 8



Heritage Harbor CDD Aquatics

Inspection Date:

3/31/2023 9:44 AM

Prepared by:

Lee Smith

Account Manager

STEADFAST OFFICE:
WWW.STEADFASTENV.COM
813-836-7940

Inspection Report

SITE: 9

Condition: Excellent Great Good Poor Mixed Condition Improving



Comments:

Water level in pond is low. Very minor amounts of algae on the perimeter, practically nonexistent. No issues observed in pond. Routine maintenance and monitoring will occur here.

<u>WATER:</u>	<input checked="" type="checkbox"/> Clear	<input type="checkbox"/> Turbid	<input type="checkbox"/> Tannic	
<u>ALGAE:</u>	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Subsurface	<input type="checkbox"/> Filamentous	<input type="checkbox"/> Surface Filamentous
		<input type="checkbox"/> Planktonic		<input type="checkbox"/> Cyanobacteria
<u>GRASSES:</u>	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Minimal	<input type="checkbox"/> Moderate	<input type="checkbox"/> Substantial
<u>NUISANCE SPECIES OBSERVED:</u>				
	<input type="checkbox"/> Torpedo Grass	<input type="checkbox"/> Pennywort	<input type="checkbox"/> Babytears	<input type="checkbox"/> Chara
	<input type="checkbox"/> Hydrilla	<input type="checkbox"/> Slender Spikerush	<input type="checkbox"/> Other:	

SITE: 18

Condition: Excellent Great Good Poor Mixed Condition Improving



Comments:

Water level in pond is low. No issues observed in pond, pond is in excellent condition.

<u>WATER:</u>	<input checked="" type="checkbox"/> Clear	<input type="checkbox"/> Turbid	<input type="checkbox"/> Tannic	
<u>ALGAE:</u>	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Subsurface	<input type="checkbox"/> Filamentous	<input type="checkbox"/> Surface Filamentous
		<input type="checkbox"/> Planktonic		<input type="checkbox"/> Cyanobacteria
<u>GRASSES:</u>	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Minimal	<input type="checkbox"/> Moderate	<input type="checkbox"/> Substantial
<u>NUISANCE SPECIES OBSERVED:</u>				
	<input type="checkbox"/> Torpedo Grass	<input type="checkbox"/> Pennywort	<input type="checkbox"/> Babytears	<input type="checkbox"/> Chara
	<input type="checkbox"/> Hydrilla	<input type="checkbox"/> Slender Spikerush	<input type="checkbox"/> Other:	

Inspection Report

SITE: 14

Condition: Excellent ✓Great Good Poor Mixed Condition Improving



Comments:

Water level in pond is low. No major algae growth observed. Main vegetation growing in pond are shoreline grasses due to exposed banks. Torpedo grass and Pennywort are the main culprits and will be the focus point for our technicians moving forward.

<u>WATER:</u>	<input checked="" type="checkbox"/> Clear	<input type="checkbox"/> Turbid	<input type="checkbox"/> Tannic	
<u>ALGAE:</u>	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Subsurface Filamentous	<input type="checkbox"/> Surface Filamentous	<input type="checkbox"/> Planktonic
<u>GRASSES:</u>	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Minimal	<input type="checkbox"/> Moderate	<input type="checkbox"/> Substantial
<u>NUISANCE SPECIES OBSERVED:</u>				
	<input checked="" type="checkbox"/> Torpedo Grass	<input checked="" type="checkbox"/> Pennywort	<input type="checkbox"/> Babytears	<input type="checkbox"/> Chara
	<input type="checkbox"/> Hydrilla	<input type="checkbox"/> Slender Spikerush	<input type="checkbox"/> Other:	

SITE: 13

Condition: ✓Excellent Great Good Poor Mixed Condition Improving



Comments:

Water level in pond is a little bit low. No major nuisance growth observed. Routine maintenance and monitoring will occur here.

<u>WATER:</u>	<input checked="" type="checkbox"/> Clear	<input type="checkbox"/> Turbid	<input type="checkbox"/> Tannic	
<u>ALGAE:</u>	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Subsurface Filamentous	<input type="checkbox"/> Surface Filamentous	<input type="checkbox"/> Planktonic
<u>GRASSES:</u>	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Minimal	<input type="checkbox"/> Moderate	<input type="checkbox"/> Substantial
<u>NUISANCE SPECIES OBSERVED:</u>				
	<input type="checkbox"/> Torpedo Grass	<input type="checkbox"/> Pennywort	<input type="checkbox"/> Babytears	<input type="checkbox"/> Chara
	<input type="checkbox"/> Hydrilla	<input type="checkbox"/> Slender Spikerush	<input type="checkbox"/> Other:	

Inspection Report

SITE: 20

Condition: Excellent Great Good Poor Mixed Condition Improving



Comments:

Water level in pond is low. Minor amounts of decaying surface algae are present along the shoreline. No other issues observed.

<u>WATER:</u>	<input checked="" type="checkbox"/> Clear	<input type="checkbox"/> Turbid	<input type="checkbox"/> Tannic
<u>ALGAE:</u>	<input type="checkbox"/> N/A	<input type="checkbox"/> Subsurface Filamentous	<input checked="" type="checkbox"/> Surface Filamentous
		<input type="checkbox"/> Planktonic	<input type="checkbox"/> Cyanobacteria
<u>GRASSES:</u>	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Minimal	<input type="checkbox"/> Moderate
			<input type="checkbox"/> Substantial
<u>NUISANCE SPECIES OBSERVED:</u>			
	<input type="checkbox"/> Torpedo Grass	<input type="checkbox"/> Pennywort	<input type="checkbox"/> Babytears
	<input type="checkbox"/> Hydrilla	<input type="checkbox"/> Slender Spikerush	<input type="checkbox"/> Other:
			<input type="checkbox"/> Chara

SITE: 21

Condition: Excellent Great Good Poor Mixed Condition Improving



Comments:

Water level in pond is low. Minor amount of shoreline grasses are present on exposed bank. Routine maintenance and monitoring will occur here.

<u>WATER:</u>	<input checked="" type="checkbox"/> Clear	<input type="checkbox"/> Turbid	<input type="checkbox"/> Tannic
<u>ALGAE:</u>	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Subsurface Filamentous	<input type="checkbox"/> Surface Filamentous
		<input type="checkbox"/> Planktonic	<input type="checkbox"/> Cyanobacteria
<u>GRASSES:</u>	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Minimal	<input type="checkbox"/> Moderate
			<input type="checkbox"/> Substantial
<u>NUISANCE SPECIES OBSERVED:</u>			
	<input type="checkbox"/> Torpedo Grass	<input type="checkbox"/> Pennywort	<input type="checkbox"/> Babytears
	<input type="checkbox"/> Hydrilla	<input type="checkbox"/> Slender Spikerush	<input type="checkbox"/> Other:
			<input type="checkbox"/> Chara

Inspection Report

SITE: 34

Condition: Excellent Great Good Poor Mixed Condition Improving



Comments:

Water level in pond is low. Pond appears to be in excellent condition overall.

<u>WATER:</u>	<input checked="" type="checkbox"/> Clear	<input type="checkbox"/> Turbid	<input type="checkbox"/> Tannic
<u>ALGAE:</u>	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Subsurface Filamentous	<input type="checkbox"/> Surface Filamentous
		<input type="checkbox"/> Planktonic	<input type="checkbox"/> Cyanobacteria
<u>GRASSES:</u>	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Minimal	<input type="checkbox"/> Moderate
		<input type="checkbox"/> Substantial	
<u>NUISANCE SPECIES OBSERVED:</u>			
Torpedo Grass	<input type="checkbox"/> Pennywort	<input type="checkbox"/> Babytears	<input type="checkbox"/> Chara
Hydrilla	<input type="checkbox"/> Slender Spikerush	<input type="checkbox"/> Other:	

SITE: 22

Condition: Excellent Great Good Poor Mixed Condition Improving



Comments:

Water level in pond is low. Only nuisance vegetation observed is Pennywort along the shoreline. Routine maintenance and monitoring will occur here

<u>WATER:</u>	<input checked="" type="checkbox"/> Clear	<input type="checkbox"/> Turbid	<input type="checkbox"/> Tannic
<u>ALGAE:</u>	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Subsurface Filamentous	<input type="checkbox"/> Surface Filamentous
		<input type="checkbox"/> Planktonic	<input type="checkbox"/> Cyanobacteria
<u>GRASSES:</u>	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Minimal	<input type="checkbox"/> Moderate
		<input type="checkbox"/> Substantial	
<u>NUISANCE SPECIES OBSERVED:</u>			
Torpedo Grass	<input checked="" type="checkbox"/> Pennywort	<input type="checkbox"/> Babytears	<input type="checkbox"/> Chara
Hydrilla	<input type="checkbox"/> Slender Spikerush	<input type="checkbox"/> Other:	

Inspection Report

SITE: 56

Condition: Excellent Great Good Poor Mixed Condition Improving



Comments:

Water level in pond is low. Southern bank has some pretty significant erosion issues. No major algae growth observed. Minor amounts of shoreline grasses present.

<u>WATER:</u>	<input checked="" type="checkbox"/> Clear	<input type="checkbox"/> Turbid	<input type="checkbox"/> Tannic	
<u>ALGAE:</u>	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Subsurface Filamentous	<input type="checkbox"/> Surface Filamentous	<input type="checkbox"/> Planktonic
<u>GRASSES:</u>	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Minimal	<input type="checkbox"/> Moderate	<input type="checkbox"/> Substantial
<u>NUISANCE SPECIES OBSERVED:</u>				
	<input type="checkbox"/> Torpedo Grass	<input type="checkbox"/> Pennywort	<input type="checkbox"/> Babytears	<input type="checkbox"/> Chara
	<input type="checkbox"/> Hydrilla	<input type="checkbox"/> Slender Spikerush	<input type="checkbox"/> Other:	

SITE: 19

Condition: Excellent Great Good Poor Mixed Condition Improving



Comments:

Water level in pond is very low. No nuisance vegetation growth observed. Pond appears to be in excellent condition overall.

<u>WATER:</u>	<input checked="" type="checkbox"/> Clear	<input type="checkbox"/> Turbid	<input type="checkbox"/> Tannic	
<u>ALGAE:</u>	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Subsurface Filamentous	<input type="checkbox"/> Surface Filamentous	<input type="checkbox"/> Planktonic
<u>GRASSES:</u>	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Minimal	<input type="checkbox"/> Moderate	<input type="checkbox"/> Substantial
<u>NUISANCE SPECIES OBSERVED:</u>				
	<input type="checkbox"/> Torpedo Grass	<input type="checkbox"/> Pennywort	<input type="checkbox"/> Babytears	<input type="checkbox"/> Chara
	<input type="checkbox"/> Hydrilla	<input type="checkbox"/> Slender Spikerush	<input type="checkbox"/> Other:	

MANAGEMENT SUMMARY



With the arrival of April, the changing weather has rapidly shifted the conditions affecting the Heritage Harbor ponds. The series of cold snaps has been broken, and warmer temperatures are now the norm. Rain events are still rare and erratic. Additionally, the lack of significant wind or rain has increased decay times for surface algae once treated. Once the rains return, water levels will rise and algae will be more easily cleared up. Luckily, the Heritage Harbor ponds are staying resistant to algae growth for now.

Most ponds were in excellent condition on this most recent visit. Nuisance grasses were noted in some ponds and will continue to be treated accordingly (such as 14). Due to low water levels, some sections of the beds and pond banks are exposed. It is here that technicians have made great progress on exposed subsurface growth. Algae is the main enemy at this time of year, with lowered water levels and sudden increase in temperature. As said above, there was no serious algae growth observed during this last visit. Treatment efforts have been successful in preventing any major algal blooms, and our technicians will continue to routinely treat these waterways.

RECOMMENDATIONS

Continue to treat ponds for algae, administer follow-ups to ponds experiencing extended decay times.

Administer treatments to any nuisance grasses growing along shorelines and within water.

Stay alert for debris items that find their way to the pond's shore.

Thank you for choosing Steadfast Environmental!

MAINTENANCE AREA



Heritage Harbor CDD
Heritage Harbor Pkwy, Lutz, FL

Gate Code:

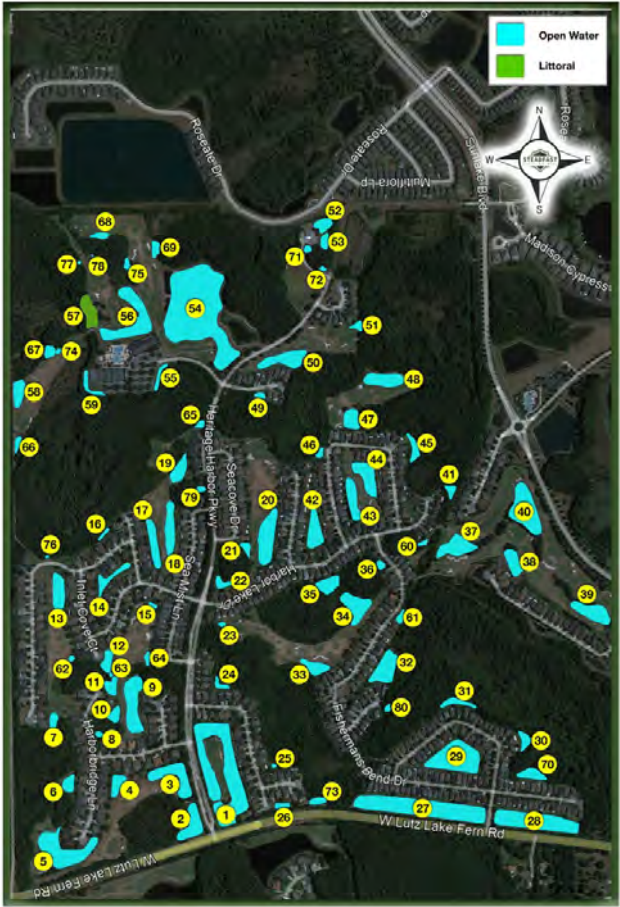


EXHIBIT 9

1 **MINUTES OF MEETING**

2 **HERITAGE HARBOR**

3 **COMMUNITY DEVELOPMENT DISTRICT**

4 The Regular Meeting of the Board of Supervisors of the Heritage Harbor Community Development
5 District was held on Tuesday, March 14, 2023 at 5:35 p.m. at the Heritage Harbor Clubhouse, 19502
6 Heritage Harbor Parkway, Lutz, Florida 33558.

7 **FIRST ORDER OF BUSINESS – Roll Call**

8 Ms. Dobson called the meeting to order and conducted roll call.

9 Present and constituting a quorum were:

10 Shelley Grandon	Board Supervisor, Chairwoman
11 Russ Rossi	Board Supervisor, Vice Chairman
12 Jeffrey Witt	Board Supervisor, Assistant Secretary

13 Also present were:

14 Tish Dobson	District Manager, DPGF Management & Consulting
15 Tracy Robin	District Counsel, Straley Robin Vericker
16 John Panno (<i>joined in progress</i>)	Golf Course Manager
17 Benjamin Delaney	Resident
18 David Penzer	Resident
19 Janet Morin	Resident
20 Elaine Kaufman	Resident
21 Richard Verrecchia	Resident

22 *The following is a summary of the discussions and actions taken at the March 14, 2023 Heritage Harbor*
23 *CDD Board of Supervisors Regular Meeting.*

24 **SECOND ORDER OF BUSINESS – Audience Comments**

25 Mr. Delaney commented on the golf ratings from golfers.

26 Mr. Verrecchia commented on the irrigation pump/ well and that the drains on the fairways look
27 lower. He also stated that Double Bogey’s breakfast is good, and that they should continue with the
28 breakfast sandwiches on the weekends. He noted that the beverage cart is getting better and in the
29 same vein suggested that the seasonal hours should be increased to accommodate the golfers. Mr.
30 Verrecchia also suggested that there be quarterly reviews for Double Bogeys.

31 **THIRD ORDER OF BUSINESS – Landscape & Pond Maintenance**

32 A. Exhibit 1: Greenview Landscape as Inspected by OLM – February 23, 2023 – 93.5%

33 Supervisor Rossi noted that the annuals need to be made larger/fuller/denser.

34 B. Exhibit 2: Steadfast Environmental – Waterway Inspection Report

35 Discussion ensued regarding trash and alligators in the ponds.

36 1. Exhibit 3: Presentation of Spring Pond Conditions 2023

37 **The Board skipped the Golf Course Report under the Fourth Order of Business, Golf**
38 **Operations, and moved to the Fifth Order of Business, Consent Agenda.**

39
40
41

42 **FOURTH ORDER OF BUSINESS – Golf Operations**

43 A. Golf Course Report

44 **This item was presented out of order during the Sixth Order of Business, Business Matters,**
45 **after item C.**

46 Mr. Panno gave a verbal report of golf course operations, and an update on the Pro Pump situation.

47 **This item was not on the agenda.**

48 On a MOTION by Ms. Grandon, SECONDED by Mr. Rossi, WITH ALL IN FAVOR, the Board approved
49 the purchase of security cameras and Wi-Fi for the Pro Shop, in the amount of \$2,000.00, for the Heritage
50 Harbor Community Development District.

51 **FIFTH ORDER OF BUSINESS – Consent Agenda**

52 A. Exhibit 4: Consideration for Approval – The Minutes of the Board of Supervisors Regular Meeting
53 Held February 14, 2023

54 On a MOTION by Mr. Rossi, SECONDED by Mr. Witt, WITH ALL IN FAVOR, the Board accepted the
55 Minutes of the Board of Supervisors Regular Meeting Held February 14, 2023, for the Heritage Harbor
56 Community Development District.

57 B. Exhibit 5: Consideration for Acceptance – The January 2023 Unaudited Financial Report

58 On a MOTION by Ms. Grandon, SECONDED by Mr. Witt, WITH ALL IN FAVOR, the Board accepted
59 the January 2023 Unaudited Financial Report, for the Heritage Harbor Community Development District.

60 **SIXTH ORDER OF BUSINESS – Business Matters**

61 A. Exhibit 6: Consideration of Supervisor Delaney’s Resignation

62 **This item was not on the agenda.**

63 1. Nomination to Fill Seat #5

64 Discussion ensued regarding how to proceed with filling the now vacant seat #5. A decision
65 was made to have District Staff draft and circulate a notification of the open seat through
66 the newsletter, eblast, and website.

67 B. Exhibit 7: Consideration of Site Masters Pond Erosion Repair Proposal

68 Discussion ensued regarding pond 56 erosion repair.

69 On a MOTION by Ms. Grandon, SECONDED by Mr. Witt, WITH ALL IN FAVOR, the Board approved
70 the Site Masters’ Pond 56 repair proposal, in the amount of \$27,000.00, for the Heritage Harbor Community
71 Development District.

72

73 On a MOTION by Ms. Grandon, SECONDED by Mr. Rossi, WITH ALL IN FAVOR, the Board approved
74 the Steadfast Environmental Pond 56 plantings proposal, in the amount of \$670.00, for the Heritage Harbor
75 Community Development District.

76

77

78 C. Exhibit 8: Consideration of Chemical Building Proposal Options

79 1. K.L. Security

80 2. Safety Storage, Inc.

81 3. U.S. Chemical Storage

82 Discussion ensued regarding the proposal options. This item was tabled, and staff instructed to
83 contact EGIS regarding building guideline requirements.

84 **The Golf Course Report was presented at this time.**

85 D. Discussion of FY 2023-2024 Preliminary Budget

86 Supervisor Witt and Ms. Dobson were working on the budget with Mr. Panno's assistance on the
87 golf course maintenance budget.

88 **SEVENTH ORDER OF BUSINESS – Staff Reports**

89 A. Exhibit 9: District Manager & Field Operations Report

90 Discussion ensued regarding Mr. Giambelluca's efforts for the stop light.

91 On a MOTION by Mr. Rossi, SECONDED by Mr. Witt, WITH ALL IN FAVOR, the Board approved the
92 awarding of a framed Certificate of Appreciation and a thank you letter for Mr. Giambelluca's efforts and
93 contributions to the District, for the Heritage Harbor Community Development District.

94 B. District Attorney

95 Discussion ensued regarding payroll services with Engage applying credits to the monthly invoices
96 for the next six months.

97 C. District Engineer

98 The District Engineer was not present, the next item followed.

99 **EIGHTH ORDER OF BUSINESS – Supervisors Requests**

100 Ms. Grandon requested that a roving police officer check for the licenses of golf cart drivers.

101 **NINTH ORDER OF BUSINESS – Audience Comments – New Business**

102 There being none, the next item followed.

103 **TENTH ORDER OF BUSINESS – April 11th, 5:30 PM**

104 Mr. Rossi, Ms. Grandon, and Mr. Witt indicated that they would be present at the April 11th board
105 meeting. Mr. Swigart was unsure if he'd be able to attend.

106 **ELEVENTH ORDER OF BUSINESS – Adjournment**

107 Ms. Dobson asked for final questions, comments, or corrections before requesting a motion to
108 adjourn the meeting. There being none, Ms. Grandon made a motion to adjourn the meeting.

109 On a MOTION by Ms. Grandon, SECONDED by Mr. Rossi, WITH ALL IN FAVOR, the Board adjourned
110 the meeting at 7:13 p.m. for the Heritage Harbor Community Development District.

111 **Each person who decides to appeal any decision made by the Board with respect to any matter considered*
112 *at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made,*
113 *including the testimony and evidence upon which such appeal is to be based.*

114 Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed
115 meeting held on April 11, 2023.

116

Signature

Signature

Printed Name

Printed Name

117 Title: Secretary Assistant Secretary

Title: Chairman Vice Chairman

EXHIBIT 10

Heritage Harbor
Community Development District

Financial Statements
(Unaudited)

Preliminary

February 28, 2023

Financial Snapshot - General Fund

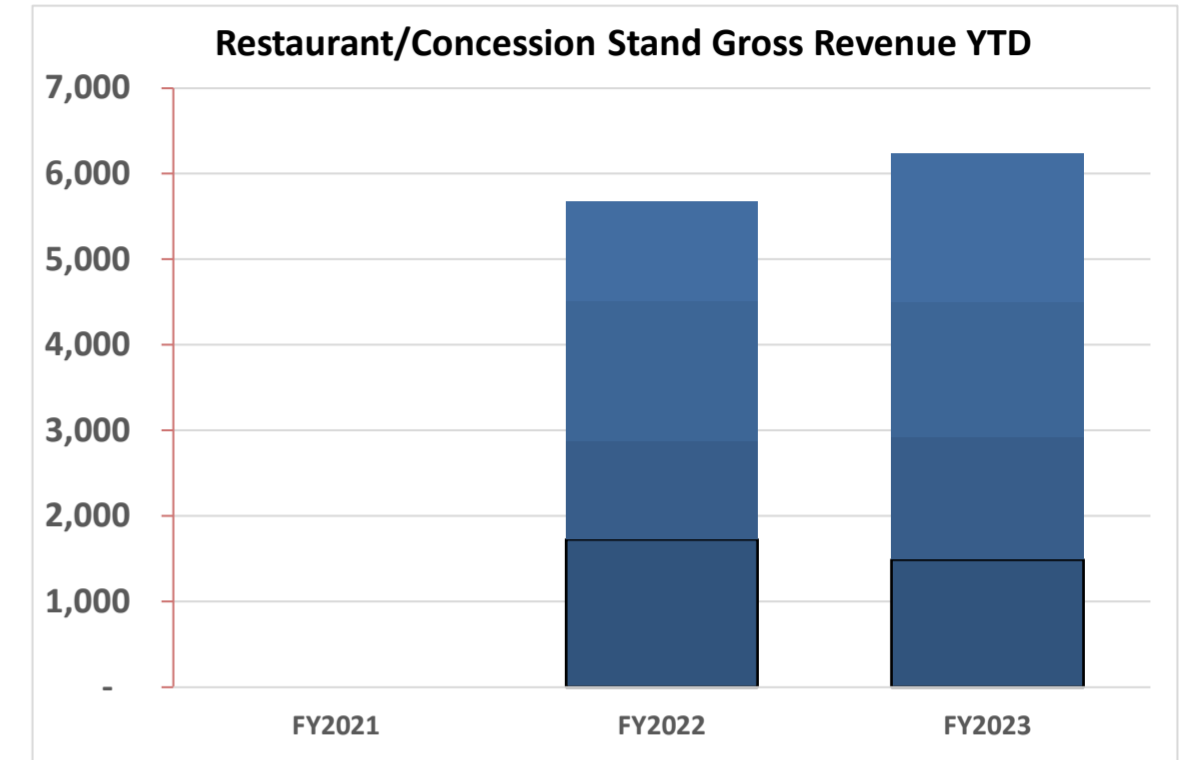
Revenue: Net Assessments % Collected YTD			
	FY 2022 YTD	FY 2023 YTD	
General Fund	94.8%	95.3%	
Debt Service Fund	94.8%	N/A	

Expenditures: Amount Spent YTD			
	FY 2022 YTD	FY 2023 YTD	
General Fund			
Administration	\$ 70,350	\$ 105,257	
Field	214,891	228,930	
Total General Fund	\$ 285,241	\$ 334,187	
% of Actual Expenditures Spent of Budgeted Expenditures	30%	29%	

Cash and Investment Balances			
	Prior Year YTD	Current Year YTD	
Operating Accounts	\$ 1,494,346	\$ 1,474,838	

Financial Snapshot - Enterprise Fund - Restaurant/Pro Shop

Pro Shop Concession Stand Gross Revenue YTD			
	FY2021	FY2022	FY2023
October	-	1,729	1,489
November	-	1,148	1,441
December	-	1,627	1,567
January	-	1,169	1,746
February	-	1,332	1,707
March	-	1,757	N/A
April	-	2,056	N/A
May	-	2,484	N/A
June	27	1,884	N/A
July	2,510	2,195	N/A
August	2,402	2,375	N/A
September	1,406	1,573	N/A
Yearly Total	\$ 6,346	\$ 21,328	\$ 7,950



Financial Snapshot - Enterprise Fund - Golf Activity

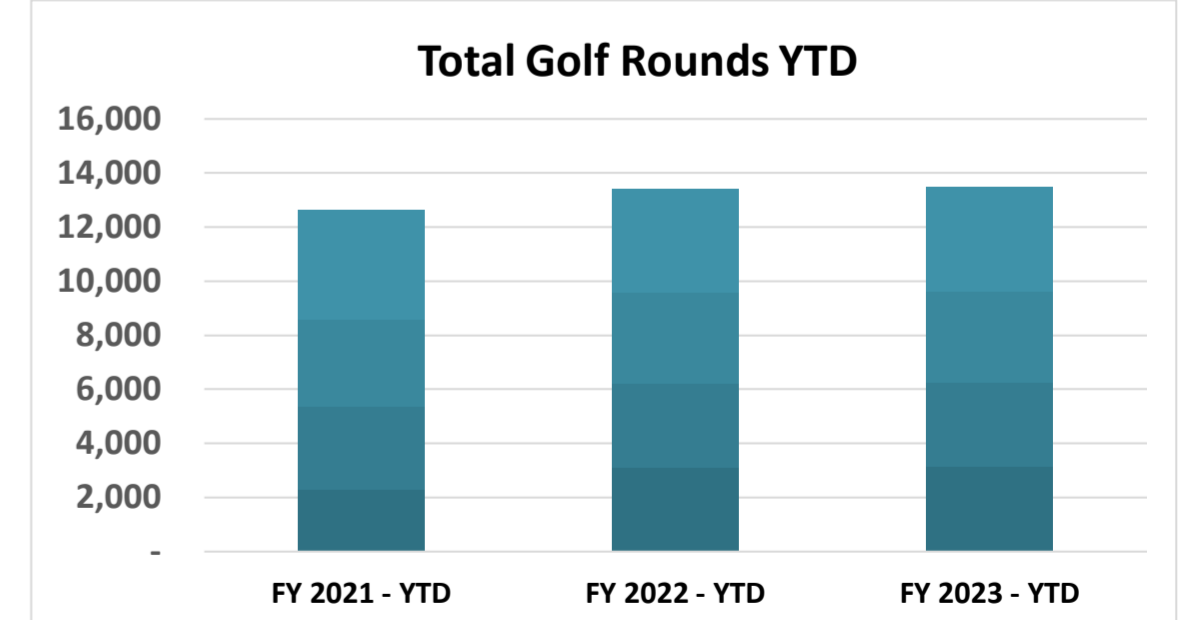
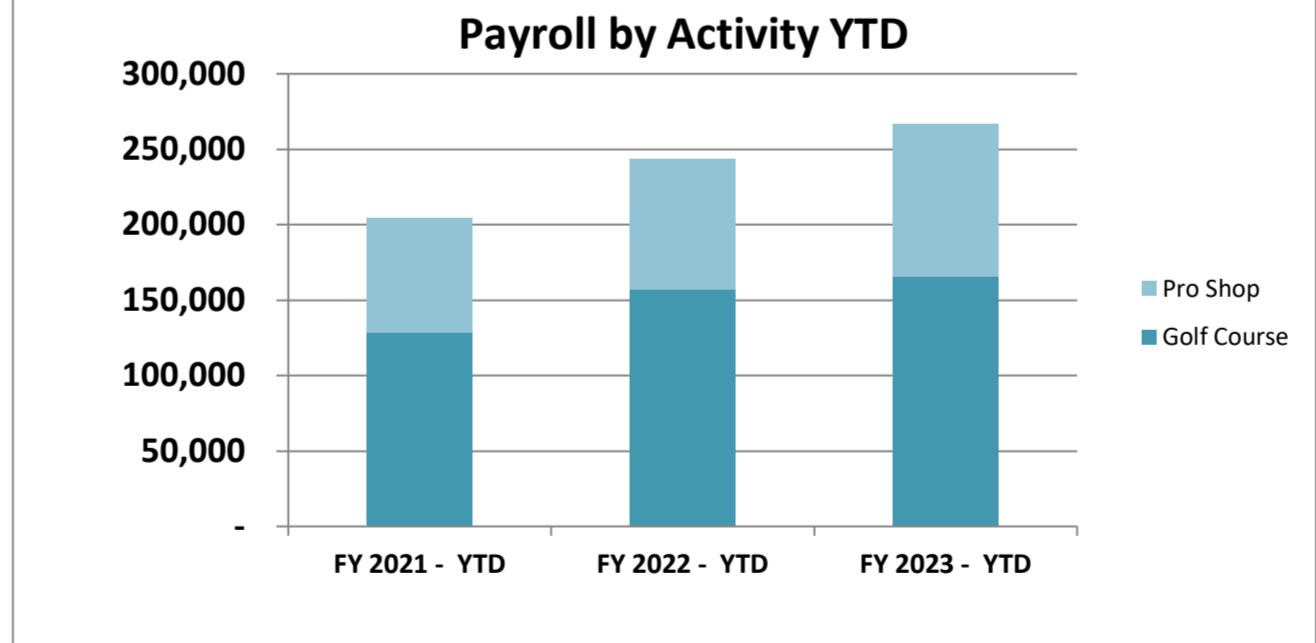
Revenue	Actual FY 2021 - YTD	Actual FY 2022 - YTD	Actual FY 2023 - YTD
Golf Course	\$ 441,941	\$ 490,808	\$ 616,051
Pro Shop	17,508	25,788	32,362
Cost of Goods Sold	(9,298)	(11,081)	(15,927)
Total Gross Profit	\$ 450,151	\$ 505,515	\$ 632,486

Expenses by Golf Activity	Actual FY 2021 - YTD	Actual FY 2022 - YTD	Actual FY 2023 - YTD
Golf Course	\$ 240,539	\$ 286,324	\$ 303,969
Pro Shop	135,228	136,083	184,158
Total Expenses	\$ 375,767	\$ 422,407	\$ 488,127

Net Income (Loss) by Golf Activity	Actual FY 2021 - YTD	Actual FY 2022 - YTD	Actual FY 2023 - YTD
Golf Course	\$ 201,402	\$ 204,483	\$ 312,082
Pro Shop	(127,018)	(121,375)	(167,723)
Total Net Income (Loss) B4 Depreciation	\$ 74,384	\$ 83,108	\$ 144,359
Total Depreciation Expense	37,111	-	-
Total Net Income (Loss) After Depreciation	\$ 37,274	\$ 83,108	\$ 144,359

Payroll by Activity	Actual FY 2021 - YTD	Actual FY 2022 - YTD	Actual FY 2023 - YTD
Golf Course			
Payroll- Hourly	\$ 109,884	\$ 132,799	\$ 133,428
FICA Taxes	12,045	16,223	17,727
Life and Health Insurance	6,829	7,750	14,727
Total Golf Course	128,757	156,772	165,882
Pro Shop			
Payroll- Hourly	61,154	70,636	82,223
FICA Taxes	9,273	10,880	11,597
Life and Health Insurance	5,713	5,004	7,235
Total Pro Shop	76,141	86,520	101,054
Total Payroll	\$ 204,898	\$ 243,293	\$ 266,936
% of Revenues	45.52%	48.13%	42.20%

Actual Rounds of Golf by Month	FY 2021 - YTD	FY 2022 - YTD	FY 2023 - YTD
October	2,312	3,112	3,163
November	3,053	3,124	3,085
December	3,242	3,359	3,398
January	4,054	3,833	3,859
February	3,227	2,934	3,833
March	4,024	3,727	N/A
April	3,154	3,937	N/A
May	2,936	3,932	N/A
June	2,620	3,236	N/A
July	2,671	3,293	N/A
August	2,573	3,043	N/A
September	2,573	2,483	N/A
Total Rounds	36,439	40,013	17,338



Financial Snapshot - Debt Service Fund

	Actual FY 2021 - YTD	Actual FY 2022 - YTD	Actual FY 2023 - YTD
Principal Payment	\$ -	\$ -	\$ -
Interest Payment	17,941	12,205	11,551
Prepayment Call	-	-	-
Total Debt Service Payments	\$ 17,941	\$ 12,205	\$ 11,551

Heritage Harbor CDD

Balance Sheet

February 28, 2023

	General Fund	Capital Reserve Fund	Golf Course & Pro Shop	Debt Service Series 2018	Debt Service Series 2021	Acq & Cons 2018	Acq & Cons 2021	TOTAL
1 ASSETS								
2 CASH - BU OPERATING	\$ 62,770	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 62,770
3 CASH - BU MONEY MARKET	434,380	-	-	-	-	-	-	434,380
4 CASH - SOUTHSTATE OPERATING	8,212	-	-	-	-	-	-	8,212
5 CASH - TRUIST	33	-	30,630	-	-	-	-	30,663
6 CASH - HANCOCK WHITNEY OPERATING	869,600	-	-	-	-	-	-	869,600
7 CASH - HANCOCK WHITNEY LOAN	99,843	-	-	-	-	-	174,470	274,313
8 CASH - BU GOLF ACCOUNT	-	-	883,596	-	-	-	-	883,596
9 CASH - SOUTHSTATE GOLF ACCOUNT	-	-	203,124	-	-	-	-	203,124
10 CASH - DEBIT CARD	-	-	-	-	-	-	-	-
11 CASH ON HAND	-	-	1,672	-	-	-	-	1,672
12 INVESTMENTS:								
13 REVENUE FUND	-	-	-	37,101	2	-	-	37,103
14 RESERVE TRUST FUND	-	-	-	65,884	-	-	-	65,884
15 INTEREST FUND	-	-	-	1	-	-	-	1
16 SINKING FUND	-	-	-	-	-	-	-	-
17 COST OF ISSUANCE	-	-	-	-	-	-	-	-
18 US BANK CONSTRUCTION TRUST FUND	-	-	-	-	-	32,322	12	32,334
19 ACCOUNTS RECEIVABLE	4,969	-	63	-	-	-	-	5,032
20 ON ROLL ASSESSMENT RECEIVABLE	50,163	5,321	-	-	-	-	-	55,483
21 DEPOSITS	1,890	-	3,456	-	-	-	-	5,346
22 PREPAID	4,944	-	8,770	-	-	-	-	13,713
23 ON ROLL IN TRANSIT	-	-	-	-	-	-	-	-
24 DUE FROM OTHER FUNDS	156,832	67,864	5,746	2,645	-	1,441	-	234,528
25 INVENTORY ASSETS:								
26 GOLF BALLS	-	-	14,551	-	-	-	-	14,551
27 GOLF CLUBS	-	-	442	-	-	-	-	442
28 GLOVES	-	-	2,852	-	-	-	-	2,852
29 HEADWEAR	-	-	2,662	-	-	-	-	2,662
30 LADIES WEAR	-	-	1,253	-	-	-	-	1,253
31 MENS WEAR	-	-	2,563	-	-	-	-	2,563
32 SHOES/SOCKS	-	-	370	-	-	-	-	370
33 MISCELLANEOUS	-	-	5,401	-	-	-	-	5,401
34 TOTAL CURRENT ASSETS	1,693,635	73,185	1,167,151	105,632	2	33,763	174,481	3,247,849

Heritage Harbor CDD

Balance Sheet

February 28, 2023

	General Fund	Capital Reserve Fund	Golf Course & Pro Shop	Debt Service Series 2018	Debt Service Series 2021	Acq & Cons 2018	Acq & Cons 2021	TOTAL
35 <u>NONCURRENT ASSETS</u>								
36 LAND	-	-	1,204,598	-	-	-	-	1,204,598
37 INFRASTRUCTURE	-	-	6,054,583	-	-	-	-	6,054,583
38 ACC. DEPRECIATION - INFRASTRUCTURE	-	-	(6,015,863)	-	-	-	-	(6,015,863)
39 EQUIPMENT & FURNITURE	-	-	1,065,890	-	-	-	-	1,065,890
40 ACC. DEPRECIATION - EQUIP/FURNITURE	-	-	(941,334)	-	-	-	-	(941,334)
41 TOTAL NONCURRENT ASSETS	-	-	1,367,874	-	-	-	-	1,367,874
42 TOTAL ASSETS	\$ 1,693,635	\$ 73,185	\$ 2,535,025	\$ 105,632	\$ 2	\$ 33,763	\$ 174,481	\$ 4,615,723
43 <u>LIABILITIES</u>								
44 ACCOUNTS PAYABLE	\$ 41,150	\$ -	\$ 30,468	\$ -	\$ -	\$ 5,586	\$ 2,770	\$ 79,973
45 DEFERRED ON ROLL ASSESSMENTS	50,163	5,321	-	-	-	-	-	55,483
46 SALES TAX PAYABLE	2,688	-	19,913	-	-	-	-	22,601
47 ACCRUED WAGES PAYABLE	-	-	-	-	-	-	-	-
48 ACCRUED EXPENSES	5,338	-	25,452	-	-	-	-	30,790
49 DEFERRED REVENUE	-	-	-	-	-	-	-	-
50 GIFT CERTIFICATES	-	-	764	-	-	-	-	764
51 RESTAURANT DEPOSITS	6,000	-	-	-	-	-	-	6,000
52 ACCRUED INTEREST PAYABLE	-	-	-	-	-	-	-	-
53 DUE TO OTHER FUNDS	77,697	-	125,411	-	-	-	-	203,108
54 REVENUE BONDS PAYABLE-CURRENT	-	-	-	-	-	-	-	-
55 TOTAL LIABILITIES	183,035	5,321	202,009	-	-	5,586	2,770	398,720
56 <u>FUND BALANCES</u>								
57 NONSPENDABLE								
58 PREPAID & DEPOSITS	6,834	-	12,226	-	-	-	-	19,060
59 CAPITAL RESERVE	-	-	275,000	-	-	-	-	275,000
60 OPERATING CAPITAL	188,936	-	82,304	-	-	-	-	271,240
61 INVESTED IN CAPITAL ASSETS	-	-	1,538,158	-	-	-	-	1,538,158
62 UNASSIGNED	1,314,830	67,864	425,329	105,632	2	28,177	171,711	2,113,545
63 TOTAL FUND BALANCE	1,510,600	67,864	2,333,016	105,632	2	28,177	171,711	4,217,003
64 TOTAL LIABILITIES & FUND BALANCES	\$ 1,693,635	\$ 73,185	\$ 2,535,025	\$ 105,632	\$ 2	\$ 33,763	\$ 174,481	\$ 4,615,723

Heritage Harbor CDD

General Fund

Statement of Revenue, Expenses, and Change in Fund Balance

For the period from October 1, 2022 to February 28, 2023

	FY 2023 Adopted Budget	FY 2023 Month of February	FY 2023 Total Actual Year-to-Date	VARIANCE Over (Under) to Budget	% Actual YTD / FY Budget
1 REVENUE					
2 SPECIAL ASSESSMENTS - ON-ROLL	\$ 1,071,986	\$ 15,103	\$ 1,021,824	\$ (50,163)	95%
3 RESTAURANT LEASE	61,632	4,800	24,000	(37,632)	39%
4 RESTAURANT COMMISSION	-	647	647	647	
5 INTEREST	1,000	1,150	4,638	3,638	464%
6 MISCELLANEOUS	-	-	-	-	
7 TOTAL REVENUE	1,134,618	21,701	1,051,109	(83,510)	93%
8 EXPENDITURES					
9 ADMINISTRATIVE					
10 SUPERVISORS' COMPENSATION	12,000	1,000	5,600	(6,400)	47%
11 PAYROLL TAXES & SERVICE	2,129	97	521	(1,608)	24%
12 ENGINEERING SERVICES	10,000	548	2,705	(7,296)	27%
13 LEGAL SERVICES	30,000	1,448	11,690	(18,310)	39%
14 DISTRICT MANAGEMENT	69,445	5,788	28,940	(40,505)	42%
15 DISSEMINATION FEE	2,000	-	2,000	-	100%
16 AUDITING SERVICES	6,200	-	-	(6,200)	0%
17 POSTAGE & FREIGHT	1,500	-	83	(1,417)	6%
18 INSURANCE (Liability, Property and Casualty)	17,396	-	16,064	(1,332)	92%
19 PRINTING & BINDING	1,500	-	-	(1,500)	0%
20 LEGAL ADVERTISING	1,200	-	61	(1,139)	5%
21 MISC. (BANK FEES, BROCHURES & MISC)	1,500	519	1,082	(418)	72%
22 WEBSITE HOSTING & MANAGEMENT	2,115	-	1,515	(600)	72%
23 EMAIL HOSTING	1,500	50	250	(1,250)	17%
24 OFFICE SUPPLIES	200	-	199	(1)	99%
25 ANNUAL DISTRICT FILING FEE	175	-	175	-	100%
26 ALLOCATION OF HOA SHARED EXPENDITURES	27,081	1,925	11,526	(15,555)	43%
27 TRUSTEE FEE	4,041	-	2,155	(1,886)	53%
28 SERIES 2018 BANK LOAN	329,422	-	-	(329,422)	0%
29 SERIES 2021 BANK LOAN	17,170	-	-	(17,170)	0%
30 RESTAURANT EXPENSES	50,644	3,797	20,691	(29,953)	41%
31 STATE SALES TAX	4,314	-	-	(4,314)	0%
32 TOTAL ADMINISTRATIVE	591,532	15,171	105,257	(486,276)	18%

Heritage Harbor CDD
General Fund
Statement of Revenue, Expenses, and Change in Fund Balance
For the period from October 1, 2022 to February 28, 2023

	FY 2023 Adopted Budget	FY 2023 Month of February	FY 2023 Total Actual Year-to-Date	VARIANCE Over (Under) to Budget	% Actual YTD / FY Budget
33 FIELD OPERATIONS					
34 PAYROLL	55,406	4,375	26,034	(29,372)	47%
35 FICA, TAXES & PAYROLL FEES	14,960	599	3,308	(11,652)	22%
36 LIFE AND HEALTH INSURANCE	8,311	977	4,996	(3,315)	60%
37 CONTRACT- GUARD SERVICES	60,000	4,050	23,453	(36,547)	39%
38 CONTRACT-FOUNTAIN	-	-	-	-	
39 CONTRACT-LANDSCAPE	150,480	13,390	63,150	(87,330)	42%
40 CONTRACT-LAKE	36,000	2,978	14,889	(21,112)	41%
41 CONTRACT-GATES	51,889	4,249	21,123	(30,766)	41%
42 GATE - COMMUNICATIONS - TELEPHONE	4,440	401	2,147	(2,293)	48%
43 UTILITY-GENERAL	80,500	7,419	39,269	(41,231)	49%
44 R&M-GENERAL	3,000	30	347	(2,653)	12%
45 R&M-GATE	3,000	-	215	(2,785)	7%
46 R&M-OTHER LANDSCAPE	25,000	-	20,682	(4,318)	83%
47 R&M-IRRIGATION	3,500	600	2,518	(982)	72%
48 R&M-LAKE	-	-	-	-	
49 R&M-MITIGATION	-	-	-	-	
50 R&M-TREES AND TRIMMING	7,500	-	-	(7,500)	0%
51 R&M-PARKS & FACILITIES	1,000	-	-	(1,000)	0%
52 MISC-HOLIDAY DÉCOR	8,500	-	-	(8,500)	0%
53 MISC-CONTINGENCY	29,600	4,500	6,800	(22,800)	23%
54 CAPITAL OUTLAY (Moved to Capital Reserve Fund-CRF)	-	-	-	-	
55 TOTAL FIELD OPERATIONS	543,086	43,569	228,930	(314,156)	42%
56 TOTAL EXPENDITURES	1,134,618	58,740	334,187	(800,432)	29%
57 EXCESS OF REVENUE OVER (UNDER) EXPEND.	-	(37,039)	716,922	716,922	

Heritage Harbor CDD

General Fund

Statement of Revenue, Expenses, and Change in Fund Balance

For the period from October 1, 2022 to February 28, 2023

	FY 2023 Adopted Budget	FY 2023 Month of February	FY 2023 Total Actual Year-to-Date	VARIANCE Over (Under) to Budget	% Actual YTD / FY Budget
58 OTHER FINANCING SOURCES & USES					
59 TRANSFERS IN	-	4,146	4,146	4,146	
60 TRANSFERS OUT	(304,133)	(4,146)	(9,479)	294,654	
61 TOTAL OTHER FINANCING RESOURCES & USES	(304,133)	-	(5,333)	298,800	
62 FUND BALANCE - BEGINNING - UNAUDITED	793,887		799,011	5,124	
63 NET CHANGE IN FUND BALANCE	(304,133)	(37,039)	711,589	1,015,722	
64 FUND BALANCE - ENDING - PROJECTED	489,754		1,510,600	1,020,846	
65 ANALYSIS OF FUND BALANCE					
66 NON SPENDABLE DEPOSITS					
67 PREPAID & DEPOSITS	6,834		6,834		
68 CAPITAL RESERVES	-		-		
69 OPERATING CAPITAL	188,936		188,936		
70 UNASSIGNED	293,984		1,314,830		
71 TOTAL FUND BALANCE	\$ 489,754		\$ 1,510,600		

Heritage Harbor CDD
Golf Course & Pro Shop Enterprise Fund
Statement of Revenue, Expenses, and Change in Fund Balance
For the period from October 1, 2022 to February 28, 2023

	FY 2023 Adopted Budget	FY 2023 Month of February	FY 2023 Total Actual Year-to-Date	VARIANCE Over (Under) to Budget	% Actual YTD / FY Budget
1 REVENUE					
2 GOLF COURSE REVENUE					
3 GREEN FEES	\$ 1,013,175	\$ 139,909	\$ 578,448	\$ (434,727)	57%
4 RANGE BALLS	62,500	8,855	37,604	(24,896)	60%
5 HANDICAPS	1,000	-	-	(1,000)	0%
6 INTEREST	100	-	-	(100)	0%
7 TOTAL GOLF COURSE REVENUE	1,076,775	148,764	616,051	(460,724)	57%
8 PRO SHOP REVENUE					
9 CLUB RENTALS	1,000	360	1,270	270	127%
10 GOLF BALL SALES	22,800	2,571	14,615	(8,185)	64%
11 GLOVES SALES	6,000	634	4,198	(1,802)	70%
12 HEADWEAR SALES	3,000	615	1,627	(1,373)	54%
13 LADIES' WEAR SALES	100	25	50	(50)	50%
14 MEN'S WEAR SALES	1,500	310	740	(760)	49%
15 MISC./CONCESSION SALES	2,000	2,117	9,862	7,862	493%
16 TOTAL PRO SHOP REVENUE	36,400	6,632	32,362	(4,038)	89%
17 TOTAL OPERATING REVENUE	1,113,175	155,396	648,413	(464,762)	58%
18 COST OF GOODS SOLD					
19 GOLF BALL	12,500	1,335	8,682	(3,818)	69%
20 GLOVES	3,500	-	1,307	(2,193)	37%
21 HEADWEAR	1,300	-	1,521	221	117%
22 LADIES' WEAR	50	-	-	(50)	0%
23 MEN'S WEAR	1,000	-	-	(1,000)	0%
24 MISC./CONCESSION	1,000	1,258	4,416	3,416	442%
25 TOTAL COST OF GOODS SOLD	19,350	2,593	15,927	(3,423)	82%
26 GROSS PROFIT	\$ 1,093,825	\$ 152,803	\$ 632,486	\$ (461,339)	58%

Heritage Harbor CDD
Golf Course & Pro Shop Enterprise Fund
Statement of Revenue, Expenses, and Change in Fund Balance
For the period from October 1, 2022 to February 28, 2023

	FY 2023 Adopted Budget	FY 2023 Month of February	FY 2023 Total Actual Year-to-Date	VARIANCE Over (Under) to Budget	% Actual YTD / FY Budget
27 EXPENSES					
28 GOLF COURSE					
29 PAYROLL-HOURLY	\$ 297,825	\$ 24,507	\$ 133,428	\$ (164,397)	45%
30 INCENTIVE	5,000	-	5,077	77	102%
31 FICA TAXES & ADMINISTRATIVE	44,674	3,444	17,727	(26,947)	40%
32 LIFE AND HEALTH INSURANCE	31,680	2,763	14,727	(16,953)	46%
33 ACCOUNTING SERVICES	4,880	407	2,033	(2,847)	42%
34 CONTRACTS-SECURITY ALARMS	800	-	120	(680)	15%
35 COMMUNICATION-TELEPHONE	3,600	289	1,396	(2,204)	39%
36 POSTAGE AND FREIGHT	200	-	-	(200)	0%
37 ELECTRICITY	20,141	973	4,563	(15,578)	23%
38 UTILITY-REFUSE REMOVAL - MAINTENANCE	6,235	589	3,413	(2,822)	55%
39 UTILITY-WATER AND SEWER	7,616	112	2,562	(5,054)	34%
40 RENTAL/LEASE - VEHICLE/EQUIP	34,996	6,121	20,555	(14,440)	59%
41 LEASE - ICE MACHINES	1,500	-	625	(875)	42%
42 INSURANCE-PROPERTY and GENERAL LIABILITY	52,568	-	50,996	(1,573)	97%
43 R&M-BUILDINGS	500	-	378	(122)	76%
44 R&M-EQUIPMENT	17,000	1,213	8,055	(8,945)	47%
45 R&M-FERTILIZER	42,000	240	4,063	(37,937)	10%
46 R&M-IRRIGATION	5,000	70	595	(4,405)	12%
47 R&M-GOLF COURSE	4,000	-	825	(3,175)	21%
48 R&M-PUMPS	11,000	-	-	(11,000)	0%
49 MISC-PROPERTY TAXES	2,100	-	-	(2,100)	0%
50 MISC-LICENSES AND PERMITS	600	-	180	(420)	30%
51 OP SUPPLIES - GENERAL	7,000	239	1,364	(5,636)	19%
52 OP SUPPLIES - FUEL / OIL	25,000	1,114	6,964	(18,036)	28%
53 OP SUPPLIES - CHEMICALS	33,000	1,537	20,273	(12,727)	61%
54 OP SUPPLIES - HAND TOOLS	1,750	-	49	(1,701)	3%
55 SUPPLIES - SAND	3,000	-	-	(3,000)	0%
56 SUPPLIES - TOP DRESSING	3,400	1,306	2,556	(844)	75%
57 SUPPLIES - SEEDS	6,500	-	1,100	(5,400)	17%
58 ALLOCATION OF HOA SHARED EXPENDITURES	969	64	345	(624)	36%
59 RESERVE	12,000	-	-	(12,000)	0%
60 TOTAL GOLF COURSE	686,534	44,986	303,969	(382,565)	44%

Heritage Harbor CDD
Golf Course & Pro Shop Enterprise Fund
Statement of Revenue, Expenses, and Change in Fund Balance
For the period from October 1, 2022 to February 28, 2023

	FY 2023 Adopted Budget	FY 2023 Month of February	FY 2023 Total Actual Year-to-Date	VARIANCE Over (Under) to Budget	% Actual YTD / FY Budget
61 PRO SHOP					
62 PAYROLL- HOURLY	181,993	16,415	82,223	(99,770)	45%
63 BONUS	2,500	-	4,754	2,254	190%
64 FICA TAXES & ADMINISTRATIVE	27,299	2,274	11,597	(15,702)	42%
65 LIFE AND HEALTH INSURANCE	18,700	1,648	7,235	(11,465)	39%
66 ACCOUNTING SERVICES	4,880	407	2,033	(2,847)	42%
67 CONTRACT-SECURITY ALARMS	2,157	-	239	(1,918)	11%
68 POSTAGE AND FREIGHT	250	-	-	(250)	0%
69 ELECTRICITY	9,660	809	3,457	(6,203)	36%
70 LEASE-CARTS	92,669	7,722	38,612	(54,057)	42%
71 R&M-GENERAL	3,000	584	3,054	54	102%
72 R&M-RANGE	8,000	-	8,775	775	110%
73 ADVERTISING	7,500	200	2,400	(5,100)	32%
74 MISC-BANK CHARGES	26,000	3,616	13,351	(12,649)	51%
75 MISC-CABLE TV EXPENSES	1,680	-	110	(1,570)	7%
76 MISC-PROPERTY TAXES	5,500	-	-	(5,500)	0%
77 MISC-HANDICAP FEES	500	846	846	346	169%
78 OFFICE SUPPLIES	1,200	-	-	(1,200)	0%
79 COMPUTER EXPENSE	2,000	-	995	(1,005)	50%
80 OP SUPPLIES - GENERAL	2,000	-	174	(1,826)	9%
81 SUPPLIES - SCORECARDS	1,000	550	550	(450)	55%
82 CONTINGENCY	2,000	10	50	(1,950)	3%
83 ALLOCATION OF HOA SHARED EXPENDITURES	6,804	708	3,703	(3,101)	54%
84 TOTAL PRO SHOP	407,291	35,789	184,158	(223,133)	45%
85 TOTAL EXPENSES	1,093,825	80,775	488,127	(605,698)	45%
86 EXCESS OF PROFIT OVER (UNDER) EXPEND.	-	72,027	144,359	144,359	

Heritage Harbor CDD
Golf Course & Pro Shop Enterprise Fund
Statement of Revenue, Expenses, and Change in Fund Balance
For the period from October 1, 2022 to February 28, 2023

	FY 2023 Adopted Budget	FY 2023 Month of February	FY 2023 Total Actual Year-to-Date	VARIANCE Over (Under) to Budget	% Actual YTD / FY Budget
87 OTHER FINANCING SOURCES & USES					
88 TRANSFERS IN	-	4,146	4,146	4,146	
89 TRANSFERS OUT	-	(4,146)	(4,146)	(4,146)	
90 TOTAL OTHER FINANCING RESOURCES & USES	-	-	-	-	
91 FUND BALANCE - BEGINNING - UNAUDITED	467,685		650,500	182,815	
92 NET CHANGE IN FUND BALANCE	-	72,027	144,359	144,359	
93 FUND BALANCE - ENDING - PROJECTED	467,685		794,859	327,174	
94 ANALYSIS OF FUND BALANCE					
95 ASSIGNED					
96 NONSPENDABLE DEPOSITS	11,571		12,226		
97 CAPITAL RESERVES	275,000		275,000		
98 OPERATING CAPITAL	82,304		82,304		
99 UNASSIGNED	98,810		425,329		
100 TOTAL FUND BALANCE	\$ 467,685		\$ 794,859		

Heritage Harbor CDD
Capital Reserve Fund (CRF)
Statement of Revenue, Expenditures, and Changes in Fund Balance
For the period from October 1, 2022 to February 28, 2023

	FY 2023 Adopted Budget	FY 2023 Total Actual Year-to-Date	VARIANCE Over (Under) to Budget
1 REVENUE			
2 SPECIAL ASSESSMENTS - ON ROLL (NET)	\$ 113,700	\$ 108,379	\$ (5,321)
3 INTEREST & MISCELLANEOUS	100	-	(100)
4 TOTAL REVENUE	113,800	108,379	(5,421)
5 EXPENDITURES			
6 HOA RESERVE CONTRIBUTION	29,700	9,125	(20,575)
7 SITE RESERVE CONTRIBUTION	44,000	-	(44,000)
8 CAPITAL IMPROVEMENT PLAN	40,000	31,390	(8,610)
9 TOTAL EXPENDITURES	113,700	40,515	(73,185)
10 EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	100	67,864	67,764
11 OTHER FINANCING SOURCES & USES			
12 TRANSFERS IN	304,133	-	(304,133)
13 TRANSFERS OUT	-	-	-
14 TOTAL OTHER FINANCING SOURCES & USES	304,133	-	(304,133)
15 FUND BALANCE - BEGINNING	-	-	-
16 NET CHANGE IN FUND BALANCE	304,233	67,864	(236,369)
17 FUND BALANCE - ENDING	\$ 304,233	\$ 67,864	\$ (236,369)

Heritage Harbor CDD
Debt Service Series 2018
Statement of Revenue, Expenses, and Change in Fund Balance
For the period from October 1, 2022 to February 28, 2023

	FY 2023 Adopted Budget	FY 2023 Actual Year-to-Date
1 REVENUE		
2 SPECIAL ASSESSMENTS - ON ROLL (NET)	\$ -	\$ -
3 INTEREST REVENUE	-	1,363
4 MISC REVENUE	-	-
5 TOTAL REVENUE	-	1,363
6 EXPENDITURES		
7 INTEREST EXPENSE		
8 November 1, 2022	-	6,218
9 May 1, 2023	-	-
10 November 1, 2023	-	-
11 PRINCIPAL RETIREMENT		
12 May 1, 2023	-	-
13 TOTAL EXPENDITURES	-	6,218
14 EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	-	(4,855)
15 OTHER FINANCING SOURCES (USES)		
16 TRANSFERS IN	-	-
17 TRANSFERS OUT	-	-
18 TOTAL OTHER FINANCING SOURCES (USES)	-	-
19 FUND BALANCE - BEGINNING	110,486	110,486
20 NET CHANGE IN FUND BALANCE	-	(4,855)
21 FUND BALANCE - ENDING	\$ 110,486	\$ 105,632

Heritage Harbor CDD
Debt Service Series 2021
Statement of Revenue, Expenses, and Change in Fund Balance
For the period from October 1, 2022 to February 28, 2023

	FY 2023 Adopted Budget	FY 2023 Actual Year-to-Date
1 REVENUE		
2 SPECIAL ASSESSMENTS - ON ROLL (NET)	\$ -	\$ -
3 INTEREST REVENUE	-	2
4 MISC REVENUE	-	-
5 TOTAL REVENUE	-	2
6 EXPENDITURES		
7 INTEREST EXPENSE		
8 November 1, 2022	-	5,333
9 May 1, 2023	-	-
10 November 1, 2023	-	-
11 PRINCIPAL RETIREMENT		
12 May 1, 2023	-	-
13 TOTAL EXPENDITURES	-	5,333
14 EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	-	(5,331)
15 OTHER FINANCING SOURCES (USES)		
16 TRANSFERS IN	-	5,333
17 TRANSFERS OUT	-	-
18 TOTAL OTHER FINANCING SOURCES (USES)	-	5,333
19 FUND BALANCE - BEGINNING	-	-
20 NET CHANGE IN FUND BALANCE	-	2
21 FUND BALANCE - ENDING	\$ -	\$ 2

Heritage Harbor CDD
Acquisition & Construction Fund 2018
Statement of Revenue, Expenses, and Change in Fund Balance
For the period from October 1, 2022 to February 28, 2023

	FY 2023 Adopted Budget	FY 2023 Actual Year-to-Date
1 REVENUE		
2 INTEREST REVENUE	\$ -	\$ 748
3 MISCELLANEOUS	-	-
4 TOTAL REVENUE	-	748
5 EXPENDITURES		
6 CONSTRUCTION IN PROGRESS	-	36,363
7 TOTAL EXPENDITURES	-	36,363
8 EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	-	(35,616)
9 OTHER FINANCING SOURCES (USES)		
10 TRANSFERS IN	-	-
11 TRANSFERS OUT	-	(40,325)
12 TOTAL OTHER FINANCING SOURCES (USES)	-	(40,325)
13 FUND BALANCE - BEGINNING	104,118	104,118
14 NET CHANGE IN FUND BALANCE	-	(75,941)
15 FUND BALANCE - ENDING	\$ 104,118	\$ 28,177

Heritage Harbor CDD
Acquisition & Construction Fund 2021
Statement of Revenue, Expenses, and Change in Fund Balance
For the period from October 1, 2022 to February 28, 2023

	FY 2023 Adopted Budget	FY 2023 Actual Year-to-Date
1 REVENUE		
2 INTEREST REVENUE	\$ -	\$ -
3 MISCELLANEOUS	-	-
4 TOTAL REVENUE	-	-
5 EXPENDITURES		
6 CONSTRUCTION IN PROGRESS	-	62,060
7 TOTAL EXPENDITURES	-	62,060
8 EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	-	(62,060)
9 OTHER FINANCING SOURCES (USES)		
10 TRANSFERS IN	-	40,325
11 TRANSFERS OUT	-	-
12 TOTAL OTHER FINANCING SOURCES (USES)	-	40,325
13 FUND BALANCE - BEGINNING		193,446
14 NET CHANGE IN FUND BALANCE	-	(21,735)
15 FUND BALANCE - ENDING	\$ -	\$ 171,711

Heritage Harbor CDD
Transaction Detail By Account
 October 2022 through February 2023

Date	Num	Name	Memo	Debit	Credit	Balance
4120000 · Pro Shop - Enterprise						
4520120 · R&M - General						
10/07/2022	02-328386	Jeffrey Allen Inc.	Reference: Repair front end damaged due to impac...	365.10		365.10
10/07/2022	02-328384	Jeffrey Allen Inc.	Reference: Replace Spindle & Check Alignment. ht...	438.06		803.16
11/18/2022	02-331902	Jeffrey Allen Inc.	Reference: CCI - Keys. https://dpfg.payableslockbo...	460.55		1,263.71
12/16/2022	02-334295	Jeffrey Allen Inc.	Reference: Service call. https://dpfg.payableslockb...	438.06		1,701.77
01/24/2023	SINV350180	Jeffrey Allen Inc.	Reference: Front End Repair. https://dpfg.payablesl...	382.08		2,083.85
01/24/2023	SINV350187	Jeffrey Allen Inc.	Reference: Repair Front end. https://dpfg.payablesl...	385.80		2,469.65
02/13/2023	INV351157	Jeffrey Allen Inc.	Reference: Drive Clutch & Belt. https://dpfg.payabl...	391.91		2,861.56
02/20/2023	SINV350652	Jeffrey Allen Inc.	Reference: Damaged Drivers side Floormat. https://...	192.50		3,054.06
Total 4520120 · R&M - General				3,054.06	0.00	3,054.06
Total 4120000 · Pro Shop - Enterprise				3,054.06	0.00	3,054.06
TOTAL				3,054.06	0.00	3,054.06

EXHIBIT 11

RESOLUTION 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF HERITAGE HARBOR COMMUNITY DEVELOPMENT DISTRICT ADOPTING A POLICY PROHIBITING VOLUNTEER WORK OR EMPLOYMENT OF DISTRICT SUPERVISORS AT THE DISTRICT'S GOLF COURSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Heritage Harbor Community Development District (hereinafter the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Hillsborough County, Florida; and

WHEREAS, the District owns and operates a public golf course ("Golf Course") known as the Heritage Harbor Golf and Country Club, and employs a golf professional and other employees (collectively, the "GC Staff") at the Golf Course, to operate and manage the Golf Course business; and

WHEREAS, the Board of Supervisors ("Board") desires to establish a policy concerning volunteer work or employment of Board members ("Supervisors") at the Golf Course; and

WHEREAS, individual Supervisors do not provide day to day oversight of GC Staff, nor is any Supervisor authorized to provide direction or supervision of GC Staff, absent the express and direct authorization of the Board; and

WHEREAS, it is foreseeable that volunteer work or employment of a Supervisor at the Golf Course will present conflicts and interfere with day to day operation of the Golf Course by GC Staff, and may otherwise cause unintended confusion in the Golf Course management and operational hierarchy; and

WHEREAS, the District and the Board desire to avoid any such conflicts or interference in the business operations of the Golf Course; and the Board has determined it is in the best interests of the District to prohibit volunteer work or employment of Supervisors at the Golf Course;

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

Section 1. The District hereby prohibits volunteer work or employment of Supervisors at the Golf Course.

Section 2. This Resolution shall be continuing in nature until revoked by the Board.

Section 3. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 11th DAY OF APRIL, 2023.

ATTEST:

**HERITAGE HARBOR COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/ Assistant Secretary
Print Name: _____

Chair/ Vice Chair
Print Name: _____

EXHIBIT 12

RESOLUTION 2022-09

A RESOLUTION OF THE BOARD OF SUPERVISORS OF HERITAGE HARBOR COMMUNITY DEVELOPMENT DISTRICT ADOPTING A MEETING SCHEDULE TO DESIGNATE DATES, TIMES, AND LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS FOR THE FISCAL YEAR 2022-2023, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Heritage Harbor Community Development District (the “**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Hillsborough County, Florida;

WHEREAS, the Board of Supervisors of the District (the “**Board**”) desires to designate the schedule (including the date, time, and location) of its regular meetings for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023 (“**FY 22-23 Meeting Schedule**”); and

WHEREAS, the Board is required by Section 189.015, Florida Statutes to file a schedule of its regular meetings with the local governing authority.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD THAT:

1. **Adoption of Meeting Schedule** The FY 22-23 Meeting Schedule attached hereto as **Exhibit A** and incorporated by reference herein is hereby approved and adopted.
2. **Publication and Filing of Meeting Schedule.** The District Manager is hereby directed to publish and file the FY 22-23 Meeting Schedule in accordance with the requirements of Florida law.
3. **Effective Date.** This Resolution shall take effect upon the passage and adoption of this Resolution by the Board.

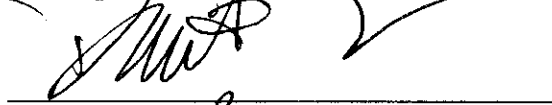
Passed and Adopted on September 13, 2022.

Attest:

**Heritage Harbor Community
Development District**



Name: _____
Secretary/Assistant Secretary



Name: _____
Chair/Vice Chair of the Board of Supervisors

Exhibit A

Notice of FY 2022/2023 Meeting Schedule Heritage Harbor Community Development District

As required by Chapters 189 and 190 of Florida Statutes, notice is hereby given that the Fiscal Year 2022/2023, regular meetings of the Board of Supervisors of the Heritage Harbor Community Development District are scheduled to be held at 5:30 P.M. on the 2nd Tuesday at the Heritage Harbor Clubhouse, 19502 Heritage Harbor Parkway, Lutz, Florida, as follows:

October 11, 2022
November 8, 2022
December 13, 2022
January 10, 2023
February 14, 2023
March 14, 2023
April 11, 2023
May 9, 2023
June 13, 2023
July 11, 2023
August 8, 2023
September 12, 2023

The meetings will be open to the public and will be conducted in accordance with the provision of Florida Law for community development districts. Any meeting may be continued to a date, time, and place to be specified on the record at the meeting. Copies of the agendas for the meetings listed above may be obtained from DPF Management & Consulting, LLC (“DPFG”), 250 International Parkway, Suite 208, Lake Mary, Florida 32746 or (321) 263-0132 extension 285, one week prior to the meeting. There may be occasions when one or more Supervisors will participate by telephone.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District’s management company office, DPF Management & Consulting, LLC at (321) 263-0132 extension 285 at least two (2) business days prior to the date of the hearing and meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 711 for aid in contacting the District.

Each person who decides to appeal any action taken at these meetings is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

Tish Dobson
District Manager

EXHIBIT 13

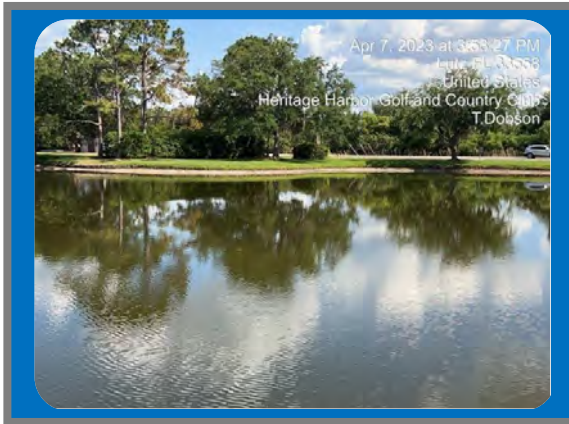


Heritage Harbor CDD Field Operations Report

April 2023

Aquatics

Pond Management: Minimal signs of subsurface and surface algae growth around the perimeters of the ponds. The water levels are down considerably compared to last year at this time. Decaying surface algae was visible in a few ponds as well as Torpedo grass along site 14. No significant issues to report other than low water levels.





Heritage Harbor CDD Field Operations Report

Routine Maintenance

Bed Maintenance: The landscape beds are being managed well. No signs of weeds throughout the community. Hard and soft edging are completed in accordance with the contract. The grasses are beginning to flush back out from the seasonal hard cut. Everything is filling in with good color and definition.



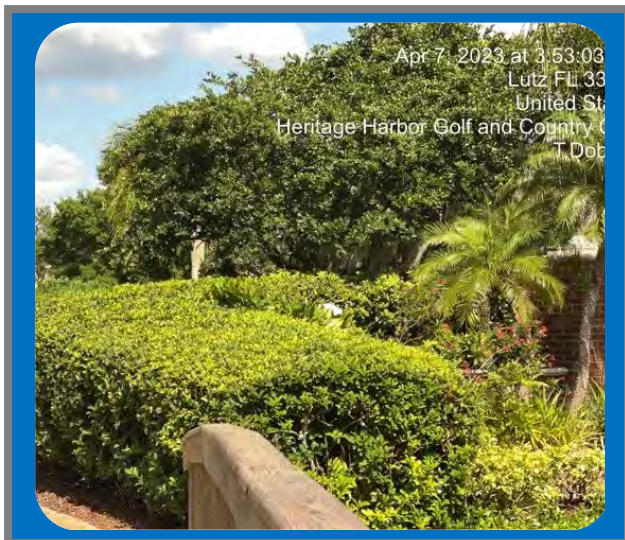
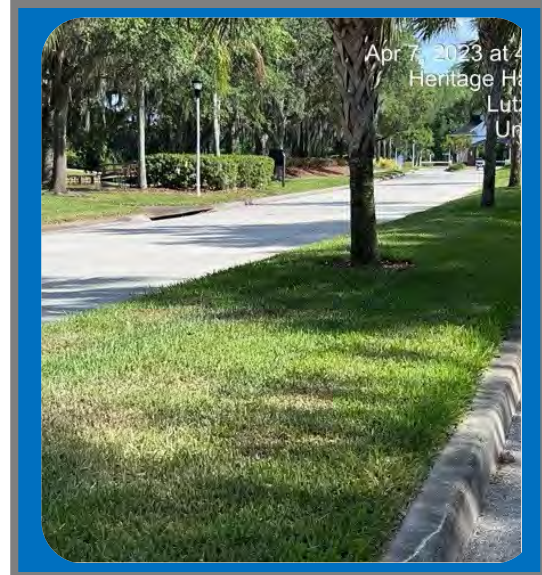


Heritage Harbor CDD Field Operations Report

Landscape Maintenance

Mowing: The turf is neatly mowed with good edging. The crews removed leaf debris from the turf all along the Heritage Harbor Blvd. several times over the last couple of months.

Hedge Lines: The hedge lines are healthy, and the shaping is not too tight which will allow for additional growth throughout the season.



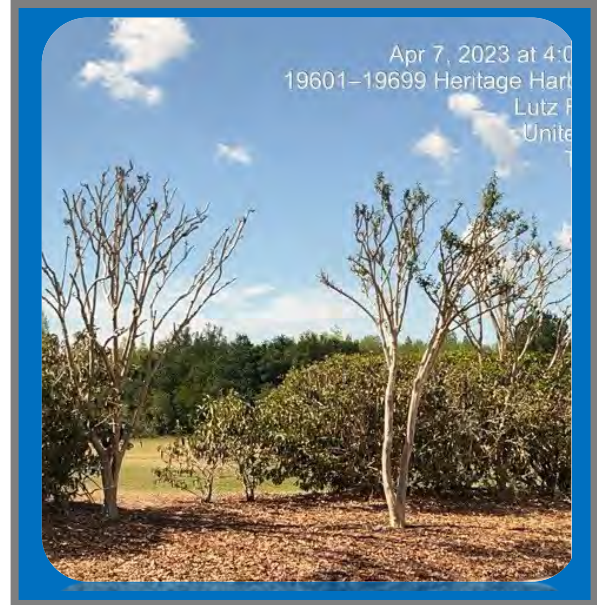


Heritage Harbor CDD Field Operations Report

Landscape Maintenance (Continued)

Crape Myrtles: The Crape Myrtles at the clubhouse are bursting with new growth, while the Crapes around the community are at a slow start.

Spring Annuals: The Spring annual rotation is offering a great deal of curb appeal with deep vibrant color. The plants are healthy, and the beds are weed free.





Heritage Harbor CDD Field Operations Report

Observations

Low Water Levels: The ponds are struggling to hold water with little to no rain events.
Erosion: Prior erosion repairs are bulging under the new sod. Additional stabilization is required. Steadfast is aware of the concern and will be remediating the repair. Additional erosion was noted near the cart path near Sandy Springs Circle. This erosion may be due to irrigation runoff from the nearby property.
Golf Course Well: The irrigation well is functioning as designed with no issues.





Heritage Harbor CDD District Manager Report

April 2023

Budget: Met and conferenced with Supervisor Jeff Witt to draft the FY 2023-2024 budget. Budget will be completed and ready for the May meeting.

Cart Path Restroom Facilities: We are waiting on the doors and a few fixtures to complete the project.

Chemical Building: Egis asked Tonja for her recommendation. Waiting for the recommendation.

Double Bogeys: Jamey will present an update to the Board during the April meeting.

Entry Gate/Barrier Arm: Continual issues with residents hitting the barrier arm.

Envera Security: Submitting a proposal for an outdoor camera.

Golf Course Drainage: AAA drainage is working through each section of the project with a landscaper to remediate all uneven divots and sod replacement.

Golf Course Irrigation Well: Functioning as designed with no issues to report.

Guard House Roof: A construction engineer with Tonja's firm is in the process of assessing the rafters for repairs.

Guard House Signage: Additional signage that is brightly colored is on order.

Hole 17: The roaming Deputies have been closely monitoring hole 17 for afterhours activities. Their presence has squelched the undesirable activities.

Open Board Seat: Received one letter of interest after several notifications were sent out to the community.

Payroll Services: Working with ADP, Paycom, and Paychex to bring payroll service and comparable healthcare benefits proposals to the July/August Board meeting for consideration.

Roaming Deputy: Deputy Wehr will be addressing the Board on community golf carts during the April meeting.

Trash / Debris in the Ponds: Steadfast was notified of the issue and has responded accordingly.

