



***BEACH
COMMUNITY DEVELOPMENT DISTRICT***

Advanced Meeting Package

Regular Meeting

***Monday
January 16, 2023
6:00 p.m.***

***Location:
12788 Meritage Blvd.,
Jacksonville, FL 32246***

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.

Beach Community Development District

Development Planning and Financing Group

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

Board of Supervisors
Beach Community Development District

Dear Board Members:

The Regular Meeting of the Board of Supervisors of the Beach Community Development District is scheduled for **Monday, January 16, 2023, at 6:00 p.m.** at the **12788 Meritage Blvd., Jacksonville, FL 32246**

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-193 or dmcinnes@dpfgmc.com. We look forward to seeing you at the meeting.

Sincerely,

David McInnes

David McInnes
District Manager

Cc: Attorney
Engineer
District Records

District: **BEACH COMMUNITY DEVELOPMENT DISTRICT**

Date of Meeting: Monday, January 16, 2023

Time: 6:00 PM

Location: 12788 Meritage Blvd.,
Jacksonville, FL 32246

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

Meeting ID: 7055714830#

Revised Agenda

- I. Roll Call**
- II. Pledge of Allegiance**
- III. Audience Comments** – *(limited to 3 minutes per individual for agenda items)*
- IV. Office of Elected Supervisors & Form 1**
 - A. Seat 2 – Chance Wedderburn
 - B. Oath of Office [Exhibit 1](#)
 - C. Acceptance or Waiver of Compensation
 - D. New Supervisor Information Sheet [Exhibit 2](#)
 - E. Form 1 [Exhibit 3](#)
 - F. Review Sunshine Law & Supervisor Duties [Exhibit 4](#)
- V. Task Force Report**
- VI. Consent Agenda**
 - A. Consideration for Approval – The Minutes of the Board of Supervisors Special Meeting Held December 19, 2022 [Exhibit 5](#)
 - B. Consideration for Acceptance – The December 2022 Unaudited Financial Statements [Exhibit 6](#)
- VII. Business Items**
 - A. Consideration of Fitness Center Wall Repairs & Painting proposals [Exhibit 7](#)
 - B. Consideration of Parking Agreement with Tamaya-Residential HOA [Exhibit 8](#)
 - C. Consideration of Changes and Approval to the Amenity Facility Policies – *To Be Distributed* [Exhibit 9](#)
 - D. Consideration & Adoption of **Resolution 2023-04**, Setting PH for Adopting Amenity Facilities Rates & Providing for Effective Date [Exhibit 10](#)
 - E. **Consideration of Release of Drainage Easement** [Exhibit 11](#)

VIII. Staff Reports

A. Lifestyle & Field Management Report

[Exhibit 12](#)

B. District Counsel

C. District Manager

1. Resident(s) Subject Disciplinary Action

2. Incident Management Tracker

[Exhibit 13](#)

3. Action Item Report

[Exhibit 14](#)

4. Meeting Matrix

[Exhibit 15](#)

D. District Engineer

IX. Audience Comments *(limited to 3 minutes per individual for non-agenda items)*

X. Supervisors' Requests

XI. Action Items Summary

XII. Next Meeting Quorum Check: February 20th, 6:00 PM

Stephen Kounoupas	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> REMOTE	<input type="checkbox"/> NO
Chance Wedderburn	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> REMOTE	<input type="checkbox"/> NO
Sheila S. Papelbon	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> REMOTE	<input type="checkbox"/> NO
Matt Calderaro	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> REMOTE	<input type="checkbox"/> NO
Robert Renn	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> REMOTE	<input type="checkbox"/> NO

XIII. Adjournment

EXHIBIT 1

**BEACH
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 BEACH 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 2

Beach
A Community Development District

NEW SUPERVISOR INFORMATION SHEET

Please return completed forms to DPGF
DPFG Management & Consulting, LLC
Records Management
250 International Parkway, Suite 208
Lake Mary, FL 32746
Phone: 321-263-0132, EXT-193
District Manager: David McInnes

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 3

FORM 1

STATEMENT OF FINANCIAL INTERESTS

2021

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, 2021.

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, 2021.

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, 2021.

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. 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 4

FLORIDA COMMISSION ON ETHICS



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

2022

State of Florida
COMMISSION ON ETHICS

Michelle Anchors
Fort Walton Beach

Antonio Carvajal
Tallahassee

Travis Cummings
Fleming Island

Don Gaetz
Niceville

Glenton "Glen" Gilzean, Jr.
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Tallahassee, FL 32317-5709
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(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. *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.]

7. *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.]

8. *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.]

9. *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.]

10. *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. 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.

4. 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:

Incumbent officials must file FORM 6 annually by July 1 with the Commission on Ethics. CANDIDATES must file 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.]

Beginning January 1, 2022, 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.

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, 2022, 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. Form 6 filers will receive an emailed invitation to register for EFDMS in March 2022. Filers requiring earlier access should contact the Commission to request an invitation. 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, 2022. 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 obtain a complaint form (FORM 50), by contacting the Commission office at the address or phone number shown on the inside front cover of this booklet, or you can download it from the Commission's website:
www.ethics.state.fl.us.

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.

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. A comprehensive online training course addressing Florida's Code of Ethics, as well as Sunshine Law, and Public Records Act is available via a link on the Commission's homepage.

EXHIBIT 5

1 **MINUTES OF MEETING**

2 **BEACH**

3 **COMMUNITY DEVELOPMENT DISTRICT**

4 The Regular Meeting of the Board of Supervisors of the Beach Community Development District
5 was held on Monday, December 19, 2022 at 6:01 p.m., at 12788 Meritage Blvd., Jacksonville, Florida
6 32246, with Zoom Conference Call available.

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

8 Mr. McInnes called the meeting to order and conducted roll call.

9 Present and constituting a quorum were:

10	Stephen Kounoupas (<i>via phone</i>)	Board Supervisor, Chairman
11	Matt Calderaro	Board Supervisor, Vice Chairman
12	Robert Renn	Board Supervisor, Assistant Secretary
13	Sheila Papelbon	Board Supervisor, Assistant Secretary

14 Also present were:

15	David McInnes	District Manager, DPGF Management and Consulting
16	Wes Haber (<i>via phone</i>)	District Counsel, Kutak Rock LLP
17	Dana Harden	Vesta Property Services
18	Elizabeth Myers	Vesta Property Services
19	Ron Zastrocky	Vesta Property Services
20	Kate Kending	Task Force Member
21	Cindy Rosenborough	Task Force Member
22	Karen Young	Task Force Member
23	Greg Young	Task Force Member
24	Michael Simon	Resident
25	Ramon Cruz	Resident
26	Anil Yarlagaadde	Resident
27	Matt Ray	Resident
28	Subba Vallepadi	Resident
29	Anne Cruz	Resident
30	Michael Simon	Resident
31	Viral Acharya	Resident

32 *The following is a summary of the discussions and actions taken at the December 19, 2022 Beach CDD*
33 *Board of Supervisors Regular Meeting. Audio for this meeting is available upon public records request.*

34 **SECOND ORDER OF BUSINESS – Pledge of Allegiance**

35 The Pledge of Allegiance was recited.

36 **THIRD ORDER OF BUSINESS – Audience Comments** – (*limited to 3 minutes per individual for agenda*
37 *items*)

38 Mr. Simon commented on the amenity center policies, particularly regarding the degree of liability
39 insurance for instructors that were not working full-time.

40 **FOURTH ORDER OF BUSINESS – Office of Elected Supervisors & Form 1**

41 A. Exhibit 1: Consideration & Adoption of **Resolution 2023-02**, Declaring Board Seat Vacancy from
42 General Election

43 Mr. McInnes stated that Supervisor Hagan had not filed for re-election, and that there had not been
44 a candidate running for election to Seat #2, resulting in a vacancy which needed to be declared.

45 On a MOTION by Ms. Papelbon, SECONDED by Mr. Kounoupas, WITH ALL IN FAVOR, the Board
46 adopted **Resolution 2023-02**, Declaring Board Seat Vacancy from General Election, for the Beach
47 Community Development District.

48 B. Selection of Candidate for Seat #2

- 49 1. Exhibit 2: Chance Wedderburn
- 50 2. Exhibit 3: Ivana Gavric
- 51 3. Exhibit 4: Michael Horrigan

52 Following discussion, Mr. Calderaro nominated Mr. Wedderburn to fill the vacancy of Seat
53 #2. Mr. Wedderburn was unanimously selected to fill the vacancy of Seat #2.

54 C. Seat 4 – Sheila Papelbon

55 D. Seat 5 – Matt Calderaro

56 E. Exhibit 5: Oath of Office

57 Ms. Papelbon and Mr. Calderaro gave their Oaths of Office. Mr. McInnes stated that the Oath of
58 Office would be administered to Mr. Wedderburn.

59 F. Acceptance or Waiver of Compensation

60 G. Exhibit 6: New Supervisor Information Sheet

61 H. Exhibit 7: Form 1

62 I. Exhibit 8: Review Sunshine Law & Supervisor Duties

63 Mr. Haber stated that he would reach out to provide an overview of Supervisor duties,
64 responsibilities, and Sunshine Law considerations to Mr. Wedderburn between meetings.

65 J. Consideration of Vote to Appoint Chair & Vice Chair

66 Mr. McInnes asked whether the Board had a nomination for a Supervisor to serve as Chair of the
67 new Board. Mr. Calderaro nominated Mr. Kounoupas to continue serving as Chair. Mr. Kounoupas
68 was unanimously voted as Chair.

69 Mr. McInnes then asked whether the Board had a nomination for a Supervisor to serve as Vice
70 Chair of the new Board. Ms. Papelbon nominated Mr. Calderaro to continue serving as Vice Chair.
71 Mr. Calderaro was unanimously voted as Vice Chair.

72 K. Exhibit 9: Consideration & Adoption of **Resolution 2023-03**, Designating Officers

73 Mr. McInnes stated that the Resolution would be amended to include Mr. Wedderburn following
74 his swearing in. Mr. McInnes added that Mr. McGaffney was no longer listed as a Secretary for the
75 CDD.

76 On a MOTION by Mr. Calderaro, SECONDED by Ms. Papelbon, WITH ALL IN FAVOR, the Board
77 adopted **Resolution 2023-03**, Designating Officers, as amended, for the Beach Community Development
78 District.

79 **FIFTH ORDER OF BUSINESS – Task Force Report**

80 The Task Force stated that there was nothing to report.

81 **SIXTH ORDER OF BUSINESS – Consent Agenda**

- 82 A. Exhibit 10: Consideration for Approval – The Minutes of the Board of Supervisors Special Meeting
83 Held September 19, 2022 – *previously presented*
- 84 Mr. McInnes stated that these minutes had been corrected following comments from the Vice Chair.
- 85 B. Exhibit 11: Consideration for Approval – The Minutes of the Board of Supervisors Regular
86 Meeting Held November 7, 2022
- 87 C. Exhibit 12: Consideration for Approval – The Minutes of the Board of Supervisors Workshop Held
88 December 5, 2022
- 89 D. Exhibit 13: Consideration for Acceptance – The October 2022 Unaudited Financial Statements
- 90 E. Exhibit 14: Consideration for Acceptance – The November 2022 Unaudited Financial Statements

91 On a MOTION by Mr. Calderaro, SECONDED by Dr. Renn, WITH ALL IN FAVOR, the Board approved
92 all items of the Consent Agenda, for the Beach Community Development District.

93 **SEVENTH ORDER OF BUSINESS – Business Items**

- 94 A. Exhibit 15: Consideration of Fitness Center Repair & Paint Proposal Options
- 95 1. Pristine Painting & Restoration - \$10,500.00
- 96 2. All Weather Contractors - \$4,860.00
- 97 3. MicroTech Gym
- 98 a. Walls Only - \$23,07.00
- 99 b. Walls & Ceiling - \$25,872.00
- 100 4. ICI Painter
- 101 a. Walls & Trim - \$8,200.00
- 102 b. Ceiling - \$3,200.00

103 Following discussion of available funds, consideration of these proposals was postponed. Mr.
104 Zastrocky stated that he would return the next month with a set of revised quotes for painting.

- 105 B. Exhibit 16: Consideration of Release of Drainage Easement

106 On a MOTION by Dr. Renn, SECONDED by Ms. Papelbon, WITH ALL IN FAVOR, the Board approved
107 the Release of Drainage Easement, for the Beach Community Development District.

- 108 C. Exhibit 17: Consideration of District Engineer Work Authorization No. 35 - \$2,500.00 EST. Fee

109 On a MOTION by Dr. Renn, SECONDED by Ms. Papelbon, WITH ALL IN FAVOR, the Board approved
110 the District Engineer’s Work Authorization No. 35, in the amount of \$2,500.00, for the Beach Community
111 Development District.

- 112 D. Exhibit 18: Consideration of Oxi Fresh Carpet Cleaning Proposals
- 113 1. Grout Cleaning - \$1,221.70
- 114 2. Carpet Cleaning - \$1,133.55

115 On a MOTION by Dr. Renn, SECONDED by Mr. Kounoupas, WITH ALL IN FAVOR, the Board
116 approved the Oxi Fresh Carpet Cleaning Proposals for Grout and Carpet Cleaning, in the total amount of
117 \$2,355.25, for the Beach Community Development District.

118 E. Consideration of Audit Committee Recommendation for Auditor

119 On a MOTION by Ms. Papelbon, SECONDED by Dr. Renn, WITH ALL IN FAVOR, the Board accepted
120 the Audit Committee’s recommendation for auditor, to proceed with DiBartolomeo, McBee, Hartley &
121 Barnes for auditing services, for the Beach Community Development District.

122 Prior to proceeding with the Eighth Order of Business, the Board made a motion to recess the
123 regular Board meeting.

124 On a MOTION by Mr. Calderaro, SECONDED by Ms. Papelbon, WITH ALL IN FAVOR, the Board
125 recessed the regular Board meeting at 6:53 p.m., for the purpose of conducting the Parking & Towing Policy
126 Public Hearing, for the Beach Community Development District.

127 **EIGHTH ORDER OF BUSINESS – Parking & Towing Policy Public Hearing**

128 A. Open Public Hearing

129 On a MOTION by Dr. Renn, SECONDED by Ms. Papelbon, WITH ALL IN FAVOR, the Board approved
130 opening the Parking & Towing Policy Public Hearing at 6:54 p.m., for the Beach Community Development
131 District.

132 B. Exhibit 19: Presentation of Parking & Towing Policy

133 C. Public Comments – *Up to 3 mins. per resident*

134 There being none, the next item followed.

135 D. Close Public Hearing

136 On a MOTION by Mr. Calderaro, SECONDED by Dr. Renn, WITH ALL IN FAVOR, the Board approved
137 closing the Parking & Towing Policy Public Hearing at 6:58 p.m., for the Beach Community Development
138 District.

139 The regular Board meeting was reconvened.

140 E. Exhibit 20: Consideration & Adoption of **Resolution 2023-04**, Adopting Parking & Towing
141 Policy

142 On a MOTION by Dr. Renn, SECONDED by Ms. Papelbon, WITH ALL IN FAVOR, the Board adopted
143 **Resolution 2023-04**, Adopting Parking & Towing Policy, for the Beach Community Development District.

144 Following the motion, the Board requested for a notice regarding the adopted policy to be
145 distributed to the community.

146 **NINTH ORDER OF BUSINESS – Discussion Items**

147 A. Exhibit 21: Discussion of Proposed Amendment to Amenities Policies

148 The Board, led by Vice Chair Calderaro, and members of the Task Force discussed the proposed
149 changes to the amenities policies, particularly with guest policies and instructor/trainer organized
150 activities.

151 B. Discussion of Issue w/ PayPal

152 Ms. Myers noted that PayPal was requiring accounts to be registered under one individual's name,
153 which presented issues with the Board's desired model.

154 **TENTH ORDER OF BUSINESS – Staff Reports**

155 A. Exhibit 22: Lifestyle & Field Management Report

156 Ms. Myers and Mr. Zastrocky presented their report sections to the Board.

157 B. District Counsel

158 Mr. McInnes noted that, while the Board had previously opted to proceed with Kutak Rock LLP
159 for District Counsel services, no contract had been formally executed at the time. Mr. McInnes
160 stated that Mr. Haber had been requested to provide a contract consistent with the fees for services
161 being provided, and stated that the Chair could execute the contract on behalf of the Board. The
162 Board agreed to proceed with the contract as proposed.

163 C. District Manager

164 1. Resident(s) Subject Disciplinary Action

165 Mr. McInnes noted that the resident's suspension had been appealed, and that the letter had
166 been provided to the Board. Mr. McInnes explained differences between the CDD and
167 HOA bylaws, and the resident discussed the applicability of the standard vendor approval
168 process and necessary documentation for teaching with the Board.

169 Following discussion, the Board opted to uphold the 30-day suspension issued to Mr. Cruz.

170 2. Exhibit 23: Incident Management Tracker

171 3. Exhibit 24: Action Item Report

172 4. Exhibit 25: Meeting Matrix

173 D. District Engineer

174 The District Engineer did not provide a report.

175 **ELEVENTH ORDER OF BUSINESS – Audience Comments – New Business/Non-Agenda (limited to**
176 *3 minutes per individual)*

177 Mr. Yarlagadde commented on CDD policies for instructors at sports courts for teaching children
178 and discussed compliance with the Board.

179 Mr. Ray asked about enforcement of HOA overnight parking guidelines. Following discussion,
180 District Counsel was requested to take the direction of the Board to start an initial draft of a
181 memorandum of understanding for the HOA to be allowed to enforce street parking rules through
182 their power, for the HOA Counsel's review and input.

183 An audience member inquired about the gates being broken, and Mr. McInnes noted that this was
184 from an incident that was actively being handled by law enforcement.

185 Mr. Simon suggested that the CDD consider hosting a New Year's event at the fitness center in
186 2023 as a safer alternative for residents from driving out to events outside of the community.

187 Mr. Acharya and Ms. Kendig made comments on the tennis instructor issue.

188 **TWELFTH ORDER OF BUSINESS – Supervisors Requests**

189 Dr. Renn proposed that the Board hold a workshop meeting to establish goals and priorities for the
190 next year, as well as discuss matters related to the budget and capital reserves, to be held sometime

191 after January 1. Dr. Renn noted that some of the workshop discussions may involve security
192 matters. Mr. Haber advised that members of the public attending a noticed workshop would be
193 asked to leave during specific discussions on security topics. Mr. McInnes additionally noted that
194 a workshop meeting would incur an additional cost under the budget and that the date would need
195 to be worked out.

196 **THIRTEENTH ORDER OF BUSINESS – Action Items Summary**

197 Mr. McInnes reviewed the Action Items Summary, which was as followed:

- 198 1. Mr. Zastrocky will provide new painting quotes with respect to the fitness center and Plexiglass,
199 for the Board’s consideration.
- 200 2. District Counsel will draft a memorandum of understanding for the HOA’s enforcement of street
201 parking.

202 **FOURTEENTH ORDER OF BUSINESS – Next Meeting Quorum Check: January 16th, 6:00 PM**

203 Mr. Kounoupas, Mr. Calderaro, and Dr. Renn confirmed that they would be present for the meeting,
204 which would establish a quorum. Ms. Papelbon indicated that she was unsure of her attendance.

205 **FIFTEENTH ORDER OF BUSINESS – Adjournment**

206 Mr. McInnes asked for final questions, comments, or corrections before requesting a motion to
207 adjourn the meeting. There being none, Ms. Papelbon made a motion to adjourn the meeting.

208 On a MOTION by Ms. Papelbon, SECONDED by Mr. Kounoupas, WITH ALL IN FAVOR, the Board
209 adjourned the meeting at 9:07 p.m. for the Beach Community Development District.

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

213 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed**
214 **meeting held on January 16, 2023.**

215

216

Signature

Signature

Printed Name

Printed Name

217 **Title:** **Secretary** **Assistant Secretary**

Title: **Chairman** **Vice Chairman**

EXHIBIT 6

Beach
Community Development District

Financial Statements
(Unaudited)

Preliminary

December 31, 2022

**Beach CDD
Balance Sheet
December 31, 2022**

	<u>General Fund</u>	<u>Debt Service 2013A</u>	<u>Debt Service 2015A</u>	<u>Construction</u>	<u>Total</u>
1 ASSETS					
2 OPERATING ACCOUNT BU	\$ 2,098,182	\$ -	\$ -	\$ -	\$ 2,098,182
3 PAYPAL ACCOUNT BU	100	-	-	-	100
4 CHECKING ACCOUNT CS	41,333	-	-	-	41,333
5 DEBT CARD ACCOUNT CS	893	-	-	-	893
6 DEBT SERVICE ACCOUNTS:					
7 SINKING FUND	-	-	-	-	-
8 INTEREST FUND	-	-	-	-	-
9 PREPAYMENT FUND	-	329	3,239	-	3,568
10 REVENUE FUND	-	114,392	6,260	-	120,653
11 OP REDEMPTION FUND	-	-	-	-	-
12 ACQ & CONS 2013A	-	-	-	37	37
13 ACQ & CONS 2015A	-	-	-	149	149
14 ASSESSMENTS RECEIVABLE ON-ROLL	191,403	109,048	50,103	-	350,555
15 ASSESSMENTS RECEIVABLE OFF-ROLL	-	-	-	-	-
16 DUE FROM OTHER FUNDS	-	689,261	316,807	-	1,006,068
17 PREPAID	886	-	-	-	886
18 TOTAL ASSETS	\$ 2,332,797	\$ 913,029	\$ 376,410	\$ 187	\$ 3,622,423
19 LIABILITIES					
20 ACCOUNTS PAYABLE	\$ 47,013	\$ -	\$ -	\$ -	\$ 47,013
21 DEFERRED REVENUE ON-ROLL	191,403	109,048	50,103	-	350,555
22 DEFERRED REVENUE OFF-ROLL	-	-	-	-	-
23 DUE TO OTHER FUNDS	1,006,068	-	-	-	1,006,068
24 OUTSTANDING CHECKS	115	-	-	-	115
25 TOTAL LIABILITIES	1,244,599	109,048	50,103	-	1,403,751
26 FUND BALANCE					
27 NONSPENDABLE					
28 PREPAID & DEPOSITS	886	-	-	-	886
29 CAPITAL RESERVES	109,319	-	-	-	109,319
30 OPERATING CAPITAL	-	-	-	-	-
31 UNASSIGNED	977,992	803,981	326,307	187	2,108,467
32 TOTAL FUND BALANCE	1,088,197	803,981	326,307	187	2,218,672
33 TOTAL LIABILITIES & FUND BALANCE	\$ 2,332,797	\$ 913,029	\$ 376,410	\$ 187	\$ 3,622,423

Beach CDD
General Fund
Statement of Revenue, Expenditures, and Changes in Fund Balance
For the Period From October 1, 2022 through December 31, 2022

	FY 2023 Adopted Budget	FY 2023 Month of December	FY 2023 Total Actual Year-to-Date	VARIANCE Over (Under) to Budget	% Actual YTD / FY Budget
1 REVENUE					
2 ASSESSMENTS ON-ROLL	\$ 1,402,321	\$ 943,700	\$ 1,210,917	\$ (191,403)	86%
3 ASSESSMENTS OFF-ROLL	216,924	-	54,231	(162,693)	25%
4 INTEREST REVENUE	-	2	4	4	
5 OTHER FINANCING SOURCES	5,000	2,142	6,592	1,592	132%
6 CARRYFORWARD	-	-	-	-	
7 TOTAL REVENUE	\$ 1,624,245	\$ 945,844	\$ 1,271,744	\$ (352,501)	78%
8 EXPENDITURES					
9 GENERAL & ADMINISTRATIVE EXPENSES					
10 TRUSTEE FEES	\$ 8,000	\$ 1,400	\$ 2,200	\$ (5,800)	28%
11 SUPERVISOR FEES-REGULAR MEETINGS	10,000	-	-	(10,000)	0%
12 SUPERVISOR FEES-WORKSHOPS	2,000	-	-	(2,000)	0%
13 DISTRICT MANAGEMENT	42,000	3,500	10,500	(31,500)	25%
14 ENGINEERING	2,500	-	-	(2,500)	0%
15 DISSEMINATION AGENT	2,500	-	2,500	-	100%
16 DISTRICT COUNSEL	7,500	-	5,879	(1,622)	78%
17 ASSESSMENT ADMINISTRATION	5,500	458	1,375	(4,125)	25%
18 REAMORTIZATION SCHEDULE	-	-	-	-	
19 ARBITRAGE REBATE CALCULATION	-	-	-	-	
20 AUDIT	6,000	-	-	(6,000)	0%
21 WEBSITE	1,515	50	1,665	150	110%
22 LEGAL ADVERTISING	1,750	-	2,343	593	134%
23 DUES, LICENSES & FEES	175	-	175	-	100%
24 GENERAL LIABILITY INSURANCE	4,057	-	-	(4,057)	0%
25 PUBLIC OFFICIAL INSURANCE	2,895	-	-	(2,895)	0%
26 OFFICE MISCELLANEOUS	2,000	385	858	(1,142)	43%
27 TOTAL GENERAL & ADMINISTRATIVE EXPENSES	98,392	5,794	27,494	(70,898)	28%
28 FIELD EXPENSES					
29 FIELD MANAGEMENT	133,553	-	-	(133,553)	0%
30 PROPERTY INSURANCE	89,054	-	88,097	(957)	99%
31 LAKE MAINTENANCE	21,600	1,767	4,557	(17,043)	21%
32 LANDSCAPING (INCLUDING MATERIALS)	402,792	35,213	105,447	(297,345)	26%
33 IRRIGATION (REPAIRS)	10,000	-	1,923	(8,077)	19%
34 ELECTRIC - STREET LIGHTS/IRRIGATION-JEA	188,475	27,982	77,285	(111,190)	41%
35 RIGHT OF WAY / LAKE MOWING	2,500	-	-	(2,500)	0%
36 ENTRY WATER FEATURE	7,500	-	-	(7,500)	0%
37 CARRYFORWARD REPLENISH	-	-	-	-	
38 CONTINGENCY - HURRICANE / STORM CLEAN UP	8,000	-	-	(8,000)	0%
39 COMMUNITY MAINTENANCE	8,000	-	1,630	(6,370)	20%
40 CAPITAL IMPROVEMENTS	39,080	-	-	(39,080)	0%
41 TOTAL FIELD EXPENSES	910,554	64,962	278,939	(631,616)	31%

42	AMENITY EXPENSES					
43	AMENITY MANAGEMENT	154,556	-	40,645	(113,911)	26%
44	SWIMMING POOL CHEMICALS	-	-	3,048	3,048	
45	SWIMMING POOL INSPECTION	-	-	-	-	
46	AMENITY GENERAL MAINTENANCE & REPAIRS	21,510	259	1,254	(20,256)	6%
47	AMENITY CLEANING	-	-	-	-	
48	AMENITY ELECTRIC/WATER AND SEWER	60,000	-	-	(60,000)	0%
49	AMENITY GATES/CONTROL ACCESS	5,000	-	2,388	(2,612)	48%
50	AMENITY WEBSITE/COMPUTER EQUIPMENT	1,590	-	590	(1,000)	37%
51	AMENITY INTERNET/CABLE	10,000	1,115	3,311	(6,689)	33%
52	AMENITY DUES & LICENSES	850	-	-	(850)	0%
53	AMENITY SECURITY	800	-	-	(800)	0%
54	FITNESS EQUIPMENT MAINTENANCE	10,000	-	-	(10,000)	0%
55	LIFESTYLES PROGRAMMING	25,000	400	3,865	(21,135)	15%
56	AMENITY GAS	600	42	146	(454)	24%
57	TENNIS COURT MAINTENANCE - 4 CLAY COURTS	14,500	-	882	(13,618)	6%
58	LANDSCAPING MAINTENANCE OF AMENITY CENTER	68,400	-	-	(68,400)	0%
59	LANDSCAPE IMPROVEMENT	2,500	-	-	(2,500)	0%
60	AMENITY IRRIGATION (REPAIRS)	1,500	-	-	(1,500)	0%
61	PEST CONTROL	1,200	-	209	(991)	17%
62	AMENITY FIRE SYSTEM MONITORING	1,500	-	309	(1,191)	21%
63	ALARM	500	-	-	(500)	0%
64	TRASH COLLECTION	2,292	-	324	(1,968)	14%
65	TOTAL AMENITY EXPENSES	382,298	1,816	56,973	(325,325)	15%
66	ACCESS CONTROL /GATE HOUSE					
67	GUARD SERVICE	222,400	20,460	61,500	(160,900)	28%
68	GUARD HOUSE SUPPLIES	800	-	-	(800)	0%
69	GUARD HOUSE UTILITIES	3,800	194	733	(3,067)	19%
70	GUARD HOUSE REPAIR & MAINTENANCE	1,000	2,500	2,869	1,869	287%
71	BAR CODE EXPENSE	5,000	384	768	(4,232)	15%
72	TOTAL ACCESS CONTROL/GATE HOUSE EXPENSES	233,000	23,538	65,870	(167,130)	28%
73	TOTAL EXPENDITURES	1,624,245	96,109	429,275	(1,194,969)	26%
74	EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	-	849,735	842,469	842,469	
75	OTHER FINANCING SOURCES & USES					
76	TRANSFER IN	-	-	-	-	
77	TRANSFER OUT	-	-	-	-	
78	TOTAL OTHER FINANCING SOURCES & USES	-	-	-	-	
79	FUND BALANCE - BEGINNING	245,728		245,728	-	
80	NET CHANGE IN FUND BALANCE	-	849,735	842,469	842,469	
81	FUND BALANCE - ENDING	\$ 245,728		\$ 1,088,197	\$ 842,469	
82	ANALYSIS OF FUND BALANCE					
83	NONSPENDABLE					
84	PREPAID & DEPOSITS	886		886		
85	CAPITAL RESERVES	109,319		109,319		
86	OPERATING CAPITAL	-		-		
87	UNASSIGNED	135,523		977,992		
88	TOTAL FUND BALANCE	\$ 245,728		\$ 1,088,197		

Beach CDD
Debt Service 2013A
Statement of Revenue, Expenditures, and Changes in Fund Balance
For the Period From October 1, 2022 through December 31, 2022

	FY 2023 Adopted Budget	FY 2023 Actual Year-to-Date	VARIANCE Over (Under) to Budget
1 REVENUE			
2 ASSESSMENTS ON-ROLL	\$ 800,640	\$ 689,261	\$ (111,379)
3 INTEREST REVENUE	-	2,405	2,405
4 MISC. REVENUE	-	-	-
5 TOTAL REVENUE	800,640	691,666	(108,974)
6 EXPENDITURES			
7 INTEREST EXPENSE			
8 November 1, 2022	-	313,908	313,908
9 May 1, 2023	313,920	-	(313,920)
10 November 1, 2023	308,058	-	(308,058)
11 PRINCIPAL RETIREMENT			
12 May 1, 2023	175,000	-	(175,000)
PRINCIPAL PREPAYMENT	-	70,000	70,000
13 TOTAL EXPENDITURES	796,978	383,908	413,070
14 EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	3,663	307,758	304,096
15 OTHER FINANCING SOURCES (USES)			
16 TRANSFER IN	-	-	-
17 TRANSFER OUT (USES)	-	-	-
18 TOTAL OTHER FINANCING SOURCES (USES)	-	-	-
19 FUND BALANCE - BEGINNING	496,223	496,223	-
20 NET CHANGE IN FUND BALANCE	3,663	307,758	304,096
21 FUND BALANCE - ENDING	\$ 499,886	\$ 803,981	\$ 304,096

Beach CDD
Debt Service 2015A
Statement of Revenue, Expenditures, and Changes in Fund Balance
For the Period From October 1, 2022 through December 31, 2022

	FY 2023 Adopted Budget	FY 2023 Actual Year-to-Date	VARIANCE Over (Under) to Budget
1 REVENUE			
2 ASSESSMENTS ON-ROLL	\$ 366,911	\$ 316,807	\$ (50,103)
3 ASSESSMENTS OFF-ROLL	232,345	-	(232,345)
4 INTEREST REVENUE	-	15	15
5 MISC. REVENUE	-	134,655	134,655
6 TOTAL REVENUE	599,255	451,477	(147,778)
7 EXPENDITURES			
8 INTEREST EXPENSE			
9 November 1, 2022	-	221,988	221,988
10 May 1, 2023	221,988	-	(221,988)
11 November 1, 2023	217,268	-	(217,268)
12 PRINCIPAL RETIREMENT			
13 May 1, 2023	160,000	-	(160,000)
14 TOTAL EXPENDITURES	599,255	221,988	377,268
15 EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	-	229,489	229,489
16 OTHER FINANCING SOURCES (USES)			
17 TRANSFER IN	-	-	-
18 TRANSFER OUT (USES)	-	-	-
19 TOTAL OTHER FINANCING SOURCES (USES)	-	-	-
20 FUND BALANCE - BEGINNING	96,818	96,818	-
21 NET CHANGE IN FUND BALANCE	-	229,489	229,489
22 FUND BALANCE - ENDING	\$ 96,818	\$ 326,307	\$ 229,489

Beach CDD Check Register - FY2023

Date	Ref. Num	Name	Memo	Deposits	Disbursements	Balance
09/30/2022		EOY Balance				295,630.02
10/01/2022	1114	Egis Insurance and Risk Advisors	FY Insurance Policy # 100122192 10/01/22-10/01/23		88,097.00	207,533.02
10/11/2022	1118	Kristin A. Robinson, MD	Refund of Deposit for rental of Pool Cabana		50.00	207,483.02
10/11/2022	100036	Advanced Security Specialist & Consulting	Invoice: T0092022A (Reference: Guard House Gate Access Management.)		8,370.00	199,113.02
10/11/2022	100037	Air Solutions Heating & Cooling Inc	Invoice: 0000094932 (Reference: Installed a new condenser fan motor, fan blade, and capacitor.		2,038.39	197,074.63
10/11/2022	100038	Integrated Access Solutions	Invoice: 0001453 (Reference: Installation of Indoor Access Point.) Invoice: 0001472 (Referen		459.89	196,614.74
10/11/2022	100039	Life Fitness	Invoice: 7173030 (Reference: Clutch Kit.)		62.45	196,552.29
10/11/2022	100040	Southeast Fitness	Invoice: 100493 (Reference: Semi-annually scheduled preventative maintenance.)		640.00	195,912.29
10/11/2022	100041	Southeastern Paper Group	Invoice: 05717495 (Reference: Supplies.)		423.90	195,488.39
10/11/2022	100042	Staples	Invoice: 8067623768 (Reference: Office Supplies.)		48.07	195,440.32
10/11/2022	100043	Sun State Nursery & Landscaping, Inc	Invoice: 7821 (Reference: Irrigation Repairs.) Invoice: 7911 (Reference: Istallation of Clock...		2,236.49	193,203.83
10/11/2022	100044	Wayne Automatic Fire Sprinklers Inc.	Invoice: 952684 (Reference: Annual Extinguisher Certification Inspection.)		352.61	192,851.22
10/14/2022	100045	10-S Tennis Supply & Dinkshot Pickleball	Invoice: 156365 (Reference: Aluminum Drag Broom.) Invoice: 156337 (Reference: 10-S Line:		437.61	192,413.61
10/14/2022	100046	Advanced Security Specialist & Consulting	Invoice: T0092022B (Reference: Guard House Gate Access Management.) Invoice: TA009202		12,570.00	179,843.61
10/14/2022	100047	Innersync	Invoice: 20817 (Reference: Website Services.)		1,515.00	178,328.61
10/14/2022	100048	Sun State Nursery & Landscaping, Inc	Invoice: 7986 (Reference: October Landscape Maintenance.)		35,213.10	143,115.51
10/14/2022	100049	TEKWave Solutions LLC	Invoice: 5274 (Reference: Community Visitor Management Software-OCT 2022.)		295.00	142,820.51
10/14/2022	100050	The Lake Doctors, Inc.	Invoice: 36532B (Reference: Water Management Zone 1 & 2.)		1,395.00	141,425.51
10/14/2022	100051	Turner Pest Control	Invoice: 19160304 (Reference: Monthly pest control.)		104.74	141,320.77
10/14/2022	100052	Vesta Property Services	Invoice: 403326 (Reference: September Fees.)		19,605.00	121,715.77
10/14/2022	100053	VGlobal Tech	Invoice: 4366 (Reference: Email hosting.)		50.00	121,665.77
10/14/2022	101422ACH1	JEA	Service for the month of September		27,918.90	93,746.87
10/15/2022	101522ACH1	Comcast	12788 Meritage Blvd MINI MDTA 9/28/22 to 10/27/22		535.58	93,211.29
10/17/2022	1119	Dominik Guess	Refund for Rental Cancellation		200.00	93,011.29
10/17/2022	1120	Instant PhotoCube	80's Casino Night		475.00	92,536.29
10/17/2022	101722ACH1	Comcast	12750 Meritage Blvd. GATEHOUSE 9/30-10/29/22		212.20	92,324.09
10/18/2022	101822ACH1	TECO	12545 Beach Blvd - 8/19/22 - 9/20/22		37.07	92,287.02
10/20/2022			Deposit	1,749.54		94,036.56
10/21/2022	102122ACH1	Florida Natural Gas	Fuel and Inside FGT Z3 8/19/22 - 9/18/22		17.79	94,018.77
10/22/2022	102222ACH1	Comcast	12788 Meritage Blvd. OFC 4 10/3-11/2/22		351.09	93,667.68
10/23/2022	ACH 102322	Credit Card transactions			693.49	92,974.19
10/24/2022	100054	Advanced Security Specialist & Consulting	Invoice: T0102022A (Reference: Guard House Gate Access Management.)		8,100.00	84,874.19
10/24/2022	100055	Integrated Access Solutions	Invoice: 0001945 (Reference: Service call.) Invoice: 0001950 (Reference: Service Call.) In...		900.00	83,974.19
10/24/2022	100056	Life Fitness	Invoice: 7195361 (Reference: Seat Pad.)		117.75	83,856.44
10/24/2022	100057	Southeastern Paper Group	Invoice: 05660098 (Reference: Paper Supplies.)		355.77	83,500.67
10/24/2022	100058	Staples	Invoice: 8067869974 (Reference: Office Supplies.)		400.17	83,100.50
10/26/2022	100059	Integrated Access Solutions	Invoice: 0001465 (Reference: Labor for installation, setup and testing.)		360.00	82,740.50
10/27/2022	102722ACH1	Comcast	13077 Beach Blvd. PEDESTRIAN GATE 10/10 -11/9/22		194.35	82,546.15
10/31/2022			Service Charge		1.45	82,544.70
10/31/2022		EOM Balance		1,749.54	214,834.86	82,544.70
11/03/2022			Deposit	3,000.00		85,544.70
11/07/2022	100060	DPGF M&C	Invoice: 403568 (Reference: Dissemination Agent.) Invoice: 403505 (Reference: District Man:		6,458.33	79,086.37
11/07/2022	100061	Advanced Security Specialist & Consulting	Invoice: TA0102022 (Reference: Amenities security.) Invoice: T0102022B (Reference: Guard		11,070.00	68,016.37
11/07/2022	100062	Big Z Pool Service, LLC	Invoice: 11382 (Reference: Comp Pool, VFD Drive.)		1,970.00	66,046.37
11/07/2022	100063	Custom Pump & Controls, Inc.	Invoice: 22-314-04 (Reference: QUARTERLY LIFT STATION INSPECTION.)		150.00	65,896.37
11/07/2022	100064	GFL Environmental	Invoice: UG000080959 (Reference: Nov 01/22 - Nov 30/22.)		162.01	65,734.36
11/07/2022	100065	Integrated Access Solutions	Invoice: 0002027 (Reference: BAI Barcodes Black on Black.) Invoice: 0002035 (Reference: p		1,740.01	63,994.35

11/07/2022	100066	Kutak Rock LLP	Invoice: 3126899 (Reference: General Counsel.)		1,320.00	62,674.35
11/07/2022	100067	Sun State Nursery & Landscaping, Inc	Invoice: 8275 (Reference: Irrigation Repairs.) Invoice: 8273 (Reference: Irrigation Repairs. ...		779.17	61,895.18
11/07/2022	100068	TEKWave Solutions LLC	Invoice: 102622- (Reference: VMS - November 2022.)		295.00	61,600.18
11/07/2022	100069	Turner Pest Control	Invoice: 19363970 (Reference: Commercial Pest Control.)		104.74	61,495.44
11/07/2022	100070	VGlobel Tech	Invoice: 4416 (Reference: Email hosting.)		50.00	61,445.44
11/07/2022	100071	Wayne Automatic Fire Sprinklers Inc.	Invoice: 998491 (Reference: Annual Sprinkler Inspection.)		309.38	61,136.06
11/14/2022	1121	Matthew Calderaro	BOS MTG 11/7/22		200.00	60,936.06
11/14/2022	1122	Robert Renn	BOS MTG 11/7/22		200.00	60,736.06
11/14/2022	1123	Shelia Papelbon	BOS MTG 11/7/22		200.00	60,536.06
11/14/2022	1124	Stephen Kounoupas	BOS MTG 11/7/22		200.00	60,336.06
11/16/2022	111622ACH1	JEA	Service for the month of October		23,682.22	36,653.84
11/17/2022			Deposit: Tax Assessments	187,055.02		223,708.86
11/17/2022	111722ACH1	TECO	12545 Beach Blvd - 09/21/2022 to 10/20/2022		37.08	223,671.78
11/18/2022	111822ACH1	Comcast	12788 Meritace Blvd MINI MDTA 10/28/22 to 11/27/22		534.81	223,136.97
11/21/2022	ACH11/21/22	Florida Natural Gas	Fuel and Inside FGT Z3 9/20/22 -10/20/22		15.19	223,121.78
11/21/2022	1125	FLORIDA DEPT OF ECONOMIC OPPORTUNIT	FY 2022/2023 Special District Fee Invoice/Update Form		175.00	222,946.78
11/21/2022	100072	Integrated Access Solutions	Invoice: 0002123 (Reference: Emergency Service Call.)		180.00	222,766.78
11/21/2022	100073	Game Time Game Truck, LLC	Invoice: 3014 (Reference: 2 Hour Game Truck.)		504.00	222,262.78
11/21/2022	100074	DPFG M&C	Invoice: 404412 (Reference: District Management Services.)		3,958.33	218,304.45
11/21/2022	100075	Sun State Nursery & Landscaping, Inc	Invoice: 8366 (Reference: November Landscape Maintenance.) Invoice: 8274 (Reference: Irrig		35,533.06	182,771.39
11/21/2022	100076	The Lake Doctors, Inc.	Invoice: 45252B (Reference: Water Management Zone 1 & 2.)		1,395.00	181,376.39
11/21/2022	112122ACH1	Comcast	12750 Meritage Blvd. GATEHOUSE10/30/22 to 11/29/22		211.88	181,164.51
11/22/2022			Deposit	54,231.04		235,395.55
11/23/2022			Deposit	192.36		235,587.91
11/23/2022	ACH 112322	Credit Card transactions			1,245.71	234,342.20
11/25/2022			Deposit: Tax Assessments	284,806.31		519,148.51
11/25/2022	112522ACH1	Comcast	12788 Meritage Blvd. OFC 4 11/3/22 - 12/2/22		351.09	518,797.42
11/30/2022	113022ACH1	Comcast	13077 Beach Blvd. PEDESTRIAN GATE 11/10/22 to 12/9/22		194.35	518,603.07
11/30/2022			Service Charge		1.70	518,601.37
11/30/2022		EOM Balance			529,284.73	93,228.06
12/02/2022	100077	Vesta Property Services	Invoice: 404248 (Reference: October Fees.)		20,846.14	497,755.23
12/05/2022			Deposit: Tax Assessments	1,346,682.83		1,844,438.06
12/06/2022			Deposit	1,950.00		1,846,388.06
12/06/2022			Deposit: Tax Assessments	215,761.07		2,062,149.13
12/12/2022	100078	10-S Tennis Supply & Dinkshot Pickleball	Invoice: 157124 (Reference: Pro-Screen Open Mesh.)		882.34	2,061,266.79
12/12/2022	100079	Advanced Security Specialist & Consulting	Invoice: T0112022A (Reference: Guard House Gate Access Management.)		9,300.00	2,051,966.79
12/12/2022	100080	Bob's Backflow & Plumbiong Services	Invoice: 87517 (Reference: Backflow Test.)		450.00	2,051,516.79
12/12/2022	100081	Integrated Access Solutions	Invoice: 0002199 (Reference: Wireless HDMI adapter.)		369.00	2,051,147.79
12/12/2022	100083	Kutak Rock LLP	Invoice: 113022-23-1 (Reference: General Counsel.)		4,558.50	2,046,589.29
12/12/2022	100084	Southeast Fitness	Invoice: 100363 (Reference: 9/6/2022 Diagnosis or Repair.)		150.00	2,046,439.29
12/12/2022	100085	Southeastern Paper Group	Invoice: 05773688 (Reference: ECO-AIR.)		53.32	2,046,385.97
12/12/2022	100086	Sun State Nursery & Landscaping, Inc	Invoice: 8551 (Reference: Fix Breaks on the back side of wall.) Invoice: 8550 (Reference: Irr..		36,036.41	2,010,349.56
12/12/2022	100087	TEKWave Solutions LLC	Invoice: 5414 (Reference: December 2022.)		295.00	2,010,054.56
12/12/2022	100088	The Lake Doctors, Inc.	Invoice: 670593 (Reference: Monthly Water Management Service.) Invoice: 57370b (Referenc		3,095.00	2,006,959.56
12/12/2022	100089	Turner Pest Control	Invoice: 19972952 (Reference: Pest Control.)		104.74	2,006,854.82
12/12/2022	100090	Vesta Property Services	Invoice: 405450 (Reference: November Fees.)		19,793.78	1,987,061.04
12/12/2022	100091	VGlobel Tech	Invoice: 4492 (Reference: Email hosting.)		50.00	1,987,011.04
12/12/2022	100092	The Perfect Pour	Invoice: 0000151A (Reference: Bar Service for Halloween Party 10/21/22.)		625.00	1,986,386.04
12/12/2022	100093	Daytona Beach News-Journal	Invoice: 0005017635 (Reference: Oct 1 - Oct 31, 2022.)		1,003.25	1,985,382.79
12/13/2022	1126	Matthew Calderaro	BOS MTG 12/5/22		200.00	1,985,182.79
12/13/2022	1127	Robert Renn	BOS MTG 12/5/22		200.00	1,984,982.79
12/13/2022	1128	Shelia Papelbon	BOS MTG 12/5/22		200.00	1,984,782.79

12/14/2022			Deposit	192.36		1,984,975.15
12/14/2022	121422ACH1	JEA	Service for the month of November		25,621.04	1,959,354.11
12/16/2022			Deposit: Tax Assessments	165,311.36		2,124,665.47
12/19/2022	121922ACH1	Comcast	12788 Meritace Blvd MINI MDTA 11/28/22 - 12/27/22		534.81	2,124,130.66
12/20/2022	122022ACH1	Comcast	12750 Meritage Blvd. GATEHOUSE11/30/22 to 12/29/22		211.88	2,123,918.78
12/20/2022	122022ACH2	TECO	12545 Beach Blvd - 10/20/2022 -11/28/22		37.70	2,123,881.08
12/22/2022	122222ACH1	Florida Natural Gas	Fuel and Inside FGT Z3 10/20/22 to 11/28/22		14.35	2,123,866.73
12/23/2022	100094	DPGF M&C	Invoice: 405570 (Reference: District Management Services.)		3,958.33	2,119,908.40
12/23/2022	100095	Advanced Security Specialist & Consulting	Invoice: TA0112022 (Reference: Amenities security.) Invoice: T0112022B (Reference: Guard		11,460.00	2,108,448.40
12/23/2022	100096	Integrated Access Solutions	Invoice: 0002285 (Reference: Gate Repair.) Invoice: 0002291 (Reference: Guard House Gate		3,192.16	2,105,256.24
12/23/2022	100097	Southeastern Paper Group	Invoice: 05765238 (Reference: Supplies.) Invoice: 05748187 (Reference: Supplies.)		824.54	2,104,431.70
12/23/2022	100098	Staples	Invoice: 8068566313 (Reference: Office Supplies.)		383.73	2,104,047.97
12/23/2022	100099	Vesta Property Services	Invoice: 403470 (Reference: Billable Expenses.)		3,170.38	2,100,877.59
12/23/2022	100100	Daytona Beach News-Journal	Invoice: 0005119397 (Reference: Advertising.)		1,324.92	2,099,552.67
12/23/2022	ACH 122322	Credit Card transactions			301.35	2,099,251.32
12/27/2022	1129	Matthew Calderaro	BOS MTG 12/19/22		200.00	2,099,051.32
12/27/2022	1130	Robert Renn	BOS MTG 12/19/22		200.00	2,098,851.32
12/27/2022	1131	Shelia Papelbon	BOS MTG 12/19/22		200.00	2,098,651.32
12/27/2022	1132	Stephen Kounoupas	BOS MTG 12/19/22		200.00	2,098,451.32
12/27/2022	122722ACH1	Comcast	12788 Meritage Blvd. OFC 4 12/3/22 - 1/2/23		351.09	2,098,100.23
12/28/2022	1133	DPFG M&C	August Billable Expenses		30.63	2,098,069.60
12/30/2022			Deposit	308.38		2,098,377.98
12/30/2022	123022ACH1	Comcast	13077 Beach Blvd. PEDESTRIAN GATE 12/10/22 to 1/9/23		194.35	2,098,183.63
12/31/2022			Service Charge		1.75	2,098,181.88
12/31/2023	EOM Balance			1,730,206.00	150,625.49	2,098,181.88

EXHIBIT 7

From: Ron W. Zastrocky <rzastrocky@vestapropertyservices.com>
Sent: Thursday, December 29, 2022 1:50 PM
To: David C. McInnes <dmcinnes@dpgmc.com>
Subject: Fw: Paint west wall and north baseboard in fitness center

Good afternoon,

Below is what the ICI painter quoted for 1 wall and 1 baseboard paint and repair any areas and touch up on other walls in fitness center. Agenda item?

Sir, labor and materials \$2500

Ron Zastrocky
Field Operations Manager



Tamaya
12788 Meritage Blvd. Jacksonville, FL 32246
C: 904.577.3075

www.VestaPropertyServices.com

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EXHIBIT 8

Prepared by and return to:

Beach Community Development District
250 International Parkway, Suite 208
Lake Mary, Florida 32746

**AGREEMENT BETWEEN BEACH COMMUNITY DEVELOPMENT DISTRICT AND
TAMAYA - RESIDENTIAL HOMEOWNERS' ASSOCIATION, INC. CONCERNING
THE CDD-OWNED ROADS AND COMMON PROPERTY WITHIN THE PROPERTY
SUBJECT TO THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS
AND EASEMENTS FOR TAMAYA RESIDENTIAL**

WHEREAS, the Declaration of Covenants, Conditions and Easements for Tamaya Residential, as amended ("Declaration") was recorded on March 31, 2014 in the Official Records of Duval County, Florida at Book 16734, Page 1640; and

WHEREAS, the Beach Community Development District ("CDD") is a special purpose form of local government established and existing pursuant to Chapter 190, Florida Statutes, concerning the Tamaya community; and

WHEREAS, Tamaya - Residential Homeowners' Association, Inc. ("Association") is a homeowners association established pursuant to Chapter 720, Florida Statutes, as the governing homeowners' association for the Tamaya community and as is more fully described in the Declaration; and

WHEREAS, the roads within the Tamaya community are owned by the CDD; and

WHEREAS, the CDD and Association each have certain authority regarding the CDD-owned roads and other common property within the Association according to each entities' respective rights and remedies under the Florida Statutes, and both the CDD and Association desire, through this Agreement, to declare and put the Association's members and public on notice that the CDD and Association have such authority regarding the CDD-owned roads and common property within the Association; and

WHEREAS, Section 5.7 of the Declaration grants the Association the power and authority to enforce parking and vehicular restrictions on the CDD-owned roads and common property within the Association, including the power and authority to (insert enforcement mechanism such as fining) in violation of the Association's covenants, restrictions, rules, and regulations, irrespective of the roads being owned by the CDD; and

WHEREAS, as of the date of execution and recording of this Agreement, the Association has the requisite authority to enter into this Agreement; and

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Tamaya community Development District and the Board of Directors of Tamaya - Residential

Homeowners' Association, Inc.,

THAT both the CDD and Association each have certain authority regarding the CDD-owned roads and common property within the Association, including separate remedies afforded to the CDD and Association under the statutes governing each respective entity, including but not limited to the power and authority to tow vehicles or, with respect to the Association, (insert enforcement mechanism such as fining) for parking violations. The CDD acknowledges the Association's right and authority to enforce its covenants, restrictions, rules, and regulations, as they currently exist and as they may be amended from time to time, over the CDD-owned roads and other common property within the Association, and the CDD does not object to the Association's concurrent enforcement rights. Notwithstanding the foregoing, nothing herein shall result in the CDD-owned roads and/or common property from being "public" and, should any enforcement action or authority exercised hereunder result in the CDD-owned roads and/or common property being deemed "private" under Florida or Federal law, the District and/or the Association agree to immediately cease such action and/or authority. The Association's enforcement of its covenants, restrictions, rules, and regulations on the CDD-owned roads and common property is solely pursuant to the requirements of the Declaration and other governing documents and the Florida HOA Act, Ch. 720, Florida Statutes. By the recording of this Agreement in the Duval County Official Records, all members of the Association and also the public at large are on notice of the Association's enforcement rights and authority regarding the CDD-owned roads and common property within the Association.

TAMAYA – RESIDENTIAL
HOMEOWNERS' ASSOCIATION, MINC.,
a Florida non-profit corporation

By: _____
_____, President

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by _____, as President of Tamaya - Residential Homeowners' Association, Inc., a Florida non-profit corporation, on behalf of the corporation. Such person did take an oath and: *(Notary must check applicable box)*.

- is/are personally known to me.
- produced a current driver's license as identification.
- produced _____ as identification.

{Notary Seal must be affixed}

SIGNATURE OF NOTARY

Name of Notary *(Typed, Printed or Stamped)*

BEACH COMMUNITY
DEVELOPMENT DISTRICT, a local unit of
special purpose government

By: _____
Stephen Kounoupas, Chairman Board of

Supervisors

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Stephen Kounoupas, as Chairman of the Board of Supervisors of Tamaya Community Development District, a Florida non-profit corporation, on behalf of the corporation. Such person did take an oath and: *(Notary must check applicable box)*.

- is/are personally known to me.
- produced a current driver's license as identification.
- produced _____ as identification.

{Notary Seal must be affixed}

SIGNATURE OF NOTARY

Name of Notary *(Typed, Printed or Stamped)*

EXHIBIT 9

To Be Distributed

EXHIBIT 10

RESOLUTION 2023-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BEACH COMMUNITY DEVELOPMENT DISTRICT TO DESIGNATE THE DATE, TIME AND PLACE OF A PUBLIC HEARING AND AUTHORIZATION TO PUBLISH NOTICE OF SUCH HEARING FOR THE PURPOSE OF ADOPTING RATES REGARDING DISTRICT AMENITY FACILITIES AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Board of Supervisors of the District (“Board”) is authorized by Sections 190.011(5) and 190.035, *Florida Statutes*, to adopt rules, orders, rates, fees and charges pursuant to Chapter 120, *Florida Statutes*.

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

Section 1. The Board intends to adopt fees related to the use of the District’s amenity facilities and services, a proposed copy of which is attached hereto as **Exhibit A**, and will hold a public hearing on February 20, 2023, at 6:00 p.m. at 12788 Meritage Blvd., Jacksonville, Florida 32246.

Section 2. The District Secretary is directed to publish notice of the hearing in accordance with Section 120.54, *Florida Statutes*.

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

PASSED AND ADOPTED this 16th day of January, 2023.

ATTEST:

**BEACH COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: Proposed Policies and Fees

EXHIBIT A

EXHIBIT 11

From: Mike Veazey <MVeazey@icihomes.com>
Sent: Friday, January 13, 2023 6:43 AM
To: Haber, Wesley S. <Wesley.Haber@KutakRock.com>; David C. McInnes <dmcinnes@dpfgmc.com>
Subject: RE: [External] RE: Tamaya Model lots

We would like to get this on the agenda Monday if possible . Yes we can use the same form of release.

David attached shows what we would like to request. I will have ETM do a formal plan showing the 5' we are requesting but not sure I will have it Monday but will for the actual document.

Thanks

Mike Veazey

Development Project Manager

ICI HOMES | 14785 Old St Augustine Rd Suit 3 | Jacksonville, FL 32258

Direct: 904. 652.2558 | Mobile: 386.566.7454 | mveazey@icihomes.com

www.ICIHomes.com

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Disclaimer regarding Uniform Electronic Transactions Act ("UETA") (Florida Statutes Section 668.50): If this communication concerns negotiation of a contract or agreement, UETA does not apply to this communication; contract formation in this matter shall occur only with manually-affixed original signatures on original documents.

From: Haber, Wesley S. <Wesley.Haber@KutakRock.com>
Sent: Friday, January 13, 2023 6:25 AM
To: Mike Veazey <MVeazey@icihomes.com>; David C. McInnes <dmcinnes@dpfgmc.com>
Subject: Re: [External] RE: Tamaya Model lots

Hi Mike. I apologize for not getting back to you sooner. I've been out of the office and am catching up on e-mails. As long as we use the same form of release document, I don't have any issue with this. The Board meets Monday night. I've copied David McInnes on this email, who I will be speaking to later today, to see if this can be added to Monday night's agenda.

Thanks.

From: Mike Veazey <MVeazey@icihomes.com>
Sent: Wednesday, January 11, 2023 7:36:51 AM
To: Haber, Wesley S. <Wesley.Haber@KutakRock.com>
Cc: wilds@etminc.com <wilds@etminc.com>
Subject: FW: [External] RE: Tamaya Model lots

[CAUTION - EXTERNAL SENDER]

Wes, please see below. We are looking at building new models just up form where our existing ones are. Lot 177 & 178 have an 30' Drainage Easement behind the lot(below is screen shot of the Plat), we were looking to reduce that easement by 5' so that we could fit a new Model Plan on Lot 178. Per below we asked Scott about reducing the Easement by 5' and he can support this. We wanted to run this by you and if ok we would like to request that the CDD Board release 5' from the easement. This is a similar scenario that we had on Lot 77 reduced easement that the Board approved at the last meeting.

Thanks

Mike Veazey

Development Project Manager

ICI HOMES | 14785 Old St Augustine Rd Suit 3 | Jacksonville, FL 32258

Direct: 904. 652.2558 | Mobile: 386.566.7454 | mveazey@icihomes.com

www.ICIHomes.com

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From: Scott Wild <WildS@etminc.com>
Sent: Tuesday, January 10, 2023 5:12 PM
To: Mike Veazey <MVeazey@icihomes.com>
Subject: [External] RE: Tamaya Model lots

Mike,

I can support reducing it by 5'.

Scott Wild, P.E.

Executive Vice President / Shareholder

England-Thims & Miller, Inc.

d: 904.265.3120

m: 904.610.2008

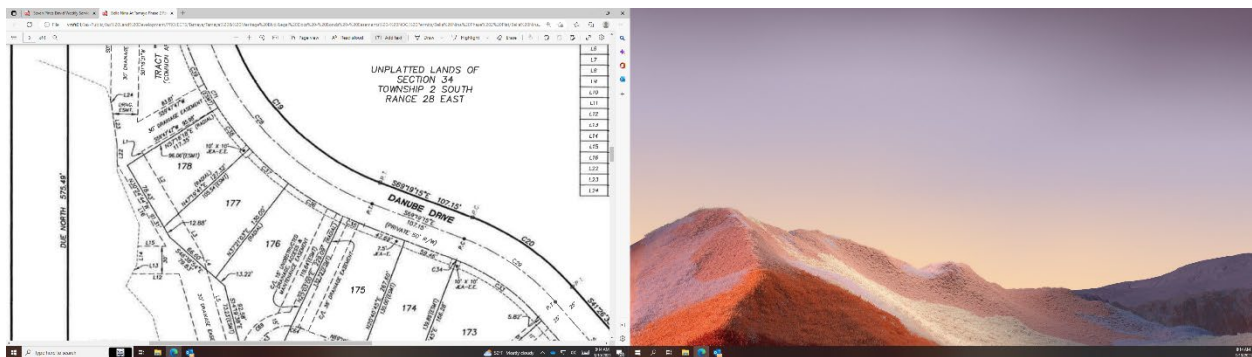
From: Mike Veazey <MVeazey@icihomes.com>

Sent: Tuesday, January 10, 2023 8:21 AM

To: Scott Wild <WildS@etminc.com>

Subject: FW: Tamaya Model lots

Scott, with the models lot lines we also have a lot fit issue with Lot 178. With the 30' drainage easement and I believe 72" pipe through there do you think we can take 5' out of the easement to fit the house? Homebuilding really wants that house on the lot but the Lani hags over just less than 5'. Will have to go to CDD again if you think it works.



Thanks

Mike Veazey

Development Project Manager

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From: Mike Veazey

Sent: Saturday, January 7, 2023 10:19 AM

To: wilds@etminc.com; Tom Harris <harrist@etminc.com>; Bob Pittman <PittmanB@etmsurvey.com>

Subject: Tamaya Model lots

Scott, we are looking at building some new models at Tamaya across from the Amenity where we currently have the temporary sales center and model parking lots. To fit the Models we would need to change some lot lines to allow the Models to fit. The Lots for discussion are Bella Nina Phase 2 178, 177, & 176. Attached is the recorded Plat and the PDF & CAD layout we are looking for.

We would like to get a proposal for making the adjustments. Also what would the process be to make these "line" changes and re-record?

Thanks

Mike Veazey

Development Project Manager

ICI HOMES | 14785 Old St Augustine Rd Suit 3 | Jacksonville, FL 32258

Direct: 904. 652.2558 | Mobile: 386.566.7454 | mveazey@icihomes.com

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EXHIBIT 12



Managers' Report

Date of report: January 6th 2023

Submitted by: Elizabeth Myers & Ron Zastrocky

JANUARY EVENTS:

- Polar Plunge Party 1/07/2023
- National Dress up your Pet Day 1/14/2023
- Chili Cookoff 1/15/2023
- Corn Hole Tournament 1/15/2023
- National Chocolate Cake Day 1/27/2023

PROGRAMS:

- Emma Bolyard- Yoga
- Yoga with Anastasiya - Fridays

SOCIAL CLUBS:

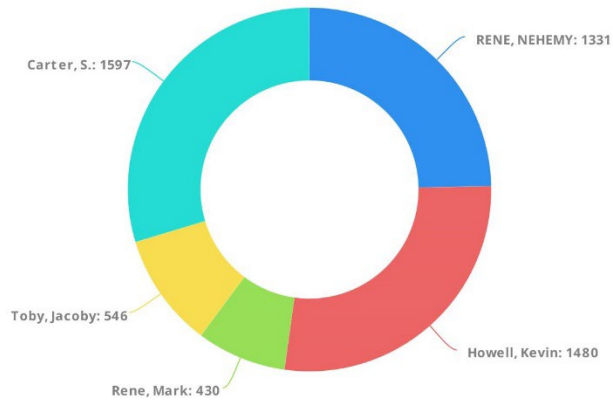
- Current clubs: Lunch bunch, Bunco, BYOB social hour, Meet your Neighbor, Bible Study
- Bridge and Cricut club are taking a break

NEWSLETTER:

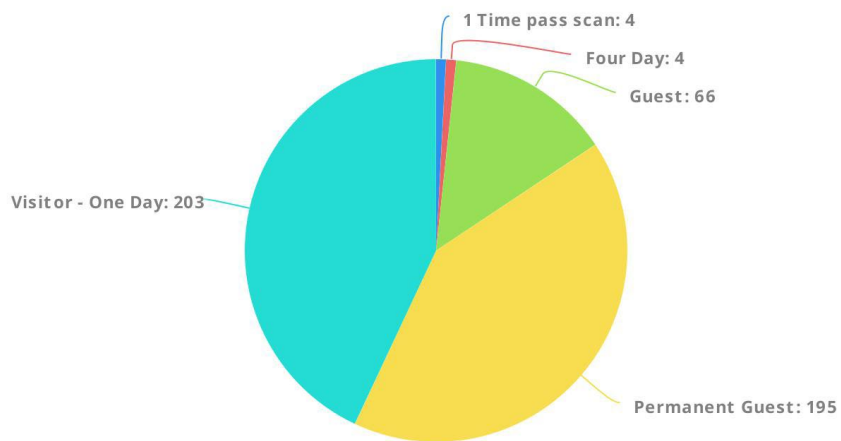
- December Newsletter went out with a 69% open rate.

TEK Control Front Gate access

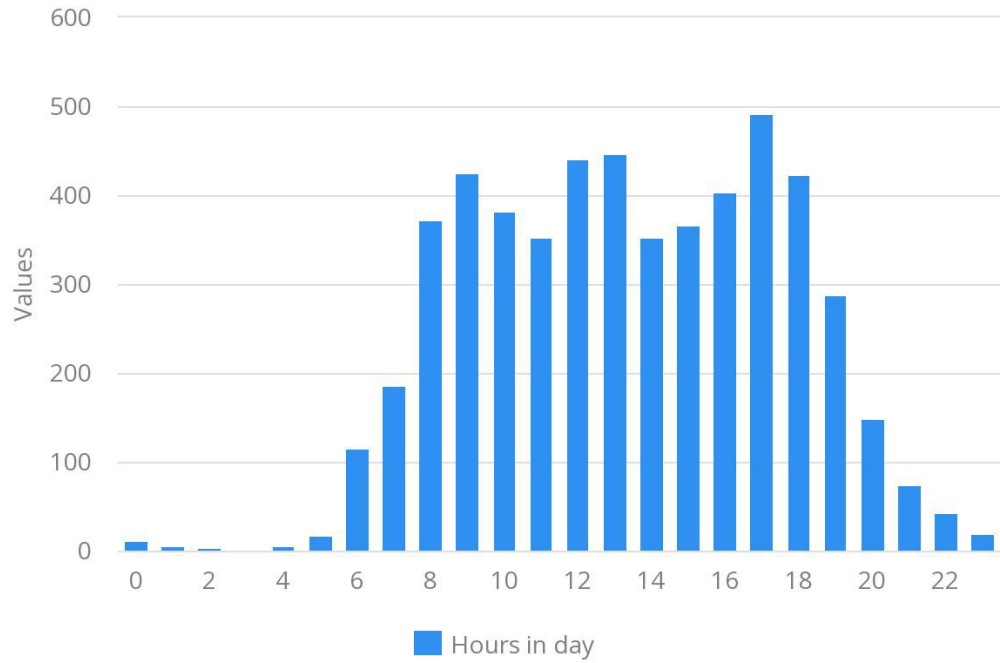
Visitor passes by Officer



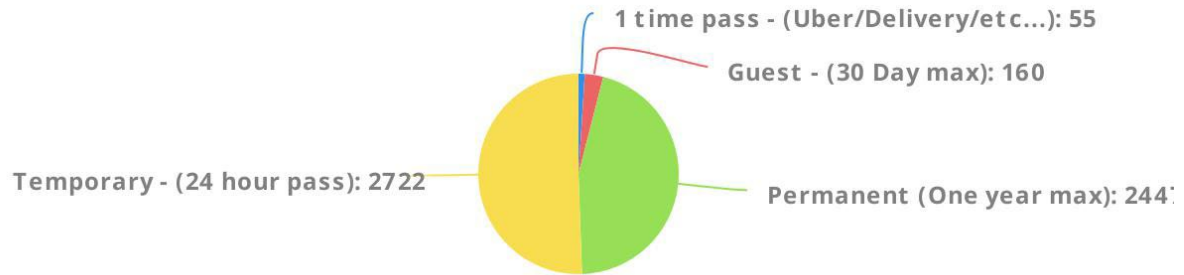
Visitor passes by passes type



Visitor arrival by time – 5,024 guests in 30 day period



Visitor arrival by type



Doorking – 1658 Total residents in 24 hour period

Field Operations Report

Landscape update

- RFP was advertised in the daily news 12/31/22
- Sealed Proposals will be opened 2/1/23 at 11:00am
- Landscape RFP conference was held on 1/9/23
- Wall at Bentwater is done
- Irrigation timers were all set to reduce watering as grasses are in a dormant stage.



General Maintenance update

- Tow sign put up at Amenity parking lot



- No swimming, boating and fishing sign put up at large pond at entrance



- Carpets and tile grout cleaned



- Repaired sinkhole at tennis court 1



EXHIBIT 13

EXHIBIT 14

Date of Action Item	Action Item	Status
7/18/2022	The outdoor library will be set up with Task Force guidance with the Amenity Manager, at no cost to the District.	12/8: Amenity Manager has found two residents that have expressed interest in this and is to meet with them during the next several weeks.
7/18/2022	The District Manager will speak with Vesta regarding the safety checklist, lifeguard duties, and observations made on the lifeguards by the Task Force.	11/14/2022: Amenity staff will consult Vesta for more lifeguard training and will make changes next season.
9/19/2022 & 11/7/2022	District Engineer to check retention pond sediment build up and preventative maintenance issues.	DM to get direction from Board on 1/16 meeting due to possible cost.
9/19/2022	The District Manager will arrange for an on-site meeting with JSO to discuss speeding issues.	11/14/2022: Vesta staff will call and arrange meeting with JSO to discuss speeding. 1/9/2023: Staff did not get call back from Sheriff's Office, will call again.
12/19/2022	Ron to provide revised paint quotes for 1/16/2023 meeting	1/16: On agenda
12/19/2022	District Counsel to draft MOU for HOA to consider for enforcement of parking restrictions via the HOA covenants and restrictions	1/16: On agenda

EXHIBIT 15

BEACH CDD MEETING AGENDA MATRIX

<p><i>January, 2023</i></p>	<p><i>Regular Meeting: 1/16</i></p>	<p>Staff Reports</p> <ul style="list-style-type: none"> • District Manager <ul style="list-style-type: none"> ○ Resident(s) Subject to Disciplinary Action ○ Incident Report Tracker ○ Action Item Report ○ Meeting Matrix • District Counsel • District Engineer <p>Consent Agenda Items</p> <ul style="list-style-type: none"> • Meeting Minutes <ul style="list-style-type: none"> ▪ 12/19/2022 Regular Meeting • Unaudited Financials (December 2022) <p>Discussions</p> <ul style="list-style-type: none"> • Amenity Policy Revisions Update • Board Direction Regarding RFP for Emergency Disaster Debris Removal • 2/6/2023 Workshop expectations <p>Business Items</p> <ul style="list-style-type: none"> • Oath of Office for New Supervisor for Seat #2 (Chance Wedderburn) • Memorandum of Understanding with HOA regarding HOA enforcement of Street Parking Prohibition in Covenants and Restrictions • Resolution Regarding Amenity Policy Revisions and Setting a Public Hearing Date • Consideration of Proposals to Repair & Paint Walls in Fitness Center 	<ul style="list-style-type: none"> • ICI painter quote
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BEACH CDD MEETING AGENDA MATRIX

February, 2023	Regular Meeting: 2/20	<p>Staff Reports</p> <ul style="list-style-type: none">• District Manager<ul style="list-style-type: none">○ Resident(s) Subject to Disciplinary Action○ Incident Report Tracker○ Action Item Report○ Meeting Matrix• District Counsel• District Engineer <p>Consent Agenda Items</p> <ul style="list-style-type: none">• Meeting Minutes<ul style="list-style-type: none">▪ 1/16/2022 Regular Meeting• Unaudited Financials (January 2023) <p>Discussions</p> <p>Business Items</p> <p>Public Hearing</p> <ul style="list-style-type: none">• Changes to the Amenity Policies	
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BEACH CDD MEETING AGENDA MATRIX

<i>Unscheduled Items</i>		<i>Staff Reports</i> <i>Consent Agenda Items</i> <i>Business Items</i> <i>Discussions</i>	
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