

BOARD OF SUPERVISOR'S

STONEYBROOK AT VENICE COMMUNITY DEVELOPMENT DISTRICT

AGENDA

October 3, 2019



James P. Ward
District Manager
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www.StoneybrookatVeniceCDD.org



STONEYBROOK AT VENICE COMMUNITY DEVELOPMENT DISTRICT

September 24, 2019

Board of Supervisors
Stoneybrook at Venice
Community Development District

Dear Board Members:

The Regular Meeting of the Board of Supervisors of the Stoneybrook at Venice Community Development District will be held on **Thursday October 3, 2019 at 12:30 P.M.** at the **Stoneybrook Activity Center, 2365 Estuary Drive, Venice, Florida 34292.**

1. Call to Order & Roll Call
2. Consideration of acceptance of the resignation of Mr. James Crawford (Seat 1) and Mr. Daniel Minnick (Seat 3) and Mr. Jerry Lee Olinger (Seat 5) from the Board of Supervisors.
3. Consideration of replacement members of the Board of Supervisor's for Seat 1, Term expires November 2020 and Seat 3 and Seat 5 whose terms expire November 2022.
4. Administration of the Oath of office for the newly appointed Supervisor's for Seats 2 and 5
 - a) Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees
 - b) Form 1 – Statement of Financial Interest
5. Discussion of Replacement of the following positions.
 - a) District Manager
 - b) District Attorney
6. Consideration of Minutes
 - a) September 5, 2019 - Regular Meeting
7. Staff Report
 - I. Attorney
 - II. Manager
 - a. Financial Statements for the period ending August 31, 2019 (Unaudited)
8. Supervisor's Requests and Audience Comments
9. Adjournment

The second/third/fourth order of business deals with the acceptance of the resignation of Mr. Crawford, Mr. Minnick and Mr. Olinger. Mr. Crawford's resignation becomes effective November 10, 2019, as such this seat can be replaced at this meeting, but would not become effective until November 11, 2019. The Board may choose to replace Mr. Crawford at this meeting, however, whoever is chosen, cannot be sworn into office until November 11, 2019.

If the Board chooses to replace any of the Board positions, I will be in a position to administer the Oath of Office at the meeting.

The fifth order of business deals with the replacement of the District Manager and District Attorney. The District Manager's contract provides for a 60 day notice of termination, as such, my contract will terminate on November 10, 2019. As I noted in my resignation letter, I am more than happy to shorten or lengthen that time, in order for the Board to replace that position.

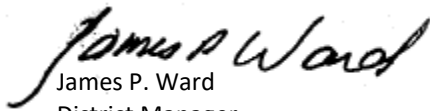
The District Attorney's termination is currently effective, and the Board may replace that position at your discretion.

There is NO procedure that you must follow for the replacement of either of these positions, and the retention of both positions, ONLY require an affirmative vote of the Board. Since you have three members, as of this writing, a plurality of the three would constitute an affirmative vote to retain a firm for either of those positions.

The sixth order of business is the approval of the minutes of September 5, 2019.

The balance of the Agenda is standard in nature and I look forward to seeing you at the meeting, and if you have any questions and/or comments, please do not hesitate to contact me directly at (954) 658-4900.

Yours sincerely,
Stoneybrook at Venice
Community Development District


James P. Ward
District Manager

enclosure

Jimward@jpwardassociates.com

From: Doreen Crawford <doreen15@verizon.net>
Sent: Tuesday, September 10, 2019 3:46 PM
To: jimward@jpwardassociates.com
Cc: dan.minnick@comcast.net; jolinger64@comcast.net; gcompton26@comcast.net; JereE@hgslaw.com; lgrogoza@yahoo.com
Subject: Re: SBV Resignation

Dear Board Members,

Effective November 10, 2019 please accept my resignation. We have achieved a lot of good work in the time that I have served. It is unfortunate that it has resulted in character assassination. It has been a pleasure working with all of you.

Kind regards,

James Crawford

Sent from AOL Mobile Mail
Get the new AOL app. mail.mobile.aol.com

From: Dan Minnick <dan.minnick@comcast.net>
Sent: Tuesday, September 10, 2019 4:28 PM
To: jolinger64@comcast.net; doreen15@verizon.net; 'lillian grogoza'; gcompton26@comcast.net
Cc: 'Jere Earlywine'; jimward@jpwardassociates.com
Subject: Daniel Minnick -- CDD Board Director/Chairman Resignation

Hello CDD Board Members and Staff:

Effective immediately, I resign my position as Director/Chairman of the Stoneybrook CDD Board.

I do so knowing that as a Board:

- we saved the community over \$800,000 in Bond interest.
- when we discovered the circumstance we brought the full extent of the lake erosion problem to all resident's attention, this hopefully resulting in more action than occurred during last five years.

Each of you have served professionally and I count myself fortunate to have had your insight as solutions were pursued.

With the other announced changes of staff and Director, now seem a good time for me to take this action.

But, in parting.....

A final Thank You for your outstanding service !

Take care, and.....

Have a great tomorrow,

Dan Minnick

From: Jerry Olinger <JOlinger64@comcast.net>
Sent: Tuesday, September 10, 2019 5:12 PM
To: 'Dan Minnick'; doreen15@verizon.net; 'lillian grogoza'; gcompton26@comcast.net
Cc: jimward@jpwardassociates.com; 'Jere Earlywine'
Subject: CDD Board Resignation

Dear CDD Board Members:

Effective immediately, I resign my position as a Director of the Stoneybrook CDD Board.

Although I appreciated the opportunity to serve the community, now seems the best time to step away.

Best Regards,

Jerry Olinger

OATH OR AFFIRMATION OF OFFICE

I, _____, a citizen of the State of Florida and of the United States of America, and being an officer of the **Stoneybrook at Venice Community Development District** and a recipient of public funds as such officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida, and will faithfully, honestly and impartially discharge the duties devolving upon me as a member of the Board of Supervisors of the **Stoneybrook at Venice Community Development District**, Sarasota County, Florida.

Signature

Printed Name: _____

STATE OF FLORIDA
COUNTY OF SARASOTA

Sworn to (or affirmed) before me this ____ day of _____, 2019, by _____, whose signature appears hereinabove, who is personally known to me or who produced _____ as identification.

NOTARY PUBLIC
STATE OF FLORIDA

Print Name: _____

My Commission Expires: _____

FLORIDA COMMISSION ON ETHICS



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

2018

State of Florida

COMMISSION ON ETHICS

Michelle Anchors, *Chair*
Ft. Walton Beach

Michael Cox, *Vice Chair*
Trinity

Jason David Berger
Palm City

Daniel Brady, PH.D.
Miami Shores

Matthew J. Carson
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Guy W. Norris
Lake City

Kimberly Bonder Rezanka
Cocoa

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

*Please direct all requests for information to this number.

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I. HISTORY OF FLORIDA'S ETHICS LAWS

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

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

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

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

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, effective in 2006 and 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, effective May 1, 2013, 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. 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.]

5. *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.] A qualified blind trust established pursuant to Sec. 112.31425, Fla. Stat., may afford an official protection from conflicts of interest arising from assets placed in the trust.

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.]

A qualified blind trust established pursuant to Sec. 112.31425, Fla. Stat., may afford an official protection from voting conflicts of interest arising from assets placed in the trust.

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 \$20,000 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 \$20,000.

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.]

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.

ELECTED CONSTITUTIONAL OFFICERS, OTHER STATE OFFICERS, and SPECIFIED STATE EMPLOYEES who must file annually FORM 1 or 6 will be sent these forms by mail from the Commission on Ethics by JUNE 1 of each year. Newly elected and appointed officers and employees should contact the heads of their agencies or the Commission on Ethics 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.

Any person needing one or more of the other forms described here may also obtain them from a Supervisor of Elections or from the Commission on Ethics, P.O. Drawer 15709, Tallahassee, Florida 32317-5709. They are also available on the Commission's website: www.ethics.state.fl.us.

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 principal 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 and elected municipal officers 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.

FORM 1**STATEMENT OF
FINANCIAL INTERESTS****2018**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 :

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

CHECK ONLY IF ☐ CANDIDATE OR ☐ NEW EMPLOYEE OR APPOINTEE****** BOTH PARTS OF THIS SECTION MUST BE COMPLETED ********DISCLOSURE PERIOD:**

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR THE PRECEDING TAX YEAR, WHETHER BASED ON A CALENDAR YEAR OR ON A FISCAL YEAR. PLEASE STATE BELOW WHETHER THIS STATEMENT IS FOR THE PRECEDING TAX YEAR ENDING EITHER (must check one):

☐ DECEMBER 31, 2018 OR ☐ SPECIFY TAX YEAR IF OTHER THAN THE CALENDAR YEAR: _____**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")

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** 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) and send it to CEForm1@leg.state.fl.us. 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, 2018.

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 \$20,000 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, Assistant 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 \$20,000.

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.

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.

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 is not required and you should redact it 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 request.

DISCLOSURE PERIOD: The tax year for most individuals is the calendar year (January 1 through December 31). If that is the case for you, then your financial interests should be reported for the calendar year 2018; check that box. If you file your IRS tax return based on a tax year that is not the calendar year, you should specify the dates of your tax year in this portion of the form and check the appropriate box. This is the "disclosure period" for your report.

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 the amount of income received, and you need not list your public salary from serving in the position(s) which requires you to file this form. 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, 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 current appraisal.

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, Deferred Retirement Option Program (DROPP) accounts, the Florida Prepaid College Plan, and bank accounts. 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 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(6), 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 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.

(End of Dollar Value Thresholds Instructions.)

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 the amount of income received, and you need not list your public salary received from serving in the position(s) which requires you to file this form, but this amount 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, 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 current appraisal.

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, Deferred Retirement Option Program (DROP) accounts, the Florida Prepaid College Plan, and bank accounts. 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 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, 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 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.

(End of Percentage Thresholds Instructions.)

JAMES P. WARD

2900 Northeast 12th Terrace, Suite 1
Oakland Park, Florida 33334
954.658.4900

September 10, 2019

Board of Supervisor's

Subject: Resignation – District Manager

Dear Board Members;

First, I would like to thank each of you personally for the opportunity to have been able to work as your District Manager, since September, 2008. The Stoneybrook Community holds a special place for me, it was one my first CDD's after a three year time period where I was sitting out a no-compete period after I left my prior firm, which was an acquisition of my firm.

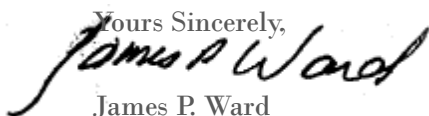
As you know, I have worked as a Manager for CDD's across the State, since 1980, and am proud of the accomplishments that each CDD has made. District's are embedded in the fabric of our great State, and have been around to finance and manage infrastructure since the turn of the last Century, intended to insure that our State can maintain the investment in infrastructure for the people that have moved into Florida, and insure that the growth of Florida is not overly burdensome to all our residents.

District's for Florida represent the most advanced governmental agency that is closest and most responsive to the people of the community and to our State in general, and I applaud all the fabric of the State that has chosen wisely to weave this fabric into our lives and to better each of the communities that have District's and those who choose to live in a District.

With that said, it is time for me resign my position as your District Manager, effective in accordance with my contract, on November 10, 2019. I will be happy to terminate this contract as soon as you choose a new District Manager, and will, of course, transition the District in a professional manner to whomever you choose as your new Manager.

Many thanks for the time that I was given to represent the Board and I wish you all well in your future endeavours.

Yours Sincerely,

A handwritten signature in black ink that reads "James P. Ward". The signature is fluid and cursive, with the first name "James" being the most prominent part.

James P. Ward

Hopping Green & Sams

Attorneys and Counselors

September 10, 2019

Board of Supervisors
Stoneybrook at Venice Community Development District
c/o James P. Ward
JPWard & Associates, LLC
2900 Northeast 12th Terrace, Suite 1
Oakland Park, Florida 33334
JimWard@JPWardAssociates.com

VIA E-MAIL

Re: Stoneybrook at Venice CDD / Letter of Resignation

Dear Jim and Board Supervisors,

Please allow this letter to serve as notice that my firm will be resigning from its role as legal counsel to the District, effective immediately. Thank you for the opportunity to be of service, and I wish you all the best going forward.

Sincerely,

A handwritten signature in blue ink that reads "Kate D. Buch" followed by a stylized flourish.

HOPPING GREEN & SAMS P.A.

Jere Earlywine

**MINUTES OF MEETING
STONEBROOK AT VENICE
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Stoneybrook at Venice Community Development District was held on Thursday, September 5, 2019 at 12:00 P.M. at the Stoneybrook Activity Center, 2365 Estuary Drive, Venice, Florida 34292.

Present and constituting a quorum:

Daniel Minnick	Chairperson
Jerry Lee Olinger	Assistant Secretary
Andy Grogoza	Assistant Secretary
Gary Compton	Assistant Secretary

Absent:

James Crawford	Vice Chairperson
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Also present were:

James P. Ward	District Manager
Jere Earlywine	District Counsel
Bruce Bernard	Calvin, Giordano and Associates

Audience:

Karen Jefferson (ph), Barbara Brennan (ph), Edward Strauss (ph), Brian Slayer (ph), Mark Saw (ph), Angela Dodd (ph), Fred Cosby (ph), Frank Defeeby (ph), Robert Harkins (ph), Karen Jefferson (ph), Dan Loback (ph)

All resident's names were not included with the minutes. If a resident did not identify themselves or the audio file did not pick up the name, the name was not recorded in these minutes.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. James P. Ward called the meeting to order at approximately 12:00 p.m. and all Members of the Board were present at roll call with the exception of Vice Chairperson James Crawford.

SECOND ORDER OF BUSINESS

Consideration of Minutes

Regular Meeting – June 27, 2019.

Mr. Ward asked if there were any additions, corrections or deletions to the Minutes. Hearing none, he called for a motion to approve the June 27, 2019 Regular Meeting Minutes.

On MOTION made by Mr. Daniel Minnick, seconded by Mr. Andy Grogza, and with all in favor, the June 27, 2019 Regular Meeting Minutes were approved.

THIRD ORDER OF BUSINESS**Public Hearing****a) LAKE BANK RESTORATION CAPITAL PROJECT**

Chairperson Daniel Minnick discussed his childhood in Indiana on a tomato farm. He indicated he wished to speak about how nature has affected the lake banks in Stoneybrook. He noted there was a resolution on the table to move forward with funding for lake restoration as discussed at the prior meeting; however, no funds were committed for this resolution. He stated based on the encouragement from the community to defer, it was his hope the Board would see fit to establish a fact finding committee to research the situation. He noted funding would be discussed during this Meeting and he encouraged all present to participate and ask questions.

Mr. Ward stated this public hearing was related to the imposition of the assessments as related to the lake bank restoration project. He called for a motion to deny Resolution 2019-4. He noted establishment of a fact finding committee was the next item for discussion.

I. Public Comment and Testimony**II. Board Comment and Consideration****III. Consideration of Resolution 2019-4 making certain findings; authorizing a lake restoration project; adopting an engineer's report; providing an estimated cost of improvements; adopting an assessment report; equalizing, approving, confirming and levying debt assessments; addressing the finalization of special assessments; addressing the payment of debt assessments and the method of collection; addressing government property, and transfers of property to units of local, state and federal government; authorizing an assessment notice; and providing for severability, conflicts and an effective date.**

On MOTION made by Mr. Daniel Minnick, seconded by Mr. Andy Grogza, and with all in favor, Resolution 2019-4 was denied.

Mr. Ward explained denial of Resolution 2019-4 took the Board's consideration of funding any lake bank restoration off the table until further notice.

FOURTH ORDER OF BUSINESS**Consideration of Resolution 2019-5**

Consideration of Resolution 2019-5 of the Stoneybrook at Venice Community Development District establishing a lake project fact-finding committee to study erosion of the district's stormwater lakes and potential solutions to that issue; providing for membership; describing the function and duties of the committee, and establishing parameters; providing for severability; and providing for an effective date.

Mr. Ward stated Resolution 2019-5 established a fact finding committee to study the erosion of the District stormwater lakes and research potential solutions. He stated it provided for membership of three members, established the parameters of the committee and provided for an effective date.

Mr. Minnick recommended appointing Paul Weber (member of the HOA), Tom Bosnick (active community participant) and Tony Graff (large project and analytics experience). He stated he hoped the committee would have full support of CDD Staff to aid in research. He stated there would be no communication between the committee and the CDD Board, an attempt at no communication between the committee and the HOA, and no communication between the committee and the community. He stated the committee was to work independently and make the final report public during presentation at a CDD meeting.

Mr. Jere Earlywine stated the CDD was subject to the Sunshine Laws. He noted the CDD could establish fact finding committees, but not decision making committees. He explained any decision making committee was subject to the Sunshine Laws as well. He stated the purpose of the fact finding committee was to go out, walk the lakes, gather information and research possible solutions to present to the CDD for consideration at a publically noticed meeting. He stated whoever participated in this committee needed to be very careful not to make any decisions, such as eliminating a potential solution from the list of solutions for consideration. He explained if the committee made such a decision, the committee would no longer be considered a fact finding committee, but would be considered a decision making committee and would be in violation of the Florida Sunshine Laws.

Mr. Earlywine stated the CDD received some public comments, which Mr. Gary Compton distributed to the Board Members. He noted the comments raised policy questions for the Board to consider.

Mr. Minnick further discussed his nominations for the committee. He noted the committee's communication should be restricted to CDD Staff for assistance with reference material, and the outside community. He stated he anticipated the committee would have an information package ready for presentation in January 2020. Discussion ensued regarding when the committee would have an information package ready for CDD review, holding the first meeting in 2020 on January 15, 2020, and making the committee presentation during the first meeting in February 2020.

Mr. Gary Compton noted Resolution 2019-5 asked for five committee members rather than three and he felt this would be more efficient. He indicated he was interested in participating on the fact finding committee. Mr. Earlywine indicated there could only be one CDD Board Member on the fact finding committee. Mr. Minnick stated he did not feel any CDD Board Members should sit on the fact finding committee. He stated he wished the fact finding committee to be able to look upon the issues with fresh eyes and new opinions without any prejudices.

Mr. Gary Compton stated he did not have an agenda with any potential contractor and had been involved with this lake erosion project for a long time. He stated he had experience with lakes and ponds. He noted Mr. Weber might have time availability issues. He indicated the Board should make the decision regarding his committee participation; however, he felt the committee should consist of five members; he explained his reasoning. Mr. Minnick stated he was not questioning Mr. Compton's abilities or integrity. He indicated regarding time availability, he believed five months was ample time for Mr. Weber and the committee to conduct research even if Mr Weber had time constraints. He noted he was comfortable with three committee members. He stated he believed the committee, by definition of independence, as indicated in the Resolution, should operate completely independently of

the CDD, HOA and community which meant there could not be a CDD Board Member on the Board, as this would negate the committee's independence.

Mr. Compton stated the CDD and the HOA wished to work together for the benefit of the community. He indicated he wished to see a new resolution added which created an HOA advisory committee to the CDD to enable the CDD to better understand the wishes of the community. Discussion ensued regarding the HOA advisory committee, the HOA advisory committee expressing HOA and community wishes to the CDD, the importance of a joint effort between the HOA and CDD. Mr. Earlywine stated he felt outreach to the HOA was positive; however, he believed outreach to the HOA could be done without a committee. He noted the HOA, who were in attendance today, could always attend CDD meetings to provide input. He indicated he generally did not approve of the CDD forming any committee and did not approve of forming an HOA advisory committee. He noted he understood the importance of the lake erosion fact finding committee. Mr. Compton stated he believed an HOA advisory committee could serve as a go between the HOA and the CDD and could assist in the decision-making process regarding the fact finding committee information. Mr. Minnick stated Mr. Compton's suggestion for an HOA advisory committee could not be considered today; Mr. Compton would need to write up a resolution in this regard for discussion and presentation at the next Board Meeting. He asked Mr. Earlywine to review Resolution 2019-5 for the benefit of the public.

Mr. Earlywine explained Resolution 2019-5 established a lake project fact finding committee to study erosion of the District's stormwater lakes and potential solutions to the issue. He noted the Resolution provided for membership and further described the function and duties of the committee, as well as set committee parameters. He explained the committee would have access to Staff, but no spending authority; any spending authority would come from the Manager, Chairman or Board in full.

Mr. Compton noted there were certain proposed amendments to the resolution as well. Mr. Earlywine stated the proposed amendments included expanding the committee from three members to five members (which was a policy decision for the CDD Board to decide) and allowing the committee to hold public meetings for discussion. He noted there were no constraints on the committee regarding public meetings even without inclusion of the second amendment. He noted the third amendment was to require the committee to complete its fact finding by February 2020.

Mr. Minnick asked Mr. Earlywine to add language to the resolution which indicated the committee would have resources available from outside the community, but that the committee was not to communicate directly with the CDD Board, the HOA Board, or members of Stoneybrook at Venice Community, until the information was presented to the public. (*Indecipherable due to voices speaking over one another.*) Mr. Minnick further explained his reasons for the communication ban.

Mr. Ward asked if there were any public comments.

Ms. Barbara Brennan (ph) stated she received a memo on August 19, 2019, which indicated the CDD would continue to work with the HOA, listen to input from the HOA, as well as share information and proposals with the HOA. She stated it was her understanding the HOA and the CDD would work together regarding the lake erosion project. She indicated having a committee which would not solicit the HOA and community to determine the wants and needs of the community was absurd. She stated she approved of the individuals Mr. Minnick selected to serve on the committee, but she felt Mr. Gary Compton should also be included in the committee. She stated Mr. Compton had a plethora of knowledge which could be used. She stated it was very important to listen to and consider HOA and

resident input. She stated not permitting the committee to communicate with the HOA and residents was the opposite of transparency.

Ms. _____ 46:04 stated she agreed with Barbara. She stated the CDD Board needed to understand there was a great deal of the community which had a feeling of mistrust for the CDD. She stated she appreciated the CDD Board's decision to wait and conduct research regarding this project prior to any decision regarding funding; however, she did not feel the idea of a three person committee which was restricted from communication would improve any feelings of mistrust. She stated she felt the HOA and the community had been mistreated by the CDD Board. She stated she felt the HOA and the community should have a say in who would participate on the committee. She stated it was important for the community to be able to trust the committee.

Mr. Edward Strauss (ph) stated if there was a conflict with Mr. Gary Compton serving on the CDD and committee then there was a conflict with Mr. Paul Weber serving on the HOA and the committee. He stated he worried Mr. Weber would not be able to do due diligence with this committee as he had time constraints. He stated he did not know the other two nominees. He asked if the two nominees were present. Mr. Minnick responded one nominee was present; however, the other was absent due to a prior engagement. He noted both were retired. Mr. Strauss indicated if the committee members were interested in serving on the committee it should have been a priority for the nominees to be in attendance at this meeting. He asked about the qualifications of the nominees. Mr. Minnick stated he searched for individuals with a good mind, a good background in project or problem management, an interest in the community, and who were not too close to the situation (to prevent prejudice). Discussion ensued regarding how these three individuals were chosen.

Mr. Brian Slayer (ph) stated he was a retired fire fighter. He stated he was involved with the community at the state level, city level, local level, union level and national level. He stated the parliamentary procedure he was witnessing today could be challenged legally. He stated the CDD was a temporary taxing body. He stated it was a conflict of interest, and possibly illegal, for the CDD Board to chose to employ a Board Member's company. He complained the Board Members were not paying attention to resident's comments. He stated the CDD did not make decisions, the residents did; the CDD existed to search out funding to fulfill resident decisions. He stated an HOA was in place, the HOA should make the decisions, and if the HOA needed funds it would come to the CDD. He called for the immediate removal of Mr. Ward from the Board due to his hiring his own company for CDD activity. He stated if the Board did not at least discuss his recommendation and vote on it, the CDD would open itself up to legal problems.

Mr. Earlywine stated he was unclear about what Mr. Slayer was implying. He reported Mr. Ward's company was JP Ward and Associates, which was the management company for the CDD. He stated JP Ward and Associates did not do the lake erosion study; a separate engineering company hired by the CDD Board performed the erosion study. Mr. Slayer noted he read in some past minutes Mr. Ward indicated his company could be hired to perform a service for the CDD noting "the people we usually use are not available" and apparently Mr. Ward indicated his company could perform the service, and could perform this service for \$5,000 dollars instead of the usual \$10,000 dollars. Mr. Earlywine noted this was completely unrelated to the lake erosion project. He reported each year the District was required to certify an assessment role to the Tax Collector. He explained some CDD management companies did this certification inhouse while others hired outside companies. He explained the outside company which had previously performed this service for the CDD (Fishkind) was no longer available, so the decision was made to do this inhouse. Ms. _____ 55:25 asked why Mr. Ward's company

was chosen to perform the service and not another outside company. Mr. Earlywine responded there were timing difficulties; Fishkind became unavailable at the last minute which made it necessary to choose a new company quickly and as Mr. Ward's company was able to perform this service the decision was made to utilize JP Ward and Associates. He stated this was not illegal.

Mr. Mark Saw (ph) stated he did not understand why the committee would not consist of individuals who were in the water industry and experienced with lake erosion problems. He stated there were plenty of facilities in Florida which taught underwater assessment skills with modern technology, such as bathymetry, which could be used for information gathering. He noted while this type of technology was not cheap, given the amount of money it might cost to fix the lake erosion problems it was worth considering in an effort to obtain the best and most up to date information. He stated bathymetry could measure to the millimeter in accuracy which would enable the engineers to better determine exactly what needed to be done. He indicated he had worked for engineering companies for over 30 years (he was retired now).

Ms. Angela Dodd (ph) asked why the contract with Fishkind was terminated. She stated she did not believe it was necessary to terminate the contract with Fishkind just because the company was acquired by another firm. She stated she felt it was a conflict of interest when Mr. Ward was the District Manager, in charge of all funds, and chose to use funds to pay his company. Mr. Ward stated his company did not make any profit for the service it rendered regarding tax role assessment certification. Ms. Dodd commented Mr. Gary Compton could not serve on the fact finding committee due to conflict of interest, yet Mr. Ward was the District Manager and his firm held the bond which collected money from residents. She asked why this was not considered a conflict of interest. Mr. Ward asked Ms. Dodd to repeat her question. Ms. Dodd stated Mr. Ward was the District Manager and as such had influence over the CDD Board. She asked how Mr. Ward could be the District Manager and own the firm which controlled the bond money. She stated when she called PFM (who acquired Fishkind) PFM did not have anyone inhouse who was a District Manager.

Mr. Earlywine stated Mr. Compton sitting on the fact finding committee and the CDD board was not a legal conflict of interest. Ms. Dodd asked why Mr. Compton could not sit on the fact finding committee. Mr. Earlywine noted this was a point of discussion, it was not a legal conflict for Mr. Compton to serve on the fact finding committee. He stated with respect to Mr. Jim Ward's company, his contract was approved by the Board and he had a contractual relationship with the District. He stated the Board was its own body and made its own decisions; there was no legal conflict in this respect. Ms. Dodd stated she did not believe Mr. Ward should be anywhere near the Board when he was holding the funds. She stated she worried there were funds which could be diverted to Mr. Ward's company. Mr. Earlywine stated the bond funds were held by a trust bank (US Bank) in a trust account by US Bank and the only way to take funds out of the account was through a requisition process. He stated there were no construction proceeds left; all funds went from the debt assessment directly to US Bank, and US Bank sent the money to the bond holder to make payments. He stated Mr. Ward's company did not hold nor control the money. Mr. Minnick explained this community had an HOA, the HOA had a professional management company (Whitehouse), and there were onsite managers of the professional management company. He explained Mr. Ward's role was the same as the onsite managers; Mr. Ward was a professional manager to facilitate the activities of the CDD Board. He noted Mr. Ward served in the same capacity as Whitehouse managers. Ms. Dodd stated Whitehouse did not sign checks or attend HOA meetings. Ms. Barbara Brennan indicated Whitehouse did attend HOA meetings; however, only the president and treasurer of the HOA could sign checks. Discussion ensued regarding Whitehouse issuing the checks to be signed.

Mr. Earlywine explained CDDs were required, under Chapter 190, to have a District Manager. He explained the District Manager put together the meeting notebooks, ran meetings and sat in a Board seat. He stated there was no legal conflict of interest. He noted Mr. Ward was paid a management fee for managing the District.

Mr. Ward stated he did not get paid to manage any money. Ms. Dodd asked how many districts Mr. Ward managed. Mr. Ward responded approximately twelve districts. Ms. Dodd stated she felt Mr. Ward being paid to manage a district created a conflict of interest. She stated her payment in 2007 went to Fishkind. Mr. Ward explained Ms. Dodd's payments went to Fishkind, Fishkind sent the funds to him and he made the transmittal to the trustee bank. He explained this was how any prepayment of assessments was handled.

Mr. Ted Cosby (ph) stated he spent his career in research and for every project he ever participated in all prior available research was reviewed. He indicated it was important for the fact finding committee to be able to review all prior research, including any research done by the CDD and HOA. He noted the committee would not be able to review prior research if the committee was not permitted to communicate with the CDD or HOA. Mr. Minnick noted the committee would have access to any data which had been collected up to this point; the prohibition was against soliciting ongoing conversation.

Mr. _____ 1:09:03 asked why Resolution 2019-4 was not withdrawn. Mr. Earlywine responded it was withdrawn. He explained the first action taken at today's meeting was to deny Resolution 2019-4. He stated the plan was to work with the HOA, establish a fact finding committee, review the information gathered by the committee, determine the cost of the project, and then decide how the project would be paid for. Mr. _____ 1:10:43 stated the proper language was "withdraw" not "deny;" the Resolution needed to be withdrawn. He stated he believed the CDD could move forward with Resolution 2019-4. He stated he felt the CDD was trying to "stick its hands in everyone's pocketbook." Mr. Earlywine indicated that Mr. _____ had attended CDD Board Meetings repeatedly, accusing the Board Members of fraud and lies, and this was just wrong. He stated the bonds were refinanced some time ago to save the residents money; that was all, nothing more. He indicated this was done with complete transparency, notice was sent to all residents, residents were given the opportunity to speak, many residents attended the meeting and very few had any objections. Mr. _____ 1:13:18 stated Resolution 2019-4 needed to be withdrawn and the lake restoration project needed to move forward. He expressed his dislike for the CDD. He thanked the CDD for discovering the Lennar ponds were not the responsibility of Stoneybrook at Venice CDD and for removing the ponds from the District pond roster. He encouraged the CDD to recover any monies spent on the Lennar ponds in the past by the CDD.

Mr. Minnick stated notice was sent through the mail for every meeting held by the CDD to all residents. He stated the CDD held no other meetings and no CDD actions regarding the community would transpire outside of a CDD meeting. (*Indecipherable due to voices speaking over one another.*) Ms. _____ 1:16:54 accused the CDD of being corrupt and stated she would attend all future meetings and would have her attorney address the situation.

Mr. Frank Defeeby (ph) stated his lake looked the same as it did nine years ago. He asked if Southwest Florida Water Management District (SWFWMD or "Swiftmud") mandated a lake erosion study. Mr. Minnick responded in the negative; a resident complained of lake bank erosion indicating the water level was rising, so the CDD began to investigate the situation. Discussion ensued regarding the lake

bank erosion project, how much would be spent on the erosion project, and getting an evaluation from Southwest Florida Water Management District. Mr. Defeeby stated he would be happy to pay the \$400 dollars in increased assessments if it was necessary; however, he was not convinced it was necessary. He stated the decision to conduct a survey out of the blue through a company which was somehow associated with the Board seemed fishy to him. Discussion ensued regarding which residents complained about the rising water level and the lake bank erosion, being polite during discussion, and waiting to speak until called upon.

Mr. Earlywine noted there were trust issues which the CDD was attempting to address. He stated the CDD attended the last HOA meeting. He stated the lake erosion project was going to be researched and studied thoroughly before any funding to improve the lakes was agreed upon. He stated Resolution 2019-4 was denied and Resolution 2019-5 would establish a fact finding committee to research the situation. He indicated he felt this went a long way in addressing the trust issue. He stated he understood the residents wished for the committee to be communicative with the residents and HOA. He noted he understood Mr. Minnick's concern the committee would be inundated with resident comments; however, he recommended the committee be permitted to communicate with the community and/or schedule regular presentations by the committee to the HOA and the CDD every two to four weeks. He noted the lake issue needed to be studied further to determine the extent of the problem. He stated there were possible potential regulatory ramifications, there were bond covenants which required maintenance, and it was important not to allow the lake shores to erode to the point where resident yard space was reduced or, worst case scenario, someone was hurt. He stated the committee would study the extent of the damage and determine possible solutions.

Mr. Minnick reported at the last HOA Meeting a presentation was made by a firm which had conducted a lake erosion study in 2015. He noted the firm indicated in 2015 there was over \$1 million dollars worth of lake erosion damage. He reported the CDD had no knowledge of this report from 2015 until relatively recently. He stated significant efforts were being made to move forward with this endeavor in a manner which was acceptable and pleasing to the residents. Discussion ensued regarding having Swiftmud perform a survey to determine the level of damage and the importance of restoration.

Mr. _____ 1:28:35 stated he would not pay \$400 dollars a year to have the lake banks restored; he would sell his home first. Discussion ensued regarding homes not being marketable if there were lake issues, having residents vote regarding the lake issue, and allowing the residents to decide whether to even perform the survey.

Mr. Josh _____ 1:29:58 stated he only received mail notification for the two CDD meetings in September. He stated he had not received notification for any previous meetings held in 2019. Mr. Ward explained when the District levied an assessment or planned to levy an assessment, as it had been intending to do with respect to the lake bank restoration project, mailed notices went out, as required by law, to all residents. He reported normal monthly CDD Meetings were not required by law to be announced through mailed notice, but were posted online and announced in the newspaper.

Mr. Josh _____ 1:31:13 asked if any of the committee appointees were previously involved with this project. Mr. Minnick responded in the affirmative; Mr. Weber was familiar with the project, but was a member of the HOA and was chosen to ensure inclusion of the HOA. Discussion ensued regarding how the committee members were chosen by Mr. Minnick, the Board having the ability to deny or approve the appointees, the Board having the ability to appoint other individuals, the committee having no spending power, the committee submitting funding requests to the CDD Board for approval or

denial, there being a lack of independence in the committee being required to request funds from the CDD, and the CDD Board Members being public officials.

Mr. Robert Harkins (ph) stated most residents did not know anything about the CDD or how CDD Board members were elected. He stated he had lived in the area since 2006 and had never received any information from the CDD through the mail. He stated the residents voted on all changes made by the HOA. He stated if the CDD was really for the community the residents should have a vote. He asked why the Engineer (Bruce Bernard) was present. Mr. Minnick responded Mr. Bernard was present to answer any questions about the survey. He noted the Mr. Bernard was not present to advocate himself as a candidate for the work group. Discussion ensued regarding the presence of the Mr. Bernard.

Mr. _____ 1:36:30 stated he believed all residents should have a vote regarding any money spent by the CDD.

Discussion ensued regarding the purpose of a CDD, how the survey was funded, the survey being funded through the general operating budget, the survey costing \$9,000 dollars, and CDD's being subject to public bidding laws. Mr. Earlywine explained a study activity with a cost of less than \$35,000 dollars could be informally bid, which was what was done in this instance. He noted when construction work was needed, if the cost was over \$300,000 dollars, a public bid was required.

Mr. _____ 1:38:56 stated the CDD was only in place to enable payment of the bonds which were initially incurred for community infrastructure (this was the case in his previous Illinois neighborhood). He stated he believed the CDD was required to take any issues directly to the HOA and had no legal right to make any demands or conduct any investigations. He stated he believed the HOA was responsible for the lake bank erosion problems, not the CDD; the HOA represented the residents, the CDD was only in place to "pay the bills."

Mr. Earlywine explained Florida law was different from Illinois law. He stated a CDD in Florida was intended to be a long-term maintenance entity. He noted in this community the assets were split between the CDD and the HOA. He explained the CDD took care of stormwater ponds, and under Chapter 190 the CDD was required to maintain the stormwater ponds in perpetuity.

Ms. Karen Jefferson (ph) stated she had erosion on her lake. She indicated she lost four feet of her property and could see the erosion of her neighbor's properties as well. She noted the problem accelerated when the lake was drained for the new development. She stated she just wanted others to understand there was in fact an erosion problem.

Mr. _____ 1:42:09 asked about the certificate posted in the office from Sarasota Southwest Water District. Mr. Minnick explained this certificate was for the underwater infrastructure, not the lakes themselves. Mr. _____ 1:43:05 agreed Swiftmud should be called for erosion verification.

Ms. _____ 1:45:00 stated she, Ted Alico (ph), Jim Ward, and Dan Minnick met just prior to the June 27 Meeting. She reported during this discussion Mr. Ward recommended postponing collecting the assessment this year and then reconsidering the assessment next year. She stated the Resolution which was presented on June 27 was presented in its original form, not as discussed before the meeting. She stated she had discussed with Mr. Ward the prospect of the committee and he had agreed to allow HOA participation with the committee, but now an independent noncommunicative committee was

being proposed. She stated this was not what was agreed upon previously. She stated she felt this was a “bait and switch” situation. She agreed there were major trust issues here.

Mr. Minnick stated his intention with the communication prohibition for the committee was to enable an independent committee to act without influence from external sources. He stated in light of the fact that the residents did not wish this to be the case he withdrew his suggested amendment for communication prohibition. He noted the Resolution could go through as initially drafted.

Mr. Dan Loback (ph) stated he was the attorney for the Stoneybrook HOA. He noted he specialized in representing HOAs. He thanked the CDD for denying Resolution 2019-4. He stated he believed the difficulties which were faced during this meeting were the direct result of a breakdown in communication between elected representatives and constituents. He noted while Mr. Minnick withdrew his amendment, Mr. Minnick had also indicated he believed the original intent of the draft was to discourage communication between the committee and the community and encourage secrecy of findings until presentation. He reported he drafted amendments for the Resolution to ensure this was not the case. He urged the CDD to adopt his amendments. He indicated the amendments ensured the committee was not closed off, ensured the committee was free to have open meetings as it so chose, and ensured committee members were free to interact with HOA leaders and members. He stated the amendment ensured any public record generated by the committee was instantly available to the public. He encouraged the CDD to be open and transparent. He stated the residents were the CDD Board’s constituents and should be respected. He stated he supported a five person committee. He stated he supported Mr. Compton’s appointment to the committee. He discussed a couple of statements made by the Board at today’s meeting which he felt were false and which he felt encouraged distrust.

Mr. Minnick responded to Mr. Loback’s statements and further reviewed the history of what had been done regarding this lake issue up to this point. He noted the CDD was surprised to hear how expensive it would be to fix the current erosion issue. He stated the CDD had only spent \$9,000 dollars to investigate the issue; no other funds had been spent. He stated the CDD looked forward to further investigation and wished the residents to feel comfortable with the end product. He noted he was human and as such made errors; however, each member of the CDD Board cared about the community.

Discussion ensued regarding how the CDD Chairperson was chosen and elected, how much longer Mr. Minnick would serve as chairperson, creating a five member fact finding committee, Mr. Minnick being chosen as Chairperson due to his level of experience, CDD Board Members having the right to be paid \$200 dollar per meeting, Mr. Minnick insisting the Board Members not be paid, Mr. Minnick having the community’s interests at heart, future elections for the CDD, Mr. Paul Weber being out of town, Mr. Tom Bosnick being present, the third committee nominee being out of town, operation and maintenance costs, the bond originating from infrastructure costs (\$6.3 million dollars) in 2007, the bond being a 30 year bond, the residents having the right to prepay the principle in an effort to save money, residents being concerned adding another \$300 dollars in bond assessments would price homes out of the market, the budget being available for view on the CDD website, and whether Swiftmud would fine the District \$1,000 dollars per day for failure to maintain the lakes.

Mr. Minnick indicated his statement about Swiftmud fining the District \$1,000 dollars at this point was incorrect. He noted he had misunderstood some information; however, Swiftmud did have the right to fine the District for compliance violations. Discussion ensued regarding whether Swiftmud had deemed

the District in compliance, the District not currently under threat of compliance violation, and waiting until Swiftmud indicated there was a problem before moving forward.

Mr. Compton reviewed Swiftmud's procedure. He explained Swiftmud did not perform inspections, Swiftmud only responded to complaints and only investigated the one area for which the complaint was filed, not the entire community. He noted Swiftmud was primarily concerned with stormwater management, not aesthetics. He noted the District's lake numbers did not correspond to Swiftmud's lake numbers; this should be fixed. He noted he felt five committee members would be better able to ask the right types of questions in the fact finding venture; more members equaled more questions. Discussion ensued regarding Swiftmud certifying the District per an engineering report prior to bond refinancing, the District being required to fix 12 problem areas to come into compliance, only fixing the lakes which were in disrepair, certain lakes being problematic while others were in better condition, the benefit of an engineering study, runoff problems, the committee being tasked with determining the problems, there being four lakes which were high problem lakes, and fixing the problem lakes only.

Mr. Minnick made a motion to approve Resolution 2019-5 as originally presented without amendments or editing. Mr. Earlywine stated Resolution 2019-5 established the committee to study the erosion issue. Discussion ensued regarding the Resolution listing three committee members and not limiting committee communication with the community.

Mr. _____ 2:26:23 stated a great distrust for the CDD had been expressed, while others indicated Mr. Gary Compton should be included on the committee and the membership should be increased to five members. He wondered why this was being disregarded. Discussion ensued regarding Mr. Compton being trusted, Mr. Compton needing to be included on the committee, a lack of trust for Mr. Minnick, the three who agreed to serve on the committee agreeing with the understanding there would be three committee members, and five committee members being too many members with too many opinions. Mr. Minnick stated the openness of the committee was entirely up to the committee; the committee had the right to be communicative or not be communicative.

Mr. _____ 2:29:44 stated he was Mr. Minnick's brother-in-law and rented his current home from Mr. Minnick. He reported he had lived in this community for a long time and had previously owned his home. He stated his wife died in 2014 and while he could have moved, he chose to stay because he loved the community. He stated he was not a "yes man" to his brother-in-law. He stated he was an honest man and not a sneak.

On MOTION made by Mr. Daniel Minnick, seconded by Mr. Andy Grogza, and with three in favor and one opposed, Resolution 2019-5 was adopted as presented and the Chair was authorized to sign.

Mr. Minnick, Mr. Grogza and Mr. Olinger voted in favor of the motion; Mr. Compton was opposed. *(Indecipherable due to voices talking over one another.)*

FIFTH ORDER OF BUSINESS

Public Hearing

Mr. Ward stated the fifth order of business was two Public Hearings; the first was related to the FY-2020 Budget and the second was related to assessments. He stated the only change to the Budget was the removal of the lake restoration project; assessments would be the same as the previous year.

I. FISCAL YEAR 2020 BUDGET

a. Public Comment and Testimony.

Mr. Ward called for a motion to open the Public Hearing.

On MOTION made by Mr. Daniel Minnick, seconded by Mr. Andy Grogoza, and with all in favor, the Public Hearing was opened.

Mr. Ward stated the Public Hearing was for the Fiscal Year 2020 Budget, the same Budget which had been adopted annually for the past several years. He stated the assessment rate would be \$74.21 per unit per year. He asked if there were any public comments or questions regarding the FY-2020 Budget.

Mr. Loback stated Mr. Ward indicated the assessment would go from \$74.53 to \$74.21; however, the proposed Budget in the Agenda Packet indicated an increase from \$74.53 to \$91.28 due to \$31,200 dollars budgeted for stormwater management services. Mr. Ward reported this had all been removed. Mr. Loback stated he also saw there was an increase in executive salaries, a 7% increase from \$17,000 dollars to \$23,000 dollars. He noted executive salaries/insurance in the amount of \$3,500 dollars was eliminated. He asked if this amount was now being rolled into the salaries. Mr. Ward responded in the affirmative. Mr. Loback noted there was still an increase in salaries of \$2,500 dollars. Mr. Ward stated salaries were budgeted at \$20,500 dollars, not \$23,000. He explained FICA insurance was included; however, salaries were not increasing. Discussion ensued regarding the salary budget line and FICA taxes. Mr. Ward noted Mr. Loback did not have the updated version of the Budget.

Mr. Loback noted the Budget reflected a substantial reduction in audit services from \$4,900 dollars to \$4,500 dollars. Mr. Ward stated the audit services were rebid and the Budget reflected the new contract prices. He stated the CDD was receiving the same level of audit service, but at a better price.

Mr. Loback noted Legal Services were being cut from \$3,200 dollars to \$3,000 dollars. He questioned whether \$3,000 dollars would be accurate; the District Attorney should be in attendance at every CDD meeting. Mr. Earlywine noted there were funds which would be carried forward from the previous year which could be used to pay any extra legal fees.

On MOTION made by Mr. Daniel Minnick, seconded by Mr. Andy Grogoza, and with all in favor, the Public Hearing was closed.

b. Board Comment and Consideration.

Mr. Ward asked if there were any Board comments or questions regarding the Fiscal Year 2020 Budget. There were none.

c. Consideration of Resolution 2019-6 adopting the annual appropriation and Budget for Fiscal Year 2020.

Mr. Ward called for a motion to approve Resolution 2019-6 which adopted the proposed Budget for Fiscal Year 2020 as amended.

On MOTION made by Mr. Daniel Minnick, seconded by Mr. Andy Grogza, and with all in favor, Resolution 2019-6 was adopted and the Chair was authorized to sign.

II. FISCAL YEAR 2020 IMPOSING SPECIAL ASSESSMENTS; ADOPTING AN ASSESSMENT ROLL, APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY, AND SETTING AN OPERATIONS AND MAINTENANCE CAP FOR NOTICE PURPOSES ONLY

Mr. Ward noted the second Public Hearing was related to the imposition of assessments, adoption of the assessment role and the methodology for levying the assessments for the General Fund.

a. Public Comment and Testimony

Mr. Ward called for a motion to open the Public Hearing.

On MOTION made by Mr. Daniel Minnick, seconded by Mr. Andy Grogza, and with all in favor, the Public Hearing was opened.

Mr. Ward asked if there was any public comment; hearing none, he called for a motion to close the Public Hearing.

On MOTION made by Mr. Daniel Minnick, seconded by Mr. Andy Grogza, and with all in favor, the Public Hearing was closed.

b. Board Comment and Consideration

Mr. Ward asked if there were any Board comments or questions. There were none.

c. Consideration of Resolution 2019-7 imposing special assessments, adopting an assessment roll and approving the general fund special assessment methodology

Mr. Ward explained Resolution 2019-7 imposed the special assessments, certified the assessment roll and approved the general fund special assessment methodology for the District for FY-2020.

On MOTION made by Mr. Daniel Minnick, seconded by Mr. Andy Grogza, and with all in favor, Resolution 2019-7 was adopted and the Chair was authorized to sign.

SIXTH ORDER OF BUSINESS**Consideration of Resolution 2019-8****Consideration of Resolution 2019-8 designating the dates, time and location for the regular meetings of the Board of Supervisors of the District for Fiscal Year 2020**

Mr. Ward stated Resolution 2019-8 designated the dates, time and location for the regular meetings of the CDD Board for Fiscal Year 2020 for the first Thursday of each month beginning October 1, 2019 and ending September 30, 2020 at 12:00 p.m. at the Stoneybrook Activity Center, 2365 Estuary Drive, Venice, Florida 34292. He stated the Resolution did not bind the Board to these dates; meetings may be added, eliminated or rescheduled as the Board deemed fit. He noted the meeting dates would be advertised. He asked if there were any questions.

Ms. _____ 2:47:00 asked why she was being charged an assessment if she had already paid off her bond fees. Mr. Earlywine explained there were perpetual operation and maintenance costs assessed by the CDD which were separate from the bond fees. Ms. _____ 2:48:00 asked why she was also paying HOA fees which included maintenance for the lakes. Mr. Earlywine explained the CDD's operation and maintenance costs were primarily administrative; the CDD did not currently perform any lake maintenance. He noted the CDD had a contract with the HOA which indicated the HOA would maintain the lakes in terms of water quality and aesthetics, as well as lake plantings. Ms. _____ 2:49:17 read a letter she received from the CDD which indicated the CDD was responsible for lake maintenance. Discussion ensued regarding the CDD owning infrastructure, HOA being contracted to maintain assets, capital investments, the District only requiring minimal maintenance up to this point, the budget properly reflecting how surplus funds were distributed, anticipated year end surplus, how Mr. Earlywine's fees would be covered, discretionary spending, there being no slush fund for the CDD, and Mr. Ward having some leeway within the constraints of the existing budget to ensure Mr. Earlywine was paid.

Mr. _____ 2:56:32 asked how the 12:00 p.m. meeting time was chosen. He stated he wished for the CDD to consider a meeting time which was more convenient for the residents. Discussion ensued regarding meeting times, why 12:00 p.m. was chosen, holding meetings in the evenings, evening meetings not being convenient for snowbirds, meeting notifications, and meetings being posted online.

On MOTION made by Mr. Daniel Minnick, seconded by Mr. Andy Grogza, and with all in favor, Resolution 2019-8 was adopted and the Chair was authorized to sign.

SEVENTH ORDER OF BUSINESS**Staff Reports****I. Attorney**

No Report.

II. Manager**a. Financial Statements for the period ending July 31, 2019.**

No Report.

EIGHTH ORDER OF BUSINESS**Audience Comments and Supervisor's Requests**

Ms. _____ 2:58:48 asked if meetings could be held at a more reasonable time to enable more residents to attend. Mr. Ward responded this was a Board decision.

Mr. Compton suggested changing the meeting time from 12:00 p.m. to 4:30 p.m. Mr. Ward noted 6:00 p.m. would be better as he and Mr. Earlywine had other meetings scheduled during the afternoon on the first Thursdays of the month.

On MOTION made by Mr. Gary Compton, seconded by Mr. Jerry Olinger, and with all in favor, Resolution 2019-8 was amended to change the time of meetings to 6:00 p.m., but keep meeting dates and location the same.

NINTH ORDER OF BUSINESS**Adjournment**

Mr. Ward adjourned the meeting at approximately 3:02 p.m.

On MOTION made by Mr. Andy Grogoza, seconded by Mr. Jerry Olinger, and with all in favor, the meeting was adjourned.

Stoneybrook at Venice Community Development District

James P. Ward, Secretary

Daniel Minnick, Chairman

BOARD OF SUPERVISOR'S

STONEYBROOK AT VENICE COMMUNITY DEVELOPMENT DISTRICT

FINANCIAL STATEMENTS August 31, 2019

James P. Ward
District Manager
2900 NE 12th Terrace, Suite I
Oakland Park, Florida 33334

Phone: 954-658-4900
E-mail:
JimWard@jpwardassociates.com



Stoneybrook At Venice Community Development District

Balance Sheet - All Funds and Account Groups as of August 31, 2019

	Governmental Funds			Account Groups		
	General Fund	Debt Service Fund	Capital Projects Fund			
	Operations	Series 2017	Series 2017	General Long Term Debt	General Fixed Assets	Totals (Memorandum Only)
Assets						
Cash and Investments						
General Fund - Invested Cash	\$ 90,640	\$ -	\$ -	\$ -	\$ -	\$ 90,640
Debt Service Fund						
Revenue Account	-	132,266	-	-	-	132,266
Reserve Account	-	111,564	-	-	-	111,564
Sinking Fund Account	-	9	-	-	-	9
Interest Account	-	-	-	-	-	-
Prepayment Account	-	-	-	-	-	-
Due from Other Funds						
General Fund	-	1,875	-	-	-	1,875
Debt Service Fund		-	-	-	-	-
Market Valuation Adjustments	-	-	-	-	-	-
Accrued Interest Receivable	-	-	-	-	-	-
Accounts Receivable	-	-	-	-	-	-
Prepaid Expenses	-	-	-	-	-	-
Amount Available in Debt Service Funds	-	-	-	-	-	-
Amount to be Provided by Debt Service Funds	-	-	-	5,100,000	-	5,100,000
General Fixed Assets	-	-	-	-	10,646,712	10,646,712
Total Assets	\$ 90,640	\$ 245,713	\$ -	\$ 5,100,000	\$ 10,646,712	\$ 16,083,065

Stoneybrook At Venice Community Development District

Balance Sheet - All Funds and Account Groups as of August 31, 2019

	Governmental Funds			Account Groups		
	General Fund	Debt Service Fund	Capital Projects Fund			
	Operations	Series 2017	Series 2017	General Long Term Debt	General Fixed Assets	Totals (Memorandum Only)
Liabilities						
Accounts Payable & Payroll Liabilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Contracts Payable	-	-	-	-	-	-
Due to Other Funds						
General Fund	-	-	-	-	-	-
Debt Service Fund	1,875	-	-	-	-	1,875
Bonds Payable - Series 2017	-	-	-	5,100,000	-	5,100,000
Total Liabilities	\$ 1,875	\$ -	\$ -	\$ 5,100,000	\$ -	\$ 5,101,875
Fund Equity and Other Credits						
Investment in General Fixed Assets	-	-	-	-	10,646,712	10,646,712
Fund Balance						
Restricted						
Beginning: October 1, 2018 (Unaudited)	-	243,733	-	-	-	243,733
Results from Current Operations	-	1,980	-	-	-	1,980
Unassigned						
Beginning: October 1, 2018 (Unaudited)	93,136	-	-	-	-	93,136
Results from Current Operations	(4,371)	-	-	-	-	(4,371)
Total Fund Equity and Other Credits	88,765	245,713	-	-	10,646,712	10,981,190
Total Liabilities, Fund Equity and Other Credits	\$ 90,640	\$ 245,713	\$ -	\$ 5,100,000	\$ 10,646,712	\$ 16,083,065

Stoneybrook at Venice Community Development District

General Fund

**Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending August 31, 2019**

	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Annual Budget	% of Budget
Revenue and Other Sources														
Miscellaneous Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Interest														
Interest - General Checking	3	3	6	5	4	5	4	5	4	4	3	45	40	113%
Special Assessment Revenue														
Special Assessments - On-Roll	-	16,022	44,759	2,496	1,843	1,561	1,760	928	763	7	333	70,472	69,725	101%
Special Assessments - Other	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 3	\$ 16,025	\$ 44,764	\$ 2,501	\$ 1,847	\$ 1,565	\$ 1,765	\$ 933	\$ 767	\$ 10	\$ 336	\$ 70,517	\$ 69,765	101%
Expenditures and Other Uses														
Legislative														
Board of Supervisor's Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Board of Supervisor's - FICA	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Executive														
Executive Salaries	1,308	1,962	1,308	1,308	1,308	1,308	1,308	1,962	1,308	1,308	1,308	15,692	17,000	92%
Executive Salaries - FICA	100	150	100	100	100	100	100	150	100	100	100	1,200	1,100	109%
Executive Salaries - Insurance	333	333	333	333	333	333	333	333	333	333	333	3,661	3,500	105%
Financial and Administrative														
Audit Services	-	-	-	4,400	-	-	-	-	-	-	-	4,400	4,900	90%
Accounting Services	-	291	143	590	90	300	576	236	169	296	361	3,053	3,500	87%
Assessment Roll Preparation	-	-	-	10,000	-	-	-	-	-	-	-	10,000	10,000	100%
Arbitrage Rebate Services	-	-	-	-	-	-	-	-	-	-	-	-	500	0%
Other Contractual Services														
Recording and Transcription	-	-	-	-	-	-	-	-	-	-	467	467	200	234%
Legal Advertising	-	-	-	-	-	-	-	-	100	-	-	100	1,200	8%
Trustee Services	-	-	-	-	-	-	-	-	2,795	-	-	2,795	2,795	100%
Dissemination Agent Services	-	-	-	-	-	-	1,000	-	-	100	-	1,100	5,000	22%
Property Appraiser Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Bank Services	26	27	27	28	27	26	27	27	27	29	29	300	300	100%
Travel and Per Diem	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A

Stoneybrook at Venice Community Development District

General Fund

**Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending August 31, 2019**

	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Annual Budget	% of Budget
Communications & Freight Services														
Telephone	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Postage, Freight & Messenger	-	-	-	10	11	-	-	57	50	2,110	9	2,247	100	2247%
Rentals & Leases														
Miscellaneous Equipment Leasing	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Computer Services	609	609	609	609	609	609	609	609	609	609	609	6,694	7,560	89%
Insurance	6,505	-	-	-	-	-	-	-	-	-	-	6,505	7,560	86%
Printing & Binding	-	-	-	-	18	-	-	111	-	108	1,064	1,301	475	274%
Office Supplies	-	-	-	-	-	-	164	-	-	1,200	210	1,574	-	N/A
Subscription & Memberships	175	-	-	-	-	-	-	-	-	-	-	175	175	100%
Legal Services														
Legal - General Counsel	-	424	-	-	-	-	-	-	513	602	3,585	5,123	3,200	160%
Other General Government Services														
Engineering Services - General Fund	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Engineering Services - Lake Bank	-	-	-	-	-	-	-	-	-	4,143	1,392	5,535	-	N/A
Contingencies	-	-	-	-	-	-	-	-	-	-	-	-	700	0%
Flood Control Storm Water Management														
Professional Services Engineer	-	-	-	-	-	-	-	-	-	2,965	-	2,965	-	N/A
Total Expenditures and Other Uses:	\$ 9,055	\$ 3,795	\$ 2,519	\$ 17,377	\$ 2,496	\$ 2,675	\$ 4,116	\$ 3,484	\$ 6,003	\$ 13,902	\$ 9,466	\$ 74,887	\$ 69,765	107%
Net Increase/ (Decrease) of Fund Balance	(9,052)	12,230	42,246	(14,876)	(649)	(1,109)	(2,351)	(2,551.07)	(5,236)	(13,892)	(9,130)	(4,371)	N/A	
Fund Balance - Beginning	93,136	84,084	96,314	138,560	123,684	123,035	121,926	119,574	117,023	111,787	97,895	93,136	83,780	
Fund Balance - Ending	<u>\$ 84,084</u>	<u>\$ 96,314</u>	<u>\$ 138,560</u>	<u>\$ 123,684</u>	<u>\$ 123,035</u>	<u>\$ 121,926</u>	<u>\$ 119,574</u>	<u>\$ 117,023</u>	<u>\$ 111,787</u>	<u>\$ 97,895</u>	<u>\$ 88,765</u>	<u>\$ 88,765</u>	<u>\$ 83,780</u>	

Stoneybrook at Venice Community Development District

Debt Service Fund - Series 2017

**Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending August 31, 2019**

	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Budget	% of Budget
Revenue and Other Sources														
Fund Balance - Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	N/A
Interest Income														
Revenue Account	33	34	11	39	94	85	96	83	26	29	26	556	-	N/A
Reserve Account	28	28	28	28	28	26	28	28	28	28	24	302	430	70%
Prepayment Account	0	0	0	1	2	2	2	2	2	2	2	14	-	N/A
Sinking Fund	-	-	-	-	-	-	-	9	-	-	-	9	-	N/A
Interest Account	-	-	-	-	-	-	-	4	-	-	-	4	-	N/A
Special Assessment Revenue														
Special Assessments - On-Roll	-	82,521	241,495	13,044	9,629	8,579	9,081	5,068	4,659	38	1,875	375,990	376,746	100%
Special Assessments - Off-Roll	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Special Assessments - Prepayment	-	-	7,182	-	-	-	-	-	-	-	-	7,182	-	N/A
Inter-Fund Group Transfers In	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Debt Proceeds	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 60	\$ 82,583	\$ 248,716	\$ 13,112	\$ 9,754	\$ 8,692	\$ 9,208	\$ 5,193	\$ 4,715	\$ 97	\$ 1,926	384,055	\$ 377,176	102%
Expenditures and Other Uses														
Debt Service														
Principal - Mandatory	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 210,000	\$ -	\$ -	\$ (10,000)	200,000	\$ 195,000	103%
Principal - Early Redemptions	-	-	-	-	-	-	-	-	-	-	10,000	10,000	15,000	67%
Interest Expense	-	86,038	-	-	-	-	-	86,038	-	-	-	172,075	167,176	103%
Operating Transfers Out	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ -	\$ 86,038	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 296,038	\$ -	\$ -	\$ -	382,075	\$ 377,176	101%
 Net Increase/ (Decrease) of Fund Balance	 60	 (3,455)	 248,716	 13,112	 9,754	 8,692	 9,208	 (290,844)	 4,715	 97	 1,926	 1,980	 N/A	
Fund Balance - Beginning	243,733	243,793	240,338	489,054	502,166	511,920	520,612	529,819	238,975	243,690	243,787	243,733	219,221	
Fund Balance - Ending	<u>\$ 243,793</u>	<u>\$ 240,338</u>	<u>\$ 489,054</u>	<u>\$ 502,166</u>	<u>\$ 511,920</u>	<u>\$ 520,612</u>	<u>\$ 529,819</u>	<u>\$ 238,975</u>	<u>\$ 243,690</u>	<u>\$ 243,787</u>	<u>\$ 245,713</u>	<u>245,713</u>	<u>\$ 219,221</u>	

Stoneybrook at Venice Community Development District

Capital Projects Fund - Series 2017

**Statement of Revenue, Expenditures and Changes in Fund Balance
for the Period Ending August 31, 2019**

	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Budget	% of Budget
Revenue and Other Sources														
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Interest Income														
Deferred Cost Account	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Debt Proceeds	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Inter-Fund Group Transfers In	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Expenditures and Other Uses														
Professional Services														
District Manager Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Accounting Services	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Other Contractual Services														N/A
Trustee Services	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Underwriting Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Rating Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Printing & Binding	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Legal Services														N/A
Legal - General Counsel	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Inter-Fund Group Transfers Out	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Net Increase/ (Decrease) of Fund Balance	-	-	-	-	-	-	-	-	-	-	-	-	-	
Fund Balance - Beginning	-	-	-	-	-	-	-	-	-	-	-	-	-	
Fund Balance - Ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	