

# **TERN BAY COMMUNITY DEVELOPMENT DISTRICT**

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## **MEETING AGENDA**

**DECEMBER 10, 2024**

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**PREPARED BY:**

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37<sup>TH</sup> STREET, FORT LAUDERDALE, FL 33308

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# TERN BAY COMMUNITY DEVELOPMENT DISTRICT

December 3, 2024

Board of Supervisors

Tern Bay Community Development District

Dear Board Members:

The Regular Meeting of the Board of Supervisors of the Tern Bay Community Development District will be held on **Tuesday, December 10, 2024, at 10:00 A.M.** at the **Heritage Landing Amenity Center, 14571 Heritage Landing Blvd, Punta Gorda, Florida 33955.**

*The following Webex link and telephone number are provided to join/watch the meeting.*

<https://districts.webex.com/districts/j.php?MTID=m21655ecfd98648c421c0c570fd08df4f>

Access Code: **2340 466 1088**, Event password: **Jpward**

Or phone: **408-418-9388** access code **2340 466 1088**, password: **Jpward** to join the meeting.

*The Public is provided two opportunities to speak during the meeting. The first time is on each agenda item, and the second time is at the end of the agenda, on any other matter not on the agenda. These are limited to three (3) minutes and individuals are permitted to speak on items not included in the agenda.*

## ***Agenda***

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1. Call to Order & Roll Call.
2. Administration of Oath of Office for Ms. Denise Blakely and Mr. Robert Brady who were elected at the November 5, 2024 General Election.
  - I. Oath of Office.
  - II. Guide to the Sunshine Law and Code of Ethics for Public Employees.
  - III. Sample of E-filed Form 1 – Statement of Financial Interests. (Changes to the Law and filing requirements as of January 1, 2024)
3. Acceptance of the Resignation of Ms. Kathi Burke from Seat 5 [effective November 18, 2024] whose term is set to expire November 2026.
  - I. Appointment of individual to fill Seat 4
  - II. Oaths of Office
  - III. Guide to the Sunshine Law and Code of Ethics for Public Employees

- IV. Sample of E-filed Form 1 – Statement of Financial Interests. (Changes to the Law and filing requirements as of January 1, 2024)
4. Consideration of **Resolution 2025-1**, a Resolution Re-Designating the Officers of the Tern Bay Community Development District.
5. Consideration of Minutes:
  - I. September 10, 2024 –Regular Meeting.
6. Consideration of **Resolution 2025-2**, a Resolution of the Board of Supervisors of the Tern Bay Community Development District Re-Designating Dates, Time, and Location for Regular Meetings of the Board of Supervisors of the District; providing for conflict; providing for severability and providing an effective date.
7. Staff Reports.
  - I. District Attorney.
  - II. District Engineer.
  - III. District Manager.
    - a. Financial Statement for period ending September 30, 2024 (unaudited).
    - b. Financial Statement for period ending October 31, 2024 (unaudited).
    - c. Financial Statement for period ending November 30, 2024 (unaudited).
8. Supervisor’s Requests:
  - I. Supervisor Denise Blakely: Discussion on Bridge Maintenance and Kayak launch trail.
9. Public Comments: -

Public comment period is for items NOT listed on the agenda, and comments are limited to three (3) minutes per person and assignment of speaking time is not permitted; however, the Presiding Officer may extend or reduce the time for the public comment period consistent with Section 286.0114, Florida Statutes.

10. Adjournment.

### ***Staff Review***

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The first order of business is to call the meeting to order and conduct the roll call.

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The second order of business is the administration of the oath of office for Ms. Denise Blakely and Mr. Robert Brady who were elected at the November 5, 2024 General election.

Each take their seat as a matter of law fourteen (14) days after the election and have already taken the Oath from the State. This is the form of oath for Community Development District’s and I will administer this Oath to Ms. Denise Blakely and Mr. Robert Brady. You will also be asked to sign an Oath that you

receive directly from either the Supervisor of Elections OR from the State – if you do receive, please sign that Oath also, and pay the required fee.

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The third order of business is administrative in nature and is to accept the resignation of Ms. Kathi Burke from Seat 5, whose resignation is effective as of November 18, 2024, whose term is set to expire November 2026.

The next item deals with the replacement of Ms. Burke. The District’s Charter, Chapter 190 F.S., provides the mechanism for which to replace any members who have resigned. Essentially, the remaining members, by majority vote of the Board of Supervisors, have the sole responsibility for filling the unexpired terms of office of the resigning members. Once the Board appoints an individual to fill this seat, I will take the opportunity to swear that individual into office.

The newly appointed Board Member must file a Form 1 – Statement of Financial Interests, which must be filed with the Florida State Commission on Ethics within thirty (30) days of being seated on this Board. If these individuals are to be seated as of today’s meeting, their Form 1s would need to be filed no later than January 9, 2025.

Additionally, if any of the newly appointed Board members currently sit as a member of any other Community Development District Board, they must amend their current Form 1 – Statement of Financial Interests to now include the Tern Bay Community Development District. The amended form must be filed with the Florida State Commission on Ethics within thirty (30) days of being seated on this Board of Supervisors

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The fourth order of business is the consideration of The third order of business is consideration of **Resolution 2025-1**, a Resolution of the Board of Supervisors which re-designates the Officers of the District. The following guidelines are recommended for consideration by the Board:

- |                                   |   |
|-----------------------------------|---|
| <b>Chairman of the Board</b>      | Elected by the Board members and must be a member of the Board. He/She is responsible for conducting the meetings of the Board and for signing required documents of the District.  |
| <b>Vice Chairman of the Board</b> | Elected by the Board members and must be a member of the Board. He/She acts in the position of Chairman in the absence of the Chairman.   |
| <b>Secretary of the Board</b>     | Elected by the Board members and can be either a member of the Board or a member of the District’s Staff. The Secretary of the Board is responsible for keeping all of the District’s public records, including minutes, agendas, etc., along with attesting to the Chairman's signature on documents. Generally, the District Manager serves as the Secretary. |
| <b>Treasurer of the Board</b>     | Elected by the Board members and can be either a member of the Board or a member of the District’s Staff. The Treasurer of the Board is responsible for maintaining the District’s accounting records, including coordination with the Trustee,   |

the Auditor, Accounts Payable, and Payroll Staff, etc. Generally, the District Manager serves as the Treasurer.

**Assistant Secretary**

Elected by the Board members and recommended to be all other members of the Board who do not hold either the Chairman's or the Vice Chairman's position.

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The fifth order of business is the consideration of the minutes from the September 10, 2024 Regular Meeting.

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The sixth order of business is the consideration of **Resolution 2025-2**, a Resolution of the Board of Supervisors of the Tern Bay Community Development District Re-Designating Dates, Time, and Location for Regular Meetings of the Board of Supervisors of the District; providing for conflict; providing for severability and providing an effective date.

The Board of Supervisors have changed the location of the meetings for the remainder of Fiscal Year 2025 to the **Heritage Landing Amenity Center, 14571 Heritage Landing Boulevard, Punta Gorda, Florida 33955**.

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The seventh order of business are staff reports by the District Attorney, the District Engineer, and the District Manager will present unaudited financial statements for the periods ending September 30, 2024, October 31, 2024, and November 30, 2024.

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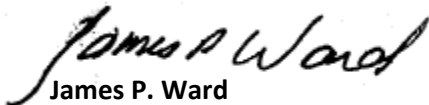
The eighth order of business is a request made by Supervisor Brady addressing Repair's/Maintenance of District Facilities.

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If you have any questions and/or comments before the meeting, please do not hesitate to contact me directly by phoning (954) 658-4900.

Yours Sincerely,

**Tern Bay Community Development District**



**James P. Ward**  
**District Manager**



**PUBLISHER’S AFFIDAVIT OF PUBLICATION STATE OF FLORIDA COUNTY OF CHARLOTTE:**

Before the undersigned authority personally appeared Amber Douglas, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

12/01/24

as well as being posted online at [www.yoursun.com](http://www.yoursun.com) and [www.floridapublicnotices.com](http://www.floridapublicnotices.com).

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature of Affiant)

Sworn and subscribed before me this 2nd day of December, 2024

(Signature of Notary Public)



Personally known  X  OR      Produced Identification

**NOTICE OF MEETING TERN BAY COMMUNITY DEVELOPMENT DISTRICT**

Notice is hereby given that the Board of Supervisors of the Tern Bay Community Development District (the "District") will hold a Regular Meeting of the Board of Supervisors on **Tuesday, December 10, 2024 at 10:00 A.M.** at the **Heritage Landing Amenity Center, 14571 Heritage Landing Blvd., Punta Gorda, Florida 33955.**

The meeting is open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts. A copy of the agenda for the meeting may be obtained from the office of the District Manager, JP Ward & Associates, LLC, 2301 NE 37th Street, Fort Lauderdale, Florida, 33308, at least seven (7) days in advance of the meeting, by phoning (954) 658-4900. In addition, the agenda will be posted on the District's website at [www.ternbaycdd.org](http://www.ternbaycdd.org).

The meeting may be cancelled or continued to a date, time and location specified on the record at the meeting.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at these meetings should contact the District Manager at (954) 658-4900, at least five (5) days prior to the date of the meetings. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for assistance in contacting the District Office.

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

**Tern Bay Community Development District**  
**James P. Ward, District Manager**  
Publish: 12/01/24  
403599 3944921

**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 **Tern Bay 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 **Tern Bay Community Development District**, Charlotte County, Florida.

\_\_\_\_\_  
Signature

Printed Name: \_\_\_\_\_

STATE OF FLORIDA

COUNTY OF CHARLOTTE

Sworn to (or affirmed) before me by means of ( ) physical presence or ( ) remote online notarization this \_\_\_\_ day of \_\_\_\_\_, 2024, 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: \_\_\_\_\_

# TERN BAY CDD

***New Board Member Responsibilities, Commission on Ethics Electronic Financial Disclosure Management System (“EFDMS”) website registration, Financial Disclosure Forms, Required Ethics Training, and Legislative Updates from 2024 Session***

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In order to be appointed to the Board of Supervisor’s for the Flow Way Community Development District, an individual must meet the following criteria:

1. At least 18 years of age
2. A citizen of the United States
3. A legal resident of Florida who resides within the District, and who is registered to vote with the Supervisor of Elections in the county where the District is locate
4. Each member of the Board will be administered an Oath of office for the District

## **Form 1 Reporting Requirements:**

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The Form 1 is an electronic financial disclosure form that’s filed by all Board Members. The purpose of the form is to allow the public to evaluate potential conflicts of interest, deter corruption and increase public confidence in government.

Newly elected/appointed Board Members are required to File a Form 1 – Statement of Financial interests, within 30 days of the appointment/election to the Board of Supervisors.

Beginning January 1, 2024, the Florida Commission on Ethics has enacted new procedures for electronic filing of Financial Disclosure forms for Public Officials, as a means of submitting Forms and updating your Filer contact information.

Access is provided to members via the established Electronic Financial Disclosure Management System (“EFDMS”) on the Florida Ethics Web site. A new member of the Board will be set up by the District Manager, and a new member can then visit the login page (<https://disclosure.floridaethics.gov/Account/Login>) and watch the instructional video for directions on how to register/confirm registration.

Instructions, FAQs, and tutorials are available from the dashboard within EFDMS. Additional assistance can be obtained Monday-Friday from 8:00 a.m. until 5:00 p.m. by contacting the Commission directly.

Additionally, the District Manager and District Attorney can assist with any questions on the form itself.



## Ethics Training Requirements:

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Beginning January 1, 2024, all elected local officers of independent special districts, including any person appointed to fill a vacancy on an elected special district board, whose service began on or before March 31st of the year for which you are filing, are now required to complete four (4) hours of Ethics Training each calendar year. The four (4) hours of Ethics Training shall be allocated amongst the following categories:

- two (2) hours of ethics law,
- one (1) hour of Sunshine Law; and
- one (1) hour of Public Records law.

Please note that the four (4) hours of the Ethics Training do not have to be completed all at once. Supervisors will report their 2024 training when they fill out their Form 1 (Statement of Financial Interests) for the 2025 year by checking a box confirming that they have completed the annual Ethics Training.

***ETHICS TRAINING IS REQUIRED TO BE COMPLETED BY DECEMBER 31, 2024 FOR THE FORM 1 THAT IS FILED IN 2025.***

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It is highly recommended that you keep a record of all ethics training used to satisfy the Ethics Training requirements. At present, there is no need to submit a certificate or letter of completion of the Ethics Training. However, the Florida Commission on Ethics (“COE”) advises that Supervisors maintain a record in the event they are asked to provide proof of completion of all Ethics Training.

Additionally, you may be solicited by a private organization (Florida Association of Special Districts) – to take their Ethics Training Course on their platform for which there is a fee. **You are NOT required to use their services nor pay the fees they charge.** There are several free online resources and links to resources that Supervisors might find helpful, including free training for the two (2) hour ethics portion and links to outside trainings which can be used to satisfy the other categories of the Ethics Training. **You may take training from any source you choose.**

**State Ethics Laws for Constitutional Officers & Elected Municipal Officers (Video Tutorial):**

<https://youtu.be/U8JktIMKzyl>

**Office of the Attorney General offers training on Sunshine Law and Public Records Law (22-page presentation):**

<https://www.myfloridalegal.com/sites/default/files/2023-05/opengovernmentoverview.pdf>

**Office of the Attorney General 2-hour Audio Presentation regarding Public Meetings and Public Records Law:**

<https://www.myfloridalegal.com/sites/default/files/Full%2520audio%25202018%5B2%5D.m p3>

# FLORIDA COMMISSION ON ETHICS



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

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**2024**

State of Florida  
COMMISSION ON ETHICS

**Ashley Lukis, *Chair***  
Tallahassee

**Michelle Anchors, *Vice Chair***  
Fort Walton Beach

**William P. Cervone**  
Gainesville

**Tina Descovich**  
Indialantic

**Freddie Figgers**  
Fort Lauderdale

**Luis M. Fusté**  
Coral Gables

**Wengay M. Newton, Sr.**  
St. Petersburg

**Kerrie Stillman**  
*Executive Director*  
P.O. Drawer 15709  
Tallahassee, FL 32317-5709  
[www.ethics.state.fl.us](http://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**, notwithstanding Sec. 112.3148, Fla. Stat., no Executive Branch lobbyist or principal shall make, directly or indirectly, and no Executive Branch agency official who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.] Typically, this would include gifts valued at less than \$100 that formerly



were permitted under Section 112.3148, Fla. Stat. Similar rules apply to members and employees of the Legislature. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.]

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

2. *Unauthorized Compensation*

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

3. *Misuse of Public Position*

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

4. *Abuse of Public Position*

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

5. *Disclosure or Use of Certain Information*

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

6. *Solicitation or Acceptance of Honoraria*

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

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

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

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

**B. PROHIBITED EMPLOYMENT AND BUSINESS RELATIONSHIPS**

1. *Doing Business With One's Agency*

- a) A public employee acting as a purchasing agent, or public officer acting in an official capacity, is prohibited from purchasing, renting, or leasing any realty, goods, or

services for his or her agency from a business entity in which the officer or employee or his or her spouse or child owns more than a 5% interest. [Sec. 112.313(3), Fla. Stat.]

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

2. *Conflicting Employment or Contractual Relationship*

- a) A public officer or employee is prohibited from holding any employment or contract with any business entity or agency regulated by or doing business with his or her public agency. [Sec. 112.313(7), Fla. Stat.]
- b) A public officer or employee also is prohibited from holding any employment or having a contractual relationship which will pose a frequently recurring conflict between the official's private interests and public duties or which will impede the full and faithful discharge of the official's public duties. [Sec. 112.313(7), Fla. Stat.]
- c) Limited exceptions to this prohibition have been created in the law for legislative bodies, certain special tax districts, drainage districts, and persons whose professions or occupations qualify them to hold their public positions. [Sec. 112.313(7)(a) and (b), Fla. Stat.]

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

- a) When the business is rotated among all qualified suppliers in a city or county.
- b) When the business is awarded by sealed, competitive bidding and neither the official nor his or her spouse or child have attempted to persuade agency personnel to enter

the contract. NOTE: Disclosure of the interest of the official, spouse, or child and the nature of the business must be filed prior to or at the time of submission of the bid on Commission FORM 3A with the Commission on Ethics or Supervisor of Elections, depending on whether the official serves at the state or local level.

- c) When the purchase or sale is for legal advertising, utilities service, or for passage on a common carrier.
- d) When an emergency purchase must be made to protect the public health, safety, or welfare.
- e) When the business entity is the only source of supply within the political subdivision and there is full disclosure of the official's interest to the governing body on Commission FORM 4A.
- f) When the aggregate of any such transactions does not exceed \$500 in a calendar year.
- g) When the business transacted is the deposit of agency funds in a bank of which a county, city, or district official is an officer, director, or stockholder, so long as agency records show that the governing body has determined that the member did not favor his or her bank over other qualified banks.
- h) When the prohibitions are waived in the case of ADVISORY BOARD MEMBERS by the appointing person or by a two-thirds vote of the appointing body (after disclosure on Commission FORM 4A).
- i) When the public officer or employee purchases in a private capacity goods or services, at a price and upon terms available to similarly situated members of the general public, from a business entity which is doing business with his or her agency.
- j) When the public officer or employee in a private capacity purchases goods or services from a business entity which is subject to the regulation of his or her agency where the price and terms of the transaction are available to similarly situated members of

the general public and the officer or employee makes full disclosure of the relationship to the agency head or governing body prior to the transaction.

4. *Additional Exemptions*

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

5. *Legislators Lobbying State Agencies*

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

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

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

7. *Employees Holding Office*

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

8. *Professional and Occupational Licensing Board Members*

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

9. *Contractual Services: Prohibited Employment*

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

10. *Local Government Attorneys*

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

11. *Dual Public Employment*

Candidates and elected officers are prohibited from accepting public employment if they know or should know it is being offered for the purpose of influence. Further, public employment may not be accepted unless the position was already in existence or was created without the anticipation of the official's interest, was publicly advertised, and the officer had to meet the same qualifications and go through the same hiring process as other applicants. For elected public officers already holding public employment, no promotion given for the purpose of influence may be accepted, nor may promotions that are inconsistent with those given other similarly situated employees. [Sec. 112.3125, Fla. Stat.]

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

1. *Anti-Nepotism Law*

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

2. *Additional Restrictions*

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

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

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

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

## 2. *Lobbying by Former State Employees*

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

- a) Executive and legislative branch employees serving in the Senior Management Service and Selected Exempt Service, as well as any person employed by the Department of the Lottery having authority over policy or procurement.
- b) serving in the following position classifications: the Auditor General; the director of the Office of Program Policy Analysis and Government Accountability (OPPAGA); the Sergeant at Arms and Secretary of the Senate; the Sergeant at Arms and Clerk of the House of Representatives; the executive director and deputy executive director of the Commission on Ethics; an executive director, staff director, or deputy staff director of each joint committee, standing committee, or select committee of the Legislature; an executive director, staff director, executive assistant, legislative analyst, or attorney serving in the Office of the President of the Senate, the Office of the Speaker of the House of Representatives, the Senate Majority Party Office, the Senate Minority Party Office, the House Majority Party Office, or the House Minority Party Office; the Chancellor and Vice-Chancellors of the State University System; the general counsel to the Board of Regents; the president, vice presidents, and deans of each state university; any person hired on a contractual basis and having the power normally conferred upon such persons, by whatever title; and any person having the power normally conferred upon the above positions.

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



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

3. *6-Year Lobbying Ban*

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

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

For a period of six years after vacation of public position occurring on or after December 31, 2022, a county commissioner, a county officer pursuant to Article VIII or county charter, a school board member, a superintendent of schools, an elected municipal officer, or an elected special district officer in a special district with ad valorem taxing authority shall not lobby for compensation on issues of policy, appropriations, or procurement before his or her former agency or governing body. [Art. II Sec 8(f)(3)c., Fla. Const. and Sec. 112.3121, Fla. Stat.]

4. *Additional Restrictions on Former State Employees*

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

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

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

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

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

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

**E. VOTING CONFLICTS OF INTEREST**

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

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

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

If the conflict is unknown or not disclosed prior to the meeting, the appointed official must orally disclose the conflict at the meeting when the conflict becomes known. Also, a written memorandum of voting conflict must be filed with the meeting's recording officer within 15 days of the disclosure being made and must be provided to the other members of the agency, with the disclosure being read publicly at the next scheduled meeting. [Sec. 112.3143, Fla. Stat.]

## **F. DISCLOSURES**

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

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

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

1. *FORM 1 - Limited Financial Disclosure*

Who Must File:

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

STATE OFFICERS include:

- 1) Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
- 2) Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding members of solely advisory bodies; but including judicial nominating commission members; directors of Enterprise Florida, Scripps Florida Funding Corporation, and CareerSource Florida, and members of the Council on the Social Status of Black Men and Boys; the Executive Director, governors, and senior managers of Citizens Property Insurance Corporation; governors and senior managers of Florida Workers' Compensation Joint Underwriting Association, board members of the Northeast Florida Regional Transportation Commission, and members of the board of Triumph Gulf Coast, Inc.; members of the board of Florida is

for Veterans, Inc.; and members of the Technology Advisory Council within the Agency for State Technology.

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

LOCAL OFFICERS include:

- 1) Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
- 2) Appointed members of the following boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; a community college or junior college district board of trustees; a board having the power to enforce local code provisions; a planning or zoning board, board of adjustments or appeals, community redevelopment agency board, or other board having the power to recommend, create, or modify land planning or zoning within the political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards, except for representatives of a military installation acting on behalf of all military installations within that jurisdiction; a pension board or retirement board empowered to invest pension or retirement funds or to determine entitlement to or amount of a pension or other retirement benefit.
- 3) Any other appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.
- 4) Persons holding any of these positions in local government: county or city manager; chief administrative employee or finance director of a county, municipality, or other

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

- 5) Members of governing boards of charter schools operated by a city or other public entity.
- 6) The officers, directors, and chief executive officer of a corporation, partnership, or other business entity that is serving as the chief administrative or executive officer or employee of a political subdivision, and any business entity employee who is acting as the chief administrative or executive officer or employee of the political subdivision. [Sec. 112.3136, Fla. Stat.]

SPECIFIED STATE EMPLOYEE includes:

- 1) Employees in the Office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.
- 2) The following positions in each state department, commission, board, or council: secretary or state surgeon general, assistant or deputy secretary, executive director, assistant or deputy executive director, and anyone having the power normally conferred upon such persons, regardless of title.
- 3) The following positions in each state department or division: director, assistant or deputy director, bureau chief, assistant bureau chief, and any person having the power normally conferred upon such persons, regardless of title.

- 4) Assistant state attorneys, assistant public defenders, criminal conflict and civil regional counsel, assistant criminal conflict and civil regional counsel, public counsel, full-time state employees serving as counsel or assistant counsel to a state agency, judges of compensation claims, administrative law judges, and hearing officers.
- 5) The superintendent or director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.
- 6) State agency business managers, finance and accounting directors, personnel officers, grant coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.
- 7) The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.

**What Must Be Disclosed:**

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

**When to File:**

CANDIDATES who do not currently hold a position requiring the filing of a Form 1 or Form 6 must register and use the electronic filing system to complete the Form 6, then print and file the disclosure with the officer before whom they qualify at the time of qualifying. [Art. II, Sec. 8(a) and (i), Fla. Const., and Sec. 112.3144, Fla. Stat.]

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:

File with the Commission on Ethics. [Sec. 112.3145, Fla. Stat.]

Beginning January 1, 2024, all Form 1 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable by name or organization on the Commission's website.

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:

File with the Commission on Ethics. [Sec. 112.3145(4), Fla. Stat.]

Beginning January 1, 2024, all Form 2 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable on the Commission's website.

#### 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 a city council and candidates for these offices; the Duval County Superintendent of Schools; judges of compensation claims (pursuant to Sec. 440.442, Fla. Stat.); members of the Florida Housing Finance Corporation Board and members of expressway authorities, transportation authorities (except the Jacksonville Transportation Authority), bridge authority, or toll authorities created pursuant to Ch. 348 or 343, or 349, or other general law.

## What Must be Disclosed:

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

## When and Where To File:

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

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

CANDIDATES who do not currently hold a position requiring the filing of a Form 1 or Form 6 must register and use the electronic filing system to complete the Form 6, then print and file the disclosure with the officer before whom they qualify at the time of qualifying. [Art. II, Sec. 8(a) and (i), Fla. Const., and Sec. 112.3144, Fla. Stat.]

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

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

### 6. *FORM 9 - Quarterly Gift Disclosure*

Each person required to file FORM 1 or FORM 6, and each state procurement employee, must file a FORM 9, Quarterly Gift Disclosure, with the Commission on Ethics on the last day of any calendar quarter following the calendar quarter in which he or she received a gift worth more than \$100, other

than gifts from relatives, gifts prohibited from being accepted, gifts primarily associated with his or her business or employment, and gifts otherwise required to be disclosed. FORM 9 NEED NOT BE FILED if no such gift was received during the calendar quarter.

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

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

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

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

In addition, a person required to file FORM 1 or FORM 6, or a state procurement employee, who receives expenses or payment of expenses related to an honorarium event from someone who is prohibited from giving him or her an honorarium, must disclose annually the name, address, and affiliation of the donor, the amount of the expenses, the date of the event, a description of the expenses paid or provided, and the total value of the expenses on FORM 10. The donor paying the expenses must provide the officer or employee with a statement about the expenses within 60 days of the honorarium event.

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

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

*8. FORM 30 - Donor's Quarterly Gift Disclosure*

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

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

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

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

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

#### **IV. AVAILABILITY OF FORMS**

Beginning January 1, 2024, LOCAL OFFICERS and EMPLOYEES, and OTHER STATE OFFICERS, and SPECIFIED STATE EMPLOYEES who must file FORM 1 annually must file electronically via the Commission's Electronic Financial Disclosure Management System (EFDMS). Paper forms will not be promulgated. Communications regarding the annual filing requirement will be sent via email to filers no later than June 1. Filers must maintain an updated email address in their User Profile in EFDMS.

ELECTED CONSTITUTIONAL OFFICERS and other officials who must file Form 6 annually, including City Commissioners and Mayors, must file electronically via the Commission's Electronic Financial Disclosure Management System (EFDMS). Paper forms will not be promulgated. Communications regarding the annual filing requirement will be sent via email to filers no later than June 1. Filers must maintain an updated email address in their User Profile in EFDMS.

## 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.

\*Conduct occurring after May 11, 2023, will be subject to a recommended civil penalty of up to \$20,000. [Ch. 2023-49, Laws of Florida.]

*D. Penalties for Lobbyists and Others*

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

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

*E. Felony Convictions: Forfeiture of Retirement Benefits*

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

*F. Automatic Penalties for Failure to File Annual Disclosure*

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

## VI. ADVISORY OPINIONS

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

### A. *Who Can Request an Opinion*

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

### B. *How to Request an Opinion*

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

### C. *How to Obtain Published Opinions*

All of the Commission's opinions are available for viewing or download at its website:  
[www.ethics.state.fl.us](http://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](http://www.ethics.state.fl.us). The Commission is unable to take action based on learning of such misdeeds through newspaper reports, telephone calls, or letters.

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

### B. *Referrals*

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

### C. *Confidentiality*

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

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

*D. How the Complaint Process Works*

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

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

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

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

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

*E. Dismissal of Complaints At Any Stage of Disposition*

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

*F. Statute of Limitations*

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

## **VIII. EXECUTIVE BRANCH LOBBYING**

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

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

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

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

Online registration and filing is available at [www.floridalobbyist.gov](http://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: 850/922-4990

## **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](http://www.ethics.state.fl.us).

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

## **XI. TRAINING**

Constitutional officers, elected municipal officers, commissioners of community redevelopment agencies (CRAs), and commissioners of community development districts are required to receive a total of four hours training, per calendar year, in the area of ethics, public

records, and open meetings. The Commission on Ethics does not track compliance or certify providers. Officials indicate their compliance with the training requirement when they file their annual Form 1 or Form 6.

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

# 2023 Form 1 - Statement of Financial Interests

## General Information

Name: DISCLOSURE FILER

Address: SAMPLE ADDRESS

County: SAMPLE COUNTY

PID SAMPLE

## AGENCY INFORMATION

Organization	Suborganization	Title
SAMPLE	SAMPLE	SAMPLE

## Disclosure Period

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2023 .

## Primary Sources of Income

PRIMARY SOURCE OF INCOME (Over \$2,500) (Major sources of income to the reporting person)  
(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

**Secondary Sources of Income**

SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person) (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

**Real Property**

REAL PROPERTY (Land, buildings owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Location/Description

**Intangible Personal Property**

INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. over \$10,000) (If you have nothing to report, write "none" or "n/a")

Type of Intangible	Business Entity to Which the Property Relates

E-FILED SAMPLE



2023 Form 1 - Statement of Financial Interests

**Liabilities**

LIABILITIES (Major debts valued over \$10,000):  
(If you have nothing to report, write "none" or "n/a")

Name of Creditor	Address of Creditor

**Interests in Specified Businesses**

INTERESTS IN SPECIFIED BUSINESSES (Ownership or positions in certain types of businesses)  
(If you have nothing to report, write "none" or "n/a")

Business Entity # 1

**Training**

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

E-FILED SAMPLE

**Signature of Filer**

Digitally signed:

**Filed with COE:**

**E-FILING SAMPLE**

# 2023 Form 1 Instructions Statement of Financial Interests

## Notice

The annual Statement of Financial Interest is due July 1, 2024. If the annual form is not submitted via the electronic filing system created and maintained by the Commission September 3, 2024, 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.]

## 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, 2023.

## 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 those required to file full disclosure on Form 6 as well as 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: county or city manager; chief administrative employee or finance director of a county, municipality, or other political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk;

- appointed district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$35,000 for the local governmental unit.
8. Officers and employees of entities serving as chief administrative officer of a political subdivision.
  9. Members of governing boards of charter schools operated by a city or other public entity.
  10. Employees in the office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.
  11. The following positions in each state department, commission, board, or council: Secretary, Assistant or Deputy Secretary, Executive Director, Assistant or Deputy Executive Director, and anyone having the power normally conferred upon such persons, regardless of title.
  12. The following positions in each state department or division: Director, Assistant or Deputy Director, Bureau Chief, and any person having the power normally conferred upon such persons, regardless of title.
  13. Assistant State Attorneys, Assistant Public Defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel, Public Counsel, full-time state employees serving as counsel or assistant counsel to a state agency, administrative law judges, and hearing officers.
  14. The Superintendent or Director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.
  15. State agency Business Managers, Finance and Accounting Directors, Personnel Officers, Grant Coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.
  16. The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.
  17. Each member of the governing body of a "large-hub commercial service airport," as defined in Section 112.3144(1)(c), Florida Statutes, except for members required to comply with the financial disclosure requirements of s. 8, Article II of the State Constitution.

ATTACHMENTS: A filer may include and submit attachments or other supporting documentation when filing disclosure.

**PUBLIC RECORD:** The disclosure form is a public record and is required by law to be posted to the Commission's website. Your Social Security number, bank account, debit, charge, and credit card numbers, mortgage or brokerage account numbers, personal identification numbers, or taxpayer identification numbers are not required and should not be included. If such information is included in the filing, it may be made available for public inspection and copying unless redaction is required by the filer, without any liability to the Commission. If you are an active or former officer or employee listed in Section 119.071, F.S., whose home address or other information is exempt from disclosure, the Commission will maintain that confidentiality *if you submit a written and notarized request.*

**QUESTIONS** about this form or the ethics laws may be addressed to the Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303; telephone (850) 488-7864.

## Instructions for Completing Form 1

### Primary Sources of Income

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

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

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

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

Examples:

- If you were employed by a company that manufactures computers and received more than \$2,500, list the name of the company, its address, and its principal business activity (computer manufacturing).

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

## 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 "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.

## Real Property

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

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

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

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

## Intangible Personal Property

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

Describe any intangible personal property that, at any time during the disclosure period, was worth more than \$10,000 and state the business entity to which the property related. Intangible personal property includes things such as cash on hand, stocks, bonds, certificates of deposit, vehicle leases, interests in businesses, beneficial interests in trusts, money owed you (including, but not limited to, loans made as a candidate to your own campaign), Deferred Retirement Option Program (DROP) accounts, the Florida Prepaid College Plan, and bank accounts in which you have an ownership

interest. Intangible personal property also includes investment products held in IRAs, brokerage accounts, and the Florida College Investment Plan. Note that the product contained in a brokerage account, IRA, or the Florida College Investment Plan is your asset—not the account or plan itself. Things like automobiles and houses you own, jewelry, and paintings are not intangible property. Intangibles relating to the same business entity may be aggregated; for example, CDs and savings accounts with the same bank. Property owned as tenants by the entirety or as joint tenants with right of survivorship, including bank accounts owned in such a manner, should be valued at 100%. The value of a leased vehicle is the vehicle's present value minus the lease residual (a number found on the lease document).

## 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.

## Interests in Specified Businesses

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

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

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

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

## Training Certification

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

If you are a Constitutional or elected municipal officer appointed school superintendent, a commissioner of a community redevelopment agency created under Part III, Chapter 163, or an elected local officers of independent special districts, including any person appointed to fill a vacancy on an elected special district board, whose service began on or 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.

Katherine Burke  
15226 Sequoia Court  
Punta Gorda, Fl.  
33955  
[kathib38@aol.com](mailto:kathib38@aol.com)

November 18, 2024

David Truxton  
Tern Bay CDD  
2301 Northeast 37th Street  
Fort Lauderdale, Florida 33308

Subject: Resignation from CDD Board

Dear Mr. Truxton,

Please accept this letter as formal notification of my resignation from the Tern Bay CDD board, effective November 18, 2024.

I appreciate the opportunity to serve the community as a member of the CDD board and value the experiences gained during my tenure.

I am available to assist with the transition process and ensure a smooth handover of my responsibilities.

Sincerely,

Katherine Burke

Cc James Ward

**RESOLUTION 2025-1**

**A RESOLUTION DESIGNATING CERTAIN OFFICERS OF THE TERN BAY COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR SEVERABILITY AND INVALID PROVISIONS; PROVIDING FOR CONFLICT AND PROVIDING FOR AN EFFECTIVE DATE.**

**RECITALS**

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

**WHEREAS**, pursuant to Chapter 190, *Florida Statutes*, the Board of Supervisors (“Board”) shall organize by election of its members as Chairperson and by directing a Secretary, and such other officers as the Board may deem necessary.

**WHEREAS**, the Board of Supervisors of the Tern Bay Community Development District desire to appoint the below recited person(s) to the offices specified.

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

**SECTION 1. DESIGNATION OF OFFICERS OF THE DISTRICT.** The following individuals are appointed to the offices shown.

OFFICE	NAME OF OFFICE HOLDER
CHAIRPERSON	
VICE-CHAIRPERSON	
ASSISTANT SECRETARY	
ASSISTANT SECRETARY	
ASSISTANT SECRETARY	
SECRETARY & TREASURER	JAMES P. WARD

**SECTION 2. SEVERABILITY AND INVALID PROVISIONS.** If any one of the covenants, agreements or provisions herein contained shall be held contrary to any express provision of law or contract to the policy of express law, but not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements or provisions and shall in no way effect the validity of the other provisions hereof.

**SECTION 3. CONFLICT.** That all Sections or parts of Sections of any Resolutions, Agreements, or actions of the Board of Supervisors in conflict are hereby repealed to the extent of such conflict.



**RESOLUTION 2025-1**

**A RESOLUTION DESIGNATING CERTAIN OFFICERS OF THE TERN BAY COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR SEVERABILITY AND INVALID PROVISIONS; PROVIDING FOR CONFLICT AND PROVIDING FOR AN EFFECTIVE DATE.**

**SECTION 4. PROVIDING FOR AN EFFECTIVE DATE.** This Resolution shall become effective immediately upon passage.

**PASSED AND ADOPTED** by the Board of Supervisors of the Tern Bay Community Development District, Charlotte County, Florida, this 10<sup>th</sup> day of December 2024.

**ATTEST:**

**TERN BAY COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
James P. Ward, Secretary

\_\_\_\_\_  
Name: \_\_\_\_\_  
Chairperson / Vice Chairman

1  
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5  
6  
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8  
9

**MINUTES OF MEETING  
TERN BAY  
COMMUNITY DEVELOPMENT DISTRICT**

10 The Regular Meeting of the Board of Supervisors of the Tern Bay Community Development District was  
11 held on Tuesday, September 10, 2024, at 10:00 A.M. at the Country Inn and Suites 24244 Corporate  
12 Court, Port Charlotte, Florida 33954.  
13

14  
15 **Present and constituting a quorum:**

16 Christopher Hasty	Vice Chairperson
17 Ashley Kingston	Assistant Secretary
18 Tara Brady	Assistant Secretary
19 Katherine Burke	Assistant Secretary

20  
21 **Absent:**

22 David Truxton	Chairperson
------------------	-------------

23  
24 **Also present were:**

25 James P. Ward	District Manager
26 Greg Urbancic	District Counsel
27 Clay Rebel	District Engineer

28  
29 **Audience:**

30 Denise Blakely  
31 Robert Brady

32 All residents' names were not included with the minutes. If a resident did not identify  
33 themselves or the audio file did not pick up the name, the name was not recorded in these  
34 minutes.  
35

36  
37  
38  
39  
40  
41  
42  
43  
44  
45

**PORTIONS OF THIS MEETING WERE TRANSCRIBED VERBATIM. ALL VERBATIM PORTIONS  
WERE TRANSCRIBED IN *ITALICS*.**

46  
47

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. James Ward called the meeting to order at approximately 10:00 a.m. He conducted roll call, and all Members of the Board were present, with the exception of Supervisor Truxton, constituting a quorum. He noted there were members of the public present and he reviewed the opportunities for members of the public to speak.

**SECOND ORDER OF BUSINESS**

**Consideration of Minutes**

**June 11, 2024 – Public Hearing and Regular Meeting Minutes**

48 Mr. Ward asked if there were any corrections or deletions to the Minutes; hearing none, he called for a  
49 motion.  
50

51 **On MOTION made by Tara Brady, seconded by Ashley Kingston, and**  
52 **with all in favor, the June 11, 2024 Public Hearing and Regular Meeting**  
53 **Minutes were approved.**

54  
55

56 **THIRD ORDER OF BUSINESS**

**Staff Reports**

57 **I. District Attorney**

58 No report.  
59

60 **II. District Engineer**

61 No report.  
62

63 **III. District Manager**

- 64 **a. Florida Law changes to Form 1 Filings**
- 65 **b. Goals and objectives reporting requirements for CDD's**
- 66 **c. Important Board Meeting Dates for Balance of Fiscal Year 2024**
  - 67 **1. General Election, November 5, 2024**
  - 68 **2. December 10, 2024 – Seat 1 & 4 New Board Members**
- 69 **e. Financial Statement for period ending June 30, 2024 (unaudited)**
- 70 **f. Financial Statement for period ending July 31, 2024 (unaudited)**
- 71 **g. Financial Statement for period ending August 31, 2024 (audited)**

72 Mr. Ward reviewed the changes to the Form 1 filing requirements including the ethics training  
73 requirements. He noted he would send links for free ethics training courses via email to the  
74 Board. He discussed the new performance measures and standards special districts were required  
75 to report upon. He stated the report was due September 30, 2024; this was a self-reporting  
76 requirement, and the report would be posted on the CDD's website. He indicated there were no  
77 external reporting requirements to any state agency. He stated he created a simple form for  
78 performance measures which he would fill out and post on the District's website annually. He  
79 reviewed the performance measures for this fiscal year and noted the Board could change these  
80 measures in the future if it was deemed appropriate. He asked for a motion to adopt the  
81 performance measures and standards.  
82  
83  
84  
85  
86  
87

88 **On MOTION made by Tara Brady, seconded by Ashley Kingston, and**  
89 **with all in favor, the performance measures and standards were**  
90 **adopted.**

91  
92

93 Mr. Ward reported there was a general election in November of this year for Seats 1 and 4; two  
94 individuals qualified for these seats, one for each seat, and as such were automatically elected and  
would take office the first Tuesday after the election. He discussed the oaths of office each

95 individual would take before taking office. He noted the final landowner's seat would convert in  
96 2026 to a qualified elector's seat.

97

98 Mr. Hasty asked who qualified for Seats 1 and 4.

99

100 Mr. Ward responded Denise Blakely and Robert Brady (who were present at today's meeting)  
101 would fill Seats 1 and 4 (Ashley Kingston's and Christopher Hasty's Seats).

102

103 *Mr. Hasty: A piece of it is we have gone so many years past when we would typically have been*  
104 *seating residents that would have been doing a reasonable enough job that nobody really felt like*  
105 *they wanted to change course, so it's good to have the participation. It is nice. So, thank you for*  
106 *stepping up.*

107

108

#### 109 **FOURTH ORDER OF BUSINESS**

#### **Supervisor's Requests**

110

111 Supervisor Brady - Repairs/Maintenance of District Facilities

112

113 *Ms. Tara Brady: I had submitted the email, and I had talked – I'll go first on the list. Assets that we have.*  
114 *It correlates with the goal of having the District Engineer review all of our assets. In looking at what we*  
115 *have and trying to make sure that we are budgeting appropriately for maintenance, when we are going*  
116 *to have to repair things. I tried to look at our list and see what assets we have that we maintain. We*  
117 *don't actually have a list, so I received all of our plans, which is great. I'm not as concerned about*  
118 *utilities because they go over to Charlotte County. We don't actually maintain those. But, the drainage*  
119 *pipes, the catch basins, the roads, the street signs, the sidewalks, all of those assets that we have as*  
120 *infrastructure that we are responsible to maintain, we don't actually have a list. I know somewhere in*  
121 *the budget it said we have about \$45 million dollars' worth of assets, which is great, but some of it is a*  
122 *lot older because it was in the original phase 1, some of it is not, what are the conditions, how many feet*  
123 *of pipe do we have, what size pipes, how many catch basins, etc., we don't have any of that. I would like*  
124 *to get an actual asset list. I did have this conversation with Clay. I called Jim, talked to Jim. So, Clay can*  
125 *give us almost everything for phase 2 because they have been involved in it. My biggest concern is we*  
126 *have no drainage plans or anything for phase 1, nor does he have an idea of what's out there because*  
127 *frankly the as-builts that were there are not all that great or what he can really find. So, I'm going to*  
128 *suggest that we authorize them to go out and look and collect the assets that we do have, so we have a*  
129 *complete list. I have some concerns where I see the indentations and the potholes right where a pipe*  
130 *joint is, and it's a lot easier to say, "hey, that is a problem, we should check that joint" and I know I get a*  
131 *little more detailed because is it what I do for a living, and I know the County standards are different*  
132 *than what we have to have with a CDD; however, we should still maintain things to a good functional*  
133 *way. With that said, phase 2 shouldn't be as bad. Have all of the assets in phase 2 been turned over to*  
134 *the CDD? I guess that would be my question. And Lennar could give us the list when everything has*  
135 *been turned over. I know a lot of the assets have been, but at least for phase 1, I know the CDD would*  
136 *have to eat that cost with them, but we need to know what's out there.*

137

138 *Mr. Ward: You are right about the details. We don't have details on phase 1. Phase 1 was done by a*  
139 *prior developer. The bonds went in default at some point, so whatever was paid for from phase 1, a*  
140 *majority of it was a land acquisition related to that large preserve in the community by Charlotte Harbor,*  
141 *so that was (indecipherable) funds. The rest of it in phase 1 included water and sewer utility lines which*  
142 *were transferred to Charlotte County. The only thing that's really left is a little bit of street drainage*

143 *that's in the phase 1 area, and some of the roadways that were in phase 1 up to the bridges, those wood*  
144 *bridges, including the wood bridges. That was basically the phase 1 project and obviously some of the*  
145 *lakes, all of the lakes from the golf course, and some of the lakes that were in the single family area.*  
146 *That's all that's in phase 1. It's not particularly a lot of stuff. I'm guessing a lot of the drainage system*  
147 *looks revised as a part of the phase 2 project. I don't know what happened to the roads up to the*  
148 *bridges, if they were redone at some point. I can kind of play through that because I kind of remember it*  
149 *in my head, but you're right. We do need some more details.*

150

151 *Ms. Brady: My motion would be to direct Atwell to give us a cost first that we could have at the next*  
152 *meeting to approve. I don't want to give a blanket approval of hey, go do this, not knowing what it*  
153 *would cost. But at least have him give us a cost estimate to get us phase 1 and then how would we do*  
154 *phase 2? We need Lennar to give us all of this when we take it over, so we have that information.*

155

156 *Mr. Ward: I have the authority to have that work done, so I can do that prior to another Board meeting*  
157 *and get a proposal from Clay to do that and approve it to the extent I deem it an appropriate cost. We*  
158 *can go from there. Generally, in all these developments, and pretty much true in this project too,*  
159 *Engineering has all that information anyway, not necessarily coming from Lennar. They don't need to*  
160 *get that much information from Lennar. Clay should be able to have all of the Engineering. He knows*  
161 *what's going on within the development because he's been the engineer to begin with, so they are going*  
162 *to have all that information to the extent that if you need something from Lennar you can go back and*  
163 *request it, but I think we should be able to do this 95% of the way in-house.*

164

165 *Ms. Brady: Okay.*

166

167 *Mr. Hasty: So, would it be better to direct him to start with a not to exceed number?*

168

169 *Mr. Ward: No. (Indecipherable).*

170

171 *Ms. Brady: So, we don't need a motion. I'm just giving him direction and he has the leeway without a*  
172 *motion to do what he needs.*

173

174 *Mr. Ward: This is within my scope of services. I'm good.*

175

176 *Ms. Brady: The next thing is the current maintenance. I know that the HOA was not happy with the*  
177 *draft maintenance agreement. He replied back with some of the things he had concerns about, which I*  
178 *did too. So, one of my biggest concerns right now, and again I don't even think the HOA is doing it, I*  
179 *think it's one of our land developments, is filling the potholes. I know Icon, for the HOA, goes out and*  
180 *throws some coal patch in when they need to if it's going to be a while. There are some extremely large*  
181 *potholes out there right now. I took my iPad and just drove (indecipherable) and the loop and there are*  
182 *some that are 2 feet wide and 6 inches deep. That's just not acceptable. We have had a ton of rain, I get*  
183 *it. It's been dry for a couple of days now. We need to at least get some coal patch in there and do it*  
184 *correctly so it's layered, and that will last us for a while. I requested the specifications they are using for*  
185 *when they are coming out to actually fix the asphalt. It needs to be done correctly. The HOA asked me*  
186 *for the Engineer to provide specs.*

187

188 *Mr. Hasty: Aren't the specs defined in the County standards?*

189

190 *Ms. Brady: I can do my County stats, and I can give them to them, I'm just saying.*

191  
192 *Mr. Hasty: There are residential specs inside the County standards, right?*  
193  
194 *Ms. Brady: Because they don't bid out hole repair, the County does not have a spec per se' for pothole*  
195 *repair we put out to bid.*  
196  
197 *Mr. Hasty: But if we repair it to the standard cross section of what the road is supposed to be? You're*  
198 *talking about describing the methodology?*  
199  
200 *Ms. Brady: Yes. So, I have the activity guidelines of what we do through County code. I hope we can just*  
201 *provide that, and they are not going to say it has to be the engineer, or I'll send that to Clay, and he can*  
202 *just sign it and give it to them. Either way.*  
203  
204 *Mr. Ward: That's fine. You can do that. It's an established standard. We are not supposed to deviate*  
205 *from any County standards on how we do things. So, that's fine.*  
206  
207 *Ms. Brady: Okay. I'll get you that. The other thing is, and this may have to come out of our funds, is*  
208 *street sweeping. Right now, I have been told that they sweep the construction areas once a week. I have*  
209 *asked again, as I live right next to where they are building a pool for a year, and they have never once*  
210 *had street sweepers. Again, I know that my street sweeper for the County that comes in once a month,*  
211 *does it at night, but you can tell the next day when it's been done. So, in this instance, and again I'm just*  
212 *going by driving around, I've never seen where one day it looks like they swept over night. I took pictures*  
213 *of a pile of sand which for more than three months washed away down the street into the drain, and I*  
214 *sent it to them.*  
215  
216 *Mr. Hasty: Who did you send the pictures to?*  
217  
218 *Ms. Brady: Matt and Todd. I had a safety issue and Todd was great the other day, and Matt has been*  
219 *good with responding to stuff too.*  
220  
221 *Mr. Hasty: So, the HOA is supposed to be doing this, and they are not?*  
222  
223 *Ms. Brady: I don't know.*  
224  
225 *Mr. Ward: In normal districts, there is an agreement between the CDD and the HOA. In this particular*  
226 *District we haven't done an agreement yet. (Indecipherable) whatever standard they deem it*  
227 *appropriate. (Indecipherable).*  
228  
229 Discussion ensued regarding the mess being made by the construction trucks, who was responsible for  
230 cleaning the construction mess, holes which needed filling, street sweeping, and getting Lennar to clean  
231 the roads in the construction areas.  
232  
233 Ms. Brady recommended hiring a street sweeper to come out monthly.  
234  
235 *Mr. Ward: From a District's perspective that's easy to do. The problem is, we don't have an operations*  
236 *department as a CDD, it's only been administrative. We will have to figure that part of it out to make*  
237 *sure it gets done, somebody gets it inspected and pays for it.*  
238

239 *Ms. Brady: I will be happy to be that inspector person. If the HOA doesn't want to do that and add that*  
240 *to whatever contact they already have out there, I am more than happy to do the specs like what we do*  
241 *for the County. I want to say we were paying like 12 cents a foot for them to do the whole county.*

242  
243 *Mr. Hasty: Do we know when the Association is turning over?*

244  
245 *Ms. Brady: It depends on who you ask. In my conversations with Matt, he did not think it would be until*  
246 *the end of next year. The end of 2025, but if I go into the sales office they are like, "we only have 150*  
247 *houses to sell and we are completely out of here," so I don't really know. I did ask the County to tell me*  
248 *how many COs they've issued, but we are having a glitch that they can't actually pull that out of the*  
249 *system easily because of the old section and new section and a condo section.*

250  
251 *Mr. Hasty: I think we should work towards where you want to be ultimately when the residents are in*  
252 *control of everything the Association is doing and the Board. So, residents are funding the operations of*  
253 *both agencies, and the District is really handcuffed on what it can do and how it can do it and the*  
254 *processes that it has to go through, like an RFQ and then an RFP and a sealed bid, so it is beneficial for*  
255 *the Association who has the flexibility to be able to do a lot of those things. They have a lot more agility.*  
256 *We got some comments back. Was it like, no, we don't want to do that?*

257  
258 *Ms. Brady: They don't want to sign it because of these 7 things that are in there, but here's the part*  
259 *where I think our issue lies, Kathy here is on the HOA Board. She is the only resident on the HOA Board.*

260  
261 *Ms. Kathy Burke: I'm not the HOA Board's biggest fan because I ask a lot of questions because I have*  
262 *residents asking me questions. If it was up to them, I think they would want me voted off, just to start*  
263 *with somebody else, but to be honest I've asked about when we are having turnover and I'm getting the*  
264 *same answers that Tara is getting. We have a lot of concerns within the community. Everybody is really*  
265 *itching for us to turnover and it seems to me they are not being up front about the reality. I have been*  
266 *around and counted doors in July where I knew people were living and their number didn't match mine.*  
267 *So, I'm not so sure they are being honest. I think they are stalling on the turnover.*

268  
269 *Mr. Ward: 1,516 units are how many are in the CDD for purposes what we assess.*

270  
271 *Ms. Burke: In July I counted 1,229 closed doors. August 31 was the end of the third quarter and my*  
272 *salesperson told me he had 13 closings himself, and he is one of four salespeople. So, I don't know what*  
273 *they've closed in August, but I know they've already sold a Terrace Building which has 34 units.*

274  
275 *Ms. Brady: You're saying 1,516. What's not included? Because there are supposed to be 1,800 doors.*

276  
277 Discussion continued regarding the number of units in the development, which units were included in  
278 the District, when the turnover process would begin, when units closed versus when units were  
279 constructed, how many units were in the District at this time, and when the District would be at 90  
280 percent capacity.

281  
282 *Mr. Hasty: Doing the math, 1499, 90 percent is 1350. That's 120 more closings to happen. Turnover*  
283 *doesn't happen the day that happens because you want to designate who your committee is, and the*  
284 *committee gets brought up to speed and all that sort of stuff. Usually, turnover runs 60 to 90 days. So, if*  
285 *you have 120 more closings it will take another 9 months or so, and then another 90 days to turnover,*  
286 *it's September or October of next year. It doesn't seem like an unreasonable statement so they may not*

287 *say it's June when they think it's August, and they may say it's October when they think it's August. By*  
288 *the end of next year, you will be turned over is a very safe statement that they know will be correct. We*  
289 *also don't know what will happen in the market from the developer's aspect of if sales slow down a little*  
290 *bit, then that may bleed out a little bit, maybe it bleeds another month or two, or another quarter out.*

291  
292 Discussion continued regarding when homes would close, when the development would reach 90  
293 percent capacity, when the condos closed, the clubhouse, how the residents perceived the HOA and the  
294 CDD, and nonresidents using the pool area.

295  
296 *Mr. Hasty: Kathy are you suggesting the Board is seeking out other people to fill the pool, so it looks*  
297 *busy for sales?*

298  
299 *Ms. Kathy: Yes.*

300  
301 *Mr. Hasty: I don't know that (indecipherable) has that kind of time?*

302  
303 *Ms. Brady: I don't agree with Kathy on that one. I think people have just used it. I will say this. I know*  
304 *it's against the rules, but I'm going away for three weeks, and my kid's going to stay at my house. My*  
305 *kid should be able to use the pool. It's against the rules and they can't now, so that's things we can*  
306 *change once we take it over. I think it's more that, or if I'm not going to be here for the summer, I have*  
307 *friends that live here, I'm going to give them my card so they can get in. In my opinion, that's more of*  
308 *what it probably is.*

309  
310 Discussion continued regarding nonresidents using the pool area, gym area and other community  
311 amenities, salespeople and other solicitors entering the gated community, the need to monitor who  
312 used community amenities, the need to find a better security company to monitor the gates, and  
313 construction on the weekends.

314  
315 *Mr. Hasty: Thank you for purchasing a home from us, and that was a couple of years ago. There is a*  
316 *handful of folks that stayed from the very beginning, and I think they will tell you that when the*  
317 *developer failed, Lennar tried to step in and finish the community, but the banks would not allow it.*  
318 *Lennar offered to buy their homes back from them and ultimately did buy back almost 40 of the homes,*  
319 *kept them on their books and rented them out for a decade until we got to a point where the bonds were*  
320 *defunct, took it out of default, and then we bought it back from the bank. We've taken it from the*  
321 *original developer to sort of do the right thing and finish the place. So, it's not that they are trying to*  
322 *swindle anybody. You said there was a perception that they were doing things just to get sales. They've*  
323 *been involved for a long time. And we've been on the Board for far longer than we should have had to*  
324 *be on the Board because most of the residents – how many people do we get from the public generally at*  
325 *the Tern Bay meetings? Zero. For years we've not had a soul show up. And so, we've been trying to do*  
326 *the right thing. I'm glad you're a part of it now to start this. It hurts my feelings a little bit to have been*  
327 *here for years and it's like well, you guys aren't doing this, this and this, and this is wrong and that's*  
328 *wrong, and I think it's a communication issue primarily, but I'm glad you're here to start transitioning this*  
329 *over because ultimately it needs to go back to the residents. You need to be in control of your own*  
330 *community.*

331  
332 Discussion continued regarding the need for better security at the gates into the community, and the  
333 construction gates.

334



335 *Mr. Hasty: Anybody in the country can drive up to gate and say, "I'd like to be let in the community."*

336

337 *Ms. \_\_\_\_\_: (Indecipherable)?*

338

339 *Mr. Hasty: Because it keeps most people out. Most people that are up to no good do not want to go up*  
340 *to the guardhouse with their picture on the camera, with their license plate being recorded, and here's a*  
341 *copy of my driver's license, but you can't prevent them from coming in because of the nature of the*  
342 *District. This is a public board, everyone is elected officials, you have to file financial disclosures and all*  
343 *that stuff.*

344

345 *Ms. Brady: So, the rest of the infrastructure, we will work on the street sweeping and whether we get*  
346 *with the HOA and try to get them to do it because it's easier for them than us. I will let you do that, or do*  
347 *you want me to email them for that? And I will get the pothole standards and (indecipherable). The*  
348 *other thing is, I'm waiting for an email back – I've had lots of conversations with residents about that 50*  
349 *foot easement out to the canoe launch. It was really good; they removed the dirt pile out of that thing*  
350 *that day. However, it's really overgrown, and you can't get back there now. Because the canoe launch is*  
351 *already there, we have to be providing access. We need to have that pathway cut back so there is access*  
352 *there. I almost want to ask should we ask Mr. Rebol (Engineer) to look because I know Lennar didn't*  
353 *permit that whole portion. The canoe launch was in when Tern Bay did it, so I want to see, should we*  
354 *verify it was actually permitted and done correctly. I don't know if we want to step that far, but I want*  
355 *to make sure that 50 foot easement is opened up. They have to maintain access to what was already*  
356 *there.*

357

358 *Mr. Hasty: Don't we have a budget for maintenance?*

359

360 *Mr. Ward: No. Because we don't have an agreement. The HOA is doing it. So, if the HOA does not do*  
361 *the maintenance, it doesn't get done. If you want the CDD to maintain its own assets we can do that,*  
362 *partially, all of it, whatever you want. It is up to the Board.*

363

364 *Mr. Hasty: So, we'd have to go out and get a bid for some landscaping thing.*

365

366 *Mr. Ward: The bidding requirement is for over \$195,000 dollars for maintenance items. Under \$195,000*  
367 *dollars I can do whatever I want. I can get quotes; I can get whatever.*

368

369 *Ms. Brady: Maybe we just try with the HOA because, a perfect example was my issue with the sidewalks.*  
370 *I literally called Shawn from the golf course to come over and clean it. When they put that pile of dirt*  
371 *there, they had Shawn from the golf course put the pile of dirt there to block the walkway, so it would*  
372 *take him half a day to have the golf course guys go cut the bushes back. That would save the community*  
373 *as a whole a lot if they would just do that with us. If we want, I can send him an email giving him the*  
374 *specs for the potholes, giving him the sidewalk, and asking him about that, and will the HOA do this*  
375 *maintenance stuff for us now until we have the formal agreement done. That gives us a little bit of time.*  
376 *We will get his response back yes or no, and then by the time we have the next meeting, you two will be*  
377 *free, and we will have four residents on the Board and one Lennar. I definitely think we can get the HOA*  
378 *to cover it. It's all the same money, it's just easier for the HOA to do it.*

379

380 *Mr. Hasty: I don't disagree with you. How do we do this? Can she just do that?*

381

382 *Mr. Ward: I can help her, Yes.*

383

384 Discussion ensued regarding communicating with the HOA, the CDD Board members not being  
385 permitted to communicate outside of public meetings regarding Board related issues, the CDD Board  
386 members being subject to the Sunshine Law.

387

388 *Mr. Ward: To the extent that an item is going to appear before this Board, you are all subject to the*  
389 *Sunshine Law. To the extent that it is not going to appear before this Board, and I handle it internally,*  
390 *it's not a Sunshine Law issue because you are not voting on it. As long as this doesn't come up again in a*  
391 *Board Meeting, and you don't vote on it at all, it's fine, but it tends to come up after the fact, so I say*  
392 *don't discuss it.*

393

394 *Mr. Hasty: You guys shouldn't stand in the parking lot and talk about any of this stuff because that could*  
395 *be perceived as having a private meeting outside of a public meeting.*

396

397 *Mr. Greg Urbancic: I just want to add, there is a 1998 Attorney General Opinion that says unopposed*  
398 *candidates are not subject to the Sunshine Law until the election actually occurs. So, until the general*  
399 *election day, they are not subject, but as soon as that day hits, they would be subject. That's the*  
400 *prevailing interpretation, but I'm not saying not to be conservative.*

401

402 Discussion continued regarding the Sunshine Law and being cautious about what was discussed outside  
403 of meetings.

404

405 *Mr. Ward: I mentioned before the meeting about moving the meetings over to the community center or*  
406 *someplace.*

407

408 *Ms. Brady: I got back the response that they do not have a problem. They were going to check with the*  
409 *team and make sure there is nothing else scheduled in the fitness room on the second Tuesday of the*  
410 *month at 10 a.m. and will get back to me. You are copied on those emails.*

411

412 *Mr. Ward: I have to advertise these things a week in advance. I need ten days to do an advertisement.*  
413 *The hard part is, if we have to do an advertisement every single month, that's too much. If the HOA*  
414 *cannot commit to giving us a specific day, I do not recommend we advertise every month or correct the*  
415 *advertisement every two or three weeks. If they can confirm we can have all the dates I think it's a good*  
416 *idea to go there, if they can't or won't then we are going to have to stay here or go somewhere else.*

417

418 *Ms. Brady: Once the clubhouse is done, we can definitely do that.*

419

420 Discussion ensued regarding when and where to hold the CDD meetings, and advertising requirements  
421 for CDD Board meetings.

422

423 *Mr. Ward: I always make a resolution a year in advance to set the meetings, because I put that all on*  
424 *the website, so everybody knows when the meetings are ahead of time. But if we are going to change it,*  
425 *that's fine, I will do a one off for the next meeting, but then we are going to set a schedule for the rest of*  
426 *the meetings.*

427

428 Discussion continued regarding when to hold CDD meetings.

429

430 *Mr. Ward: Let's get through November and December and we can figure it out. We have a date for*  
431 *November, but I don't have any items for November, so the next meeting we would have would be in*  
432 *December because that's when I need to swear in the two new Board members. So, if you are good with*  
433 *that, that's what we will do. We will just have a December meeting, and I can move it over there once*  
434 *we get confirmation. When the new board members come up, we will put them on the Board, I will do a*  
435 *resolution and we will have a discussion at that meeting about the Board meeting dates, times and*  
436 *location, and then we can do another resolution at that point.*

437  
438 The Board agreed.

439  
440

441 **FIFTH ORDER OF BUSINESS**

**Public Comments**

442  
443 **Public Comments:** - Public comment period is for items NOT listed on the agenda, and comments are  
444 limited to three (3) minutes per person and assignment of speaking time is not permitted; however,  
445 the Presiding Officer may extend or reduce the time for the public comment period consistent with  
446 Section 286.0114, Florida Statutes

447  
448 Mr. Ward asked if there were any public comments; there were none.

449  
450

451 **SIXTH ORDER OF BUSINESS**

**Adjournment**

452  
453 Mr. Ward adjourned the meeting at approximately 11:05 a.m.

454  
455

**On MOTION made by Tara Brady, seconded by Ashley Kingston, and  
with all in favor, the meeting was adjourned.**

457  
458

Tern Bay Community Development District

459  
460

461 \_\_\_\_\_  
462 James P. Ward, Secretary

461 \_\_\_\_\_  
462 David Truxton, Chairperson

463

**RESOLUTION 2025-2**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TERN BAY COMMUNITY DEVELOPMENT DISTRICT RE-DESIGNATING DATES, TIME, AND LOCATION FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, the Tern Bay Community Development District (the “District”) is a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

**WHEREAS**, in accordance with the provisions of Chapter 189.417, Florida Statutes, the District is required to file quarterly, semiannually, or annually a schedule of its regular meetings with the local governing authority or authorities; and

**WHEREAS**, the Board of Supervisors of the District initially approved dates, times and place to hold their Fiscal Year 2025 meetings on June 11, 2024 by adopting Resolution 2024-7; and

**WHEREAS**, the Board of Supervisors have changed the location of the meetings for the remainder of Fiscal Year 2025 to the Heritage Landing Amenity Center, 14571 Heritage Landing Boulevard, Punta Gorda, Florida 33955; and

**WHEREAS**, in accordance with the above referenced Statute, the District shall also re-publish quarterly, semiannually, or annually its regular meeting schedule with new meeting location in a newspaper of general paid circulation in the County in which the District is located and shall appear in the legal notices section of the classified advertisements.

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

**SECTION 1. DESIGNATION OF DATES, TIME, AND LOCATION OF REGULAR MEETINGS.**

**Date:** The second Tuesday of each month for Fiscal Year 2025, which covers the period October 1, 2024, through September 30, 2025.

***The Remainder of the Fiscal Year 2025 schedule is as follows:***

December 10, 2024	January 14, 2025
February 11, 2025	March 11, 2025
April 8, 2025	May 13, 2025
June 10, 2025	July 8, 2025
August 12, 2025	September 9, 2025

**Time:** 10:00 A.M. (Eastern Standard Time)

**RESOLUTION 2025-2**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TERN BAY COMMUNITY DEVELOPMENT DISTRICT RE-DESIGNATING DATES, TIME, AND LOCATION FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**Location:** Heritage Landing Amenity Center  
14571 Heritage Landing Boulevard  
Punta Gorda, Florida 33955

**SECTION 2. SUNSHINE LAW AND MEETING CANCELATIONS AND CONTINUATIONS.** The meetings of the Board of Supervisors are open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts. The District by and through its District Manager may cancel any meeting of the Board of Supervisors and all meetings may be continued to a date, time, and place to be specified on the record at the hearings or meeting.

**SECTION 3. CONFLICT.** That all Sections or parts of Sections of any Resolutions, Agreements or actions of the Board of Supervisors in conflict are hereby repealed to the extent of such conflict.

**SECTION 4. SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

**SECTION 5. EFFECTIVE DATE.** This Resolution shall take effect upon the passage and adoption of this Resolution by the Board of Supervisors of the Tern Bay Community Development District.

**PASSED AND ADOPTED** by the Board of Supervisors of the Tern Bay Community Development District, Charlotte County, Florida, this 10th day of December 2024.

**ATTEST:**

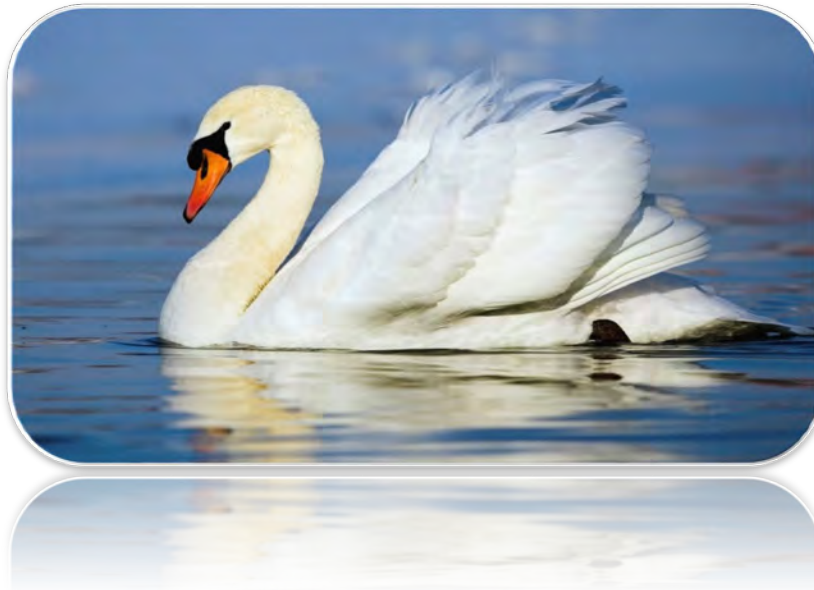
**TERN BAY COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
James P. Ward, Secretary

\_\_\_\_\_  
Name: \_\_\_\_\_  
Chairperson / Vice-Chairperson

# TERN BAY COMMUNITY DEVELOPMENT DISTRICT

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## FINANCIAL STATEMENTS – SEPTEMBER 2024

FISCAL YEAR 2024

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PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37<sup>TH</sup> STREET, FORT LAUDERDALE, FL 33308

T: 954-658-4900 E: [JimWard@JPWardAssociates.com](mailto:JimWard@JPWardAssociates.com)

*Tern Bay Community Development District*

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***The September 30, 2024 Financial Statements  
are Subject to Audit.***

*JPWard & Associates, LLC*

2301 NORTHEAST 37 STREET  
FORT LAUDERDALE,  
FLORIDA 33308

**Tern Bay Community Development District  
Balance Sheet  
for the Period Ending September 30, 2024**

Description	Governmental Funds						Totals (Memorandum Only)
	Debt Service Funds			Capital Project Fund	Account Groups		
	General Fund	Series 2005	Series 2022	Series 2022	General Long Term Debt	General Fixed Assets	
<b>Assets</b>							
<b>Cash and Investments</b>							
General Fund - Invested Cash	\$ 1,091,184	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,091,184
Capital Project Fund							
Construction Account	-	-	-	9,335,862	-	-	9,335,862
Cost of Issuance Account	-	-	-	-	-	-	-
Debt Service Fund							
Interest Account	-	-	1	-	-	-	1
Sinking Account	-	-	-	-	-	-	-
Reserve Account A	-	50,000	886,013	-	-	-	936,013
Reserve Account B	-	-	-	-	-	-	-
Revenue	-	80,077	614,920	-	-	-	694,997
Prepayment Account	-	-	-	-	-	-	-
<b>Due from Other Funds</b>							
General Fund	-	-	-	-	-	-	-
Debt Service Fund	-	-	-	-	-	-	-
Capital Project Fund	-	-	-	-	-	-	-
<b>Accounts Receivable-Bond Holder Funding</b>	-	-	-	-	-	-	-
<b>Accounts Receivable - Due from Lennar Homes</b>	-	-	-	-	-	-	-
<b>Accrued Interest Receivable</b>	-	-	-	-	-	-	-
<b>Assessments Receivable</b>	-	-	-	-	-	-	-
<b>Prepaid Expenses</b>	-	-	-	-	-	-	-
<b>Amount Available in Debt Service Funds</b>	-	-	-	-	1,631,010	-	1,631,010
<b>Amount to be Provided by Debt Service Funds</b>	-	-	-	-	29,218,990	-	29,218,990
<b>Investment in General Fixed Assets (net of depreciation)</b>	-	-	-	-	-	25,884,430	25,884,430
<b>Total Assets</b>	<b>\$ 1,091,184</b>	<b>\$ 130,077</b>	<b>\$ 1,500,933</b>	<b>\$ 9,335,862</b>	<b>\$ 30,850,000</b>	<b>\$ 25,884,430</b>	<b>\$ 68,792,486</b>



**Tern Bay Community Development District  
Balance Sheet  
for the Period Ending September 30, 2024**

Description	Governmental Funds						Totals (Memorandum Only)
	Debt Service Funds			Capital Project Fund	Account Groups		
	General Fund	Series 2005	Series 2022	Series 2022	General Long Term Debt	General Fixed Assets	
<b>Liabilities</b>							
<b>Accounts Payable &amp; Payroll Liabilities</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Notes and Loans Payable - Current Portion</b>							
Note Payable-Oppenheimer Funds	-	-	-	-	-	-	-
<b>Due to Other Funds</b>							
General Fund	-	-	-	-	-	-	-
Debt Service Fund	-	-	-	-	-	-	-
Capital Projects Fund	-	-	-	-	-	-	-
<b>Deferred Revenue</b>	-	-	-	-	-	-	-
<b>Due to Other Governments</b>	-	-	-	-	-	-	-
<b>Bonds Payable</b>							
Current Portion (Due within 12 months)							
Series 2005A	-	-	-	-	50,000	-	50,000
Series 2022	-	-	-	-	620,000	-	620,000
Long Term							
Series 2005A	-	-	-	-	865,000	-	865,000
Series 2022	-	-	-	-	29,315,000	-	29,315,000
Unamortized Prem/Disc on Bonds Pyble	-	-	-	-	-	-	-
<b>Total Liabilities</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 30,850,000</b>	<b>\$ -</b>	<b>\$ 30,850,000</b>
<b>Fund Equity and Other Credits</b>							
<b>Investment in General Fixed Assets</b>	-	-	-	-	-	25,884,430	25,884,430
<b>Fund Balance</b>							
<b>Restricted</b>							
Beginning: October 1, 2023 (Unaudited)	-	127,518	1,536,858	8,811,445	-	-	10,475,821
Results from Current Operations	-	2,559	(35,925)	524,417	-	-	491,051
<b>Unassigned</b>							
Beginning: October 1, 2023 (Unaudited)	515,937	-	-	-	-	-	515,937
Results from Current Operations	575,247	-	-	-	-	-	575,247
<b>Total Fund Equity and Other Credits</b>	<b>\$ 1,091,184</b>	<b>\$ 130,077</b>	<b>\$ 1,500,933</b>	<b>\$ 9,335,862</b>	<b>\$ -</b>	<b>\$ 25,884,430</b>	<b>\$ 37,942,486</b>
<b>Total Liabilities, Fund Equity and Other Credits</b>	<b>\$ 1,091,184</b>	<b>\$ 130,077</b>	<b>\$ 1,500,933</b>	<b>\$ 9,335,862</b>	<b>\$ 30,850,000</b>	<b>\$ 25,884,430</b>	<b>\$ 68,792,486</b>

**Tern Bay Community Development District  
General Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through September 30, 2024**

Description	October	November	December	January	February	March	April	May	June	July	August	September	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>															
<b>Carryforward</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (185,997)	0%
<b>Interest</b>															
Interest - General Checking	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Miscellaneous Revenue</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Special Assessment Revenue</b>															
Special Assessments - On-Roll	6,247	32,854	307,195	427,680	19,605	8,129	12,887	2,470	2,549	5,421	-	-	825,038	929,983	89%
Special Assessments - Off-Roll	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Interfund Group Transfers In	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 6,247</b>	<b>\$ 32,854</b>	<b>\$ 307,195</b>	<b>\$ 427,680</b>	<b>\$ 19,605</b>	<b>\$ 8,129</b>	<b>\$ 12,887</b>	<b>\$ 2,470</b>	<b>\$ 2,549</b>	<b>\$ 5,421</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 825,038</b>	<b>\$ 743,986</b>	<b>111%</b>
<b>Expenditures and Other Uses</b>															
<b>Legislative</b>															
Board of Supervisor's - Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	1,600	0%
<b>Executive</b>															
Professional Management	3,750	3,750	3,750	3,750	3,750	3,750	3,750	3,750	3,750	3,750	3,750	3,750	45,000	45,000	100%
<b>Financial and Administrative</b>															
Audit Services	-	-	-	6,400	-	-	-	-	-	-	-	-	6,400	4,800	133%
Accounting Services	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	25,500	25,500	100%
Assessment Roll Services	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	2,125	25,500	25,500	100%
Arbitrage Rebate Services	-	-	500	-	-	-	500	-	-	-	-	-	1,000	1,000	100%
Real Estate Advisor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Other Contractual Services</b>															
Recording and Transcription	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Legal Advertising	-	-	-	-	-	-	-	-	103	-	780	23	905	2,500	36%
Property Appraiser & Tax Collector Fees	-	-	38	-	-	-	-	-	-	-	-	-	38	75	50%
Trustee Services	-	-	-	-	-	4,246	-	-	-	-	-	-	4,246	12,638	34%
Dissemination Agent Services	542	1,542	542	542	542	542	542	542	542	542	542	542	7,500	6,500	115%
Bank Services	-	36	14	-	104	-	-	-	-	-	-	-	154	250	62%
<b>Travel and Per Diem</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Communications &amp; Freight Services</b>															
Telephone	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Postage, Freight & Messenger	-	-	-	-	-	-	-	-	-	-	-	-	-	100	0%
<b>Insurance</b>	34,099	-	-	-	-	-	-	-	-	-	-	-	34,099	11,000	310%
<b>Meeting Room Rental</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	200	0%
<b>Printing &amp; Binding</b>	-	-	-	-	-	-	-	270	-	-	-	-	270	50	540%
<b>Web Site Development</b>	-	-	-	-	-	300	-	-	-	-	-	300	600	2,000	30%
<b>Subscription &amp; Memberships</b>	-	175	-	-	-	-	-	-	-	-	-	-	175	175	100%

**Tern Bay Community Development District  
General Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through September 30, 2024**

Description	October	November	December	January	February	March	April	May	June	July	August	September	Year to Date	Total Annual Budget	% of Budget
<b>Legal Services</b>															
Legal - General Counsel	-	-	-	-	450	306	-	320	200	616	-	4,041	5,933	5,000	119%
Legal - Foreclosure Counsel	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Legal - Trustee Counsel	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Legal - Series 2022 Bonds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Legal - TB LLC Counsel	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Eminent Domain Counsel	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Comprehensive Planning Services</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Other General Government Services</b>															
Engineering Services - General Fund	-	-	-	-	-	-	-	-	900	-	-	2,179	3,079	10,000	31%
Engineering Services - Traffic	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
NOPC Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Contingencies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Other Public Safety</b>															
<b>Professional Services</b>															
Charlotte County Sheriff's Patrol	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Guardhouse Operations</b>															
Professional - Roving Patrol	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Professional - Gate Attendant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Professional-Gate Hosting	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Guardhouse-Internet, IP & Data	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Utilities</b>															
Electric	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Water & Wastewater	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Repairs &amp; Maintenance</b>															
Guardhouse Janitorial	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Gate	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Wastewater Services</b>															
<b>Utility Services</b>															
Electric Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Stormwater Management System</b>															
<b>Repairs &amp; Maintenance</b>															
Lake Banks/Outfall Control Structures	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Aquatic Weed Control</b>															
Lake Spraying	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Lake Vegetation Removal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Upland Monitoring & Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A

**Tern Bay Community Development District  
General Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through September 30, 2024**

Description	October	November	December	January	February	March	April	May	June	July	August	September	Year to Date	Total Annual Budget	% of Budget
<b>Other Physical Environment</b>															
<b>Professional Services</b>															
Field Manager Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Insurance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Contingencies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Assessments-Charlotte County</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Road &amp; Street Facilities</b>															
<b>Field Management Services</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Street Lights</b>															
<b>Electric Service</b>															
Electric Service	7,315	7,315	7,315	7,307	7,341	7,325	7,308	8,041	7,425	7,425	7,416	7,857	89,392	125,000	72%
Repairs & Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Economic Environment</b>															
Professional Services - Appraisal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Landscaping Services</b>															
<b>Electric Service</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Repairs &amp; Maintenance</b>															
<b>Common Area Maintenance</b>															
Routine Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Tree Trimming	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Sod Replacement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Material Replacement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Mulch Installation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Landscape Lighting	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Annuals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Holiday Decorations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Irrigation System</b>															
<b>Pumps &amp; Wells &amp; Line Distribution System</b>															
Routine Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Well Testing/Meter Reading	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Line Distribution System</b>															
Routine Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Reserves</b>															
Extraordinary Capital/Operations	-	-	-	-	-	-	-	-	-	-	-	-	-	400,000	0%
Contingencies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Other Fees and Charges</b>															
Discounts and Tax Collector Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	65,098	0%
	<b>\$ 49,956</b>	<b>\$ 17,068</b>	<b>\$ 16,408</b>	<b>\$ 22,249</b>	<b>\$ 16,437</b>	<b>\$ 20,719</b>	<b>\$ 16,350</b>	<b>\$ 17,172</b>	<b>\$ 17,170</b>	<b>\$ 16,583</b>	<b>\$ 16,737</b>	<b>\$ 22,941</b>	<b>\$ 249,791</b>	<b>\$ 743,986</b>	<b>34%</b>
Net Increase/ (Decrease) in Fund Balance	(43,709)	15,786	290,787	405,431	3,168	(12,590)	(3,463)	(14,702)	(14,621)	(11,162)	(16,737)	(22,941)	575,247	-	
Fund Balance - Beginning	515,937	472,228	488,013	778,800	1,184,231	1,187,399	1,174,810	1,171,347	1,156,645	1,142,024	1,130,863	1,114,125	515,937	515,937	
<b>Fund Balance - Ending</b>	<b>\$ 472,228</b>	<b>\$ 488,013</b>	<b>\$ 778,800</b>	<b>\$ 1,184,231</b>	<b>\$ 1,187,399</b>	<b>\$ 1,174,810</b>	<b>\$ 1,171,347</b>	<b>\$ 1,156,645</b>	<b>\$ 1,142,024</b>	<b>\$ 1,130,863</b>	<b>\$ 1,114,125</b>	<b>\$ 1,091,184</b>	<b>\$ 1,091,184</b>	<b>\$ 515,937</b>	

**Tern Bay Community Development District**  
**Debt Service Fund - Series 2005 Bonds**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through September 30, 2024**

Description	October	November	December	January	February	March	April	May	June	July	August	September	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>															
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Miscellaneous Revenue	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Interest Income</b>															
Reserve Account	218	227	221	227	212	198	210	204	209	203	211	213	2,553	-	N/A
Prepayment Account	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Revenue Account	167	174	142	302	501	576	626	615	322	314	327	332	4,397	-	N/A
Sinking Account	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Special Assessment Revenue</b>															
Special Assessments - On-Roll	738	3,882	36,295	50,530	2,316	960	1,523	292	301	641	-	-	97,478	109,006	89%
Special Assessments - Off-Roll	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Extraordinary Items (Gain)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Operating Transfers In (From Other Funds)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 1,123</b>	<b>\$ 4,283</b>	<b>\$ 36,657</b>	<b>\$ 51,060</b>	<b>\$ 3,029</b>	<b>\$ 1,734</b>	<b>\$ 2,359</b>	<b>\$ 1,110</b>	<b>\$ 832</b>	<b>\$ 1,158</b>	<b>\$ 539</b>	<b>\$ 544</b>	<b>\$ 104,428</b>	<b>\$ 109,006</b>	<b>96%</b>
<b>Expenditures and Other Uses</b>															
<b>Debt Service</b>															
<b>Principal Debt Service - Mandatory</b>															
Series 2005 Bonds	-	-	-	-	-	-	-	50,000	-	-	-	-	50,000	50,000	100%
<b>Principal Debt Service - Early Redemptions</b>															
Series 2005 Bonds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Interest Expense</b>															
Series 2005A Bonds	-	25,934	-	-	-	-	-	25,934	-	-	-	-	51,869	51,869	100%
Series 2005B Bonds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Trustee Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Operating Transfers Out (To Other Funds)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Other Fees and Charges</b>															
Discounts and Other Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	7,131	0%
<b>Total Expenditures and Other Uses:</b>	<b>\$ -</b>	<b>\$ 25,934</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 75,934</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 101,869</b>	<b>\$ 109,000</b>	<b>93%</b>
Net Increase/ (Decrease) in Fund Balance	1,123	(21,652)	36,657	51,060	3,029	1,734	2,359	(74,824)	832	1,158	539	544	2,559	6	
Fund Balance - Beginning	127,518	128,641	106,989	143,647	194,707	197,735	199,470	201,829	127,005	127,837	128,994	129,533	127,518	127,518	
<b>Fund Balance - Ending</b>	<b>\$ 128,641</b>	<b>\$ 106,989</b>	<b>\$ 143,647</b>	<b>\$ 194,707</b>	<b>\$ 197,735</b>	<b>\$ 199,470</b>	<b>\$ 201,829</b>	<b>\$ 127,005</b>	<b>\$ 127,837</b>	<b>\$ 128,994</b>	<b>\$ 129,533</b>	<b>\$ 130,077</b>	<b>\$ 130,077</b>	<b>\$ 127,524</b>	

**Tern Bay Community Development District**  
**Debt Service Fund - Series 2022 Bonds**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through September 30, 2024**

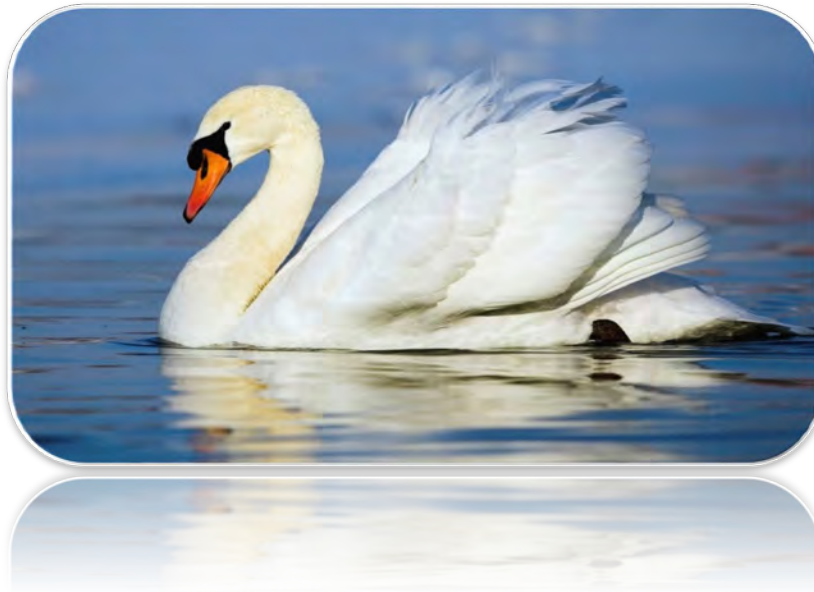
Description	October	November	December	January	February	March	April	May	June	July	August	September	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>															
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Miscellaneous Revenue	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Interest Income</b>															
Interest Account	-	-	-	85	-	-	1	-	-	1	-	-	88	-	N/A
Reserve Account	3,896	4,026	3,868	3,975	3,940	3,686	3,941	3,813	3,940	3,813	3,938	3,937	46,776	-	N/A
Prepayment Account	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Revenue Account	457	475	566	3,120	5,338	6,950	7,627	7,515	7,854	5,271	2,671	2,720	50,562	-	N/A
Sinking Account	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Special Assessment Revenue</b>															
Special Assessments - On-Roll	12,802	67,331	629,570	876,494	40,179	16,660	26,411	5,063	5,224	11,111	-	-	1,690,845	1,896,067	89%
Special Assessments - Off-Roll	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Debt Proceeds</b>															
Debt Proceeds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Operating Transfers In (From Other Funds)</b>															
Operating Transfers In (From Other Funds)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 17,155</b>	<b>\$ 71,832</b>	<b>\$ 634,004</b>	<b>\$ 883,674</b>	<b>\$ 49,457</b>	<b>\$ 27,296</b>	<b>\$ 37,980</b>	<b>\$ 16,391</b>	<b>\$ 17,018</b>	<b>\$ 20,196</b>	<b>\$ 6,609</b>	<b>\$ 6,658</b>	<b>1,788,271</b>	<b>\$ 1,896,067</b>	<b>94%</b>
<b>Expenditures and Other Uses</b>															
<b>Debt Service</b>															
<b>Principal Debt Service - Mandatory</b>															
Series 2022 Bonds	-	-	-	-	-	-	-	-	600,000	-	-	-	600,000	600,000	N/A
<b>Principal Debt Service - Early Redemptions</b>															
Series 2022 Bonds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Interest Expense</b>															
Series 2022 Bonds	-	-	588,710	-	-	-	-	-	588,710	-	-	-	1,177,420	1,177,420	N/A
<b>Trustee Services</b>															
Trustee Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Operating Transfers Out (To Other Funds)</b>															
Operating Transfers Out (To Other Funds)	3,896	4,026	3,868	3,975	3,940	3,686	3,941	3,813	3,940	3,813	3,938	3,937	46,776	-	N/A
<b>Other Fees and Charges</b>															
Discounts and Other Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	124,042	0%
<b>Total Expenditures and Other Uses:</b>	<b>\$ 3,896</b>	<b>\$ 4,026</b>	<b>\$ 592,578</b>	<b>\$ 3,975</b>	<b>\$ 3,940</b>	<b>\$ 3,686</b>	<b>\$ 3,941</b>	<b>\$ 3,813</b>	<b>\$ 1,192,650</b>	<b>\$ 3,813</b>	<b>\$ 3,938</b>	<b>\$ 3,937</b>	<b>\$1,824,196</b>	<b>\$ 1,901,462</b>	<b>96%</b>
Net Increase/ (Decrease) in Fund Balance	13,259	67,806	41,426	879,699	45,517	23,610	34,039	12,578	(1,175,632)	16,382	2,671	2,720	(35,925)	(5,395)	
Fund Balance - Beginning	1,536,858	1,550,118	1,617,924	1,659,349	2,539,048	2,584,565	2,608,175	2,642,214	2,654,792	1,479,160	1,495,542	1,498,213	1,536,858	1,536,858	
<b>Fund Balance - Ending</b>	<b>\$ 1,550,118</b>	<b>\$ 1,617,924</b>	<b>\$ 1,659,349</b>	<b>\$ 2,539,048</b>	<b>\$ 2,584,565</b>	<b>\$ 2,608,175</b>	<b>\$ 2,642,214</b>	<b>\$ 2,654,792</b>	<b>\$ 1,479,160</b>	<b>\$ 1,495,542</b>	<b>\$ 1,498,213</b>	<b>\$ 1,500,933</b>	<b>\$ 1,500,933</b>	<b>\$ 1,531,463</b>	

**Tern Bay Community Development District**  
**Capital Projects Fund - Series 2022**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through September 30, 2024**

Description	October	November	December	January	February	March	April	May	June	July	August	September	Year to Date	Total Annual Budget	% of Budget	
<b>Revenue and Other Sources</b>																
Carryforward	-	-	-	-	-	-	-	-	-	-	-	-	\$ -	\$ -	-	N/A
<b>Interest Income</b>																
Construction Account	38,748	40,225	38,841	40,098	39,942	37,559	40,331	39,222	40,721	39,586	41,088	41,281	477,641	-	N/A	
Cost of Issuance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Debt Proceeds</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Developer Contributions</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Operating Transfers In (From Other Funds)</b>	3,896	4,026	3,868	3,975	3,940	3,686	3,941	3,813	3,940	3,813	3,938	3,937	46,776	-	N/A	
<b>Total Revenue and Other Sources:</b>	\$ 42,644	\$ 44,251	\$ 42,709	\$ 44,074	\$ 43,882	\$ 41,245	\$ 44,273	\$ 43,035	\$ 44,661	\$ 43,400	\$ 45,026	\$ 45,218	\$ 524,417	\$ -	N/A	
<b>Expenditures and Other Uses</b>																
<b>Executive</b>																
Professional Management	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Other Contractual Services</b>																
Trustee Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Printing &amp; Binding</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Capital Outlay</b>																
Water-Sewer Combination	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Stormwater Management	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Landscaping	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Roadway Improvement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Cost of Issuance</b>																
Legal - Series 2022 Bonds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Engineering - Series 2022 Bonds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Underwriter's Discount</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Operating Transfers Out (To Other Funds)</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
<b>Total Expenditures and Other Uses:</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
<b>Net Increase/ (Decrease) in Fund Balance</b>	42,644	44,251	42,709	44,074	43,882	41,245	44,273	43,035	44,661	43,400	45,026	45,218	524,417	-		
Fund Balance - Beginning	8,811,445	8,854,089	8,898,340	8,941,049	8,985,123	9,029,004	9,070,249	9,114,522	9,157,557	9,202,219	9,245,618	9,290,644	8,811,445	-		
<b>Fund Balance - Ending</b>	\$ 8,854,089	\$ 8,898,340	\$ 8,941,049	\$ 8,985,123	\$ 9,029,004	\$ 9,070,249	\$ 9,114,522	\$ 9,157,557	\$ 9,202,219	\$ 9,245,618	\$ 9,290,644	\$ 9,335,862	\$ 9,335,862	\$ -		

# TERN BAY COMMUNITY DEVELOPMENT DISTRICT

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FINANCIAL STATEMENTS - OCTOBER 2024

FISCAL YEAR 2025

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PREPARED BY:

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37<sup>TH</sup> STREET, FORT LAUDERDALE, FL 33308

T: 954-658-4900 E: [JimWard@JPWardAssociates.com](mailto:JimWard@JPWardAssociates.com)



*Tern Bay Community Development District*

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*JPWard & Associates, LLC*

2301 NORTHEAST 37 STREET  
FORT LAUDERDALE,  
FLORIDA 33308

**Tern Bay Community Development District  
Balance Sheet  
for the Period Ending October 31, 2024**

Description	Governmental Funds						Totals (Memorandum Only)
	Debt Service Funds			Capital Project Fund	Account Groups		
	General Fund	Series 2005	Series 2022	Series 2022	General Long Term Debt	General Fixed Assets	
<b>Assets</b>							
<b>Cash and Investments</b>							
General Fund - Invested Cash	\$ 1,077,138	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,077,138
Capital Project Fund							
Construction Account	-	-	-	9,378,128	-	-	9,378,128
Cost of Issuance Account	-	-	-	-	-	-	-
Debt Service Fund							
Interest Account	-	-	1	-	-	-	1
Sinking Account	-	-	-	-	-	-	-
Reserve Account A	-	50,000	886,013	-	-	-	936,013
Reserve Account B	-	-	-	-	-	-	-
Revenue	-	80,611	617,556	-	-	-	698,167
Prepayment Account	-	-	-	-	-	-	-
<b>Due from Other Funds</b>							
General Fund	-	1,587	27,573	-	-	-	29,161
Debt Service Fund	-	-	-	-	-	-	-
Capital Project Fund	-	-	-	-	-	-	-
<b>Accounts Receivable-Bond Holder Funding</b>	-	-	-	-	-	-	-
<b>Accounts Receivable - Due from Lennar Homes</b>	-	-	-	-	-	-	-
<b>Accrued Interest Receivable</b>	-	-	-	-	-	-	-
<b>Assessments Receivable</b>	-	-	-	-	-	-	-
<b>Prepaid Expenses</b>	-	-	-	-	-	-	-
<b>Amount Available in Debt Service Funds</b>	-	-	-	-	1,663,341	-	1,663,341
<b>Amount to be Provided by Debt Service Funds</b>	-	-	-	-	29,186,659	-	29,186,659
<b>Investment in General Fixed Assets (net of depreciation)</b>	-	-	-	-	-	25,884,430	25,884,430
<b>Total Assets</b>	<b>\$ 1,077,138</b>	<b>\$ 132,199</b>	<b>\$ 1,531,143</b>	<b>\$ 9,378,128</b>	<b>\$ 30,850,000</b>	<b>\$ 25,884,430</b>	<b>\$ 68,853,037</b>

**Tern Bay Community Development District**  
**Balance Sheet**  
for the Period Ending October 31, 2024

Description	Governmental Funds							Totals (Memorandum Only)
	Debt Service Funds			Capital Project Fund		Account Groups		
	General Fund	Series 2005	Series 2022	Series 2022	General Long Term Debt	General Fixed Assets		
<b>Liabilities</b>								
<b>Accounts Payable &amp; Payroll Liabilities</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Notes and Loans Payable - Current Portion</b>								
Note Payable-Oppenheimer Funds	-	-	-	-	-	-	-	-
<b>Due to Other Funds</b>								
General Fund	-	-	-	-	-	-	-	-
Debt Service Fund	29,161	-	-	-	-	-	-	29,161
Capital Projects Fund	-	-	-	-	-	-	-	-
<b>Deferred Revenue</b>	-	-	-	-	-	-	-	-
<b>Due to Other Governments</b>	-	-	-	-	-	-	-	-
<b>Bonds Payable</b>								
Current Portion (Due within 12 months)								
Series 2005A	-	-	-	-	50,000	-	-	50,000
Series 2022	-	-	-	-	620,000	-	-	620,000
Long Term								
Series 2005A	-	-	-	-	865,000	-	-	865,000
Series 2022	-	-	-	-	29,315,000	-	-	29,315,000
Unamortized Prem/Disc on Bonds Pyble	-	-	-	-	-	-	-	-
<b>Total Liabilities</b>	<b>\$ 29,161</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 30,850,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 30,879,161</b>
<b>Fund Equity and Other Credits</b>								
<b>Investment in General Fixed Assets</b>	-	-	-	-	-	25,884,430	-	25,884,430
<b>Fund Balance</b>								
<b>Restricted</b>								
Beginning: October 1, 2024 (Unaudited)	-	130,077	1,500,933	9,335,862	-	-	-	10,966,872
Results from Current Operations	-	2,121	30,210	42,265	-	-	-	74,597
<b>Unassigned</b>								
Beginning: October 1, 2024 (Unaudited)	1,091,184	-	-	-	-	-	-	1,091,184
Results from Current Operations	(43,207)	-	-	-	-	-	-	(43,207)
<b>Total Fund Equity and Other Credits</b>	<b>\$ 1,047,977</b>	<b>\$ 132,199</b>	<b>\$ 1,531,143</b>	<b>\$ 9,378,128</b>	<b>\$ -</b>	<b>\$ 25,884,430</b>	<b>\$ -</b>	<b>\$ 37,973,876</b>
<b>Total Liabilities, Fund Equity and Other Credits</b>	<b>\$ 1,077,138</b>	<b>\$ 132,199</b>	<b>\$ 1,531,143</b>	<b>\$ 9,378,128</b>	<b>\$ 30,850,000</b>	<b>\$ 25,884,430</b>	<b>\$ -</b>	<b>\$ 68,853,037</b>

**Tern Bay Community Development District  
General Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through October 31, 2024**

Description	October	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>				
<b>Carryforward</b>	\$ -	\$ -	\$ -	N/A
<b>Interest</b>				
Interest - General Checking	-	-	-	N/A
<b>Miscellaneous Revenue</b>	-	-	-	N/A
<b>Special Assessment Revenue</b>				
Special Assessments - On-Roll	8,306	8,306	572,192	1%
Special Assessments - Off-Roll	-	-	-	N/A
Interfund Group Transfers In	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 8,306</b>	<b>\$ 8,306</b>	<b>\$ 572,192</b>	<b>1%</b>
<b>Expenditures and Other Uses</b>				
<b>Legislative</b>				
Board of Supervisor's - Fees	-	-	1,600	0%
<b>Executive</b>				
Professional Management	3,938	3,938	47,250	8%
<b>Financial and Administrative</b>				
Audit Services	-	-	6,500	0%
Accounting Services	2,250	2,250	27,000	8%
Assessment Roll Services	2,250	2,250	27,000	8%
Arbitrage Rebate Services	-	-	1,000	0%
Real Estate Advisor	-	-	-	N/A
<b>Other Contractual Services</b>				
Recording and Transcription	-	-	-	N/A
Legal Advertising	-	-	2,500	0%
Property Appraiser & Tax Collector Fees	-	-	50	0%
Trustee Services	-	-	8,340	0%
Dissemination Agent Services	-	-	7,000	0%
Bank Services	-	-	250	0%
<b>Travel and Per Diem</b>	-	-	-	N/A
<b>Communications &amp; Freight Services</b>				
Telephone	-	-	-	N/A
Postage, Freight & Messenger	-	-	150	0%

**Tern Bay Community Development District  
General Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through October 31, 2024**

Description	October	Year to Date	Total Annual Budget	% of Budget
<b>Insurance</b>	35,542	35,542	34,799	102%
<b>Meeting Room Rental</b>	-	-	475	0%
<b>Printing &amp; Binding</b>	-	-	50	0%
<b>Web Site Development</b>	-	-	2,000	0%
<b>Subscription &amp; Memberships</b>	-	-	175	0%
<b>Legal Services</b>				
Legal - General Counsel	-	-	5,000	0%
Legal - Foreclosure Counsel	-	-	-	N/A
Legal - Trustee Counsel	-	-	-	N/A
Legal - Series 2022 Bonds	-	-	-	N/A
Legal - TB LLC Counsel	-	-	-	N/A
Eminent Domain Counsel	-	-	-	N/A
<b>Comprehensive Planning Services</b>	-	-	-	N/A
<b>Other General Government Services</b>				
Engineering Services - General Fund	-	-	10,000	0%
Engineering Services - Traffic	-	-	-	N/A
NOPC Fees	-	-	-	N/A
Contingencies	-	-	-	N/A
<b>Other Public Safety</b>				
<b>Professional Services</b>				
Charlotte County Sheriff's Patrol	-	-	-	N/A
<b>Guardhouse Operations</b>				
Professional - Roving Patrol	-	-	-	N/A
Professional - Gate Attendant	-	-	-	N/A
Professional-Gate Hosting	-	-	-	N/A
Guardhouse-Internet, IP & Data	-	-	-	N/A
<b>Utilities</b>				
Electric	-	-	-	N/A
Water & Wastewater	-	-	-	N/A
<b>Repairs &amp; Maintenance</b>				
Guardhouse Janitorial	-	-	-	N/A
Gate	-	-	-	N/A

**Tern Bay Community Development District  
General Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through October 31, 2024**

Description	October	Year to Date	Total Annual Budget	% of Budget
<b>Wastewater Services</b>				
<b>Utility Services</b>				
Electric Service	-	-	-	N/A
<b>Stormwater Management System</b>				
<b>Repairs &amp; Maintenance</b>				
Lake Banks/Outfall Control Structures	-	-	-	N/A
<b>Aquatic Weed Control</b>				
Lake Spraying	-	-	-	N/A
Lake Vegetation Removal	-	-	-	N/A
Upland Monitoring & Maintenance	-	-	-	N/A
<b>Other Physical Environment</b>				
<b>Professional Services</b>				
Field Manager Services	-	-	-	N/A
Insurance	-	-	-	N/A
Contingencies	-	-	-	N/A
<b>Assessments-Charlotte County</b>	-	-	-	N/A
<b>Road &amp; Street Facilities</b>				
<b>Field Management Services</b>	-	-	-	N/A
<b>Street Lights</b>				
<b>Electric Service</b>				
Electric Service	7,533	7,533	101,000	7%
Repairs & Maintenance	-	-	-	N/A
<b>Economic Environment</b>				
Professional Services - Appraisal	-	-	-	N/A
<b>Landscaping Services</b>				
<b>Electric Service</b>	-	-	-	N/A
<b>Repairs &amp; Maintenance</b>				
<b>Common Area Maintenance</b>				
Routine Maintenance	-	-	-	N/A
Tree Trimming	-	-	-	N/A
Sod Replacement	-	-	-	N/A
Material Replacement	-	-	-	N/A
Mulch Installation	-	-	-	N/A
Landscape Lighting	-	-	-	N/A
Annuals	-	-	-	N/A
Holiday Decorations	-	-	-	N/A

**Tern Bay Community Development District  
General Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through October 31, 2024**

Description	October	Year to Date	Total Annual Budget	% of Budget
<b>Irrigation System</b>				
<b>Pumps &amp; Wells &amp; Line Distribution System</b>				
Routine Maintenance	-	-	-	N/A
Well Testing/Meter Reading	-	-	-	N/A
<b>Line Distribution System</b>				
Routine Maintenance	-	-	-	N/A
<b>Reserves</b>				
Extraordinary Capital/Operations	-	-	250,000	0%
<b>Contingencies</b>	-	-	-	N/A
<b>Other Fees and Charges</b>				
Discounts and Tax Collector Fees	-	-	40,053	0%
	<b>\$ 51,513</b>	<b>\$ 51,513</b>	<b>\$ 572,192</b>	<b>9%</b>
Net Increase/ (Decrease) in Fund Balance	(43,207)	(43,207)	-	
Fund Balance - Beginning	1,091,184	1,091,184	1,091,184	
<b>Fund Balance - Ending</b>	<b>\$ 1,047,977</b>	<b>\$ 1,047,977</b>	<b>\$ 1,091,184</b>	

**Tern Bay Community Development District**  
**Debt Service Fund - Series 2005 Bonds**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through October 31, 2024**

Description	October	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>				
Carryforward	\$ -	\$ -	\$ -	N/A
Miscellaneous Revenue	-	-	-	
<b>Interest Income</b>				
Reserve Account	204	204	-	N/A
Prepayment Account	-	-	-	N/A
Revenue Account	325	325	3,600	9%
Sinking Account	-	-	-	
<b>Special Assessment Revenue</b>				
Special Assessments - On-Roll	1,593	1,593	109,006	1%
Special Assessments - Off-Roll	-	-	-	N/A
<b>Extraordinary Items (Gain)</b>				
Operating Transfers In (From Other Funds)	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 2,121</b>	<b>\$ 2,121</b>	<b>\$ 112,606</b>	<b>2%</b>
<b>Expenditures and Other Uses</b>				
<b>Debt Service</b>				
<b>Principal Debt Service - Mandatory</b>				
Series 2005 Bonds	-	-	50,000	0%
<b>Principal Debt Service - Early Redemptions</b>				
Series 2005 Bonds	-	-	-	N/A
<b>Interest Expense</b>				
Series 2005A Bonds	-	-	49,182	0%
Series 2005B Bonds	-	-	-	N/A
<b>Trustee Services</b>				
Operating Transfers Out (To Other Funds)	-	-	-	N/A
<b>Other Fees and Charges</b>				
Discounts and Other Fees	-	-	7,131	0%
<b>Total Expenditures and Other Uses:</b>	<b>\$ -</b>	<b>\$ 0</b>	<b>\$ 106,313</b>	<b>0%</b>
Net Increase/ (Decrease) in Fund Balance	2,121	2,121	6,293	
Fund Balance - Beginning	130,077	130,077	130,077	
<b>Fund Balance - Ending</b>	<b>\$ 132,199</b>	<b>\$ 132,199</b>	<b>\$ 136,370</b>	



**Tern Bay Community Development District  
Debt Service Fund - Series 2022 Bonds  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through October 31, 2024**

Description	October	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>				
Carryforward	\$ -	\$ -	\$ -	N/A
Miscellaneous Revenue	-	-	-	N/A
<b>Interest Income</b>				
Interest Account	-	-	-	N/A
Reserve Account	3,665	3,665	-	N/A
Prepayment Account	-	-	-	N/A
Revenue Account	2,543	2,543	45,000	6%
Sinking Account	-	-	-	
<b>Special Assessment Revenue</b>				
Special Assessments - On-Roll	27,667	27,667	1,896,067	1%
Special Assessments - Off-Roll	-	-	-	N/A
<b>Debt Proceeds</b>				
Operating Transfers In (From Other Funds)	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 33,875</b>	<b>33,875</b>	<b>\$ 1,941,067</b>	<b>2%</b>
<b>Expenditures and Other Uses</b>				
<b>Debt Service</b>				
<b>Principal Debt Service - Mandatory</b>				
Series 2022 Bonds	-	-	620,000	0%
<b>Principal Debt Service - Early Redemptions</b>				
Series 2022 Bonds	-	-	-	N/A
<b>Interest Expense</b>				
Series 2022 Bonds	-	-	1,158,670	0%
<b>Trustee Services</b>				
Operating Transfers Out (To Other Funds)	3,665	3,665	-	N/A
<b>Other Fees and Charges</b>				
Discounts and Other Fees	-	-	124,042	0%
<b>Total Expenditures and Other Uses:</b>	<b>\$ 3,665</b>	<b>\$3,665</b>	<b>\$ 1,902,712</b>	<b>0%</b>
Net Increase/ (Decrease) in Fund Balance	30,210	30,210	38,355	
Fund Balance - Beginning	1,500,933	1,500,933	1,500,933	
<b>Fund Balance - Ending</b>	<b>\$ 1,531,143</b>	<b>\$ 1,531,143</b>	<b>\$ 1,539,288</b>	

**Tern Bay Community Development District  
Capital Projects Fund - Series 2022  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through October 31, 2024**

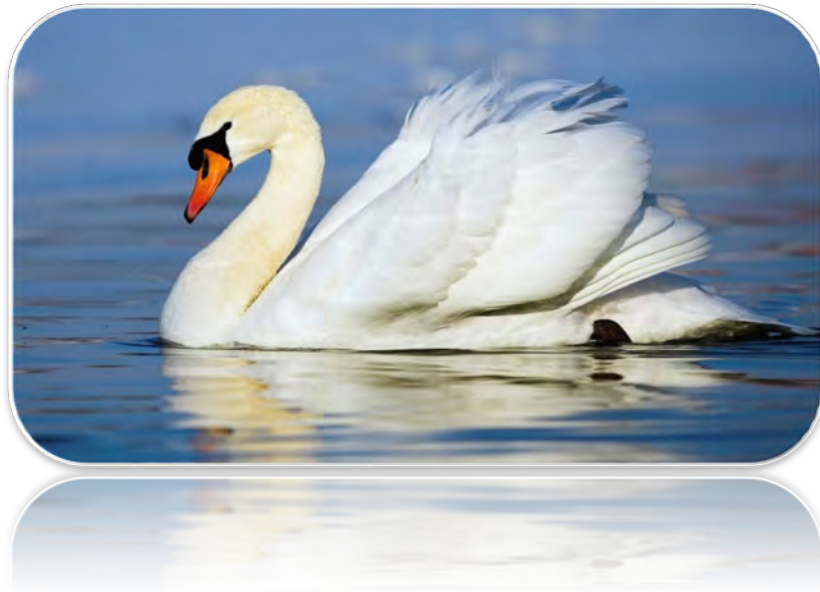
Description	October	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>				
Carryforward	-	\$ -	\$ -	N/A
<b>Interest Income</b>				
Construction Account	38,600	38,600	-	N/A
Cost of Issuance	-	-	-	N/A
<b>Debt Proceeds</b>	-	-	-	N/A
<b>Developer Contributions</b>	-	-	-	N/A
<b>Operating Transfers In (From Other Funds)</b>	3,665	3,665	-	N/A
<b>Total Revenue and Other Sources:</b>	<u>\$ 42,265</u>	<u>\$ 42,265</u>	<u>\$ -</u>	<u>N/A</u>
<b>Expenditures and Other Uses</b>				
<b>Executive</b>				
Professional Management	-	-	-	N/A
<b>Other Contractual Services</b>				
Trustee Services	-	-	-	N/A
<b>Printing &amp; Binding</b>	-	-	-	N/A
<b>Capital Outlay</b>				
Water-Sewer Combination	-	-	-	N/A
Stormwater Management	-	-	-	N/A
Landscaping	-	-	-	N/A
Roadway Improvement	-	-	-	N/A
<b>Cost of Issuance</b>				
Legal - Series 2022 Bonds	-	-	-	N/A
Engineering - Series 2022 Bonds	-	-	-	N/A
<b>Underwriter's Discount</b>	-	-	-	N/A
<b>Operating Transfers Out (To Other Funds)</b>	-	-	-	N/A
<b>Total Expenditures and Other Uses:</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>N/A</u>
Net Increase/ (Decrease) in Fund Balance	42,265	42,265	-	
Fund Balance - Beginning	9,335,862	9,335,862	-	
<b>Fund Balance - Ending</b>	<u>\$ 9,378,128</u>	<u>\$ 9,378,128</u>	<u>\$ -</u>	

Prepared by:

**JPWARD and Associates, LLC**

# **TERN BAY COMMUNITY DEVELOPMENT DISTRICT**

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## **FINANCIAL STATEMENTS - NOVEMBER 2024**

**FISCAL YEAR 2025**

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**PREPARED BY:**

JPWARD & ASSOCIATES, LLC, 2301 NORTHEAST 37<sup>TH</sup> STREET, FORT LAUDERDALE, FL 33308

T: 954-658-4900 E: [JimWard@JPWardAssociates.com](mailto:JimWard@JPWardAssociates.com)

*Tern Bay Community Development District*

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*JPWard & Associates, LLC*

2301 NORTHEAST 37 STREET  
FORT LAUDERDALE,  
FLORIDA 33308

**Tern Bay Community Development District**  
**Balance Sheet**  
**for the Period Ending November 30, 2024**

Description	Governmental Funds						Totals (Memorandum Only)
	Debt Service Funds			Capital Project Fund	Account Groups		
	General Fund	Series 2005	Series 2022	Series 2022	General Long Term Debt	General Fixed Assets	
<b>Assets</b>							
<b>Cash and Investments</b>							
General Fund - Invested Cash	\$ 1,036,680	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,036,680
Capital Project Fund							
Construction Account	-	-	-	4,232,232	-	-	4,232,232
Cost of Issuance Account	-	-	-	-	-	-	-
Debt Service Fund							
Interest Account	-	-	1	-	-	-	1
Sinking Account	-	-	-	-	-	-	-
Reserve Account A	-	50,000	886,013	-	-	-	936,013
Reserve Account B	-	-	-	-	-	-	-
Revenue	-	59,568	672,342	-	-	-	731,910
Prepayment Account	-	-	-	-	-	-	-
<b>Due from Other Funds</b>							
General Fund	-	-	-	-	-	-	-
Debt Service Fund	-	-	-	-	-	-	-
Capital Project Fund	-	-	-	-	-	-	-
<b>Accounts Receivable-Bond Holder Funding</b>	-	-	-	-	-	-	-
<b>Accounts Receivable - Due from Lennar Homes</b>	-	-	-	-	-	-	-
<b>Accrued Interest Receivable</b>	-	-	-	-	-	-	-
<b>Assessments Receivable</b>	-	-	-	-	-	-	-
<b>Prepaid Expenses</b>	-	-	-	-	-	-	-
<b>Amount Available in Debt Service Funds</b>	-	-	-	-	1,667,924	-	1,667,924
<b>Amount to be Provided by Debt Service Funds</b>	-	-	-	-	29,182,076	-	29,182,076
<b>Investment in General Fixed Assets (net of depreciation)</b>	-	-	-	-	-	25,884,430	25,884,430
<b>Total Assets</b>	<b>\$ 1,036,680</b>	<b>\$ 109,568</b>	<b>\$ 1,558,355</b>	<b>\$ 4,232,232</b>	<b>\$ 30,850,000</b>	<b>\$ 25,884,430</b>	<b>\$ 63,671,265</b>

**Tern Bay Community Development District**  
**Balance Sheet**  
**for the Period Ending November 30, 2024**

Description	Governmental Funds							Totals (Memorandum Only)
	Debt Service Funds			Capital Project Fund		Account Groups		
	General Fund	Series 2005	Series 2022	Series 2022	General Long Term Debt	General Fixed Assets		
<b>Liabilities</b>								
<b>Accounts Payable &amp; Payroll Liabilities</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Notes and Loans Payable - Current Portion</b>								
Note Payable-Oppenheimer Funds	-	-	-	-	-	-	-	-
<b>Due to Other Funds</b>								
General Fund	-	-	-	-	-	-	-	-
Debt Service Fund	-	-	-	-	-	-	-	-
Capital Projects Fund	-	-	-	-	-	-	-	-
<b>Deferred Revenue</b>	-	-	-	-	-	-	-	-
<b>Due to Other Governments</b>	-	-	-	-	-	-	-	-
<b>Bonds Payable</b>								
Current Portion (Due within 12 months)								
Series 2005A	-	-	-	-	50,000	-	-	50,000
Series 2022	-	-	-	-	620,000	-	-	620,000
Long Term								
Series 2005A	-	-	-	-	865,000	-	-	865,000
Series 2022	-	-	-	-	29,315,000	-	-	29,315,000
Unamortized Prem/Disc on Bonds Pyble	-	-	-	-	-	-	-	-
<b>Total Liabilities</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 30,850,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 30,850,000</u>
<b>Fund Equity and Other Credits</b>								
<b>Investment in General Fixed Assets</b>	-	-	-	-	-	25,884,430	-	25,884,430
<b>Fund Balance</b>								
<b>Restricted</b>								
Beginning: October 1, 2024 (Unaudited)	-	130,077	1,500,933	9,335,862	-	-	-	10,966,872
Results from Current Operations	-	(20,509)	57,423	(5,103,631)	-	-	-	(5,066,717)
<b>Unassigned</b>								
Beginning: October 1, 2024 (Unaudited)	1,089,128	-	-	-	-	-	-	1,089,128
Results from Current Operations	(52,448)	-	-	-	-	-	-	(52,448)
<b>Total Fund Equity and Other Credits</b>	<u>\$ 1,036,680</u>	<u>\$ 109,568</u>	<u>\$ 1,558,355</u>	<u>\$ 4,232,232</u>	<u>\$ -</u>	<u>\$ 25,884,430</u>	<u>\$ -</u>	<u>\$ 32,821,265</u>
<b>Total Liabilities, Fund Equity and Other Credits</b>	<u>\$ 1,036,680</u>	<u>\$ 109,568</u>	<u>\$ 1,558,355</u>	<u>\$ 4,232,232</u>	<u>\$ 30,850,000</u>	<u>\$ 25,884,430</u>	<u>\$ -</u>	<u>\$ 63,671,265</u>

**Tern Bay Community Development District  
General Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through November 30, 2024**

Description	October	November	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>					
<b>Carryforward</b>	\$ -	\$ -	\$ -	\$ -	N/A
<b>Interest</b>					
Interest - General Checking	-	-	-	-	N/A
<b>Miscellaneous Revenue</b>	-	-	-	-	N/A
<b>Special Assessment Revenue</b>					
Special Assessments - On-Roll	8,306	7,424	15,730	572,192	3%
Special Assessments - Off-Roll	-	-	-	-	N/A
Interfund Group Transfers In	-	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 8,306</b>	<b>\$ 7,424</b>	<b>\$ 15,730</b>	<b>\$ 572,192</b>	<b>3%</b>
<b>Expenditures and Other Uses</b>					
<b>Legislative</b>					
Board of Supervisor's - Fees	-	-	-	1,600	0%
<b>Executive</b>					
Professional Management	3,938	3,938	7,875	47,250	17%
<b>Financial and Administrative</b>					
Audit Services	-	-	-	6,500	0%
Accounting Services	2,250	2,250	4,500	27,000	17%
Assessment Roll Services	2,250	2,250	4,500	27,000	17%
Arbitrage Rebate Services	-	-	-	1,000	0%
Real Estate Advisor	-	-	-	-	N/A
<b>Other Contractual Services</b>					
Recording and Transcription	-	-	-	-	N/A
Legal Advertising	-	-	-	2,500	0%
Property Appraiser & Tax Collector Fees	-	-	-	50	0%
Trustee Services	-	-	-	8,340	0%
Dissemination Agent Services	-	1,000	1,000	7,000	14%
Bank Services	-	-	-	250	0%
<b>Travel and Per Diem</b>	-	-	-	-	N/A
<b>Communications &amp; Freight Services</b>					
Telephone	-	-	-	-	N/A
Postage, Freight & Messenger	-	-	-	150	0%

**Tern Bay Community Development District  
General Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through November 30, 2024**

Description	October	November	Year to Date	Total Annual Budget	% of Budget
<b>Insurance</b>	35,542	-	35,542	34,799	102%
<b>Meeting Room Rental</b>	-	-	-	475	0%
<b>Printing &amp; Binding</b>	-	-	-	50	0%
<b>Web Site Development</b>	-	-	-	2,000	0%
<b>Subscription &amp; Memberships</b>	-	175	175	175	100%
<b>Legal Services</b>					
Legal - General Counsel	-	-	-	5,000	0%
Legal - Foreclosure Counsel	-	-	-	-	N/A
Legal - Trustee Counsel	-	-	-	-	N/A
Legal - Series 2022 Bonds	-	-	-	-	N/A
Legal - TB LLC Counsel	-	-	-	-	N/A
Eminent Domain Counsel	-	-	-	-	N/A
<b>Comprehensive Planning Services</b>	-	-	-	-	N/A
<b>Other General Government Services</b>					
Engineering Services - General Fund	-	-	-	10,000	0%
Engineering Services - Traffic	-	-	-	-	N/A
NOPC Fees	-	-	-	-	N/A
Contingencies	-	-	-	-	N/A
<b>Other Public Safety</b>					
<b>Professional Services</b>					
Charlotte County Sheriff's Patrol	-	-	-	-	N/A
<b>Guardhouse Operations</b>					
Professional - Roving Patrol	-	-	-	-	N/A
Professional - Gate Attendant	-	-	-	-	N/A
Professional-Gate Hosting	-	-	-	-	N/A
Guardhouse-Internet, IP & Data	-	-	-	-	N/A
<b>Utilities</b>					
Electric	-	-	-	-	N/A
Water & Wastewater	-	-	-	-	N/A
<b>Repairs &amp; Maintenance</b>					
Guardhouse Janitorial	-	-	-	-	N/A
Gate	-	-	-	-	N/A



**Tern Bay Community Development District  
General Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through November 30, 2024**

Description	October	November	Year to Date	Total Annual Budget	% of Budget
<b>Wastewater Services</b>					
<b>Utility Services</b>					
Electric Service	-	-	-	-	N/A
<b>Stormwater Management System</b>					
<b>Repairs &amp; Maintenance</b>					
Lake Banks/Outfall Control Structures	-	-	-	-	N/A
<b>Aquatic Weed Control</b>					
Lake Spraying	-	-	-	-	N/A
Lake Vegetation Removal	-	-	-	-	N/A
Upland Monitoring & Maintenance	-	-	-	-	N/A
<b>Other Physical Environment</b>					
<b>Professional Services</b>					
Field Manager Services	-	-	-	-	N/A
Insurance	-	-	-	-	N/A
Contingencies	-	-	-	-	N/A
<b>Assessments-Charlotte County</b>	-	-	-	-	N/A
<b>Road &amp; Street Facilities</b>					
<b>Field Management Services</b>	-	-	-	-	N/A
<b>Street Lights</b>					
<b>Electric Service</b>					
Electric Service	7,533	7,052	14,586	101,000	14%
Repairs & Maintenance	-	-	-	-	N/A
<b>Economic Environment</b>					
Professional Services - Appraisal	-	-	-	-	N/A
<b>Landscaping Services</b>					
<b>Electric Service</b>	-	-	-	-	N/A
<b>Repairs &amp; Maintenance</b>					
<b>Common Area Maintenance</b>					
Routine Maintenance	-	-	-	-	N/A
Tree Trimming	-	-	-	-	N/A
Sod Replacement	-	-	-	-	N/A
Material Replacement	-	-	-	-	N/A
Mulch Installation	-	-	-	-	N/A
Landscape Lighting	-	-	-	-	N/A
Annuals	-	-	-	-	N/A
Holiday Decorations	-	-	-	-	N/A

**Tern Bay Community Development District  
General Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance  
Through November 30, 2024**

Description	October	November	Year to Date	Total Annual Budget	% of Budget
<b>Irrigation System</b>					
<b>Pumps &amp; Wells &amp; Line Distribution System</b>					
Routine Maintenance	-	-	-	-	N/A
Well Testing/Meter Reading	-	-	-	-	N/A
<b>Line Distribution System</b>					
Routine Maintenance	-	-	-	-	N/A
<b>Reserves</b>					
Extraordinary Capital/Operations	-	-	-	250,000	0%
Contingencies	-	-	-	-	N/A
<b>Other Fees and Charges</b>					
Discounts and Tax Collector Fees	-	-	-	40,053	0%
	<b>\$ 51,513</b>	<b>\$ 16,665</b>	<b>\$ 68,178</b>	<b>\$ 572,192</b>	<b>12%</b>
Net Increase/ (Decrease) in Fund Balance	(43,207)	(9,241)	(52,448)	-	
Fund Balance - Beginning	1,089,128	1,045,921	1,089,128	1,089,128	
<b>Fund Balance - Ending</b>	<b>\$ 1,045,921</b>	<b>\$ 1,036,680</b>	<b>\$ 1,036,680</b>	<b>\$ 1,089,128</b>	

**Tern Bay Community Development District**  
**Debt Service Fund - Series 2005 Bonds**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through November 30, 2024**

Description	October	November	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>					
Carryforward	\$ -	\$ -	\$ -	\$ -	N/A
Miscellaneous Revenue	-	-	-	-	-
<b>Interest Income</b>					
Reserve Account	204	205	409	-	N/A
Prepayment Account	-	-	-	-	N/A
Revenue Account	325	331	656	3,600	18%
Sinking Account	-	-	-	-	-
<b>Special Assessment Revenue</b>					
Special Assessments - On-Roll	1,593	1,424	3,017	109,006	3%
Special Assessments - Off-Roll	-	-	-	-	N/A
<b>Extraordinary Items (Gain)</b>					
Operating Transfers In (From Other Funds)	-	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 2,121</b>	<b>\$ 1,960</b>	<b>\$ 4,082</b>	<b>\$ 112,606</b>	<b>4%</b>
<b>Expenditures and Other Uses</b>					
<b>Debt Service</b>					
<b>Principal Debt Service - Mandatory</b>					
Series 2005 Bonds	-	-	-	50,000	0%
<b>Principal Debt Service - Early Redemptions</b>					
Series 2005 Bonds	-	-	-	-	N/A
<b>Interest Expense</b>					
Series 2005A Bonds	-	24,591	24,591	49,182	50%
Series 2005B Bonds	-	-	-	-	N/A
<b>Trustee Services</b>					
Operating Transfers Out (To Other Funds)	-	-	-	-	N/A
<b>Other Fees and Charges</b>					
Discounts and Other Fees	-	-	-	7,131	0%
<b>Total Expenditures and Other Uses:</b>	<b>\$ -</b>	<b>\$ 24,591</b>	<b>\$24,591</b>	<b>\$ 106,313</b>	<b>23%</b>
Net Increase/ (Decrease) in Fund Balance	2,121	(22,630)	(20,509)	6,293	
Fund Balance - Beginning	130,077	132,199	130,077	130,077	
<b>Fund Balance - Ending</b>	<b>\$ 132,199</b>	<b>\$ 109,568</b>	<b>\$ 109,568</b>	<b>\$ 136,370</b>	

**Tern Bay Community Development District**  
**Debt Service Fund - Series 2022 Bonds**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through November 30, 2024**

Description	October	November	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>					
<b>Carryforward</b>	\$ -	\$ -	\$ -	\$ -	N/A
<b>Miscellaneous Revenue</b>	-	-	-	-	N/A
<b>Interest Income</b>					
Interest Account	-	-	-	-	N/A
Reserve Account	3,665	3,562	7,227	-	N/A
Prepayment Account	-	-	-	-	N/A
Revenue Account	2,543	2,482	5,025	45,000	11%
Sinking Account	-	-	-	-	-
<b>Special Assessment Revenue</b>					
Special Assessments - On-Roll	27,667	24,731	52,398	1,896,067	3%
Special Assessments - Off-Roll	-	-	-	-	N/A
<b>Debt Proceeds</b>					
<b>Operating Transfers In (From Other Funds)</b>	-	-	-	-	N/A
<b>Total Revenue and Other Sources:</b>	<b>\$ 33,875</b>	<b>\$ 30,775</b>	<b>64,650</b>	<b>\$ 1,941,067</b>	<b>3%</b>
<b>Expenditures and Other Uses</b>					
<b>Debt Service</b>					
<b>Principal Debt Service - Mandatory</b>					
Series 2022 Bonds	-	-	-	620,000	0%
<b>Principal Debt Service - Early Redemptions</b>					
Series 2022 Bonds	-	-	-	-	N/A
<b>Interest Expense</b>					
Series 2022 Bonds	-	-	-	1,158,670	0%
<b>Trustee Services</b>					
<b>Operating Transfers Out (To Other Funds)</b>	3,665	3,562	7,227	-	N/A
<b>Other Fees and Charges</b>					
Discounts and Other Fees	-	-	-	124,042	0%
<b>Total Expenditures and Other Uses:</b>	<b>\$ 3,665</b>	<b>\$ 3,562</b>	<b>\$7,227</b>	<b>\$ 1,902,712</b>	<b>0%</b>
Net Increase/ (Decrease) in Fund Balance	30,210	27,213	57,423	38,355	
Fund Balance - Beginning	1,500,933	1,531,143	1,500,933	1,500,933	
<b>Fund Balance - Ending</b>	<b>\$ 1,531,143</b>	<b>\$ 1,558,355</b>	<b>\$ 1,558,355</b>	<b>\$ 1,539,288</b>	

**Tern Bay Community Development District**  
**Capital Projects Fund - Series 2022**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Through November 30, 2024**

Description	October	November	Year to Date	Total Annual Budget	% of Budget
<b>Revenue and Other Sources</b>					
Carryforward	-	-	\$ -	\$ -	N/A
<b>Interest Income</b>					
Construction Account	38,600	37,698	76,298	-	N/A
Cost of Issuance	-	-	-	-	N/A
<b>Debt Proceeds</b>	-	-	-	-	N/A
<b>Developer Contributions</b>	-	-	-	-	N/A
<b>Operating Transfers In (From Other Funds)</b>	3,665	3,562	7,227	-	N/A
<b>Total Revenue and Other Sources:</b>	\$ 42,265	\$ 41,260	\$ 83,525	\$ -	N/A
<b>Expenditures and Other Uses</b>					
<b>Executive</b>					
Professional Management	-	-	-	-	N/A
<b>Other Contractual Services</b>					
Trustee Services	-	-	-	-	N/A
<b>Printing &amp; Binding</b>	-	-	-	-	N/A
<b>Capital Outlay</b>					
Water-Sewer Combination	-	2,535,399	2,535,399	-	N/A
Stormwater Management	-	646,325	646,325	-	N/A
Landscaping	-	-	-	-	N/A
Roadway Improvement	-	1,246,233	1,246,233	-	N/A
<b>Cost of Issuance</b>					
Legal - Series 2022 Bonds	-	759,200	759,200	-	N/A
Engineering - Series 2022 Bonds	-	-	-	-	-
<b>Underwriter's Discount</b>	-	-	-	-	N/A
<b>Operating Transfers Out (To Other Funds)</b>	-	-	-	-	N/A
<b>Total Expenditures and Other Uses:</b>	\$ -	\$ 5,187,156	\$ 5,187,156	\$ -	N/A
Net Increase/ (Decrease) in Fund Balance	42,265	(5,145,896)	(5,103,631)	-	
Fund Balance - Beginning	9,335,862	9,378,128	9,335,862	-	
<b>Fund Balance - Ending</b>	<b>\$ 9,378,128</b>	<b>\$ 4,232,232</b>	<b>\$ 4,232,232</b>	<b>\$ -</b>	

Prepared by:

**JWARD and Associates, LLC**