

WESTWOOD OF PASCO

**COMMUNITY DEVELOPMENT
DISTRICT**

October 23, 2024

BOARD OF SUPERVISORS

**PUBLIC HEARINGS AND
REGULAR MEETING**

AGENDA

WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT

AGENDA
LETTER

Westwood of Pasco Community Development District

OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Toll-free: (877) 276-0889 • Fax: (561) 571-0013

October 16, 2024

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Board of Supervisors

Westwood of Pasco Community Development District

Dear Board Members:

The Board of Supervisors of the Westwood of Pasco Community Development District will hold a Public Hearing and Regular Meeting on October 23, 2024 at 10:30 a.m., or as soon thereafter as the matter may be heard., at Tampa Civil Design, LLC, 17937 Hunting Bow Circle, Lutz, Florida 33558. The agenda is as follows:

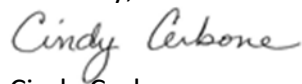
1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Angela Mathews [Seat 2] *(the following will also be provided in a separate package)*
 - A. Required Ethics Training and Disclosure Filing
 - Sample Form 1 2023/Instructions
 - B. Membership, Obligation and Responsibilities
 - C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
 - D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers
4. Consideration of Resolution 2025-01, Electing and Removing Officers of the District and Providing for an Effective Date
5. Public Hearing on Rules, Policies, and Fees Regarding Amenity Facilities and Parking
 - A. Proof/Affidavits of Publication
 - B. Consideration of Resolution 2025-02, Adopting Rules Relating to Amenity Facilities and Parking and Parking Enforcement; Providing a Severability Clause; and Providing an Effective Date
6. Consideration of Resolution 2025-03, Designating the Location of the Local District Records Office and Providing an Effective Date

7. Ratification Items
 - A. Pasco County Utility Easement
 - B. Cepra Landscape, LLC First Amendment to Landscape and Irrigation Maintenance Agreement
8. Acceptance of Unaudited Financial Statements as of September 30, 2024
9. Approval of August 28, 2024 Public Hearings and Regular Meeting Minutes
10. Staff Reports
 - A. District Counsel: *Kutak Rock LLP*
 - B. District Engineer: *Tampa Civil Design, LLC*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - UPCOMING MEETINGS
 - November 5, 2024 at 10:00 AM [Landowners' Meeting]
 - January 22, 2025 at 10:30 AM [Regular Meeting]
 - QUORUM CHECK

SEAT 1	RYAN ZOOK	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	ANGELA MATHEWS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	ETHEN BROADWATER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	ANNE MIZE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	MICHELLE GUERRIER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
11. Board Members' Comments/Requests
12. Public Comments
13. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 346-5294 or Andrew Kantarzhi at (415) 516-2161.

Sincerely,



Cindy Cerbone
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

CALL-IN NUMBER: 1-888-354-0094

PARTICIPANT PASSCODE: 867 327 4756

WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT

3A

Daphne Gillyard

From: Kutak Rock Development and Improvement Districts Group
<communications@kutakrock.com>
Sent: Friday, January 5, 2024 4:49 PM
To: Cindy Cerbone
Subject: Ethics Training 2024

You don't often get email from communications@kutakrock.com. [Learn why this is important](#)

KUTAKROCK

Development and Improvement Districts Practice Group



ABOUT US

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District Managers,

As of January 1, 2024, all Board Supervisors of Florida Community special districts are required to complete four (4) hours of ethics training each year that addresses at a minimum, s. 8, Art. II of the State Constitution, the Code of Ethics for Public Officers and Employees, and the public records and public meetings laws of Florida. The purpose of this email is to notify you of free, on-demand resources available to Board Supervisors to satisfy this requirement. Further information regarding the requisite training is available on the [Florida Commission on Ethics' \("COE"\) website](#).

Please share this information with Board Supervisors or include in the next available agenda package. As always, if you have any questions, please do not hesitate to reach out to your Kutak Rock attorney.

Free Training Resources

The COE has produced several free, online training tutorials that will satisfy the ethics component of the annual training. The on-demand videos are available at the link below. Further, the website provides additional links to resources that Supervisors can access to complete the training requirements.

Florida Commission on Ethics Training Resources

Please note that the COE-produced content only provides free training for the ethics component of the annual training. However, the Office of the Attorney General of the State of Florida offers a free, two-hour online audio course that covers the Sunshine Law and Public Records Act components of the requisite training. The on-demand audio course is available at the link below.

Office of the Attorney General Training Resources

Compliance

Each year when Supervisors complete the required financial disclosure form (Form 1 Statement of Financial Interests), Supervisors must mark a box confirming that he or she has completed the ethics training requirements. At this time there is no requirement to submit a certificate; however, the COE advises that Supervisors keep a record of all trainings completed (including date and time of completion), in the event Supervisors are ever asked to provide proof of completion. The training is a calendar year requirement and corresponds to the form year. So, Supervisors will not report their 2024 training until they fill out their Form 1 for the 2025 year.

We have received multiple inquiries as to whether Board Supervisors are required to annually file Form 6 in addition to Form 1. Currently, Board Supervisors continue to be exempt from the requirement to file Form 6.

Finally, with respect to the annual filing of Form 1, beginning this year the Commission on Ethics will be requiring electronic submission of Form 1. Filers, including Board Supervisors, should be receiving an email directly from the Commission on Ethics, providing detailed information about the electronic filing process and the upcoming deadline of July 1, 2024. Note the submission of the forms will no longer be handled through county Supervisor of Election's offices.

Kutak Rock's Development and Improvement Districts Practice Group

Kutak Rock's Florida Development and Improvement Districts Practice Group



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This is a publication of Kutak Rock LLP. It is intended to notify our clients and friends of current events and provide general information.

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The choice of a lawyer is an important decision and should not be based solely upon advertisements.

107 W College Ave, Tallahassee, Florida 32301



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

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.

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.

WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT

3B

BOARD OF SUPERVISORS

MEMBERSHIP, OBLIGATIONS AND RESPONSIBILITIES

A Community Development District ("District") is a special-purpose unit of local government which is established pursuant to and governed by Chapter 190, Florida Statutes.

The Board

The Community Development District ("District") is governed by a five (5)-member Board of Supervisors ("Board"). Member of the Board "Supervisor(s)" are elected in accordance with Section 190.006, F.S., either upon a one (1)-vote per one (1)-acre basis ("landowner voting") or through traditional elections ("resident voting"), depending upon the number of registered voters in the District and the length of time which has passed since the establishment of the District.

A CDD Board typically meets once per month, but may meet more often if necessary. Board meetings typically last from one (1) to three (3) hours, depending upon the business to be conducted by the Board. Prior to the meeting, each Supervisor is supplied with an agenda package which will contain the documents pertaining to the business to be considered by the Board at a particular meeting. A Supervisor should be willing to spend time reviewing these packages prior to each meeting, and may consult with District Staff (General Counsel, Management, Engineering, etc.) concerning the business to be addressed.

Qualifications of Supervisors

Each Supervisor must be a resident of the state of Florida and a citizen of the United States. Once a District has transitioned to resident voting, Supervisors must also be residents of the District.

Compensation

By statute, Board Members are entitled to be paid \$200 per meeting for their service, up to an annual cap of \$4,800 per year. To achieve the statutory cap, the District would have to meet twice each month, which is rare.

Sometimes Supervisors who are employees of the primary landowner waive their right to compensation, although this is not always the case.

Responsibilities of Supervisors

The position of Supervisor is that of an elected local public official. It is important to always remember that serving as an elected public official of a District carries with it certain restrictions and obligations. Each Supervisor, upon taking office, must subscribe to an oath of office acknowledging that he/she is a public officer, and as a recipient of public funds, a supporter of the constitutions of the State of Florida and of the United States of America.

Each Supervisor is subject to the same financial disclosure requirements as any other local elected official and must file a Statement of Financial Interests disclosing

sources of income, assets, debts, and other financial data, with the Supervisor of Elections in the County where he/she resides.

A Supervisor must act in accordance with the Code of Ethics for Public Officers and Employees, codified at Part III, Chapter 112, F.S., which addresses acceptance of gifts, conflicts of interest, etc. By law, it is not a conflict of interest for an employee of the developer to serve on a CDD Board of Supervisors.

Since a District is a unit of local government, the Sunshine Law (Chapter 286, F.S.) applies to Districts and to the Supervisors who govern them. In brief, the Sunshine Law states that two(2) or more Supervisors may never meet outside of a publicly noticed meeting of the Board and/to discuss District business.

Florida's Public Records Law (Chapter 119, F.S.) also applies to Districts and Supervisors. All records of the District, and the records of each individual Supervisor relating to the District, are public records. As such, any member of the public may inspect them upon request. Supervisors are therefore urged to keep any District records or documents in a separate file to allow ease of access by the public or press.

Conclusion

The position of Supervisor of a Community Development District is an important one, requiring both the time and the dedication to fulfill the responsibilities of a position of public trust. It should not be undertaken lightly. Each new Supervisor should enter office fully cognizant of the ethical, legal, and time requirements which are incumbent upon those who serve as Supervisors.

WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT

3C

FLORIDA COMMISSION ON ETHICS



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

2024

State of Florida

COMMISSION ON ETHICS

Ashley Lukis, *Chair*
Tallahassee

Michelle Anchors, *Vice Chair*
Fort Walton Beach

William P. Cervone
Gainesville

Tina Descovich
Indianapolis

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
(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.

VII. COMPLAINTS

A. Citizen Involvement

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

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

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

B. Referrals

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

C. Confidentiality

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

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

D. How the Complaint Process Works

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

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

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

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

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

E. Dismissal of Complaints At Any Stage of Disposition

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

F. Statute of Limitations

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

VIII. EXECUTIVE BRANCH LOBBYING

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

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

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

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

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

Executive Branch Lobbyist Registration
Room G-68, Claude Pepper Building
111 W. Madison Street
Tallahassee, FL 32399-1425
Phone: 850/922-4990

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.

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.

WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT

3D

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a “relative” includes only the officer’s father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A “business associate” means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, _____, hereby disclose that on _____, 20 ____ :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

WESTWOOD OF PASCO

COMMUNITY DEVELOPMENT DISTRICT

4

RESOLUTION 2025-01

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
WESTWOOD OF PASCO COMMUNITY DEVELOPMENT DISTRICT
ELECTING AND REMOVING OFFICERS OF THE DISTRICT AND
PROVIDING FOR AN EFFECTIVE DATE.**

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

WHEREAS, the District’s Board of Supervisors desires to elect and remove Officers of the District.

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

SECTION 1. The following is/are elected as Officer(s) of the District effective October 23, 2024:

_____ is elected Chair
_____ is elected Vice Chair
_____ is elected Assistant Secretary
_____ is elected Assistant Secretary
_____ is elected Assistant Secretary

SECTION 2. The following Officer(s) shall be removed as Officer(s) as of October 23, 2024:

SECTION 3. The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell is Secretary

Cindy Cerbone is Assistant Secretary

Andrew Kantarzhi is Assistant Secretary

Craig Wrathell is Treasurer

Jeff Pinder is Assistant Treasurer

PASSED AND ADOPTED THIS 23RD DAY OF OCTOBER, 2024.

ATTEST:

**WESTWOOD OF PASCO COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT

5A

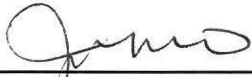
Tampa Bay Times
Published Daily

STATE OF FLORIDA
COUNTY OF Pasco

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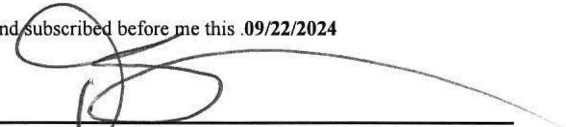
Before the undersigned authority personally appeared **Jean Mitotes** who on oath says that he/she is **Legal Advertising Representative** of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: Notice of Rule Development** was published in said newspaper by print in the issues of: **9/22/24** or by publication on the newspaper's website, if authorized, on

Affiant further says the said **Tampa Bay Times** is a newspaper published in **Pasco** County, Florida and that the said newspaper has heretofore been continuously published in said **Pasco** County, Florida each day and has been entered as a second class mail matter at the post office in said **Pasco** County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid not 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 Affiant

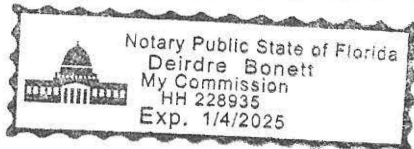
Sworn to and subscribed before me this **09/22/2024**



Signature of Notary Public

Personally known _____ **X** _____ or produced identification

Type of identification produced _____



**NOTICE OF RULE DEVELOPMENT REGARDING RULES,
POLICIES, AND FEES REGARDING AMENITY FACILITIES AND
PARKING OF WESTWOOD OF PASCO COMMUNITY
DEVELOPMENT DISTRICT**

In accordance with Chapters 120 and 190, Florida Statutes, the Westwood of Pasco Community Development District ("District") hereby gives notice of its intention to adopt rules, policies, and fees regarding use of amenity facilities and parking within the District ("Rules"). The purpose and effect of the proposed Rules is to provide rules, policies, and fees for the use of the District's amenity facilities, parking, and parking enforcement. Specific legal authority for the adoption of the proposed Rules includes sections 120.54, 190.011(5) and 190.011(15), 190.012(2)(d), 190.035, 190.041, Florida Statutes. A public hearing will be conducted on October 23, 2024, at 10:00 a.m. at Tampa Civil Design, LLC, 17937 Hunting Bow Circle, Lutz, Florida 33558. A copy of the proposed Rules may be obtained by contacting the District Manager, c/o Wrathell Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, 561-571-0010.

District Manager
Westwood of Pasco Community Development District

09/22/2024

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Tampa Bay Times
Published Daily

STATE OF FLORIDA
COUNTY OF Pasco

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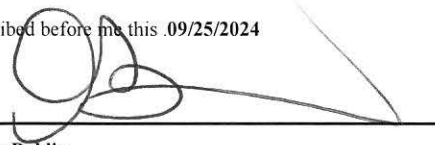
Before the undersigned authority personally appeared **Jean Mitotes** who on oath says that he/she is **Legal Advertising Representative** of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: Notice of Rulemaking** was published in said newspaper by print in the issues of: **9/25/24** or by publication on the newspaper's website, if authorized, on

Affiant further says the said **Tampa Bay Times** is a newspaper published in **Pasco** County, Florida and that the said newspaper has heretofore been continuously published in said **Pasco** County, Florida each day and has been entered as a second class mail matter at the post office in said **Pasco** County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she 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 Affiant

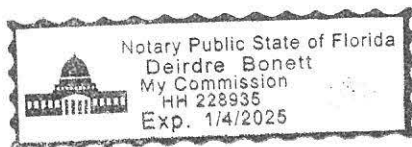
Sworn to and subscribed before me this **09/25/2024**



Signature of Notary Public

Personally known X or produced identification

Type of identification produced _____



**NOTICE OF RULEMAKING
REGARDING RULES, POLICIES,
AND FEES REGARDING AMENITY
FACILITIES AND PARKING OF
WESTWOOD OF PASCO COMMUNITY
DEVELOPMENT DISTRICT**

In accordance with Chapters 120 and 190, *Florida Statutes*, the Westwood of Pasco Community Development District ("District") hereby gives notice of its intention to adopt rules, policies, and fees regarding the use of amenity facilities and parking within the District ("Rules"). A public hearing on the proposed Rules will be conducted by the Board of Supervisors ("Board") of the District on October 23, 2024, at 10:00 a.m. at Tampa Civil Design, LLC, 17937 Hunting Bow Circle, Lutz, Florida 33558.

The public hearing will provide an opportunity for the public to address the proposed Rules. The purpose and effect of the proposed Rules is to provide rules, policies, and fees for the use of the District's amenity facilities, parking, and parking enforcement. Proposed schedule of rates and fees is as follows:

Type	Rate
Annual User Fee (non-residents) for Amenity Facilities	\$2,000
Amenity Facility Access Card Replacement Fee	\$35
Amenity Facility Event Space Security Deposit Fee (refundable)	\$500
Amenity Facility Event Space Cleaning Fee	\$100
Administrative Reimbursement Fee (related to violations of Amenity Rules)	\$500

Specific legal authority for the adoption of the proposed Rules includes sections 120.54, 190.011(5) and 190.011(15), 190.012(2)(d), 190.035, 190.041, *Florida Statutes*. Prior notice of rule development was published in the Tampa Bay Times on September 22, 2024.

A copy of the proposed Rules may be obtained by contacting the District Manager, c/o Wrathell Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, 561-571-0010 ("District Manager's Office").

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), *Florida Statutes*, must do so in writing within twenty-one (21) days after publication of this notice to the District Manager's Office.

The public hearing is open to the public and will be conducted in accordance with the provisions of Florida law. There may be occasions when one or more Board Supervisor or staff member will participate by telephone. At the above location will be present a speaker telephone so that any Board Supervisor or staff member can attend the meeting and be fully informed of the discussions taking place either in person or by telephone communication.

The public hearing may be continued to a date, time, and place to be specified on the record at the hearing special meeting. If anyone chooses to appeal any decision of the Board with respect to any matter considered at the public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which such appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation at this public hearing because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8771 or 1-800-955-8770 for aid in contacting the District Office.

Westwood of Pasco Community Development District
District Manager

9/25/2024

0000360263-01

WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT

5B

RESOLUTION 2025-02

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
WESTWOOD OF PASCO COMMUNITY DEVELOPMENT DISTRICT
ADOPTING RULES RELATING TO AMENITY FACILITIES AND
PARKING AND PARKING ENFORCEMENT; PROVIDING A
SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Westwood of Pasco Community Development District ("**District**") is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, to provide for efficient and effective District operations and to maintain compliance with recent changes to Florida law, the Board of Supervisors finds that it is in the best interests of the District to adopt by resolution the *Amenity Facilities and Parking Rules, Policies and Fees*, attached hereto as **Exhibit A** for immediate use and application ("**Rules**"); and

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

SECTION 1. The attached Rules are hereby adopted pursuant to this resolution as necessary for the conduct of District business. These Rules shall stay in full force and effect until such time as the Board of Supervisors may amend these Rules in accordance with Chapter 190, *Florida Statutes*.

SECTION 2. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 3. This resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 23rd day of October, 2024.

ATTEST:

**WESTWOOD OF PASCO COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules

EXHIBIT A

RULES

**AMENITY FACILITIES AND PARKING RULES,
POLICIES AND FEES

OF THE

WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT**

Adopted October 23, 2024

**AMENITY FACILITY POLICIES:
Westwood of Pasco Community Development District**

Law Implemented: ss. 190.011, 190.035, Fla. Stat. (2024)

EFFECTIVE DATE: OCTOBER 23, 2024

In accordance with Chapter 190 of the Florida Statutes, and on October 24, 2024, at a duly noticed public meeting and after a duly noticed public hearing, the Board of Supervisors of the Westwood of Pasco Community Development District adopted the following rules / policies to govern the operation of the District's Amenity Facilities. All prior rules / policies of the District governing this subject matter are hereby rescinded.

DEFINITIONS

"Access Card" – shall mean the identification card issued to Patrons.

"Amenity Facilities" or "Amenity" - shall mean the properties and areas owned by the District and intended for recreational use and shall include, but not specifically be limited to, the amenity center, a swimming pool, playground, basketball court, stormwater ponds, and dog park together with their appurtenant facilities and areas.

"Amenity Facilities Policies" or "Policies" - shall mean these Rules, Policies and Fees for the Amenity Facilities of the District, as amended from time to time.

"Amenity Manager" - shall mean the District Manager or that person or firm so designated by the District's Board.

"Annual User Fee" - shall mean the fee established by the District for any person that is not a Resident and wishes to become a Non-Resident User. The amount of the Annual User Fee is set forth herein, and that amount is subject to change based on Board action.

"Board" - shall mean Board of Supervisors of the Westwood of Pasco Community Development District.

"District" - shall mean the Westwood of Pasco Community Development District, a political subdivision of the State of Florida, created pursuant to Chapter 190 of the Florida Statutes.

"District Manager" - shall mean the professional management company with which the District has contracted to provide management services to the District.

"Guest" - shall mean any Non-Resident invited by a Patron to participate in the use of the Amenity Facilities.

"Non-Resident User" - shall mean any person or persons not currently residing in or owning property in the District who is paying the Annual User Fee to the District for the non-exclusive privilege to use the Amenity Facilities.

"Patron" or "Patrons" - shall mean Residents, Non-Resident Users, and Renters who are eighteen (18) years of age or older.

"Property Owner" or "Resident" - shall mean that person or persons having fee simple ownership of property within the District.

"Renter" - shall mean any tenant residing in a Resident's home pursuant to a valid rental or lease agreement.

PURPOSE

This document, prepared and agreed to by the Board, applies to all Patrons for the usage of all Amenity Facilities within the District. Compliance with the Policies and provisions is mandatory and will be enforced.

The Board, the District Manager, the Amenity Manager and Staff shall have full authority to enforce these Policies. However, the Board by a vote at a public meeting, District Manager, and/or Amenity Manager shall have the authority in their sole discretion to waive strict application of any of these Policies when prudent, necessary or in the best interest of the District and Patrons, provided however, any permanent waiver must be approved by the Board and such a temporary waiver of any Policy by the Amenity Manager shall not constitute a continuous, ongoing waiver of said Policy.

The Board reserves the right to amend, modify, or delete, in part or in their entirety, these Policies, when necessary, at a duly-noticed Board meeting, and will notify the Patrons of any changes. Use of the Amenity Facilities may be subject to payment of applicable fees or rates set by the District. To change or modify rates or fees beyond the increases specifically allowed by District rules and regulations, the Board must hold a duly-noticed public hearing on said rates and fees.

ANNUAL USER FEE

The Annual User Fee for any Non-Resident User is identified in **Exhibit A** attached hereto. This payment must be paid in full at the time of completion of the Non-Resident User application, a form of which is attached hereto **Exhibit B** and incorporated herein by this reference. This fee will permit the use of all Amenity Facilities for one (1) full year from the date of receipt of payment by the District. Each subsequent renewal shall be paid in full on the anniversary date of application for use of the Amenity Facilities by such Non-Resident User. Such fee may be increased, by action of the Board, to reflect increased costs of operation of the Amenity Facilities; such increase may not exceed ten percent (10%) per year. Annual User Fees may be renewed no more than thirty (30) days in advance of the date of expiration and for no more than one calendar year. Multi-year memberships are not available. The Annual User Fee is nonrefundable and nontransferable. The use of the Amenity Facilities is not available for commercial purposes.

ACCESS CARDS

- (1) Patrons must use, or present upon request, their Access Cards to gain access to the Amenity Facilities. Patrons will scan their Access Cards in the card reader in order to unlock the doors or access gate. Under no circumstance should a Patron provide an Access Card to another person to allow him or her to use the Amenity Facilities.
- (2) Each Patron family will receive two (2) Access Cards per lot (not per Patron) upon registration with the Amenity Manager.

- (3) Access Cards are the property of the District and are non-transferable except in accordance with the Policies.
- (4) All lost or stolen cards need to be reported immediately to the Amenity Manager. The charge to replace lost or stolen cards is identified in **Exhibit A** attached hereto. A Patron with a lost or stolen Access Card will be financially responsible for damages resulting from unreported loss or theft of the access card.

GUESTS

- (1) Patrons bringing a Guest(s) are responsible for any and all actions taken by such Guest(s). Violation by a Guest on any of these Policies could result in loss of that Patron's privileges. Guests must be accompanied by the Patron.
- (2) Guests must be accompanied by the Patron.
- (3) Except for Registered Events (as defined herein), no more than two (2) persons per Patron are permitted as Guests to the Amenity Facilities at one time. For purposes of this limitation, Resident Patrons are limited to two (2) guests per homeowner (according to property appraiser records), Non-Resident User Patrons are limited to two (2) guests per Non-Resident User, and Renter Patrons are limited to two (2) guests per person named on the lease as the renter/tenant of the Resident's home.
- (4) For purposes of Registered Events, the number of Guests is instead limited to the event registration information approved by the Amenity Manager, which may not exceed the room or meeting space maximum pursuant to applicable building and safety codes.
- (5) Babysitters/caregivers are considered Guests and must provide a notarized written statement from the child's or children's parents or guardians authorizing custodial rights and proof of proper identification listing an emergency contact.

RENTER'S PRIVILEGES

- (1) Property Owners who rent out or lease out their residential unit(s) in the District shall have the right to designate the Renter of their residential unit(s) as the beneficial users of the Property Owner's Amenity Facilities privileges.
- (2) In order for the Renter to be entitled to use the Amenity Facilities, the Renter must complete the Non-Resident User application. The Annual User Fee will then be waived for the Renter. A Renter who is designated as the beneficial user of the Property Owner's Amenity Facilities privileges shall be entitled to the same rights and privileges to use the Amenity Facilities as the Property Owner.

- (3) During the period when a Renter is designated as the beneficial user of the Property Owner's privilege to use the Amenity Facilities, the Property Owner shall not be entitled to use the Amenity Facilities with respect to that property.
- (4) Property Owners shall be responsible for all charges incurred by their Renters which remain unpaid after the customary billing and collection procedure established by the District. Property Owners are responsible for the behavior of their respective Renter.
- (5) Renters shall be subject to such other rules and regulations as the Boards may adopt from time to time.

GENERAL FACILITY PROVISIONS

All Patrons and Guests using the Amenity Facilities are expected to conduct themselves in a responsible, courteous and safe manner, in compliance with the Policies. Violation of the Policies and/or misuse or destruction of Amenity Facility equipment may result in the suspension or termination of Amenity Facility privileges with respect to the offending Patron or Guest.

The Board reserves the right to amend, modify or delete, in part or in their entirety, these Policies when necessary, at duly-noticed Board meeting. However, in order to change or modify rates or fees beyond the increases specifically allowed for by the District's rules and regulations, the Board must hold duly-noticed public hearings on said rates and fees.

- (1) In order to enter and/or utilize the following Amenity Facilities, children under 18 years of age must be accompanied by a Patron or Guest who is 18 years of age or older unless specifically stated elsewhere in the Policies:

<u>Amenity Facility</u>	<u>Age of Minor Requiring Accompaniment</u>
Playgrounds/Tot Lot	Under 10 years of age
Basketball Facilities	Under 12 years of age
Pool Facilities	Under 14 years of age
Dog Park	Under 16 years of age
Stormwater Ponds	Under 13 years of age

- (2) Pets and Service Animals. Dogs and all other pets (with the exception of service animals, as such term is defined by the Americans with Disabilities Act) shall not be permitted at the Amenity Facilities (with the exception of the dog park). Dogs and all other pets (with the exception of service animals, as such term is defined by the Americans with Disabilities Act) must be kept on a leash at all times on property that is owned by the District other than the Dog Park, including, but not limited to the stormwater pond banks. As a point of

clarity, animals whose sole function is to provide comfort or emotional support do not qualify as service animals.

- (3) Vehicles must be parked in designated areas. Vehicles should not be parked on grass lawns or in any way which blocks the normal flow of traffic.
- (4) Fireworks of any kind are not permitted anywhere at or on the Amenity Facilities or adjacent areas.
- (5) The Boards, Amenity Manager(s) and/or the District Manager(s) shall have full authority to enforce these policies.
- (6) Smoking of any kind using any device is not permitted at any Amenity Facility.
- (7) Glass and other breakable items are not permitted at any Amenity Facility.
- (8) Patrons and their Guests shall treat all staff members with courtesy and respect.
- (9) Off-road bikes/vehicles are prohibited on all property owned, maintained or operated by the District or on any of the Amenity Facilities.
- (10) The District will not offer childcare services at any of the Amenity Facilities.
- (11) Skateboarding and rollerblading are not allowed on the Amenity Facilities property at any time.
- (12) Events/performances at any Amenity Facility, including those by outside entertainers, must be approved in advance by the Amenity Manager.
- (13) Alcoholic beverages are not permitted at any Amenity Facility.
- (14) Commercial advertisements shall not be posted or circulated in the Amenity Facilities. Except as may otherwise be permitted by law, petitions, posters or promotional material shall not be originated, solicited, circulated or posted on Amenity Facilities property unless approved in writing by the Amenity Manager.
- (15) The Amenity Facilities shall not be used for commercial purposes. The term "commercial purposes" shall mean those activities which involve, in any way, the provision of goods or services for compensation. Notwithstanding the foregoing, the District may authorize community events or limited use of District facilities which involve the provision of goods or services pursuant to a separate agreement.
- (16) Firearms or any other weapons are not permitted in any of the Amenity Facilities unless otherwise authorized pursuant to Florida law.

- (17) Amenity Manager reserve the right to authorize all programs and activities, including the number of participants, equipment and supplies usage, facility reservations, etc., at all Amenity Facilities, except fees that have been established by the Board.
- (18) Loitering (the offense of standing idly or prowling in a place, at a time or in a manner not usual for law-abiding individuals, under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity) is not permitted at any Amenity Facility.
- (19) All Patrons and Guests shall abide by and comply with any and all federal, state and local laws and ordinances while present at or utilizing the Amenity Facilities and shall ensure that any minor for whom they are responsible also complies with the same.
- (20) Portable grills of all kinds are prohibited at the Amenity Facilities.

AMENITY FACILITY OPERATIONS

Hours: The Amenity Facilities are available for use by Patrons during normal operating hours to be established and posted by the Amenity Manager.

Emergencies: After contacting 911, when appropriate, all emergencies and injuries must be reported to the office of the Amenity Manager.

Please note that the Amenity Facilities are unattended facilities. Persons using the Amenity Facilities do so at their own risk. Staff members are not present to provide personal training, exercise consultation or athletic instruction, unless otherwise noted, to Patrons or Guests. Persons interested in using the Amenity Facilities are encouraged to consult with a physician prior to commencing a fitness program.

LOSS OR DESTRUCTION OF PROPERTY OR INSTANCES OF PERSONAL INJURY

- (1) Each Patron and each Guest, as a condition of using the Amenity Facilities, assumes sole responsibility for his or her property. The District and its contractors shall not be responsible for the loss or damage to any private property used or stored on or in any of the Amenity Facilities.
- (2) No person shall remove from the room in which it is placed or from any Amenity Facility, any property or furniture belonging to the District or its contractors without proper authorization from the Amenity Manager. Patrons shall be liable for any property damage and/or personal injury at the Amenity Facilities or at any activity or function operated organized, arranged or sponsored by the District or its contractors, which is caused by the Patron or the Patron's Guest or family member(s). The District reserves the right to pursue any and all legal and equitable measures necessary to remedy any losses it suffers due to property damage or personal injury caused by a Patron or the Patron's Guest or family member(s).

- (3) Any Patron, Guest or other person who, in any manner, makes use of or accepts the use of any apparatus, appliance, facility, privilege or service whatsoever owned, leased or operated by the District or its contractors or who engages in any contest, game, function, exercise, competition or other activity operated organized, arranged or sponsored by the District or its contractors, either on or off the Amenity Facilities' premises, shall do so at his or her own risk, and shall hold the Amenity Facilities' owners, the District, the Board, District employees, District representatives, District contractors and District agents, harmless from any and all loss, cost, claim, injury, damage or liability sustained or incurred by him or her, resulting therefrom and/or from any act or omission of the District or their respective operators, supervisors, employees, contractors or agents. Any Patron shall have, owe, and perform the same obligation to the District and their respective operators, supervisors, employees, representatives, contractors, and agents hereunder with respect to any loss, cost, claim, injury, damage or liability sustained or incurred by any Guest or Patron.
- (4) Should any party bound by these Policies bring suit against the District, Board or staff, agents or employee of the District or any Amenity Facility operator or its officers, employees, representatives, contractors or agents in connection with any event operated organized, arranged or sponsored by the District or any other claim or matter in connection with any event operated organized, arranged or sponsored by the District, and fail to obtain judgment therein against the District or the Amenity Facilities' operators, officers, employees, representatives, contractors or agents, said party bringing suit shall be liable to the prevailing party (i.e. the District, etc.) for all costs and expenses incurred by it in the defense of such suit, including court costs and attorney's fees through all appellate proceedings.

GENERAL SWIMMING POOL RULES
NO LIFEGUARD ON DUTY -SWIM AT YOUR OWN RISK

- (1) Usage by children is subject to age accompaniment requirements set forth herein.
- (2) Guests must be accompanied by a Patron. Patrons are responsible for the conduct of their guests.
- (3) No diving, jumping, pushing, running or other horseplay is allowed in the pool or on the pool deck area.
- (4) Hanging on the lane lines, interfering with the lap-swimming lane, and diving are prohibited.
- (5) Any music playing device and/or televisions are not permitted unless they are personal units equipped with headphones.
- (6) Swimming is permitted only during designated hours as posted at the pool, and such hours are subject to change at the discretion of the Amenity Manager. Swimming after dusk is

prohibited by the Florida Department of Health. Patrons and Guests swim at their own risk and must adhere to swimming pool rules at all times.

- (7) Showers are required before entering the pool.
- (8) Alcohol and glass containers are prohibited.
- (9) Food is prohibited on the pool deck area.
- (10) Children under three (3) years of age, and those who are not reliably toilet trained, must wear rubber lined swim diapers, as well as a swimsuit over the swim diaper, to reduce the health risks associated with human waste in the swimming pool/deck area.
- (11) The Amenity Manager is authorized to direct the discontinued usage of play equipment, such as floats, rafts, snorkels, dive sticks, and flotation devices during times of peak or scheduled activity at the pool or if the equipment causes a safety concern.
- (12) Pool availability may be limited or rotated in order to facilitate maintenance of the facility. Depending upon usage, the pool may be closed for various periods of time to facilitate maintenance and to maintain health code regulations.
- (13) Bicycles, skateboards, roller blades, scooters and golf carts are not permitted on the pool deck area or inside the Amenity Facilities.
- (14) The Amenity Manager reserves the right to authorize all programs and activities (including the number of participants, equipment and supplies usage, etc.) conducted at the pool, including swim lessons and aquatic/recreational programs.
- (15) Any person swimming during non-posted swimming hours may be suspended from using the facility.
- (16) Proper swim attire, swimsuits or board shorts, shirts that are made of dry fit material must be worn in the pool. No street clothes, cut offs or gym shorts are permitted in the pool at any time.
- (17) No chewing gum is permitted in the pool or on the pool deck area.
- (18) For the comfort of others, the changing of diapers or clothes is not allowed poolside.
- (19) No one shall pollute the pool. Anyone who pollutes the pool is liable for any costs incurred in treating and reopening the pool.
- (20) Radio controlled watercraft are not allowed in the pool area.
- (21) Pool entrances must be kept clear at all times.
- (22) No swinging on ladders, fences or railings is allowed.
- (23) Pool furniture is not to be removed from the pool area.

- (24) Loud, profane or abusive language is absolutely prohibited.
- (25) No physical or verbal abuse will be tolerated.
- (26) Tobacco products are not allowed in the pool area.
- (27) Illegal drugs are not permitted.
- (28) Chemicals used in the pool/spa may affect certain hair or fabric colors. The District is not responsible for these effects.
- (29) The pool and covered lanai area may not be rented or reserved at any time; however, access may be limited at certain times for various District functions or Registered Events.
- (30) Food, beverages, glass containers, and animals are prohibited in the pool.
- (31) Pets are prohibited in the pool area. Individuals with a disability and service animal trainers may be accompanied by a service animal, as defined in Chapter 413.08, F.S., but the service animal is not allowed to enter the water in order to prevent a direct threat to the health of pool patrons.

SWIMMING POOL: POOLSIDE CABANA AND SEATING POLICY

All poolside cabana and seating are available on a first-come-first-service basis. Reservations are prohibited.

SWIMMING POOL: FECES POLICY

- (1) If contamination occurs, the pool will be closed for twelve (12) hours or more as necessary so that remedial measures may be taken to ensure safe swimming conditions in accordance with Department of Health rules.
- (2) Parents/guardians should take their children to the restroom before entering the pool.
- (3) Children under three (3) years of age, and those who are not reliably toilet trained, must wear rubber lined swim diapers and a swimsuit over the swim diaper.

DISTRICT PLAYGROUND/TOT LOT POLICIES

- (1) The playground is intended for use by children between the ages of 5-12 years old. Usage by children is subject to age accompaniment requirements set forth herein.
- (2) No roughhousing on the playground.

- (3) Persons using the playground must clean up all trash brought to the playground. Food and glass containers are prohibited.
- (4) Do not use the play equipment when it is wet.
- (5) Wear proper footwear – no bare feet.
- (6) The use of profanity or disruptive behavior is absolutely prohibited.
- (7) Patrons and Guests who use the playground do so at their own risk.
- (8) The playgrounds may not be reserved or rented by Patrons; however, they may be reserved by the District for District-sponsored events or functions.
- (9) The playground's operating hours are to be established and posted by the Amenity Manager.
- (10) Failure to follow the above rules may result in restriction from use of the playground.

DOG PARK POLICIES

- (1) The park's operating hours are to be established and posted by the Amenity Manager.
- (2) The park is not staffed and shall be used at the user's own risk. The District is not responsible for injuries to visiting dogs, their owners, or others using the park. Voluntary use of the park evidences waiver of any claims against the District resulting from activities occurring at the park.
- (3) Usage by children is subject to age accompaniment requirements set forth herein.
- (4) Users of the park must dispose of trash in proper receptacle.
- (5) All dog handlers are responsible for the behavior of their dogs at all times.
- (6) Dogs must be leashed while entering and exiting dog park.
- (7) Dog waste must be cleaned up by handler immediately.
- (8) Handlers must be within dog park and supervising their dog with leash readily available.
- (9) Handlers must be at least 16 years of age.
- (10) Aggressive dogs must be removed immediately.
- (11) Dogs should be under voice control.

- (12) Dogs shall be up-to-date on vaccinations prior to entering the park, and shall have current rabies and applicable license tags clipped to their collars at all times
- (13) Handlers must immediately fill in any holes dug by their dogs.
- (14) Dogs in heat, with fleas, skin conditions, or are otherwise ill are not allowed in the park.
- (15) Limit two (2) dogs per dog handler.
- (16) Puppies under four months of age shall not enter the dog park.
- (17) Human or dog food inside the dog park is prohibited.
- (18) Dog toys are not permitted inside the dog park.
- (19) The dog park is designated a “No Smoking” area.

BASKETBALL COURT

All Patrons and Guests using the Basketball Court are expected to conduct themselves in a responsible, courteous and safe manner. Disregard or violation of the Policies and misuse or destruction of court equipment may result in the suspension or termination of court privileges. Guests may use the court only if accompanied by a Patron.

Please note that the court is an unattended facility and persons using the facility do so at their own risk. Persons interested in using the court are encouraged to consult with a physician prior to using the facility.

Policies:

- (1) Proper etiquette shall be adhered to at all times. The use of profanity or disruptive behavior is prohibited.
- (2) Persons using the court must supply their own equipment.
- (3) The court is for the play of basketball only. Pets, roller blades, bikes, skates, skateboards, and scooters are prohibited from the court.
- (4) Beverages are permitted at the court if contained in non-breakable containers with screw top or sealed lids. No glass containers are permitted on the courts. Alcoholic beverages are not permitted on courts.
- (5) No chairs other than those provided by the District are permitted on the courts.

FISHING AND POND POLICY

- (1) Patrons and Guests thirteen (13) years of age and older may fish in the District's lakes/retention ponds ("**Ponds**") within the District, provided that such use does not violate any ordinance, resolution, law, permit requirement, or regulation of any governmental entity relating to the Ponds.
- (2) Guests fishing in the Ponds must be accompanied by a Patron when fishing in the Ponds.
- (3) Patrons and Guests fishing in the Ponds must present, upon request, a District-issued fishing pass. Patrons may obtain the pass, and replacements thereof, from the Amenity Manager free of charge.
- (4) No children under the age of thirteen (13) are allowed on the Pond banks at any time, unless accompanied by an adult.
- (5) Pets are not allowed in the Ponds or on the Pond banks at any time.
- (6) Patrons and Guests fishing in the Ponds shall remove and properly dispose of all garbage, fishing line, hooks and all other materials/supplies.
- (7) The District request that everyone respect your fellow neighbor/property owner and access the Ponds through the proper access points. Patrons and Guests may not fish from Ponds that are only accessible from private property without written permission from the private property owner.
- (8) No watercraft except authorized maintenance vehicles are allowed in the Ponds. Any violation of this policy will be reported to the local authorities.
- (9) The District has a catch and release policy for all fish and any other aquatic wildlife caught in the Ponds, requiring that any fish or other aquatic wildlife caught immediately be returned to the Ponds from where it was caught. The purpose of the Ponds is to help facilitate the District's natural water system for run off and overflow. As a result, contaminants may be present in the water. Anyone who violates this provision does so at their own risk.
- (10) Swimming is prohibited in all of the Ponds. Please use the pool at the Amenity Facilities for swimming activities.
- (11) Beware of wildlife - water moccasins and other snakes, alligators, snapping turtles, and other wildlife which may pose a threat to your safety are commonly found in stormwater management facilities in Florida.

EVENT SPACE RENTAL POLICIES – REGISTERED EVENTS

Patrons may reserve space in the Amenity Facilities (“**Event Space**”) by registration with the Amenity Manager's office for various meetings, classes, events, etc. Upon approval by the Amenity Manager, the requested event will be considered a “**Registered Event**.”

Below are the guidelines set forth and agreed upon by the Board and Amenity Manager regarding Registered Events:

- (1) Registered Events are limited to a maximum of five (5) hours per event, including set up and clean up time. The five (5) hour limitation can only be exceeded upon specific authorization from the Boards.
- (2) Patrons may not hold more than four (4) Registered Events in any twelve (12) month period.
- (3) The daily guest limitation shall not apply to Registered Events. The maximum number of persons attending any event shall not exceed the limitation determined by the Amenity Manager, which in no case may exceed the room or meeting space maximum pursuant to applicable building and safety codes.
- (4) Applicant must be a Patron who will be responsible for ensuring that their Guests adhere to the policies set forth herein.
- (5) All applicants will be required to fill out and sign the Amenity Facility Event Space Rental Application available from the Amenity Manager's office, a form of which is attached hereto as **Exhibit C** (form may be updated from time to time).
- (6) Registered Events are subject to the schedule of fees/deposits set forth herein and Exhibit A.
- (7) Reservations of Event Space are on a first come, first serve basis and are subject to approval by the Amenity Manager. Amenity Manager has the authority to reasonably deny a reservation request. Denial of a request may be appealed in writing to the Board for consideration. Reservations are not available when the Event Space has been otherwise reserved for use by the District or HOA.
- (8) Registered Events are not available for rentals during January 1, Easter Sunday, Memorial Day Weekend, July 4, Labor Day Weekend, Thanksgiving Day, December 24, December 25, December 31 or any other weekend on which a federal holiday falls on either a Monday or Friday.
- (9) In the event the Patron wishes to cancel the reservation once the reservation has been approved and confirmed by the Amenity Manager, such cancellation must occur at least

one (1) week prior to the date of reservation. Any cancellation within one (1) week of the date of such reservation will forfeit its refundable deposit.

- (10) Upon application for use of the Amenity Facilities, the Amenity Manager will determine if a paid attendant will be necessary. If an attendant is necessary, the party requesting the Event Space will be required to pay the costs associated with the attendant.
- (11) Additional Event Liability Insurance coverage in the amount of One Million Dollars (\$1,000,000) may be required for certain events the District determines should require additional Event Liability coverage on a case by case basis (to be reviewed by the District Manager or the Boards). The District shall be named as an additional insured party on any such policies, and a certificate of insurance illustrating the appropriate coverage amount and parties is to be provided to the District Manager prior to the event.
- (12) During Registered Events, except for the Event Space, all other areas of the Amenity Facilities, including the pool and pool area, including the surrounding decks and furniture, shall remain open to all Patrons and their Guests during normal operating hours.
- (13) No open burning or campfires are allowed at the Amenity Facilities or other District property.
- (14) Patrons are not allowed to bring or use grills or smokers at the Amenity Facilities.
- (15) At the conclusion of a Registered Event, the Patron must place all garbage and remnants of the event in a dumpster or garbage can, wipe off all counter tops and furniture, and restore items to their original position.

Schedule of Fees/Deposits:

A non-refundable room cleanup fee will be charged to Patrons as is identified in Exhibit A attached hereto.

A refundable security deposit in the amount set forth in Exhibit A shall be charged to the persons making the reservation and shall be submitted to the Amenity Manager's Office in the form of a separate check (which shall be made payable to the District). The deposit will be returned after the Registered Event is complete provided there is no evidence of damage to the facility and the Patron abided by these Policies. The Amenity Manager shall determine the amount of deposit to be returned, if any. If damages occurred to the Event Space or its surrounding property or facilities, the Patron reserving the room will be liable for any expenses incurred by the District to hire an outside contractor to remediate the damage. To receive a full refund of the deposit, the following must be completed:

- 1. No adhesives permitted on walls or windows.
- 2. All furniture and other District property must be located in their original position.

3. No damage has occurred to Event Space and its surrounding property and facilities.

Indemnification

Each organization, group or individual reserving the use of Event Space (or any part thereof) agrees to indemnify and hold harmless the District, officers, agents, contractors and employees thereof from any and all liability, claims, actions, suits or demands by any person, corporation or other entity, for injuries, death, property damage of any nature, arising out of or in connection with, whether whole or in part, the renter's use of the District lands, premises and/or Amenity Facilities, including litigation or any appellate proceeding with respect thereto. Nothing herein shall constitute or be construed as a waiver of the District's sovereign immunity granted pursuant to Section 768.38, *Florida Statutes* or other statute.

RULES AND POLICIES RELATING TO PARKING

- (1) **Introduction:** This Rule authorizes parking in designated areas and the towing/removal of unauthorized vehicles and vessels parked on District property designated as Tow-Away Zones, which are identified on **Exhibit D** attached hereto.

- (2) **Designated Parking Areas:** Vehicles and vessels may be parked on District property only as set forth below:

- a. **DISTRICT AND COUNTY ROADWAYS.** Please refer to Chapter 316, *Florida Statutes*, and Sections 70 and 106, Pasco County Code of Ordinances, for laws related to authorized and unauthorized parking of vehicles or vessels on District and County property including roadways.
- b. **AMENITIES AREAS.** Vehicle parking is permitted for Patrons, Guests and District Staff, employees and vendors/consultants in the parking spaces of the parking lot of the amenity center only during the hours set forth below. **ABSENT AN APPLICABLE EXCEPTION AS SET FORTH HEREIN, THERE IS NO PARKING IN THE AREAS IDENTIFIED BELOW EXCEPT WITHIN THE STATED HOURS:**

AMENITY PARKING AREA	PERMITTED HOURS
Amenity Center Parking Lot	Dawn to Dusk

- c. **OTHER DISTRICT PROPERTY.** Vehicle parking is permitted for District Staff, employees and vendors/consultants only, in relation to active projects or construction/maintenance-related activities. No other parking is permitted in these areas at any time.

(3) **Establishment of Tow-Away Zone.**

- a. **DISTRICT TOW-AWAY ZONES.** All District property in which parking is prohibited as set forth in Section (2) herein, either entirely or during specific hours, is identified in **Exhibit D** attached hereto, and is hereby declared a Tow-Away Zone. To the extent that parking on District property is only prohibited during specific hours, that portion of District property shall only be considered a Tow-Away Zone during the period of time in which such parking is prohibited.
- b. **DISTRICT AND COUNTY ROADWAYS.** In the event that Patrons or Guests are parking on District or County roadways in contravention of state law and/or local ordinances, the District Manager shall contact the Pasco County Sheriff's Office to enforce such parking regulations

(4) **Exceptions.**

- a. **DISTRICT STAFF/EMPLOYEES.** District Staff and employees may park vehicles without charge in the Amenity Parking Area after the hours set forth in Section (2) in order to facilitate District business.
- b. **VENDORS/CONTRACTORS.** The District Manager may authorize vendors/consultants in writing to park company vehicles without charge and in order to facilitate District business. All vehicles so authorized must be identified by a vendor window pass or have company vehicle signage clearly visible.

(5) **Towing/Removal Procedures.**

- a. **SIGNAGE AND LANGUAGE REQUIREMENTS.** Notice of the Tow-Away Zones shall be approved by the District's Board and shall be posted on District property in the manner set forth in section 715.07, *Florida Statutes*. Such signage is to be placed in conspicuous locations in the areas identified in Section (3) herein, and shall identify the hours in which the area is designated as a Tow-Away Zone, if applicable, in accordance with section 715.07, *Florida Statutes*.
- b. **TOWING AND REMOVAL AUTHORITY.** To effect towing/removal of a vehicle or vessel, the District Manager must verify that the subject vehicle or vessel was not authorized to park under this Rule during the period in question, and then must contact a firm authorized by Florida law to tow/remove vehicles and vessels for the removal of such unauthorized vehicle or vessel at the owner's expense. The vehicle or vessel shall be towed/removed by the firm in accordance with Florida law, specifically the provisions set forth in section 715.07, *Florida Statutes*.
- c. **AGREEMENT WITH AUTHORIZED TOWING SERVICE.** The District's Board is hereby authorized to enter into and maintain an agreement with a firm authorized by Florida law to tow/remove unauthorized vehicles and vessels from

the District's Tow-Away Zones in accordance with Florida law and with the policies set forth herein.

- (6) **Parking at Your Own Risk**. Vehicles or vessels may be parked on District property pursuant to this Rule, provided however that the District assumes no liability for any theft, vandalism and/ or damage that might occur to personal property and/or vehicles or vessels.
- (7) **Sovereign Immunity**. Nothing herein shall constitute or be construed as a waiver of the District's limitation on liability contained in Section 768.28, *Florida Statutes*, or applicable statutes or law.

RULES RELATING TO SUSPENSION AND TERMINATION OF PRIVILEGES

A Patron's or Guest's privileges at any or all Amenity Facilities may be subject to various lengths of suspension or termination for up to one (1) calendar year, and a Patron or Guest may also be required to pay restitution for any property damage, if he or she (each a "**Violation**"):

- (1) Fails to abide by the Policies and Fees for the Amenity Facilities established and approved by the Board.
- (2) Submits false information to the District or Amenity Manager.
- (3) Permits unauthorized use of an Access Card.
- (4) Exhibits unsatisfactory behavior, deportment or appearance.
- (5) Fails to pay fees owed to the District in a proper and timely manner.
- (6) Treats District supervisors, staff, facility management, contractors or other representatives or other Patrons in an unreasonable or abusive manner.
- (7) Engages in conduct that is improper or likely to endanger the health, welfare, safety, harmony or reputation of the District or its supervisors, staff, facility management, contractors, other representatives or other Patrons.
- (8) Damages or destroys District property.
- (9) As it relates to a Patron, such Patron's Guest(s) violates any of the above.

Administrative Reimbursement

The Board may, in its discretion, require payment by a Patron of an administrative reimbursement of up to Five Hundred Dollars (\$500) in order to offset the legal and/or administrative expenses incurred by the District as a result of a Violation ("**Administrative Reimbursement**"). Such

Administrative Reimbursement shall be in addition to any suspension or termination of Amenity Facility access, any applicable legal action warranted by the circumstances, and/or any Property Damage Reimbursement (defined below).

Property Damage Reimbursement

If damage to District property occurred in connection with a Violation, the Patron or Guest who caused the damage, or the person who has charge of a minor that caused the damage, shall reimburse the District for the costs of cleaning, repairing, and/or replacing the property (“**Property Damage Reimbursement**”). Such Property Damage Reimbursement shall be in addition to any suspension or termination of Amenity Facility access, any applicable legal action warranted by the circumstances, and/or any Administrative Reimbursement.

District Suspension and Termination Process

Removal Authority

The District Manager and the Amenity Manager or its designee, such as onsite staff or personnel under contract with the District, if any, each have the independent ability to remove any person from the Amenity Facilities if a Violation occurs, or if in his or her discretion, it is in the District’s best interest to do so.

Process

In response to any Violation of the Policies, including, but not limited to, those set forth in the preceding paragraph, the District shall follow the process outlined below with regard to suspension or termination of a person’s privileges:

(1) Initial Suspension. The Amenity Manager or his or her designee may at any time restrict or suspend for cause or causes, including but not limited to a Violation, any person’s access to the Amenity Facilities until a date not later than the next regularly scheduled meeting date of the Board in which the Violation occurred that is scheduled to occur at least twenty-one (21) days after the date of initial suspension. In the event of such a suspension, the District Manager or his or her designee shall mail a letter to the person suspended referencing the conduct at issue, the sections of the Policies violated, the time, date, and location of the next regular Board meeting where the person’s suspension will be presented to the Board, and a statement that the person has a right to appear before such Board and offer testimony and evidence why the suspension should be lifted. If the person is a minor, the letter shall be sent to the minor’s parent or guardian’s address.

(2) Hearing by the Board; Administrative Reimbursement; Property Damage Reimbursement.

a. At the Board meeting referenced in the letter sent under Section (1) above, or as soon thereafter as a Board meeting is held if the meeting referenced in the letter is canceled, a hearing shall be held at which both District staff and the person subject to the suspension shall be given the opportunity to appear, present testimony and evidence, cross examine witnesses present, and make arguments. The Board may also ask questions of District staff, the person subject to the suspension, and witnesses present. All persons are entitled to be represented by a licensed Florida attorney at such hearing.

b. After the presentations by District staff and the person subject to the suspension, the Board shall consider the facts and circumstances and determine whether to lift or extend the suspension or impose a termination. In determining the length of any suspension, or a termination, the Board shall consider the nature of the conduct, the circumstances of the conduct, the number of rules or policies violated, the person's escalation or de-escalation of the situation, and any prior Violations and/or suspensions.

c. The Board shall also determine whether an Administrative Reimbursement is warranted and, if so, set the amount of such Administrative Reimbursement.

d. The Board shall also determine whether a Property Damage Reimbursement is warranted and, if so, set the amount of such Property Damage Reimbursement. If the cost to repair and/or replace the property is not yet available, the Property Damage Reimbursement shall be fixed at the next regularly scheduled Board meeting after the cost to clean, repair, and/or replace the property is known.

e. After the conclusion of the hearing, the District Manager shall mail a letter to the person suspended identifying the Board's determination at such hearing.

(3) Suspension by the Board. The Board on its own initiative acting at a noticed public meeting may elect to consider a suspension of a person's access for committing any of the Violations outlined herein. In such circumstance, a letter shall be sent to the person suspended which contains all the information required by Section (1) above, and the hearing shall be conducted in accordance with Section (2) above.

(4) Automatic Extension of Suspension for Non-Payment. Unless there is an affirmative vote of the Board otherwise, no suspension or termination will be lifted or expire until all Administrative Reimbursements and Property Damage Reimbursements have been paid to the District. If an Administrative Reimbursement or Property Damage Reimbursement is not paid by its due date, the District reserves the right to request surrender of, or deactivate, all access cards or key fobs associated with an address within the District until such time as the outstanding amounts are paid.

(5) **Appeal of Board Suspension.** After the hearing held by the Board required by Section (2) above, a person subject to a suspension or termination may appeal the suspension or termination, or the assessment or amount of an Administrative Reimbursement or Property Damage Reimbursement, to the Board by filing a written request for an appeal (“**Appeal Request**”). The filing of an Appeal Request shall not result in the stay of the suspension or termination. The Appeal Request shall be filed within thirty (30) calendar days after mailing of the notice of the Board’s determination as required by Section (2)(e), above. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file an Appeal Request shall constitute a waiver of all rights to protest the District’s suspension or termination and shall constitute a failure to exhaust administrative remedies. The District shall consider the appeal at a Board meeting and shall provide reasonable notice to the person of the Board meeting where the appeal will be considered. At the appeal stage, no new evidence shall be offered or considered; instead, the appeal is an opportunity for the person subject to the suspension or termination to argue, based on the evidence elicited at the hearing, why the suspension or termination should be reduced or vacated. The Board may take any action deemed by it in its sole discretion to be appropriate under the circumstances, including affirming, overturning, or otherwise modifying the suspension or termination. The Board’s decision on appeal shall be final.

(6) **Legal Action; Criminal Prosecution; Trespass.** If any person is found to have committed a Violation, such person may additionally be subject to arrest for trespassing or other applicable legal action, civil or criminal in nature. If a person subject to a suspension or termination is found at an Amenity Facility, such Person will be subject to arrest for trespassing. If a trespass warrant is issued to a person by a law enforcement agency, the District has no obligation to seek a withdrawal or termination of the trespass warrant even though the issuance of the trespass warrant may effectively prevent a person from using the Amenity Facilities after expiration of a suspension imposed by the District.

(7) **Severability.** If any section, paragraph, clause or provision of this rule shall be held to be invalid or ineffective for any reason, the remainder of this rule shall continue in full force and effect, it being expressly hereby found and declared that the remainder of this rule would have been adopted despite the invalidity or ineffectiveness of such section.

EXHIBIT A

Non-Resident User Fee	The annual Non-Resident User Fee is \$2,000, which may increased or decreased each year by the District. The fee is to be paid annually.
Access Card Replacement Fee	\$35
Registered Event Security Deposit (refundable)	\$500
Registered Event Cleaning Fee (non-refundable)	\$100
Administrative Reimbursement (related to violations of Rules)	\$500

EXHIBIT B
NON-RESIDENT USER APPLICATION

**Westwood of Pasco Community Development District
NON-RESIDENT MEMBERSHIP APPLICATION**

Name: _____

Date of Birth: _____ Phone: _____

Social Security#: _____ Driver's License #(s): _____

Home Address: _____

City: _____ State: _____ Zip Code: _____

Cell Phone # 1: _____ Cell Phone # 2: _____

Name of Company: _____

Position Held: _____ Phone: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Email Address: _____

Marital Status: Married ☐ Single ☐

Name of Spouse: _____ Date of Birth: _____

Social Security #: _____ Driver's License #: _____

Spouse's Employment: _____

Position Held: _____ Phone: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Children/Birthdates: _____

What prompted your interest in the Amenity Facilities?

☐ Annual Non-Resident Patron Fee: \$ _____

Please make checks payable to Westwood of Pasco Community Development District.

Signature(s) of Applicant(s): _____

Date: _____

Applicant(s) acknowledges and agrees that by execution of this membership application that they shall be bound by all the terms and conditions of the Rules and Regulations of the Westwood of Pasco CDD, as currently in effect and as may be amended from time to time.

** Prices subject to change at any time, at the sole discretion of the District's Board of Supervisors.*

EXHIBIT C
AMENITY FACILITY EVENT SPACE RENTAL APPLICATION

Westwood of Pasco Community Development District

Amenity Facility Event Space Rental Application

Name of Applicant: _____ Date: _____
Organization (if applicable): _____
Street Address: _____ City: _____ State: _____
Daytime Phone: _____ Facility/Room Requested: _____
Intended Use: _____
Date Requested: _____ Time (5 hr. max.) From: _____ To: _____ Estimated Attendance: _____

I agree to indemnify and hold harmless the Westwood of Pasco Community Development District ("District") and the agents, supervisors, officers, directors, employees and staff of the District from any and all liability, claims, actions, suits, or demands by any person, corporation or other entity, for injuries, death, property damage or damages of any nature, arising out of, or in connection with, the use of the Amenity Facilities. Nothing herein shall constitute or be construed as a waiver of the District's sovereign immunity granted pursuant to Section 768.28, Fla. Stat., or other statute.

I have read, understand and agree to abide by all policies and rules of the District. I acknowledge that failure to adhere to the District's policies and rules may result in the suspension or termination of my privileges to use the facility. I also understand that I am financially responsible for any damages caused by me, my family members, and/or my guests. If requested, I will obtain an event insurance policy naming the District and agents, supervisors, officers, directors, employees and staff thereof as additional insureds.

Signature of Applicant

Date

I have read and understood the following (please initial each):

1. _____ There is a maximum capacity of [_____] persons in the Event Space.
2. _____ The five (5) hour maximum time limit includes setup and clean up time and applies to all attendees. No persons are permitted in the Event Space after the end of the Registered Event. Please schedule accordingly.
3. _____ Each Patron may rent a portion of the Amenity Facility a maximum of four (4) times per calendar year.
4. _____ Alcohol is not permitted in the Amenity Facilities, including the Event Space.
5. _____ The Amenity Facilities (except for the Event Space during the Registered Event) are to remain accessible to all Patrons. Additional tables and chairs are available upon request.
6. _____ Once the Registered Event is completed, all guests are required to exit. Upon conclusion of the event, standard guest policy applies. The Patron shall be responsible for enforcement of this provision.
7. _____ The deposit check may be picked up only after the Amenity Manager inspects the Event Space. If the Event Space is in satisfactory condition and there is no property damage, the check will be shredded within 48 hours if not timely picked up.
8. _____ The deposit check may not be returned, and additional fees may be assessed, if the Event Space is not in satisfactory condition post-Registered Event or there is property damage to the Event Space, or if the Registered Event is not kept within the identified times.
9. _____ Registered Events in the Event Space are being held in a public facility and may be subject to surveillance by the District's security company.

Deposit Amount

Check Number

Cleanup Fee

Check Number

Received By

Receipt Number

Approved By

Date

EXHIBIT D
Map of Tow Away Zones



WESTWOOD OF PASCO

COMMUNITY DEVELOPMENT DISTRICT

6

RESOLUTION 2025-03

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE LOCATION OF THE
LOCAL DISTRICT RECORDS OFFICE AND PROVIDING AN EFFECTIVE DATE.**

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

WHEREAS, the District is statutorily required to designate a local district records office location for the purposes of affording citizens the ability to access the District’s records, promoting the disclosure of matters undertaken by the District, and ensuring that the public is informed of the activities of the District in accordance with Chapter 119 and Section 190.006(7), *Florida Statutes*.

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

SECTION 1. The District’s local records office shall be located at: _____

_____.

SECTION 2. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2024.

ATTEST:

**WESTWOOD OF PASCO COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT

RATIFICATION
ITEMS A

Prepared by and return to:
Real Property Division
Pasco County
7220 Osteen Road
New Port Richey, FL 34653

Property Appraiser's Parcel ID (Folio) No.
(Portion of): 20-26-18-0130-0P100-0000
PCU# 22-103.30

General Purpose Utility Easement

UTILITY EASEMENT

THIS INDENTURE, made this 27th day of June, 2024, between WESTWOOD OF PASCO COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, whose mailing address is 3501 Riga Boulevard, Suite 100, Tampa, Florida 33619, hereinafter referred to as the Grantor, and PASCO COUNTY, a Political Subdivision of the State of Florida, whose address is 37918 Meridian Avenue, Dade City, Florida 33525, hereinafter referred to as the Grantee.

WHEREAS, the Grantor owns and holds the following described real property:

**SEE EXHIBIT "A," ATTACHED HERETO
AND BY REFERENCE MADE A PART HEREOF (the "Easement Area").**

AND WHEREAS, the Grantee desires to secure a utility easement in the Easement Area.

AND WHEREAS, the Grantor has agreed to convey the interest in the Easement Area to the Grantee.

NOW THEREFORE, the Grantor for good and valuable consideration by the Grantee, the receipt whereof is hereby acknowledged, by these presents does grant and convey unto the Grantee, a nonexclusive utility easement over, under, across and through the Easement Area for the following purposes:

THE PURPOSE of this easement is to provide water, reclaimed water and/or wastewater utilities including the constructing, reconstructing, excavating, replacing, removing, operation and maintenance of underground utility lines, and all necessary equipment in connection therewith whether above ground or below ground, together with the right to enter and depart over and upon that portion of Grantor's land as reasonably necessary to effect the purposes of the easement herein granted, and to use and occupy that portion of land as reasonably necessary during construction, reconstruction, replacement, removal, or maintenance of said utility lines for the accommodation of construction equipment and materials, but only over a route as will occasion the least damage and inconvenience to Grantor and with the duty to restore any such routes to the condition existing immediately prior to Grantee's use thereof.

Grantee shall construct the improvements in the Easement Area in a good and workmanlike manner and shall keep the easement free of all liens and encumbrances in connection therewith. Grantee shall maintain the improvements in good condition and repair, at Grantee's sole cost and

expense. Grantee shall be solely responsible for any injury to property or persons resulting from Grantee's use of the easement and to the extent permitted by law shall hold Grantor harmless therefrom, except to the extent caused by Grantor's use of the easement.

Grantor shall not alter, or allow the alteration of, the easement in any way that would impair Grantee's rights or ability to use the easement for its intended purpose. Grantor shall not construct any permanent structures or perform any activities in the Easement Area that would impede Grantee's access to or use of the Easement Area for the purposes stated herein. To the extent that Grantor's activities impede Grantee's use of the easement, Grantor shall remove or restore the subject property to useable condition at Grantor's expense.

TO HAVE AND TO HOLD the same with all and singular the appurtenances thereunto belonging or in anywise appertaining to the granting of this easement in law or equity to only the proper use and benefit of the Grantee, or its successors or assigns.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name by its proper officer thereunto duly authorized the day and year first above written.

WESTWOOD OF PASCO COMMUNITY
DEVELOPMENT DISTRICT, a local unit of
special purpose government

By: [Signature]
Print Name: Ryan Zook
Title: Chair

Signed, sealed and delivered in the
presence of:

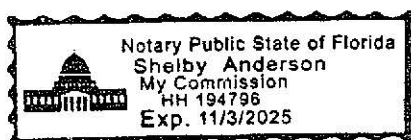
[Signature]
(Signature of 1st Witness)
Gregory Dorge
(Print Name of 1st Witness)
3501 Riga Blvd STE 100
Address
Tampa, FL 33619
City, State, and Zip Code

[Signature]
(Signature 2nd Witness)
Brian J. Panico
(Print Name of 2nd Witness)
3501 Riga Blvd. Suite 100
Address
Tampa FL 33619
City, State, and Zip Code

STATE OF Florida
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 27 day of June, 2024, by Ryan Zook, as Chair of the Board of Supervisors of Westwood of Pasco Community Development District, a local unit of special purpose government, organized and existing under Chapter 190, Florida Statutes, who is ☒ personally known to me or ☐ has produced _____ as identification.

(Notary Seal)



[Signature]
Notary Signature

EXHIBIT "A"

DESCRIPTION AND SKETCH ONLY (NOT A BOUNDARY SURVEY)

SECTION 20, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA

DESCRIPTION:

A portion of Tract "P-1" of Salem Townhomes according to the Plat thereof recorded in Plat Book 91, Page 121 of the Public Records of Pasco County, Florida, being more particularly described as follows:

Commence at the Northwest corner of Tract "P-1" of said Plat of Salem Townhomes; thence S 00°28'45" W, 126.70 feet along the east right-of-way of Hazel Bay Road of said Plat of Salem Townhomes to a curve concave easterly, having a radius of 65.00 feet, said curve having a chord bearing of S 14°16'37" E and a chord distance of 33.11 feet, thence southerly along the arc of said curve through a central angle of 29°30'39" a distance of 33.48 feet along said Hazel Bay Road; thence S 29°01'59" E, 84.98 feet to the POINT OF BEGINNING; thence leaving said right-of-way N 60°58'01" E, 15.00 feet; thence S 29°01'59" E, 15.00 feet; thence S 60°58'01" W, 15.00 feet; thence N 29°01'59" E, 15.00 feet to the POINT OF BEGINNING.

Containing 225.00 Square Feet

SURVEYOR'S NOTES:

1. The Description and Sketch shown hereon was prepared without the benefit of a Title Commitment.
2. For the use of this Sketch a platted bearing of South 00°28'45" West was used along the east right-of-way line of Hazel Bay Road, as recorded in Plat Book 91, Page 121 of the Public Records of Pasco County, FL.
3. No instruments of record reflecting Easements, Setbacks, Restrictions, Rights of Way, and or Ownership were furnished to this Surveyor except as shown.
4. This description and sketch was written by the Surveyor.
5. Not valid without accompanying Sketch (Sheet 2 of 2).

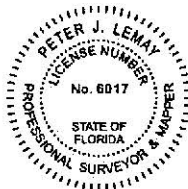
Peter Lemay

Digitally signed by Peter

Lemay

Date: 2024.05.13 14:19:30

-04'00'



PETER J. LEMAY

STATE OF FLORIDA PROFESSIONAL SURVEY & MAPPER NO. LS6017

THIS SURVEY NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, OR A DIGITAL SIGNATURE
COMPLYING WITH 5J-17 FLORIDA STATUTES ADDITIONS OR DELETIONS TO
SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS
PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

SHEET
1 OF 2

PASCO COUNTY PARCEL NUMBER:
20-26-18-0000-00100-0020

PROJECT NUMBER/NAME:
505/WESTWOOD TOWNHOMES
F.K.A. SALEM TOWNHOMES

REVISIONS	
DATE	DESCRIPTION

TAMPA CIVIL DESIGN

ENGINEERING - SURVEYING - DESIGN

17937 HUNTING BOW CIR. S-102

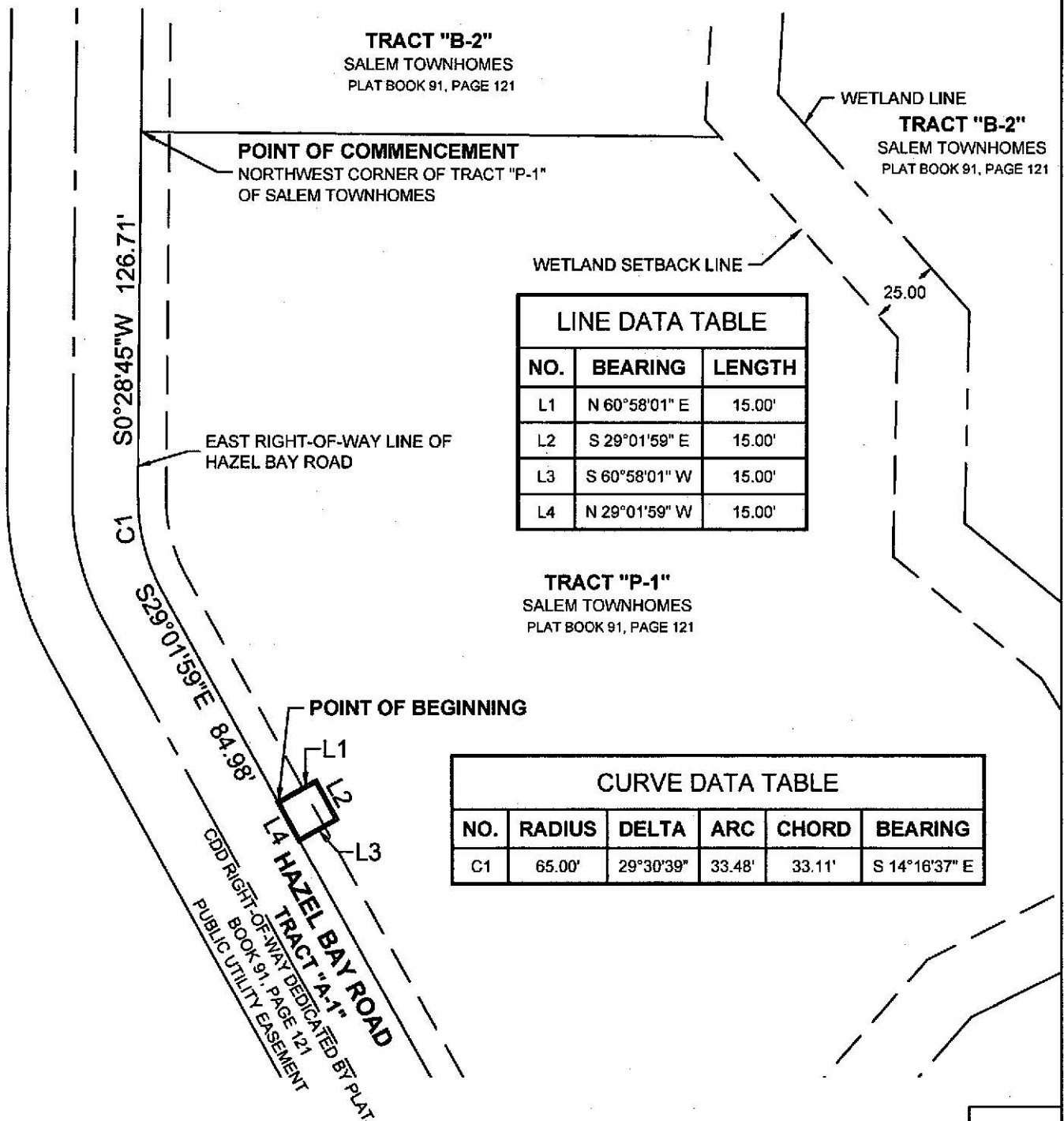
LUTZ, FL 33558

(813) 920-2005 PHONE

CERTIFICATE OF AUTHORIZATION NUMBER 28971
CERTIFICATE OF AUTHORIZATION NUMBER LB8323

DESCRIPTION AND SKETCH ONLY (NOT A BOUNDARY SURVEY)

SECTION 20, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA

SHEET
2 OF 2

TAMPA CIVIL DESIGN

ENGINEERING - SURVEYING - DESIGN

17937 HUNTING BOW CIR. S-102

LUTZ, FL 33558

(813) 920-2005 PHONE

 CERTIFICATE OF AUTHORIZATION NUMBER 28971
 CERTIFICATE OF AUTHORIZATION NUMBER LB8323

WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT

RATIFICATION
ITEMS B

**FIRST AMENDMENT TO THE
LANDSCAPE AND IRRIGATION MAINTENANCE AGREEMENT**

THIS FIRST AMENDMENT is made and entered into on October 21st 2024, by and between:

WESTWOOD OF PASCO COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, located in Pasco County, Florida (the “**District**”), and

CEPRA LANDSCAPE, LLC, a Florida limited liability company, with an address of P.O. Box 865, Oakland, Florida 34760 (hereinafter “**Contractor**,” together with District the “**Parties**”).

RECITALS

WHEREAS, the District is a special-purpose unit of local government established pursuant to and governed by Chapter 190, *Florida Statutes*;

WHEREAS, the District previously entered into that certain *Landscape and Irrigation Maintenance Agreement*, for the term January 1, 2024, through September 30, 2024 (“**Agreement**”);

WHEREAS, pursuant to Section 21 of the Agreement, the parties desire to exercise the extension of the Agreement for an additional one-year term and increase the compensation for the Services provided for therein, by and through this First Amendment (“**First Amendment**”); and

WHEREAS, the District and Contractor warrant and agree that they have all right, power and authority to enter into and be bound by this First Amendment.

NOW THEREFORE, in consideration of the recitals, agreements, and mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, the parties agree as follows:

SECTION 1. The recitals so stated are true and correct and by this reference are incorporated into and form a material part of this First Amendment.

SECTION 2. The Agreement is hereby extended for an additional one-year term commencing October 1, 2024, and ending September 30, 2025.

SECTION 3. Compensation for the Services provided for in the Agreement is hereby increased to Seven Thousand Eighty-Five Dollars (\$7,085.00) per month, for a not-to-exceed total of Eighty-Five Thousand Twenty Dollars (\$85,020.00) annually, as identified in Contractor’s proposal attached hereto and incorporated herein by reference as **Exhibit A**.

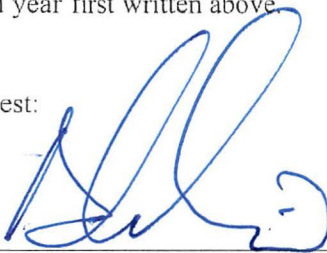
SECTION 4. The designated areas for the Services as shown in the maintenance map attached to the Agreement as Exhibit C is hereby revised to be those areas shown in the maintenance map attached hereto as **Exhibit B**.

SECTION 5. Except as specifically amended above, the Agreement shall remain in full force and effect, unaltered by this First Amendment.


SECTION 6. The invalidity or unenforceability of any one or more provisions of this First Amendment shall not affect the validity or enforceability of the remaining portions of this First Amendment or any part of this First Amendment not held to be invalid or unenforceable.

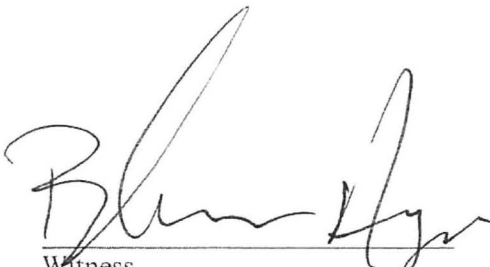
IN WITNESS WHEREOF, the parties hereto have signed this First Amendment on the day and year first written above

Attest:



Secretary/Assistant Secretary

**WESTWOOD OF PASCO COMMUNITY
DEVELOPMENT DISTRICT**


Chairman, Board of Supervisors


Witness

CEPRA LANDSCAPE, LLC

By: 
Print: Justin Norris
Its: Branch Mgr

Blanca Araya.
Print Name of Witness

Exhibit A: Proposal

Exhibit B: Maintenance Map



Westwood
Community
Development
District
Landscape and
Irrigation
Maintenance

We're not the Biggest Landscape Company;
we're the most dedicated.



PO Box 865
Oakland, FL 34760
Office: 941.888.3227
cepralandscape.com

September 16, 2024

Westwood Community Development District
2300 Glades Road #410W,
Boca Raton, FL 33431, Florida 33431

RE: Landscape Maintenance Proposal

Dear Jamie,

Thank you for this opportunity to present landscape services for Westwood Community Development District Renewal. Cepra Landscape is a local, family owned business committed to providing our customers with the best value possible in the landscape industry.

Our company rests on three pillars: (1) Unparalleled customer service, (2) expertise of our employees, and (3) our beautiful landscapes. These three pillars serve as the foundation for ancillary brand benefits including attention to detail, educated decision making, personalized service, and a seamless customer experience. Our difference is solid.

We strive to constantly exceed expectations by providing outstanding results in both product and service. Our goal is to create lasting partnerships and work with customers who truly believe in what we do.

Please contact us should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Norris", is written over a light blue horizontal line.

Justin Norris

Discover **CEPRA** and See the difference.



Exhibit A

LANDSCAPE MAINTENANCE SPECIFICATIONS

I. Scope of Work

A. Landscape Maintenance

Mowing:

Lawns shall be mowed weekly during the active growing season and as needed during the non-growing season. Site conditions such as dry or saturated turf will dictate the mowing operations. Turf will be cut with rotary mowers in order to maintain a uniform height. Contractor shall leave clippings in the lawn as long as no visible clumps remain.

Trimming/Edging:

All fixed objects shall be trimmed or edged in order to maintain neat appearance. Turf shall be string trimmed to match the height as determined by the mowers. Turf adjacent to all bodies of water shall be mowed or string trimmed to the water's edge during each mowing operation.

Blowing:

As part of each maintenance cycle, all debris generated from our work, shall be removed from sidewalks, roadways, paved areas, monuments, and markers on days of service.

Weed Control:

Contractor shall keep beds reasonably free of broadleaf or grassy weeds using a legally approved herbicides both preemergent and postemergent.

Groundcovers:

Groundcover shall be edged in order to keep it within the bounds of its intended area.

Pruning:

Shrubs shall be pruned only as necessary to create a natural appearance, to maintain the desired shape, and to remove damage or diseased wood. Within the weekly detail service, debris, such as branch snags, will be removed from beds. Encroaching preserve will be kept back at a maintainable growth to the property line up to 15' height. Once a year in the winter months, a major push back to property line will be completed within season.

Tree Pruning:

Pruning of trees up to a height of 20 feet is included in these specifications. The lower branches on trees over 20 feet shall only be raised to provide clearance for pedestrians, vehicles, buildings, shrubs, or to improve visibility. This pruning does not cover any type of interior pruning on the canopy such as thinning, deadwood, or crown reduction.

Debris and Storm Cleanup:

Excess debris in the landscape area shall be removed on the days of service. All debris generated from our work shall be removed from sidewalks, roadways and paved areas on the days of service. Contractor is not responsible for removal of excessive storm debris or fallen tree litter greater than 4" in diameter.

Page 1 of 2

Discover **CEPRA** and See the difference.



Exhibit A

B. Horticulture Management

Fertilization:

Turf and ornamentals shall be fertilized with approved commercial grade fertilizer. The number of applications will be based on plant types and requirements.

Turf Weed Control:

Broadleaf and sedge type weeds shall be covered under these specifications. Turf areas shall be treated as warranted with approved pre and post emergent weed control products following all State and Federal regulations.

Insect Control:

Contractor shall provide control for insects damaging turf and ornamentals by using approved products following all State and Federal regulations.

Disease Control:

These specifications do not include preventative measures for fungus and disease. The contractor shall provide treatments to stop or slow the progression of diseases when necessary. Proper turf management, including fertilization, mowing height, and irrigation management are the most critical factors to controlling diseases.

C. Irrigation Management

Scheduling:

Contractor shall schedule the irrigation to operate at night when possible and shall be monitored and adjusted according to seasonal requirements and site conditions. Watering schedule shall adhere to local watering restrictions where applicable.

Irrigation Inspection:

Contractor shall perform the following services as part of the monthly irrigation inspection:

- Activate each irrigation zone of the system.
- Visually check for any damages or necessary repairs.
- Straighten or adjust irrigation heads as necessary.
- Adjust the irrigation controller for specific watering requirements according to the season and site conditions.
- Provide a written report of the findings.

Damage to the system:

Contractor shall repair, at no cost, any damage caused by maintenance operations. Contractor shall not be held liable for damage due to faulty equipment, lightning, construction work, vandalism, pre-existing conditions, freezes, or acts of God.



CEPRA Landscape Management Services
Approximate Frequencies

		Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Annual
St. Augustine	Mowing	1	2	2	5	4	4	5	4	5	4	2	2	40
	Hard scape Edging	1	2	2	5	4	4	5	4	5	4	2	2	40
	Landscape Bed Edging	1	1	1	2	2	2	3	2	3	2	1	1	21
Zoysia	Mowing	1	1	2	3	4	4	5	4	5	3	2	2	36
	Hard scape Edging	1	1	2	3	4	4	5	4	5	3	2	2	36
	Landscape Bed Edging	1	1	1	2	2	2	2	2	2	1	1	1	19
Bahia - High Maintenance	Mowing	1	1	2	3	4	4	5	4	5	3	2	2	36
	Hard scape Edging	1	1	1	3	4	4	5	4	5	2	1	1	32
	Landscape Bed Edging	0	1	1	1	2	2	2	2	2	1	1	1	16
Bahia - Low Maintenance	Mowing Bahia Low visibility	0	1	1	1	4	4	5	4	5	1	1	1	28
	Hard scape Edging	0	1	1	1	4	4	5	4	5	1	1	1	28
	Landscape Bed Edging	1	0	1	1	1	2	2	2	2	1	1	0	14
Shrub Care	Pruning		1		1	1	1	1	1	1	1		1	9
	Bed Weed Control	1	1	2	2	2	2	2	2	2	2	1	1	20
	Cutbacks		1											1
Tree Care	Ornamental Pruning		x	x		x	x		x	x		x	x	4
	Shade Tree Elevations	x	x	x										1
	Palm Pruning						x	x	x	x	x			1
	Specimen Palm Pruning	x	x		x	x		x	x		x	x		1
Flower Care	Installation	x		x	x		x	x		x	x		x	4
	Maintenance	4	4	4	5	4	4	5	4	5	4	4	5	52
Site Services	Property Inspection	4	4	4	5	4	4	5	4	5	4	4	5	52
	Irrigation Inspection	1	1	1	1	1	1	1	1	1	1	1	1	12

The Services and frequencies listed above are approximate and can change in quantity and timing based on actual climate conditions

Discover **CEPRA** and See the difference.



Horticulture Services Ornamental

Shrubs & Trees

Hort. Service	Product	Freq.	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Granular Fert.	6 Month Blend with Minors	2												
Liquid Fert	Focal Plants with Insect/Fungicide	4												
Pest Control	Preventative Treatment	1												
Pest Control	IPM Treatments	As Needed												
Disease Control	Fungicide with Minors	As Needed												

Palms

Hort. Service	Product	Freq.	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Granular Fert.	6 Month Blend with Minors	2												
Liquid Fert	Canopy - Minors with Fung./Insect.	2												
Pest Control	IPM Treatments	As Needed												
Disease Control	IPM Treatments	As Needed												

Flowers

Hort. Service	Product	Freq.	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Granular Fert.	3 Month Blend with Minors	4												
Liquid Fert	Minors with Fungicide/Herbicide	8												
Pest Control	IPM Treatments	As Needed												
Disease Control	IPM Treatments	As Needed												

*** All Services above are based on final product Guarantee and any additional applications will be completed at no additional Cost**

Discover **CEPRA** and See the difference.



Horticulture Services Turf Grass

St. Augustine Grass

Hort. Service	Product	Freq.	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Granular Turf Fert.	3 Month Blend with Pre-Emergent	2												
Granular Turf Fert.	4 Month Blend	1												
Liquid Turf Fert.	Minor Nutrients with Insect Control	1												
Winter Weeds	Herbicide	1												
Summer Weeds	Herbicide	1												
Disease Control	Fungicide	As Needed												

Zoysia Grass

Hort. Service	Product	Freq.	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Granular Turf Fert.	3 Month Blend with Pre-Emergent	2												
Granular Turf Fert.	4 Month Blend	1												
Liquid Turf Fert.	Minor Nutrients with Insect Control	As Needed												
Winter Weeds	Herbicide	1												
Summer Weeds	Herbicide	1												
Disease Control	Fungicide	As Needed												

Bahia Grass - Focal Areas Only

Hort. Service	Product	Freq.	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Granular Turf Fert.	4 Month Blend with Insecticide	2												
Liquid Turf Fert.	Minor Nutrients	As Needed												
Winter Weeds	Herbicide	1												
Summer Weeds	Herbicide	1												
Disease Control	Fungicide	As Needed												

*** All Services above are based on final product Guarantee and any additional applications will be completed at no additional Cost***

Discover **CEPRA** and See the difference.



Exhibit B
Westwood Community Development District

Base Maintenance Services

Description	Price	Qty	Subtotal
Landscape Management <i>Includes Horticulture Services</i>	\$6.825	12	\$81.900
Irrigation Management <i>Includes Irrigation Inspections</i>	\$250	12	\$3,120
Total			\$85,020

Additional Services Included in Contract

Description	Price	Qty	Subtotal
Misc. Services <i>None included.</i>	\$0	0	\$0
Total			\$0

Total Commitment

Total Annual Cost	\$85,020
Total Monthly Cost	\$7,085/Month

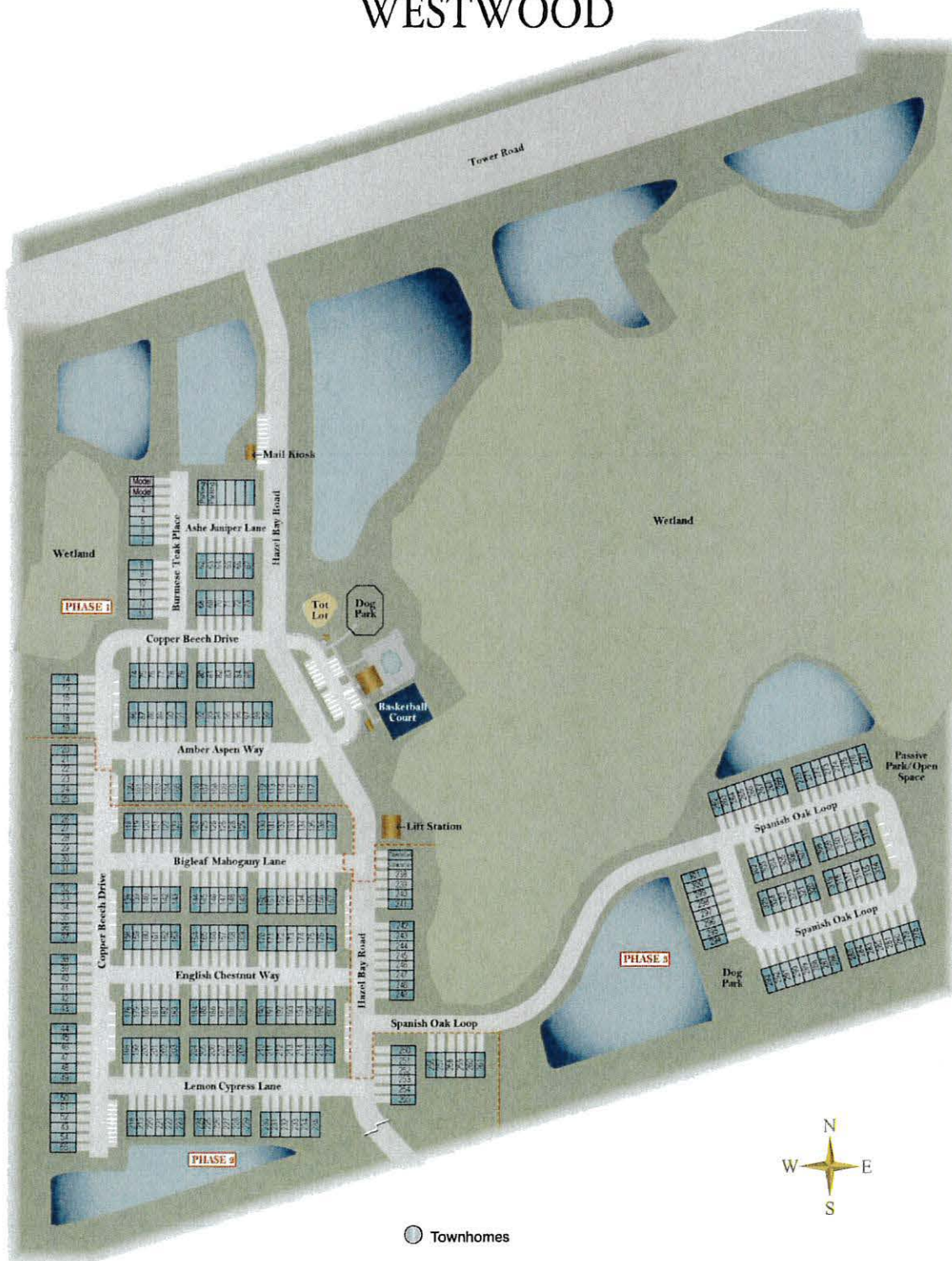
Discover **CEPRA** and See the difference.

EXHIBIT B

COMMUNITY SITE MAP



WESTWOOD



● Townhomes

D·R·HORTON
America's Builder

Subject to change without notice.
Artist's conception only.

CBC039052 8/23

WWW.DRHORTON.COM/WESTWOOD

WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED
FINANCIAL
STATEMENTS

**WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
SEPTEMBER 30, 2024**

**WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2024**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
ASSETS				
Cash	\$ 13,014	\$ -	\$ -	\$ 13,014
Investments				
Revenue	-	108,115	-	108,115
Reserve	-	64,912	-	64,912
Prepayment	-	809	-	809
Interest	-	362	-	362
Construction	-	-	538	538
Due from Developer	104,442	-	89	104,531
Utility deposit	4,514	-	-	4,514
Prepaid expense	8,565	-	-	8,565
Total assets	<u>\$ 130,535</u>	<u>\$ 174,198</u>	<u>\$ 627</u>	<u>\$ 305,360</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	\$ 66,738	\$ -	\$ 89	\$ 66,827
Due to Landowner	9	-	9,144	9,153
Landowner advance	51,000	-	-	51,000
Total liabilities	<u>117,747</u>	<u>-</u>	<u>9,233</u>	<u>126,980</u>
DEFERRED INFLOWS OF RESOURCES				
Deferred revenue	<u>104,442</u>	<u>-</u>	<u>-</u>	<u>104,442</u>
Total deferred inflows of resources	<u>104,442</u>	<u>-</u>	<u>-</u>	<u>104,442</u>
Fund balances:				
Restricted				
Debt service	-	174,198	-	174,198
Capital projects	-	-	(8,606)	(8,606)
Unassigned	<u>(91,654)</u>	<u>-</u>	<u>-</u>	<u>(91,654)</u>
Total fund balances	<u>(91,654)</u>	<u>174,198</u>	<u>(8,606)</u>	<u>73,938</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 130,535</u>	<u>\$ 174,198</u>	<u>\$ 627</u>	<u>\$ 305,360</u>

**WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED SEPTEMBER 30, 2024**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Landowner contribution	\$ -	\$ 120,515	\$ 412,367	29%
Total revenues	-	120,515	412,367	29%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording	4,000	48,000	48,000	100%
Legal	3,571	9,797	25,000	39%
Engineering	-	-	2,000	0%
Audit	-	-	4,000	0%
Arbitrage rebate calculation	-	-	750	0%
Dissemination agent	83	1,000	1,000	100%
EMMA software service	-	1,000	-	N/A
Trustee	4,246	4,246	5,500	77%
Telephone	17	200	200	100%
Postage	11	22	500	4%
Printing & binding	42	500	500	100%
Legal advertising	1,348	2,781	1,750	159%
Annual special district fee	-	175	175	100%
Insurance	-	5,722	6,050	95%
Contingencies/bank charges	79	427	750	57%
Website				
Hosting & maintenance	705	705	705	100%
ADA compliance	-	210	210	100%
Property appraiser & tax collector	-	850	8,774	10%
Total professional & administrative	14,102	75,635	105,864	71%

**WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED SEPTEMBER 30, 2024**

	Current Month	Year to Date	Budget	% of Budget
Field Services				
Property insurance	-	-	50,000	0%
Field operations management	-	14,225	19,500	73%
Electricity-street light	3,251	27,297	35,000	78%
Irrigation well maintenance	-	-	2,500	0%
Lake maintenance	1,000	4,000	10,000	40%
Monument maintenance	-	-	2,000	0%
Sign maintenance	-	506	500	101%
Fence maintenance	-	-	1,000	0%
Wetlands maintenance	-	-	5,000	0%
Contract-common area landscaping	29,012	75,916	80,000	95%
Irrigation repairs	-	-	10,000	0%
Mulch	-	-	15,000	0%
Landscape/plant replacement	-	-	10,000	0%
Tree trimming & removal	-	-	5,000	0%
Amenity landscape	-	-	5,000	0%
Clubhouse maintenance	-	-	1,200	0%
Janitorial	-	-	11,400	0%
Pressure washing	-	-	3,000	0%
Permits	280	280	500	56%
Pool repairs & maintenance	1,250	1,250	1,200	104%
Pool service contract	-	-	18,000	0%
General maintenance	-	-	2,000	0%
Gate maintenance contract	-	-	1,500	0%
Gate phone/internet	-	-	1,200	0%
Gate repairs	-	375	1,000	38%
Amenity water/sewer	63	5,622	2,500	225%
Amenity electric	365	365	6,000	6%
Miscellaneous	-	1,395	5,000	28%
Cloud cover-music	-	-	276	0%
Tot lot/dog park/basketball court	-	-	5,000	0%
Electricity	-	-	2,500	0%
Water-irrigation	-	-	2,500	0%
Total field services	<u>35,221</u>	<u>131,231</u>	<u>315,276</u>	42%
Total expenditures	<u>49,323</u>	<u>206,866</u>	<u>421,140</u>	49%
Net change in fund balances	(49,323)	(86,351)	(8,773)	
Fund balances - beginning	<u>(42,331)</u>	<u>(5,303)</u>	<u>-</u>	
Fund balances - ending	<u>\$ (91,654)</u>	<u>\$ (91,654)</u>	<u>\$ (8,773)</u>	

**WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2023
FOR THE PERIOD ENDED SEPTEMBER 30, 2024**

	Current Month	Year To Date
REVENUES		
Special assessment: off-roll	\$ -	\$ 259,649
Interest	723	8,092
Developer contribution	-	10,938
Total revenues	<u>723</u>	<u>278,679</u>
EXPENDITURES		
Interest	-	195,023
Cost of issuance	-	5,925
Total debt service	<u>-</u>	<u>200,948</u>
Excess/(deficiency) of revenues over/(under) expenditures	723	77,731
OTHER FINANCING SOURCES/(USES)		
Transfers out	-	(66,476)
Total other financing sources	<u>-</u>	<u>(66,476)</u>
Net change in fund balances	723	11,255
Fund balances - beginning	173,475	162,943
Fund balances - ending	<u>\$ 174,198</u>	<u>\$ 174,198</u>

**WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2023
FOR THE PERIOD ENDED SEPTEMBER 30, 2024**

	Current Month	Year To Date
REVENUES		
Interest	\$ 2	\$ 50
Total revenues	<u>2</u>	<u>50</u>
EXPENDITURES		
Construction costs	-	74,257
Total expenditures	<u>-</u>	<u>74,257</u>
OTHER FINANCING SOURCES/(USES)		
Transfer in	-	66,476
Total other financing sources/(uses)	<u>-</u>	<u>66,476</u>
Net change in fund balances	2	(7,731)
Fund balances - beginning	(8,608)	(875)
Fund balances - ending	<u>\$ (8,606)</u>	<u>\$ (8,606)</u>

WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT

**MINUTES OF MEETING
WESTWOOD OF PASCO COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Westwood of Pasco Community Development District held Public Hearings and a Regular Meeting on August 28, 2024 at 10:00 a.m., or as soon thereafter as the matter could be heard., at Tampa Civil Design, LLC, 17937 Hunting Bow Circle, Lutz, Florida 33558.

Present were:

Ryan Zook	Chair
John Snyder	Vice Chair
Anne Mize	Assistant Secretary

Also present:

Andrew Kantarzhi	District Manager
Tucker Mackie (via telephone)	District Counsel
Jeremy Couch	District Engineer
Michelle Guerriere	DR Horton
Ethen Broadwater	DR Horton

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Kantarzhi called the meeting to order at 10:30 a.m. Supervisors Zook, Snyder and Mize were present. Supervisors Panico and You were absent.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

**Acceptance of Resignation of Brian Panico
[Seat 3]**

Mr. Kantarzhi presented Mr. Brian Panico's resignation from Seat 3.

<p>On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the resignation of Mr. Brian Panico from Seat 3, was accepted.</p>

▪ **Acceptance of Resignation of Cody You [Seat 5]**

This item, previously the Fifth Order of Business, was presented out of order.

Mr. Kantarzhi presented Mr. Cody You's resignation from Seat 5.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the resignation of Mr. Cody You from Seat 5, was accepted.

FOURTH ORDER OF BUSINESS

Consider Appointment of Ethen Broadwater to Fill Unexpired Term of Seat 3; Term Expires November 2024

Mr. Zook nominated Ethen Broadwater to fill Seat 3. No other nominations were made.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the appointment of Mr. Ethen Broadwater to fill Seat 3, was approved.

- **Consider Appointment of Michelle Guerrier to Fill Unexpired Term of Seat 5; Term Expires November 2024**

This item, previously the Sixth Order of Business, was presented out of order.

Mr. Zook nominated Michelle Guerrier to fill Seat 5. No other nominations were made.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the appointment of Ms. Michelle Guerrier to fill Seat 5, was approved.

- **Administration of Oath of Office (the following will also be provided in a separate package)**

Mr. Kantarzhi, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Michelle Guerrier and Mr. Ethen Broadwater. Ms. Guerrier and Mr. Broadwater are familiar with the following:

- A. Required Ethics Training and Disclosure Filing**
 - **Sample Form 1 2023/Instructions**
- B. Membership, Obligation and Responsibilities**
- C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

FIFTH ORDER OF BUSINESS

Acceptance of Resignation of Cody You
[Seat 5]

This item was presented during the Third Order of Business.

SIXTH ORDER OF BUSINESS

Consider Consider Appointment of
Michelle Guerrier to Fill Unexpired Term of
Seat 5; Term Expires November 2024

- Administration of Oath of Office

These items were presented during the Fourth Order of Business.

- Acceptance of Resignations of John Snyder [Seat 2] and Consideration of Appointment to Fill Unexpired Term of Seat 2 and Administration of Oath of Office to Newly Appointed Supervisor

This item was an addition to the agenda.

Mr. Kantarzhi presented Mr. John Snyder's resignation from Seat 2.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the resignation of Mr. John Snyder from Seat 2, was accepted.

Mr. Zook nominated Ms. Angela Mathews to fill Seat 2.

No other nominations were made.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the appointment of Ms. Angela Mathews to fill Seat 2, was approved.

The Oath of Office will be administered to Ms. Angela Mathews at or before the next meeting.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2024-05,
Electing and Removing Officers of the
District and Providing for an Effective Date

Mr. Kantarzhi presented Resolution 2024-05. Mr. Zook nominated the following slate:

Ryan Zook

Chair

Anne Mize

Vice Chair

117 Michelle Guerrier Assistant Secretary

118 Ethen Broadwater Assistant Secretary

119 No other nominations were made.

120 This Resolution removes the following from the Board:

121 John Snyder Vice Chair

122 Brian Panico Assistant Secretary

123 Cody You Assistant Secretary

124 The following prior appointments by the Board remain unchanged by this Resolution:

125 Craig Wrathell Secretary

126 Cindy Cerbone Assistant Secretary

127 Andrew Kantarzhi Assistant Secretary

128 Craig Wrathell Treasurer

129 Jeff Pinder Assistant Treasurer

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131 **On MOTION by Mr. Zook and seconded by Mr. Broadwater, with all in favor,**
132 **Resolution 2024-05, Electing, as nominated, and Removing Officers of the**
133 **District and Providing for an Effective Date, was adopted.**

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136 **EIGHTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year
2024/2025 Budget**

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139 **A. Proof/Affidavit of Publication**

140 This item was included for informational purposes.

141 **B. Consideration of Resolution 2024-06, Relating to the Annual Appropriations and**
142 **Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024 and Ending**
143 **September 30, 2025; Authorizing Budget Amendments; and Providing an Effective**
144 **Date**

145 Mr. Kantarzhi presented Resolution 2024-06. He reviewed the proposed Fiscal Year
146 2025 budget, highlighting increases, decreases and adjustments, compared to the Fiscal Year
147 2024 budget, and explained the reasons for any changes.

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149 **On MOTION by Mr. Zook and seconded by Mr. Broadwater, with all in favor,**
150 **the Public Hearing was opened.**

No affected property owners or members of the public spoke.

On MOTION by Mr. Zook and seconded by Mr. Broadwater, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Zook and seconded by Mr. Broadwater, with all in favor, Resolution 2024-06, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2024/2025, Pursuant to Florida Law

A. Proof/Affidavit of Publication

B. Mailed Notice(s) to Property Owners

These items were included for informational purposes.

C. Consideration of Resolution 2024-07, Providing for Funding for the FY 2025 Adopted Budget(s); Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Mr. Zook and seconded by Mr. Broadwater, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. Zook and seconded by Mr. Broadwater, with all in favor, the Public Hearing was closed.

Mr. Kantarzhi presented Resolution 2024-07 and read the title.

On MOTION by Mr. Zook and seconded by Mr. Broadwater, with all in favor, Resolution 2024-07, Providing for Funding for the FY 2025 Adopted Budget(s); Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

TENTH ORDER OF BUSINESS**Discussion: Amenity Facility Rules**

Ms. Mackie presented draft Amenity Facility Rules in anticipation of the CDD acquiring the Amenity Facilities in advance of the next meeting. The CDD must notice and hold a public hearing before these Rules can be officially enacted. In the interim, the Amenity Facility Rules can be implemented on an interim basis. Although the Non-resident User Fee in the agenda is \$3,000, it was reduced to \$2,000.

On MOTION by Mr. Zook and seconded by Mr. Broadwater, with all in favor, implementing Interim Amenity Facility Rules, as discussed, and authorizing Staff to schedule the Public Hearing on October 23, 2024 at 10:00 a.m., at the offices of Tampa Civil Design, LLC, 17937 Hunting Bow Circle, Lutz, Florida 33558, was approved.

ELEVENTH ORDER OF BUSINESS**Consideration of Goals and Objectives Reporting [HB7013 - Special Districts Performance Measures and Standards Reporting]**

Mr. Kantarzhi presented the Memorandum explaining the requirement for the CDD to develop goals and objectives. He presented the Performance Measures/Standards & Annual Reporting Form developed for the CDD, which explains how the CDD will meet the goals.

On MOTION by Mr. Zook and seconded by Mr. Broadwater, with all in favor, the Goals and Objectives and the Performance Measures/Standards & Annual Reporting Form, were approved.

TWELFTH ORDER OF BUSINESS**Acceptance of Unaudited Financial Statements as of July 31, 2024**

Mr. Kantarzhi presented the Unaudited Financial Statements as of July 31, 2024.

On MOTION by Mr. Zook and seconded by Mr. Broadwater, with all in favor, the Unaudited Financial Statements as of July 31, 2024, were accepted.

THIRTEENTH ORDER OF BUSINESS**Approval of May 22, 2024 Regular Meeting Minutes**

On MOTION by Mr. Zook and seconded by Mr. Broadwater, with all in favor, the May 22, 2024 Regular Meeting Minutes, as presented, were approved.

FOURTEENTH ORDER OF BUSINESS**Staff Reports**

A. District Counsel: Kutak Rock LLP

B. District Engineer: Tampa Civil Design, LLC

There were no District Counsel or District Engineer reports.

C. District Manager: Wrathell, Hunt and Associates, LLC

- 4 Registered Voters in District as of April 15, 2024
- NEXT MEETING DATE: September 25, 2024 at 10:00 AM
 - QUORUM CHECK

The next meeting will be held on September 25, 2024, unless cancelled.

FIFTEENTH ORDER OF BUSINESS**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

SIXTEENTH ORDER OF BUSINESS**Public Comments**

No members of the public spoke.

SEVENTEENTH ORDER OF BUSINESS**Adjournment**

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the meeting adjourned at 10:40 a.m.

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Secretary/Assistant Secretary

Chair/Vice Chair

WESTWOOD OF PASCO
COMMUNITY DEVELOPMENT DISTRICT

STAFF
REPORTS

WESTWOOD OF PASCO COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2024/2025 MEETING SCHEDULE		
LOCATION		
<i>Tampa Civil Design, LLC, 17937 Hunting Bow Circle, Lutz, Florida 33558</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 23, 2024	Regular Meeting	10:30 AM**
November 5, 2024	Landowners' Meeting	10:00 AM
January 22, 2025	Regular Meeting	10:30 AM**
February 26, 2025	Regular Meeting	10:30 AM**
March 26, 2025	Regular Meeting	10:30 AM**
April 23, 2025	Regular Meeting	10:30 AM**
May 28, 2025	Regular Meeting	10:30 AM**
June 25, 2025	Regular Meeting	10:30 AM**
July 23, 2025	Regular Meeting	10:30 AM**
August 27, 2025	Regular Meeting	10:30 AM**
September 24, 2025	Regular Meeting	10:30 AM**
**Meetings will convene immediately following the adjournment of the Towns at Woodsdale CDD meetings, scheduled to commence at 10:00 AM.		