



**SAIL HARBOUR
COMMUNITY DEVELOPMENT
DISTRICT**

**LEE COUNTY
REGULAR BOARD MEETING
& PUBLIC HEARING
AUGUST 14, 2023
6:00 P.M.**

Special District Services, Inc.
The Oaks Center
2501A Burns Road
Palm Beach Gardens, FL 33410

www.sailharbourcdd.org

561.630.4922 Telephone

877.SDS.4922 Toll Free

561.630.4923 Facsimile

AGENDA
SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT
Hilton Garden Inn
12600 University Drive
Fort Myers, Florida 33907
REGULAR BOARD MEETING & PUBLIC HEARING
August 14, 2023
6:00 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. April 10, 2023 Regular Board Meeting.....Page 2
- G. Public Hearing
 - 1. Proof of Publication.....Page 5
 - 2. Receive Public Comments on Fiscal Year 2023/2024 Final Budget
 - 3. Consider Resolution No. 2023-02 – Adopting a Fiscal Year 2023/2024 Final Budget.....Page 6
- H. Old Business
- I. New Business
 - 1. Consider Resolution No. 2023-03 – Adopting a Fiscal Year 2023/2024 Meeting Schedule.....Page 13
 - 2. Consider Resolution No. 2023-04 – Adopting a Records Retention Policy.....Page 15
 - 3. Accept and Receive Annual Engineer’s Report.....Page 19
 - 4. Discussion Regarding Required Ethics Training
 - 5. Consider Appointment of Audit Committee & Approval of Evaluation Criteria.....Page 20
- J. Administrative Matters
 - 1. Engineer’s Report
 - 2. Financials.....Page 24
 - 3. Update on Filling Board Vacancy
- K. Board Members Comments
- L. Adjourn

The News-Press media group

news-press.com A GANNETT COMPANY

Attn:
SAIL HARBOUR COM DEV DISTRICT
2501 BURNS RD STE A
PALM BEACH GARDENS, FL 33410

SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Sail Harbour Community Development District will hold Regular Meetings in a Meeting Room at the Hilton Garden Inn located at 12600 University Drive, Fort Myers, Florida 33907 at 6:00 p.m. on the following dates:

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

State of Wisconsin, County of Brown:
Before the undersigned authority personally appeared _____, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website or by contacting the District Manager at (561) 630-4922 and/or toll free at 1-877-737-4922 prior to the date of the particular meeting.

SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE
NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Sail Har

From time to time one or more Supervisors may participate by telephone; therefore a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Meetings may be continued as found necessary to a time and place specified on the record.

In the Twentieth Judicial Circuit Court was published in said newspaper editions dated in the issues of or by publication on the newspaper's website, if authorized, on :

09/30/2022

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

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee 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 or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper editions dated:

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at (561) 630-4922 and/or toll-free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Sworn to and Subscribed before me this 30th of September 2022, by legal clerk who is personally known to me.

Meetings may be cancelled from time to time without advertised notice.

SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT

Affiant

www.sailharbourcdd.org

PUBLISH: FT. MYERS NEWS-PRESS
09/30/22

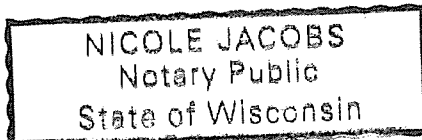
Notary State of Wisconsin, County of Brown

8-21-26

My commission expires

of Affidavits 1

This is not an invoice



**SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
APRIL 10, 2023**

A. CALL TO ORDER

The April 10, 2023, Regular Board Meeting of the Sail Harbour Community Development District (the “District”) was called to order at 6:00 p.m. at the Hilton Garden Inn located at 12600 University Drive, Fort Myers, Florida 33907.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Regular Board Meeting had been published in the *Fort Myers News-Press* on September 30, 2022, as part of the District’s Fiscal Year 2022/2023 Regular Meeting Schedule, as legally required.

C. ESTABLISH A QUORUM

It was noted that a quorum was established by the presence of:

Chairperson	Marge Howerton	Present
Vice Chairperson	Susan Balaun	Present
Supervisor	Richard Balaun	Present
Supervisor	Vacant	
Supervisor	Irene Imbasciani	Present

Staff members in attendance were:

District Manager	Kathleen Meneely	Special District Services
District Counsel	Ginger Wald (via phone)	Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

Also present were John & June Gill.

D. ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Mr. Gill asked about the availability of the audit and Ms. Meneely explained that the audit was distributed to Board Members when it comes out in June or July.

F. APPROVAL OF MINUTES

1. November 14, 2022, Regular Board Meeting

The minutes of the November 14, 2022, Regular Board Meeting were presented for approval.

A **motion** was made by Ms. Imbasciani, seconded by Mrs. Balaun and passed unanimously approving the minutes of the November 14, 2022, Regular Board Meeting, as presented.

G. OLD BUSINESS

There were no Old Business items to come before the Board.

H. NEW BUSINESS

1. Consider Resolution No. 2023-01 – Adopting a Fiscal Year 2023/2024 Proposed Budget

Resolution No. 2023-01 was presented, entitled:

RESOLUTION NO. 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2023/2024; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Mrs. Balaun, seconded by Mr. Balaun and passed unanimously adopting Resolution No. 2023-01, as presented, setting the Public Hearing for August 14, 2023.

I. ADMINISTRATIVE MATTERS

1. Engineer’s Report

There was no Engineer’s Report at this time.

2. Financials

Ms. Meneely went over the financials. The Board Members had no questions.

3. Update on Filling Board Vacancy

Ms. Howerton advised that she has not yet found anyone who was interested in serving on the Board. Several names were discussed with the Supervisors stating they would let Ms. Meneely know if they found an interested party.

J. BOARD MEMBER COMMENTS

Discussion ensued regarding the upcoming meeting schedule with the Board consensus to hold the next meeting in August.

K. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Balaun, seconded by Ms. Imbasciani and passed unanimously adjourning the Regular Board Meeting at 6:10 p.m.

Secretary/Assistant Secretary

Chair/Vice-Chair

Miscellaneous Notices

Published in The News-Press on July 25, 2023

Location

Lee County, Florida

Notice Text

Notice of Public Hearing and Regular Board Meeting of the Sail Harbour Community Development District The Board of Supervisors of the Sail Harbour Community Development District (the "District") will hold a Public Hearing and Regular Board Meeting on August 14, 2023, at 6:00 p.m., or as soon thereafter as can be heard, in a Meeting Room at the Hilton Garden Inn located at 12600 University Drive, Ft. Myers, Florida 33907. The purpose of the Public Hearing is to receive public comment on the Fiscal Year 2023/2024 Proposed Final Budget of the District. The purpose of the Regular Board Meeting is for the Board to consider any business which may properly come before it. A copy of the Budget and/or the Agenda may be obtained from the District's website (www.sailharbourcdd.org) or at the offices of the District Manager, 2501A Burns Road, Palm Beach Gardens, Florida 33410, during normal business hours. The meetings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. Meetings may be continued as found necessary to a time and place specified on the record. There may be occasions when one or more Supervisors will participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at these meetings should contact the District Manager at (239) 444-5790 and/or toll-free at 1-877-737-4922, at least seven (7) days prior to the date of the meetings. If any person decides to appeal any decision made with respect to any matter considered at this Public Hearing and Regular Board Meeting, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made at their own expense and which record includes the testimony and evidence on which the appeal is based. Meetings may be cancelled from time to time without advertised notice. Sail Harbour Community Development District www.sailharbourcdd.org AD# 5774161 July 25; Aug 1, 2023

RESOLUTION NO. 2023-02

A RESOLUTION OF THE SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2023/2024 BUDGET.

WHEREAS, the Sail Harbour Community Development District (“District”) has prepared a Proposed Budget and Final Special Assessment Roll for Fiscal Year 2023/2024 and has held a duly advertised Public Hearing to receive public comments on the Proposed Budget and Final Special Assessment Roll; and,

WHEREAS, following the Public Hearing and the adoption of the Proposed Budget and Final Assessment Roll, the District is now authorized to levy non ad-valorem assessments upon the properties within the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT THAT:

Section 1. The Final Budget and Final Special Assessment Roll for Fiscal Year 2023/2024 attached hereto as Exhibit “A” is approved and adopted, and the assessments set forth therein shall be levied.

Section 2. The Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

PASSED, ADOPTED and EFFECTIVE this 14th day of August, 2023.

ATTEST:

**SAIL HARBOUR
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Sail Harbour
Community Development District

**Final Budget For
Fiscal Year 2023/2024
October 1, 2023 - September 30, 2024**

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- IV ASSESSMENT COMPARISON

FINAL BUDGET
SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2023/2024 BUDGET
REVENUES	
O & M Assessments	68,798
Debt Assessments	509,434
Other Revenues	0
Interest Income	480
TOTAL REVENUES	\$ 578,712
EXPENDITURES	
Supervisor Fees	8,000
Payroll Taxes (Employer)	640
Engineering/Inspections	6,500
Pipe & Miscellaneous Maintenance	20,000
Stormwater Videotaping	2,000
Management	24,000
Legal	5,500
Assessment Roll	5,000
Audit Fees	3,900
Arbitrage Rebate Fee	500
Travel	500
Insurance	6,600
Legal Advertisements	1,350
Miscellaneous	1,400
Postage	350
Office Supplies	475
Dues & Subscriptions	175
Trustee Fee	4,400
Website Management	1,500
TOTAL EXPENDITURES	\$ 92,790
REVENUES LESS EXPENDITURES	\$ 485,922
Bond Payments	(478,868)
BALANCE	\$ 7,054
County Appraiser & Tax Collector Fee	(11,565)
Discounts For Early Payments	(23,129)
EXCESS/ (SHORTFALL)	\$ (27,640)
Carryover Funds From Prior Year	27,640
NET EXCESS/ (SHORTFALL)	\$ -

DETAILED FINAL BUDGET
SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2021/2022 ACTUAL	FISCAL YEAR 2022/2023 BUDGET	FISCAL YEAR 2023/2024 BUDGET	COMMENTS
REVENUES				
O & M Assessments	69,429	68,824	68,798	Expenditures Less Interest & Carryover/.94
Debt Assessments	509,435	509,434	509,434	Bond Payments/.94
Other Revenues	0	0	0	
Interest Income	263	480	480	Interest Projected At \$40 Per Month
TOTAL REVENUES	\$ 579,127	\$ 578,738	\$ 578,712	
EXPENDITURES				
Supervisor Fees	3,000	8,000	8,000	Supervisor Fees
Payroll Taxes (Employer)	230	640	640	8% Of Supervisor Fees
Engineering/Inspections	12,076	6,500	6,500	No Change From 2022/2023 Budget
Pipe & Miscellaneous Maintenance	52,322	20,000	20,000	Pipe & Miscellaneous Maintenance
Stormwater Videotaping	0	2,000	2,000	No Change From 2022/2023 Budget
Management	24,000	24,000	24,000	No Change From 2022/2023 Budget
Legal	4,658	5,500	5,500	No Change From 2022/2023 Budget
Assessment Roll	5,000	5,000	5,000	No Change From 2022/2023 Budget
Audit Fees	3,700	3,800	3,900	\$100 Increase From 2022/2023 Budget
Arbitrage Rebate Fee	500	500	500	No Change From 2022/2023 Budget
Travel	111	500	500	No Change From 2022/2023 Budget
Insurance	5,706	6,100	6,600	Fiscal Year 2022/2023 Expenditure Was \$6,134
Legal Advertisements	984	1,400	1,350	\$50 Decrease From 2022/2023 Budget
Miscellaneous	637	1,450	1,400	\$50 Decrease From 2022/2023 Budget
Postage	155	350	350	No Change From 2022/2023 Budget
Office Supplies	304	500	475	\$25 Decrease From 2022/2023 Budget
Dues & Subscriptions	175	175	175	No Change From 2022/2023 Budget
Trustee Fee	4,336	4,400	4,400	No Change From 2022/2023 Budget
Website Management	1,500	1,500	1,500	No Change From 2022/2023 Budget
TOTAL EXPENDITURES	\$ 119,394	\$ 92,315	\$ 92,790	
REVENUES LESS EXPENDITURES	\$ 459,733	\$ 486,423	\$ 485,922	
Bond Payments	(489,668)	(478,868)	(478,868)	2024 Principal & Interest Payments
BALANCE	\$ (29,935)	\$ 7,555	\$ 7,054	
County Appraiser & Tax Collector Fee	(979)	(11,565)	(11,565)	Two Percent Of Total Assessment Roll
Discounts For Early Payments	(21,281)	(23,130)	(23,129)	Four Percent Of Total Assessment Roll
EXCESS/ (SHORTFALL)	\$ (52,195)	\$ (27,140)	\$ (27,640)	
Carryover Funds From Prior Year	0	27,140	27,640	Carryover Funds From Prior Year
NET EXCESS/ (SHORTFALL)	\$ (52,195)	\$ -	\$ -	

DETAILED FINAL DEBT SERVICE FUND BUDGET
SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2021/2022 ACTUAL	FISCAL YEAR 2022/2023 BUDGET	FISCAL YEAR 2023/2024 BUDGET	COMMENTS
REVENUES				
Interest Income	1,295	25	100	Projected Interest For 2023/2024
NAV Tax Collection	489,668	478,868	478,868	Yearly Maximum Debt Assessment
Prepaid Bond Collection	0	0	0	
Total Revenues	\$ 490,963	\$ 478,893	\$ 478,968	
EXPENDITURES				
Principal Payments	290,000	305,000	315,000	Principal Payment Due In 2024
Interest Payments	190,713	173,516	163,662	Interest Payments Due In 2024
Bond Redemption	0	377	306	Estimated Excess Debt Collections
Total Expenditures	\$ 480,713	\$ 478,893	\$ 478,968	
Excess/ (Shortfall)	\$ 10,250	\$ -	\$ -	

Series 2015 Bond Refunding Information

Original Par Amount =	\$6,775,000	Annual Principal Payments Due =	May 1st
Interest Rate =	3.60%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	February 2015		
Maturity Date =	May 2036		

Par Amount As Of 1/1/23 = \$4,935,000

Sail Harbour Community Development District Assessment Comparison

	Original Projected Assessment <u>Before Discount*</u>	Fiscal Year 2020/2021 Assessment <u>Before Discount*</u>	Fiscal Year 2021/2022 Assessment <u>Before Discount*</u>	Fiscal Year 2022/2023 Assessment <u>Before Discount*</u>	Fiscal Year 2023/2024 Projected Assessment <u>Before Discount*</u>
O & M	\$ 168.54	\$ 145.60	\$ 145.57	\$ 145.51	\$ 145.46
<u>Debt</u>	\$ <u>1,223.46</u>	\$ <u>1,079.31</u>	\$ <u>1,079.31</u>	\$ <u>1,079.31</u>	\$ <u>1,079.31</u>
Total	\$ 1,392.00	\$ 1,224.91	\$ 1,224.88	\$ 1,224.82	\$ 1,224.77

* Assessments Include the Following :

- 4% Discount for Early Payments
- 1% County Tax Collector Fee
- 1% County Property Appraiser Fee

Community Information:

Total Units	473
Prepayments	1
Billed for Debt	472

RESOLUTION NO. 2023-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2023/2024 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is necessary for the Sail Harbour Community Development District ("District") to establish a regular meeting schedule for fiscal year 2023/2024; and

WHEREAS, the Board of Supervisors of the District has set a regular meeting schedule, location and time for District meetings for fiscal year 2023/2024 which is attached hereto and made a part hereof as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT, LEE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are hereby adopted.

Section 2. The regular meeting schedule, time and location for meetings for fiscal year 2023/2024 which is attached hereto as Exhibit "A" is hereby adopted and authorized to be published.

PASSED, ADOPTED and EFFECTIVE this 14th day of August, 2023.

ATTEST:

**SAIL HARBOUR
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

**SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024 REGULAR MEETING SCHEDULE**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Sail Harbour Community Development District will hold Regular Meetings in a Meeting Room at the Hilton Garden Inn located at 12600 University Drive, Fort Myers, Florida 33907 at 6:00 p.m. on the following dates:

**October 9, 2023
November 13, 2023
December 11, 2023
January 8, 2024
February 12, 2024
March 11, 2024
April 8, 2024
May 6, 2024
June 10, 2024
July 8, 2024
August 12, 2024
September 9, 2024**

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website or by contacting the District Manager at (561) 630-4922 and/or toll free at 1-877-737-4922 prior to the date of the particular meeting.

From time to time one or more Supervisors may participate by telephone; therefore a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Meetings may be continued as found necessary to a time and place specified on the record.

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

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at (561) 630-4922 and/or toll-free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.

SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT

www.sailharbourcdd.org

PUBLISH: FT. MYERS NEWS-PRESS

RESOLUTION 2023-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR THE APPOINTMENT OF A RECORDS MANAGEMENT LIAISON OFFICER; PROVIDING THE DUTIES OF THE RECORDS MANAGEMENT LIAISON OFFICER; ADOPTING A RECORDS RETENTION POLICY; DETERMINING THE ELECTRONIC RECORD TO BE THE OFFICIAL RECORD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Sail Harbour Community Development District (the “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, Section 257.36(5), *Florida Statutes*, requires the District to establish and maintain an active and continuing program for the economical and efficient management of records and to provide for the appointment of a records management liaison officer (“Records Management Liaison Officer”); and

WHEREAS, the District desires for the Records Management Liaison Officer to be an employee of the District or an employee of the District Manager; and

WHEREAS, the District desires to authorize the District’s records custodian to appoint a Records Management Liaison Officer, which may or may not be the District’s records custodian; and

WHEREAS, the District desires to prescribe duties of the Records Management Liaison Officer and provide for the assignment of additional duties; and

WHEREAS, the District’s Board of Supervisors (“Board”) finds that it is in the best interests of the District to adopt by resolution a records retention policy (the “Records Retention Policy”) for immediate use and application.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT, THAT:

SECTION 1. The District hereby authorizes the District’s records custodian to appoint a Records Management Liaison Officer and report such appointment to the appropriate State of Florida agencies. A Records Management Liaison Officer shall be an employee of the District or the District Manager. The Board, and the District’s records custodian, shall each have the individual power to remove the Records Management

Liaison Officer at any time for any reason. Immediately following the removal or resignation of a Records Management Liaison Officer, the District's records custodian shall appoint a replacement Records Management Liaison Officer.

SECTION 2. The duties of the Records Management Liaison Officer shall include the following:

- A.** Serve as the District's contact with the Florida Department of State, State Library and Archives of Florida;
- B.** Coordinate the District's records inventory;
- C.** Maintain records retention and disposition forms;
- D.** Coordinate District records management training;
- E.** Develop records management procedures consistent with the Records Retention Policy, as amended as provided herein;
- F.** Participate in the development of the District's development of electronic record keeping systems;
- G.** Submit annual compliance statements;
- H.** Work with the Florida Department of State, State Library and Archives of Florida to establish individual retention schedules for the District, from time to time and as may be necessary; and
- I.** Such other duties as may be assigned by the Board or the District's records custodian in the future.

SECTION 3. The District hereby adopts as its Records Retention Policy the applicable provisions of Section 257.36(5), *Florida Statutes*, the rules adopted by the Division of Library and Information Services of the Department of State ("Division") pursuant to Section 257.36, *Florida Statutes*, and the General Records Schedules established by the Division. However, the District will retain certain records longer than required by the General Records Schedules established by the Division as set forth in Exhibit A. To the extent the above statute, rules or schedules are amended or supplemented in the future, the District's Records Retention Policy shall automatically incorporate such amendment or supplement provided that such automatic amendment shall not reduce the retention times set forth in Exhibit A. The Records Retention Policy shall remain in full force and effect until such time as the Board amends the Policy.

SECTION 4. In accordance with section 668.50, Florida Statutes, and section 119.01, Florida Statutes, the Board finds that the electronic record shall be considered the official record and any paper originals are hereby duplicates which may be disposed of unless required to be preserved by any applicable statute, rule or ordinance.

SECTION 5. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 6. This Resolution shall become effective upon its passage; shall replace, supplant, and supersede any prior policy or resolution of the District regarding records retention; and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED at a meeting of the District Board of Supervisors, this 14th day of August, 2023.

ATTEST:

**SAIL HARBOUR COMMUNITY
DEVELOPMENT DISTRICT**

Print name: _____

Print name: _____

Secretary / Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: Amendments to General Records Schedules Established by the Division

Exhibit A

Amendments to General Records Schedules established by the Division

ADVERTISEMENTS: LEGAL (Item #25)

The District shall retain mailed and published legal advertisements, and corresponding affidavits, relating to proceedings under uniform method of collection of debt assessments permanently. The District shall retain mailed and published legal advertisements, and corresponding affidavits, relating to the levy of assessments securing bonds for five (5) fiscal years provided applicable audits have been released, or until three (3) calendar years after related bonds are redeemed, whichever is later.

AUDITS: INDEPENDENT (Item #56)

The District shall retain the record copy of independent audits for ten (10) fiscal years or until three (3) calendar years after all related bonds are redeemed, whichever is later.

DISBURSEMENT RECORDS: DETAIL (Item #340)

The District shall retain the record copy of disbursement records relating to the use of bonds for five (5) fiscal years provided applicable audits have been released or until three (3) calendar years after related bonds are redeemed, whichever is later.

DISBURSEMENT RECORDS: SUMMARY (Item #341)

The District shall retain the record copy of disbursement records relating to the use of bonds for ten (10) fiscal years provided applicable audits have been released or until three (3) calendar years after related bonds are redeemed, whichever is later.

FINANCIAL REPORTS: LOCAL GOVERNMENT ANNUAL REPORTS (Item #107)

The District shall retain the record copy of disbursement records relating to the use of bonds for ten (10) fiscal years provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later.

INCIDENT REPORT FILES (Item #241)

The District shall retain incident reports for five (5) anniversary years from the date of the incident.

MINUTES: OFFICIAL MEETINGS (PRELIMINARY/AUDIO RECORDINGS/VIDEO RECORDINGS (Item #4)

The District shall retain audio recordings of board of supervisor meetings for five (5) calendar years after adoption of the official minutes.

PROJECT FILES: CAPITAL IMPROVEMENT (Item #136)

The District shall retain the record copy of project files for projects funded with bonds for ten (10) fiscal years after completion of the project provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later.

REAL PROPERTY RECORDS: CONDEMNATION/DEMOLITION (Item #364)

The District shall retain the record copy of project files for condemnation/demolition projects funded with bonds for five (5) anniversary years after final action or until three (3) calendar years after all related bonds are redeemed, whichever is later. The record copy of deeds and easements shall be kept permanently.

REAL PROPERTY RECORDS: PROPERTY ACQUIRED (Item #172)

The District shall retain the record copy of documents related to property acquisitions funded with bonds for three (3) fiscal years after final disposition of the property provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later. The record copy of deeds and easements shall be kept permanently.



Sail Harbour Community Development District
Construction Bond Status
July 2023

The proposed infrastructure as described in the Sail Harbour Engineer’s Report and financed by the Sail Harbour Construction Bond are all functioning as intended.

Both the potable and sanitary systems were conveyed and accepted by Lee County Utilities which has operation and maintenance responsibilities.

A surface observation of the present stormwater management system on July 24, 2023, within the boundary of the Sail Harbour Bond project, found that the system is functioning as intended by design and currently there are not any apparent maintenance or repair needs of the stormwater structures. Over-all the stormwater management system as described in the Sail Harbour Engineer’s Report is functional and is in adequate physical condition.

Sincerely,

**ERIK L
HOWARD**

Digitally signed by
ERIK L HOWARD
Date: 2023.07.25
13:05:33 -04'00'

Erik Lee Howard, P.E., P.S.M.

License No. 66574

District Engineer

JOHNSON ENGINEERING, INC. E.B. 642

2122 Johnson Street

Fort Myers Florida 33901

elh@johnsoneng.com

(239) 461-2441

Erik Lee Howard, Professional Engineer,
State of Florida, License No. 66574.
This item has been digitally signed and
sealed by Erik Lee Howard, PE, on
07/25/2023. Printed copies of this document
are not considered signed and sealed and
the signature must be verified on any
electronic copies.

20055591-001

**SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT
AUDITOR SELECTION
EVALUATION CRITERIA**

1. *Ability of Personnel (10 Points).*

(E.g., geographic locations of the firm's headquarters or permanent office in relation to the project; capabilities and experience of key personnel; evaluation of existing work load; proposed staffing levels, etc.)

2. *Proposer's Experience (10 Points).*

(E.g. past record and experience of the Proposer in similar projects; volume of work previously performed by the firm; past performance for other Community Development Districts in other contracts; character, integrity, reputation of Proposer, etc.)

3. *Understanding of Scope of Work (10 Points).*

Extent to which the proposal demonstrates an understanding of the District's needs for the services requested.

4. *Ability to Furnish the Required Services (10 Points).*

Present ability to manage this project and the extent to which the proposal demonstrates the adequacy of Proposer's financial resources and stability as a business entity necessary to complete the services required (E.g. the existence of any natural disaster plan for business operations).

5. *Price (10 Points).*

Points will be awarded based upon the price bid for the rendering of the services and reasonableness of the price to the services.

**SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT
REQUEST FOR PROPOSALS**

**District Auditing Services for Fiscal Years 2022/2023, 2023/2024 and 2024/2025
With Two Year Option (2025/2026 and 2026/2027)
Lee County, Florida**

**SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT
AUDITOR SELECTION INSTRUCTIONS TO PROPOSERS**

SECTION 1. DUE DATE. Sealed proposals must be received no later than September 14, 2023 at 4:00 p.m., at the offices of District Manager, located at 2501A Burns Road, Palm Beach Gardens, Florida 33410.

SECTION 2. FAMILIARITY WITH THE LAW. By submitting a proposal, the Proposer is affirming its familiarity and understanding with all federal, state, and local laws, ordinances, rules and regulations that in any manner affect the work. Ignorance on the part of the Proposer will in no way relieve it from responsibility to perform the work covered by the proposal in compliance with all such laws, ordinances and regulations.

SECTION 3. QUALIFICATIONS OF PROPOSER. The contract, if awarded, will only be awarded to a responsible Proposer who is qualified by experience and licensing to do the work specified herein. The Proposer shall submit with its proposal satisfactory evidence of experience in similar work and show that it is fully prepared to complete the work to the satisfaction of the District.

SECTION 4. REJECTION OF PROPOSAL. Proposers shall be disqualified and their proposals rejected if the District has reason to believe that collusion may exist among the Proposers, the Proposer has defaulted on any previous contract or is in arrears on any previous or existing contract, or for failure to demonstrate proper licensure and business organization.

SECTION 5. SUBMISSION OF PROPOSAL. Submit two (2) copies of the Proposal Documents and one digital copy, and other requested attachments at the time and place indicated herein, which shall be enclosed in an opaque sealed envelope, marked with the title “Auditing Services – Sail Harbour Community Development District” on the face of it.

SECTION 6. MODIFICATION AND WITHDRAWAL. Proposals may be modified or withdrawn by an appropriate document duly executed and delivered to the place where proposals are to be submitted at any time prior to the time and date the proposals are due. After proposals are opened by the District, no proposal may be withdrawn for a period of ninety (90) days.

SECTION 7. PROPOSAL DOCUMENTS. The proposal documents shall consist of the notice announcing the request for proposals, these instructions, the Evaluation Criteria Sheet and a proposal with all required documentation pursuant to Section 12 of these instructions (the “Proposal Documents”).

SECTION 8. PROPOSAL. In making its proposal, each Proposer represents that it has read and understands the Proposal Documents and that the proposal is made in accordance therewith.

SECTION 9. BASIS OF AWARD/RIGHT TO REJECT. The District reserves the right to reject any and all proposals, make modifications to the work, and waive any informalities or irregularities in proposals as it is deemed in the best interests of the District.

SECTION 10. CONTRACT AWARD. Within fourteen (14) days of receipt of the Notice of Award from the District, the Proposer shall enter into and execute a Contract (engagement letter) with the District.

SECTION 11. LIMITATION OF LIABILITY. Nothing herein shall be construed as or constitute a waiver of District’s limited waiver of liability contained in section 768.28, Florida Statutes, or any other statute or law.

SECTION 12. MISCELLANEOUS. All proposals shall include the following information in addition to any other requirements of the proposal documents.

- A. List position or title of all personnel to perform work on the District audit. Include resumes or each person listed; list years of experience in present position for each party listed and years of related experience.
- B. Describe proposed staffing levels, including resumes with applicable certifications.
- C. Three references from projects of similar size and scope. The Proposer should include information relating to the work it conducted for each reference as well as a name, address and phone number of a contact person.

SECTION 13. PROTESTS. Any protest regarding the Proposal Documents, must be filed in writing, at the offices of the District Manager, within seventy-two (72) hours after receipt of the Request for Proposals and Evaluation Criteria or other contract documents. The formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days after the initial notice of protest was filed. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object or protest with respect to the aforesaid Request for Proposals, Evaluation Criteria, or other contract documents.

SECTION 14. EVALUATION OF PROPOSALS. The criteria to be used in the evaluation are presented in the Evaluation Criteria Sheet, contained within the Proposal Documents.

SECTION 15. REJECTION OF ALL PROPOSALS. The District reserves the right to reject any and all bids, with or without cause, and to waive technical errors and informalities, as determined to be in the best interests of the District.

Sail Harbour
Community Development District

**Financial Report For
July 2023**

Sail Harbour Community Development District
Balance Sheet
As of July 31, 2023

	<u>Operating Fund</u>	<u>Capital Projects Fund</u>	<u>Debt Service Fund</u>	<u>General Fixed Assets Fund</u>	<u>Long Term Debt Fund</u>	<u>TOTAL</u>
ASSETS						
Current Assets						
Checking/Savings						
Checking Account	55,564.41	0.00	0.00	0.00	0.00	55,564.41
Money Market Account	129,305.22	0.00	0.00	0.00	0.00	129,305.22
Total Checking/Savings	<u>184,869.63</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>184,869.63</u>
Total Current Assets	184,869.63	0.00	0.00	0.00	0.00	184,869.63
Fixed Assets						
Earthwork	0.00	0.00	0.00	547,952.00	0.00	547,952.00
Surface Water Management	0.00	0.00	0.00	889,049.00	0.00	889,049.00
Land Acquisition	0.00	0.00	0.00	3,267,406.00	0.00	3,267,406.00
Accum Deprec - Surface Water Mgt	0.00	0.00	0.00	-355,616.00	0.00	-355,616.00
Total Fixed Assets	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>4,348,791.00</u>	<u>0.00</u>	<u>4,348,791.00</u>
Other Assets						
Accounts Receivable	0.00	0.00	0.00	0.00	0.00	0.00
Investments - Interest Account	0.00	0.00	0.00	0.00	0.00	0.00
Investments - Reserve Account	0.00	0.00	191,806.20	0.00	0.00	191,806.20
Investments - Revenue Account	0.00	0.00	224,613.99	0.00	0.00	224,613.99
Investments - Prepayment Account	0.00	0.00	3,454.67	0.00	0.00	3,454.67
Investments - Sinking Fund	0.00	0.00	0.00	0.00	0.00	0.00
A/R Non Ad Valorem Receipts	0.00	0.00	0.00	0.00	0.00	0.00
Amount Available In DSF	0.00	0.00	0.00	0.00	419,874.86	419,874.86
Amount To Be Provided	0.00	0.00	0.00	0.00	4,210,125.14	4,210,125.14
Total Other Assets	<u>0.00</u>	<u>0.00</u>	<u>419,874.86</u>	<u>0.00</u>	<u>4,630,000.00</u>	<u>5,049,874.86</u>
TOTAL ASSETS	<u>184,869.63</u>	<u>0.00</u>	<u>419,874.86</u>	<u>4,348,791.00</u>	<u>4,630,000.00</u>	<u>9,583,535.49</u>
LIABILITIES & EQUITY						
Liabilities						
Current Liabilities						
Accounts Payable	4,633.90	0.00	0.00	0.00	0.00	4,633.90
Total Accounts Payable	<u>4,633.90</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>4,633.90</u>
Total Current Liabilities	4,633.90	0.00	0.00	0.00	0.00	4,633.90
Long Term Liabilities						
Special Assessment Debt	0.00	0.00	0.00	0.00	4,630,000.00	4,630,000.00
Total Long Term Liabilities	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>4,630,000.00</u>	<u>4,630,000.00</u>
Total Liabilities	4,633.90	0.00	0.00	0.00	4,630,000.00	4,634,633.90
Equity						
Retained Earnings	160,208.09	0.00	410,468.01	-355,616.00	0.00	215,060.10
Net Income	20,027.64	0.00	9,406.85	0.00	0.00	29,434.49
Current Year Depreciation	0.00	0.00	0.00	0.00	0.00	0.00
Investment In General Fixed Assets	0.00	0.00	0.00	4,704,407.00	0.00	4,704,407.00
Total Equity	<u>180,235.73</u>	<u>0.00</u>	<u>419,874.86</u>	<u>4,348,791.00</u>	<u>0.00</u>	<u>4,948,901.59</u>
TOTAL LIABILITIES & EQUITY	<u>184,869.63</u>	<u>0.00</u>	<u>419,874.86</u>	<u>4,348,791.00</u>	<u>4,630,000.00</u>	<u>9,583,535.49</u>

**SAIL HARBOUR COMMUNITY DEVELOPMENT DISTRICT
MONTHLY FINANCIAL REPORT
JULY 2023**

	Annual Budget 10/1/22 - 9/30/23	Actual Jul-23	Year To Date Actual 10/1/22 - 7/31/23
REVENUES			
O & M Assessments	68,824	365	68,158
Debt Assessments	509,434	0	504,052
Other Revenues	0	0	0
Interest Income	480	0	2,228
Total Revenues	\$ 578,738	\$ 365	\$ 574,438
EXPENDITURES			
Supervisor Fees	8,000	0	1,800
Payroll Taxes (Employer)	640	0	138
Engineering/Inspections	6,500	0	2,538
Pipe Maintenance/Replacement	20,000	0	3,438
Stormwater Videotaping	2,000	0	0
Management	24,000	2,000	20,000
Legal	5,500	0	2,460
Assessment Roll	5,000	0	0
Audit Fees	3,800	0	3,800
Arbitrage Rebate Fee	500	0	500
Travel	500	0	40
Insurance	6,100	0	6,134
Legal Advertisements	1,400	0	294
Miscellaneous	1,450	0	470
Postage	350	0	87
Office Supplies	500	1	123
Dues & Subscriptions	175	0	175
Trustee Fee	4,400	0	4,337
Website Management	1,500	125	1,248
Total Expenditures	\$ 92,315	\$ 2,126	\$ 47,582
Revenues Less Expenditures	\$ 486,423	\$ (1,761)	\$ 526,856
Bond Payments	(478,868)	0	(483,501)
BALANCE	\$ 7,555	\$ (1,761)	\$ 43,355
County Appraiser & Tax Collector Fee	(11,565)	0	(1,159)
Discounts For Early Payments	(23,130)	0	(22,168)
EXCESS/ (SHORTFALL)	\$ (27,140)	\$ (1,761)	\$ 20,028
Carryover Funds From Prior Year	27,140	0	0
NET EXCESS/ (SHORTFALL)	\$ -	\$ (1,761)	\$ 20,028
Bank Balance As Of 7/31/23	\$ 184,869.63		
Accounts Payable As Of 7/31/23	\$ 4,633.90		
Accounts Receivable As Of 7/31/23	\$ -		
Available Funds As Of 7/31/23	\$ 180,235.73		

**Note: Bank Balance Includes Money Market Fund
Balance As Of 7/31/23: \$129,305.22**

Sail Harbour Community Development District
Budget vs. Actual
October 2022 through July 2023

	<u>Oct '22 - July 23</u>	<u>22/23 Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Income				
363.100 · O & M Assessments	68,157.49	68,824.00	-666.51	99.03%
363.810 · Debt Assessments	504,052.45	509,434.00	-5,381.55	98.94%
363.820 · Debt Assessment-Paid To Trustee	-483,501.35	-478,868.00	-4,633.35	100.97%
363.830 · Assessment Fees	-1,158.85	-11,565.00	10,406.15	10.02%
363.831 · Assessment Discounts	-22,168.39	-23,130.00	961.61	95.84%
369.401 · Interest Income	2,228.41	480.00	1,748.41	464.25%
369.402 · Carryover From Prior Year	0.00	27,140.00	-27,140.00	0.0%
Total Income	<u>67,609.76</u>	<u>92,315.00</u>	<u>-24,705.24</u>	<u>73.24%</u>
Gross Profit	67,609.76	92,315.00	-24,705.24	73.24%
Expense				
511.122 · Payroll Expense	137.70	640.00	-502.30	21.52%
511.131 · Supervisors Fee	1,800.00	8,000.00	-6,200.00	22.5%
511.310 · Engineering	2,537.50	6,500.00	-3,962.50	39.04%
511.311 · Management Fees	20,000.00	24,000.00	-4,000.00	83.33%
511.315 · Legal Fees	2,460.00	5,500.00	-3,040.00	44.73%
511.318 · Assessment/Tax Roll	0.00	5,000.00	-5,000.00	0.0%
511.320 · Audit Fees	3,800.00	3,800.00	0.00	100.0%
511.330 · Arbitrage Rebate Fee	500.00	500.00	0.00	100.0%
511.441 · Travel	40.00	500.00	-460.00	8.0%
511.450 · Insurance	6,134.00	6,100.00	34.00	100.56%
511.480 · Legal Advertisements	293.51	1,400.00	-1,106.49	20.97%
511.512 · Miscellaneous	469.92	1,450.00	-980.08	32.41%
511.513 · Postage and Delivery	86.65	350.00	-263.35	24.76%
511.514 · Office Supplies	123.40	500.00	-376.60	24.68%
511.540 · Dues, License & Subscriptions	175.00	175.00	0.00	100.0%
511.550 · Pipe Maintenance/Replacement	3,437.50	20,000.00	-16,562.50	17.19%
511.551 · Stormwater Videotaping	0.00	2,000.00	-2,000.00	0.0%
511.733 · Trustee Fees	4,336.94	4,400.00	-63.06	98.57%
511.750 · Website Management	1,250.00	1,500.00	-250.00	83.33%
Total Expense	<u>47,582.12</u>	<u>92,315.00</u>	<u>-44,732.88</u>	<u>51.54%</u>
Net Income	<u>20,027.64</u>	<u>0.00</u>	<u>20,027.64</u>	<u>100.0%</u>