



**BAREFOOT BAY  
RECREATION DISTRICT**

Barefoot Bay Recreation District Regular Meeting  
April 9, 2021 at 1:00 PM  
Building D&E

Agenda

Please turn off all cell phones

- 1. Thought of the Day**
- 2. Pledge of Allegiance to the Flag**
- 3. Roll Call**
- 4. Presentations and Proclamations**
- 5. Approval of Minutes**
  - A. BOT Regular Meeting minutes dated March 23, 2021, Budget Workshop minutes dated March 16, 2021 and March 25, 2021.
- 6. Treasurer's Report**
  - A. Treasurer's Report
- 7. Audience Participation**
- 8. Unfinished Business**
  - A. Phased Re-Opening Discussion
  - B. No Parking on Common Areas Update
- 9. New Business**
  - A. Request for Forgiveness of Debt and Release of Liens: 908 Cashew Circle
  - B. Expansion of Micco RV Storage Lot Update
  - C. Discussion of FDOT SR5 (US 1) Improvements Project
  - D. Amended FY21 Employee Pay and Classification Plan
  - E. Adoption of Amended Policy Manual Revising the Investment Procedures and Building A Kitchen Usage Fees
  - F. FDEP Permitting Service for Beach Restroom Project
  - G. Dates for BOT Townhall Meetings
- 10. Manager's Report**
  - A. Community Manager's Report

- 11. Attorney's Report**
- 12. Incidental Trustee Remarks**
- 13. Adjournment**

If an individual decides to appeal any decision made by the Recreation District with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.

Barefoot Bay Recreation District Regular Meeting



# BAREFOOT BAY RECREATION DISTRICT

## Board of Trustees Regular Meeting

March 23, 2021

7PM –Building D&E

### Meeting Called to Order

The Barefoot Bay Recreation District Board of Trustees held a Meeting on March 23, 2021 Building D&E 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Maino called the meeting to order at 7PM.

### Pledge of Allegiance to the Flag

Led by Mr. Loveland.

### Roll Call

Present: Mr. Maino, Mr. Grunow, Mr. Nugent, Mr. Loveland, Mr. Morrissey. Also, present, John W. Coffey, ICMA-CM, Community Manager, Cliff Repperger, General Counsel, Stephanie Brown, District Clerk, Matt Goetz, Property Services Manager.

### Presentations and Proclamations

None.

### Approval of Minutes

*Mr. Grunow made a motion to approve the BOT Regular Meeting minutes dated March 12, 2021. Second by Mr. Morrissey. Motion passed unanimously.*

### Treasurer's Report

*Mr. Nugent made a motion to approve the Treasurer's Report for March 23, 2021 as read. Second by Mr. Grunow. Motion passed unanimously.*

### Audience Participation

Rick Berndsen-920 Cashew Circle-spoke in favor of audience participation being open after an agenda item and more topics being moved to Townhall Meetings to give more of an opportunity for residents to speak. He also spoke in favor of establishing more committees.

### Unfinished Business

#### Phased Re-Opening Discussion

Staff recommends no changes to the current phase re-opening plan.

*BOT consensus to not make any changes to the re-opening status at this time.*

Mr. Nugent had questions about placing out Ice buckets and trash cans. Mr. Coffey responded that staff could accommodate, but will not be able to enforce sanitation.



# BAREFOOT BAY RECREATION DISTRICT

Mr. Morrissey asked for a Pool #2 update. Mr. Coffey responded that the Health Department still has to do an inspection.

## **New Business**

### **Selection of RFP Evaluation Committee Member for Shopping Center Electrical Upgrades Project**

Staff recommends the selection of one Trustee to serve as a voting member on the Request for Proposal (RFP) Evaluation Committee for the Shopping Center electrical upgrades project.

Mr. Coffey stated voting members will be Matt Goetz, Property Services Manager, Joseph Klosky, and a trustee to be determined. Non-voting members are Community Manager John Coffey and Chairman Maino. RFP will be issued on March 24, 2021 and closes on April 26, 2021.

*Mr. Loveland made a motion to appoint Mr. Grunow to serve as a voting member on the Request for Proposal (RFP) Evaluation Committee for the Shopping Center electrical upgrades project. Second by Mr. Morrissey. Motion passed unanimously.*

### **Building A Renovations Project: Change Orders #9, #10, and #10A**

Staff recommends the BOT approve change orders #9, #10, and #10A at a cost of \$5,943.85 and an additional 45 days added to the contract.

*Mr. Loveland made a motion to approve change orders #9, #10, and #10A at a cost of \$5,943.85 and an additional 45 days added to the contract. Second by Mr. Grunow. Motion passed unanimously.*

### **Authorization for Chairman Maino to Execute Shopping Center Re-Roofing Contract**

Staff recommends the BOT authorize Chairman Maino to execute the final contract with MGM Contracting, Inc. in the amount of \$202,000 for re-roofing and replacement of the restaurant vent system at the Shopping Center.

*Mr. Nugent Made a motion to authorize Chairman Maino to execute the final contract with MGM Contracting, Inc. in the amount of \$202,000 for re-roofing and replacement of the restaurant vent system at the Shopping Center. Second by Mr. Morrissey. Motion passed unanimously.*

### **Amendment to Rules for the Board of Trustees (Public Comment Agenda Items)**

BOT to Consider proposed Resolution 2021-03 amending the Rules for the Board of Trustees to allow public comment during agenda items.

Mr. Grunow spoke in favor of audience participation closer to the agenda item. Mr. Nugent spoke in favor of keeping audience participation as is. Mr. Loveland spoke in favor of offering more Townhall Meetings to give residents an opportunity to speak. Mr. Morrissey agreed with Mr. Loveland and stated audience participation after agenda items could possibly extend meetings. Mr. Maino spoke in favor of Townhalls and keeping audience participation as is. Mr. Loveland suggested letting only those with a slip speak during specific agenda items.

No motion was made on this agenda item.



# BAREFOOT BAY RECREATION DISTRICT

## Manager's Report

### Resident Relations

#### **ARCC Meeting 03/02/2021**

- 24 Consent Items – all approved
- 19 Other Items – 15 approved, 1 approved for measurements, 3 approved with stipulations

#### **ARCC Meeting 03/16/2021**

- 16 consent items - approved
- 9 other items – 7 approved and 2 approved with stipulations

#### **Next ARCC Meeting (03/30/2021)**

- 27 Consent Items to be presented.
- 10 Other Items to be presented

#### **VC Meeting 3/12/2021**

- Canceled as the majority of cases came into voluntary compliance

#### **VC Meeting 03/26/2021**

- 12 cases to be presented

#### **Next Violations Committee Meeting**

- Scheduled for April 09<sup>th</sup> in Bldg. D/E at 10am

#### **Initial Notice Letter for DOR Violations**

- Staff is currently revising a new and improved initial letter (not the initial “notice of violation” letter) that will be used on non-urgent cases going forward. Although this “kinder and gentler” approach may be welcomed by many, it will result in an additional 10-14 days from initial observation to VC Meeting hearing for those cases where voluntary compliance is not achieved.

#### **New Homeowner Orientations Update**

- The below table illustrates the number of households who received new homeowner orientations since last summer.



# BAREFOOT BAY RECREATION DISTRICT

Month	No. of Orientations Given	No. of Residents in Attendance	No. of Homes Purchased	No. of Genuine Home Sales *	Orientations as a Percent of Genuine Home Sales
June 2020	21	39	38	35	60%
July 2020	15	27	32	30	50%
August 2020	9	14	36	32	28%
September 2020	24	38	33	33	73%
October 2020	23	39	31	29	79%
November 2020	24	37	30	28	86%
December 2020	29	49	54	47	62%
January 2021	25	42	30	29	86%
February 2021	43	76	41	35	123%
March 1-15, 2021	29	56	24	21	138%
June 2020 - March 15, 2021	<b>242</b>	<b>390</b>	<b>349</b>	<b>319</b>	<b>76%</b>
* No. of Genuine Home Sales refers to homes purchased by residential homeowners					

## Food & Beverage

- Food and Beverage has started small scale catering (out of the 19<sup>th</sup> Hole kitchen) including Men's Golf, Night Golf, the Club Championship lunches and the British Club end of year picnic.
- The tri-annual State Alcohol Liability Training was conducted this month with all staff who serve alcoholic beverages.
- Historically we have not had music on Easter Sunday, but this year after your Rib-roast, ham, or roast leg of lamb dinner, come out to hear the Phoenix band on the lakeside stage from 2-6pm.

## Property Services

- Pool Techs and Pools Supervisor attended training on the new pool pit equipment at Pool #2
- Installed new sheds behind Building A
- Cleaned out the custodians work area in Bldg. A and prepped it for painting
- Replaced the pressure tank and pressure switch at the fountain along US1
- Replaced rotten drywall inside the doors of Building A
- Replaced speakers and wire at the Lounge
- Cleaned the trash out of the canals
- Coordinated temporary Internet service to the Lounge during CCTV/fiber project in Bldg. A
- Addressed all current DOR violations

## Golf-Pro Shop

- Special Holiday Hours: Course will close at 2 PM on April 4<sup>th</sup> and the last cart goes out at 10am.
- Congratulations to the 2021 Club Champions

Ladies Club Champion (Repeat)-Carol Mecanko

Men's Club Champion (Repeat)-Emil Pizzulo



# BAREFOOT BAY RECREATION DISTRICT

Men's Flight 1 Net Winner-Rich Krywe  
Men's Flight 2 Net Winner-James McSally  
18 Hole Ladies Flight 1 Net Winner-Pat Wright  
18 Hole Ladies Flight 1 Net Winner-Raylene McSally  
18 Hole Ladies Flight 2 Net Winner-Betty Healy  
18 Hole Men's Flight 3 Net Winner-Bart Lane  
9 Hole Ladies Net Winner-Sandy Bent  
9-Hole Ladies repeat Champion-Joann Price

## General Information

- **FY22 Budget Workshop reminders** – All workshops will start at 7pm in Building D/E and scheduled for:
  - Thursday March 25<sup>th</sup>
  - Tuesday May 4<sup>th</sup> (if needed)
  - Monday May 10<sup>th</sup> (if needed)
- **Beach Restroom Project update** – Staff will have a proposal for the development and submittal of the FDEP permit on the April 9, 2021 BOT meeting agenda for consideration.



# BAREFOOT BAY RECREATION DISTRICT

## Attorney's Report

Mr. Repperger gave an update on the beach restroom project. He stated he will have a meeting with the site engineer and TLC to go over what the actual requirements are. He stated Brevard County will have to be consulted as well. Mr. Repperger also went over the DOR status report. Mr. Morrissey asked if a variance would be needed if the restroom was moved to a different location. Mr. Repperger responded that the location would not make a difference.

## Incidental Trustee Remarks

Mr. Loveland would like Mr. Coffey to place quarterly Townhall Meetings as an option on the next agenda.

Mr. Grunow agreed with Mr. Loveland about quarterly Townhall Meetings and expressed his gratitude to staff for new initial letter for DOR violations.

Mr. Morrissey spoke in favor of quarterly Townhall Meetings.

Mr. Nugent spoke in favor of quarterly Townhall Meetings.

## Adjournment

The next meeting will be on April 9, 2021 at 1pm in Building D/E

Mr. Nugent made a motion to adjourn. Mr. Maino adjourned.

Meeting adjourned at 7:57pm

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Jeff Grunow, Secretary

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Stephanie Brown, District Clerk





# BAREFOOT BAY RECREATION DISTRICT

**Board of Trustees Workshop  
FY22-26 Proposed Budget  
Tuesday, March 16, 2021 7pm  
Building D & E**

## **Welcome**

The Barefoot Bay Recreation District Board of Trustees held a Workshop on March 16, 2021 Building D&E 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Maino called the meeting to order at 7PM.

## **Pledge of Allegiance to the Flag**

Led by Mr. Goetz.

## **Roll Call**

Present: Mr. Maino, Mr. Grunow, Mr. Nugent, Mr. Loveland, Mr. Morrissey. Also, present, John W. Coffey, ICMA-CM, Community Manager, Stephanie Brown, District Clerk, Rich Armington, Resident Relations Manager, Matt Goetz, Property Services Manager, Kathy Mendez, Food & Beverage Manager and Ernie Cruz, Golf Operations Manager.

## **Audience Participation**

Jack Reddy-806 Tamarind Circle-spoke in favor of instituting a committee for finance and maintenance. He also spoke in favor of having a designated maintenance person.

## **Review of Proposed FY22-26 Budget.**

Mr. Coffey gave an overview of the proposed FY22-26 Budget.

Mr. Maino suggested to the BOT to think about ways of decreasing expenditures as opposed to increasing revenue. Mr. Loveland agreed with Mr. Maino. He also spoke in favor of focusing on short-term cautious budgeting for the near future. Mr. Grunow and Mr. Morrissey agreed with Mr. Grunow. Mr. Maino is not in favor of moving forward with the Lounge Expansion Project, raising drink prices, or the Management Analyst position through the SDS contract. He also voiced his concern about the amount BBRD is spending on legal fees.

Mr. Maino suggested opening the 19<sup>th</sup> hole later in the day (no breakfast portion) during the slow months. Mr. Grunow suggested the 19<sup>th</sup> open later all year round and less staff in the Summer. Mr. Loveland spoke in favor of not taking out the loan and maintaining adequate staff. Mr. Maino spoke in favor of reviewing the amount of money being spent on legal fees. Mr. Grunow and Mr. Loveland agreed with Mr. Maino.

*BOT consensus to not move forward with the Lounge/Lakeside Expansion Project. 3-2. Mr. Loveland and Mr. Grunow were in favor.*

*BOT consensus to move forward with staffing the Management Analyst position. 4-1. Mr. Maino dissents.*

3/25/2021 If an individual decides to appeal any decision made by the Recreation District with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.



## BAREFOOT BAY RECREATION DISTRICT

### Adjournment

The next meeting will be on March 25, 2021 at 7pm in Building D/E

Mr. Nugent made a motion to adjourn. Mr. Maino adjourned.

Meeting adjourned at 8:34pm

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Jeff Grunow, Secretary

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Stephanie Brown, District Clerk

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# BAREFOOT BAY RECREATION DISTRICT

**Board of Trustees Workshop  
FY22-26 Proposed Budget  
Thursday, March 25, 2021 7pm  
Building D & E**

## **Welcome**

The Barefoot Bay Recreation District Board of Trustees held a Workshop on March 25, 2021 Building D&E 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Maino called the meeting to order at 7PM.

## **Pledge of Allegiance to the Flag**

Led by Ms. Mendez.

## **Roll Call**

Present: Mr. Maino, Mr. Grunow, Mr. Nugent, Mr. Loveland, Mr. Morrissey. Also, present, John W. Coffey, ICMA-CM, Community Manager, Stephanie Brown, District Clerk, Kathy Mendez, Food & Beverage Manager, Charles Henley, Finance Manager, Rich Armington, Resident Relations Manager and Ernie Cruz, Golf Operations Manager.

## **Audience Participation**

Elaine Van Berschot-1090 Parkway Lane-had questions about the one million loan and if the \$750,000 in the budget is contingent on the bank loan. Mr. Coffey responded that the \$750,000 is a part of the one million dollar bank loan. Ms. Van Berschot also spoke in favor of investing in the outside area of the Lounge.

## **Review of Proposed FY22-26 Budget**

Mr. Maino revisited the Management Analyst position discussion. After speaking with General Counsel who spoke with SDS, it was agreed that the position could be taken out of the SDS contract. The Management Analyst position will now be an in-house position employed directly by BBRD.

*BOT consensus to authorize Mr. Coffey start the process in filling the position immediately and to get a formal letter of understanding from SDS.*

Mr. Coffey stated the bringing the Management Analyst position in-house is a revenue neutral move and that he will bring the Management Analyst pay plan to be amended at the April 9, 2021 BOT Meeting.

Mr. Coffey gave a review of the proposed FY22-26 Budget.

Mr. Loveland would like to know what can be done in the Lakeside/Lounge Expansion Project without the loan. Mr. Grunow spoke in favor of a compromise to the Lakeside/Lounge Expansion Project by doing small improvements as opposed to the full expansion. Mr. Nugent asked what the price would be for a smaller project. Mr. Coffey responded that with specifics, he could get estimates from the engineer for individual

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## BAREFOOT BAY RECREATION DISTRICT

improvements. Mr. Loveland spoke in favor of moving forward with the outside bar and awnings. Mr. Maino agreed with Mr. Loveland. Mr. Grunow spoke in favor of reappropriating the Beach Pavilion Project funds for the Lakeside/Lounge Expansion. Mr. Nugent asked if any of the projects could be accomplished in the current fiscal year. Mr. Coffey responded that it depends on the projects. Mr. Loveland asked for more information about the kitchen trailer. Mr. Coffey explained that it allows food to be prepared fresh as opposed to trying to cook food beforehand and keep it heated. Mr. Loveland asked if a kitchen trailer would solve the issue of a food preparation area in the Lounge. Ms. Mendez responded that it would give the Food & Beverage staff more options but would not replace the planned food prep area for the Lounge. Mr. Grunow spoke in favor of a mobile kitchen.

Mr. Maino asked the timeframe for the completion of the heater building and pool pit. Mr. Coffey responded, "most likely Spring/Summer of 2022."

*BOT consensus for staff to research costs for installing a permanent outside bar and awning outside the Lounge.*

Mr. Maino spoke in favor of defunding the Beach Pavilion Project. Mr. Grunow spoke in favor of using the funds for other projects. Mr. Loveland spoke in favor of defunding the project.

*BOT consensus to defund the Beach Pavilion Project.*

Mr. Grunow received a call from a resident suggesting doubling the amount of the one-time BBRD social membership fee and asked about the current cost. Mr. Coffey responded that the fee is currently \$750 and will be raised to \$800. Mr. Loveland stated that doubling the social membership fee would be too high. Mr. Maino and Mr. Grunow agreed with Mr. Loveland.

Mr. Coffey asked for direction regarding the May 4, 2021 and May 10, 2021 Budget Workshops.

*BOT consensus to cancel BOT Budget Workshops scheduled for May 4, 2021 and May 10, 2021 (bar and awning project to be discussed at a regular BOT Meeting).*

Mr. Nugent expressed his gratitude to Mr. Coffey and his staff for the preparation of the FY22 budget.

3/30/2021 If an individual decides to appeal any decision made by the Recreation District with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.



# BAREFOOT BAY RECREATION DISTRICT

## Adjournment

Mr. Nugent made a motion to adjourn. Mr. Maino adjourned.

Meeting adjourned at pm 7:54pm

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Jeff Grunow, Secretary

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Stephanie Brown, District Clerk

3/30/2021 If an individual decides to appeal any decision made by the Recreation District with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.

# Barefoot Bay Recreation District

## Treasurer's Report

April 9, 2021

### Cash Balances in General Fund as of 3/31/21

Petty Cash Total Petty Cash: \$ 2,500.00

### Operating Cash in Banks

MB&T Operating Account 3,092,355.59  
**Total Operating Accounts: 3,092,355.59**

### Interest Bearing Accounts

SBA Reserve Account 699,364.48  
**Total Interest Bearing Accounts: 699,364.48**

**Total Cash Balances in General Fund: \$ 3,794,220.07**

### Total Daily Deposits and Assessments Received for 3/16/21 - 3/31/21

Daily deposits: \$ 82,324.41  
Assessments received: -  
**Total Deposits Received: \$ 82,324.41**

### Expenditures for 3/16/21 - 3/31/21

Check Number	Vendor	Description	Check Amount
56751	Shedmovers	Utility Sheds	6,600.00
56774	Health First Health Plans Inc	Employee Health Insurance: 4/21	26,205.71
56790	Special District Services, Inc	Management Fees: 3/21	13,595.75
56794	White Bird Law	Legal Fees: 2/21	9,581.00
56810	Florida Power & Light Co	Electricity: 2/21	5,303.44
	Paychex	Net Payroll - PPE 3/14/21	58,594.61
	United States Treasury	Payroll Taxes - PPE 3/14/21	17,748.76
	Paychex	Net Payroll - PPE 3/28/21	60,272.53

**Total Expenditures \$5,000 and above: \$ 197,901.80**

**Expenditures under \$5,000: \$ 46,234.57**

**Total Expenditures: \$ 244,136.37**

## Board of Trustees

Date: Friday, April 9, 2021  
Title: **Phased Re-Opening Discussion**  
Section & Item: 8.A  
Department: Administration, District Clerk  
Fiscal Impact: N/A  
Contact: John W. Coffey ICMA-CM, Community Manager  
Attachments: BBRD reopening timeline, Re-opening history  
Reviewed by  
General Counsel: N/A  
Approved by: John W. Coffey, ICMA-CM, Community Manager



### Requested Action by BOT

Assessment of current conditions and consideration of further re-openings based on the conditions-based re-opening timeline.

### Background and Summary Information

(Actions taken by the BOT and staff from Friday, May 8, 2020 through Tuesday, January 26, 2021 are listed as an attachment to this agenda memo.)

February 12, 2021 (meeting was canceled)

February 23, 2021:

#### *Pools*

- The BOT confirmed staff's recommendation to implement Phase 4 (full capacity) at Pools 1 & 3 effective Wednesday, February 24, 2021 and at Pool #2 as soon as the pit replacement and resurfacing work are completed and Brevard County Health Department inspector authorizes resumption of use.

*March 12, 2021:*

#### *Food & Beverage*

- The BOT confirmed staff's recommendation to shift Saturday street dances from afternoon to evening (6-10pm) effective May 1st.

*March 23, 2021*

No action was taken

For consideration by the BOT at the April 9, 2021 meeting:

Staff recommends the two following steps in the continued phased re-opening:

#### *Food & Beverage*

- Resume weeknight entertainment Lakeside of the Lounge effective April 22, 2021
  - Outside only
  - Will initially only consist of karaoke on Thursday nights but may be gradually expanded based on demand and nightly receipts
  - Bar service only

#### *Building Usage*

- Expand building capacities to approximately 75% effective May 1, 2021. Specifically, the chart below illustrates current, proposal, and full capacities:

Building	Capacity		
	Current	Proposed (75% of full capacity)	Full
A (tables/chairs)	75	150	200
A (chairs only)	75	225	300
D/E	50	102	136
Lounge	60	89	119
19th Hole	51	76	102
Pro Shop	10	19	25
Billiards Room	4	9	12
Card Room	0	30	40
Admin. Conf. Room*	10	16	21

\* Assumes all Admin. Bldg. staff are at their work areas  
(total building capacity is 35 persons).

Underlying the choices is probability that the more open BBRD buildings and amenities become the more likely future COVID-19 exposures will occur requiring temporary closures. The reader should note that under current BBRD Employee COVID-19 policies, all employees who are sent home for work related testing and/or who miss work for work related COVID-19 illnesses will be paid their scheduled hours. Therefore, the more COVID-19 exposures that occur, there will be a corresponding higher personnel cost to BBRD.

The following information (in italic) was contained within the May 8, 2020 agenda memo.

*Due to the impact of the Coronavirus pandemic, Chairman Klosky and staff incrementally closed amenities and buildings starting on March 16th in accordance with state and federal guidelines and executive orders. Staff developed the attached conditions-based re-opening timeline that is based on the 3-phase re-opening guidance from the White House last month and being followed loosely by Governor DeSantis. Readers should infer any specific dates and should understand the proposed timeline is not meant to be rigidly implemented but was developed to provide a transparent means of the multi-steps staff will take in re-opening specific amenities and buildings.*

*The likelihood of subsequent spikes in infections in Florida and/or Brevard County may necessitate the temporary reversal of openings (i.e. restricting or closing specific amenities/buildings that were in one of the early phases of re-opening. Additionally, the public should not confuse BBRD phases with elements of phases identified by national, state or local leaders. While the four-phase proposal for BBRD is built upon the White House's three-phase proposal, the overwhelming number of residents who fall within the "vulnerable population" category requires a more cautious and graduated approach in re-opening to ensure maximum personal protection from the spread of the virus to staff and the public. Hence, staff developed the attached conditions-based timeline for re-openings in an attempt to provide maximum use of facilities while following guidelines to ensure the safety of residents, guests and staff.*

*Lastly, the reader should clearly understand that staff will not under any circumstances make the decision to re-open specific amenities/buildings without direct BOT approval in a public meeting. Most people understand the diverse range of opinions in BBRD regarding closures and re-opening and it is simply poor public policy for staff to make a decision (which will be poorly received by one side or the other in this issue) and then flood the individual Trustees with*



*complaints and attend the next scheduled BOT meeting to seek a reversal of staff's actions. The BOT by pre-approving all re-openings will allow the public to participate in the initial decision-making process rather than seek to the BOT to later reverse a decision by staff.*

## A Conditions Based “Reopening BBRD” Timeline

The following BBRD re-opening timeline is conditions based. No specific dates are included or inferred. BBRD phases shall not occur before the corresponding State of Florida phase and may begin well after the similarly number State phase due to the demographical nature of BBRD residents. The following is meant to communicate the planned re-opening of BBRD facilities to the public. In the case of resurgence of coronavirus infections in Brevard County, closures and/or limitations of services/amenities will be in reverse order. Implementation of specific elements may be staggered depending upon conditions and staff. The Community Manager will not implement any of the phased openings without explicit BOT consent at a public meeting.

### Phase 1

- Assumes continuation of 6 feet social distancing in groups of 10 or more
- The public will be given 3-7 days’ notice of re-opening which shall only occur on a Monday, Tuesday, Wednesday or Thursday.
- All employees will be provided personal protective equipment and hand sanitizers. Their use is optional and not mandatory. Those requesting additional personal measures will be accommodated when feasible.
- Residents/guests will have their temperatures taken prior to entrance into facilities. Entrance will be denied for those above an acceptable reading.
- 2 pools can re-open with reduced capacity and additional pool hosts
  - Pools #1 and #2 have work to be performed this summer. Each pool will be closed for the duration of the work while the other one will be open.
  - Residents/guests will have their temperatures taken prior to entrance into the pools. Entrance will be denied for those above the acceptable number
  - Capacity at pools will be the following:
    - #1: 27 people including staff
      - Pavilion, Picnic area, and Lakeside/behind the Lounge areas will remain closed
    - #2: 17 people including staff
    - #3: 17 people including staff
  - Residents/guests will be limited to 90 minutes at the pools ~~if there is a waiting line~~
  - Group activities are prohibited
  - Furniture will be spaced according to social distancing guidelines
- Beach parking will re-open
- Golf Course will remain on reduced tee times and one person per cart rule (two members of the same household may ride in the same cart)
- Pro Shop will continue to operate in a limited capacity basis
  - Members will continue to check in with Player Assistant
  - Entry will be limited to official business only
  - A maximum of 10 occupants and practiced social distance
  - Due to limited tee times, golfers will continue to be teamed up to complete a foursome
- Administration Building remain closed to the public
- Lounge and 19<sup>th</sup> Hole remain closed
- Meeting rooms remain closed

## Phase 2

- Assumes continuation of social distancing and an increase in the number of people in groups exempt from guideline
- The public will be given 3-7 days' notice of implementation of phase which shall occur on a Monday.
- Residents/guests will have their temperatures taken prior to entrance into facilities. Entrance will be denied for those above an acceptable reading.
- A maximum of two pools will be open
  - Restrictions on capacity will be relaxed to "moderate" but not eliminated
  - Capacity at pools will be the following:
    - #1: 54 people including staff (excluding other areas listed below)
      - Pavilion: 18 people (reservations only)
      - Picnic area: 29 people (reservations only)
      - Lakeside/behind the Lounge areas will be open but will not have its own capacity (i.e. folks from the pool and Lounge can go there but there will be limited furniture set out)
    - #2: 27 people including staff
    - #3: 27 people including staff
  - Residents/guests will be limited to 90 minutes ~~at the pools if there is a waiting line~~
  - Group activities are prohibited
  - Furniture will be spaced according to social distancing guidelines
- Golf Course will remain on reduced tee times and one person per cart rule (two members of the same household may ride in the same cart)
- Pro Shop will continue to operate in a limited capacity basis
  - Members will continue to check in with Player Assistant
  - Entry will be limited to official business only
  - A maximum of 10 occupants and practiced social distance
  - Due to limited tee times, golfers will continue to be teamed up to complete a foursome
- Administration Building re-open Monday through Thursday with a one-hour closure mid-day for sanitizing public areas
- Lounge and 19<sup>th</sup> Hole will open under the following conditions
  - Reduced capacity and limited hours of operations
    - Lounge: (30% capacity or 40 people including staff)
    - 19<sup>th</sup> Hole (30% capacity or 34 people including staff) (Chairs will not be available on the porch)
    - Staff at each site to ensure proper social distancing and that capacity is not exceeded
  - No live music or entertainment
  - Lounge will only serve beverages and pre-packaged snacks
  - 19<sup>th</sup> Hole will not have kitchen service. Very basic food items will be available on a limited basis (items that do not require a cook in the kitchen during service).
  - No Street Dances, Pasta Night or catering
- Meeting rooms remain closed with exception of Building A
  - Use of Building A will be limited to 50 people with a minimum one-hour gap between set up time and end of use by previous group for sanitizing purposes. Staff will be present during usage to ensure proper social distancing and that capacity is not exceeded

## Phase 3

- Assumes continuation of social distancing and further increase in the number of people in groups exempt from guideline
- The public will be given 3-7 days' notice of implementation of phase which shall occur on a Monday.

- Residents/guests will have their temperatures taken prior to entrance into facilities. Entrance will be denied for those above an acceptable reading.
- A maximum of two pools will be open
  - Restrictions on capacity will be relaxed to “light” but not eliminated
  - Capacity at pools will be the following:
    - #1: 108 people including staff (excluding other areas listed below)
      - Pavilion: 37 people (reservations only)
      - Picnic area: 59 people (reservations only)
      - Lakeside/behind the Lounge areas will be open but will not have its own capacity (i.e. folks from the pool and Lounge can go there but there will be limited furniture set out)
    - #2: 37 people including staff
    - #3: 37 people including staff
  - Residents/guests will be limited to 90 minutes ~~at the pools if there is a waiting line~~
  - Group activities are allowed if proper social distancing is followed. Staff shall have discretion to halt specific group activities if proper social distancing is not followed.
  - Furniture will be spaced according to social distancing guidelines
- Golf Course will remain on reduced tee times and one person per cart rule will be relaxed (two people can ride in a single cart but golfers will have the option of riding separately if they elect)
- Pro Shop will continue to operate in a limited capacity basis
  - Members will continue to check in with Player Assistant
  - Entry will be limited to official business only
  - A maximum of 10 occupants and practiced social distance
  - Due to limited tee times, golfers will continue to be teamed up to complete a foursome
  - All picnic tables outside of the 19<sup>th</sup> Hole will be reinstalled and available for use with a maximum of 24 individuals allowed seated
- Administration Building remains open Monday through Thursday with a one-hour closure mid-day for sanitizing public areas
- Lounge and 19<sup>th</sup> Hole remain open under the following conditions
  - Relaxed reduced capacity and limited hours of operations
    - Lounge: (50% capacity or 60 people including staff)
    - 19<sup>th</sup> Hole (50% capacity or 51 people including staff) (Chairs will not be available on the porch)
  - No live music or entertainment
  - Lounge will only serve beverages and pre-packaged snacks
  - 19<sup>th</sup> Hole will not have kitchen service. Very basic food items will be available on a limited basis.
  - No Street Dances, Pasta Night or catering
- Meeting rooms usage
  - Use of Building A will be limited to 75 people with a minimum one-hour gap between set up time and end of use by previous group for sanitizing purposes. Staff will be present during usage to ensure proper social distancing and that capacity is not exceeded.
  - Use of Building D/E will be limited to 50 people with a minimum one-hour gap between set up time and end of use by previous group for sanitizing purposes. Staff will be present during usage to ensure proper social distancing and that capacity is not exceeded.
  - Building C, Pool Room and Administration Conference Room will remain closed.

#### **Phase 4**

- Assumes an end to social distancing
- The public will be given 3-7 days' notice of implementation of phase which shall occur on a Monday. Implementation of specific elements may be staggered depending upon conditions and staff.
- All pools will be open
  - Capacity at pools will be the following:
    - #1: 509 including staff in all areas within metal fencing excluding the inside of buildings
    - #2: 54 people including staff
    - #3: 54 people including staff
- Golf Course will go back to standard tee times and two-person per cart rule
  - Picnic tables will resume full capacity
- Pro Shop will resume normal operating procedures
- Administration Building resumes normal hours of operations
- Lounge and 19<sup>th</sup> Hole resumes full indoor capacity, regular hours of operations and live music and entertainment
  - Lounge:
    - 119 capacity including staff
    - Lounge will only serve beverages and pre-packaged snacks (lunch permanently discontinued)
  - 19<sup>th</sup> Hole
    - 102 capacity including staff
    - 19<sup>th</sup> Hole will resume kitchen service
    - Seating will be available on the porch
  - Street Dances, Pasta Night and Catering will resume when demand is present and events are profitable
- Meeting rooms usage
  - All rooms are open
  - Staff for crowd monitoring will be limited to Music Bingo and other events as needed.

## Board of Trustees Meeting Agenda Memo Attachment

Date: March 31, 2021  
Title: **Phased Re-Opening Discussion – Pre-February 23, 2021 Actions**

### Friday, May 8, 2020

The BOT reviewed the proposed conditions-based re-opening timeline and reached a consensus to re-open the beach, keep the pools closed, and revisit this issue at each meeting going forward.

### Tuesday, May 26, 2020

The BOT approved the remainder of Phase 1 re-opening effective June 8, 2020.

### Friday, June 12, 2020

The BOT voted to move into Phase 2 with the following specific re-opening dates and conditions:

Monday, June 15th

- Pool #1 capacity will increase to 54 including staff
- Pool #3 capacity will increase to 27 people including staff

Wednesday, June 17th

- Group exercise programs will re-start at Pool #3
  - Lap swimmers 9-10am
  - Hydrotherapy 10:15-11:15am
  - Aquatic Exercise 11:30am-12:30pm

Friday, June 19th

- The Lounge will re-open with a capacity of 40 people including staff (hours of operations to be determined). Music, live entertainment, and street dances are still prohibited. Only prepackaged snack food will be available.

Monday, June 22nd

- Pool #1 Pavilion (capacity of 18) and Picnic areas (capacity of 29) will be open to use by reservation with the Calendar Coordinator
- The Administration Building will re-open to the public Monday through Thursday with an hour closure each day (Noon to 1pm) to clean and sanitize common areas
- Building D/E will re-open for residents' use (by reservations only) with a capacity of 35 people, including staff

Friday, June 26th

- The 19th Hole will re-open with a capacity of 34 people including staff. The kitchen will remain closed, however, a daily snack special and grab and go items will be available (hours of operations to be determined). Pasta Night continues to be suspended.

On Friday, June 26th the state suspended the operations of bars and night clubs, thereby closing BBRD's Lounge and 19th Hole indefinitely.

#### Friday, August 14<sup>th</sup>

- Consensus of the BOT to add Aqua Zumba exercise classes to Pool #3 starting on September 1, 2020.
- Trustee Henderson questioned if the Golf Course could go back to 8-minute tee times (from the current Phase 2 16-minute tee times). Staff will provide the BOT with a memo from Golf Operations Manager Cruz prior to the August 25<sup>th</sup> meeting summarizing the issues so the Trustees can consider how to proceed.

#### Tuesday, August 25<sup>th</sup>

The BOT discussed moving tee times from 16 minutes intervals to 12 minute intervals. Ultimately, no changes were made to the current modified Phase 2 re-opening practices.

On Thursday, September 10, 2020, the Florida Department of Business and Professional Regulation rescinded their closure of bars effective Monday, September 14, 2020 with a re-opening capacity of 50%.

On Friday, September 25, 2020, Governor DeSantis issued an executive order lifting all previous BBRD applicable COVID-19 related restrictions (excluding ability to have closed BOT meetings).

#### Tuesday, September 22<sup>nd</sup>

The BOT voted to move tee times from 16 minutes intervals to 12-minute intervals and move at least one group exercise class to Pool #1. Additionally, the BOT reached a consensus to adopt the Food & Beverage Department recommendation to re-open the Lounge with takeout window service.

#### Friday, October 9<sup>th</sup>

The BOT voted to accept staff's recommendation to transition to BBRD Phase 3 re-opening. A summary of the changes is provided below:

- Pools
  - Pool 1 hours of operation are 9am-9pm Monday-Sunday.
  - Pool 3 hours of operation are 9am-6pm Monday-Sunday.
  - The pools will be disinfected throughout the day, however, there will be no pool closures for disinfecting during normal hours of operation.
- Golf-Pro Shop
  - Resume two-players per golf cart, with option to ride alone if sufficient carts are available
  - Expansion of group sizes and resumption of previously suspended groups
  - Picnic tables replaced outside of the 19<sup>th</sup> Hole
- Food and Beverage
  - Lounge
    - Hours of operation 2-9pm
    - Capacity inside-60 (including staff)
    - Picnic area-59 (including staff)
  - 19<sup>th</sup> Hole
    - Hours of operation 9am-7pm (changed to 11am-8pm [Mon.-Sat.] and 8am-8pm on Sundays effective November 4<sup>th</sup>)
    - Capacity-51 (including staff)
    - No seating on the porch

### Tuesday, October 27, 2020

The BOT decided by consensus to not make any changes to the re-opening status, as recommended by staff, and will re-examine the situation at the next BOT meeting.

### Friday, November 13, 2020

The BOT voted to put tables and chairs back on the 19<sup>th</sup> Hole porch and by consensus to keep the Billiards room closed. Staff stated their intent to provide at the December 4<sup>th</sup> BOT meeting a proposal to start limited lunch service at the 19<sup>th</sup> Hole and outdoor limited capacity weekend entertainment Lakeside starting in January 2021.

### Friday, December 4, 2020

The BOT, by a 3-2 vote, accepted the following recommendation of staff to commence the first week of January 2021.

#### 19<sup>th</sup> Hole

- Lunch service 11am-3pm Monday – Saturday
- Hot dogs only on Sundays
- Prepared bar snacks 3-7pm

#### Lounge

- Hot dogs, snacks, and and/or pre-packaged food 2-9pm

#### Lakeside

- Entertainment alternate Saturdays and Sundays from 2-6pm (1 per weekend) with limited capacity (approximately 250 to start)

#### Catering

- Small event (clubs/organizations) catering at Building D/E through the 19<sup>th</sup> Hole
- Catering out of Building A to start in late March 2021 (after completion of the Building A Renovations project)

### Friday, January 08, 2021

The BOT confirmed staff's recommendation to return the Administration Building to normal days of operations (has been closed on Fridays since early days of pandemic to reduce hourly employee costs) on Monday, January 11, 2020. Additionally, the BOT requested staff to develop a re-opening plan for the Billiard's Room and the Card Room in Building C (and to present it at the next regular meeting).

### January 26, 2021

The following Building C re-opening was provided in response to direction of the BOT at the January 8, 2021 Meeting.

#### *Building C re-opening plan*

- All residents/guests must see pool host for temperature check before entry to Building C.
- The door facing building A will be posted as EXIT ONLY



#### *Billiards Room Specific Rules*

- Will be open for normal hours of operation 9am-9pm with a maximum capacity of 4 persons
- Will be sanitized between users and closed for 15 minutes post fogging before reentry
- Cues sanitized by the pool host, Cues will be stored in the pool host equipment shed and issued upon request
- The center billiards table will be wrapped, caution taped and out of service until phase 4
- CDC social distancing guidelines will be encouraged to be followed

#### *Card Room Specific Rules*

- Will be open for normal hours of operation 9am-9pm
- Will be sanitized between set-ups and usage and closed for 15 minutes post fogging before reentry
- Groups will be asked to temporarily modify setups to coincide with CDC guidelines
- CDC social distancing guidelines will be encouraged to be followed

The BOT adopted the following recommendations from staff:

#### *Billiard's Room*

- Re-open effective Tuesday, February 2, 2021, keeping the Card Room closed

#### *Golf-Pro Shop*

1. Start 8-minute tee times on February 1st
  - A. Allows staff time to receive ordered dividers for our fleet
  - B. Install dividers on fleet carts
  - C. Prepare staff functions for increased traffic
2. Adjust group sizes back to the pre-pandemic levels
3. Return to a soft two riders per cart rule
  - A. Carts shall have two riders except for instances when all players in a foursome have their own cart. The Golf-Pro Shop Department is still trying to be as safe as possible so if a private cart owner wants to use his/her own cart without a rider it will be allowed until all remaining COVID-19 restrictions are lifted.
  - B. Group leaders have been asked to schedule their players in a manner that lessens the need for private cart owners to ride doubled up if they are concerned about COVID-19.

#### *Food & Beverage*

- Expand the number of Lakeside entertainment events from once a weekend to twice a weekend (i.e. Saturday and Sunday) beginning February 13, 2021.
- Limited capacity would remain at approximately 250 people. Food & Beverage has hosted multiple outdoor entertainment weekend events so far this month without any incidents or reports of COVID-19 outbreaks coming from the events.

February 12, 2021 BOT Meeting was canceled

## Board of Trustees

## Meeting Agenda Memo

Date: Friday, April 9, 2021  
Title: **No Parking on Common Areas Update**  
Section & Item: 8.B  
Department: Resident Relations, DOR  
Fiscal Impact: TBD  
Contact: Richard Armington, Resident Relations Manager, John W. Coffey ICMA-CM, Community Manager  
Attachments: Nov. 13, 2020 No parking on common area agenda memo, Nov 13, 2020 BOT Meeting minutes  
Reviewed by  
General Counsel: No  
Approved by: John W. Coffey, ICMA-CM, Community Manager



### Requested Action by BOT

Staff requests direction regarding this matter.

### Background and Summary Information

On June 12, 2020, the BOT discussed then-Chairman Klosky's request to prohibit parking on common areas especially the back of the Shopping Center and along the Pickle Ball/Tennis Courts. Eventually, the BOT directed staff to seek towing services from local companies (for vehicles on common areas posted by BBRD as non-parking areas). Most companies contacted were not interested in providing the requested service. Staff received a proposal from Collison's Automotive, Inc that included \$80.00 per tow request if the vehicle was no longer present when the tow truck arrived. A verbal agreement was reached in which the vendor would advise if they could have a tow truck at a requested site within 2 hours when staff calls: If under 2 hours a tow truck would be dispatched and either the vehicle would be towed or the \$80 "no vehicle" fee would be charged; if they could not be on site within 2 hours, a tow truck would not be dispatched. Staff believed this is a fair compromise, especially given only one towing service is interested in working for BBRD.

Unfortunately, Collinson's Automotive, Inc. has been unwilling to put said clause in the formal agreement. Hence, staff has not signed the proposal.

Since staff cannot find a vendor willing to provide the requested towing service, the BOT has the following options to select from:

1. Instruct staff to continue to search for a towing company who will provide the level of service BBRD desires (low probability of success)
2. Amend the Policy Manual to suspend the social membership privileges of the resident and/or property owner when offending vehicles are known by staff to be owned by specific persons (will not apply to all situations as BBRD does not have access to vehicular ownership data)
3. Install bollards and rope fencing along BBRD property lines (will not solve the problem because the grass right-of-way will then become the parking area)
4. Install bollards and rope fencing along the curbing and hope Brevard County does not make BBRD remove them (most likely option to eliminate undesirable behavior)
5. Do nothing and tolerate the bad behavior

Staff recommends the BOT authorize staff to pursue option #4 at the corner of Midway and Hawthorne as a pilot program.



## Board of Trustees Meeting Agenda Memo

Date: November 13, 2020

Title: Adoption of Revised Policy Manual and Further Discussion of Implementing No Parking on Specific Common Areas

Section & Item: Old Business

Department: District Clerk

Fiscal Impact: TBD

Contact: Joseph Klosky, Chairman; Rich Armington, Resident Relations/H.R. Manager; or John W. Coffey, ICMA-CM, Community Manager

Attachments: Resolution 2020-14, Proposed revised Policy Manual with no parking regulation language added

Reviewed by General Counsel: N/A

Approved by: John W. Coffey, ICMA-CM, Community Manager

### **Requested Action by BOT**

Review of proposed language amending the *Policy Manual* and identification of locations for no parking signs.

### **Background and Summary Information**

On Nov. 05, 2015, the Facilities Planning Committee voted to recommend to the BOT that all motorized vehicles be prohibited from “green” areas of BBRD except designated areas. At the Nov. 13, 2015 BOT meeting the Trustees voted 3-2 to take no action on the recommendation.

On June 12, 2020, the BOT discussed Chairman Klosky’s request to prohibit parking on common areas especially the back of the Shopping Center and along the Pickle Ball/Tennis Courts. Community Manager Coffey, ICMA-CM stated staff would research cost options and place proposed Policy Manual language for enforcement on a future agenda for consideration.

Staff contacted multiple towing firms and was able to obtain the attached proposal from Collison’s Automotive, Inc. which includes the following costs:

- \$37.45 per No Parking sign and poles (number and location to be determined by BBRD)
- \$00.00 cost to BBRD for vehicles towed (owners of vehicles would have to pay the vendor to get their property back)
- \$80.00 cost to BBRD when the vendor is called to tow a vehicle and said vehicle is no longer in the specified location when the vendor arrives

On September 22, 2020, the BOT discussed the issue and were agreeable to including a 30 day educational period where snipe signs could be placed where No Parking signs will go to provide the public with forewarning of the impacts of continued parking in specific common areas prior to the commencement of the enforcement of No Parking by towing of violating vehicle. Additionally, staff raised the issue of needing to secure a time limitation for the \$80 fee if staff called the towing company about a vehicle and when the towing truck shows up to find the vehicle is no longer there. Hence, the BOT directed staff to bring a proposal back to a future meeting.

After the meeting, staff discussed a maximum response time with Collison's Automotive, Inc. A verbal agreement was reached in which the vendor would advise if they could have a tow truck at a requested site within 2 hours when staff calls: If under 2 hours a tow truck would be dispatched and either the vehicle would be towed or the \$80 "no vehicle" fee would be charged; if they could not be on site within 2 hours, a tow truck would not be dispatched. Staff believes this is a fair compromise, especially given only one towing service is interested in working for BBRD.

The following language is proposed to be added to the end of Section 3.2 Rules for Specific District Facilities of the *Policy Manual* (page 34 of Exhibit A):

*No Parking at Specific Common Areas*

*Vehicles shall be subject to towing at owners' expense if parked within 25 feet of District installed "No Parking" signs.*

Although the BOT requested staff identify areas for placement of no parking signs, since this issue was a Trustee initiative, staff does not believe it is appropriate for them to identify areas where individual Trustees may want signs placed. Therefore, 18 satellite pictures of BBRD common areas are included as attachments in addition to paper copies of the areas being provided to the trustees. Staff recommends individual trustees identify areas where they desire no parking signs prior to the BOT meeting and staff will mark said pictures on the screen where a consensus of the Trustees agree to place signs.

At the October 27, 2020 meeting, the BOT identified the following common areas for signage:

- Barefoot Blvd in front of hand ball, pickle ball, and tennis courts)
- Midway Street
- Hawthorn Circle
- Lark Drive
- Fir Street cul-de-sac
- Spruce Street cul-de-sac
- Sequoia Street cul-de-sac
- Balsam Street cul-de-sac
- Hemlock Street cul-de-sac
- Yew Street cul-de-sac
- Cypress Street cul-de-sac
- Evergreen Street cul-de-sac

Additionally, the BOT requested staff to seek guidance from the Brevard County Sheriff's Department regarding if they would ticket vehicles parked on the grass portion of County right-of-way's. Staff was informed that the BCSO will not ticket vehicles parked in the County right-of-way (grass portion).

If the BOT approves the revised *Policy Manual* language installation of the signs would then commence, followed by an educational grace period before enforcement begins on January 4, 2021.

The reader should note, the DOR prohibition against parking on the grass only applies to residential properties within BBRD and therefore are not applicable to common areas.

Staff recommends the BOT approve Resolution 2020-14, revising the *Policy Manual* to add no parking regulations and instruct staff to begin installation of no parking signs with commencement of enforcement on January 4, 2021.



# BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting

November 13, 2020

1PM –Building D&E

## Meeting Called to Order

The Barefoot Bay Recreation District Board of Trustees held a Meeting on November 13, 2020 Building D&E 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Klosky called the meeting to order at 1PM.

## Pledge of Allegiance to the Flag

Led by Mr. Loveland.

## Roll Call

Present: Mr. Klosky, Mr. Maino, Mr. Loveland, Ms. Henderson, Mr. Grunow. Also, present, John W. Coffey, ICMA-CM, Community Manager, Cliff Repperger, General Counsel, Stephanie Brown, District Clerk, Rich Armington, Resident Relations Manager, Charles Henley, Finance Manager, Kathy Mendez, Food & Beverage Manager, and Matt Goetz, Property Services Manager.

## Presentations and Proclamations

None.

## Approval of Minutes

*Ms. Henderson made a motion to approve the minutes dated October 27, 2020. Second by Mr. Loveland. Motion passed.*

## Treasurer's Report

*Mr. Maino made a motion to approve the Treasurer's Report for November 13, 2020 as read and approved payment of bills over \$5,000 in the amount of \$90,974.73. Second by Ms. Henderson. Motion passed.*

## Oath of Office - Trustee-elect Grunow

Mr. Grunow took the Oath of Office given by District Clerk Stephanie Brown.

## Reorganization of BOT

*BOT consensus that Trustee Jeff Grunow will act as Secretary until the Jan 8, in which there will be a reorganization of the BOT.*

## Audience Participation

Richard Schwatlow-636-Marlin Circle-gave an overview of various questions/issues on the no parking signs. He also spoke in favor of a non-conflict resolution to the parking.

Jack Reddy-806 Tamarind Circle-Complimented BOT on the CPI agreement. He also suggested that BBBRD staff to get accounts in order for the new budget season.

John Sammonds-926 Wren Circle-Spoke in favor of opening the Billiards facility and accept responsibility for keeping it sanitized.



# BAREFOOT BAY RECREATION DISTRICT

## **Unfinished Business**

### **Phased Re-Opening Discussion**

Assessment of current conditions and consideration of further re-openings based on the conditions-based re-opening timeline.

Ms. Henderson spoke in favor of staying in Phase 3. Mr. Maino spoke in favor of remaining in phase 3 but placing tables back outside the 19<sup>th</sup> Hole. Mr. Grunow also spoke in favor of staying in Phase 3. Mr. Loveland agreed with staying in Phase 3. He also spoke in favor of looking at a long-term plan for COVID-19 Safety. Mr. Loveland spoke in favor of the Billiards room remaining closed due to the size.

*Consensus of the BOT for the Billiards facility to remain closed currently.*

*Mr. Maino made a motion to put the tables back at the 19<sup>th</sup> Hole. Second by Ms. Henderson. Motion passed unanimously.*

### **Adoption of Revised *Policy Manual* and Further Discussion of Implementing No Parking on**

Resolution 2020-14 read by Mr. Coffey:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; PROVIDING FOR THE ADOPTION OF A REVISION TO THE POLICY MANUAL ADOPTED MAY 8, 2009, AS SUBSEQUENTLY AMENDED THROUGH SEPTEMBER 22, 2020; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE

Mr. Grunow spoke in favor of adding no parking in the policy manual and then educate the residents and hit the most trouble spots. Mr. Maino asked about the pricing of the signs and if 150 signs were being placed. He also asked to identify the problem areas. Mr. Coffey responded that it could be that many signs due to the suggested areas being covered. Mr. Klosky responded Hawthorne and the Pickleball Courts are the problem areas.

*Mr. Maino made a motion to approve Resolution 2020-14 as read. Second by Mr. Loveland.*

*Mr. Maino amended the motion to approve Resolution 2020-14 as read but limiting it to only the Hawthorne and the Pickleball Court area. Second by Mr. Loveland. Motion passed. 4-1. Ms. Henderson dissents.*

## **New Business**

### **DOR Violations**

#### **DOR Violation 20-001564 618 Dolphin Circle**

*Ms. Henderson made a motion to refer case #20-001564 Dolphin Circle to General Counsel Repperger for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien. Second by Mr. Grunow. Motion passed unanimously.*



# BAREFOOT BAY RECREATION DISTRICT

## **DOR Violation 20-002616 248 Dolphin Circle**

*Mr. Maino made a motion to refer case #20-002616 248 Dolphin Circle to General Counsel Repperger for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien. Second by Mr. Loveland. Motion passed unanimously.*

## **DOR Violation 20-002145 843 Tamarind Circle**

*Mr. Loveland made a motion to refer case #20-002145 Tamarind Circle to General Counsel Repperger for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien. Second by Mr. Maino. Motion passed unanimously.*

## **DOR Violation 20-002471 601 Marlin Circle**

20-002471 601 Marlin Circle Came into compliance.

## **DOR Violation 19-004176 602 Sea-Gull Drive**

*Ms. Henderson made a motion to refer case #19-004176 602 Sea-Gull Drive to General Counsel Repperger for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien. Second by Mr. Loveland. Motion passed unanimously.*

## **Revised ARCC Guidelines**

Staff recommends the BOT acknowledge receipt of the revised ARCC guidelines.

*Consensus of the BOT to acknowledge receipt of the revised ARCC guidelines.*

## **Request for Forgiveness of Debt and Release of Liens: 919 Cashew Circle and 946 Pecan Circle**

Staff recommends that the BOT in the intent of the NRP program forgive and release the liens on the 919 Cashew Circle and 946 Pecan Circle.

Ms. Henderson voiced her concern about setting a precedent in forgiving the lien.

*Mr. Grunow made a motion to forgive and release the liens on the 919 Cashew Circle and 946 Pecan Circle. Second by Mr. Maino. Motion passed unanimously.*

## **Request for Forgiveness of Debt and Release of Liens: 893 Pecan Circle**

Staff recommends that the BOT in the intent of the NRP program forgive and release the liens on the 893 Pecan Circle.

*Mr. Maino made a motion to forgive and release the liens on the 893 Pecan Circle. Second by Mr. Loveland. Motion passed unanimously.*





# BAREFOOT BAY RECREATION DISTRICT

## **Request for Forgiveness of Debt and Release of Liens: 813 Beech Court**

Staff recommends that the BOT in the intent of the NRP program forgive and release the liens on the 813 Beech Court.

*Mr. Maino made a motion to forgive and release the liens on the 813 Beech Court. Second by Mr. Grunow. Motion passed unanimously.*

## **Request for Forgiveness of Debt and Release of Liens: 853 Laurel Circle, 881 Cashew Circle, 857 Laurel Circle, 958 Laurel Circle, 413 Plover Drive, 919 Vireo Drive, 804 Wren Circle, 1025 Oriole Circle, 614 Puffin Drive, 619 Oleander Circle, 1222 Chipewa Drive and 1213 Chipewa Drive**

Staff recommends that the BOT in the intent of the NRP program forgive and release the liens on the 853 Laurel Circle, 881 Cashew Circle, 857 Laurel Circle, 958 Laurel Circle, 413 Plover Drive, 919 Vireo Drive, 804 Wren Circle, 1025 Oriole Circle, 614 Puffin Drive, 619 Oleander Circle, 1222 Chipewa Drive and 1213 Chipewa Drive

*Mr. Maino made a motion to forgive and release the liens on the 853 Laurel Circle, 881 Cashew Circle, 857 Laurel Circle, 958 Laurel Circle, 413 Plover Drive, 919 Vireo Drive, 804 Wren Circle, 1025 Oriole Circle, 614 Puffin Drive, 619 Oleander Circle, 1222 Chipewa Drive and 1213 Chipewa Drive. Second by Mr. Grunow. Motion passed unanimously.*

## **FY21 Budget Amendment: Project Carryover from FY20**

Resolution 2020-13 read by Mr. Repperger:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT AMENDING RESOLUTION 2020-08; AMENDING THE BUDGET.

*Mr. Loveland made a motion to approve Resolution 2020-13 as read. Second by Ms. Henderson. Motion passed unanimously.*

## **Replacement Truck Purchase**

Staff recommends the BOT award contract to Duval Fleet for a 2021 F-150 truck in the amount of \$22,921.00.

*Mr. Loveland made a motion to award contract to Duval Fleet for a 2021 F-150 truck in the amount of \$22,921.00. Second by Mr. Maino. Motion passed unanimously.*

## **Truck Purchase**

Staff recommends the BOT award contract to Duval Fleet for a 2021 Ford Ranger truck in the amount of \$22,521.00.

*Mr. Grunow made a motion to award contract to Duval Fleet for a 2021 Ford Ranger truck in the amount of \$22,521.00. Second by Mr. Loveland. Motion passed unanimously.*



# BAREFOOT BAY RECREATION DISTRICT

## **Christmas Parade and Light up the Bay Support**

Staff recommends the BOT authorize BBRD to expend up to \$600 on Christmas parade, festivities, and Light up the Bay contest as requested by Chairman Klosky.

*Mr. Maino made a motion to authorize BBRD to expend up to \$600 on Christmas parade, festivities, and Light up the Bay contest. Second by Ms. Henderson. Motion passed. Mr. Klosky abstained.*

## **Manager's Report**

### Resident Relations

#### **ARCC Meeting 10/27/20**

- 24 Consent items – all approved
- 11 Other items – 10 approved & 1 tabled

#### **ARCC Meeting 11/10/2020**

- 17 Consent items approved
- 4 Other items 2 approved & 2 tabled
- 1 Old Business (extension) approved

#### **Next ARCC Meeting**

- Scheduled for November 24th in Bldg. D/E at 9am

#### **Violations Committee Meeting 11/13/20 (Bldg. D/E at 10am)**

- 16 Cases are on the agenda
  - 5 came into compliance prior to the meeting
  - 3 are working with DOR staff

#### **Next Violations Committee Meeting**

- Scheduled for December 4th in Bldg. D/E at 10am

#### **Interesting Facts for October**

- 29 homes sold
- 45 new homeowners received their badges



# BAREFOOT BAY RECREATION DISTRICT

## Property Services

- Painted new picnic tables for Pool #1
- Added sand and clay to the softball field per their direction and rototilled
- Completed the East lake trail refreshment
- Continued Working on pool 2# refurbishment
- Trimmed trees around the common grounds
- Put in posts to prevent golf carts from entering the fenced area at the miniature golf course
- Rebuilt and made repairs to benches on the fishing pier
- Rebuilt and reset the swains in the lake
- Checked the beach property and moved the bench under the walkway back to where it belongs
- Made repairs to the Barefoot Bay food store's doors
- Replaced globes blown off during the last wind event
- Set up and tore down the Veterans Day event
- Set up and tore down fireworks event
- Made minor repairs to Miniature Golf Course
- Assessed and repaired a water leak at the Veterans' Gathering Center
- Put up all the flags for the Veterans' Gathering Center
- Worked with the contractor to prep for new storage area in Building A Kitchen
- Greased the RV lot gates and readjusted the chains
- Trimmed all the vegetation around pool 1
- Addressed all current DOR violations
- Continued to solicit for bids/quotes for various projects

## Golf-Pro Shop

- November 23 & 24 (Course Overseed)
  - 23<sup>rd</sup> Back Nine and Putting Green Closed
  - 24<sup>th</sup> Front Nine and Driving Range Closed
- November 26<sup>th</sup> (Thanksgiving)
  - Golf Course Closed at 2pm
  - Last cart out 10am
- Now playing at your golf course
  - Saturday Mixed Couples
  - Sunday PM Scrambles
  - Call Pro Shop 664.3174 for details
- December 25<sup>th</sup>
  - Course Closed
- December 31<sup>st</sup>
  - Course Closes at 2pm
  - Last Cart out at 10am



# BAREFOOT BAY RECREATION DISTRICT

## Food and Beverage

- November 26<sup>th</sup> (Thanksgiving)
  - 19<sup>th</sup> Hole Closed
  - Lounge Closed
- December 24<sup>th</sup>
  - 19<sup>th</sup> Hole closes at 6pm
  - Lounge closes at 6pm
- December 25<sup>th</sup>
  - 19<sup>th</sup> Closed
  - Lounge Closed

## General Information

**Beach Re-nourishment Update** – On October 26, 2020, the Brevard County Board of County Commissioners voted to spend an estimated \$2.6 Million (from the County tourism development fund) to renourish approximately half of the beach from Spessard Holland Park to the Sebastian Inlet State Park (14.5 miles). The work is planned to be completed in March 2021.

**FY22 Budget Preparation Status** – Trustees and residents are encouraged to submit their ideas for new or revised R&M/Capital projects to Community Manager Coffey ([jcoffey@bbrd.org](mailto:jcoffey@bbrd.org)) or drop them off (preferable in written form) at the Administration Building by December 4<sup>th</sup>. Due to the compressed budget preparation schedule this year, there will not be a separate Five-Year Financial Model and Capital Improvement Plan workshop. All projects (recommended for funding or not recommended for funding) will be considered by the BOT at their March and May workshops.



# BAREFOOT BAY RECREATION DISTRICT

## **Attorney's Report**

Mr. Repperger gave an update on DOR cases. He stated that there are 22 Active cases, 5 litigation cases and 7 complaints that have been sent to staff.

## **Incidental Trustee Remarks**

Mr. Loveland welcomed Mr. Grunow to the BOT

Mr. Grunow expressed his gratitude to the BOT for considering him for the BOT and expressed his gratitude to

Mr. Goetz and Mr. Coffey for setting up the Veteran's Day festivities.

Ms. Henderson welcomed Mr. Grunow to the BOT and wished everyone a Happy Thanksgiving.

Mr. Maino welcomed Mr. Grunow and complimented the fireworks display.

Mr. Klosky welcomed all the new BOT members.

## **Adjournment**

The next meeting will be on December 4, 2020 at 1pm in Building D/E

Ms. Henderson made a motion to adjourn. Mr. Klosky adjourned.

Meeting adjourned at 2:45pm

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Jeff Grunow, Secretary

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Stephanie Brown, District Clerk

## Board of Trustees

## Meeting Agenda Memo

Date: Friday, April 9, 2021

Title: Request for Forgiveness of Debt and Release of Liens: 908 Cashew Circle

Section & Item: 9.A

Department: Resident Relations, DOR

Fiscal Impact: \$4,768.32 Total  
\$4,718.00 - Lot Mows since 2016  
\$50.32 - Lien fees

Contact: Richard Armington, Resident Relations Manager, John W. Coffey ICMA-CM, Community Manager

Attachments: Email from J. Lipscomb - 908 Cashew Circle, Invoice - 908 Cashew Circle

Reviewed by

General Counsel: No

Approved by: John W. Coffey, ICMA-CM, Community Manager



### Requested Action by BOT

Consideration of homeowner's request for waiver of fees and lien.

### Background and Summary Information

908 Cashew was recently purchased at a Tax Deed sale. When property is identified as being sold (with outstanding liens), staff sends a bill to the new homeowners of record. The new owner of 908 Cashew (Mr. James Lipsomb) came in to pay his Social Membership fee and receive his new homeowner orientation. During his orientation, he asked if there was any way to remove the back charges that were owed since he is now maintaining the property and planning on emplacing a home on the site in the future. Staff informed him that they could not waive fees owed to BBRD. He then asked how he could address the BOT to seek relief. He then contacted Community Manager Coffey requesting the waiver of the liens be placed on the next available BOT meeting agenda.

While staff does not normally place every resident's request on BOT meeting agendas (since the meetings are business meetings and not open forums), the Community Manager believes consideration of Mr. Lipsomb's request merits consideration in the spirit of the NRP's goals to encourage the placement of new homes in BBRD to stabilize neighborhoods and revitalize the community as a whole.

Hence, the Community Manager recommends the BOT waive \$4,768.32 in liens for lot mows and administrative costs.

**From:** [Rich Armington](#)  
**To:** [Sally Biondolillo](#)  
**Subject:** FW: Request to be put on the agenda  
**Date:** Wednesday, March 31, 2021 10:55:25 AM

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**From:** Rich Armington  
**Sent:** Monday, March 15, 2021 3:57 PM  
**To:** John Coffey <[jcoffey@bbrd.org](mailto:jcoffey@bbrd.org)>  
**Subject:** RE: Request to be put on the agenda

This is 908 Cashew Circle. He purchased this lot at a tax deed sale. I will need to ask Julie how much is owed.

---

**From:** John Coffey <[jcoffey@bbrd.org](mailto:jcoffey@bbrd.org)>  
**Sent:** Monday, March 15, 2021 3:50 PM  
**To:** Rich Armington <[richarmington@bbrd.org](mailto:richarmington@bbrd.org)>  
**Subject:** FW: Request to be put on the agenda

I need some clarity about this case.....

---

**From:** [jlipscomb71@gmail.com](mailto:jlipscomb71@gmail.com) <[jlipscomb71@gmail.com](mailto:jlipscomb71@gmail.com)>  
**Sent:** Monday, March 15, 2021 3:34 PM  
**To:** John Coffey <[jcoffey@bbrd.org](mailto:jcoffey@bbrd.org)>  
**Subject:** FW: Request to be put on the agenda

Hi Mr. Coffey,

I was given your e-mail address as [johncoffey@bbrd.org](mailto:johncoffey@bbrd.org), and it bounced. I bet it should be [jcoffey@bbrd.org](mailto:jcoffey@bbrd.org)

---

**From:** [jlipscomb71@gmail.com](mailto:jlipscomb71@gmail.com) <[jlipscomb71@gmail.com](mailto:jlipscomb71@gmail.com)>  
**Sent:** Monday, March 15, 2021 3:28 PM  
**To:** [sbrown@bbrd.org](mailto:sbrown@bbrd.org); [johncoffey@bbrd.org](mailto:johncoffey@bbrd.org)  
**Subject:** Request to be put on the agenda

Hi Ms. Brown and Mr. Coffey,

I received the attached notice, "Barefoot Bay Violation Notice." I have engaged Ken Kevelin to provide lawn service, and he has already started, and if you look at the picture in the attached, "Car is Gone," that has been taken care of as well.

I would like to be put on the agenda for the next meeting, though I am not sure if it should be the Board of Trustees, or the Violations Committee, and would ask that I be placed where appropriate. I want to discuss waiving of assessments and obtaining a lien release on the property. I am hoping for some consideration, given I did not cause any of the violations, but I did solve them expediently.

-

James Lipscomb, Realtor

Hoven Real Estate

Florida License SL3419036

<http://www.your321realtor.com>

<https://link.flexmls.com/1dj9tpgwbdgb,15>

321-442-2090

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## Customer Balances for Barefoot Bay Recreation District

**Customer: 7000-0193.01 - Donald & Marjorie Walter**

**Customer Balance: 4,768.32**

**Lookup From: Open A/R Invoices**

Invoice Number	Invoice Date	Due Date	Invoice Description	Original Amount	Outstanding Amount
Initial Lot Mow#0193	7/28/16	8/27/16	Initial Lot Mow billing #0193 plus 2 laborers @ 4 hours	168.00	168.00
Aug 16 Lot Mow #0193	8/4/16	9/3/16	Lot Mow billing Aug 2016	70.00	70.00
Aug 2016 LM #0193	8/18/16	9/17/16	Lot Mow billing Aug 2016	70.00	70.00
Sept 16 Lot Mow#0193	9/2/16	10/2/16	Lot Mow billing Sept 2016	70.00	70.00
Oct 16 Lot Mow #0193	10/18/16	11/17/16	Lot Mow billing Oct 2016	70.00	70.00
Nov 16 Lot Mow #0193	11/15/16	12/15/16	Lot Mow billing Nov 2016	70.00	70.00
0193 Lien-postage	12/27/16	1/26/17	LIEN-POSTAGE OR BK 7779 PG 2933 Recorded 12/19/16	50.32	50.32
jan 17 Lot Mow #0193	1/19/17	2/18/17	Lot Mow billing Jan 2017	70.00	70.00
feb 17 Lot Mow #0193	2/16/17	3/18/17	Lot Mow billing Feb 2017	70.00	70.00
Apr 17 Lot Mow #0193	4/18/17	5/18/17	Lot Mow Billing Apr 2017	70.00	70.00
Jun 17 Lot Mow #0193	6/9/17	7/9/17	Lot Mow billing JUN 2017	70.00	70.00
Jun 17 Lot Mow *0193	6/19/17	7/19/17	Lot Mow billing JUN 2017	70.00	70.00
Jul 17 Lot Mow #0193	7/7/17	8/9/17	Lot Mow billing JUL 2017	70.00	70.00
Jul 17 Lot Mow *0193	7/20/17	8/19/17	Lot Mow billing JUL 2017	70.00	70.00
Aug 17 Lot Mow #0193	8/3/17	9/2/17	Lot Mow billing AUG 2017	70.00	70.00
Aug17 Lot Mow #0193	8/17/17	9/16/17	Lot Mow billing AUG 2017	70.00	70.00
Sep17 Lot Mow #0193	8/31/17	9/30/17	Lot Mow billing SEP 2017	70.00	70.00
28Sep17 Lot Mow 0193	9/28/17	10/28/17	Lot Mow billing SEP 28, 2017	70.00	70.00
12Oct17 LM 0193	10/12/17	11/11/17	Lot Mow billing Oct 12, 2017	70.00	70.00
LM 24Oct17 0193	10/24/17	11/23/17	Lot Mow 24Oct17 billing	70.00	70.00
LM 30Nov17 0193	11/30/17	12/30/17	Lot Mow 30Nov17 billing	70.00	70.00
0193 LM Jan2018	1/25/18	2/24/18	LM Billing 16-002109	70.00	70.00
0193 LM Mar2018	3/8/18	4/7/18	LM Billing	70.00	70.00
0193 LM May 2018	5/10/18	6/9/18	Lot Mow billing 5/10/18	70.00	70.00

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**Customer: 7000-0193.01 - Donald & Marjorie Walter**

**Customer Balance: 4,768.32**

**Lookup From: Open A/R Invoices**

Lot Mow#0193	5/29/18	6/28/18	Lot Mow billing 5/29/18	70.00	70.00
180629908...	6/29/18	6/29/18	Lot Mow	70.00	70.00
180713908 Cashew Cir	7/13/18	7/13/18	Lot Mow	70.00	70.00
Lot Mow#0193 6/14	6/14/18	7/14/18	Lot Mow billing 6/14/18	70.00	70.00
180727908 Cashew Cir	7/27/18	7/27/18	Lot Mow	70.00	70.00
180810908 Cashew Cir	8/10/18	8/10/18	Lot Mow	70.00	70.00
180824908 Cashew Cir	8/23/18	8/23/18	Lot Mow	70.00	70.00
180907908 Cashew Cir	9/7/18	9/7/18	Lot Mow	70.00	70.00
180921908 Cashew Cir	9/21/18	9/21/18	Lot Mow	70.00	70.00
181005908 Cashew Cir	10/5/18	10/5/18	Lot Mow	70.00	70.00
181019 908 Cashew Ci	1/15/19	1/15/19	Lot Mow	70.00	140.00
Lot Mow#0193 1902	2/21/19	3/23/19	Lot Mow billing 2/21/19	70.00	70.00
190328 908 Cashew Ci	3/28/19	3/28/19	Lot Mow	70.00	70.00
190502 908 Cashew Ci	5/2/19	5/2/19	Lot Mow	70.00	70.00
190523 908 Cashew Ci	5/23/19	5/23/19	Lot Mow	70.00	70.00
190621 908 Cashew Ci	6/21/19	6/21/19	Lot Mow	70.00	70.00
190712 908 Cashew Ci	7/12/19	7/12/19	Lot Mow	70.00	70.00
190726 908 Cashew Ci	7/26/19	7/26/19	Lot Mow	70.00	70.00
190809 908 Cashew Ci	8/9/19	8/9/19	Lot Mow	70.00	70.00
190823 908 Cashew Ci	8/23/19	8/23/19	Lot Mow	70.00	70.00
190913 908 Cashew Ci	9/13/19	9/13/19	Lot Mow	70.00	70.00
190927 908 Cashew Ci	9/27/19	9/27/19	Lot Mow	70.00	70.00
191011 908 Cashew Ci	10/11/19	10/11/19	Lot Mow	70.00	70.00
191025 908 Cashew Ci	10/25/19	10/25/19	Lot Mow	70.00	70.00
191108 908 Cashew Ci	11/8/19	11/8/19	Lot Mow	70.00	70.00
191122 908 Cashew Ci	11/22/19	11/22/19	Lot Mow	70.00	70.00

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**Lookup From: Open A/R Invoices**

**Customer Balance: 4,768.32**

200116 908 Cashew Ci	1/16/20	1/16/20	Lot Mow	70.00	70.00
200229 908 Cashew Ci	2/29/20	2/29/20	Lot Mow	70.00	70.00
200514 908 Cashew Ci	5/14/20	5/14/20	Lot Mow	70.00	70.00
200604 908 Cashew Ci	6/4/20	6/4/20	Lot Mow	70.00	70.00
200619 908 Cashew Ci	6/19/20	6/19/20	Lot Mow	70.00	70.00
200702 908 Cashew Ci	7/2/20	7/2/20	Lot Mow	70.00	70.00
200724 908 Cashew Ci	7/24/20	7/24/20	Lot Mow	70.00	70.00
200807 908 Cashew Ci	8/7/20	8/7/20	Lot Mow	70.00	70.00
200821 908 Cashew Ci	8/21/20	8/21/20	Lot Mow	70.00	70.00
200904 908 Cashew Ci	9/4/20	9/4/20	Lot Mow	70.00	70.00
200918 908 Cashew	9/18/20	9/18/20	Lot Mow	70.00	70.00
201002 908 Cashew	10/2/20	10/2/20	Lot Mow	70.00	70.00
201016 908 Cashew	10/16/20	10/16/20	Lot Mow	70.00	70.00
201029 908 Cashew	10/29/20	10/29/20	Lot Mow	70.00	70.00
201119 908 Cashew	11/19/20	11/19/20	Lot Mow	70.00	70.00
Trim #0193	1/15/21	2/14/21	Trim	70.00	70.00

## Customer Balances for Barefoot Bay Recreation District

Customer: 7000-0193.01 - Donald & Marjorie Walter  
Lookup From: Open A/R Invoices

Customer Balance: 4,768.32

## Board of Trustees

### Meeting Agenda Memo

Date: Friday, April 9, 2021

Title: **Expansion of Micco RV Storage Lot Update**

Section & Item: 9.B

Department: Resident Relations, DOR

Fiscal Impact: N/A

Contact: Richard Armington, Resident Relations Manager, John W. Coffey ICMA-CM, Community Manager

Attachments: 09Feb21 BOT Workshop agenda memo purchase of land south of Micco RV Storage lot, 09Feb21 BOT workshop minutes, Lisa Rossi - Interest in property on Fleming Grant

Reviewed by General Counsel: N/A

Approved by: John W. Coffey, ICMA-CM, Community Manager



#### Requested Action by BOT

Review efforts to contact property owner and direction to staff.

#### Background and Summary Information

In 2017, the BOT began a series of workshops and meetings to select projects to be financed and a funding mechanism. The effort to issue a 30-year bond to fund approximately 20 large projects eventually died in November 2018 (consensus of Trustees and Trustee-elects at the November 27, 2018 FY20-24 Budget Kick-off meeting to not proceed with the financing of projects). Within the original list of projects to be financed was the "Purchase of vacant land south of Micco RV lot and expansion of RV lot" project at a 2017 cost of \$245,993.

Trustee Nugent requested this possible project be placed on the February 9, 2021 BOT Workshop agenda for consideration by the current BOT. A summary acquisition and development costs (\$304,860), annual operating revenue over expenditures (\$38,014), and return on investment (7.59 years) are detailed in the following chart (the reader should note that development costs have been adjusted 2.0% per year from the 2017 study): Consensus of the BOT was staff to contact the property owner to determine if she is interested in selling the property.

Subsequently, staff made multiple phone calls to the property owner and left voice messages each time with no response. Later, a letter of interest to purchase the property was mailed to the owner. As April 1, 2021, staff had not heard from her or received the letter back by return mail.

Staff requests direction on this matter.

## Board of Trustees Workshop Agenda Memo

Date: February 09, 2021

Title: Purchase of Land South of Micco Road  
RV Storage Lot

Section & Item:

Department: R&M/Capital

Fiscal Impact: N/A

Contact: Jim Nugent, Trustee; Rich Armington,  
Resident Relations/H.R. Manager; John  
W. Coffey, ICMA-CM, Community  
Manager

Attachments: Brevard County Property Appraiser's  
Office parcel information/map, and 2017  
Rough order of Magnitude analysis

Reviewed by  
General Counsel: N/A

Approved by: John W. Coffey, ICMA-CM

### **Requested Action by BOT**

Discussion and direction to staff.

### **Background and Summary Information**

In 2017, the BOT began a series of workshops and meetings to select projects to be financed and a funding mechanism. The effort to issue a 30-year bond to fund approximately 20 large projects eventually died in November 2018 (consensus of Trustees and Trustee-elects at the November 27, 2018 FY20-24 Budget Kick-off meeting to not proceed with the financing of projects). Within the original list of projects to be financed was the "Purchase of vacant land south of Micco RV lot and expansion of RV lot" project at a 2017 cost of \$245,993.

Trustee Nugent requested this possible project be placed on an agenda for consideration by the current BOT. A summary acquisition and development costs (\$304,860), annual operating revenue over expenditures (\$38,014), and return on investment (7.59 years) are detailed in the following chart (the reader should note that development costs have been adjusted 2.0% per year from the 2017 study):

Of note, due the BBRD Charter \$25,000 cap on new acquisitions, approval of the purchase and development cost by the voters would be required before proceeding in acquiring the property.



	Acres	# of spaces	Spaces per Acre	Rent per Space	Annual Max. Rent	Est. Operational costs	Est. Net Annual Revenue
Existing Micco lot	3.92	273	69.64	36.00	117,936	N/A	
New lot usable space	1.35	94	69.64	36.00	40,616	2,602	38,013.71
	<b>Private purchase price</b>	<b>Govt. purchase price</b>	<b>Development cost</b>	<b>Total Initial Outlay</b>			
Estimated expansion costs	42,400	48,760		48,760			
Development cost			231,100	231,100			
CCTV installation cost est.			25,000	25,000			
<b>Total</b>				<b>304,860</b>			
Return on Investment				7.59	years		

Staff requests direction regarding this issue.



# BAREFOOT BAY RECREATION DISTRICT

## Board of Trustees Workshop

February 9, 2021

9AM –Building D&E

### Workshop Called to Order

The Barefoot Bay Recreation District Board of Trustees held a Workshop on February 9, 2021 Building D&E 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Maino called the workshop to order at 9AM.

### Pledge of Allegiance to the Flag

Led by Mr. Maino.

### Roll Call

Present: Mr. Maino, Mr. Grunow, Mr. Nugent, Mr. Morrissey. Also, present, John W. Coffey, ICMA-CM, Community Manager, Cliff Repperger, General Counsel, Stephanie Brown, District Clerk, Rich Armington, Resident Relations Manager, Charles Henley, Finance Manager, Kathy Mendez, Food & Beverage Manager, Matt Goetz, Property Services Manager. Mr. Loveland was excused.

### Audience Participation

Mr. Coffey read two letters from Rich Schwatlow-636 Marlin Circle-who spoke in favor of a fundraiser. He also questioned if a referendum was required for a dog park.

Mr. Coffey read a letter from Fran Solecki-910 Yew Street-who voiced her disapproval of a dog park.

Mr. Coffey read a letter from Angel Agel-487 Papaya Circle-BB Dog Lovers Club-who spoke in favor of having a dog park and provided location options and costs associated with building and maintaining the dog park.

Vicki Meyers-1305 Gardenia-spoke in favor of the dog park.

### Discussion Items

#### Expansion of Kids' Swim Program

Staff proposed kids swim each Wednesday (year-round) for the last two hours of operations at Pool #2 or Pool #3 and combining the current summer kickoff and end parties into a once-a-year end of summer party at Pool #1.

Mr. Grunow gave an overview of the kids swim proposal. Mr. Maino asked the specific hours of operation. Mr. Goetz responded that the program would be 4-6pm and in the summer it would be later. Mr. Morrissey voiced his concern over kids' behavior/horseplay.

*BOT consensus to accept staff's recommendation for kids swim year-round.*



# BAREFOOT BAY RECREATION DISTRICT

## **Leash Free Dog Park**

Mr. Grunow asked if a referendum was required to build the dog park. Mr. Repperger responded no, and explained the \$25,000 cap, and that it only applies to new acquisitions. He stated that Improvements to existing property was excluded. Mr. Coffey gave information on costs and stated if there is parking and a water source, building the dog park would be under \$20,000. Mr. Maino voiced his concerns over the location of the dog park and rule enforcement. Mr. Maino voiced his disapproval of a dog park.

## **Purchase of Land South of Micco Road RV Storage Lot**

Mr. Nugent spoke in favor of purchasing the land and expanding parking. Mr. Coffey gave an overview of the proposal and lot. Mr. Grunow spoke in favor of purchasing the land while it is still available. Mr. Morrissey also spoke in favor of purchasing the land, and stated that it was a good investment. Mr. Coffey suggested a contingency sale if BOT is interested in purchasing the lot, in addition to a referendum. Mr. Maino asked if a loan would be required to buy the land, Mr. Coffey responded yes.

*BOT consensus to have the Community Manager investigate further with the owner of the land.*

## **RV Storage Fees**

Mr. Coffey gave an overview of RV storage analysis and effects of increasing RV storage fees. Mr. Grunow spoke in favor of increasing the storage fees, but not in favor of pricing by square footage. Mr. Maino spoke in favor of raising assessment fees, but asked the reasoning behind raising the RV storage fees. Mr. Coffey responded that raising other revenue for BBRD assists with keeping the assessment rate low.

*BOT Consensus to direct staff to investigate further and add it as an agenda item on a future BOT Meeting.*

## **Alternate Means of Transferring Monies Between Investment Accounts**

Mr. Maino asked about the current process. Mr. Henley responded that currently, the BOT has to approve any transfer between accounts. Mr. Maino spoke in favor of an alternate transfer process. Mr. Grunow asked Mr. Henley if he had a preference in methods. Mr. Henley responded that he had no preference; it is whatever works best for the community. Mr. Nugent spoke in favor of getting approval from those who are authorized signers and a process with flexibility. Mr. Maino spoke in favor of the Finance Manager notifying the Community Manager prior to a transfer between accounts and then notifying the treasurer once a transfer is made.

*BOT consensus to accept alternate means of transferring monies between investment accounts.*

Mr. Maino spoke in favor of adding a line item for bills under \$5000 to the BBRD Treasurer's Report.

## **Building A Kitchen Usage**

Mr. Coffey gave an overview of the proposed policy manual change to include a kitchen schedule and uses for residents. Ms. Mendez gave details about the kitchen schedule, safety concerns, and health issues.

Mr. Grunow spoke in favor of the proposed kitchen schedule and having supervision in the kitchen. Mr. Maino agreed.



# BAREFOOT BAY RECREATION DISTRICT

## **Incidental Trustee Remarks**

Mr. Maino spoke in favor of a 7-member Board of Trustees with 3-year terms.

Mr. Grunow spoke in favor of a board with longer terms.

Mr. Morrissey asked for a beach update. Mr. Repperger responded that is still investigating the needed elements of variance process and will have an update at the next Regular Board Meeting.

Mr. Coffey suggested discussing the possible board changes soon. Mr. Repperger would like to investigate the special act prior to going to the delegation to get a sponsor for the bill for a 7-member board.

## **Adjournment**

Mr. Maino adjourned

Workshop adjourned at 10:20am

---

Jeff Grunow

---

Stephanie Brown, District Clerk



# Barefoot Bay Recreation District

An Independent Special District of the State of Florida established in 1984.

625 Barefoot Boulevard  
Barefoot Bay, Florida  
32976-7305

Phone 772.664.3141  
Fax 772.664.1928

[www.bbrd.org](http://www.bbrd.org)

## Board of Trustees

**Michael R. Maino,**  
Chairman

**Jim Nugent,**  
1st Vice-Chair

**Michael Morrissey,**  
2nd Vice-Chair

**Randy Loveland,**  
Treasurer

**Jeff Grunow,**  
Secretary

## Leadership Team

**John W. Coffey, ICMA-CM,**  
Community Manager

**Stephanie Brown,**  
District Clerk

**Charles Henley,**  
Finance Manager

**Rich Armington,**  
Resident Relations/  
Human Resources Manager

**Matt Goetz,**  
Property Services Manager

**Kathy Mendes,**  
Food & Beverage Manager

**Ernie J. Cruz,**  
**PGA Certified Professional,**  
Golf Operations Manager

## General Counsel

**Clifford Repperger, Jr.,**  
WhiteBird, PLLC

February 15, 2021

Lisa Rossi  
5206 SW 120<sup>th</sup> Ave  
Cooper City, FL 33330

Dear Ms. Lisa Rossi,

Barefoot Bay Recreation District is interested in purchasing a parcel of land you own on Fleming Grant Road.

Please contact me and let us know if you would be willing to consider selling the lot.

Thank you,

Richard Armington  
Resident Relations/HR Manager  
625 Barefoot Boulevard  
Barefoot Bay, FL 32976-7305  
Phone: 772.664.3141 ext. 208  
[richamrington@bbrd.org](mailto:richamrington@bbrd.org)

## Board of Trustees

Date:

Title:

Section & Item:

Department:

Fiscal Impact:

Contact:

Attachments:

Reviewed by

General Counsel:

Approved by:

## Meeting Agenda Memo

Friday, April 9, 2021

**Discussion of FDOT SR5 (US 1) Improvements Project**

9.C

Administration, District Clerk

N/A

John W. Coffey ICMA-CM, Community Manager

FDOT Project Description

N/A

John W. Coffey, ICMA-CM, Community Manager



### Requested Action by BOT

Review information gained by District Clerk Brown regarding the upcoming US1 project.

### Background and Summary Information

At a previous BOT meeting, a request was made for staff to contact FDOT regarding a notice that the Trustees received about a future road project on US1. The following is a summary of the information gained.

The Florida Department of Transportation (FDOT) are proposing improvements on U.S. 1 from the Brevard/Indian River County line to north of Goat Creek in Grant-Valkaria to enhance safety and operations along the corridor. The project will resurface this segment of U.S. 1 to extend the life of the existing roadway. Other improvements consist of curb ramp reconstruction at pedestrian crossings, sidewalk construction, guardrail upgrades, median improvements including eliminating the southbound right hand turn lane into Barefoot Blvd and drainage modifications. Signalization and lighting enhancements will be constructed at Micco Road and Barefoot Boulevard. To upgrade curb ramp leading to the community dock to meet ADA requirements, it will subsequently be closed for approximately five (5) days during construction.

John Dee, the Transportation Design Consultant on the proposed project will be the point of contact for the Barefoot Bay Recreation District. He will coordinate with the contractor during pre-construction activities to minimize impacts to the community and to notify the Barefoot Bay Recreation District of the timing of the closure. The project is tentatively scheduled to start in the Fall of 2021.

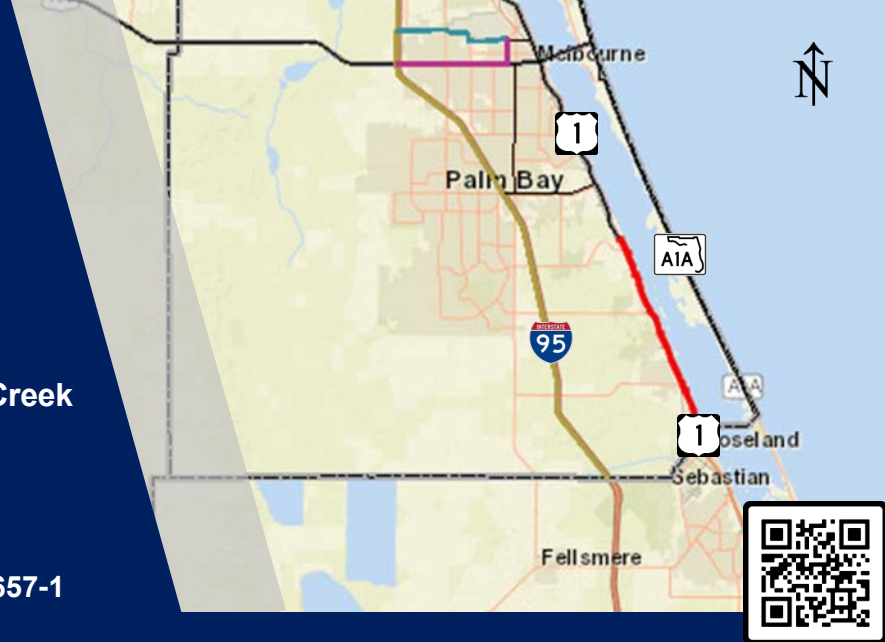


# U.S. 1 Resurfacing

From the Indian River County Line to Goat Creek

## Brevard County

Financial Project Identification (FPID) No.: 435657-1



### Project Description

This nearly 9-mile project is located in southern Brevard County through the towns of Micco and Grant-Valkaria. The purpose of the project is to provide safety and operational improvements along the corridor.

The project will resurface this U.S. 1 from the Indian River/Brevard County line to Goat Creek. Other improvements include widening into the median at Barefoot Boulevard and Micco Road to enhance turning operations and adding a southbound U-turn lane at Micco Road.

Work will also include drainage enhancements, lighting upgrades, driveway adjustments, and reconstruction and upgrade of the traffic signals at Barefoot Boulevard and Micco Road.

Sidewalk reconstruction and pedestrian curb ramp upgrades in compliance with Americans with Disabilities Act (ADA) standards and construction of bicycle thru lanes at intersections are planned.

### Project Status and Estimated Costs\*

Design:	Ongoing: completion spring 2021	\$ 1.1 Million
Right of Way:	Within existing	-
Construction:	To begin fall 2021	\$ 10.1 Million

\* subject to change

### Contact:

Anthony Miller, P.E.  
FDOT Project Manager  
386-943-5530  
[Anthony.Miller@dot.state.fl.us](mailto:Anthony.Miller@dot.state.fl.us)

## Board of Trustees

## Meeting Agenda Memo

Date: Friday, April 9, 2021  
Title: **Amended FY21 Employee Pay and Classification Plan**  
Section & Item: 9.D  
Department: Resident Relations, Customer Service  
Fiscal Impact: N/A  
Contact: Richard Armington, Resident Relations Manager, John W. Coffey ICMA-CM, Community Manager  
Attachments: Resolution 2021-04, Exhibit A FY21 Amended Pay Plan  
Reviewed by  
General Counsel: Yes  
Approved by: John W. Coffey, ICMA-CM, Community Manager



### Requested Action by BOT

Review recommended amended pay and classification plan and approve Resolution 2021-04.

### Background and Summary Information

Beginning in FY17, BBRD adopted a formal pay and classification plan based on a representative employee pay survey and an internal comparative worth review to ensure the continued equity of the pay and classification plan where employees performing comparable work are fairly compensated. Subsequently, each fiscal year, the BOT adopted a new pay plan to ensure compliance with the Florida Minimum Wage law prior to the start of the new calendar year. The FY21 employee pay and classification plan was adopted on December 04, 2020. At said time the budgeted Management Analyst position was planned to be a part of the management services contract with Special Districts Services, Inc. and therefore not included in the FY21 Pay Plan.

At the March 25, 2021 BOT FY22 Budget Workshop, a consensus was reached to move said position to a BBRD-direct hire status. On Monday, March 29, 2021 the position was advertised. Adoption of Resolution 2021-04 will amend the FY21 Approved Pay and Classification plan by adding the exempt position of "Management Analyst" at the classification grade of E-34.

If the BOT approves Resolution 2021-04, staff will process a FY21 budget transfer reallocating monies from the Management Fees line-item to the proper accounts and will also adjust the FY22 Proposed Budget line items accordingly.

The Community Manager recommends the BOT approve resolution #2021-04 thereby amending the FY21 Employee Pay and Classification Plan effective April 19, 2021.



## **RESOLUTION 2021-04**

**A RESOLUTION OF THE BAREFOOT BAY RECREATION DISTRICT  
SUPERSEDING AND REPLACING RESOLUTION 2020-15 AND  
ADOPTING AN AMENDED EMPLOYEE PAY AND CLASSIFICATION  
PLAN FOR FISCAL YEAR 2020-2021; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR CONFLICT WITH OTHER PROVISIONS; AND,  
PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of Trustees desires to maintain a competitive pay and classification plan to attract and maintain a qualified workforce; and

**WHEREAS**, the Board of Trustees first adopted a formal pay and classification plan Resolution 2017-18; and

**WHEREAS**, an annual internal comparative worth review was conducted to ensure the continued equity of the pay and classification plan where employees performing comparable work are fairly compensated; and

**WHEREAS**, the Board of Trustees adopted Fiscal Year 2020-2021 Operating Budget Resolution 2020-08 which contains funding for employee compensation; and

**WHEREAS**, on December 4, 2020, the Board of Trustees adopted Resolution 2020-15 which adopted an Employee Pay and Classification plan for fiscal year 2020-2021; and

**WHEREAS**, the Board of Trustees desires to maintain a pay and classification plan that is gender neutral and based on each employee's ability to perform her/his job and job market conditions; and

**WHEREAS**, the Board of Trustees desires to amend the current pay and classification plan by adding the exempt position of Management Analyst; and

**WHEREAS**, the Board of Trustees desires to formally adopt an employee pay and classification plan so residents and employees understand the minimum and maximum pay for each position;

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT AS FOLLOWS:**

Section 1. The Amended Fiscal Year 2020-2021 Employee Pay and Classification Plan appearing as Exhibit "A" of this Resolution is hereby adopted to serve as the basis of employee compensation of Barefoot Bay Recreation District. The Employee Pay and Classification Plan

appearing as Exhibit "A" of this Resolution shall supersede and replace any previously adopted Employee Pay and Classification Plan and shall apply prospectively beginning April 19, 2021.

Section 2. Severability.

If any portion, clause, phrase, sentence or classification of this Resolution is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the resolution; it is hereby declared to be the expressed opinion of the Trustees of the Barefoot Bay Recreation District that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this Resolution did not induce its passage, and that without the inclusion of any such portion or portions of this Resolution, the Trustees would have enacted the valid constitutional portions thereof.

Section 3. Conflict with other Provisions.

All resolutions or parts of resolutions in conflict herewith are hereby repealed and all resolutions or parts of resolutions not in conflict herewith are hereby continued in full force and effect.

Section 4. Effective Date.

The Amended Fiscal Year 2020-2021 Employee Pay and Classification Plan appearing in Exhibit "A" of this Resolution shall take effect April 19, 2021.

The foregoing resolution was moved for adoption by Trustee \_\_\_\_\_. The motion was seconded by Trustee \_\_\_\_\_ and, upon being put to a vote, that vote was as follows:

Chairman Michael R. Maino  
Trustee Jeff Grunow  
Trustee Randy Loveland  
Trustee Jim Nugent  
Trustee Michael Morrissey

The Chairman thereupon declared this resolution Done and Adopted this 9th day of April 2021.

**BAREFOOT BAY RECREATION DISTRICT**

By: \_\_\_\_\_  
MICHAEL R. MAINO, Chairman

Attest: \_\_\_\_\_  
JEFF GRUNOW, Secretary

**Exhibit A**  
**Amended FY21 Pay and Classification Plan (Adopted by the BOT on April 09, 2021)**

<u>Position</u>	<u>Classification</u>	<u>Grade</u>	<u>Min*</u>	<u>Mid</u>	<u>Max</u>
Finance Manager	Mgr.	115	33.79	40.55	47.31
	Mgr.	114	32.97	39.56	46.16
	Mgr.	113	32.16	38.60	45.03
	Mgr.	112	31.38	37.66	43.93
	Mgr.	111	30.61	36.74	42.86
Food & Beverage Manager	Mgr.	110	29.87	35.84	41.82
Resident Relations/H.R. Manager	Mgr.	109	29.14	34.97	40.80
	Mgr.	108	28.43	34.11	39.80
Golf Operations Manager	Mgr.	107	27.74	33.28	38.83
	Mgr.	106	27.06	32.47	37.88
	Mgr.	105	26.40	31.68	36.96
District Clerk	Mgr.	104	25.76	30.91	36.06
Property Services Manager	Mgr.	103	25.13	30.15	35.18
Lead Accountant	Exempt	38	21.67	26.00	30.33
	Exempt	37	21.14	25.37	29.59
	Exempt	36	20.62	24.75	28.87
	Exempt	35	20.12	24.14	28.17
Management Analyst	Exempt	34	19.63	23.56	27.48
	Exempt	33	19.15	22.98	26.81
	Exempt	32	18.68	22.42	26.16
	Exempt	31	18.23	21.87	25.52
	Exempt	30	17.78	21.34	24.90
	Exempt	29	17.35	20.82	24.29
	Exempt	28	16.93	20.31	23.70
	Exempt	27	16.51	19.82	23.12
	Exempt	26	16.11	19.33	22.55
	Exempt	25	15.72	18.86	22.00
Kitchen Supervisor	Exempt	24	15.33	18.40	21.47
Accounting Associate III	Non-Exempt	28	16.93	20.31	23.70
Accounting Associate II	Non-Exempt	27	16.51	19.82	23.12
Golf Professional	Non-Exempt	26	16.11	19.33	22.55
Accounting Associate I	Non-Exempt	26	16.11	19.33	22.55
P.S. Crew Leader	Non-Exempt	25	15.72	18.86	22.00
Custodian Supervisor	Non-Exempt	25			
Pool Sup./Office Coordinator	Non-Exempt	25			
H.R. Generalist/Office Coordinator	Non-Exempt	24	15.33	18.40	21.47
Catering Coordinator	Non-Exempt	23	14.96	17.95	20.94
Bldg. Tech III	Non-Exempt	23			
Maintenance/Audio-Visual	Non-Exempt	22	14.60	17.51	20.43
Bldg. Tech II	Non-Exempt	22			

Non-tipped minimum of pay scale is \$0.26 higher than the 2021 Florida minimum non-tipped wage of \$8.65. Tipped minimum of pay scale is \$0.04 higher than the 2021 Florida minimum tipped wage.

**Exhibit A**  
**Amended FY21 Pay and Classification Plan (Adopted by the BOT on April 09, 2021)**

<u>Position</u>	<u>Classification</u>	<u>Grade</u>	<u>Min*</u>	<u>Mid</u>	<u>Max</u>
Bldg. Tech/Mechanic	Non-Exempt	22			
	Non-Exempt	21	14.24	17.09	19.94
Administrative Assistant	Non-Exempt	20	13.89	16.67	19.45
DOR/ARCC Administrative Assistant	Non-Exempt	20			
DOR/ARCC Inspector	Non-Exempt	19	13.55	16.26	18.97
Calendar/RV Coordinator	Non-Exempt	19			
Lead Cook	Non-Exempt	19			
Lead Pool Tech	Non-Exempt	19			
Landscape/Irrigation Technician	Non-Exempt	18	13.22	15.87	18.51
Community Watch Officer	Non-Exempt	17	12.90	15.48	18.06
Accounting Clerk	Non-Exempt	17			
Bldg. Tech I	Non-Exempt	17			
Customer Service Clerk	Non-Exempt	16	12.59	15.10	17.62
Lead Grounds Keeper	Non-Exempt	15	12.28	14.73	17.19
Custodian/AV Tech	Non-Exempt	14	11.98	14.38	16.77
	Non-Exempt	13	11.69	14.02	16.36
Lead Custodian	Non-Exempt	12	11.40	13.68	15.96
Pool Tech	Non-Exempt	12			
	Non-Exempt	11	11.12	13.35	15.57
Administrative Clerk	Non-Exempt	10	10.85	13.02	15.19
Receptionist/Clerk	Non-Exempt	10			
(Golf) Clerk	Non-Exempt	10			
Cook	Non-Exempt	10			
	Non-Exempt	9	10.59	12.71	14.82
	Non-Exempt	8	10.33	12.40	14.46
	Non-Exempt	7	10.08	12.09	14.11
Grounds Keeper	Non-Exempt	6	9.83	11.80	13.76
Pool Host	Non-Exempt	6			
Player Assistant/Cart Tech	Non-Exempt	6			
	Non-Exempt	5	9.59	11.51	13.43
	Non-Exempt	4	9.36	11.23	13.10
Custodian	Non-Exempt	3	9.13	10.96	12.78
Crowd Monitor/Bar Back	Non-Exempt	3			
	Non-Exempt	2	8.91	10.69	12.47
Courtesy Golf Cart Driver	Non-Exempt	1	8.91	10.69	12.47
Dish Washer	Non-Exempt	1			
F&B Expeditor	Non-Exempt	1			
F&B Host	Non-Exempt	1			
Player Assistant	Non-Exempt	1			

Non-tipped minimum of pay scale is \$0.26 higher than the 2021 Florida minimum non-tipped wage of \$8.65. Tipped minimum of pay scale is \$0.04 higher than the 2021 Florida minimum tipped wage.

**Exhibit A**  
**Amended FY21 Pay and Classification Plan (Adopted by the BOT on April 09, 2021)**

<u>Position</u>	<u>Classification</u>	<u>Grade</u>	<u>Min*</u>	<u>Mid</u>	<u>Max</u>
Bar Supervisor	Tipped Non-Exempt	H	6.74	8.09	9.44
	Tipped Non-Exempt	G	6.58	7.89	9.21
	Tipped Non-Exempt	F	6.42	7.70	8.98
	Tipped Non-Exempt	E	6.26	7.51	8.76
	Tipped Non-Exempt	D	6.11	7.33	8.55
Lead Server	Tipped Non-Exempt	C	5.96	7.15	8.34
Lead Bartender	Tipped Non-Exempt	C			
	Tipped Non-Exempt	B	5.81	6.97	8.14
Bartender	Tipped Non-Exempt	A	5.67	6.80	7.94
Server	Tipped Non-Exempt	A			

Non-tipped minimum of pay scale is \$0.26 higher than the 2021 Florida minimum non-tipped wage of \$8.65. Tipped minimum of pay scale is \$0.04 higher than the 2021 Florida minimum tipped wage.

## Board of Trustees

## Meeting Agenda Memo

Date: Friday, April 9, 2021

Title: **Adoption of Amended Policy Manual Revising the Investment Procedures and Building A Kitchen Usage Fees**

Section & Item: 9.E

Department: Administration, District Clerk

Fiscal Impact: N/A

Contact: Charles Henley, Finance Manager, Kathy Mendes, Food & Beverage Manager, John W. Coffey ICMA-CM, Community Manager

Attachments: Exhibit A revised Policy Manual , resolution Policy Manual Adoption

Reviewed by

General Counsel: Yes

Approved by: John W. Coffey, ICMA-CM, Community Manager



### Requested Action by BOT

Review proposed amendments to the *Policy Manual* and adopt Resolution #2021--05

### Background and Summary Information

On February 9, 2021, the BOT held a workshop to discuss various issues and proposals from staff. A consensus was reached to move forward with three Policy Manual changes (two of which are addressed with this agenda item and a third to be addressed at a subsequent meeting).

Specifically, the Policy Manual is recommended to be amended as follows:

#### *Part Two. General Financial Policies, Section 2.12 Bank Accounts, Subsection Investment Procedures (page 10)*

The District currently participates in the State Board Association Pooled Investment Program (SBA) The interest earned on the SBA investments is recorded when it is received. ~~Funds are only moved between investment accounts within a fund by Board of Trustees resolution.~~ Funds are only moved between Financial Institutions by authorized resolutions adopted by the Board of Trustees. Funds may be moved between accounts at an Institution by recommendation of the Finance Manager and the approval of the Community Manager with notification to the Board of Trustees upon execution.

#### *Part Three: General Rules Applicable to District Facilities: Section 3.3 Fee Schedule: Subsection Property Owners, Residents, Renters (page 35)*

7.Use of Building A Kitchen See "Use of Kitchen Facilities/Bringing in Incidental Food" Sub-Section # 7

#### *Part Three: General Rules Applicable to District Facilities: Section 3.3 Fee Schedule: Subsection Non-Residents (page 36)*

1. Rental of Buildings: Building "A" \$100.00 per hour (2-hour min.)  
\$100.00 fee for use of kitchen (non-refundable) plus see "Use of Kitchen Facilities/Bringing in Incidental Food" Sub-Section #11

#### *Part Three: General Rules Applicable to District Facilities: Section 3.4 Guidelines for Registering as a Club or Organization and Use of District Facilities, Subsection Use of District Facilities Where Fees are Charged (page 39)*

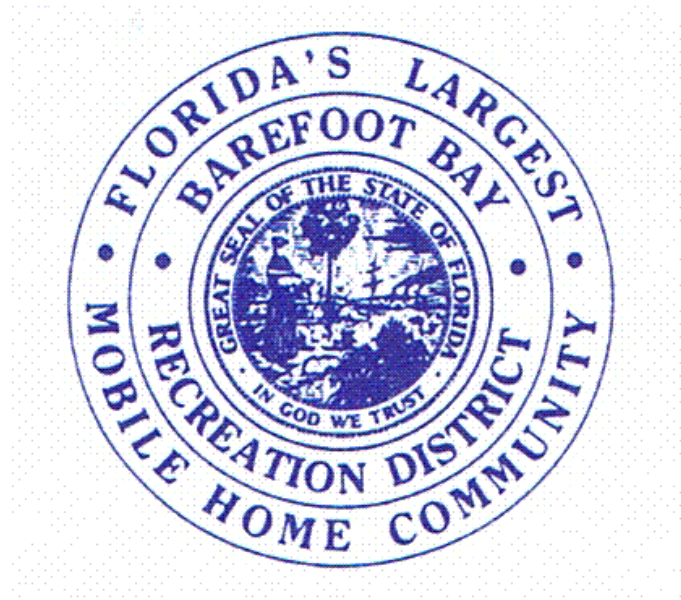
1. Any function that requires the use of kitchen facilities including the use of grills stoves, refrigerators, sinks shall pay a usage fee and clean-up deposit as may be determined by the Board of Trustees.

2. Clean up deposits and usage fees may be waived if food and beverages brought into the District facilities are of an incidental nature. However, a clean-up fee may be charged to any entity using District facilities if areas ~~have~~ need to be cleaned by custodial staff.
3. Refrigerators, ~~F~~freezers and/or walk in cooler must be reserved with the Calendar Coordinator at least two weeks prior to their use.
4. If a private caterer requires the use of the ~~stove~~, warming ovens, refrigerator and/or freezer, the Barefoot Bay club, organization representative, or Barefoot Bay resident must reserve them with the Calendar Coordinator at least two weeks in advance. There will be no catering charge for the Barefoot Bay club, organization, or resident unless the equipment is damaged. Damage to equipment will be assessed at the repair or replacement cost of the equipment to the Barefoot Bay club, organization, or resident.
5. Residents who use District pots/pans/utensils must be rinsed and left at dish machine.
6. Food and Beverage will provide a dishwasher for \$13.25/hour.
7. District cleaning of kitchen equipment is:
  - >50 people \$20
  - 50-100 people \$30
  - 100-200 people \$40
8. Any function that leaves the facilities in an unclean manner (and has not requested District cleaning) shall be charged a \$100.00 clean-up fee. If the fee is not paid, the entity will lose their privileges until the matter is settled.
9. Due to insurance requirements, the slicer, deep fryer, stove top, cheese melter, char broiler, griddle, conveyor dishwashing machine and use of grill in Building A are not available for use by non-staff persons. District personnel will provide said services when requested. A fee of ~~\$15.00~~ \$16.50 per hour will be charged for ~~this service for the slicer or deep fryer these services. A custom fee will be developed upon request for multiple services.~~ A \$50.00 fee for grill service for two hours, additional hours ~~\$15.00~~ \$16.50 per hour.
10. An additional service is available to load the mobile cook/hold oven with plated dishes, roll out and serve for \$13.50 per hour.
11. Non-BBRD Caterer for resident groups and clubs reserving Building A is given access to stove, fryers, warming ovens, and mobile holding cart with assigned BBRD F&B staff to oversee operations for the following fees:
  - >50 people \$100/up to 3 hours
  - 50-100 people \$200/up to 4 hours
  - 100-200 \$300/up to 5 hours

Staff recommends the BOT approve Resolution 2021-05, revising the Policy Manual regarding investment procedures and Building A kitchen usage fees

# Barefoot Bay Recreation District

## Policy Manual



~~Approved~~ Proposed Revision to be considered by the Board of Trustees on  
~~November 13, 2020~~ April 9, 2021



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Barefoot Bay Recreation District  
Policy Manual  
PURPOSE

## PURPOSE

The Barefoot Bay Recreation District Policy Manual has been developed to provide the Board of Trustees and employees of the District with assistance in effectively performing their responsibilities by stating the policies of the District and the Financial Department and the ways and means of accomplishing its goals.

This Policy Manual was established based on the criteria identified by applicable state law and statutes, administrative code and Uniform Accounting System Manual and recommendations from the District's financial auditors.

The reasons for developing a Policy Manual include:

1. Written policies promote teamwork.
2. Written policies promote clarity, consistency and continuity of performance.
3. Written policies provide useful information for training programs and a means of comparing competent practice to the written approved descriptions of policies.
4. The written manual is a central source of adding, changing or deleting policy.
5. Written policies promote proper delegation of authority.
6. Using a policy manual supports effective time management for supervisors to provide for planning and departmental development functions.
7. Policy manuals save supervisory time spent in answering repetitive questions.
8. Policy manuals serve as a source document for inspection by approval agencies.

The Board of Trustees will modify and adopt changes to the Policy Manual as needed to best serve the operation and intent of the Recreation District and will conduct a full review as needed to address any recommended changes to the entire document.<sup>1</sup> Revised Policy Manuals will replace the outdated policy manuals (if changes are made) in all Departments as soon as possible after adoption. The Department Managers will be responsible for replacing the Policy Manuals and the necessary review and training required by the updates. The Policy Manual will be updated and printed through the Administration Department of the Barefoot Bay Recreation District.

To the extent that these policies reference any specific statute, ordinance, law or rule, the Board specifically intends that these policies shall comport with and/or incorporate any amendments to such statute, ordinance, law, or rule subsequent [www.myflorida.com](http://www.myflorida.com) is the website for easy access to Florida Statutes. As the statute(s) change(s), this policy manual will be modified accordingly.

## **Part One. General Operating Policy**

### **1.0 EMPLOYMENT AND TRAINING**

Barefoot Bay Recreation District recognizes the value of employees, and wishes to acquire talented personnel, providing the necessary training to allow employees to advance within the organization. Barefoot Bay Recreation District will hire the most suitable candidate for any open position, and employees to learn about the organization and to work as a valued team member.

Standard hiring practice is to perform open recruitment for job openings. To encourage employee personal and professional development growth, the hiring manager may elect to use internal recruitment only when the hiring manager and his or her supervisor believes there is more than one qualified employee to fill the position. Under special circumstances (key critical positions), the Community Manager may authorize promotion or appointment of a qualified candidate to a position without using the recruitment process. Upon such circumstances a written statement will be placed in the employees file explaining why the normal process was not used.

Within budgetary restraints, the District recognizes the importance of professional continuing education to maintain and grow skill sets of professional positions. Training will be completed in state only. In the event there is a need for out of state training, the Board will approve out of state travel. <sup>2</sup>

### **1.1 TRAVEL POLICY**

Barefoot Bay Recreation District does not recommend the use of personal vehicles for business purposes. Employees will not be reimbursed for mileage when they use their personal vehicle for Barefoot Bay Recreation District business. An exception is made when 1. An employee is required to attend a seminar, training or any overnight business travel, or 2. An employee is on an official assignment and a Barefoot Bay vehicle is not available<sup>3</sup>, subject to prior approval of district management. If necessary, during a declared emergency, district management may waive this policy. <sup>4</sup>

Per diem and travel expenses of public officers, employees and authorized persons shall be reimbursed in accordance with Section 112.061, Florida Statutes. Training will be completed in state only. In the event there is a need for out of state training, the Board will approve the travel.

<sup>5</sup>These basic policies apply to all BBRD travel:

1. All travel, if pre-authorized by the Community Manager
2. Receipts are required for reimbursed expenses
3. Rates of per diem and subsistence allowance and mileage rate for use of personal vehicles is reimbursed in accordance with Sec.-112.061, F.S.
4. Expense reports that approved by the Department Head and Community Manager are reimbursed in a timely manner.
5. Traveler must elect prior to travel use of per diem or reimbursement for meal expense (including up to 15% tip and sales tax).<sup>6 7</sup>

### **1.2 REPORTS REQUESTED BY THE BOARD OF TRUSTEES**

The following reports shall be provided by the 15<sup>th</sup> of each month:

1. A financial report showing the actual expenses and revenues for each month and year to date compared to the budget amount for the year for all departments and overall district.
2. Revenues and Expenditures of any federal, state, or local agency grant funds applicable to any budgeted project shall be accounted for as separate line items.

The following report shall be provided at each meeting:

1. A listing of all checks paid by the District from the previous meeting to the current report time. The list will include the amount of the check, vendor, and description.

### **1.3 JOB INSTRUCTION TRAINING MANUAL**

Job Instruction Training Manual will be established and updated by management on an “as needed” basis. Input from the Department Managers and employees will be valuable in keeping these documents current and representative of actual procedures. Attention will be focused on best practices as recommended by management, audit recommendations, and legal professional recommendations. Department Managers will be responsible for instruction and training on the updated JIT and Procedure Manual.

## **Part Two. General Financial Policies**

### **2.0 ACCOUNTS PAYABLE**

All bills, packing slips, filled purchase orders and applicable paperwork must be turned into accounts payable on a daily basis, and all bills must be signed by the department manager or designee.<sup>8</sup> Unsigned bills will be returned to the department and payment will be delayed.

#### **Sales Tax**

Sales tax is collected on all taxable items and paid in accordance with Florida Statutes. This includes, but is not limited to, shopping center rentals, pro shop sales, food and beverage sales and resident user fees.

### **2.1 ACCOUNTS RECEIVABLE**

All receipts are recorded when received and coded to the proper General Ledger accounts. Bank deposits from each location are compiled into one deposit and deposited with the bank of record each day. Customer accounts will be credited with payment receipts by the next business day following the receipt of the payment.

### **2.2 ASSESSMENT FEE COLLECTION POLICY**

Customers delinquent 30 days or more are subject to a monthly \$10.00 delinquent fee until their account is current. Payments are due on the first day of each month. Accounts are delinquent after 30 days.

When a resident goes 60 days past due, the District mails a demand letter that documents the delinquency and notifies the property owner of the District's intent to collect the debt. If there is no response to the demand letter, 10 days from the date of the letter, a lien is recorded on the property. The District sends a copy of the signed and notarized lien to the resident, both by certified mail and by regular mail and the District files the lien with the county. If there is still no response sixty (60) days after the date of recording or one year after the delinquent installment first became due (whichever is later), the overdue account will be sent to the District's attorney for collection.

In cases where a property owner disputes the District's assertion that an assessment payment is delinquent, the District shall reimburse the property owner up to an amount of \$50.00 in bank fee charges incurred by the owner to obtain bank documentation which affirmatively demonstrates that payment of the delinquent assessment was made timely by the owner. Such reimbursement shall be made only after verification of valid payment by the District, and in no instance shall District funds be advanced to an owner for such purpose prior to verification of valid payment.

Effective October 1, 2009, the District shall collect its assessment via the uniform method for the levy, collection, and enforcement of non-ad valorem assessments pursuant to Sec. 197.3632, Florida Statutes. Delinquent accounts as of that date will be processed by the District in the manner provided for above.

### **2.3 CONVEYANCE OF PROPERTY**

The appropriate social membership fee plus sales tax is collected from each new owner each time the property changes hands, in accordance with the District's General Rules Applicable to District Facilities and the Deed of Restrictions.

### **2.4 PAYROLL**

Payroll is processed on a biweekly schedule. The pay period runs Monday 12:01am to Sunday at 11:59pm.

All employees must use the accepted method of time keeping for recording time in and out as well as sick, vacation, and personal time off.

### **2.5 RETIREMENT PLAN**

A retirement plan is available for any full-time employees who wish to participate. The District will match one for one up to 3% of employee's deduction of gross wages.<sup>9</sup>

### **2.6 INVENTORIES**

Monthly a physical inventory is taken of food and beverage supplies, food stock, and pro shop merchandise and reconciled to the ledger.

### **2.7 FIXED ASSETS (tangible personal property)**

A listing of all fixed assets with a value of \$2,000.00 or more will be maintained, updated, and completed for each year by September 30<sup>th</sup>. Each item received is tagged with an all-weather tag. Additions and deletions of tangible asset require approval by Community Manager.<sup>10</sup>

Surplus or otherwise obsolete tangible personal property owned by the District may be disposed of in any manner as provided in Chapter 274 Florida Statutes, or as otherwise provided by general law.

### **2.8 YEARLY BUDGET SCHEDULE AND LEVY OF ASSESSMENTS**

The audit should be completed according to Florida Statutes. The yearly budget schedule is prepared in accordance with the requirements as provided in Article VI BREVARD COUNTY ORDINANCE NO. 84-05 (The Charter of the Barefoot Bay Recreation District) as excerpted below:

### **Fiscal Year and Budget Process**

"The fiscal year of the district shall commence on October 1 of each year and end on September 30 of the following year. The trustees shall, on or before April 1 of each year, prepare an annual financial statement of income and disbursements during the prior fiscal year. On or before July 1 of each year, the trustees shall prepare and adopt an itemized budget showing the amount of money necessary for the operation of the district for the next fiscal year and the special assessment to be assessed and collected upon improved residential parcels of the district for the next ensuing year. Each year such a financial statement shall be published once during the month of April in a newspaper of general circulation within the county. A copy of the statement and a copy of the budget shall also be furnished to each owner of an improved residential parcel within 30 days after its preparation, and a copy of each shall be made available for public inspection at the principal office of the district at reasonable hours."

In order to meet the time frame mandated by the Charter, and the Florida Statutes, the Community Manager will begin to hold pre-budget meetings with each department of the district in order to have a draft of the proposed budget available for trustee perusal and public meetings. The Community Manager shall have a working draft available by April 1 of each year.

April 1	Prior fiscal year Financial Statement and working draft of next fiscal year's Budget to be presented to Trustees.
First Week of April	First working draft presented to the Trustees
Third Week of April	Workshop for the Trustees to give their recommendations to the Community Manager.
Fourth Week of April	Publish prior fiscal year Financial Statement in generally circulated newspaper within Brevard County.
Third week of May	Workshop to present proposed draft for mail out to community and hear comments from both Trustees and citizens.
Regular May Meeting	Adopt proposed draft for mail out to property owner of record and set Public Hearing date (must be 21 days after notice is published).
On or before Monday after May meeting	Publish notice of Public Hearing in newspaper of general circulation (must be 21 days prior to hearing). Mail proposed budget, proposed assessment rate, and prior year financial statements to all property owners of record.
June 20th to June 30th	Time frame for Public Hearing, for community input, on proposed budget, proposed assessment that was received in mail. Board will have to consider two resolutions. One to set the special assessment rate, and one to adopt the formal budget.
September 15	Deadline to certify the Non-Ad valorem Assessment Roll to Brevard County Tax Collector
September 30	Current fiscal year ends
October 1	New fiscal year starts

### **2.9 ESTABLISHING A NEW FUND**

It is the policy of the Recreation District to establish a new fund based on the criteria identified by the State of Florida in the Uniform Accounting System Manual. The manual recommends that only



a minimum number of funds consistent with the legal and operational requirements of the District should be established. Each new fund adds complexity and costs to the administration of the District's financial system. A fund is defined as an independent fiscal and accounting entity consisting of a self-balancing set of accounts segregated for the purpose of carrying on specific activities in accordance with defined regulations, restrictions and limitations. This policy should address the following areas when opening a new fund:

#### **Charter Reference**

The terms of reference are required, giving authority to open a new fund and setting out its purpose, manner of operation and peculiarities, if any.

#### **Fund Identification and Interaction with Other Funds**

The named fund is allocated an identifying number for General Ledger data collection and reporting.

The General Ledger set-up should take cognizance of the relationship of the new fund to existing funds and the appropriate codes put in place to facilitate operation.

### **2.10 Budget Amendments and Transfer <sup>11</sup>**

#### **Budget Amendments**

Budget amendments that either increase or decrease the amount of a fund or department within the General Fund will be recommended by the Finance Manager, approved by the Community Manager and authorized by an affirming vote of the Board of Trustees with an accompanying resolution to the budget amendment.

The only exception to this policy will be the annual allocation of the employee incentive budget once all employees have received their annual evaluations. This Budget Transfer will be recommended by the Finance Manager and approved by the Community Manager. A copy of said budget amendment will be provided electronically to the Trustees on the date of execution.

#### **Budget Transfers**

Budget transfers that do not either increase or decrease the amount of a fund or department within the General Fund will be recommended by the Finance Manager and approved by the Community Manager.

### **2.11 CHART OF ACCOUNTS – GENERAL LEDGER ACCOUNT STRUCTURE**

Each fund has its own chart of accounts for all transactions relating to:

- Balance Sheet
- Revenues
- Cost of Sales (if applicable)
- Expenditures /Expenses

The funds and purposes are listed below. The General Fund and the Debt Service Fund consist of revenue and expenses for various operations. The other funds listed below are maintained as record-keeping funds.

Description	Purpose
General Fund	Legislative Expenses, includes G/L accounts for Special Reserve, Stormwater, Capital, and Shopping Center departments. Revenue received as federal, state, or local agency grant funds shall be maintained in a separate account within the General Fund.
Debt service fund	To record deposits and payments to long term debt
General Fixed Assets Fund	Used to record capital assets and accumulated depreciation
General Long-Term Debt Fund	Current balances for Long Term Debt
Government Wide Fund	Reconciling/conversion entries to Government Wide Statements

## 2.12 BANK ACCOUNTS

The District maintains bank accounts necessary to provide for operations.

<u>Account</u>	<u>G/L Account #</u>	
General Fund General Fund)	001-101000	(Purpose: receipts and expenditures for the

### Investment Procedures<sup>12</sup>

The District does not have a written investment policy that adheres to F.S. Section 218.415. Therefore, the District can only invest in the following instruments and programs:

1. The Local Government Surplus Funds Trust Fund, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act of 1969, as provided in s. 163.01.
2. Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency.
3. Interest-bearing time deposits or savings accounts in qualified public depositories, as defined in s. 280.02.
4. Direct obligations of the U.S. Treasury.

The District currently participates in the State Board Association Pooled Investment Program (SBA) The interest earned on the SBA investments is recorded when it is received.<sup>13</sup> ~~Funds are only moved between investment accounts within a fund by Board of Trustees resolution. Funds are only moved between Financial Institutions by authorized resolutions adopted by the Board of Trustees. Funds may be moved between accounts at an Institution by recommendation of the Finance Manager and the approval of the Community Manager with notification to the Board of Trustees upon execution.~~

## 2.13 PROCUREMENT POLICY

### Ethical Standards and Their Application to Procurement

No officer or employee of the Barefoot Bay Recreation District shall have any financial interest in the profits of any contract, service, or other work performed for BBRD; nor shall an officer or employee personally profit directly or indirectly from any contract, purchase, sale, or service

between BBRD or any person or company, nor personally or as an agent provide any surety bail or bond required by law or subject to approval by the Board of Trustees. No officer or employee shall accept any free or preferred service, benefits, or concessions directly or indirectly, from any person or company doing business with, or soliciting business from BBRD.

#### **Payment of Sales Tax**

In accordance with State law, Barefoot Bay Recreation District is exempt from paying sales tax on purchases. A copy of the District's sales tax exemption certificate shall be maintained and available at the administrative offices.

#### **Capital Budget Expenditures**

The Board of Trustees and Community Manager must approve all Capital budget purchases. Capital budget purchases or outlays are for the acquisition of or addition to fixed assets. They generally add value to the land or building, have a useful life of more than one year, are of a non-consumable nature, and must exceed \$5,000.00<sup>14</sup> in value.

Capital Budget expenditures are classified as:

1. Land: including land acquisition cost, easements, and/or rights of way.
2. Buildings
3. Improvements other than buildings: including, but not limited to, roads, bridges, curbs and gutters, docks, wharves, fences, landscaping, lighting systems, parking areas, storm drains, and athletic fields.
4. Machinery and equipment: includes motor vehicles, heavy equipment, office furniture and equipment
5. Construction in progress: used to account for undistributed work in progress on construction projects.

#### **General Purchasing Requirements**

Community Manager shall ensure that the funds are sufficient and authorized for all expenditures. Each department/area of operation purchases supplies and inventory items according to the department's budget plan for the fiscal year. This policy has been deemed the most cost-effective, efficient approach to purchasing. The purchase of office supplies shall be coordinated through the community manager's office. The department heads/managers shall be responsible for staying within their budget as adopted by the Board of Trustees.

Department	Department Head or Designee
Administration	Community Manager or Designee

The Community Manager is authorized to approve budgeted expenditures of up to \$7,500.00 without Board authorization. All expenditures of \$7,500.00<sup>15</sup> or more shall be authorized by the Board of Trustees and have two authorized signatures on ANY check.

### **Use of Purchase Orders-Competitive Pricing**

The primary method of purchasing a product is through a purchase order. A purchase order ensures that proper procedures and approvals have been obtained prior to placing the order for the product. Certain items do not require a purchase order and are listed under exceptions to the use of Purchase Orders.

1. For purchases of up to \$999.99<sup>16</sup>, a purchase order and competitive pricing is not required; however, obtaining quotations is recommended whenever practical.
2. For purchases of \$1,000.00 to \$19,999.99<sup>17</sup> informal quotes are required from at least two sources. A "No Bid" does not constitute a quote. These quotations should be submitted in writing, and kept on file in the accounts payable office and the requesting department.
3. For purchases in the amount of \$20,000.00 to \$49,999.99<sup>18</sup> written, signed bids are required from at least three sources. A "No Bid" does not constitute a bid. These bids should be kept on file in the accounts payable office and the requesting department.
4. For all purchases in the amount of \$50,000<sup>19</sup> or more, sealed bids are required and the Request for Proposal or Invitation to Bid Process must be followed (see Section 2.14).

If staff is unable to obtain more than one quote or bid after a reasonable time, the Community Manager may authorize the procurement based on the Department Manager's recommendation and use of Exception to Competition, #9 "Under other documented and justified circumstances approved by the Community Manager." When this exception to competition (a second quote cannot be found in a reasonable time)<sup>20</sup> is used, the Community Manager shall notify the Board of Trustees at the next regularly scheduled Board meeting and notate the date, vendor and price on an "Exception to Competition log" as maintained by the District Clerk.<sup>21</sup>

### **Blanket Purchase Orders**

Blanket purchase orders may be used for small repetitive specified goods or services from the same vendor that requires numerous orders / shipments over specified periods of time. The use of blanket purchase orders to by-pass the competitive pricing or bid policies is not allowed.

### **Use of Credit Cards<sup>22</sup>**

Department Managers are authorized by the Community Manager to use a credit card with a maximum monthly limit of \$1,000.00 for purchases when credit accounts or payment by check is not acceptable or efficient. An additional \$1,000.00 per month may be pre-approved by the Community Manager as needed. The Finance Manager is authorized by the Community Manager to use a credit card with a maximum monthly limit of \$5,000.00 for purchases when credit accounts or payment by check is not acceptable or efficient. Department Managers will forward receipts for all purchases made by use of the credit card to the Finance Manager or designee. The Finance Manager or designee shall monitor the usage of departmental credit cards. Credit cards shall be stored in a secured location by the Department Managers when not in use.

### **Exceptions to the use of Purchase Orders**

Some recurring obligations, which are exempt from the competitive bidding process and the purchasing approval process, are as follows:

- Utilities
- Travel and Training (reimbursements are handled through A/P)

- Insurance Premiums
- Debt Service Costs
- Certain refunds and reimbursements
- Inventory purchases for retail sale<sup>23</sup>

Approval and payments for these items will be processed using the Monthly invoices as back up. These items require the approval of the Community Manager or Designee and require separate verification that funds are budgeted and available before the expenditure can be made. If funds are not available, a budget transfer shall be made upon approval of the Board of Trustees.

### **Exceptions to Competition**

The competitive procurement process may be waived:

1. In defined emergencies, documented in accordance with the Emergency Purchases section of these policies.
2. For sole source procurements documented and approved in accordance with the Sole Source Purchases section of these policies.
3. For seminars registrations and professional membership dues and fees.
4. For purchase of local utility services for BBRD owned or operated facilities.
5. Postage expense, when billed by a vendor at the currently prevailing postage rates established by the U.S. Postal Service.
6. Repair or services for proprietary equipment, software, hardware, etc.<sup>24</sup>
7. Capital or R&M projects proposed by a vendor responsible for long-term maintenance when recommended by responsible department manager and approved by the Community Manager.
8. Repairs that require action within 72 hours.<sup>25</sup>
9. Under other documented and justified circumstances approved by the Community Manager.

### **Emergency Purchases**

In cases of a declared emergency which require the immediate purchase of supplies or contractual services, the Community Manager may waive normal purchasing procedures.

In the event of the need to repair existing infrastructure that impacts the health welfare and safety of residents, the Community Manager may waive normal purchasing procedures. The Community Manager shall place the contract for repairs on the next regularly scheduled BOT meeting agenda for confirmation.<sup>26</sup>

### **Purchases from Purchasing agreements of Special Districts, Municipalities, or Counties (Piggybacking)<sup>27</sup>**

District purchases based on purchasing agreements from other Special Districts, Municipalities, or Counties (Piggybacking) per Sec. 189.4221 F.S. will be allowed.

### **Purchases from State Contract<sup>28</sup>**

District purchases based on the use of state contracts will be allowed.

### **Emergency Payment**

In a declared emergency either the Community Manager and one Trustee, or two Trustees, are required to sign checks over \$7,500<sup>29</sup> to pay for needed purchases, supplies or contracted services.

<sup>30</sup>

### **Purchase of Services From a Goods and Sole Source Provider**

Sole source is an award of contract to the only known source for the required goods or services. A sole source purchase cannot be justified on the basis of quality or price, as quality can be a subjective evaluation based on individual opinion, and price considerations must be evaluated by competitive bidding. If there is more than one product or service that will perform essentially the same functions under essentially the same conditions as the requested product or service, a sole source is deemed not to exist.

Some of the factors considered to qualify as a sole source are:

1. The stated vendor is the only producer of the product or service, and no commercial substitute is available.
2. The information or data is proprietary.
3. The maintenance or repair requires specialized equipment or expertise, which is available only from the original vendor, or vendor representative.
4. If the District currently has a continuing service contract with the vendor.<sup>31</sup>

Sole source items must be justified and contain the following information:

1. How was a determination made, that the goods or services being purchased, are only available from one source.
2. What contacts, (if any), were made in an attempt to identify alternate sources.
3. What is the rationale that the goods or services being purchased cannot be substituted with similar goods or services from other sources.

### **Awards Quotes/Bids under \$50,000<sup>32</sup>**

Award recommendations exceeding \$7,500.00<sup>33</sup> will be submitted by the Community Manager for approval by the Board of Trustees, unless previously exempted or approved.

Suppliers shall be selected based on total cost, which considers delivery, freight costs, prices, quality, life cycles costs, warranty, services, terms and conditions. Awards to other than the low bidder, shall be documented to show the rationale for rejection (i.e. does not meet specifications, delivery and past performance problems).

### **Tie Bids**

Award of all tie quotes/bids shall be made by the District in accordance with Sec. 287.087, F.S., which allows a firm certified as a Drug-Free Workplace to have preference. In the event that both or neither firm is a Drug-Free Workplace, tie quote/bids may be awarded by lot.

### **Waiver of Irregularities**

The Board of Trustees shall have the authority to waive irregularities in any proposal, and/or bid.

### **Signatures on Contracts**

The Community Manager must execute all contracts for on-going and/or routine purchases of goods and services.

The Board of Trustees must approve and the Chair of the Board must execute contracts that exceed one year (1) in duration, including renewal term or that exceed \$7,500 in value.

### **Change Orders or Amendments**

Change order means changes, due to unanticipated conditions or developments, made to a contract, which do not substantially alter the character of the work contracted for and which do not vary so substantially from the original specifications as to constitute a new undertaking. Such

changes must be reasonably and conscientiously viewed as being in fulfillment of the original scope of the contract. Further, such changes when viewed against the background of the work described in the contract and the language used in the specifications, must clearly be directed either to the achievement of a more satisfactory result or the elimination of work not necessary to the satisfactory completion of the contract.

The Community Manager is hereby authorized to approve and initiate work on the following types of change orders determined in his or her judgment to be in the best interest of the public and which do not materially alter the scope of the work contemplated by the initial contract.

1. All change orders resulting in a cumulative net decrease to the initial cost of the contract to Barefoot Bay Recreation District.
2. All change orders increasing the initial contract cost by under 10%, provided sufficient documentation is provided.
3. Any change order over 10% costs upon the verbal approval of the Chairman of the Board or next ranking Board member) if the delay in taking the proposed change order to the next available Board meeting would substantially delay the project. The Community Manager shall place the change order on the next available Board meeting agenda for confirmation by the Board in a public meeting.<sup>34</sup>
4. All change orders or amendments involving procedural or other matters that will not result in any change to the contract's cost.

The Board of Trustees must formally approve all other change orders before work may be authorized to begin.

#### **Purchase of Computer, Related Equipment and Supplies**

Purchase of any IT related product or service will be coordinated through the IT services contract manager for vendor analysis and approval.<sup>35</sup>

#### **Receiving and Approving Goods and Services**

It is the responsibility of each department to inspect all goods or services to determine their conformance with the specifications set forth in the purchase agreement.

If goods or services are not acceptable, the department manager take appropriate action and if necessary, notify the Community Manager.

#### **Services Performed on BBRD Property**

Vendors performing work on Barefoot Bay Recreation District property, regardless of value of the project or scope of work, are required to:

1. Be properly licensed under existing Federal, State and local laws.
2. Provide a Certificate of Insurance to assure BBRD's insurance provider will not be responsible for any losses in any way arising out of or resulting from the contractor's operations, activities, or services provided to BBRD. Further, contractors must agree to hold harmless and indemnify BBRD for any claims whatsoever, which may arise as a result of the contractor's actions. The amounts and types of insurance required will be specifically detailed in the bidding, purchase, and/or contract documents for each specific project. However, the amounts and types of insurance required shall be no less than those as provided for herein unless otherwise waived or approved by the Board of Trustees:

Workers' Compensation Insurance: statutory benefits, as provided by statute;



Employer's Liability Insurance: \$1,000,000 per occurrence;

Comprehensive or Commercial General Liability Insurance (Including, but not limited to, the following Supplementary Coverages: (i) Contractual Liability to cover liability assumed under this Agreement; (ii) Product and Completed Operations Liability Insurance; (iii) Broad Form Property Damage Liability Insurance; and, (iv) Explosion, Collapse, and Underground Hazards (Deletion of the X,C,U Exclusions), if such exposure exists):

Bodily Injury: \$1,000,000 per occurrence  
Property Damage:\$1,000,000 per occurrence;

Automobile Liability Insurance:

Bodily Injury: \$1,000,000 per occurrence  
Property Damage:\$1,000,000 per occurrence

If a Combined Single Limit is provided, the total coverage shall not be less than \$2,000,000 per occurrence;

Professional Liability Insurance (For professional services as defined pursuant to Florida Law, environmental contractors, or as otherwise specifically required by BBRD): \$1,000,000 per occurrence

The most recent Rating Classification Financial Size Category of the Insurer regarding any coverage's as required herein, as published in the latest edition of AM Best's Rating Guide (Property-Casualty), shall be a minimum of A.

3. Obtain all permits required for the nature of the work.
4. Have the completed job inspected by appropriate staff to affirm correctness of the job before submitting the invoice for payment

#### **Hiring or Use of Employment Service Workers-Temporary Employees**

The contract for services or use of an Employment Agency for temporary employees, that can be funded through an existing departmental available budget, shall have the approval of the Community Manager. Any contract requiring a budget amendment to recognize additional monies for said use will be brought to the Board of Trustees for approval.<sup>36</sup>

#### **Purchase or Sale of Properties by BBRD Using Neighborhood Revitalization Program (NRP) Funding**

The Chairman of the NRP BOT Sub-Committee shall be authorized to approve (as recommended by the Community Manager or designee) the expenditures of NRP funds in excess of \$7,500 and not to exceed \$25,000 by staff toward the acquisition of a 37property identified by the Sub-Committee in accordance with NRP rules as established by the BOT.

The purchase of the property shall be ratified by the Board of Trustees at the next scheduled regular meeting of the Board of Trustees.

The Chairman of the NRP BOT Sub-Committee shall be authorized to sign any proposed contracts for sale of BBRD owned properties acquired through the NRP (as recommended by the Community Manager or designee). Once a property is under contract for sale, the transaction shall be placed on the next regularly scheduled BOT meeting agenda for confirmation.



Any proceeds from sale of properties acquired through the NRP shall be added back into the NRP expenditure account via a budget amendment at the next available meeting after receipt of proceeds for said sale.

### **Unacceptable Purchasing Practices**

The following practices are prohibited:

1. Purchase of a product or service prior to obtaining an approved purchase order.
2. Splitting purchase orders into smaller amounts for the purpose of avoiding the need for quotations, or formal bidding.
3. Specifying a purchase as a sole source when other sources, or substitute products or services are available.
4. Miscoding purchases to accounts in order to avoid having to process a budget transfer.

## **2.14 FORMAL SEALED BIDS (FOR PURCHASES OF \$50,000 OR MORE)<sup>38</sup>**

### **Competitive Procurements Process For Formal Bids**

Formal bids are written documents issued by the Department Heads, and approved by the Community Manager, inviting potential contractors to submit sealed, written pricing for specific goods or services in conformance with specifications, terms, conditions and other requirements described in the bid invitation documents. Formal bids shall be utilized to document procurements of goods and contractual services with an aggregate cost of \$50,000 or more.

Request for Proposals or Request for Qualifications (RFP's, RFQ's) are written documents issued by the Department Heads and approved by the Community Manager, inviting potential vendors to submit sealed proposals for specific professional services or goods in conformance with the scope of services, terms, conditions and other requirements described the RFP documents. RFP's are utilized for procurements of professional services or goods with an aggregate cost of \$50,000 or more. At the time of publication of the RFP/RFQ a copy shall be furnished to each member of the Board of Trustees.

RFQ's/RFP's for engineers/consultants will follow Sec. 287.055 F. S.

Request for Proposals/Qualifications. RFQ's/RFP's shall be publicly advertised as provided by law or otherwise.

### **Specific Procedures for Formal Sealed Bids/Quotes**

Bids/Quotes shall be opened in public at the date, time and place stated in the public notices. No bids shall be accepted after the time and date or at any location other than that designated for bid opening. Bids received late will be returned unopened. All quotes/bids received and accepted will be made available for public inspection ten (10) days after opening or upon recommendation of award, whichever occurs first as per Sec. 119.07 (3) (m), F.S.

A tabulation of all formal sealed bids/quotes received with the recommended award(s) will be available for public inspection in the main offices of the District during regular business hours no later than (3) business days after a public opening. Vendors filing protest of award must do so as per the section titled, "Vendor Complaints and Disputes."

### **Award of Bids**

For formal sealed bids/quotes, the user department shall submit a recommendation of award to the Community Manager prior to final award. On all procurements, to determine the lowest responsive and qualified quoter/bidder, the following will be considered:

1. The ability, capacity, equipment, and skill of the quoter/bidder to perform the contract
2. Whether the quoter/bidder can perform the contract within the time specified, without delay or interference
3. The character, integrity, reputation, judgment, experience and efficiency of the quoter/bidder
4. The quality of performance on previous contracts
5. The previous and existing compliance by the quoter/bidder with laws and ordinances relating to the contract
6. The sufficiency of the financial resources to perform the contract to provide the service
7. The quality, availability and adaptability of the supplies or contractual services to the particular use required
8. The ability of the quoter/bidder to provide future maintenance and service
9. The number and scope of conditions attached to the quote/bid

### **Waiver of Irregularities**

The Board of Trustees shall have the authority to waive irregularities in any and all formal sealed quote/bids.

### **Evaluation Committee**

An evaluation Committee, identified by the Community Manager prior to issuance of the RFP or RFQ, shall review all responses to the RFP or RFQ. The Board shall be advised of the membership of the committee at the time of the issuance of the RFP or RFQ.<sup>39</sup>

Members of the Evaluation Committee shall consist of at least one (1) user department representative, one (1) Board member, and one (1) third-party non-employee resident chosen at the discretion of the Community Manager. The Community Manager and Board Chairman shall serve on the committee as non-voting members.<sup>40</sup>

The Committee should consist of an odd number of people to avoid a tie when selecting the awarded vendor. Selection committee meetings are subject to Sunshine Law; and therefore, public notice of the intended meeting of the committee must be posted in advance to allow for the provision of any special accommodation needs of any attendees. Committee members should not conduct, with another voting committee member, any discussion related to the proposals received except during public meetings. A memorandum explaining the evaluation process and committee member responsibilities will be provided to each committee member prior to any meeting.

The user department, in conjunction with the Community Manager shall select evaluation criteria (to include price whenever possible). Such criteria must be stated in the RFP. The user department may also assign a weight to each criterion by its relative importance, with the total weights equal to 100. If used, these weights will be assigned prior to issuance of the solicitation but may or may not be published in the solicitation. If unpublished, the weights will be revealed at the opening of the RFP unless otherwise directed within the RFP. If weights are not assigned, the RFP shall set for the relative importance of the factors in addition to price that will be considered in award. The intent of which is to provide a complete understanding on the part of all competitors of the basis upon which award will be made.

The user department/Community Manager shall issue and receive the RFP proposals. Committee members shall review the received proposals and independently score each proposal for each criterion. Price will be objectively scored, as shown, when applicable.

The lowest priced proposal receives the maximum weighted score for the price criteria. The other proposals should receive a percentage of the weighted score based on the percentage differential

between the lowest proposal and the other proposals. All weighted scores are then multiplied by the maximum score available (i.e. 45%) to determine the total percentage awarded.

<u>VENDOR PRICE</u>	<u>% AWARDED</u>	<u>X</u>	<u>WEIGHT</u>	<u>WEIGHTED SCORE</u>
A \$20,000	(100 %)	X	45%	= 45
B \$25,000	(80%)	X	45%	= 36
C \$28,000	(71%)	X	45%	= 31

\*Vendor B's percentage is  $\$20,000/\$25,000 = 80\%$

\*\* Vendor C's percentage is  $\$20,000/\$28,000 = 71\%$

NOTE: Weighted Score shall be rounded to nearest whole number price evaluation and calculation may be revised to conform to the needs for each individual RFP selection committee. Each committee member shall then rank each vendor's score. A scoring sheet (Exhibit A) shall be completed by each voting committee member. The rankings are then added for each vendor and the vendor with the lowest sum of collective rankings is recommended for award. A ranking sheet (Exhibit B) compiling the ranking of each proposal shall be completed by the Community Manager and posted with the scoring sheets.

If oral presentations are requested and the vendors short-listed, the original rankings are eliminated and the process begins again. At a minimum, three (3) vendors should be short-listed. A summary of total scores and rankings will be prepared for the vendors after all members of the evaluation committee have reviewed and evaluated the written and, if required, oral presentations. A copy of all evaluation forms and notes completed by each evaluator must be maintained by the Community Manager for review and audit records. The Community Manager will prepare an agenda item for Board approval of the recommended award.

If fewer than three sealed and qualified proposals are received by the Evaluation Committee, by a majority vote the Evaluation Committee may request the Community Manager to seek non-sealed bids for comparative analysis or forward their recommendation for award of contract or (in the case of a RFQ) their recommended ranking order for staff to negotiate a contract to the Board of Trustees for their consideration.<sup>41</sup>

### **Vendor Complaints & Disputes (Protests)**

Barefoot Bay Recreation District encourages prompt and fair handling of all complaints and disputes with the business community. In order to resolve disputed matters in an equitable manner, the following procedures are adopted:

#### **1. Posting of Bid/RFP Award Notices**

No later than three (3) business days after a bid opening the Community or his/her designee shall post the intended award recommendation. If after posting the tabulation, the highest ranked vendor is found non-responsive to the specifications, the next highest vendor shall be the intended award recommendation. The time for filing a protest will begin on the date of the notice of posting of intended award.

#### **2. Posting of Formal Sealed Proposals**

No later than three (3) business days after the selection committee recommendations are finalized the Community Manager or his/her designee shall post the selection committee's rankings and recommended award for proposals.

#### **3. Proceedings for Protest of Award**

Any bidder, quoter, or proposer who is allegedly aggrieved in connection with the solicitation or pending award of a contract must file a formal written protest with the Community Manager within five (5) business days of the posted award recommendation. The formal written protest shall reference the bid/quote/proposal number and shall state with particularity the facts and laws upon which the protest is based, including full details of adverse effects and the relief sought. The Community Manager shall schedule the protest to be heard before the Board of Trustees prior to the Board's consideration of the intended award. The intended award vendor shall be given notice and an opportunity to be heard during the protest hearing. The Board of Trustees shall have the sole discretion to reverse any intended award on the basis of a protest; to require re-evaluation by the selection committee, or to take any other action as determined by the Board to be appropriate and responsive to the protest.

**4. *Stay of Procurement During Protests***

Failure to observe any or all of the above procedures shall constitute a waiver of the right to protest a contract award. In the event of a timely protest under the procedure, the District shall not proceed further with solicitation or with the award until a protest is resolved.

## **PART THREE. GENERAL RULES APPLICABLE TO DISTRICT FACILITIES**

### **3.0 GENERAL**

#### **Definitions:**

As used in these rules, the following terms shall have the following meanings:

"Amenity" shall mean something, such as a swimming pool or shopping center that is intended to make life more pleasant or comfortable for the people in a community.

"Associate Golf Membership" shall mean a golf membership that is available to non-residents of Barefoot Bay.

"Board" shall mean the Board of Trustee(s) of the Barefoot Bay Recreation District.

"BFBHOA" shall mean the Barefoot Bay Home Owners' Association.

"Cause" shall mean a violation of the rules or a violation of State, Local, or Federal law.

"Club or Social Club" shall mean a Club or Organization consisting of a majority of members who are residents of the Barefoot Bay Recreation District. Certified organizations intended to benefit Veterans or their families are not considered to be "clubs or social clubs."

"Delinquent" shall mean any fee or charge which is not paid by the defined date.

"Dependent" shall mean children who reside with the owner(s) and are: 1. Under 18 years of age and unmarried; or 2. Full time students at any institution of higher education and not over 23 years of age; or 3. Incapable of total self-support due to physical or mental handicap regardless of age.

"District" shall mean the Barefoot Bay Recreation District as defined in the Brevard County Ordinance No. 84-05.

"District Management" shall mean the management personnel or authorities designated by the Board to manage the District facilities.

"Grandchild pass" shall mean a pass purchased by a social member to be used for their grandchildren (under 18 years of age) while they are visiting their grandparent.<sup>42</sup>

"Guest" shall mean those persons normally residing outside of the subdivision who have a guest pass, which was purchased by a Social Member, for the use of his/her guest to gain access to District Facilities.

"Guest pass" shall mean a pass granting a guest privileges to utilize District Facilities and shall include all privileges.

"Invitee" shall mean any non-resident who is invited by a member of an authorized Club or Organization, to participate in an activity or a specific event. An invitee may include, but not necessarily be limited to, a speaker, facilitator, or instructor. An invitee has access only to the facility where the event is held."

"Long term renter" shall mean a renter of one year or more.

"Members" shall refer to those who are granted membership Under Section 3.1 and in good standing.<sup>43</sup>

"Social Membership Fee" shall refer to a user fee that entitles the member to the use of the District facilities.

"Non-Resident(s)" shall mean a person not residing in Barefoot Bay and not accompanied by a member resident.

"Property owner" shall mean the owner(s) of any platted residential lot in the subdivision.

"Renter/Tenants" shall mean non-property owner(s) leasing a dwelling within the subdivision.

"Resident" shall mean person(s) living with a property owner but not on the deed.

"Resident spouse" shall mean the spouse or domestic partner of a property owner who is not on the recorded deed.

"Rules" shall mean these rules governing the use of District facilities.

"Seasonal renter" shall mean a renter for less than one year.

"Subdivision" shall mean that group of platted subdivisions recorded in the public records of Brevard County and known as Barefoot Bay.

"Temporary Lounge/Business Pass" shall mean a pass obtained by a vendor or realtor that has a stated business purpose at the lounge.<sup>44</sup> Temporary Lounge/Business Passes will not be issued up to two hours before or during any music event.<sup>45 46</sup>

<sup>47</sup>

### Objective

The objective of the District shall be to provide recreational entertainment facilities for its members and guests including but not limited to; Golf, Tennis, Swimming, Shuffleboard, Lawn Bowling, Basketball, Bocce ball, Horseshoes, Softball, Handball, Community Center Complex, Golf Clubhouse, Common Grounds, Beach property and Fishing pier.

### Management

The Board of Trustees (the Board) of the Barefoot Bay Recreation District (the District) shall be responsible for the operation and management of all its facilities. Their judgment shall be final in all questions involving interpretation of rules, regulations, fees and charges.

### General Rules

1. The District's facilities are available to members and open to the public and guests paying the appropriate fees and meeting membership requirements.
2. Guests may use District upon payment of appropriate fees.
3. Fees paid to the District are to be used at the discretion of the "Board."
4. The use of District facilities, including the golf course, may be limited or restricted by the Board or by District management as necessary to allow all eligible persons to have reasonable use of District facilities without overcrowding.
5. District management reserves the right to refuse use of the District facilities to any person or group for violations of these rules.
6. Any member delinquent in payment of fees shall be denied use of facilities.
7. District management reserves the right to ask the member to have their guest present at the time of obtaining a guest pass(es).
8. Residency in the District does not confer upon any member the unlimited right to use the District facilities.
9. Fees, assessments, and service charges shall be set by the Board.
10. Office hours of the Community Center complex or other designated facility for the payment of membership fees will be as posted.
11. Property owners shall be responsible for any debt incurred by the Property owner, their family, guests, or tenants.
12. The Property owner is responsible for the conduct and appearance of his/her guest(s) while using the District facilities.
13. Appropriate dress is required in all facilities.
14. Smoking, use of any tobacco product and/or use of e-cigarettes (i.e. nicotine vapor devices) are not permitted in any District facilities and may only be permitted in designated outdoor areas.<sup>48</sup>
15. All physical injuries sustained on Barefoot Bay Recreation District Property must be reported to BBRD Staff as soon as possible by the injured party or a representative.<sup>49</sup>
16. Golf membership shall be renewed annually.
17. The Community Manager may suspend, cancel, or revoke any resident or property's social membership, family membership, golf membership, or guest pass based on a violation of these rules. The affected resident whose membership was suspended, canceled, or revoked may appeal the suspension, cancellation or revocation by requesting a hearing before a Special Magistrate. The Board of Trustees shall appoint a Special Magistrate to hear and decide cases involving such violations. If an appeal is requested, violation cases shall be processed as follows:<sup>50</sup>
  - A. District Management shall provide the owner, resident, and/or guest with written notification of the alleged rules violation and penalty. The alleged violator would accept the penalty or request a hearing before the Special Magistrate. If a hearing is requested, a written notice

of hearing shall be provided at least ten (10) days in advance of any hearing. After a hearing is requested suspension, cancellation or revocation may be stayed by the Community Manager until the Special Magistrate hearing. <sup>51</sup>

- B. BBRD staff shall present evidence of the alleged rules violation to the Special Magistrate at a quasi-judicial hearing held to determine whether such violation occurred, and if so, the appropriate penalty to be imposed. The hearing shall not be governed by the formal rules of evidence; however, due process shall be provided to the owner, resident, and/or guest. The owner, resident, and/or guest shall have the right to cross examine witnesses and to present relevant evidence which is responsive to the alleged rule violations.
  - C. The Special Magistrate shall determine whether BBRD staff has established, by a preponderance of the evidence that a rules violation has occurred. If a rules violation is found to have occurred, the Special Magistrate shall impose a penalty of suspension, cancellation, or revocation of the violator's social membership, family membership, golf membership, or guest pass. The violator shall be notified in writing of the Special Magistrate's ruling within ten (10) days of the hearing. In levying any penalty imposed pursuant to this Section, the Special Magistrate is not obligated to impose the penalty imposed<sup>52</sup> by District Management.
  - D. The decision of the Special Magistrate shall constitute final quasi-judicial action of BBRD. Any aggrieved party may appeal the ruling of the Special Magistrate to a court of competent jurisdiction in Brevard County, Florida.
  - E. If a hearing is requested and the violator is found to have committed the violation as alleged, the violator shall be responsible for the District's cost in bringing the matter to hearing. <sup>53</sup>
18. Pets are not allowed in District Recreational facilities, except for service animals.
19. Special rules applicable to individual buildings will be conspicuously posted and observed by members and guests.
20. Beverage laws and license regulations forbid outside alcoholic beverages of any type from being brought into District facilities or consumed therein. Therefore, alcoholic beverages of any type consumed on the premises must be obtained from District facilities.
21. The following behaviors may result in the suspension, cancellation or revocation of a person's social membership, family membership, golf membership and/or guest pass:
- A. Violation of District Policies or Rules applicable to District Facilities.
  - B. Violation of any local, state, or federal law while using District Facilities.
  - C. Fighting and verbal assault.
  - D. Discourteous, threatening, or rude behavior to BBRD employees, residents or patrons of District Facilities.
  - E. Loud and raucous behavior which decreases the enjoyment of other patrons of District Facilities.
  - F. Unintentional or deliberate misuse of the BBRD Facility or property which results in, or has the potential to result in, damage to the Facility or property, or in any way compromises the safety of any Barefoot Bay Recreation District Facility patron or BBRD staff member.
  - G. Misrepresentation of facts which may result in the District's Policies or fee structure improperly administered or collected. <sup>54</sup>
22. A guest fee shall be charged in accordance with the fee schedule to any non-resident for use of District facilities. This fee shall not be charged to any non-resident using District facilities under the following circumstances:<sup>55</sup>
- A. When the facility is rented by a non-resident who has paid the appropriate fee.
  - B. Any exemptions to this rule shall only be authorized by the Board of Trustees no less than 30 days before the event.
  - C. This section does not apply to Food & Beverage events, except for Music Bingo.<sup>56</sup>
  - D. Vendors hired by clubs/organization are exempt from guest pass fee.



23. Children under age 12, must be accompanied by an adult when using District facilities. Groups of children who are using the facilities with guest passes must have one responsible adult for every five children.<sup>57</sup>
24. Commercial solicitation is prohibited while on District properties. The gathering of signatures for petitioning of elected officials is prohibited within buildings or upon District facilities. Bonafide nonprofit or 501(c) fundraising efforts shall be permitted.
25. Any organization or individual desiring to plant trees, shrubbery, flowers, or other vegetation on District property must have prior approval of District management. A landscaping and maintenance plan shall be submitted for review and approval prior to any planting activity. Any vegetation planted on District property shall become the property of the District. No removal of vegetation is permitted without District approval.
26. Decorations<sup>58</sup>
  - A. No items or decorations of any type, which may be viewed as offensive to any patrons, may be affixed, installed or added to any facility by individuals, residents, clubs, or organizations.
  - B. No items or decorations may be applied or attached to any public area facility without the expressed permission of management. This permission must be in writing and cover the type, style, material, custodial and maintenance requirements as well as the contact person in charge of the decorations.
  - C. The use of candles, confetti, birdseed, rice or other non-environmentally friendly products will not be used except as authorized by the Community Manager. Requests for said exceptions shall be made in writing, reviewed by the Property Services Manager and approved or denied by the Community Manager no less than 3 business days before an event.<sup>59</sup>
  - D. All items must be promptly removed from the area at the end of the event (party, meeting, show or other)
  - E. Failure to adhere to this policy could result in revocation of use of the facilities for the persons involved.
27. If any property has been determined to be in violation of the Amended and Restated Deed of Restrictions for Barefoot Bay by the BBRD Violations Committee, then all social, family, and golf memberships affiliated with property determined to be in violation shall be automatically suspended upon rendition of a Findings of Fact, Conclusions of Law, and Order by the BBRD Violation Committee. No party, whether they be owner, renter, or guest affiliated with the property in violation may use any District Facility until an Order of Compliance is issued by the Violation Committee. This provision shall operate to suspend all referenced memberships regardless of whether the owner owns multiple properties or other properties not determined to be in violation. Should an owner appeal a finding of the Violation Committee to the BBRD Board of Trustees (or circuit court), the automatic suspension of privileges shall be tolled during the pendency of such appeal.<sup>60</sup>
28. Where any vehicle located on any residential lot has been posted with three (3) administrative notices of violation of Article III, Section 3 (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay related to prohibited parking on the lawn, grass, or landscaped area of said lot, within any thirty (30) day period, all social, family, and golf memberships affiliated with the lot shall be automatically suspended for thirty (30) days. For any subsequent posted violation of Article III, Section 3 (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay occurring of the same lot, subsequent to the issuance of the initial thirty (30) day suspension, and within one (1) year from the date of the initial posted notice, all social, family, and golf memberships affiliated with the lot shall be automatically suspended for six (6) months. For any subsequent posted violations of Article III, Section 3 (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay occurring on the same lot at any time subsequent to the issuance of any six (6) month suspension, all social, family, and golf memberships affiliated with the lot



shall be automatically suspended for one (1) year for each subsequent posted violation. An owner may appeal any notice of suspension issued pursuant to the provisions of Paragraph 17 herein.<sup>61</sup>

29. Non-employees (including but not limited to trustees, advisory committee members, residents and/or guests) shall not enter an employee work area (i.e. behind a bar, kitchen, work shop, private office, etc.) without being accompanied by the Community Manager, Department Manager or designee.<sup>62</sup>
30. The Board of Trustees hereby declares that all Recreation District Facilities, including, but not limited to, all District owned or managed buildings, pools, golf course areas, fields, courts, beach areas, piers, general recreation areas, and common areas of all kinds, are deemed to constitute "Parks" for enforcement of Sec. 74 - 101 through 74 - 105, Code of Ordinances of Brevard County, Florida and for enforcement of any applicable state statutes prohibiting sexual offenders and/or sexual predators from said locations."<sup>63</sup>

#### Identification Badges and Attire<sup>64</sup>

1. Identification badges are issued to identify members, their dependents, guests and renters. The issuance of badges will be controlled by District management. Badges are required for all.
2. Unless waived by District Policy or Management, members and guests are required to have in their possession and wear when requested by a District employee, an appropriate District identification badge when using District facilities. The identification badge must be produced upon request by Barefoot Bay staff. If not presented, resident/member/guest must leave the facilities.<sup>65</sup>
  - A. If a resident with an expired social membership badge (not to exceed 6 months expired badge) wishes to enter a facility when business offices are closed, the resident may purchase a daily guest pass to enter the facility when business offices are closed. Said residents must update their badges the next business day at which point they may apply for reimbursement of the guest pass paid.<sup>66</sup>
  - B. Pictures of badges on cell/mobile phones will be accepted under the following conditions:<sup>67</sup>
    - i. Screen must be large enough for all detail of the badge to be seen at one time.
    - ii. Image must be a color picture of the full badge with resident's face visible.
      - a) Black and white images will not be accepted.
      - b) Daily guest passes, weekly guest passes and short-term renter badges will not be accepted on a cell phone.
    - iii. The image must contain all of the information on one side of the badge. If the resident has a badge with the account number on the back side, they must either bring their physical badge, or get their badge updated in the Resident Relations Office so that all the information is visible on one side of the badge.
    - iv. The image of the badge must be clear. BBRD staff, including but not limited to pool hosts, must be able to read the account number, see the resident's picture, and (if the resident is purchasing a guest pass) the resident's name.
3. Shoes and shirts shall be required when using District facilities, except for the swimming pool areas.
4. Vulgar and/or offensive language and/or images on clothing (as deemed by staff) is prohibited within District facilities.<sup>68</sup>
5. Unidentified persons using District facilities should be reported to the District Management.
6. Property owner(s), guest(s) or rental tenant(s) shall not make, or have made duplicate keys to gain access to fishing pier, beach property or RV storage compounds, or allow unauthorized persons access to such keys. Keys shall be returned to the Community Center office when no longer needed. Violators will be subject to prosecution for trespassing and/or revocation of social membership privileges.

7. Any violators may be subject to prosecution for trespassing and/or revocation of membership privileges.

### 3.1 MEMBERSHIP

#### Types of Membership

##### *Social memberships:*

1. Social membership entitles the member to the use of the District facilities. Social membership fees for property owners are a one-time fee except as further defined herein. Social membership fees for guests and renters/tenants are annual fees as defined herein. Golf privileges may be extended upon registration at the Pro shop and payment of current green fees.
2. Social membership is available to:
  - A. Property owners, resident spouses or domestic partners, and unmarried children as an incident of such ownership.
  - B. Non-property owners renting in the subdivision as tenants or guests as an incident of residence.
  - C. Other guests upon payment of appropriate fees.
3. Social Membership fees shall be due and payable upon application for social membership in accordance with adopted fee schedules.

##### *Family Social Membership:*

1. Privileges and fees under this type of membership are the same as social membership. Family Social membership shall include the adult property owner(s) and their children, when the children reside with the owner(s) and are:
  - A. Under 18 years of age and unmarried.
  - B. Full-time students at any institution of higher education and not over 23 years of age.
  - C. Incapable of total self-support due to physical or mental handicap regardless of age.
2. Other adults and children no longer qualified under paragraphs 1 a, b & c, of this section residing with the property owner(s) shall secure a social membership of the District in their own name and pay the appropriate membership fees.

##### *Golf Membership:*<sup>69</sup>

1. Golf membership entitles the member to the use of the golf course and attendant facilities in consideration of annual membership dues as provided in these rules. Application for membership by eligible persons is made to the Golf Operations Manager.
2. Golf membership is available to:<sup>70</sup>
  - A. Family membership shall be limited to two individuals, regardless of family size.
  - B. Unmarried children over 18 years of age and other adults residing in a property owner(s) home must obtain a membership in their own name.
  - C. Renters/Tenants with a lease agreement and residing in the subdivision may be granted a golf membership upon application to the Golf Operations Manager.
  - D. Associate Golf Membership is:
    - i. Open to persons outside of Barefoot Bay.
    - ii. Annual Single & Family Golf Memberships available.

- iii. Associate Golf Memberships entitles the member the use of the golf course and 19<sup>th</sup> Hole.
- iv. Annual Associate Golf Membership dues include a one-time Initiation Fee and appropriate User Fees.
- v. Application for membership by eligible persons is made to the Golf Operations Manager.

**Priorities with respect to golf membership.**

Because the number of golf memberships is subject to a maximum limit as set forth in the golf course rules and regulation adopted by the District, priority in availability of memberships shall be in the order of the categories set forth in paragraphs 1 through 3, of these rules. No person(s) on a waiting list in any category shall be offered a golf membership so long as there is a person on the waiting list in the immediate prior category.

**Changes of Golfing Membership**

A member may terminate his or her golf membership, or Trail fees only for medical reasons, or death. Documentation from his or her doctor either limiting or prohibiting the member's ability to play shall be required. This request must be in writing to the Golf Operations Manager, and must be approved by the Community Manager prior to any return of any funds for unused fees. Both membership and trail fees will be returned on a pro-rata basis for the first six (6) months of the fiscal year. After March 31 of any fiscal year, there will be no return of any unused portion of fees.<sup>71</sup> Medical related membership refunds cannot be used in two consecutive years. A member status may be changed for medical need once during membership period. A member may not change the status of membership back and for (i.e. Family to Single back to Family) within one membership period.<sup>72</sup>

**Applications for Social and Family Social Membership:**

1. Property owner(s) in the District and members of a property owner's immediate family need not make formal application, since membership is required at the time of recording of the title to such property.
2. The non-property owner adult family member in residence must apply in person at the Community Center office or other designated District facilities for membership when no longer qualified under "Family Social Membership".
3. Renter/Tenants and guests who intend to use District facilities shall register and arrange for membership in the District.

**Fees and Dues**

**1. Social and Family Social Membership**

- A. A membership fee shall be paid for Social and Family Social membership.
- B. A property owner shall pay the fee only once for each home site of which they are owner of record. This fee is non-transferable between parties.
- C. Non-property owner, such as tenants or guests shall pay the fee upon becoming a member.
- D. The tenants or guests who concurrently pays the fee and enters into a home purchase contract may have his/hers unused monthly or initial annual<sup>73</sup> rental social membership amount applied toward the property owner membership fee due at the time of closing provided that closing occurs within 12 months of initial membership.

**2. Golf Membership**

- A. Fees for the golf membership are as specified in these rules and subject to change by the Board of Trustees.
- B. Golf membership fees are for one fiscal year (October 1 thru September 30).; Said fees shall be paid per rules established by the Golf Operations Manager and approved by the Community Manager. Processing fees may be assessed for installment payments.
- C. A member accepting a golf membership after October 1 shall pay a pro-rated share of the annual fee. Dues shall be on an annual basis only.
- D. Membership fees are categorized as “family” or “single” as follows:
  - i. Family - joint property owners owning a home as defined in definitions.
  - ii. Single - one property owner with non-playing spouse, unmarried children over 18 years, or other adults in residence.
  - iii. Family and single memberships are also available to eligible renter/tenants.
  - iv. Annual Associate Family and Single Memberships are available.

All other Associate Golf Membership policies apply.

### **Property Damage**

#### **1. *Personal Property***

The District shall not be responsible or liable for damage, destruction, loss, or theft of personal property belonging to a member. This rule applies also to member's family or guest.

#### **2. *District Property***

- A. Any District member, non-member, or guests responsible for intentional, accidental, or negligent damage or destruction of District property shall be charged for repair or replacement costs of the District property.
- B. Items removed from District property without permission will be charged to the responsible person.

## **3.2 RULES FOR SPECIFIC DISTRICT FACILITIES**

### **General**

- 1. The rules in this section pertain to the buildings, Recreation facilities and common grounds available for use by members and registered Clubs or Social Clubs. More specific rules for each separate facility are posted in the building or areas designated and must be observed.
- 2. Only registered Clubs or Social Clubs and members may use District facilities in accordance with the rules herein. Use of facilities will be governed by BBRD management.<sup>74</sup> Use of District facilities by non-members shall be required to pay appropriate rental fees according to adopted fee schedules.
- 3. Keys or combinations to locks shall be provided to all sheds, rooms, cabinets, offices and storage facilities used by clubs or groups and which are owned or placed on BBRD property. These shall be clearly marked and provided to the BBRD District Clerk.<sup>75</sup>
- 4. Any club, organization or individual desiring to construct or install any building, sun cover, bench or other type of structure on District property must have prior approval of District management. A complete plan including materials and design, along with maintenance, repair and insurance requirements must be included. All local, county, state and federal regulations pertaining to excavation and building must be met prior to construction or installation of any structure. Any structure constructed, placed or installed on District property becomes the property of the District. No removal of any such structure is permitted without District approval.<sup>76</sup>

### **Use of Buildings or Amenities**

1. Normal hours for use of buildings and all amenities are posted. When the amenities are closed no one shall use them. Exceptions may be granted by pre-arrangement with the Community Manager and/or his designees.<sup>77</sup>
2. Persons or official BBRD organizations desiring to use Barefoot Bay facilities shall make such reservations in advance with the appropriate District office in charge of calendar coordination in writing. Persons or organizations may reserve Building A, Building D&E or other facilities for exclusive or non-exclusive use. Denial of requests for exclusive use of amenities shall be provided to the requestor within 3 business days in writing, citing reasons for denial. Persons or official BBRD organizations may appeal staff's denial of a request for exclusive use of an amenity to the Board of Trustees at the next regularly scheduled meeting. These facilities are for the principal use of residents, who have priority over any outside-sponsored activities.<sup>78</sup>
3. Changes to reservations shall be made in writing to appropriate District office in charge of calendar coordination.<sup>79</sup> When two parties or organizations are involved in a change, both parties to the change will sign the written request. Calendar dates unconditionally released will be reassigned on a first request basis. Calendar schedules of events will be published monthly and posted on the official website.
4. Individuals or organizations authorized for exclusive use of any facility<sup>80</sup> are responsible for the premises during their occupancy. Such sponsors will prevent damage or destruction and provide cleanup, including the kitchen and serving area, following the event.
5. Abuse of the facilities shall be reported to the District Management offices.
6. Persons or organizations responsible for damage or destruction to the building, furnishings or equipment shall be held pecuniary liable. Payment will be required for cleanup necessitated by the failure to leave the building, furnishings, or equipment in the same condition as when they were delivered for use of said person(s) or organization.
7. Use of portable items of equipment shall be arranged for in advance by contact with the District Management offices.
8. Desired setup plans shall be submitted to the District Management office at least two (2) weeks in advance of the scheduled usage date.
9. All setups must meet fire code requirements. No alterations to the setup are allowed by any person, club or organization.

### **Game/Meeting Rooms**

1. Use of the facilities shall be scheduled in advance by arrangements with the District Management offices.
2. Rules for use of the pool tables are posted in the entryway. These rules shall be observed by persons using tables.
3. The pool room may be entered on request made to District management officials, or pool host on duty. No person under the age 18 shall be allowed in pool room unless supervised by parent, grandparent, legal guardian or responsible property owner.
4. Vandalism to the premises or inappropriate conduct by individuals should be immediately reported to the District Management offices or pool host.
5. Normal hours for use are maintained by the Calendar Coordinator in Resident Relations.<sup>81</sup> Exceptions may be granted by pre-arrangement with District Management offices.

### Swimming Pools

1. The District's "Rules for Swimming Pool Use", as posted at each pool, must be adhered to by members and guests in the pools, pool-side areas, and dressing/rest room facilities. The posted pool rule signs will be updated to reflect the amended policies as soon as possible.
2. Only approved items are allowed in the pools. A current management approved list of items allowed in the pool is available at each pool.<sup>82</sup>
3. Residents, guests and visitors must follow instructions of the Pool Host. Failure to do so may result in a suspension of their social membership privileges.<sup>83</sup>
4. District management reserves the right to refuse use of the swimming pool to any person or group for a violation of any of these rules.
5. Proper ID, as required by the District, must be presented in order to gain access to the pool areas.
6. The Pool Host has the authority to check bags or coolers for prohibited items before access is granted into the pool area.<sup>84</sup>
7. There is no life guard on duty at any of the District's pools; swim at your own risk.
8. Normal hours for use are as posted.
9. Children under 12 years of age must be accompanied by a parent, guardian or family member over 18 years old<sup>85</sup> while in the swimming pool area.
10. Children under 6 years of age are not permitted in the pool without immediate and constant supervision of parent, guardian or family member over 18 years old.
11. Guests that have physical issues that decrease their personal safety (i.e. elderly, physically or mentally disabled, etc.) in the pool, are not permitted in the pool without immediate and constant supervision of a guardian or care taker.<sup>86</sup>
12. It is a violation of Florida law to bring into pool areas or otherwise use glass bottles, containers, or other glass products.
13. The State of Florida law prohibits bringing in and consuming alcoholic beverages on premises unless purchased from the District.<sup>87</sup>
14. Containers carrying alcohol<sup>88</sup> may not be brought into the pool area.<sup>89</sup>
15. No food or drink is permitted in or near the swimming pool or within 4 feet of the swimming pool.
16. Members and guests are required to use the rest rooms located in the dressing room in pool area.
17. Lifesaving equipment shall be used only for the purpose intended.
18. Infants, and those individuals with incontinence issues, shall wear 'swim diapers' or other appropriate apparel which prevents the release of bodily waste while using swimming pools.<sup>90</sup>
19. No swimmer with open sores that are likely to degrade water quality, infection, or contagious disease may use District swimming pools.<sup>91</sup>
20. Members and guests are required to shower before entering the swimming pool. Showers are for pool users only.
21. Diving, running, jumping, rough play, or profanity are not allowed in or around the pool.
22. No animals are allowed in the pool area, with the exception of service animals.
23. Appropriate cover-up and shoes must be worn when entering any of the facilities.
24. Members and guests should exercise respectful and proper conduct around the pools and report all improper behavior to the District Management offices or pool host.
25. Swimsuits or authorized swim wear are the only authorized apparel for use in the pools. Colorfast shirts are permitted if in good condition. Anyone entering a pool with clothing that bleeds and requires the pool to be closed will be billed the cost to treat the pool.<sup>92</sup>
26. In the event of lightning or other threatening weather, residents must leave the pool area (Pool 2 & 3 – gated area; Pool 1 – lower deck) when instructed by the Pool Host and remain out of pool area until instructed by the Pool Host that it is safe to re-enter the pool area.<sup>9394</sup>



### **Shuffle Board-Bocce- Lawn bowling – Horseshoes and Basketball**

1. Normal hours for play are as posted.
2. Equipment is available for issue from the pool host. Badges will be left with pool host for security of equipment.
3. Misuse of the courts or equipment should be reported to the District Management offices or pool host.

### **Lounge**

Days and hours for the lounge will be open and rules to be observed will be posted in bar/lounge area.

### **Tennis/Pickle Ball Courts<sup>9596</sup>**

1. The courts are available to all residents wishing to use this recreational facility.
2. The courts are reserved through the Calendar Coordinator.
3. Gates to the courts are open from dawn to dusk. Operating hours are dawn to 10:00 PM.
  - A. Access after dusk is available by obtaining a key to the gate and to the lights from the Pool Host at Pool 1.
  - B. District social membership card, guest pass or visitor's pass is necessary to obtain these keys.
4. Additional rules for the use of the facility may be posted by BBRD at the courts.

### **Softball Field Rules and Regulations**

1. Softball Field is reserved through the Calendar Coordinator.
2. Visiting teams are permitted as guests of any properly constituted Barefoot Bay League. The Sponsors of the visiting teams shall be responsible for the actions of their guests.
3. Casual use of the field is permitted outside of any pre-reserved time.
4. Vandalism to the premises or inappropriate conduct by individuals should be immediately reported to the District Management offices. Persons or organizations responsible for damage or destruction shall be held pecuniarily liable.
5. Any disputes concerning use of the facilities, may be appealed to the Community Manager, and his/her judgment shall be final.

### **Golf**

1. The Golf Operation Manager or his/her designee is in charge of the golf course, Pro Shop and the facilities at the course. Failure to adhere to course rules or direction of staff may result in a suspension of the player's social membership or revocation of playing privileges.<sup>97</sup>
2. All players shall register in the Pro shop before play.
3. Play may be limited by Golf Operation Manager or his/her designee for specific reasons, i.e. tournaments, maintenance, weather, etc.
4. Property owners, members having golf membership and their guests shall have priority for available tee time.
5. Green fees are on a daily basis. Rain check policies are posted in the Pro shop.
6. Each player must have a set of clubs and putter including a golf bag.
7. All play must begin at either the 1st. or 10th tee as scheduled by the Pro Shop.
8. Power golf carts are not to be used for more than two (2) riders and two (2) golf bags.
9. Children under 16 years of age are not permitted to operate power golf carts.
10. Players must be properly attired. Shirts and shoes are mandatory.
11. Wading in lakes is prohibited.

12. Players shall play in foursomes, particularly on Saturday, Sunday and holidays. "Five some" must have permission from Golf Operations manager or his/her designated employee in his/her absence.
13. Power golf carts shall not be driven on high slopes of greens, sand traps or tees.
14. ADA validated individuals may park in designated areas (identified by blue stakes). These areas may be moved or closed due to inclement weather or any unsafe condition as defined by the Golf Operations Manager or his/her designee and/or the Golf Course Superintendent.<sup>98</sup>
15. Faster players must be permitted to "play through."
16. Hawking for golf balls in lakes and canals is strictly forbidden.
17. All play will be on a reserved tee time basis.
18. No fishing permitted in lakes on the golf course.
19. The club will not allow private golf carts or replacements when the total number of private carts equals 170. The Board shall be responsible for establishing user fees for private carts and such fees are subject to change at any time at the discretion of the Board.
20. The Board reserves the right to terminate the use of private golf carts at any time.

#### **Beach**<sup>99</sup>

1. The park and beach are for the use of residents and their guests. Guests must have an appropriate guest pass, secured in advance and displayed on their vehicle.
2. The gate should be locked except when entering and exiting the park.
3. While the park is open 24 hours per day, quiet is maintained from 10:00 PM to 6:00 AM.
4. Fires are permitted in the grills only.
5. Brevard County Ordinance does not permit dogs on the beach.
6. Any pets on any Barefoot Bay property must be on leashes and owners must clean up after pets.
7. Campers assume all risks for camping at the park.
8. The following rules apply to overnight camping:
  - A. Maximum camping stays are three days.
  - B. Camp sites will be assigned at Resident Relations
  - C. A permit must be obtained at Resident Relations office which must be displayed on vehicles.<sup>100</sup>
  - D. Guests must be accompanied by the resident who obtains the guest pass.
  - E. Persons under the age of 18 must be accompanied by an adult when camping.
  - F. RV and motorhome camping is strictly prohibited.
9. Fireworks, loud noise, and outside music are not permitted.
10. A key is required to gain access to these facilities and is available from Resident Relations.
11. Members and guests using these facilities are required to observe posted rules.
12. The cutting of bait shall be at authorized stations only. The cleaning of fish is prohibited in District facilities.

#### **Fishing Pier**

1. Use of these facilities is limited to members and guests.
2. A key is required to gain access to these facilities and is available from Resident Relations.
3. Members and guests using these facilities are required to observe posted rules.
4. The cutting of bait shall be at authorized stations only. The cleaning of fish is prohibited in District facilities.

#### **Canoe/Kayak Storage at Fishing Pier**

1. Canoe and Kayak owners utilizing the Canoe/Kayak storage must enter into a storage lease agreement.



2. Lessee's shall be solely responsible for all loss or damage to Lessee's stored property.
3. Due to limited availability, Barefoot Bay Property Owners with authorized social membership privileges may rent one canoe/kayak storage unit.
4. Assignment or subletting of spaces is prohibited.
5. Only one (1) unit per space will be allowed.
6. Nonpayment of lease payments will result in abandonment of space, and removal of stored items.
7. All lease payments are due on the first day of the current quarter and may be made up to twelve (12) months in advance.
8. All canoes and kayaks must display a Barefoot Bay provided identification sticker.

#### **RV Lots**

1. Use of the RV Storage Lots is primarily for Barefoot Bay Residents. Non-residents may lease the facility during the months of May through September. RV owners utilizing the RV Storage lots must enter into a storage lease agreement.<sup>101</sup>
2. Storage lease agreements shall be on a month-to-month basis.
3. No stand-alone structures or loose articles will be allowed in any space.
4. Owners shall be solely responsible for all loss or damage to owners stored property.
5. Owner shall keep all stored property properly licensed, registered, road-worthy, and/or operational for the property's intended use at all times.
6. Assignment or subletting of spaces is prohibited.
7. Owners must assure that all vehicles are chocked.
8. Only one (1) unit or trailer per space will be allowed.
9. No gate access card<sup>102</sup> shall be passed on to anyone else.
10. All gate access cards must be returned upon relinquishment of leased space.
11. Upon termination of the Lease, owner shall surrender the leased space to the District in the same condition as it was originally leased to the owner.
12. All lease payments are due on the first day of the current month and may be made up to twelve (12) months in advance. Payment of lease payments in advance shall not prevent Lessor from terminating the lease as provided herein. In the event of such default or upon termination by Lessor, Lessee shall only be entitled to the return of any advance payments made by Lessee, prorated accordingly.
13. Nonpayment of lease payments will result in disabling of access cards. A reactivation fee shall be charged as per the BBRD fee schedule.<sup>103</sup>
14. Owner must give written notice of intent to terminate no later than 5 business <sup>104</sup>days prior to the end of any month; otherwise owner shall be responsible for payment of full rent for the following month.<sup>105</sup>
15. Failure to comply with the above rules and regulations will result in termination of this Lease Agreement. Any non-compliant Lessee will be held responsible for costs incurred for removal of stored property from storage facility. Costs of removal will be determined by staff. The monthly fee will continue to accrue until the issue of non-compliance is settled.
16. A replacement fee will be charged if the access card is not returned upon termination of lease or if the card is lost.<sup>106</sup>

#### **Temporary Parking<sup>107</sup>**

No Boat/Trailer or Truck/RV parking will be allowed in the Building "A" parking lot. Overnight parking of automobiles will be allowed in the Building "A" parking lot provided a permit is obtained from Resident Relations and appropriate fees will apply.

### No Parking at Specific Common Areas

Vehicles shall be subject to towing at owners' expense if parked within 25 feet of District installed "No Parking" signs.<sup>108</sup>

## 3.3 FEE SCHEDULE

### Residents<sup>109</sup>

All residents and renters/tenants are required to register to use district facilities. The one-time fee for a social membership for all residents intending to occupy the residents unit shall be as follows:

Property owner (one-time fee) \$750.00 + tax for 2 people.

Property owner + one adult living with the owner will be considered 2nd on membership and is included in fee for property owner. The following ownership transfers shall not require the payment of an additional Property Owner Social Membership Fee (additional resident fees still apply):

1. Owner placing lot in trust ownership where beneficiaries are immediate family members, including subsequent deed transfers to or between named beneficiaries.
2. Addition or removal of immediate family members to/from deed with owner.
3. Transfers to immediate family members by way of probate or estate administration proceedings.
4. Life estate deeds where remaining interest has passed to immediate family members.
5. Transfer to immediate family members where genuine sale has not occurred.

For purposes of this section, immediate family members shall be defined as, spouses, fathers, mothers, children, grandfathers, grandmothers, grandchildren, and siblings. For purposes of this section, genuine sale shall be defined as one where the owner retains no interest and substantial consideration (i.e. fair market value of the property) has been paid for conveyance of deed.

Additional resident/property owner (over 2) must pay the resident fee.<sup>110</sup> \$125.00 + tax

Note: In the event more than 2 people are listed on a deed, additional (over 2) property owners must pay resident fee - \$125.00 + tax.<sup>111</sup>

#### Administrative Fee

Any changes to 2<sup>nd</sup> on membership will require a change fee.<sup>112</sup> \$25.00 + tax

#### Dependents

\$25.00 + tax  
All dependents are required to register to use District facilities.

### Fees Applicable to Renters/Tenants

Seasonal Renter \$25.00 per person per month & tax

#### Long term renter\*\*

Per Adult<sup>113</sup> \$100.00 + tax

Per Dependent<sup>114</sup> \$25.00 + tax

Annual Renewal

Per Adult <sup>115</sup>	\$50.00 + tax
Per Dependent	\$10.00 + tax <sup>116</sup>

A dated copy of the current lease agreement showing address of home and duration of the lease shall be provided on an annual basis or on renewal of rental badges. <sup>117</sup> Renters/tenants with a lease for less than 30 days shall not be issued a renter's badge and must obtain a guest pass.<sup>118</sup>

### Badges

1. All registered property owners, residents, renters and dependents (except for children under 12) shall require a picture badge. The initial cost of the picture badge is included in the member fee. All property owners, residents, renters and dependents have to renew picture badges on an annual basis to use District facilities.

All replacement picture badges \$10.00<sup>119</sup>

2. Residents and guests must display their badges and/or guest passes upon request<sup>120</sup> at any District meeting or workshop in the Lounge, 19<sup>th</sup> Hole or Pool #1 Pavillion.

### Guest Passes/ (All active military and children under 5 exempt)

1. Valid badge holders (not expired) must be present when purchasing guest pass(es) otherwise the following costs will be doubled.<sup>121</sup>
2. One Day Guest Pass
  - A. Regular (purchased at Resident Relations or any of the pools) \$3.00 per person<sup>122</sup>
  - B. Street dance or other special events (purchased at Pool#1) \$5.00 per person
3. Two to Seven Day (week) Guest Pass<sup>123</sup>
  - A. Purchased at Pools \$7.00 per person
  - B. Purchased at Resident Relations Office \$5.00 per person

The cost of a one-day guest pass (except when purchased at a special event at Pool #1) will be credited from the cost of a week guest pass when purchased on the first business day following the weekend purchase at a pool.<sup>124</sup>
3. Grandchild Pass (with picture)
  - A. Quarterly \$10.00 per child
  - B. Annually \$25.00 per child
4. Non-Residents (Visitor) Pass \$15.00 per person per day
5. Temporary Lounge/Business Pass <sup>125</sup> \$0.00 (No Charge)<sup>126</sup>

### Property Owners, Residents, Renter

1. R.V. storage area Per current lease agreement <sup>127</sup>
2. Reactivation of Access Cards \$10.00
3. Initial keys for beach and pier \$5.00<sup>128</sup>
4. Replacement keys, beach and pier <sup>129</sup> \$10.00<sup>130</sup> per key<sup>131</sup>
5. RV Storage late fee <sup>132</sup> Per current lease agreement.
6. Resident for Profit Use of Building Non-Resident fees apply
7. Use of Building A Kitchen See "Use of Kitchen Facilities/Bringing in Incidental Food" Sub-Section # 7

## Non-Resident

### 1. Rental of Buildings:<sup>133</sup>

Building "A" \$100.00 per hour (2-hour min.)

—————\$100.00 fee for use of kitchen (non-refundable) plus see "Use of Kitchen Facilities/Bringing in Incidental Food" Sub-Section #11

Plus \$100.00 refundable deposit

Building "D or E" \$80.00 per hour (2-hour min.)

\$50.00 for use of kitchen (non-refundable)

Plus \$80.00 refundable deposits

**Note:** Fees are double if both sides are used.

Building "C" \$50.00 per hour (2-hour minimum)

Pool #1 Pavilion \$100 per hour (2-hour minimum)

**Note:** All deposits must be paid at the time of reservation. If renter does not cancel their reservation within 7 days of reservation, they will forfeit their rental fee.

"Not for profit" and governmental entities that perform free services to support District residents in health and well-being may be provided the use of buildings at no charge. The waiver of rental fee must be approved by the Community Manager or his/her designee.

Any "for profit" function held at any District facility must be approved by the Community Manager or his/her designee.

### 2. Parking fee for allowed vehicles

(other than automobiles) at Falcon Dr. Lot \$10.00 per day

Automobiles overnight in Building "A" lot:

#### Residents

Up to 3 nights per month free (more nights must be approved by the Community Manager or his/her designee)

4 - 7 nights \$10.00

8 or more nights \$25.00/week<sup>134</sup>

#### Guests

1-2 nights \$ 5.00

3-7 nights \$10.00

8 or more nights \$25.00/week

### 3. Beach and Pier

\$15.00 1 Day pass

\$25.00 refundable key deposit

### **3.4 Guidelines for Registering as a Club or Organization and Use of District Facilities**

#### **Registration of Clubs/Organizations/Private Parties**

1. Any request to form a registered Club or Organization that intends to use District facilities must be approved by the Community Manager.<sup>135</sup>
2. An Application form and Building Registration form must be filed as part of the application which shall include the following information:
  - A. Name of Club or Organization
  - B. Names, addresses, phone numbers of at least four responsible year round District residents or elected officers or alternates. All officers of the club or organization must be District residents.
  - C. Times, dates, and their choice of established layouts of tables and chairs needed for the club/organization.
    - Any club or organization having fewer than 3 meetings and/or events per year shall be de-certified.<sup>136</sup>
  - D. Definition and purpose of the club or organization.
  - E. Other pertinent information as may be required.
3. Changes to Club Officers or designated responsible parties must be reported to BBRD management staff when changes occur to keep registration forms current.
4. Clubs or Organizations must renew their applications for use of District facilities on an annual basis. This must be done no later than the December 31st of each year. Names and address of officers (who must be District residents) shall be provided. Failure to maintain residents as officers will result in the club or organization being de-certified as a registered club or organization. This is necessary to reaffirm scheduling for each season/year. Applicants also need to report if they desire to have their names published in the HOA annual phone directory.
5. The designated parties will be the only recognized officials to make new arrangements and changes to the schedule or set up plans.
6. The time that has been scheduled for club meetings must be followed. Members are not allowed to come in early. Other functions or cleaning may be in progress prior to the clubs scheduled time.

#### **Use of District Facilities**

1. Any Club or Organization that uses District facilities must be comprised of a majority of Barefoot Bay residents unless permitted by policies adopted by the Board of Trustees. Only registered Clubs or Organizations may use District facilities on a non-fee basis.<sup>137</sup>
2. Residents of the Barefoot Bay Recreation District may utilize District facilities but registered Clubs or Organizations shall have priority in scheduling.
3. Social events held by residents requesting use of District facilities shall be classified as "District Resident-Private Parties." Rental fees shall not apply; however, non-residents who attend these functions must register as guests and pay fees in accordance with the District's fee schedule.
4. Residents using District facilities for a "for profit" event are required to pay fees in accordance with the District's fee schedule.
5. Non-registered clubs and organizations or non-residents may use District facilities upon payment of appropriate fees in accordance with the District's fee schedule. Priority shall be in terms of scheduling:
  - A. BBRD official meetings, workshops and/or events
  - B. BFBHOA
  - C. District Resident-Private Parties
  - D. Registered Clubs, Organizations

E Non-residents.

**Non-Discrimination Policy**

The Barefoot Bay Recreation District does not discriminate against anyone in a protected class including, but not limited to race, creed, color, national origin, religion, gender, or sexual orientation. When in use of Barefoot Bay Recreation District facilities, anyone in a protected class including employees, residents and guests will not be discriminated against regardless of race, creed, color, national origin, religion, gender or sexual orientation.<sup>138</sup>

**Use of Alcoholic Beverages**

1. Bringing alcoholic beverages to District facilities is prohibited. Where permitted, all alcoholic beverage purchases must be provided by the Barefoot Bay Recreation District.
2. In accordance with Florida Law, Home owners, residents, or guests may NOT place alcoholic beverages that are not purchased through the golf course or 19<sup>th</sup>-hole on their property adjacent to the golf course for any amenity user to consume.<sup>139</sup>
3. For all functions desiring the use of bar service for the purpose of purchasing alcoholic beverages, the minimum service charge shall be \$100.00.<sup>140</sup> For non-club functions, this fee is payable in advance at the Resident Relations Office.<sup>141</sup> If the Bar takes in less than \$100.00, the function host will reimburse the bar total.<sup>142</sup> Clubs who register a bar must also meet the \$100.00 minimum, but are not required to pay in advance.<sup>143</sup> Clubs who do not meet the \$100.00 minimum must make up the difference.<sup>144</sup>
4. Clubs or organizations must fill out a Bar Form (if a bar is desired) to request a Bar for the function. A good estimate on the number of people that will attend is required. This helps the bartender to stock the bar properly.
5. A request for bar service must be made at least two weeks in advance. If not submitted two weeks prior to the event,<sup>145</sup> BBRD cannot guarantee that personnel will be available to cover the bar.

**Scheduling and Set-Up**

1. It will be necessary to have dates of annual events scheduled prior to November 25<sup>th</sup> each year for the following year. There will be no confirmation of these dates until they have been reviewed and approved.
2. Reservations will be booked for eleven months only: If an entity desires the use of club facilities during December, this must be requested on a separate form. Regular scheduling of facilities shall be beginning in January.
3. Pick more than one date and check with the Calendar Coordinator's Office to determine the availability of time and building.
4. At the time of reservation, you will need to know the number of people that will be attending, and if you would like round or square tables. Options for table layout are limited to established table layouts.
5. Buildings will no longer be held for the Clubs or Organizations unless they come into the office and sign the necessary paperwork.
6. In order to cancel a meeting, an authorized representative must come in person to the Calendar Coordinator's office to cancel. They will be asked to sign a cancellation form.
7. The Barefoot Bay Recreation District reserves the right to assign, re-assign or re-schedule any function. The Community Manager shall be responsible for all final decisions regarding conflicts in scheduling.
8. Smaller clubs/organizations/events may be reassigned to a smaller facility to reduce utility and maintenance costs.
9. All functions requiring set-up must be submitted at least 2 weeks in advance. Failure to provide adequate notice by this deadline shall result in payment of set-up fees of \$25.00 & tax. Once



set up plans are submitted and approved, any changes to the set up plans as submitted may be required to pay additional fees.

10. Persons requesting the use of Building A or D & E and requiring multiple large electrical usage appliances must follow the plan outlined by Property Services to safely utilize existing power supplies. Failure to follow the set plan will result in loss of usage of the facility for that event. It is the responsibility of the Barefoot Bay Recreation District to strictly adhere to all Fire and Safety regulations for events in and around the Recreation District facilities.
11. Persons requesting the use of Building A or D & E which will result in large groups of mobile guests are required to follow the plan outlined by Property Services to safely utilize doorways and exits. Failure to follow the set plan will result in loss of usage of the facility for that event. It is the responsibility of the Barefoot Bay Recreation District to strictly adhere to all Fire and Safety regulations for events in and around the Recreation District facilities.
12. Requests for an outdoor bar by the Pavilion (back of Building A) shall pay a \$50.00 non-refundable bar setup and tear down fee at time of finalizing the reservation with the Calendar Coordinator.<sup>146</sup>

#### Use of District Facilities Where Fees Are Charged

All private functions requiring a fee or individual admissions charge may be subject to additional payment fees to the District, unless waived by the Board of Trustees in consideration that the fees accrued go to benefit the registered club's stated purpose that being of a "non-profit" nature. Non-resident fees will apply.

#### Use of Facilities for Gambling and Games of Chance

Gambling/games of chance of any kind shall not be permitted unless authorized by state statute and as may be authorized by the Board of Trustees.

#### Use of Kitchen Facilities/Bringing in Incidental Food

1. Any function that requires the use of kitchen facilities including the use of grills stoves, refrigerators, sinks shall pay a usage fee and clean-up deposit as may be determined by the Board of Trustees.
2. Clean up deposits and usage fees may be waived if food and beverages brought into the District facilities are of an incidental nature. However, a clean-up fee may be charged to any entity using District facilities if areas have need to be cleaned by custodial staff.
3. Refrigerators, ~~and Freezers~~ and/or walk in cooler –must be reserved with the Calendar Coordinator at least two weeks prior to their use.
4. If a private caterer requires the use of the stove, warming ovens, refrigerator and/or freezer, the Barefoot Bay club, organization representative, or Barefoot Bay resident must reserve them with the Calendar Coordinator at least two weeks in advance. There will be no catering charge for the Barefoot Bay club, organization, or resident unless the equipment is damaged. Damage to equipment will be assessed at the repair or replacement cost of the equipment to the Barefoot Bay ~~club~~, organization, or resident.<sup>147</sup>
5. Residents who use District pots/pans/utensils must be rinsed and left at dish machine
6. Food and Beverage will provide a dishwasher for \$13.25/hour
7. District cleaning of kitchen equipment is:
  - >50 people \$20
  - 50-100 people \$30
  - 100-200 people \$40
- 4.8. Any function that leaves the facilities in an unclean manner (and has not requested District cleaning) shall be charged a \$100.00<sup>148</sup> clean-up fee. If the fee is not paid, the entity will lose their privileges until the matter is settled.

9. Due to insurance requirements, the slicer, deep fryer<sup>149</sup>, stove top, cheese melter, char broiler, griddle, conveyor dishwashing machine and use of grill in Building A are not available for use by non-staff persons. District personnel will provide said services when requested. A fee of ~~\$15.00~~ \$16.50 per hour will be charged for this service for the slicer or deep fryer these services.- A custom fee will be developed upon request for multiple services. A \$50.00 fee for grill service for two hours, additional hours ~~\$15.00~~ \$16.50 per hour.<sup>150</sup>
10. An additional service is available to load the mobile cook/hold oven with plated dishes, roll out and serve for \$13.50 per hour.
11. Non-BBRD Caterer for resident groups and clubs reserving Building A is given access to stove, fryers, warming ovens, and mobile holding cart with assigned BBRD F&B staff to oversee operations for the following fees:
- >50 people \$100/up to 3 hours
  - 50-100 people \$200/up to 4 hours
  - 100-200 \$300/up to 5 hours
- 5.12. The gas grill is available for use at Pool 1 by residents and their guests on a first come, first served basis.<sup>151</sup>
- 6.13. Residents must wipe the grill and cooking area clean when cooking is complete.
- 7.14. Residents assume all responsibility for food safety.
- 8.15. Due to the potential risks, residents using grills are required to sign a waiver and assume all responsibility for the cooking and safety of the prepared food.
- 9.16. Residents must provide their own cooking tools.
- 10.17. All commercial entity hosted for-profit, revenue-based, food service special events, excluding outside commercial entity catering and/or simple food delivery for resident or club-hosted meetings or special events, are prohibited from being held in any District owned facilities.<sup>152</sup>
- 11.18. Any private commercial caterer and/or event planner providing food-related services for any resident or club-hosted meeting or special event, excluding simple food service delivery, shall be required to execute an indemnification and hold harmless agreement in favor of the District related to any food-related services provided.

### **3.5 Guidelines for Gift and or Memorials for the Barefoot Bay Recreation District<sup>153</sup>**

All gifts and /or memorials plans must be submitted for review by the Community Manager for compliance with the guidelines below. Those meeting the criteria below may be recommended for acceptance to the Board of Trustees at a regularly scheduled meeting. Acceptance of any memorial or gift meeting the criteria shall be at the discretion of the Board of Trustees. The Board of Trustees reserves the right to decline the acceptance of gifts or memorials due to inappropriateness, restrictions placed upon the gift or memorial and any potential financial or legal liability and for any other reason.

1. No gifts or memorials may be considered until the person has been deceased for more than 90 days.
2. Residents desiring to donate gifts and/or memorials shall work with staff to determine the costs of the memorial or item. The cost of the item will be presented to the donor. BBRD will purchase the item after the resident has paid for the item(s) and assume legal liability for the item.
3. No restrictions can be placed on the use or ownership of the gift or memorial. The BBRD is the sole owner of all gifts and will determine the use of the gift or memorial.
4. The gift or memorial must be deemed appropriate by the Community Manager and the Board of Trustees.



5. The Community Manager must determine all short and long-term costs of all gifts and memorials. These costs shall include the maintenance, repair, upkeep, insurance and/or any other hazards or liability. The placement of any memorial or gift shall not interfere with the maintenance of District facilities.
6. The acceptance, placement, use and removal of gifts and memorials are at the sole discretion of the District.
7. Plaques for all memorials shall not be considered permanent and will be removed at the sole discretion of the District when they deteriorate.

## **Part 4. Public Records Request Policy**

### **4.0 PURPOSE.<sup>154</sup>**

Barefoot Bay Recreation District ("BBRD") is committed to the tenets set forth in Chapter 119, Florida Statutes, governing access to public records, also known as Florida's Public Records Act.

The purpose of this Policy is to provide guidelines and procedures for BBRD staff to assure compliance and uniformity with regard to handling of requests for inspection and copies of public records not exempted by state law.

To the extent that any term is not specifically defined herein, the definitions pursuant to Sec. 119.011, F.S. shall apply to any request for public records submitted to BBRD.

### **4.1 PUBLIC RECORDS REQUEST PROCEDURE.**

#### ***A. Intake of Request.***

1. Parties requesting to inspect and/or receive copies of public records maintained by BBRD ("Requesting Parties") shall be directed to submit their requests to the BBRD Clerk who shall serve as the BBRD Records Custodian.
2. Upon receipt of a public records request, the BBRD Clerk shall coordinate the response.
3. Each request shall be reviewed carefully by the BBRD Clerk to determine the estimated length of time required to gather the records. All requests shall be satisfied as expeditiously as possible considering the nature and volume of the request.
4. Public records will be made available within a "reasonable period of time" and "under reasonable conditions." Although there is no statutory definition of this time period, a "reasonable period of time" and "reasonable conditions" shall take into account the number of documents sought; the number of locations where the documents are stored; whether the records are maintained electronically or as hard copies; whether the documents must be examined for confidential information or redacted; and whether substantial research will be required to identify, obtain and copy the records requested.
5. The BBRD Clerk must review the documents to determine if exempt/confidential information or material is included in the documents requested. Exempt/confidential information as provided pursuant to the Florida Constitution or Chapter 119, F.S., must be redacted prior to review by, or distribution to, the requesting party.
6. Unless otherwise provided by law, BBRD is not required to create new records in response to a request for information, nor is BBRD required to reformat its records in a particular electronic format, if requested by the requesting party. BBRD will provide a copy of the record in the medium requested, if BBRD maintains the record in that medium. BBRD may also elect to provide a copy of a public record in the requested medium, if not routinely used in BBRD, and

charge a reasonable fee in accordance with section 119.07(4), Florida Statutes and as provided herein.

***B. Notification and Response.***

1. When a response to a records request has been completed, the requesting party shall be notified of the availability of the copied records, if any, and the location where the documents will be made available. Notification shall be made by telephone and/or email, if the email address of the requesting party is known. Any email notification sent by the BBRD Clerk shall be stored in an electronic file pertaining to the public records request. If a telephone notification is the only notification provided, the BBRD Clerk shall make an email record of the date and time of the telephonic notification and store the email in an electronic file set up for the public records request.
2. The BBRD Clerk shall collect the required fee as outlined in Paragraph 4.3 of this policy prior to providing requested copies of public records to a requesting party. Upon payment and delivery of such records, the BBRD clerk shall deliver a written receipt for the amount paid. The receipt shall provide a short description of the documents being provided and shall specify the number of hard copy pages, DVD's, CD's, VHS, or audio tapes delivered to the requesting person.
3. In instances where electronic records are requested/provided, a copy of the email with the responsive documents shall be maintained by the BBRD Clerk as evidence of compliance with the request. Any BBRD employee sending a responsive email with documents attached shall copy the BBRD Clerk with the responsive email.
4. The BBRD Clerk or is required to maintain an agency copy of a response to a public records request for a period of one year after the response has been received by the requesting party. General Records Schedule GS I-SL, Item 23, requires a minimum of one year retention for public information requests and responses. In this way, BBRD will have proof of compliance and the ability to re-inspect the response, if questioned.

***C. Public Record Inspections.***

1. Inspections of Public Records may take place at any time throughout the workday, generally Monday through Friday, 8:00 am to 4:30 pm, except holidays.
2. BBRD must have an employee present to monitor all scheduled records inspections.
3. The BBRD Clerk is responsible for providing safeguards to protect original public records during any scheduled inspection.

**4.2 REQUESTS FOR VOLUMINOUS RECORDS REQUIRING EXTENSIVE STAFF TIME/EXTENSIVE INFORMATION TECHNOLOGY RESOURCES.**

For the purposes of this policy, a "voluminous" request, which requires "extensive" use of clerical or supervisory assistance/information technology resources by BBRD staff for response, is deemed to exist if BBRD staff will be required to expend more than thirty (30) minutes researching, reviewing, gathering, redacting, or copying the requested records.

1. If the nature or volume of public records requested to be inspected or copied pursuant to this policy is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by BBRD staff, BBRD may charge the actual cost incurred for duplication as provided in Paragraph 4.3 of this policy, as well as a special reasonable service charge based on the cost incurred for extensive use of information technology resources or the labor cost attributable to the clerical and supervisory assistance required to provide the response to the request.
2. In the case of requests for voluminous as described above, the BBRD Clerk should provide the requesting party with a written response providing the following information after coordinating a

projected response time and cost with the applicable BBRD staff members who will assist in the preparing the response:

- A. an estimate of the staff time required to respond to the request;
  - B. the projected cost that will be charged to comply with the request;
  - C. a request for a deposit in the amount of 50% of the projected cost, before BBRD staff will begin preparing the response;
  - D. an offer to allow the requesting party the alternative of inspecting any nonexempt or non-confidential records requested and identifying which specific records, if any, the requesting party would like to have copied.
3. A deposit in the amount of 50% of the estimated charge shall be required before undertaking a response to a request for voluminous public records. All charges shall be invoiced and collected by the BBRD Clerk based upon the number of copies made and the amount of time spent complying with the request in excess of thirty (30) minutes.
  4. Charges for extensive staff time will be assessed at the hourly rate of the lowest paid staff person who is qualified to respond to or supervise (where required) a response to the request for public records.
  5. Charges for extensive use of information technology resources shall be billed at the actual cost incurred by BBRD for the extensive use of such information technology resources in filling the request for public records.
  6. In the event of non-retrieval of records copied as a result of a public records request, any advance deposit may be retained and the requesting party may also be billed for any difference between the deposit and actual costs incurred by BBRD to produce the records. BBRD may require any requesting party who fails to retrieve or pay the charges associated with a request for voluminous public records, as provided herein, to pay the full costs associated with filling any subsequent public records requests in advance of providing any response to such subsequent request.

#### **4.3 COPIES AND FEES.**

Those seeking copies of public records will be charged only the actual costs of making copies. However, if the nature or volume of the request requires extensive use of information technology resources or clerical assistance by BBRD staff, BBRD may charge, in addition to actual cost of duplication, an additional special service charge in accordance with Section 119.07(4)(d), Florida Statutes, and Paragraph 4.2 above.

A receipt for the amount of payment must be provided to the person paying for the records.

Homeowners and residents may obtain one free copy of the following documents per calendar year:<sup>155</sup>

- Charter
- Deed of Restrictions
- ARCC Guidelines
- Policy Manual
- Employee Handbook
- Homeowners' Copy of Proposed Budget
- Homeowners' Copy of Approved Budget

Those records maintained by BBRD in an electronic information system may transfer the electronic records from that system onto a CD or, in the case of videotaped documents, onto a DVD. Assuming that the electronic information within the system is easily retrievable, the charges for such transfer should be the actual costs of duplication. BBRD may charge for CD disks, if not provided by the

requestor. Special charges may be added if the request is extensive enough to require clerical assistance and extensive use of technology resources as provided in Paragraph 4.2 above.

The uniform fee for copies to be charged by BBRD is as follows, unless otherwise provided by law:

**Paper copies:**

First 10 pages per month, per citizen: No Charge

**Additional:**

8.5x11.5 or less - one-sided	\$0.15
8.5x11.5 or less - two-sided	\$0.20
8.5x14 or less - one-sided	\$0.15
8.5x14 or less - two-sided	\$0.20
11x17	\$0.25

**Certified copies:** \$1.00

**CD/DVD/VHS/Audio Tapes:**

**Duplication:**

Duplication of CD's, DVD's, VHS, or audio tapes shall be the actual cost of the CD's, DVD's, VHS, or audio tape. Actual mailing costs shall be charged rather than a flat fee. Mailing costs shall include protective cases and padded mailing envelope, plus postage.

**Postage:**

Large orders or those to be mailed out of BBRD should be weighed and calculated individually, using [www.usps.gov](http://www.usps.gov) for postage rates.

Any unusually large volume of copying requiring the documents to be sent to a copy service for reproduction are to be billed to the requesting party based on the actual cost to BBRD.

**Revision Record Page (updated discontinued circa 2004)**

The Board notes that prior versions of the General Rules Applicable to District Facilities were created/amended by numerous Resolutions. Footnote references which are still applicable have been left in the preceding text as found at the time of last amendment. However, due to the substantial format changes being implemented by Resolution 2009-05, the Article and Section references on the prior revision record page are no longer applicable. The Board also notes that some prior amendments were not reflected by footnotes. The Board further notes that the prior revision record page included an incorrect reference to Resolution 2001-01 where such reference should have been to Resolution 2003-01.

The following is a list of Resolutions known by the Board to have created and/or amended the General Rules Applicable to District Facilities and/or related to fee schedules:

Date	Resolution	Subject
01/30/98	98-01	Fee Schedule.
05/12/00	2000-01	Fee Schedule.
05/11/01	2001-02	Non-Resident Golf Badge Fee; Fee Schedule.
09/17/01	2001-09	Revised General Rules.
12/14/01	2001-12	Golf Membership and Membership Dues.

## Barefoot Bay Recreation District Policy Manual

03/08/02	2002-02	R.V. Storage Area Fees.
03/08/02	2002-03	A&E Clean Up Deposit.
05/10/02	2002-06	Social/Family Membership Fees when moving within District.
03/14/03	2003-01	\$2.00 non-resident guest pass; Softball Fee Schedule deletions.
07/11/03	2003-05	Suspension/cancellation of membership hearing procedure; swimming pool rules.

## Endnotes

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- 1 Amended 12/10/13 Resolution 2013-16
- 2 Added 2/13/2015, Resolution 2015-04
- 3 Amended 9/9/16, Resolution 2016-19
- 4 Amended 7/10/09, Resolution 2009-12
- 5 Amended 2/13/2015, Resolution 2015-04
- 6 Amended 9/9/16, Resolution 2016-19
- 7 Amended 3/28/2017 , Resolution 2017-5
- 8 Amended 9/9/16, Resolution 2016-19
- 9 Amended 9/9/16, Resolution 2016-19
- 10 Amended 3/28/2017, Resolution 2017-05
- 11 Section added 2/13/2015, Resolution 2015-04
- <sup>12</sup> Amended, 10/12/18, Resolution 2018-08
- 13 Amended 9/9/16, Resolution 2016-19
- 14 Amended 2/13/2015, Resolution 2015-04
- 15 Amended 2/13/2015, Resolution 2015-04
- 16 Amended 2/13/2015, Resolution 2015-04
- 17 Amended 2/13/2015, Resolution 2015-04
- 18 Amended 2/13/2015, Resolution 2015-04
- 19 Amended 2/13/2015, Resolution 2015-04
- 20 Amended 9/9/16, Resolution 2016-19
- 21 Amended 2/13/2015, Resolution 2015-04
- <sup>22</sup> Amended, 10/12/18, Resolution 2018-08
- 23 Amended 2/13/2015, Resolution 2015-04
- 24 Amended 9/9/16, Resolution 2016-19
- 25 Amended 2/13/2015, Resolution 2015-04
- 26 Amended 2/13/2015, Resolution 2015-04
- 27 Amended 2/28/12 Resolution 2012-05
- 28 Amended 9/9/16, Resolution 2016-19
- 29 Amended 2/13/2015, Resolution 2015-04
- 30 Amended 06/23/09, Resolution 2009-08
- 31 Amended 9/9/16, Resolution 2016-19
- 32 Amended 2/13/2015, Resolution 2015-04
- 33 Amended 2/13/2015, Resolution 2015-04
- <sup>34</sup> Amended, 10/12/18, Resolution 2018-08
- 35 Amended 2/13/2015, Resolution 2015-04
- 36 Amended 2/13/2015, Resolution 2015-04
- <sup>37</sup> Amended 9/22/2020 Resolution 2020-12
- 38 Amended 2/13/2015, Resolution 2015-04
- 39 Amended August 13 2010, Resolution 2010-14
- 40 Amended 12/10/13 Resolution 2013-16
- 41 Added 2/13/2015, Resolution 2015-04
- 42 Amended 9/9/16, Resolution 2016-19
- 43 Amended 9/9/16, Resolution 2016-19
- 44 Amended December 10, 2013, Resolution 2013-16
- 45 Amended May 14, 2010, Resolution 2010-09
- 46 Amended December 10, 2013, Resolution 2013-16
- 47 Temporary Social membership reference deleted 2/13/2015, Resolution 2015-04
- 48 Amended December 10, 2013, Resolution 2013-16
- 49 Amended December 10, 2013, Resolution 2013-16
- 50 Amended 2/13/2015, Resolution 2015-04
- 51 Amended 2/13/2015, Resolution 2015-04
- 52 Amended 2/13/2015, Resolution 2015-04
- 53 Amended September 10, 2010, Resolution 2010-15
- 54 Amended September 10, 2010, Resolution 2010-16

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55 Amended 9/9/16, Resolution 2016-19  
56 Amended Feb. 25, 2020, Resolution 2020-03  
57 Amended December 10, 2013, Resolution 2013-16  
58 Amended January 13, 2012 Resolution 2012-01  
59 Amended December 10, 2013, Resolution 2013-16  
60 Amended June 8, 2012 Resolution 2012-09  
61 Amended September 23, 2014 Resolution 2014-12  
62 Amended 9/9/16, Resolution 2016-19  
63 Amended 3/28/2017, Resolution 2017-05  
64 Amended, 10/12/18, Resolution 2018-08  
65 Amended October 25, 2011. Resolution 2011-16  
66 Amended 9/9/16, Resolution 2016-19  
67 Amended 3/28/2017, Resolution 2017-05  
68 Amended, 10/12/18, Resolution 2018-08  
69 Amended 7/8/11, Resolution 2011-12  
70 Amended, 10/12/18, Resolution 2018-08  
71 Res. 2001-12, 12/14/01  
72 Amended, 10/12/18, Resolution 2018-08  
73 Amended 9/9/16, Resolution 2016-19  
74 Amended 2/13/2015, Resolution 2015-04  
75 Amended March 12, 2010, Resolution 2010-7  
76 Amended March 23, 2010, Resolution 2010-8  
77 Amended, 10/12/18, Resolution 2018-08  
78 Amended 2/13/2015, Resolution 2015-04  
79 Amended 2/13/2015, Resolution 2015-04  
80 Amended 2/13/2015, Resolution 2015-04  
81 Amended 9/9/16, Resolution 2016-19  
82 Amended October 22, 2019, Resolution 2019-10  
83 Amended, 10/12/18, Resolution 2018-08  
84 Amended December 10, 2013, Resolution 2013-16  
85 Amended 9/9/16, Resolution 2016-19  
86 Amended 9/9/16, Resolution 2016-19  
87 Amended December 10, 2013, Resolution 2013-16  
88 Amended 9/9/16, Resolution 2016-19  
89 Amended December 10, 2013, Resolution 2013-16  
90 Amended December 10, 2013, Resolution 2013-16  
91 Amended December 10, 2013, Resolution 2013-16  
92 Amended 9/9/16, Resolution 2016-19  
93 Amended 2/13/2015, Resolution 2015-04  
94 Amended, 10/12/18, Resolution 2018-08  
95 Amended 3/11/2011 Resolution 2011-04  
96 Amended, 10/12/18, Resolution 2018-08  
97 Amended, 10/12/18, Resolution 2018-08  
98 Amended 9/9/16, Resolution 2016-19  
99 Amended July 8, 2011 Resolution 2011-12  
100 Amended 9/9/16, Resolution 2016-19  
101 Amended July 10, 2009, Resolution 2009-14  
102 Amended 2/13/2015, Resolution 2015-04  
103 Amended 2/13/2015, Resolution 2015-04  
104 Amended 9/9/16, Resolution 2016-19  
105 Amended July 8, 2011, Resolution 2011-12  
106 Amended 2/13/2015, Resolution 2015-04  
107 Amended, 10/12/18, Resolution 2018-08  
108 Added, 11/13/2020, Resolution 2020-14  
109 Section amended 2/13/2015, Resolution 2015-04  
110 Amended December 10, 2013, Resolution 2013-16

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- 111 Amended December 10, 2013, Resolution 2013-16  
112 Amended December 10, 2013, Resolution 2013-16  
113 Amended December 10, 2013, Resolution 2013-16  
114 Amended December 10, 2013, Resolution 2013-16  
115 Amended December 10, 2013, Resolution 2013-16  
116 Amended December 10, 2013, Resolution 2013-16  
117 Amended December 10, 2013, Resolution 2013-16  
<sup>118</sup> Amended, 10/12/18, Resolution 2018-08  
<sup>119</sup> Amended October 22, 2019, Resolution 2019-10  
<sup>120</sup> Amended, 10/12/18, Resolution 2018-08  
<sup>121</sup> Amended, 10/12/18, Resolution 2018-08  
122 Amended 2/13/2015, Resolution 2015-04  
123 Amended December 10, 2013, Resolution 2013-16  
124 Amended 9/9/16, Resolution 2016-19  
125 Amended December 10, 2013, Resolution 2013-16  
126 Amended May 14, 2010, Resolution 2010-09  
127 Amended December 10, 2013, Resolution 2013-16  
128 Amended 9/9/16, Resolution 2016-19  
129 Amended December 10, 2013, Resolution 2013-16  
130 Amended 9/9/16, Resolution 2016-19  
131 Amended 2/13/2015, Resolution 2015-04  
132 Amended December 10, 2013, Resolution 2013-16  
133 Amended 9/9/16, Resolution 2016-19  
<sup>134</sup> Amended October 22, 2019, Resolution 2019-10  
<sup>135</sup> Amended April 25, 2017, Resolution 2017-07  
<sup>136</sup> Amended April 25, 2017, Resolution 2017-07  
<sup>137</sup> Amended 12/8/2017 Resolution 2017-19  
138 Amended December 10, 2013, Resolution 2013-16  
139 Amended 9/9/16, Resolution 2016-19  
140 Amended December 10, 2013, Resolution 2013-16  
141 Amended December 10, 2013, Resolution 2013-16  
142 Amended December 10, 2013, Resolution 2013-16  
143 Amended December 10, 2013, Resolution 2013-16  
144 Amended December 10, 2013, Resolution 2013-16  
145 Amended 2/13/2015, Resolution 2015-04  
<sup>146</sup> Amended October 2019, Resolution 2019-10  
147 Amended January 8, 2009, Resolution 2010-01  
148 Amended 9/9/16, Resolution 2016-19  
149 Amended 9/9/16, Resolution 2016-19  
150 Amended 2/13/2015, Resolution 2015-04  
151 Amended July 8, 2011, Resolution 2011-12  
<sup>152</sup> Amended April 25, 2017, Resolution 2017-07  
153 Amended February 12, 2010, Resolution 2010-5  
154 Adopted 10/26/2010, Resolution 2010-22  
155 Amended 9/9/16, Resolution 2016-19



## **RESOLUTION 2021-05**

### **A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; PROVIDING FOR THE ADOPTION OF A REVISION TO THE POLICY MANUAL ADOPTED MAY 8, 2009, AS SUBSEQUENTLY AMENDED THROUGH NOVEMBER 13, 2020; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Board of Trustees has previously adopted Resolution 2009-05 establishing a Policy Manual for the residents of Barefoot Bay in relation to the operation of the Recreational Facilities of Barefoot Bay; and

**WHEREAS**, the most recent revisions to the Policy Manual were adopted by the Board of Trustees of Barefoot Bay Recreation District on November 13, 2020 via Resolution 2020-14; and

**WHEREAS**, the Barefoot Bay Recreation District staff has incorporated various changes to improve operations in an efficient and effective manner; and

**WHEREAS**, the Board of Trustees of Barefoot Bay Recreation District is desirous of amending the Policy Manual previously adopted and revised consistent with the revised version attached and incorporated hereto as Exhibit A;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT, BREVARD COUNTY, FLORIDA AS FOLLOWS:**

**Section 1:** The Policy Manual for Barefoot Bay Recreation District is hereby amended in accordance with Exhibit A attached and specifically incorporated hereto this Resolution.

**Section 2:** If any portion, clause, phrase, sentence or classification of this resolution is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the resolution; it is hereby declared to be the expressed opinion of the Trustees of the Barefoot Bay Recreation District that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this resolution did not induce its passage, and that without the inclusion of any such portion or portions of this resolution, the Trustees would have enacted the valid constitutional portions thereof.

**Section 3.** Conflict with other Provisions.

All resolutions or parts of resolutions in conflict herewith are hereby repealed and all resolutions or parts or resolutions not in conflict herewith are hereby continued in full force and effect.

**Section 4.** Effective Date.

This Resolution shall become effective on April 19, 2021.

The foregoing Resolution was moved for adoption by Trustee \_\_\_\_\_.  
The motion was seconded by Trustee \_\_\_\_\_ and, upon being put to a vote, that vote  
was as follows:

Chairman Michael R. Maino	_____
Trustee Jeff Grunow	_____
Trustee Randy Loveland	_____
Trustee Jim Nugent	_____
Trustee Michael Morrissey	_____

The Chairman thereupon declared this Resolution Done, Ordered, and Adopted this 9th  
day of April 2021.

**BAREFOOT BAY RECREATION DISTRICT**

By: \_\_\_\_\_  
MICHAEL R. MAINO, CHAIRMAN

Attest: \_\_\_\_\_  
JEFF GRUNOW, SECRETARY

## Board of Trustees

Date: Friday, April 9, 2021  
Title: **FDEP Permitting Service for Beach Restroom Project**  
Section & Item: 9.F  
Department: R&M/Capital Projects  
Fiscal Impact: \$9,750.00  
Contact: John W. Coffey ICMA-CM, Community Manager  
Attachments: TLC proposal, Background on Coastal Tech - G.E.C., Inc.  
  
Reviewed by  
General Counsel: Yes  
Approved by: John W. Coffey, ICMA-CM, Community Manager



### Requested Action by BOT

Approval of proposal for Florida Department of Environmental Protection (FDEP) permitting services.

### Background and Summary Information

In FY20, BBRD procured a prefabricated restroom building for the Beach. Additionally, BBRD authorized the development of a revised site plan for permitting purposes. Due to the location of the plan facilities (seaward of the Coastal Construction Line ), A FDEP permit is required in addition to a Brevard County building permit. TLC (BBRD's engineer of record) provided upon request a proposal for a third-party to handle the permitting process in lieu of staff attempting to do so.

Due to the complexity of FDEP permitting, staff believes the use of an established coastal engineering firm will greatly expedite the process. Once, the FDEP permit is secured application for the Brevard County building permit will commence.

Sufficient funding is available in Fund Balance to cover the cost.

Staff recommends the BOT approve the proposal from TLC for FDEP permitting services in the amount of \$9,750.00.



September 16, 2020

Mr. John Coffey  
Community Manager  
Barefoot Bay Recreation District  
625 Barefoot Blvd  
Barefoot Bay, FL 32976  
Delivered via e-mail: [jcoffey@bbrd.com](mailto:jcoffey@bbrd.com)

**Re: BBRD Beachside Restroom Facility  
Additional Services Request - 02  
TLC Project Number: 520067**

Dear Mr. Coffey:

As requested, TLC Engineering Solutions, Inc. has developed the following proposal to provide supplemental services for the referenced project.

Additional services are based on the following scope item:

Provide State of Florida CCCL permitting assistance by **Coastal Tech | GEC (CT-GEC)** for the pre-fabricated restroom, foundations, and drainage field. Proposed scope of CCCL permitting assistance as outlined below:

- Task 1 Pre-Application: Conduct a pre-application conference call with the Florida Department of Environmental Protection (FDEP) to review the overall project scope, identify any FDEP staff issues and appropriate resolution, identify the appropriate permit application fee, and outline FDEP requirements for the CCCL permit.
- Task 2 Application: prepare and submit a formal FDEP CCL permit application with the contract design drawings and any other supporting information required by the FDEP as identified in the Task 1 Pre-Application process. **CT-GEC** will coordinate requirements to be completed by Barefoot Bay Recreation District with Barefoot Bay and TLC Engineering Solutions. Information to be provided by Barefoot Bay as part of the FDEP CCCL application process are included in Attachment A.
- Task 3 FDEP CCCL Permit Processing: Coordinate with FDEP staff to address questions and concerns to facilitate the review and processing of the permit application. Upon issuance of the FDEP permit, **CT-GEC** will review the permit and confer with the Barefoot Bay Recreation District relative to acceptance or modification of the FDEP permit.

TLC is prepared to provide supplemental services as outlined above based on the following fee structure:

➤ Task 1 Pre-Application Conference (CT-GEC):	\$	1,300.00
➤ Task 2 Application (CT-GEC)	\$	5,200.00
➤ <u>Task 3 FDEP CCCL Permit Processing (CT-GEC):</u>	\$	<u>3,250.00</u>
<b>Total</b>	<b>\$</b>	<b>9,750.00</b>

Limitations: The current design approach and proposal is based on the building being classified as an uninhabited structure in accordance with the Florida Building Code. As an uninhabited structure, the building is not required to be designed to resist wave action. The proposal does not include efforts related to redesign of the foundation system or commissioning of a coastal construction report to define the scour and wave action loads on the building as a result of reclassification of the building by the FDEP reviewer.

All other terms of our original proposal apply unless specifically modified by this proposal.


If our proposal is acceptable, please remit appropriate authorization allowing us to proceed. This authorization constitutes your commitment to pay the fee and reimbursable expenses, and represents that your firm has received approval from the client.

Please give me a call with any questions or comments.

Sincerely,

**TLC Engineering Solutions, Inc.**

  
Colin G. Doyle, PE  
Associate / Structural Project Engineer

  
Gary C. Krueger, PE, CM, LEED AP BD+C  
Principal / Division Director

**Barefoot Bay Recreation District**

By: \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Date

**ATTACHMENT A**

**INFORMATION TO BE PROVIDED BY OWNER  
FOR FDEP CCCL PERMIT APPLICATION**

1. FDEP CCCL permit application fee;
2. Signed application form (prepared by CT-GEC) citing CT-GEC as the OWNER's authorized agent;
3. "Sufficient evidence of ownership including the legal description of the property" in the form of a warranty deed or other documentation for the *Project* site;
4. Written evidence, provided by Brevard County, that the proposed *Project* does not contravene local setback requirements or zoning codes;
5. A statement describing the proposed *Project* construction;
6. Signed and sealed survey of the subject property, conducted not more than six months prior to the date of application;
7. A dimensioned marine turtle lighting plan for any proposed permanent exterior lighting, if any;
8. Detailed foundation plans and specifications;
9. Dimensioned site plan – signed and sealed by a registered professional;
10. Dimensioned grading plan – signed and sealed by a registered professional;
11. Dimensioned cross-sections – signed and sealed by a registered professional – including "a typical view from the mean high water line (MHWL) to the CCCL depicting all structures and buildings elevations, proposed and existing grades, subgrade construction, excavation, fill, and elevations"
12. Details and engineering design computations for any proposed waste or storm water discharge onto, over, under, or across the beach dune system,
13. An anticipated construction schedule;
14. Ad detailed planning plan; and
15. "Planting and maintenance plans, if planting or removal of native vegetation is proposed".

## **Background information about Coastal Tech-G.E.C., Inc.**

(from <https://coastaltechcorp.com/about/>)

Coastal Technology Corporation (CTC) was founded in November 1984 as a Florida corporation and has been continuously engaged since that time in providing Coastal Engineering services including planning and design, Coastal Geology services, Numerical Modeling services, Environmental and Permitting services, and Construction Administration services.

Coastal Tech has also provided professional services to successfully develop and implement beach and inlet management plans including assisting clients in obtaining local, state and federal support and funding. Coastal Tech has provided professional services to both private and public-sector clients and our success is attributable to the technical quality of our work products and a “service orientation” in our approach to our clients.

Coastal Tech’s main office has been located in Vero Beach since 1984. Coastal Tech’s Principal, Charles “Tem” Fontaine, P.E., is a coastal engineer with over 12 years of coastal engineering and management experience for public and private sector clients; he has broad experience in the entire project life cycle for beach nourishment, dredging, and coastal infrastructure projects. Coastal Tech’s Quality Assurance Officer, Michael Walther, P.E., has been actively engaged in the development of regional beach and coastal resource management plans throughout the U.S. for over 42 years.

In 2014, Coastal Tech became a part of GEC, along with another leading coastal planning and engineering firm of national importance, Noble Consultants, Inc. Combining the coastal planning and engineering capabilities of Coastal Tech and Noble Consultants with the water resources planning and design capabilities of GEC has resulted in a team with even greater capabilities to successfully meet the diverse coastal and environmental needs of Florida.

The Coastal Technology Corporation (Coastal Tech-G.E.C., Inc.) staff was assembled with the goal of providing the multi-disciplinary staff of engineers, hydrologists, modelers, planners, biologists, economists and landscape architects to complement and support the capabilities of large Federal and State Water Resource agencies. That effort has proved to be highly successful, with the completion of more than 200 Services-Type contracts for Florida Department of Environmental Protection (DEP), the U.S. Army Corps of Engineers, the Texas General Land Office, the Coastal Protection and Restoration Authority of Louisiana, other public agencies, and municipal and private-sector clients.

## Board of Trustees

Date: Friday, April 9, 2021  
Title: **Dates for BOT Townhall Meetings**  
Section & Item: 9.G  
Department: Administration, District Clerk  
Fiscal Impact: N/A  
Contact: John W. Coffey ICMA-CM, Community Manager  
Attachments:  
Reviewed by  
General Counsel: N/A  
Approved by: John W. Coffey, ICMA-CM, Community Manager



### Requested Action by BOT

Review and selection of Townhall Meeting dates/times for the remainder of 2021.

### Background and Summary Information

At the March 23, 2021 BOT Meeting, the BOT reached a consensus to start holding quarterly townhall meetings to provide the public an opportunity to discuss issues and/or raise concerns with the BOT. The following dates and times are currently available:

#### April

Monday 19th, 7-9pm  
Monday 26th, 7-9pm  
Thursday 29th, 1-3pm

#### July

Tuesday 13th, 9-11am  
Thursday 15th, 1-3pm  
Tuesday 20th, 7-9pm  
Thursday 29th, 9-11am, 1-3pm, or 7-9pm

#### October

Tuesday 5th, 1-3pm  
Thursday 14th, 1-3pm  
Monday 18th, 7-9pm  
Thursday 28th, 9-11am

Staff recommends the BOT select one date for each month for townhall meetings.





## Barefoot Bay Recreation District

625 Barefoot Boulevard, Administration Building  
Barefoot Bay, FL 32976-9233

Phone 772-664-3141  
Fax 772-664-1928

**Memo To:** Board of Trustees

**From:** John W. Coffey, Community Manager, ICMA-CM

**Date:** April 09, 2021

**Subject:** Manager's Report

### Resident Relations

#### **ARCC Meeting 03/30/2021**

- 27 Consent Items approved
- 10 Other Items approved

#### **Next ARCC Meeting (04/13/2021)**

- Will be held in Bldg. D/E at 9am.

#### **VC Meeting 03/26/2021**

- 12 cases were on the agenda
- 6 were found in violation
- 3 came into compliance prior to the meeting
- 3 were tabled as the homeowners are working with DOR staff

#### **VC Meeting 4/09/21 (Bldg. D/E at 10am)**

- 13 cases to be presented

#### **Next Violations Committee Meeting**

- Scheduled for April 23rd in Bldg. D/E at 10am

### Food & Beverage

- **Barefoot Bay's 50<sup>th</sup> Anniversary Celebration update** – The planning group is meeting regularly. We have received interest from many clubs, and if you haven't already, outdoor activity clubs (such as Tennis, Pickle Ball, Bocci) who would like to participate should contact Dianne Carey at [dianecareystevens@gmail.com](mailto:dianecareystevens@gmail.com), and the ethnic/regional clubs may contact Tom O'Donnell at [odie390@gmail.com](mailto:odie390@gmail.com). Start thinking about getting your golf carts and bicycles decorated for the Patriotic golf cart and bicycle parade which will kick off our July 3<sup>rd</sup> celebration at 11am. Flyers with all the details will be posted next week.
- The **19<sup>th</sup> Hole** has a weekday **boxed lunch special** going on now through September. Each day a \$5 boxed lunch special (½ sandwich, chips, and a cookie) will be available from 11am-1pm. with the

purchase of a drink. Except Wednesdays....Wednesdays are **\$1 dog days**.

- Great afternoon music continues this weekend on the Lakeside stage with TC & SASS on Saturday (10<sup>th</sup>) and Joe Reid & Heartland on Sunday(11<sup>th</sup>).
- Solicited quotes for the FY21 Budgeted project “Building A Awning (30’ x 13’) over Terrace Opposite Lounge,” selected most responsible cost-effective vendor, and processed deposit payment.

#### Property Services

- Began soliciting quotes/bids for remainder of FY21 planned minor projects
- Repaired softball scoreboard
- Installed handrail in front of Building D/E
- Replaced stands and broken umbrellas at the pools
- Secured the softball field with chains and locks to discourage vandalism....field is still open to residents to play softball
- Straightened up signs on BBRD property
- Pulled benches near basketball to fix due to vandalism
- Facilitated repairs to 19th hole A/C
- Prepped all A/C units for the summer
- Rebuilt vandalized picnic table
- Replaced picnic table at Pool #2
- Painted the hallway door in the 19th Hole
- Trimmed trees and picked up debris at the beach
- Addressed all current DOR violations

#### Golf-Pro Shop

- Water Coolers and Ice Chest update:
  - Coolers will be placed on course effective April 5th (Use at your own risk)
  - Ice chest will be placed out again effective April 5th (Use at your own risk)
- FRDAP Grant Program (100% reimbursable) update:
  - Notice of commencement approval from FDEP was received on March 25, 2021
    - Picnic Area Renovation (\$13K) and Landscaping (\$5K)
      - Will begin seeking quotes mid-April
    - Reconstruction of Practice Greens will occur in FY22 (\$32K)
    - See page FY22 Working Draft Proposed Budget page D-38 for details
- Jr. Golf “COVID-19 safe” Camp coming in June....details TBD