

**Barefoot Bay Recreation District
Regular Meeting of the Board of Trustees**

Tuesday, April 25, 2017

7:00 PM

1225 Barefoot Boulevard, Building D/E



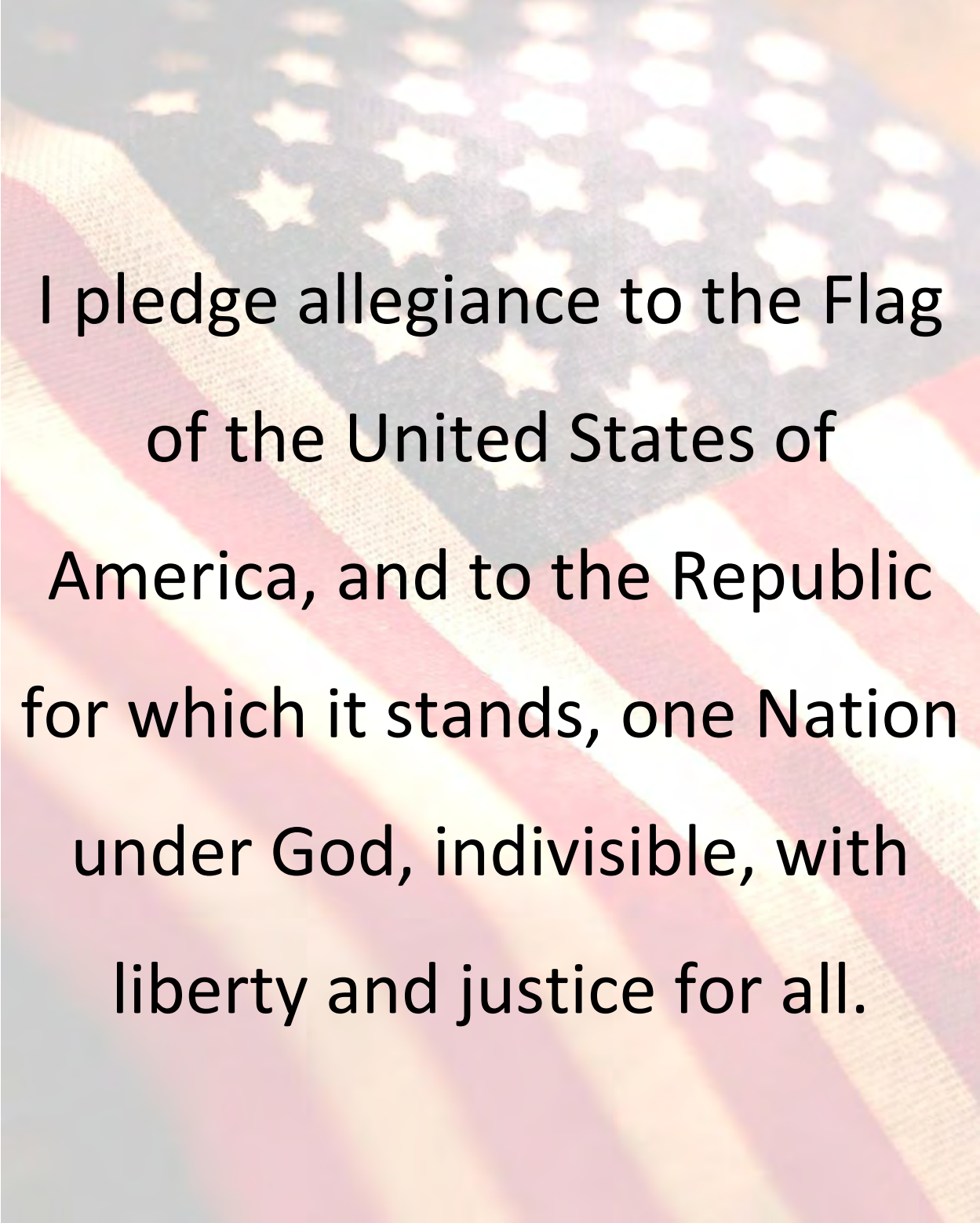
BAREFOOT BAY RECREATION DISTRICT

Barefoot Bay Recreation District Regular Meeting
Tuesday, April 25, 2017 at 7 P.M.
Building D&E

AGENDA

Please turn off all cell phones

1. Thought for the Day
2. Pledge of Allegiance to the Flag
3. Roll Call
4. Presentations and Proclamations
5. Approval of Minutes
6. Treasurer's Report
7. Audience Participation
8. Unfinished Business
 - A. Special District Services, Inc. Contract Extension
9. New Business
 - A. ARCC Promulgation of Rules
 - B. Discussion of Sexual Offender & Predator Notification Requirement
 - C. Adoption of Revised Policy Manual
 - D. Summer Youth Program Discussion
 - E. Board of Trustees Meeting Dates Discussion
 - F. Donation Request
 - G. Discussion of Off-Season Use of Lawn Bowling Court for Croquet
 - H. ARRC Appointment
10. Manager's Report
11. Attorney's Report
12. Incidental Trustee Remarks
13. Adjournment



I pledge allegiance to the Flag
of the United States of
America, and to the Republic
for which it stands, one Nation
under God, indivisible, with
liberty and justice for all.

Roll Call

Trustees

Chairman - Mr. Diana

1st Vice Chair - Mr. Lavier

2nd Vice Chair – Mr. Cavaliere

Secretary - Mr. Klosky

Treasurer – Mr. Geier

Also Present

General Counsel- Cliff Repperger, Jr., Esq.

Community Manager - John W. Coffey

District Clerk - Dawn Myers

Approval of Minutes



BAREFOOT BAY RECREATION DISTRICT

**Board of Trustees Regular Meeting
March 28, 2017
7 P.M. –Building D&E**

Called to Order

The Barefoot Bay Recreation District held a Regular Meeting on March 28, 2017 in Building D&E, 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Diana called the meeting to order at 7:00 P.M.

Thought for the Day

Mr. Diana asked for a moment of silence to honor our service personnel both past and present who have helped protect our country. He also asked that we remember our Barefoot Bay residents both past and present.

Mr. Cavaliere led the Pledge of Allegiance to the Flag.

Roll Call

Present: Mr. Diana, Mr. Lavier, Mr. Cavaliere, Mr. Geier and Mr. Klosky. Also present: John W. Coffey, Community Manager, General Counsel Cliff Repperger, and Dawn Myers, District Clerk.

Minutes

Mr. Cavaliere made a motion to approve the minutes dated February 28, 2017. Second by Mr. Geier. Motion carried unanimously.

Mr. Cavaliere made a motion to approve the minutes dated March 10, 2017. Second by Mr. Geier. Motion carried unanimously.

Mr. Diana asked for a motion to recess due to technical problems with the audio/visual recording equipment.

Mr. Lavier made a motion to recess the meeting at 7:07pm. Second by Mr. Cavaliere. Motion carried unanimously.

Mr. Diana called the meeting to order at 7:11pm.

Treasurer's Report

Mr. Geier presented the Treasurer's Report for March 28, 2017.

Mr. Klosky made a motion to accept the Treasurer's Report. Second by Mr. Lavier. Motion carried unanimously.

Audience comment on Agenda Items

None Brought Forward

Mr. Diana asked for a motion to move agenda item 9B Moratorium on Outside Vendors using Barefoot Bay Facilities up to the beginning of the agenda.



BAREFOOT BAY RECREATION DISTRICT

Mr. Klosky made a motion to move agenda item 9B Moratorium on Outside Vendors using Barefoot Bay Facilities to the beginning of the agenda. Second by Mr. Cavaliere. Motion carried unanimously.

Moratorium on Outside Vendors using Barefoot Bay Facilities

Mr. Cavaliere summarized the reason for this agenda item was due to the discussion at the last BOT Workshop on Policy. At the meeting, a recent incident was discussed where a vendor rented BBRD facilities with the sole intention of serving food to residents who purchased a ticket to the food event. The rental brought up questions of legality and food safety. Mr. Cavaliere proposed a temporary moratorium in effect against all commercial vendors serving food in BBRD facilities until we were able to discuss the subject further with General Counsel Repperger.

Mr. Cavaliere has since discussed the item in great detail with General Counsel in an effort to find a resolution. He clarified that at no time was his intent to prohibit outside catering in Barefoot Bay. He maintained that the residents can have whoever they want cater their events. The moratorium was aimed at outside commercial vendors renting District facilities until the Board had completed their review of the Policy language.

Mr. Cavaliere made a motion to impose a temporary moratorium on any non-resident commercial entity hosted for profit revenue based food service special event excluding outside commercial entity catering and or food delivery for resident or club hosted meetings or special events from being held on any District owned property. Second by Mr. Geier. Motion carried unanimously.

Stormwater Project on Tamarind & Cherokee Award of Contract

Mr. Coffey updated the Board on the status of the stormwater project. Since the originally selected vendor for the project opted out of the contract due to negotiation differences, Mr. Coffey instructed B.S.E., our engineering subcontractor to solicit new vendors per Board direction. They subsequently provided 5 new bids ranging from approximately \$175,000 to \$354,000. Mr. Coffey suggested the Board accept the competitive proposal from JoBear Construction at \$175,098. JoBear Construction comes highly recommended by B.S.E. who has worked on several projects with them over the past 20 years. He recommended using the money from the Finance Contingency and R&M Capital Contingency and a budget amendment at a future meeting to cover the \$45,000 shortfall for the new bid.

Mr. Klosky made a motion to approve the proposal from JoBear Construction for \$175,098 and the use of Finance Contingency and R&M Capital Contingency for the approximate \$45,000 shortfall. Second by Mr. Lavier. Motion carried unanimously.

*Mr. Klosky made a motion to address Agenda Item 9M 453 Egret Circle after the DOR Violations discussion. Second by Mr. Lavier. Motion carried unanimously.

DOR Violations

DOR Violation

526 PERSIMMON DRIVE 16-003693, 16-000254, 16-000355



BAREFOOT BAY RECREATION DISTRICT

Ms. Sue Cuddie presented the consistent violation to the Board and requested referring the item to the attorney's office

Mr. Cavaliere made a motion to send 526 Persimmon Cases 16-003693, 16-000254, 16-000355 to the attorney office for equal and equitable action. Second by Mr. Geier. Motion carried unanimously.

DOR Legal Fee Waiver Request 453 Egret Circle

The homeowner at 453 Egret Circle spoke on her own accord. She stated that the violations are now all in compliance.

Mr. Roger Compton spoke on the homeowner's behalf as the property has greatly improved and he stated that he can vouch for the improved condition of the house. Mr. Cavaliere voiced dissatisfaction with the length of time that passed between the notice of violation and the resolution. The homeowner stated she did not have the finances to fix all the violations at once.

Mr. Cavaliere recommended a penalty for drawn out violations instead of just waiving fees such as community service with the HOA.

Mr. Cavaliere made a motion to waive fee of \$2,602.50, charge the homeowner for the costs of \$496 and mandate 100 community service hours with the HOA. Second by Mr. Geier. General Counsel Repperger advised against applying a mandatory penalty but suggested offering community service as an option to the owner.

Mr. Randy Loveland, President of the HOA stated that he is very open to volunteers but was not in favor of the HOA being viewed as a restitution service.

Mr. Geier withdrew his second and motion died for lack of second.

Mr. Geier made a motion to waive the fee of \$2,602.50 and charge the homeowner for the costs of \$496 at a monthly rate. Second by Mr. Lavier. Motion carried unanimously.

Moratorium on Formation of New Clubs and Organizations

Mr. Diana recommended tabling this topic until the next BOT Policy Workshop.

Mr. Cavaliere suggested addressing this topic since there may be a chance we will run out of room to place the clubs if we continue to approve them.

Mr. Cavaliere made a motion to put the moratorium on new clubs and organizations in place until the topic can be discussed further at the next BOT Workshop. Second by Mr. Lavier. Mr. Geier and Mr. Diana opposed. Motion carried 3-2

Banking RFP award

On March 2, 2017, The Banking Services RFP Committee opened one sealed proposal from Marine Bank & Trust. The Committee consented to present the bid from Marine Bank & Trust to the Board. Bill Penney and Georgia Irish presented on behalf of Marine Bank & Trust. They stated that they are a local bank, easy to talk to with absolutely no 800 numbers. Ms. Irish, Account Manager, encouraged the residents to call her if anyone had any questions.

Mr. Geier made a motion to accept Marine Bank and Trust for the management of BBRD banking services. Second by Mr. Lavier. Motion carried unanimously.



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Kitchen Design Award of Contract

Per Board direction, Mr. Coffey, staff and TLC toured Building A and the 19th Hole to discuss new designs for the kitchen expansion.

Mr. Cavaliere made a motion to accept staff recommendation and approve \$25,875 for the design of Building A kitchen expansion from TLC. Second by Mr. Geier. Motion carried unanimously.

Mr. Cavaliere made a motion to accept staff recommendation and approve \$20,010 for the design of the 19th Hole kitchen from TLC. Second by Mr. Klosky. Motion carried unanimously.

Mr. Klosky recommended soliciting a RFP and requested not doing these projects at the same time due to the interruption of entertainment and food service if both facilities are under construction at the same time. Mr. Geier was against the RFP as he believes it is not warranted at this time. Board discussed the pros and cons of soliciting RFP as opposed to seeking bids on our own.

Mr. Cavaliere made a motion for staff to draft an RFP. Second by Mr. Klosky. Mr. Geier and Mr. Lavier opposed. Motion carried 3-2

Mr. Cavaliere made a motion to have the projects done sequentially and have the Food and Beverage Manager choose which kitchen she would like to have done first and when. Second by Mr. Lavier. Motion carried unanimously.

Mr. Diana thanked Ms. Mendes and her staff for a great job on the golf championship and musical entertainment events this past weekend.

Beach Grant Project, Phase I Award of Contract

Staff recommended the BOT award contract of \$37,120 to Team Waterbury LLC for Beach Grant Project, Phase I for removal of exotics, privacy berm, landscaping and irrigation systems.

Mr. Klosky made a motion to approve \$37,120 to Team Waterbury LLC for work on the Beach Grant Project. Second by Mr. Lavier. Motion carried unanimously.

Pool #1 Walkway Roof Replacement Award of Contract

The Pool 1 covered walkway has begun to develop leaks that are beyond staff's ability to repair.

Staff recommended the BOT award the contract for roof replacement of the Pool 1 walkway to Hough Roofing & Screens Rooms, Inc. for \$10,395 and authorize staff to transfer the same amount from the contingency line-item to fund the project.

Mr. Geier made a motion to accept the contract for Pool 1 walkway to Hough Roofing & Screens Rooms, Inc. for \$10,395 and authorize staff to transfer the same amount from the contingency line-item to fund the project. Second by Mr. Lavier. Motion carried unanimously.

19th Hole A/C Replacement Award of Contract

As a result of a study of the consistent condensation problem off the AC at the 19th Hole, staff found that the AC needs to be replaced. Mr. Coffey presented two quotes, Florida Breeze for \$6,970 and Palm Bay Air & Heat, Inc. for \$6,095.00. Staff recommended awarding the contract to Florida Breeze.

Mr. Lavier made a motion to award contract for the 19th Hole A/C replacement to Florida Breeze for \$6,970. Second by Mr. Cavaliere. Motion carried unanimously.

Revised Rules for BOT

Staff recommended the BOT approve the a resolution adopting the revised Rules for the BOT.



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General Counsel read the resolution:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; PROVIDING FOR THE ADOPTION OF VARIOUS REVISIONS TO THE RULES OF THE BOARD OF TRUSTEES; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Lavier made a motion to accept the BOT Rules amendments. Second by Mr. Geier. Motion carried unanimously.

Revised Policy Manual

Staff recommended the Board review the revised Policy Manual and adopt the resolution.

General Counsel read the resolution:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; PROVIDING FOR THE ADOPTION OF VARIOUS COMPREHENSIVE REVISIONS TO THE POLICY MANUAL ADOPTED MAY 8, 2009, AS SUBSEQUENTLY AMENDED THROUGH SEPTEMBER 9, 2016; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

*Mr. Klosky made a motion to accept the Policy Manual amendments. Second by Mr. Geier. Mr. Diana opposed. Motion carried 4-1. *Mr. Diana opposed the added language to 3.0 General, Identification Badges and Dress (p. 3-6) to permit the use of images of resident badges on cell/mobile phones in lieu of showing the physical badge under certain circumstances (as requested by Property Services).*

Bldg. A Roof Replacement RFP Evaluation Committee Selection/Announcement

The Building A Roof Replacement RFP will be released Monday April 3rd. Mr. Coffey requested the formation of a committee to evaluate all bid submitted.

Mr. Cavaliere volunteered for the trustee position on the Building A Roof Replacement RFP committee. Mr. Coffey announced Mr. Matt Goetz, Property Services Manager will hold the voting staff position, Mr. Brian Belanger will hold the voting resident position and he will hold the non-voting position along with Mr. Diana.

SDS Contract Extension Discussion

General Counsel Repperger presented the figures from the proposed SDS contract renewal. He stated that they are proposing eliminating the table from the previous contract which breaks down all the SDS fees. They are requesting replacing the table for a flat fee (\$157,500) which is a modest 1.8% increase from the last fiscal year. SDS is proposing a 2.5% increase each year going forward.

Mr. Klosky made a motion to move forward with the contract without the table. Second by Mr. Cavaliere. Motion carried unanimously.

Mr. Cavaliere directed General Counsel to discuss a 5-year contract with SDS.

Manager's Report

District Clerk

- Upcoming BOT Workshops:
- BOT Workshop (Golf Rates and Tee Times Procedures) 30Mar17, Bldg. D/E at 2:30pm



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- BOT Workshop (Oversight of Clubs/Organizations and commercial rental of facilities): Wed., 12Apr17, Bldg. D/E, 2:30pm
- BOT Workshop (FY18 WDPB Review): Mon., 17Apr17, Bldg. D/E, 7pm
- BOT Workshop (FY18 WDPB Review): Tues., 18Apr17, Bldg. D/E, 2pm

Resident Relations

- ARCC Update:
- 21Mar17 meeting – 27 permits were reviewed and approved. The committee also reviewed and promulgated rules to the ARCC Guidelines (See attached). These changes will be incorporated into the Guidelines and presented as a Revision to the guidelines at the 25Apr17 BOT meeting.
- The next ARCC Committee meeting is on 4Apr17 in the new BFBHOA office.
- Violations Committee Update:
- 24Mar17 – There are 10 properties on the agenda. As of 21Mar17 only six remain in violation.
- The next meeting is scheduled for Fri., 28Apr17 at 10am in D/E.
- Badge Renewal Update – Resident Relations staff are updating badges with a red 04/2018 Sticker for all residents who have paid their 2016 Brevard County taxes in full. Office hours are Monday thru Friday 8:30am to 4:30pm.

Food & Beverage

- Recap of St. Paddy's Day – Over 1,100 people came through the Pool #1 area for the pipers, music & food. Over 300 people were served corned beef, burgers and hotdogs.
- Mother's Day Brunch Update – Tickets for Mother's Day brunch on 14May17 at Pool #1 will go on sale Monday, 10Apr17 at the Lounge, the 19th Hole and Resident Relations.

Golf-Pro Shop

- Congratulations to the 2017 Club Champions: Emil Pizzullo & Judy Farrell.



- April Tournament Updates:
- Martini League 9 –hole: April 8th @ 1:00 pm Shotgun
- Ace Wright Ryder Cup Tournament: April 21 and 22nd
- Fundraiser Golf and merchandise for HOA: April 29 @ 8:30 am shotgun

Call or stop by the Pro Shop for more information about any of the tournaments.

Special Projects

- Obtaining quotes for golf course projects



BAREFOOT BAY RECREATION DISTRICT

- Prepared BOT Workshop presentation
- Training: Golf Operations Manager Cruz attended a training event conducted by the PGA HOPE ORLANDO. This training is to deal with Military Veterans Learning skills and approaches in coaching Veterans with disabilities
- April 18th: Attending GHIN training for recertification of our handicap software program
- Submitted Grant Request for Junior Golf Camp

Property Services

- Routine Work Update:
- Built and installed new sign at the softball field
- Installed new chair rail in Building C and repainted
- Continued stormwater maintenance work on the canals
- Rototilled the softball field
- Installed a larger diameter hose for watering the field
- Repaired the pitcher pump on the pier
- Edged Barefoot Blvd.
- Repaired broken shuffle board poles
- Repaired broken shuffle board scoreboards
- Painted no parking lane in front of putting green
- Replaced vacuum pump on pool 1
- Replaced the stolen lock on the pier
- Installed more lighting around the lounge
- Installed scoreboards for the golf tournament

Special Projects Update

- Continued to solicit bids for Pool#2 pit replacement
- Finalized Bldg. A Roof Replacement RFP

Attorneys Report

General Counsel Repperger updated the Board on the Guinther vs BBRD case. The case has been assigned a 3-week trial docket for June 12th but his office is working on getting it resolved before this date. No word from the Supervisor of Elections office yet regarding the insert. The ballot may go out in the 2nd week of April. The HB on term limits was last seen on the Government Accountability Committee on March 15th. This does not necessarily indicate a problem, General Counsel Repperger will keep the trustees updated as he receives new information.

Incidental Trustee Remarks

Mr. Geier requested staff send a certificate of appreciation to all past committee members. Consensus of the Board. He congratulated the City of Palm Bay for getting the resolution passed which mandates that all businesses entering a home must notify the homeowners if they employ a sexual offender. He



BAREFOOT BAY RECREATION DISTRICT

requested the Board consider placing a similar agenda item on a future agenda. Board consensus that the item should be place on an upcoming BOT agenda.

Mr. Lavier commended the Food and Beverage staff for the excellent service over the weekend with the golf championship and with the St. Patrick's Day celebration. He congratulated the two new Club Champions, Emil Pizzulo and Judy Farrell on their win.

Mr. Diana requested staff send two congratulatory letters to the new champions.

Audience Participation

Ms. Sue Reddy thanked the Board for voting against the moratorium on outside caterers coming into the community.

Mr. Richard Schwatlow requested residents call the BCSO to address any concerns about HOA members stating that C.O.P.S. officers are dishonest. Ms. Sue Reddy questioned what C.O.P.S officers are being accused as she had not heard of this before. Mr. Schwatlow stated it was he that was accused on a social media site. Mr. Cavaliere stated this is not a topic of business for a Board of Trustee meeting.

Adjournment

The next meeting will be on April 25, 2017 at 7PM in Building D/E.

Mr. Cavaliere made a motion to adjourn. Second by Mr. Lavier. Motion carried unanimously.

Meeting adjourned 9:03 PM.

Joe Klosky, Secretary

Dawn Myers, District Clerk

Treasurer's Report

Barefoot Bay Recreation District

Treasurer's Report

April 25, 2017

Cash Balances in General Fund

as of 4/17/2017

Bank of America:

Operating Account	\$	1,067,684.53
Money Market Account	\$	105,626.47

Total Cash Balances @BOA in General Fund: \$ 1,173,311.00

SBA:

as of 4/17/2017

Capital Improvement Account	\$	678,049.34
Reserve Account	\$	553,781.78

Total Cash Balances @SBA in General Fund: \$ 1,231,831.12

Total Cash Balances in General Fund: \$ 2,405,142.12

Cash Balance in Debt Fund

as of 4/17/2017

SBA:

Debt Account	\$	913,322.30
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Total Cash Balance in Debt Fund: \$ 913,322.30

* Participant Return for SBA in March 2017 was 1.03%

Total Cash Balances in All Funds: \$ 3,318,464.42

Total Daily Deposits and Assessments Rec'd (from County Only) from Mar 20 to Apr 16, 2017:

Daily deposits:	\$	213,983.28
Assessments received (from County only):	\$	291,146.37
	\$	505,129.65

Expenditures over \$5,000 from March 20 to April 16, 2017:

<u>Vendor</u>	<u>Description</u>	<u>Check Amount</u>
Employees	Employees Salaries and Wages 3/23/17	\$ 70,667.52
Federal and State Payroll Taxes	Employer Tax Liabilities 3/23/17	\$ 6,180.61
Employees	Employees Salaries and Wages 4/6/17	\$ 69,934.67
Federal and State Payroll Taxes	Employer Tax Liabilities 4/6/17	\$ 5,897.74
Special District Services	Management Fee Mar 2017	\$ 11,650.28
Preferred Government Ins Trust	Worker Comp. Ins	\$ 5,844.08
Sysco Southeast Florida, LLC	Lounge	\$ 6,976.73
UnitedHealthcare Ins Company	Employees Health Ins May 2017	\$ 18,672.18
<u><i>Total of Expenditures over \$5,000</i></u>		<u><i>\$ 195,823.81</i></u>

Barefoot Bay Recreation District
Monthly Summary - BOT Monthly Summary Treasurer Report
From 10/1/2016 Through 3/31/2017

	10/1/2016 - 10/31/2016	11/1/2016 - 11/30/2016	12/1/2016 - 12/31/2016	1/1/2017 - 1/31/2017	2/1/2017 - 2/28/2017	3/1/2017 - 3/31/2017	Total
Revenues							
Daily Revenue/Deposits	380,966.21	182,991.18	223,961.43	267,170.00	219,863.85	265,916.20	1,540,868.87
Assessments	200.00	973,421.36	1,511,155.27	152,048.69	192,236.64	143,298.82	2,972,360.78
Total Revenues	<u>381,166.21</u>	<u>1,156,412.54</u>	<u>1,735,116.70</u>	<u>419,218.69</u>	<u>412,100.49</u>	<u>409,215.02</u>	<u>4,513,229.65</u>
General Fund Expenditures							
Payroll							
Salaries & Wages	73,534.43	125,874.95	205,161.83	146,714.79	138,425.74	135,708.57	825,420.31
Other Pay & Benefit	2,943.48	2,224.85	3,233.11	2,672.99	2,854.99	3,918.03	17,847.45
Payroll Taxes	5,913.20	9,925.82	16,117.56	14,505.27	13,036.23	12,067.96	71,566.04
Payroll Fees	990.66	1,030.28	1,323.35	2,144.30	1,837.68	362.34	7,688.61
Total Payroll	<u>83,381.77</u>	<u>139,055.90</u>	<u>225,835.85</u>	<u>166,037.35</u>	<u>156,154.64</u>	<u>152,056.90</u>	<u>922,522.41</u>
Professional Expenses							
SDS	13,916.00	11,650.57	17,273.07	11,800.26	11,698.96	11,650.28	77,989.14
Gray Robinson	14,514.82	13,307.39	8,780.84	13,950.82	11,265.00	0.00	61,818.87
Other Prof. Fees	11,261.70	20,005.70	18,314.29	22,438.45	7,306.90	8,086.90	87,413.94
Total Professional Expenses	<u>39,692.52</u>	<u>44,963.66</u>	<u>44,368.20</u>	<u>48,189.53</u>	<u>30,270.86</u>	<u>19,737.18</u>	<u>227,221.95</u>
Insurance							
Employees Health, Dental & Life	14,822.13	19,186.57	12,413.92	14,710.59	14,710.59	14,113.30	89,957.10
Liabilities Ins.	18,715.50	11,890.50	12,809.50	11,890.50	11,890.50	11,890.50	79,087.00
Worker Comp. Ins.	17,732.25	5,844.08	5,844.08	7,332.08	5,844.08	5,844.08	48,440.65
Total Insurance	<u>51,269.88</u>	<u>36,921.15</u>	<u>31,067.50</u>	<u>33,933.17</u>	<u>32,445.17</u>	<u>31,847.88</u>	<u>217,484.75</u>
Utilities							
Telephone, Internet & Cable	6,097.23	3,583.47	3,822.29	2,450.51	1,798.29	2,557.96	20,309.75
Electricity - FPL	6,869.79	6,723.99	6,851.53	7,206.76	6,707.13	7,721.98	42,081.18
Propane	919.45	2,225.80	2,756.42	3,199.64	2,140.05	1,171.91	12,413.27
Water & Sewer	3,248.64	3,902.97	3,357.29	3,713.81	3,433.57	0.00	17,656.28
Garbage & Recycling	1,846.75	3,580.23	2,079.62	2,086.42	1,882.06	2,173.39	13,648.47
Portable Toilets	709.06	572.90	573.89	670.92	576.17	878.07	3,981.01
Total Utilities	<u>19,690.92</u>	<u>20,589.36</u>	<u>19,441.04</u>	<u>19,328.06</u>	<u>16,537.27</u>	<u>14,503.31</u>	<u>110,089.96</u>
Operations							
Music and Entertainment	5,330.00	6,365.00	8,315.00	8,700.00	6,780.00	9,770.00	45,260.00
Cost of Sales	33,307.14	27,010.42	50,370.43	55,621.16	44,093.40	72,744.42	283,146.97
Total Operations	<u>38,637.14</u>	<u>33,375.42</u>	<u>58,685.43</u>	<u>64,321.16</u>	<u>50,873.40</u>	<u>82,514.42</u>	<u>328,406.97</u>
Repairs and Maintenance							
Golf Course - ABM	36,252.13	36,252.13	36,252.13	72,504.26	36,252.13	0.00	217,512.78
Canal/Lake	479.00	0.00	0.00	0.00	0.00	1,288.00	1,767.00
Other R&Ms	25,714.26	24,692.42	14,202.11	28,416.68	26,759.82	10,392.89	130,178.18
Total Repairs and Maintenance	<u>62,445.39</u>	<u>60,944.55</u>	<u>50,454.24</u>	<u>100,920.94</u>	<u>63,011.95</u>	<u>11,680.89</u>	<u>349,457.96</u>
Stormwater Loan Expenditures							
Loan Principal	2,624.44	2,619.96	2,633.59	2,629.73	2,633.94	2,664.08	15,805.74
Loan Interest	274.20	278.68	265.05	268.91	264.70	234.56	1,586.10
Total Stormwater Loan Expenditures	<u>2,898.64</u>	<u>2,898.64</u>	<u>2,898.64</u>	<u>2,898.64</u>	<u>2,898.64</u>	<u>2,898.64</u>	<u>17,391.84</u>
Property Taxes	0.00	15,711.48	14,919.34	1,005.36	0.00	0.00	31,636.18
Bank Fees	1,085.88	4,030.11	2,305.40	2,286.20	3,069.54	2,710.70	15,487.83
Capital Expenses	31,732.73	23,227.28	10,129.87	13,798.50	21,364.49	2,278.92	102,531.79
Other Misc. Expenditures	36,204.39	67,655.35	152,381.07	33,974.14	38,243.01	24,568.26	353,026.22
Transfer to Debt Service Fund	0.00	0.00	0.00	430,000.00	0.00	0.00	430,000.00
Total General Fund Expenditures	<u>367,039.26</u>	<u>449,372.90</u>	<u>612,486.58</u>	<u>916,693.05</u>	<u>414,868.97</u>	<u>344,797.10</u>	<u>3,105,257.86</u>
Debt Service Fund Expenditures							
Debt Service Principal	0.00	0.00	58,768.86	695,892.89	0.00	0.00	754,661.75
Debt Service Interest	0.00	0.00	1,296.11	43,265.16	0.00	0.00	44,561.27
Total Debt Service Fund Expenditures	<u>0.00</u>	<u>0.00</u>	<u>60,064.97</u>	<u>739,158.05</u>	<u>0.00</u>	<u>0.00</u>	<u>799,223.02</u>

Audience Participation Agenda items only

Unfinished Business

Board of Trustees Meeting Agenda Memo

Date: April 25, 2017

Title: SDS AGREEMENT AMENDMENT AND RENEWAL

Section & Item: 8A

Department: Legal

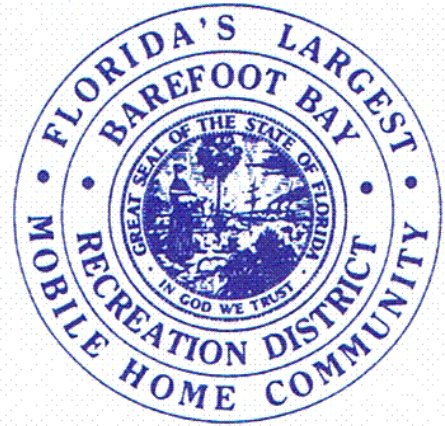
Fiscal Impact: As Stated Below.

Contact: Cliff Repperger, General Counsel
Jason Pierman, Special District Services

Attachments: Current Amendment and Renewal of
Agreement for Management Services
dated September 2, 2014

Reviewed by
General Counsel: Yes

Approved by:



Requested Action by BOT

Approve Amendment and Renewal of Agreement for Management Services with Special District Services.

Background and Summary Information

The current Agreement for Management Services between BBRD and SDS expires on September 30, 2017. On March 10, 2017, the Board of Trustees voted to move forward with a contract renewal negotiations with SDS. SDS is proposing a flat fee structure as opposed to the compensation tables reflected in Section VII of the current agreement. On March 28, 2017, the Board tentatively approved moving forward with a renewal agreement for five (5) years beginning in Fiscal Year ('17-'18) for a flat fee of \$151,500.00 (excluding the reimbursable maximum \$6,000 and assessment roll fee \$5,000) and thereafter increasing 2.5% per year. Breakdown of fiscal impact per fiscal year is as follows:

Year 1 '17-'18: \$151,500.00*

Year 2 '18-'19: \$155,287.50*

Year 3 '19-'20: \$159,169.70*

Year 4 '20-'21: \$163,148.94*

Year 5 '21-'22: \$167,227.66*

* excluding the reimbursable maximum \$6,000 and assessment roll fee \$5,000

Terms of the Renewal Agreement are still being drafted and considered by the parties. A final draft Agreement will be provided separately by General Counsel via email in advance of the meeting date.

New Business

Board of Trustees Meeting Agenda Memo

Date: April 25, 2017

Title: **ARCC Promulgated Rules**

Section & Item: 9A

Department: Resident Relations: DOR Enforcement

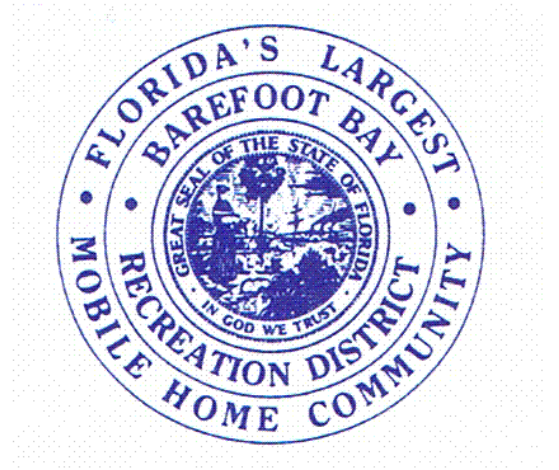
Fiscal Impact: N//A

Contact: Susan Cuddie, Resident Relations Manager

Attachments: Promulgated Rules April 18, 2017
Proposed ARCC Guidelines

Reviewed by
General Counsel: N/A

Approved by:



Requested Action by BOT

Review ARCC promulgated rules and regulations regarding Landscaping & Privacy materials and Skirting material.

Background and Summary Information

Pursuant to the Article II, Section 2 of the Deed of Restrictions: The ARCC shall have the authority to promulgate regulations relating to all construction and landscaping for lots within Barefoot Bay. Such regulations may, without formal amendment of this Deed of Restrictions, be created, amended, modified, altered or changed by a majority vote of the ARCC, provided, however, that notice of any such amendment, modification, alteration or change to the regulations shall be given in writing to the Recreation District as soon as practicable after adoption thereof by the ARCC. A copy of any such amendment, modification, alteration or change to such a regulation shall be maintained in the offices of the Recreation District and shall be made available on request to any interested party upon payment of a reasonable copying fee.

Fencing

Fence definition: Chain link or vinyl picket barrier either completely enclosing or partially enclosing any area of space on any lot where such barrier does not meet the definition of a privacy landscaping screen or wall. The fence shall not surpass the front of the enclosed home structure.

Picket fence definition: A picket fence is a type of vinyl fence that has evenly spaced vertical boards made of vinyl material. Each picket is attached to horizontal rails. The space between each picket must be at least the width of the picket.

Fencing shall not be permitted along any lot line where drainage canals or swales exist. Where no drainage canals or swales exist along a lot line, fencing shall be limited to chain link or vinyl picket fencing not exceeding four (4) feet in height, which may be coated with colored vinyl.

Meter pedestals may not be enclosed and fences must be set back a minimum of one foot to allow emergency access to pedestal.

Article II, Section 5 of the DOR permits only chain link and vinyl picket fencing. ~~consistent with the approval of DOR ballot amendment question number 6 approved by the lot owners of Barefoot Bay on April 5, 2011.~~ Article II, Section 5 of the DOR does not permit privacy stockade fences (a fence of closely fitted vertical boards) regardless of material.

No covering may be installed on fences. Privacy slats may be installed in chain link fences, however, the slats must be uniformly installed and may not extend beyond the top of the fence.

Landscaping & Privacy Materials

Landscaping with appropriate plants, grass, shrubs and/or trees in compliance with regulations adopted by the ARCC. Landscaping in accordance with the Brevard County Landscape Ordinance.

A. **Privacy Landscaping materials** defines a barrier or opaque screen which is utilized on the side of carports, around decks, or runs along any lot line or parallel to any lot line. Such barrier or opaque screen may not exceed six (6) feet in height (see exemption below) and may be constructed of vinyl panels, painted wood, vinyl lattice, powder coated aluminum, steel or other ARCC approved materials. No cumulative total of feet for all barriers on any one property may exceed thirty two (32) feet. Said barrier or opaque screen shall comply with the provisions of Sec. 62-2109 Code of Ordinances of Brevard County, Florida.

Exception- Eight foot vinyl panels may be used for privacy along the carport, however, the length of the privacy panels in the carport will be included in the cumulative total of 32 foot.
ARCC permits are required for all privacy landscape material.

Prefabricated storage unit¹

Only one prefabricated (plastic) storage unit, placed adjacent to the home, ~~only in the carport or covered patio~~, no larger than twenty (20) square feet, will be considered a customary outdoor item for the purpose of Article 3 Section 2C of the DOR. The storage unit must be placed on a concrete slab and must be strapped or anchored. ARCC permits are required.

¹ Promulgated Rule approved December 8, 2015 and presented to Board of Trustees January 8, 2016



Guidelines for use by
THE ARCHITECTURAL REVIEW & CONTROL COMMITTEE

APRIL 2017

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These guidelines will be used in reviewing and approving application for construction or alterations in Barefoot Bay Recreation District. In addition, all structures must meet any applicable requirements of the Code of Ordinances of Brevard County, FL. Architectural Review & Control Committee ("ARCC") applications are required for the following:

All new and used homes placed on any lot within the subdivision.

1. All additions to any property.
2. All property renovations to existing structures except:
 - a. Awnings for windows.
 - b. Replacement of A/C pads.
3. Replacement of A/C units.

Note: These guidelines are to be used for Barefoot Bay ARCC. It is the responsibility of the lot owner to contact Brevard County for their permitting requirements.

ARCHITECTURAL REVIEW & CONTROL

DOR Article II, Section 1. Architectural Review & Control Committee.

An Architectural Review & Control Committee shall be established to enforce the provisions the Amended and Restated Deed of Restrictions ("DOR"), Article II. The ARCC shall consist of five (5) members, who shall be appointed as follows:

The Board of Trustees of the Recreation District shall appoint a Member of the Board of Trustees to serve as Chairman of the ARCC.

- A. Three additional members of the ARCC shall be appointed as follows: One (1) by the Board of Trustees and Two (2) by the Association, all of whom shall be Lot owners
- B. The fifth member shall be a management employee of the Recreation District and shall serve as Secretary of the ARCC.

The term of the members of the ARCC shall be for an indefinite period. Each member shall serve at the pleasure of the authority which made his or her appointment, and each member shall serve on the ARCC until he or she is replaced, resigns or otherwise leaves office. The ARCC shall hold an organizational meeting each year as soon after January 1 as is practicable. The ARCC shall select a Vice-Chairman from among its membership at the organizational meeting. The ARCC shall also adopt such rules and procedures as it may deem to be appropriate; provided, however, that such rules may not be inconsistent with the provisions of Article II of the DOR.

The ARCC consist of a 5 member committee. In order to conduct the business of the committee, a quorum must be present. A quorum will exist when a simple majority (3) voting members are present. Each member of the committee shall have one (1) vote on each permit application.

DOR Article II, Section 2. Requirements for approvals by ARCC

No building or other structure shall be erected or placed on any Lot, nor shall the exterior of any such building or structure or the driveways or parking areas serving such building or structure be altered in any way unless and until two sets of the complete building plans, two sets of complete specifications and two copies of a plot plan have been submitted to the ARCC and approved by it in writing. An application for such approval shall demonstrate to the satisfaction of the ARCC that:

1. The said building or other structure complies in all respects with the Provisions of this instrument; and
2. The said building or other structure is in conformity and harmony with such written rules as may from time to time be adopted by the ARCC.

The ARCC's approval of the said plan specifications and plot plans shall be evidenced by the signature of its Chairman or Vice-Chairman on the plans, specifications and plot plans submitted by an applicant. One set of approved plan shall be returned to the applicant and the other shall be retained by the ARCC among its permanent records.

In the event the ARCC fails to approve or disapprove an application within thirty (30) days after the complete application has been submitted to the ARCC, the ARCC shall be deemed to have approved the application in all respects.

The ARCC shall have the authority to promulgate regulations relating to all construction and landscaping for lots within Barefoot Bay. Such regulations may, without formal amendment of this Deed of Restrictions, be created, amended, modified, altered or changed by a majority vote of the ARCC, provided, however, that notice of any such amendment, modification, alteration or change to the regulations shall be given in writing to the Recreation District as soon as practicable after adoption thereof by the ARCC. A copy of any such amendment, modification, alteration or change to such a regulation shall be maintained in the offices of the Recreation District and shall be made available on request to any interested party upon payment of a reasonable copying fee.

In the event that a dispute arises in the interpretation by the ARCC of any requirement of Article II of the DOR or of the regulations provided for herein above, such dispute shall be resolved by a majority vote of the Recreation District, whose decision shall be final and binding.

When an application for repairs or construction is denied, the applicants have an opportunity to appeal to the Architectural Review Control Committee once and will be given a chance to modify or revise the type of repairs or construction proposed to comply with the Deed of Restrictions Architectural Review Control Committee guidelines. It is the resident's responsibility to notify the Architectural Review Control Committee of Intent to Appeal. In the event that a dispute arises in the interpretation by the ARCC of any requirements of Article II of the DOR or of the regulations provided for herein after, such dispute shall be resolved by a majority vote of the Recreation District, whose decision shall be final and binding.

DOR Article II, Section 3. Architectural Design and Installation Requirements.

A manufactured or modular home installed on any lot in Barefoot Bay shall meet the following design and installation requirements and shall be continuously maintained in compliance with such requirements.

A. All such homes shall be installed at the Lot Owners expense, and such installation shall have the following features and conform to the following requirements:

1. A patio roof, including posts and fascia, fabricated of aluminum or other approved material. Minimum requirement – Sixty (60) square feet.
2. A garage or a carport roof, including posts and fascia, fabricated of aluminum or other approved material.
3. A utility room, fabricated of aluminum or other approved materials. A utility room is a building designed to house common household tools and equipment, and for general storage. The base of the building is a concrete slab. It may be used for housing a washer, dryer and automatic hot water heater. A utility building must be structurally attached by full roof to the modular coach (mobile home) or carport at eave level. A utility room shall conform to all specific dimensions as approved and recorded by the ARCC.
4. A patio slab made of poured concrete, brick pavers, or other approved material. Minimum requirement – Sixty (60) square feet.
5. A covered concrete carport slab having a minimum unobstructed area (except for steps) of eleven (11) feet by eighteen (18) feet.
6. A concrete driveway extending from the carport slab to the curb of the adjacent street which driveway shall include a widened or flared area as it approaches the street. All driveways and parking areas shall be of poured and reinforced concrete material.
7. Skirting material sufficient to completely enclose the entire base of the home. The skirting may be stucco skirting, stone skirting, outdoor Hardi Board skirting, or other approved material.
8. Central water, sewer and electricity connected to the home.
9. Landscaping with appropriate plants, grass, shrubs and/or trees in compliance with regulations adopted by the ARCC.
10. No dock, wharf, landing, boathouse or other structure shall extend from any Lot over or on any lake, canal, waterway or drainage easement.
11. Each home shall be complete, set up on piers, shall be leveled, and shall have a running gear and tongue of the manufactured or modular home removed as appropriate to the style of home being installed..
12. Each manufactured or modular home shall be tied down in accordance with all applicable building codes and with such installation inspection as required by law.
13. No manufactured or modular home installed on any Lot shall be more than four (4) years old.
14. A final survey showing the location of the home shall be submitted to the ARCC.
15. A Lamp Post approved by the ARCC shall be installed in front of all Residences and maintained in operational condition. Said Lamp post shall be illuminated from dusk to dawn during any time that the residence is occupied.
16. The address number of all Residences shall be affixed to the front of the carport or garage in such a manner as to be clearly visible and legible from the public or private way on which the home fronts. The numerals of the address number shall not be less than three (3) inches in height and one-half (1/2) inches in width.
17. A utility building (Minimum size 48 square feet)

- B. Manufactured or modular homes installed upon lots within Barefoot Bay shall be installed only by contractors who are duly licensed for such installations by appropriate governing authorities.
- C. All installation shall meet all the applicable construction codes of Brevard County and the State of Florida, and shall meet all requirements of Article II of the DOR.
- D. The length of time to complete construction on Architectural Review Control Committee permits shall be four (4) months.
- E. No more than one manufactured or modular home shall be placed on each Lot within Barefoot Bay. Two or more sections of a manufactured or modular home may be joined to form a single dwelling unit.
- F. No manufactured or modular home installed on any Lot after July 1, 1999, shall be less than 20 feet in width and or less than 34 feet in length, including the hitch.
- G. All manufactured or modular homes placed on any lot in Barefoot Bay shall have complete sanitary facilities including lavatory, wash basin, tub or shower and kitchen sink. All homes shall be connected to public sewer and a public water supply in conformity with all requirements of applicable government agencies.
- H. Prior to sodding, provisions shall be made for property line drainage swales. Said swales shall be designed to carry run-off water from rear and sides of the home to the front curb-gutter.

DOR Article II, Section 4. Setbacks

The placement and installation of manufactured or modular homes on any lot in Barefoot Bay shall require the following setbacks from Lot lines:

1. **Corner Lots**

Rear Setback - 7 ½ feet

Side Setback from Adjacent lot- 7 ½ feet

Setback from remaining side lot line and front lot line - 10 feet and 15 feet with the property owner having the choice as to which of the two setbacks shall be 10 feet and which of the two shall be 15 feet.

2. **Interior Lots**

Rear Setback - 7 ½ feet

Side Setback - 7 ½ feet

Front Setback - 10 feet

Measurement of setbacks shall not include air conditioners, walkways, reception antennas and steps where no vertical supports are used. Vertical supports are posts supporting a roof. The maximum width of walkways in a setback is 36".

Specification, Definitions and Approved Materials

Air Conditioning Units Specification

All A/C Units on Barefoot Bay residential lots are required to be placed on an A/C pad, specifically, ground level concrete material unless specific property is in a flood zoned area designated by Brevard County and the National Flood Insurance Program of the Federal Emergency Management Agency.

Antennas and Satellite Dishes.

(A) As used in this section, the following terms shall have the following meanings:

1. **"Reception Antenna"** shall mean any device used for receipt of audio or video programming services, including direct broadcast satellite services and radio and television broadcast services. A reception antenna which has transmission capability which is designed for the viewer to select or use video programming is a reception antenna within the meaning of this definition, provided that it meets the standards of the Federal Communications Commission ("FCC") for radio frequency emissions. The support structure, cabling, guy wires, conduits, wiring and other accessories necessary for proper installation maintenance and use of a reception antenna shall be considered part of the antenna.
2. **"Transmitting Antenna"** shall mean any device used for the sending or transmission of audio or video signals.

(B) Installation of transmitting antennas on the exterior of residences within Barefoot Bay shall be prohibited on and after August 31, 1997. Any transmitting antenna located on residential property in the Recreation District on August 31, 1997, shall be permitted to remain in place and utilized by it Owner until such antenna is destroyed, removed, or damage in an extent of more than 75 % of its value. Upon such destruction, removal, or damage, such antenna shall not be replaced or repaired.

(C) No reception antenna shall be installed on the exterior of any structure within Barefoot Bay unless and until written notice of such installation is submitted to the ARCC. The said written notice shall demonstrate that the proposed installation complies with all rules and regulations of the FCC and with these rules and regulations. Any such notice submitted by a tenant shall be accompanied by the written joinder and consent of the Lot Owner.

(D) All reception antennas installed within Barefoot Bay Recreation District shall meet the following requirements:

1. Direct broadcast satellite reception antennas shall not exceed forty inches in diameter.
2. Antennas shall be located in a place shielded from direct view from the street; provided however, that nothing in this rule shall be deemed to require that the installation be in a location from which an acceptable quality signal may not be received.
3. Antennas shall be installed solely on property owned by the Lot Owner submitting the notice described in paragraph (c) of this section, and no part of any antenna installation shall encroach upon common area of the Recreation District or on the property of any other Owner within Barefoot Bay.
4. No part of any antenna shall be located within seven and one-half (7 ½) feet of the side lot line or rear lot line of any Lot; provided, however, that nothing in this rule shall be deemed to require that the installation be in a location from which an acceptable quality signal may not be received.
5. No antennas shall be installed in a location which is higher than is absolutely necessary for reception of an acceptable quality signal.
6. Antennas shall be installed and secured in a manner which complies with all applicable local and state laws and regulations and manufacturer's instructions.

7. Each antenna shall be secured such that it does not jeopardize the safety of any structure or the safety of any person.

(E) The Owner of reception antenna shall not permit the antenna to fall into disrepair or to become a safety hazard and the Owner shall be responsible for all maintenance and repair of the antenna.

(F) Each Owner of a reception antenna shall be responsible for all costs associated with the antenna, including, but not limited to:

1. The cost to repair, replace, maintain, move and remove the antenna.
2. The damages to common property, other Lots and any other property damage by the installation, maintenance or use of the antenna.
3. The costs of injury to any persons who may be injured as a result of the installation or use of the antenna.

Carport and Driveway

Definition of a carport – A shelter for an automobile attached to the mobile home. It consists of a concrete slab base and an aluminum/shingle roof with support posts and fascia. A fully enclosed carport (garage) may be permitted in place of an open carport.

A concrete carport slab having a minimum unobstructed area (except for steps) of eleven (11) feet by eighteen (18) feet, with aluminum fabricated, wood or shingle roof, or a combination thereof, including posts and fascia.

The minimum unobstructed car parking space on carport slab, between side steps and post, is 8 feet 4 inches. An enclosed carport may be permitted in place of an open carport, but not for the purpose of storing an R.V., which would not otherwise be permitted. Exceptions that may develop on difficult lots will be reviewed on an individual basis

Approved materials

New language: Approved materials-Carport- Framework constructed of aluminum, concrete block or wood. (All wood including post & poles must be covered with aluminum, vinyl or paint to match home.)

Driveway- A concrete driveway extending from the carport slab to the curb of the adjacent street which driveway shall include a widened or flared area as it approaches the street. All driveways and parking areas shall be of poured and reinforced concrete material. Concrete reinforced pavers set in concrete mix are allowed.

Decks

Decks are an optional addition not requiring a roof. Decks must be abutting the home, - raised decks must have matching guard rails and steps; ground level decks railing is allowed. All open decks build within the “box” of home must be skirted to match the home. They are constructed out of pressure-treated wood, composite deck board, poured concrete or other approved material.

Fencing¹

Fence definition: Chain link or vinyl picket barrier either completely enclosing or partially enclosing any area of space on any lot where such barrier does not meet the definition of a privacy landscaping screen or wall. The fence shall not surpass the front of the enclosed home structure.

Picket fence definition:² A picket fence is a type of vinyl fence that has evenly spaced vertical boards made of vinyl material. Each picket is attached to horizontal rails. The space between each picket must be at least the width of the picket.

Fencing shall not be permitted along any lot line where drainage canals or swales exist. Where no drainage canals or swales exist along a lot line, fencing shall be limited to chain link or vinyl picket fencing not exceeding four (4) feet in height, which may be coated with colored vinyl.

Meter pedestals may not be enclosed and fences must be set back a minimum of one foot to allow emergency access to pedestal.

Article II, Section 5 of the DOR³ permits only chain link and vinyl picket fencing. Article II, Section 5 of the DOR does not permit privacy stockade fences (a fence of closely fitted vertical boards) regardless of material.

No covering may be installed on fences. Privacy slats may be installed in chain link fences, however, the slats must be uniformly installed and may not extend beyond the top of the fence.⁴

Generators and Propane tanks

Emergency generators, propane tanks, and other liquid type fuel tanks⁵ are approved subject to concealing them with approved landscaping, 4 ft. high vinyl walls, 6 ft. vinyl lattice walls or underground.

Gutters

Gutters are not a DOR requirement, however, where gutters are used; the downspout shall not be directed to affect the abutting property.

Lamppost

Location: the lamppost should be located between the front of the house and the front property line, near the front lawn side of the driveway. The lamppost must be on the owner's property and not in the front right-of way.

Height: The standard lamppost comes approximately 6 ft. 6 in. long. The standard depth to bury the post is 1 ½ ft. to 2 ft. deep, leaving approximately 5 ft. of lamppost above ground.

Wattage: The minimum wattage for a florescent bulb is 20. The minimum wattage for an incandescent style bulb is 40. A substitute bulb type may be used, provided it provides documented light output equal to or greater than a 40 watt incandescent bulb. This included, but is not limited to, LED, solar and halogen.

Color of Bulb: The color of the bulb must be white, clear or yellow.

¹ Promulgated rule approved by ARCC June 7, 2011 , presented to BOT July 8, 2011

² Promulgated rule approved by ARCC November, 25, 2014, presented to BOT December 12, 2014

³ Promulgated rule approved by ARCC November, 25, 2014, presented to BOT December 12, 2014

⁴ Promulgated rule approved by ARCC April 18,2017, presented to BOT April 25, 2017

⁵ Promulgated rule approved by ARCC August 30, 2011, presented to BOT September 27, 2011

Color of Lamppost: The color of the lamppost must be black or white unless other color approved by ARCC.

Electric eye sensor lights are approved.

Style: Any style lamppost that matches the décor of the home. Multiple bulb style posts are approved.

Landscaping & Privacy Materials

Landscaping with appropriate plants, grass, shrubs and/or trees in compliance with regulations adopted by the ARCC. Landscaping in accordance with the Brevard County Landscape Ordinance.

A. **Privacy Landscaping materials** defines a barrier or opaque screen which is utilized on the side of carports, around decks, or runs along any lot line or parallel to any lot line. Such barrier or opaque screen may not exceed six (6) feet in height (see exemption below) and may be constructed of vinyl panels, painted wood, vinyl lattice, powder coated aluminum, steel or other ARCC approved materials.⁶ No cumulative total of feet for all barriers on any one property may exceed thirty two (32) feet.⁷ Said barrier or opaque screen shall comply with the provisions of Sec. 62-2109 Code of Ordinances of Brevard County, Florida.⁸

Exception- Eight foot vinyl panels may be used for privacy attached to the carport, however, the length of the privacy panels in the carport will be included in the cumulative total of 32 foot. ARCC permits are required for all privacy landscape material.⁹

Porch (Patio)

Definition of Porch (Patio)

A porch (patio) is a covered area structurally attached to the outside of the mobile home. The porch (patio) floor is a concrete slab. The following are recognized types:

1. Unscreened
 - Concrete slab at ground level.
 - Concrete slab raised above ground level
2. Screened
 - Concrete slab at ground level.
 - Concrete slab raised above ground level
3. Weather Protected (on concrete slab-ground or raised level)
 - Enclosed with fixed or movable glass windows/enclosure panels.
 - Enclosed with fixed or movable vinyl windows/enclosure panels.

A weather-protected porch (patio) is considered a **Florida room**.

An unscreened porch at ground level is considered a **cabana**.

Approved Materials for porch (Patio)

Siding that blends in architecturally with the rest of the home.

⁶ Promulgated Rule approved September 20, 2016 and presented to the Board of Trustees September 27, 2016.

⁷ Promulgated Rule approved March 19, 2013 and presented to the Board of Trustees March 26, 2013.

⁸ Promulgated Rule approved August 14, 2012 and present to the Board of Trustees August 28, 2012.

⁹ Promulgated rule approved by ARCC April 18, 2017, presented to BOT April 25, 2017

A patio roof, including posts and fascia is constructed out of aluminum, vinyl, or wood. All wood including post and poles must be covered with aluminum or vinyl or it may be painted, providing the paint is aesthetically compatible with or blending in architecturally with the rest of the home and the other homes in Barefoot Bay.

A patio slab is made of poured concrete, brick pavers, or other approved material. Patio Deck Board and patio blocks are an approved material as it is aesthetically compatible with or blends in architecturally with the rest of the home and the other homes in the bay.

Roof

Approved roofing materials are shingle, metal, vinyl, foam and membrane.

Skirting Material

Definition of Skirting material- material that is sufficient to enclose the entire base of the home. It is constructed of stucco, stone, stucco finished concrete block, outdoor Hardi Board skirting or other ARCC approved material.¹⁰ (Hardi Board bolts & seams have to be concealed with Stucco type finish) Wood framing is not allowed. Vinyl skirting is not allowed.

Siding Materials

Approved siding materials for manufactured/modular homes, garages and accessory buildings are stucco, vinyl, aluminum, coated engineered wood panel¹¹, hardi board lap siding or other approved material.

Steps

Entrance steps to the home must be constructed of concrete.

Utility Building

Definition of Utility Building

A building designed to house common household tools and equipment, and for general storage. The base of the building is a concrete slab. It may be used for housing a washer, dryer, and hot water heater. A utility building must be structurally attached by full roof to the mobile home or carport at eave level.

Materials

1. Types of acceptable materials
 - a. Wood or aluminum framework
 - b. Siding consistent to that of the mobile home exterior and matching in its color.
 - c. Aluminum lap or vinyl siding over approved framework, with construction to match the exterior surface of the mobile home.
2. The use of metal on exterior framework or siding is not permitted.

Dimensions

1. Height of construction shall conform to existing construction, such as carport roof, patio (porch) roof, or mobile home eave.
2. The minimum size of a utility building is 48 square feet on the base.

Construction

¹⁰ Promulgated Rule approved September 20, 2016 and presented to the Board of Trustees September 27, 2016.

¹¹ Promulgated Rule approved January 17, 2012, presented to Board of Trustees December 9, 2011.

1. A utility building, if constructed as a part of the carport slab shall be built on a raised concrete slab which is at least one (1) inch above the surface of the carport floor, except on renovations.
2. Prior to construction, approval must have been obtained in writing from the ARCC.
3. Consistent with County building codes, pressure treated lumber must be used on contact with concrete.

Used Mobile Homes

A used mobile home must meet the Manufactured Housing Construction and Safety Standards established promulgated by the U.S. Department of Housing and Urban Development (HUD) in 1976 and amended by HUD in 1994. In addition, no used mobile home shall be permitted in Barefoot Bay having a year model, as shown on the Florida Motor Vehicle Certificate of Title as “year make”, more than four (4) calendar years prior to the year of submittal of the application form to the ARCC.

In addition, applicant must provide the following:

- a. A copy of Motor Vehicle Certificate of Title, State of Florida, in applicant’s name. (A double-wide requires two (2) certificates.)
- b. Close-up photographs, in color, of end and full side views (4 pictures) of the home at present site. (Minimum size of photos – 3’ x 4”.)
- c. Upon arrival of the used home, the serial number of the home will be verified. A member of the ARCC should be notified of arrival of the unit.

Miscellaneous

Painting of wood

Exposed wood sections of carports, utility buildings, patios, screen rooms, decks and lattice, may be painted, providing the paint is aesthetically compatible with or blending in architecturally with the rest of the home and the other homes in Barefoot Bay.

Maintenance of Exterior of Homes¹²

The exterior of each home, including, but not limited to, windows, screens, roofs, gutters, and siding shall be maintained in good condition at all times and/or in substantially the same condition as when each item was newly installed without gaps or openings. Only materials as approved by the ARCC shall be used.

Gazebo ¹³

Does not need to be structurally attached to the home, must be anchored down, must meet setback requirements, must be maintained in good condition and must meet Brevard County requirements.

Approved materials include metal, wood, canvas canopy top or other approved material.

¹² Promulgated Rule approved August 14, 2012 and presented to Board of Trustees August 28, 2012

¹³ Promulgated Rule approved June 5, 2012 and presented to Board of Trustees June 8, 2012. Move from Porch (Patio) section approved by ARCC on December 29, 2015.

The gazebo must be kept free of all items of personal property except for customary outdoor items such as exterior patio or porch furniture and barbecue grills.

Prefabricated storage unit¹⁴

Only one prefabricated (plastic) storage unit, placed adjacent to the home, no larger than twenty (20) square feet, will be considered a customary outdoor item for the purpose of Article 3 Section 2C of the DOR. The storage unit must be placed on a concrete slab and must be strapped or anchored. ARCC permits are required.¹⁵

DOR Article II, Section VI. Enforcement of Architectural Control Requirements.

- (A) In the event that the ARCC determines that there is a violation of the provisions of Article II of the DOR on any lot in Barefoot Bay, the ARCC shall give written notice to the Owner of such Lot specifying the nature of such violation and giving the Lot Owner a reasonable time of not less than 21 days to cure or correct such violation. Such written notice shall be either: delivered personally to one of the record owners of the Lot in question as shown on the Brevard County tax rolls, or mailed by certified U.S. Mail, return receipt requested, to the address of such Owner as shown on the Brevard County tax rolls.
- (B) In the event that the ARCC determines that the Owner to whom such a notice of violation has been given has not corrected the violation within the time set forth in the notice, the ARCC may, in its discretion, elect to forward the issue of such violation to the Board of Trustees of the Recreation District for further action. If the Board of Trustees of the Recreation District concurs that legal action is necessary to cause the alleged violation to be corrected, the Recreation District shall thereafter have the authority to bring an action for injunctive and other appropriate relief in a court of competent jurisdiction in Brevard County, Florida. If the Recreation District brings such legal action to enforce the provisions of Article II of the DOR, the Recreation District shall be entitled to an award of attorney's fees and court costs incident to such action.

¹⁴ Promulgated Rule approved December 8, 2015 and presented to Board of Trustees January 8, 2016

¹⁵ Promulgated rule approved by ARCC April 18, 2017, presented to BOT April 25, 2017

Board of Trustees Workshop Agenda Memo

Date: April 25, 2017

Title: **Discussion of Sexual Offender and Predator Notification Requirement**

Section & Item: 9B

Department: Administration: District Clerk's Office

Fiscal Impact: N/A

Contact: Dawn Myers, District Clerk; Cliff Repperger, General Counsel; or John W. Coffey, Community Manager

Attachments: City of Palm Bay Ordinance 2005-60 and Brevard County Code of Ordinances Sections 74-101 to 74-106.

Reviewed by
General Counsel: N/A

Approved by:



Requested Action by BOT

Discussion and direction to staff.

Background and Summary Information

At the 28Mar17 BOT meeting, Trustee Geier requested an agenda memo be developed to discuss the possibility of requiring "any business doing business within BBRD to notify any household that an employee may enter of any employee(s) who are sexual offenders or predators or of any employee who has abused vulnerable adult." Trustee Geier referenced the City of Palm Bay Ordinance 2005-60 which survived multiple legal challenges.

Of note, BBRD falls within the jurisdiction of the attached Brevard County Ordinance sections.

Staff requests direction regarding this issue.

CHAPTER 134: SEXUAL PREDATORS AND SEXUAL OFFENDERS

Section

Informing the Public

134.01 Purpose

134.02 Authorized response of the Police Department

Sexual Predator/Sexual Offender

134.10 Definitions

134.11 Prohibition

134.12 Penalties

INFORMING THE PUBLIC

§ 134.01 PURPOSE.

The City Council of the City of Palm Bay finds that it is in the best interest of public safety, and will serve and benefit the health and safety of the public, to adopt policies and procedures to release all information except for that made exempt or confidential by law, regarding sexual predators and offenders.

(Ord. 2003-30, passed 8-7-03; Am. Ord. 2005-60, passed 10-20-05)

§ 134.02 AUTHORIZED RESPONSE OF THE POLICE DEPARTMENT.

When a sexual predator or sexual offender, as defined by Fla. Stat. §§ 943.0435, 944.606 or 944.607 and 775.21, moves into or relocates within the corporate limits of the City of Palm Bay, the Police Department is authorized to take the following action:

- (A) Make an entry into the City's sexual predator and sexual offender data base;
 - (B) Verify address information pertaining to the sexual predator or sexual offender;
 - (C) Verify employment information pertaining to the sexual predator or sexual offender;
 - (D) Meet with the sexual predator or sexual offender;
 - (E) Meet with the employer of the sexual predator or sexual offender;
 - (F) Notify the community within the City's limits through the delivery of a profile sheet to area residences, churches, schools, and daycare facilities;
 - (G) Contact the landlord or landlord's representative of the property wherein a sexual predator or sexual offender may reside.
 - (H) Annually notify the employer, via certified mail, of registered sexual predators or sexual offenders within Brevard County and the surrounding counties. Notification to the employer shall include the requirements, procedures and penalties related to this chapter.
- (Ord. 2003-30, passed 8-7-03; Am. Ord. 2005-60, passed 10-20-05)

SEXUAL PREDATOR/SEXUAL OFFENDER

§ 134.10 DEFINITIONS.

The following words, terms, and phrases, when used in this subchapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

EMPLOYER. Any person or entity who conducts business within the City limits of the City of Palm Bay.

OCCUPATIONAL LICENSE. An occupational license issued by the City of Palm Bay.

SEX-RELATED CRIME. A violation of Fla. Stat. §§ 787.01, 787.02, or 787.025, where the victim is a minor and the defendant is not the victim's parent; or, Fla. Stat. §§ 794.011(2), (3), (4), (5), or (8), 794.05, 796.03, 800.04, 827.071, 847.0133, or 847.0145, or a violation of a similar law of another jurisdiction.

SEXUAL OFFENDER. The same meaning ascribed in Fla. Stat. §§ 943.0435, 944.606, and 944.607.

SEXUAL PREDATOR. The same meaning ascribed in Fla. Stat. §§ 775.21, 944.606, and 944.607.

VULNERABLE ADULT. Any adult who lacks the capacity to give consent or is physically or mentally restricted, incapacitated, or restrained to the extent as to require periodic or constant supervision by another person.

WORK. Any and all repairs, labor, services or any other activity requested by the property owner or lawful occupant of a property.

(Ord. 2005-76, passed 11-17-05)

§ 134.11 PROHIBITION.

(A) It is unlawful for any business owner, manager, supervisor or employer to allow, direct, dispatch, or instruct a known sexual predator and/or sexual offender who has been convicted of or found to have committed, or has pled nolo contendere or guilty to, regardless of adjudication, any violation, or attempted violation of a sex-related crime or a violation of a similar law of another jurisdiction, when the victim of the offense was a minor or vulnerable adult, to enter into or upon any residence, including the curtilage thereof, any designated private or public school facilities or grounds, including school bus stops, or any day-care center, library, after-care center, park, playground, hospital, hospice facility, nursing home, adult day-care center, dwelling, domicile, or other place where children or vulnerable adults reside or regularly congregate, to make deliveries or perform work.

(B) It is unlawful for any person who is a registered sexual predator or a registered sexual offender to enter into or upon any residence, including the curtilage thereof, any designated private or public school facilities or grounds, including school bus stops, or any day-care center, library, after-care center, park, playground, hospital, hospice facility, nursing home, adult day-care center, dwelling, domicile, or other place where children or vulnerable adults reside or regularly congregate, to make deliveries or perform work.

(Ord. 2005-76, passed 11-17-05; Am. Ord. 2015- 42, passed 8-20-15)

§ 134.12 PENALTIES.

(A) A person or entity who violates this subchapter shall be guilty of a misdemeanor of the second degree punishable as provided in Fla. Stat. §§ 775.082 and 775.083.

(B) For a second or subsequent conviction of a violation of this subchapter, such person shall be guilty of a misdemeanor of the first degree punishable as provided in Fla. Stat. §§ 775.082 and 775.083. These penalties are in addition to any violation of probation or other offenses specified by statute or ordinance.

(C) In addition to the above-stated penalties, for a third or subsequent violation of this subchapter, the City of Palm Bay shall revoke the occupational license of any person or entity to whom such license was issued.

(D) Upon the third or subsequent violation of this subchapter, by a person or entity without a valid occupational license issued by the City, the City Attorney shall petition a court of competent jurisdiction for injunctive relief for the purpose of restraining the violator from conducting business within the City of Palm Bay.

(Ord. 2005-76, passed 11-17-05)

ARTICLE VI. - SEXUAL OFFENDERS AND SEXUAL PREDATORS^[4]

Footnotes:

--- (4) ---

Editor's note— Ord. No. 2006-31, §§ 2—6, adopted May 16, 2006, did not specify manner of inclusion; hence, inclusion as article VI, §§ 74-101—74-105 is at the discretion of the editor.

Sec. 74-101. - Definitions.

As used in this article, the following words and terms shall have the meaning ascribed thereto:

Day care center means any family or child care facility licensed by the state pursuant to F.S. ch. 402. For purposes of this article, a day care center includes the parking lot, curtilage, yards, landscaped areas, playgrounds, accessory buildings and all outdoor areas of the facility. It is the intent to include all areas reasonably included in and part of the facility.

Park means a publicly owned or operated area used or available for the public's use as a recreational facility, including, by way of example and not limitation, linear parks and the state, county and municipal recreational trails systems.

Permanent residence means a place where a person abides, lodges, or resides for 14 or more consecutive days.

Playground means an established or dedicated outdoor area for recreation and play, including, by way of example and not limitation, soccer fields, baseball diamonds, football fields and locations with outdoor equipment, such as, by way of example and not limitation, swing sets, climbing apparatus and slides.

Public shelter means any shelter specifically designated by the county or any municipality to house persons in times prior to, during and after the threat or occurrence of disaster.

School means any public or private school to include charter schools as defined in F.S. § 1000.04(1) and 1002.01 (2005) excluding facilities dedicated exclusively to the education of adults.

Sexual offender. As defined in F.S. § 944.606(1).

Sexual predator. As defined in F.S. § 775.21.

Sexual predator and sexual offender shelter means any shelter officially designated by the county or any municipality that is designated to house sexual predators or sexual offenders in times prior to, during and after the threat or occurrence of disaster.

Temporary residence means any place where a person may abide, lodge or reside that is not that person's permanent residence.

(Ord. No. 2006-31, § 2, 5-16-06)

Sec. 74-102. - Sexual offenders and sexual predators.

(a) *Prohibited residences of sexual offenders and sexual predators.* It is prohibited and unlawful for any sexual offender or sexual predator to abide, lodge or reside in a permanent or temporary residence located within the county when such residence is located within 1,000 feet of any school, day care center, park or playground, regardless of whether the school, day care center, park or playground lies within the jurisdictional limits of the county. A sexual offender or sexual predator, having a permanent residence within 1,000 feet of any school, day care center, park or playground, does not commit a violation of this section if any of the following apply:

- (1) The sexual offender or sexual predator established the permanent residence in the specific dwelling in question prior to the effective date of this article.
- (2) The sexual offender or sexual predator was a minor when committing the offense causing the designation as a sexual predator or sexual offender and was not sentenced as an adult for that offense.
- (3) The school, day care center, park or playground was opened or established after the sexual offender or sexual predator established the permanent residence.

(b) *Restriction of certain activities of sexual offenders and sexual predators.* No sexual offender or sexual predator shall enter into or remain within the 1,000-foot buffer zone surrounding any school, daycare center, park or playground except to:

- (1) Attend a scheduled interview or meeting with a social service provider licensed by the state;
- (2) Comply with a request or court order from the judiciary, a correctional facility or a law enforcement entity;
- (3) Attend a scheduled meeting or interview with criminal justice personnel at a criminal justice facility;

- (4) Attend a bona fide educational institution as a registered student;
- (5) Attend a scheduled or emergency health care visit with a licensed physician;
- (6) As a result of fulfilling legally allowable duties imposed by gainful employment;
- (7) Transport children within their legal custody to and from school or daycare without any undue delay or loitering on premises;
- (8) Seek refuge in a public shelter that has been officially designated by the county or any municipality to house sexual offenders or sexual predators during times of impending natural disasters or acts of terrorism;
- (9) Attend a scheduled legal consultation meeting with an attorney who is recognized as a licensed member of the Bar of the state;
- (10) Attend a church service or function;
- (11) Vote at a designated polling place within his or her district;
- (12) If the sexual offender or sexual predator is the parent or guardian of a person under 18 years of age, provided the sexual offender or sexual predator has declared his or her status as a sexual offender or sexual predator prior to entering the school property and has either scheduled a set time period to enter upon the property with the principal or designee or immediately notifies the principal or designee upon entering the school property:
 - a. Attend a scheduled conference at school with school personnel to discuss the progress of his or her child academically or socially;
 - b. Participate in scheduled child review conferences in which evaluation and placement decisions may be made or considered with respect to his or her child regarding special education services; or
 - c. Attend scheduled conferences to discuss other student issues concerning his or her child such as retention and promotion.
- (13) If the sexual offender or sexual predator lawfully resides within 1,000 feet of any school, day care center, park or playground, he or she may enter into or remain within 1,000 feet of such school, day care center, park or playground for the purposes of travel to and from his or her residence, and any other bona fide activity arising from the ordinary maintenance and activities associated with such residence.

However, this section shall not be construed as prohibiting any person from traveling on those public roads located within the county when traveling through the buffer zone without intentional delay. A law enforcement officer shall, prior to any arrest for an offense under this

section afford the person an opportunity to explain his or her presence in the area and the purpose thereof. No person shall be convicted of an offense under this section if the law enforcement officer did not comply with this procedure or if it appears at trial that the explanation given by the person is true and, if believed by the officer at the time, would have authorized the person to be in the area pursuant to one of the exceptions listed above.

- (c) *Measurement of distance requirement for residence.* For purposes of measuring separation of a residence from a school, day care center, park or playground, all distances shall be measured from the outermost property line of the parcel upon which the residence is located running in a direct line to the outermost property line of the school, day care center, park or playground. For example, if the residence were located in a generally southwesterly direction from a park, then the measurement would be from the northeast corner of the residential parcel to the southwest corner of the park. For all other purposes, measurements shall run from the outermost property line of the school, day care center, park or playground.
- (d) *Measurement of distance requirement for sexual offender or sexual predator.* For purposes of measuring separation of a person designated as a sexual offender or sexual predator from a school, day care center, park or playground, all distances shall be measured from the closest observed location of the sexual offender or sexual predator to the outermost property line of the school, day care center, park or playground using a direct line measurement.
- (e) *Required declaration of status as a sexual offender or sexual predator.*
 - (1) During times of impending natural disasters or acts of terrorism, sexual offenders and sexual predators shall immediately identify themselves as a sexual offender or sexual predator, as the case may be, to the official in charge of any public shelter where they seek refuge. Sexual offenders or sexual predators will not be permitted to remain at general shelters not designated to house them. Sexual offenders and sexual predators will only be permitted housing at shelters specifically approved to house sexual offenders and sexual predators.
 - (2) A sexual offender or sexual predator attending any school or transporting children they have legal custody of to a school or day care center must declare his or her status as a sexual offender or sexual predator to the school or day care center principal or designee prior to entering the school or day care center property, and must also either schedule with the principal a set time period to enter upon the property or immediately notify the principal or designee upon entering school grounds or day care center property.
 - (3) All sexual offenders and sexual predators registered in the county shall carry their state

driver's license or state identification card on their person at all times.

- (f) *Prohibition on rentals and leaseholds.* It is unlawful for a property owner to knowingly let or rent any place, structure, or part thereof, to a sexual offender or sexual predator, with the knowledge that it will be used as a permanent or temporary residence, if such place, structure, or part thereof, is located within 1,000 feet of any school, day care center, park or playground. In any prosecution for a violation of this section there shall be the following rebuttable presumptions:
- (1) That the property owner had knowledge that the person letting or renting the premises was a sexual offender or sexual predator, upon proof that the person was registered as same, either in the statewide or local registry; and
 - (2) That the place, structure or part thereof would be used as a permanent or temporary residence, upon proof that the property is located within a residential zoning classification.
- (g) *Unlawful residency.* It is unlawful for a sexual offender or sexual predator to establish residency, whether through ownership, rental or lease after the effective date of this article, if such place, structure, or part thereof, is located within 1,000 feet of any school, day care center, park or playground.

(Ord. No. 2006-31, § 3, 5-16-06)

Sec. 74-103. - Penalties.

Any person or entity that violates any provision of this article shall be subject to any and all remedies available at law, including but not limited to, the code enforcement provisions of F.S. ch. 162.

Any person violating any of the provisions of section 74-102 shall be prosecuted in the same manner as misdemeanors are prosecuted. Such violations shall be prosecuted in the name of the state in a court having jurisdiction of misdemeanors by the prosecuting attorney thereof and, upon conviction, shall be punished by a fine not to exceed \$500.00 or by imprisonment in the county jail, not to exceed 60 days or by both such fine and imprisonment, or if the offender is supervised by the department of corrections under conditional release, the offender may be charged with a violation of his or her supervision and be returned to state custody.

(Ord. No. 2006-31, § 4, 5-16-06)

Sec. 74-104. - Countywide application.

This article shall apply in both the incorporated and unincorporated areas of the county; provided that any provision of this article in conflict with a municipal ordinance shall not be effective within that municipality to the extent of such conflict.

(Ord. No. 2006-31, § 5, 5-16-06)

Sec. 74-105. - Enforcement.

The county sheriffs office and all municipal police departments within may enforce the provisions of this article within their respective jurisdictions.

(Ord. No. 2006-31, § 6, 5-16-06)

Secs. 74-106—74-115. - Reserved.

Board of Trustees Workshop Agenda Memo

Date: April 25, 2017

Title: Adoption of Revised Policy Manual

Section & Item: 9C

Department: Administration: District Clerk

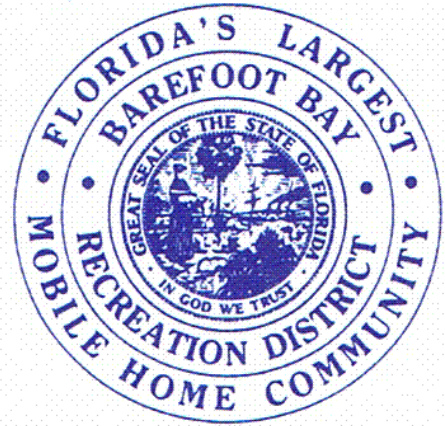
Fiscal Impact: N/A

Contact: Dawn Myers, District Clerk or John W. Coffey, Community Manager

Attachments: Resolution and Revised Policy Manual

Reviewed by
General Counsel: N/A

Approved by:



Requested Action by BOT

Review of revisions to the Policy Manual and adoption of Resolution 2017-07.

Background and Summary Information

At the 7Feb17 BOT-HOA workshop (and as reflected in the minutes), the consensus of the BOT appeared to be to proceed to transfer oversight of clubs and organizations to the HOA. At the 10Feb17 BOT meeting, statements were made to imply a different direction regarding this matter. At the 16Mar17 BOT Workshop, the consensus of the BOT was to develop language for the Policy Manual that would transfer oversight of clubs and organizations to the BFBHOA.

At the 12Apr17 BOT workshop the following changes were made to the Policy Manual:

- 3-4 (Part Three. General Rules Applicable to District Facilities, 3.4 Guidelines for Registering as a Club or Organization and Use of District Facilities, Use of Kitchen Facilities/Bringing in Incidental Food, page 3-22)
 - Added #11. 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.
 - Added #12. 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.
- 3-4 (Part Three. General Rules Applicable to District Facilities, 3.4 Guidelines for Registering as a Club or Organization and Use of District Facilities, Registration of Clubs/Organizations/Private Parties, page 3-19)
 - Instructed staff to remove BOT approval from #1
 - The Community Manager also recommends the insertion of the following language under #2(B):
 - Any club or organization having fewer than 3 meetings and/or events per year shall be de-certified.

Staff recommends the BOT adopt resolution 2017-07 thereby amending the Policy Manual as attached.

RESOLUTION 2017-07

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; PROVIDING FOR THE ADOPTION OF VARIOUS COMPREHENSIVE REVISIONS TO THE POLICY MANUAL ADOPTED MAY 8, 2009, AS SUBSEQUENTLY AMENDED THROUGH MARCH 28, 2017; 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 Barefoot Bay Recreation District Board of Trustees has discussed suggested comprehensive revisions to the above referenced document, as amended through March 28, 2017, at a public workshop on April 12, 2017; 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 immediately.

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 Steve Diana	_____
Trustee Brian Lavier	_____
Trustee Frank Cavaliere	_____
Trustee Ed Geier	_____
Trustee Joseph Klosky	_____

The Chairman thereupon declared this Resolution Done, Ordered, and Adopted this 25th day of April, 2017.

BAREFOOT BAY RECREATION DISTRICT

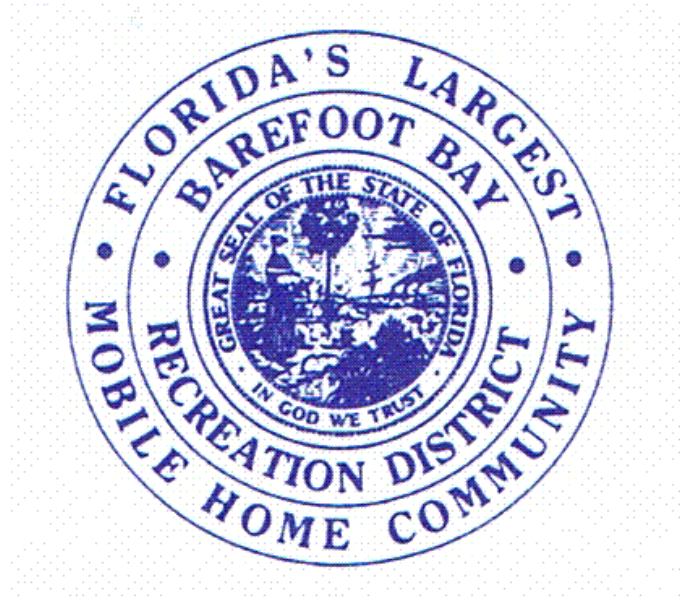
By: _____
STEVE DIANA
CHAIRMAN

ATTEST:

By: _____
JOSEPH KLOSKY
SECRETARY

Barefoot Bay Recreation District

Draft Policy Manual



Includes Revisions Adopted by BOT on 28Mar17 and proposed language by staff

Exhibit A
Exhibit A
Barefoot Bay Recreation District
Policy Manual
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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.¹ 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 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 skills 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. ²

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 available³, subject to prior approval of district management. If necessary, during a declared emergency, district management may waive this policy. ⁴

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. ⁵These basic policies apply to all BBRD travel:

- a. All travel, if pre-authorized by the Community Manager
- b. Receipts are required for reimbursed expenses
- c. 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.
- d. Expense reports that approved by the Department Head and Community Manager are reimbursed in a timely manner.
- e. Traveler must elect prior to travel use of per diem or reimbursement for meal expense (including up to 15% tip and sales tax).^{6 7}

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1.2 REPORTS REQUESTED BY THE BOARD OF TRUSTEES

The following reports shall be provided by the 15th 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.⁸ 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 12:01 AM to Sunday at 11:59 PM.

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.⁹

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.

A listing of all equipment for each department, with a purchase price greater than \$1,000 ¹⁰shall be maintained. Each item received is tagged with an all-weather tag.

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 30th. Each item received is tagged with an all-weather tag. Additions and deletions of tangible asset require approval by Community Manager. ¹¹

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

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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:

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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 ¹²

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 a 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

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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.

Account

G/L Account

General Fund 001-101000

Purpose: receipts and expenditures for the General Fund.

Investment Policy

The District has an investment policy whereby the District can invest in various instruments and programs. The District currently participates in the State Board Association Pooled Investment Program (SBA) The interest earned on the SBA investments is recorded annually.¹³ Funds moved out only by Board of Trustees resolution.

SBA Reserve Account¹⁴

(Purpose: to reserve money for emergency needs).

SBA Debt Service Account¹⁵

(Purpose: to reserve funds for payment of long term debt).¹⁶

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

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value to the land or building, have a useful life of more than one year, are of a non-consumable nature, and must exceed \$5,000.00¹⁷ 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 \$7,500.00¹⁸ 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 \$999.99¹⁹, a purchase order and competitive pricing is not required; however, obtaining quotations is recommended whenever practical.
2. For purchases of \$1,000.00 to \$19,999.99²⁰ 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 \$49,999.99²¹ 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.

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4. For all purchases in the amount of \$50,000²² 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, #8 "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)²³ 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.²⁴

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.

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 sale²⁵

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.²⁶
7. Repairs that require action within 72 hours.²⁷
8. Under other documented and justified circumstances approved by the Community Manager.

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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.²⁸

Purchases from Purchasing agreements of Special Districts, Municipalities, or Counties (Piggybacking)²⁹

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 Contract³⁰

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 \$7,500³¹ to pay for needed purchases, supplies or contracted services.³²

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.³³

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 \$50,000³⁴

Award recommendations exceeding \$7,500.00³⁵ 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

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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 of 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. 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.³⁶

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.

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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 shall have the approval of the Community Manager up to a \$7,500.00 (or existing budgetary restraints). Any contract greater than \$7,500.00 will be brought to the Board of Trustees for approval.³⁷

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)³⁸**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.

Exhibit A

Barefoot Bay Recreation District

Part 2- 12

Policy Manual

GENERAL FINANCIAL POLICIES

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.³⁹

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.⁴⁰

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.

Exhibit A

Barefoot Bay Recreation District Policy Manual GENERAL FINANCIAL POLICIES

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<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.⁴¹

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.

Exhibit A

Barefoot Bay Recreation District
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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:

"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.⁴²

"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."

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

"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.⁴³

"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.⁴⁴ Temporary Lounge/Business Passes will not be issued up to two hours before or during any music event.^{45 46}

⁴⁷

Objective

1. 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

1. 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."

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

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.⁴⁸
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.⁴⁹
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.⁵⁰
 - 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.⁵¹
 - 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

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

levying any penalty imposed pursuant to this Section, the Special Magistrate is not obligated to impose the penalty imposed⁵² 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.⁵³
- 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 the bringing in alcoholic beverages of any type for consumption on or in District facilities. 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.⁵⁴
- 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:⁵⁵
 - A. When the facility is rented by a non-resident who has paid the appropriate fee per page 3-19.
 - B. When the event is held by a registered club, organization or the District where the public is invited to attend
 - C. When a registered club, organization or the District is hosting an active recreational event at a District amenity.
 - D. When a non-resident is attending an active recreational event as a spectator at a District amenity
- 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.⁵⁶
- 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.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

26. Decorations⁵⁷

- 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.⁵⁸
- 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.⁵⁹

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.⁶⁰

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.⁶¹

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."⁶²

Identification Badges and Dress

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 wear, or have in their possession, 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.⁶³
 - a. If a resident with an expired social membership 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.⁶⁴
 - b. Pictures of badges on cell/mobile phones will be accepted under the following conditions:⁶⁵
 - 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.
 - i. Black and white images will not be accepted.
 - ii. 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. Unidentified persons using District facilities should be reported to the District Management.
5. 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.
6. 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.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

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:*⁶⁶

- A. 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.
- B. Golf membership is available to:
 - a. Property owner(s) and unmarried children of property owner(s) under 18 years of age and residing at a property owner(s) home under the Family Social Membership or full-time students at any institution of higher education and not over 23 years of age.
 - 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.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

- iii. Associate Golf Memberships entitles the member the use of the golf course and 19th 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.⁶⁷

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 annual⁶⁸ rental social membership ~~or guest fee~~ 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 (October 1 thru September 30) year; six-month memberships are available for the time period between October 1st thru March 31st of any fiscal year.
- 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 dues or the first of three (3) installments are due on or before October 1st of each fiscal year. (Second and third payments are due November 1st and December 1st). If the installment method of payment is utilized, there will be a \$10.00⁶⁹ processing fee per payment for each additional payment.⁷⁰
- E. Membership fees are categorized as "family" or "single" as follows:
 - a) Family - joint property owners owning a home as defined in definitions.
 - b) Single - one property owner with non-playing spouse, unmarried children over 18 years, or other adults in residence.
 - c) Family and single memberships are also available to eligible renter/tenants.
 - d) Annual Associate Family and Single Memberships are available.

No six month memberships available.

All other Associate Golf Membership policies apply.

Refer to 3.1 Membership, Section 3 Golf Membership Item 2-d

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.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

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.⁷¹ 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.⁷²
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.⁷³

Use of Buildings or Amenities

1. Normal hours for use of buildings are posted. Exceptions may be granted by pre-arrangement with the District Management offices.
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.⁷⁴
3. Changes to reservations shall be made in writing to appropriate District office in charge of calendar coordination.⁷⁵ 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 facility⁷⁶ 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.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

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.⁷⁷ 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. 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.
3. Proper ID, as required by the District, must be presented in order to gain access to the pool areas.
4. The Pool Host has the authority to check bags or coolers for prohibited items before access is granted into the pool area.⁷⁸
5. There is no life guard on duty at any of the District's pools; swim at your own risk.
6. Normal hours for use are as posted.
7. Children under 12 years of age must be accompanied by a parent, guardian or family member over 18 years old⁷⁹ while in the swimming pool area.
8. 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.
9. 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.⁸⁰

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

10. It is a violation of Florida law to bring into pool areas or otherwise use glass bottles, containers, or other glass products.
11. The State of Florida law prohibits bringing in and consuming alcoholic beverages on premises unless purchased from the District.⁸¹
12. Containers carrying alcohol⁸² may not be brought into the pool area.⁸³
13. No food or drink is permitted in or near the swimming pool or within 4 feet of the swimming pool.
14. Members and guests are required to use the rest rooms located in the dressing room in pool area.
15. Lifesaving equipment shall be used only for the purpose intended.
16. 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.⁸⁴
17. No swimmer with open sores that are likely to degrade water quality, infection, or contagious disease may use District swimming pools.⁸⁵
18. Members and guests are required to shower before entering the swimming pool. Showers are for pool users only.
19. Diving, running, jumping, rough play, or profanity are not allowed in or around the pool.
20. No animals are allowed in the pool area, with the exception of service animals.
21. Appropriate cover-up and shoes must be worn when entering any of the facilities.
22. 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.
23. 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.⁸⁶
24. In the event of thunder or other threatening weather, residents must leave the pool when instructed by the Pool Host and remain out of pool until instructed by the Pool Host that it is safe to re-enter the pool (for at least 30 minutes from the last thunder observed).⁸⁷

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 Courts⁸⁸

1. Tennis Courts are available to all residents wishing to use this recreational facility.
2. Tennis 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. Access after dusk is available by obtaining a key to the gate and to the lights from the Pool Host at Pool 1. A 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.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

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.
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.⁸⁹
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.
21. All golf guests must be registered by the golf member, fees paid, receipts presented to starter, and if requested by the starter, member's current year's membership card must be presented.

Beach⁹⁰

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.⁹¹
 - 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.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

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.⁹²
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 card⁹³ 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.⁹⁴
14. Owner must give written notice of intent to terminate no later than 5 business ⁹⁵days prior to the end of any month; otherwise owner shall be responsible for payment of full rent for the following month.⁹⁶
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.⁹⁷

Temporary Parking

A temporary parking lot is available on Falcon Drive for the parking of Boat/Trailers and Truck/RV's.

A permit must be obtained from Resident Relations prior to parking. Appropriate fees apply based on the fee schedule.

No commercial vehicles over 10,000 pounds will be allowed to park in the Falcon Drive lot.

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.

3.3 FEE SCHEDULE

Residents ⁹⁸

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) \$495.00 + 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.⁹⁹ \$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.¹⁰⁰

Administrative Fee

Any changes to 2nd on membership will require a change fee.¹⁰¹ \$25.00 + tax

Dependents \$25.00 + tax

All dependents are required to register to use District facilities.

Fees Applicable to Renters/Tenants

Seasonal Renter \$20.00 per person per month & tax

Long term renter**

Per Adult ¹⁰² \$100.00 + tax

Per Dependent¹⁰³ \$25.00 + tax

Annual Renewal

Exhibit A
Barefoot Bay Recreation District
Policy Manual
GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

Part 3 - 17

Per Adult¹⁰⁴ \$25.00 + tax

Per Dependent \$10.00 + tax¹⁰⁵

****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.¹⁰⁶**

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 \$5.00

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

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

1. One Day Guest Pass
 - a. Regular (purchased at Resident Relations or any of the pools) \$3.00 per person¹⁰⁷
 - b. Street dance or other special events (purchased at Pool#1) \$5.00 per person
2. Two to Seven Day (week) Guest Pass¹⁰⁸
 - 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.¹⁰⁹
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 Pass¹¹⁰ \$0.00 (No Charge)¹¹¹

Property Owners, Residents, Renter

1. R.V. storage area Per current lease agreement¹¹²
2. Reactivation of Access Cards \$10.00
3. Initial keys for beach and pier \$5.00¹¹³

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

- | | | |
|----|---|---|
| 4. | Replacement keys, beach and pier ¹¹⁴ | \$10.00 ¹¹⁵ per key ¹¹⁶ |
| 5. | RV Storage late fee ¹¹⁷ | Per current lease agreement. |
| 6. | Resident for Profit Use of Building | Non-Resident fees apply |

Non-Resident

1. Rental of Buildings:¹¹⁸
- Building "A" \$100.00 per hour (2 hour min.)
 \$100.00 fee for use of kitchen (non-refundable)
 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	Free
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 ~~reviewed-approved~~ by the Community Manager ~~and approved by the Board of Trustees~~.
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.¹¹⁹
 - 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.
 - D. Definition and purpose of the club or organization.¹²⁰
 - 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.¹²¹ 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. No fees, (other than temporary social membership fees, as applicable) shall be charged to an invitee of a registered Club or Organization to attend an activity or specific event sponsored by a Club or , Organization .
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.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

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

1. 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.¹²²

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 19th-hole on their property adjacent to the golf course for any amenity user to consume.¹²³
3. For all functions desiring the use of bar service for the purpose of purchasing alcoholic beverages, the minimum service charge shall be \$100.00.¹²⁴ For non-club functions, this fee is payable in advance at the Resident Relations Office.¹²⁵ If the Bar takes in less than \$100.00, the function host will reimburse the bar total.¹²⁶ Clubs who register a bar must also meet the \$100.00 minimum, but are not required to pay in advance.¹²⁷ Clubs who do not meet the \$100.00 minimum must make up the difference.¹²⁸
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,¹²⁹ 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 25th 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.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

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.

Use of District Facilities Where Fees Are Charged

1. 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 to be cleaned by custodial staff.
3. Refrigerators and Freezers must be reserved with the Calendar Coordinator at least two weeks prior to their use.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

4. If a private caterer requires the use of the stove, 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.¹³⁰
5. Any function that leaves the facilities in an unclean manner shall be charged a \$100.00¹³¹ clean-up fee. If the fee is not paid, the entity will lose their privileges until the matter is settled.
6. Due to insurance requirements, the slicer, deep fryer¹³² 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 per hour will be charged for this service for the slicer or deep fryer. A \$50.00 fee for grill service for two hours, additional hours \$15.00 per hour.¹³³
7. The gas grill is available for use at Pool 1 by residents and their guests on a first come, first served basis.¹³⁴
8. Residents must wipe the grill and cooking area clean when cooking is complete.
9. Residents assume all responsibility for food safety.
10. 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.
11. Residents must provide their own cooking tools.
12. 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.
- 11-13. 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 District¹³⁵

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.

Policy Manual

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

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.

Exhibit A
Barefoot Bay Recreation District
Policy Manual
PUBLIC RECORDS REQUEST POLICY

Part 4. Public Records Request Policy

4.0 PURPOSE.¹³⁶

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.

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PUBLIC RECORDS REQUEST POLICY

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.

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PUBLIC RECORDS REQUEST POLICY

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

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.

Exhibit A

Barefoot Bay Recreation District Policy Manual PUBLIC RECORDS REQUEST POLICY

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:¹³⁷

- 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 for postage rates.

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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.

Exhibit A

Barefoot Bay Recreation District Policy Manual **PUBLIC RECORDS REQUEST POLICY**

Revision Record Page

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 Schedule.	2001-02	Non-Resident Golf Badge Fee; Fee
09/17/01	2001-09	Revised General Rules.
12/14/01 Dues.	2001-12	Golf Membership and Membership
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 deletions.	2003-01	\$2.00 non-resident guest pass; Softball Fee Schedule
07/11/03	2003-05	Suspension/cancellation of membership hearing procedure; swimming pool rules.

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Barefoot Bay Recreation District
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PUBLIC RECORDS REQUEST POLICY

Endnotes

-
- 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 to remove reimbursement of ARCC travel expenses, Resolution 2017-5
 - 8 Amended 9/9/16, Resolution 2016-19
 - 9 Amended 9/9/16, Resolution 2016-19
 - 10 Amended 9/9/16, Resolution 2016-19
 - 11 Amended 3/28/2017, Resolution 2017-05
 - 12 Section added 2/13/2015, Resolution 2015-04
 - 13 Amended 9/9/16, Resolution 2016-19
 - 14 Amended 9/9/16, Resolution 2016-19
 - 15 Amended 9/9/16, Resolution 2016-19
 - 16 Amended 3/28/2017, Resolution 2017-05
 - 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 2/13/2015, Resolution 2015-04
 - 21 Amended 2/13/2015, Resolution 2015-04
 - 22 Amended 2/13/2015, Resolution 2015-04
 - 23 Amended 9/9/16, Resolution 2016-19
 - 24 Amended 2/13/2015, Resolution 2015-04
 - 25 Amended 2/13/2015, Resolution 2015-04
 - 26 Amended 9/9/16, Resolution 2016-19
 - 27 Amended 2/13/2015, Resolution 2015-04
 - 28 Amended 2/13/2015, Resolution 2015-04
 - 29 Amended 2/28/12 Resolution 2012-05
 - 30 Amended 9/9/16, Resolution 2016-19
 - 31 Amended 2/13/2015, Resolution 2015-04
 - 32 Amended 06/23/09, Resolution 2009-08
 - 33 Amended 9/9/16, Resolution 2016-19
 - 34 Amended 2/13/2015, Resolution 2015-04
 - 35 Amended 2/13/2015, Resolution 2015-04
 - 36 Amended 2/13/2015, Resolution 2015-04
 - 37 Amended 2/13/2015, Resolution 2015-04
 - 38 Amended 2/13/2015, Resolution 2015-04 All references to purchases over \$30,000 changed to \$50,000 in this section.
 - 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

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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
55 Amended 9/9/16, Resolution 2016-19
56 Amended December 10, 2013, Resolution 2013-16
57 Amended January 13, 2012 Resolution 2012-01
58 Amended December 10, 2013, Resolution 2013-16
59 Amended June 8, 2012 Resolution 2012-09
60 Amended September 23, 2014 Resolution 2014-12
61 Amended 9/9/16, Resolution 2016-19
62 Amended 3/28/2017, Resolution 2017-05
63 Amended October 25, 2011. Resolution 2011-16
64 Amended 9/9/16, Resolution 2016-19
⁶⁵ Amended 3/28/2017, Resolution 2017-05
66 Amended 7/8/11, Resolution 2011-12 .Changes to Golf Membership regarding “full time students” and changed to fiscal year.
67 Res. 2001-12, 12/14/01
68 Amended 9/9/16, Resolution 2016-19
69 Amended 9/9/16, Resolution 2016-19
70 Approved 12/14/04, Res. 2001-12
71 Amended 2/13/2015, Resolution 2015-04
72 Amended March 12, 2010, Resolution 2010-7
73 Amended March 23, 2010, Resolution 2010-8
74 Amended 2/13/2015, Resolution 2015-04
75 Amended 2/13/2015, Resolution 2015-04
76 Amended 2/13/2015, Resolution 2015-04
77 Amended 9/9/16, Resolution 2016-19
78 Amended December 10, 2013, Resolution 2013-16
79 Amended 9/9/16, Resolution 2016-19
80 Amended 9/9/16, Resolution 2016-19
81 Amended December 10, 2013, Resolution 2013-16
82 Amended 9/9/16, Resolution 2016-19
83 Amended December 10, 2013, Resolution 2013-16
84 Amended December 10, 2013, Resolution 2013-16
85 Amended December 10, 2013, Resolution 2013-16
86 Amended 9/9/16, Resolution 2016-19
87 Amended 2/13/2015, Resolution 2015-04
88 Amended 3/11/2011 Resolution 2011-04
89 Amended 9/9/16, Resolution 2016-19
90 Amended July 8, 2011 Resolution 2011-12
91 Amended 9/9/16, Resolution 2016-19
92 Amended July 10, 2009, Resolution 2009-14
93 Amended 2/13/2015, Resolution 2015-04
94 Amended 2/13/2015, Resolution 2015-04
95 Amended 9/9/16, Resolution 2016-19
96 Amended July 8, 2011, Resolution 2011-12
97 Amended 2/13/2015, Resolution 2015-04
98 Section amended 2/13/2015, Resolution 2015-04
99 Amended December 10, 2013, Resolution 2013-16
100 Amended December 10, 2013, Resolution 2013-16

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101 Amended December 10, 2013, Resolution 2013-16
102 Amended December 10, 2013, Resolution 2013-16
103 Amended December 10, 2013, Resolution 2013-16
104 Amended December 10, 2013, Resolution 2013-16
105 Amended December 10, 2013, Resolution 2013-16
106 Amended December 10, 2013, Resolution 2013-16
107 Amended 2/13/2015, Resolution 2015-04
108 Amended December 10, 2013, Resolution 2013-16
109 Amended 9/9/16, Resolution 2016-19
110 Amended December 10, 2013, Resolution 2013-16
111 Amended May 14, 2010, Resolution 2010-09
112 Amended December 10, 2013, Resolution 2013-16
113 Amended 9/9/16, Resolution 2016-19
114 Amended December 10, 2013, Resolution 2013-16
115 Amended 9/9/16, Resolution 2016-19
116 Amended 2/13/2015, Resolution 2015-04
117 Amended December 10, 2013, Resolution 2013-16
118 Amended 9/9/16, Resolution 2016-19

122 Amended December 10, 2013, Resolution 2013-16
123 Amended 9/9/16, Resolution 2016-19
124 Amended December 10, 2013, Resolution 2013-16
125 Amended December 10, 2013, Resolution 2013-16
126 Amended December 10, 2013, Resolution 2013-16
127 Amended December 10, 2013, Resolution 2013-16
128 Amended December 10, 2013, Resolution 2013-16
129 Amended 2/13/2015, Resolution 2015-04
130 Amended January 8, 2009, Resolution 2010-01
131 Amended 9/9/16, Resolution 2016-19
132 Amended 9/9/16, Resolution 2016-19
133 Amended 2/13/2015, Resolution 2015-04
134 Amended July 8, 2011, Resolution 2011-12
135 Amended February 12, 2010, Resolution 2010-5
136 Barefoot Bay Recreation District Public Records Request Policy was formally adopted with Resolution 2010-22 on October 26, 2010.
137 Amended 9/9/16, Resolution 2016-19

Board of Trustees Workshop Agenda Memo

Date: April 25, 2017

Title: **Discussion of Summer Youth Program**

Section & Item: 9D

Department: Property Services: Recreation

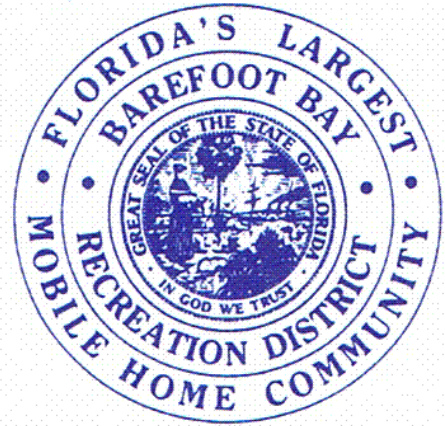
Fiscal Impact: TBD

Contact: Dawn Myers, District Clerk; Matt Goetz, Property Services Manager; John W. Coffey, Community Manager; or Steve Diana, Chairman

Attachments: N/A

Reviewed by
General Counsel: N/A

Approved by:



Requested Action by BOT

Discussion and direction to staff.

Background and Summary Information

Chairman Diana requested this topic be placed on the agenda for discussion. Property Services: Recreation has a current available FY17 Budget of \$2,660.50 in Resident Activities line-item that may be used for any summer youth programs upon the consent of the BOT.

Staff requests direction regarding this issue.

Board of Trustees Workshop Agenda Memo

Date: April 25, 2017

Title: **Board of Trustees Meeting Dates Discussion**

Section & Item: 9E

Department: Administration: District Clerk's Office

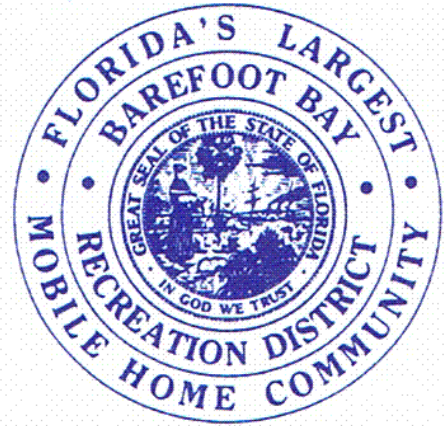
Fiscal Impact: N/A

Contact: Dawn Myers, District Clerk or John W. Coffey, Community Manager

Attachments: List of Available Dates and Times, Sample Comparison of Current Meeting Schedule to 1st and 3rd Tuesday schedule, and Copies of Building D/E Calendar for June –September 2017.

Reviewed by
General Counsel: N/A

Approved by:



Requested Action by BOT

Review current and alternate BOT meeting dates and either confirm current scheduling or select new schedule.

Background and Summary Information

On 12Aug16, the BOT considered moving the second Friday (of each month) meeting to the second Tuesday pending agreement with the British Heritage Club to move their recurring meeting date/time. A motion was approved by the BOT "to accept the proposed meeting dates providing the British Heritage group can be accommodated and vigorously pursue the option to condense two monthly meetings into one monthly evening meeting." Subsequently, staff informed the BOT of the British Heritage Club's decision not to move their meeting date/time and that staff would look for other options.

As illustrated in the attachments, several alternate dates are available.

- If the BOT intends to go to one meeting date per month then all options except "B," "H" and "I" are possible.
- If the BOT wishes to maintain two meetings per month, then the only improvement over the current 2nd Friday and 4th Tuesday schedule would be a 1st Tuesday (afternoon) and 3rd Tuesday (evening) schedule. This would eliminate the quick turnaround between agenda cycles currently experienced (see Month of May 2017 for example).

If the BOT wishes to change the meeting schedule, a start month of June 2017 would be a logical choice as this would enable proper notification through various means.

Staff requests direction regarding this issue.

BOT Meeting Dates and Times and Alternate Days and Times

	Week of month	Day	Previous event ending time	Start Time	Maximum Ending Time	Start time of next event	Conflict
Current Schedule							
	2	Friday	11:00 AM	1:00 PM	5:00 PM	7:30 PM	Nov. (Veterans Day Holiday)
	4	Tuesday	None	7:00 PM	10:00 PM	N/A	
Options							
a	2	Monday	4:00 PM	7:00 PM	10:00 PM	N/A	Nov. (golf Tourn. & election day)
b	3	Monday	6:30 PM	7:00 PM	10:00 PM	N/A	
c	1	Tuesday	None	1:00 PM	5:00 PM	N/A	
d	1	Tuesday	None	7:00 PM	10:00 PM	N/A	
e	3	Tuesday	4:00 PM	7:00 PM	10:00 PM	N/A	
f	4	Tuesday	None	1:00 PM	5:00 PM	N/A	
g	1	Thursday	2:00 PM	7:00 PM	10:00 PM	N/A	
h	2	Thursday	Noon	1:00 PM	5:00 PM	5:00 PM	
i	3	Thursday	Noon	1:00 PM	5:00 PM	7:00 PM	
j	4	Thursday	3:30 PM	7:00 PM	10:00 PM	N/A	
k	3	Friday	9:00 AM	7:00 PM	10:00 PM	N/A	

Of note: the Violations Committee meeting (which requires audio/visual set up occurs on the 2nd and 4th Fridays from 10-11AM).

2017

January							February							March						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7			1	2	3	4				1	2	3	4	
8	9	10	11	12	13	14	5	6	7	8	9	10	11	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25	19	20	21	22	23	24	25
29	30	31					26	27	28					26	27	28	29	30	31	
April							May							June						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1	1	2	3	4	5	6					1	2	3	
2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10
9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	
30																				
July							August							September						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1			1	2	3	4	5						1	2
2	3	4	5	6	7	8	6	7	8	9	10	11	12	3	4	5	6	7	8	9
9	10	11	12	13	14	15	13	14	15	16	17	18	19	10	11	12	13	14	15	16
16	17	18	19	20	21	22	20	21	22	23	24	25	26	17	18	19	20	21	22	23
23	24	25	26	27	28	29	27	28	29	30	31			24	25	26	27	28	29	30
30	31																			
October							November							December						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7			1	2	3	4							1	2
8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16
22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23
29	30	31					26	27	28	29	30			24	25	26	27	28	29	30
														31						

2018

January							February							March						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6					1	2	3					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28				25	26	27	28	29	30	31
April							May							June						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7			1	2	3	4	5						1	2
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23
29	30						27	28	29	30	31			24	25	26	27	28	29	30
July							August							September						
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June 2017

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May 28 - Jun 3

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July 2017

July 2017

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August 2017

August 2017

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Jul 30 - Aug 5

Aug 6 - 12

Aug 13 - 19

Aug 20 - 26

Aug 27 - Sep 2

September 2017

September 2017

October 2017

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Aug 27 - Sep 2

Sep 3 - 9

Sep 10 - 16

Sep 17 - 23

Sep 24 - 30

Board of Trustees Meeting Agenda Memo

Date: April 25, 2017

Title: **Bench Donation Request in Memory of Suzanne R. Flynn**

Section & Item: 9F

Department: District Clerk

Fiscal Impact:

Contact: Dawn Myers, District Clerk; John W. Coffey, Community Manager; Steve Diana, Chairman

Attachments: Photo of proposed bench

Reviewed by

General Counsel: N/A

Approved by:



Requested Action by BOT

Acceptance of Donation

Background and Summary Information

Ms. Suzanne R. Flynn was a part of the Barefoot Bay community for (8) years. In those (8) years she became an active participant and member of the Barefoot Bay Marine Corps League, the Irish Club, the New England Club, the Red Hat Society and the British Heritage Club.

She enjoyed going to Pool 3 in particular and frequented it often. Ms. Flynn was known to refer to Pool 3 as "my pool" and was so committed to her pool, that she went as far as to turn down invitations to any of the other Barefoot Bay Pools by friends and family.

Ms. Patricia Beling is requesting an outdoor composite bench to be installed in front of the mural depicting a beach scene at Pool 3, in memory of her mother, Ms. Suzanne R. Flynn.

Staff is still working with Ms. Beling to confirm total costs and her willingness to pay for it. Staff anticipates having this information prior to the BOT meeting.

If Ms. Beling agrees to the cost, staff recommends the BOT accept the donation proposal by Ms. Beling as defined in the Policy Manual which requires a cash donation and subsequent purchase by staff.



Barefoot Bay Recreation District
625 Barefoot Boulevard, Building "F"
Barefoot Bay, FL 32976-9233
Phone 772-664-3141
Fax 772-664-1928

Gift and/or Memorial Request Form

In accordance to Item 3.5 Guidelines for Gift or Memorials located in Policy Manual

Donor Information (please list all)		
Name <u>PATRICIA HENRY BELING</u>		
Street Address <u>905 Laurel Circle</u>		
Town/Zip <u>Barefoot Bay FL 32976</u>		
Telephone # <u>772-713-3860</u>	Alternate Phone # <u>772-713-1325</u>	E-mail address <u>pbeling@cf4rr.com</u>
In Memory of <u>SUZANNE R. FLYNN</u>		
Description of Requested Gift/Memorial, including proposed location (may attach separate sheet)		
<u>BENCH TO BE LOCATED AT POOL #3</u>		
Donations: All Donations must be submitted to the District Clerk for purchase by District Staff. Memorials: Barefoot Bay Recreation District will make reasonable efforts to contact the donor or their heirs in advance of the removal of a memorial so that donors may replace the item. However, Barefoot Bay Recreation District will not be held responsible if unable to contact donor prior to removal.		
I acknowledge that I have read and agree to abide by <i>Guidelines for Gift and or Memorials for the Barefoot Bay Recreation District</i>		
Signature of Donor <u>[Signature]</u>		Date <u>4-3-2017</u>
FOR OFFICE USE ONLY		
Memorial Name:	Date	
Approved By:	Date Approved	
Memo:		

Skip & Pat Beling



Board of Trustees Meeting Agenda Memo

Date: April 25, 2017

Title: **Off-Season Use of Lawn Bowling Court for Croquet**

Section & Item: 9G

Department: Property Services: Recreation

Fiscal Impact: TBD

Contact: Matt Goetz, Property Services Manager;
John W. Coffey, Community Manager;
or Steve Diana, Chairman

Attachments:

Reviewed by
General Counsel: N/A

Approved by:



Requested Action by BOT

Discussion on implementation of alternate amenities on the lawn bowling field off-season.

Background and Summary Information

Chairman Diana requested placement of this item on the agenda for discussion purposes. Mr. Diana proposed discussion regarding using the lawn bowling field for additional amenities during the summer months such as croquet.

The lawn bowling field has a rectangular Bermuda grass turf that is maintained similar to golf course greens. Lawn bowling is currently almost exclusively play during the winter months and the field lays largely unused the rest of the year. ABM, the maintenance contractor for the Golf Course, also maintains the lawn bowling field and the softball field turf.

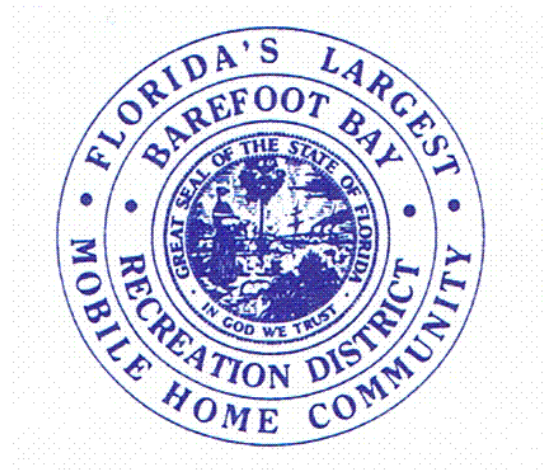
Staff has spoken to the ABM on-site superintendent about the proposed off-season use and he is amenable to it given the following circumstances:

- The field can be closed during and after aggressive treatments such as aeration.
- Time of irrigation use (varies by season) are posted so residents are not surprised when the system turns on automatically during the day
- Hours of use start after 9am to allow for required mowing and other maintenance
- Residents are made aware of the less than desirable appearance of the turf during transition from over-seed to Bermuda each year.
- If alternate use of the field causes significant damage, said use will be limited or discontinued.

Staff recommends the BOT authorize staff to procure loaner croquet sets, install needed signage and advertise croquet open play times.

Board of Trustees Meeting Agenda Memo

Date: April 25, 2017
Title: ARCC vacancy appointment
Section & Item: 9H
Department: Resident Relations: ARCC
Fiscal Impact: N/A
Contact: Susan Cuddie, Resident Relations Manager
Attachments: @YhYf`cZ =bHYfYgh
Reviewed by
General Counsel: N/A
Approved by:



Requested Action by BOT

Appointment of a resident to the Architectural Review and Control Committee as an alternate.

Background and Summary Information

The ARCC Committee currently has a vacant Alternate position to be filled by the Board of Trustees. Staff has advertised said vacancy and will forward any resumes received to the BOT when they are submitted. Staff recommends the BOT appoint a homeowner to fill the vacant Alternate to the Architectural Review and Control Committee. If an insufficient number of resumes are received prior to the meeting, the BOT can continue the agenda item to the next meeting.

April 18, 2017

Barefoot Bay Recreational District
Board of Trustees

Subject: Vacancy on DOR Architectural Review and Control Committee

I understand there is a vacancy on the above committee. Please accept this letter for consideration to this vacancy.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Belanger', with a long horizontal flourish extending to the right.

Brian Belanger

Manager's Report



Barefoot Bay Recreation District

625 Barefoot Boulevard, Building "F"
Barefoot Bay, FL 32976-9233

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

Memo To: Board of Trustees

From: John W. Coffey, Community Manager

Date: April 25, 2017

Subject: Manager's Report

District Clerk

1. **Upcoming BOT Workshops:**

- FY18 WDPB Review: Thurs., 27Apr17, Bldg. D/E, 10am
- FY18 WDPB Review: Tuesday 02May17, Bldg. D/E. 2pm

Finance

- #### 2. **Assessment Update** – As of 5Apr17, \$3,083,308.73 or 93% of net assessment receipts were received (see attached for details).

Resident Relations

3. **ARCC Update:**

- 4Apr17 ARCC Meeting: 19 permits were reviewed and approved.
- 18Apr17 ARCC Meeting: 20 permits were reviewed and approved.
- The next ARCC Committee meeting is on 02May17 in the new BFBHOA office.

4. **Violations Committee Update:**

- The next meeting is scheduled for Fri., 28Apr17 at 10am in D/E.

- #### 5. The Customer Service office will be open on Saturday April 29 from 9AM to Noon, to allow residents the opportunity to update their badge.

Food & Beverage

- #### 6. **Mother's Day Brunch Update** – Tickets for Mother's Day brunch on 14May17 at Pool #1 will go on sale Monday, 10Apr17 at the Lounge, the 19th Hole and Resident Relations.

Golf-Pro Shop

7. May Tournament Updates:

- Martini League 9 –hole: Easter Bonnet Tournament was a huge success
 - They had 40 players, grand decorations, hats, food, and a great deal of laughs.



- Ace Wright's Ryder Cup Tournament: April 21 and 22nd
- HOA Fundraiser Golf and merchandise: April 29 @ 8:30 am shotgun

Call or stop by the Pro Shop for more information about any of the tournaments.

8. Special Projects

- Attended GHIN training for recertification of the handicap software program
- Planning for Spring turf renovation projects:
 - Back Nine and Putting Green Closed scheduled to be closed on 01May17 for course aerification
 - Front Nine and Driving Range scheduled to be closed on 02May17 for course aerification
- Grass on course will not be cut for ten days to allow growth and healing
- Beginning Golf Course grant funded projects
 - Rehabilitation of retaining wall behind 8 green
 - Rehabilitation of driving range tee box and procurement of a hitting cage

Property Services

9. Routine Work Update:

- Removed all damaged concrete by the bridge and replaced with sod
- Installed 2 new picnic tables in sodded area

- Constructed new office for the COP's in the BFBHOA Office
- Replaced several burned out lights on the tennis courts
- Repaired skirting on Building F
- Addressed roof leak in Building F
- Trained staff on implementing the new cell phone badge policy
- Ordered new signs for Resident Relations Office and the Beach
- Installed new Italian cypress trees along the lake side of the tennis courts and irrigation
- Replaced old damaged drainage next to sidewalk by horseshoe pits
- Scheduled Fire extinguisher training for all staff
- Mowed all current lot violations

10. **Special Projects Update:**

- Released building A roof replacement RFP (to be opened on 4May17)
- Obtained quotes for roof replacement on the 16th tee restroom
- Scheduled installation of new A/C in the 19th hole, phase 1 beach project and walkway roof replacement
- Walked stormwater project sites with vendor and addressed adjacent homeowners' concerns (project to start late April or early May)

DISTRICT ASSESSMENT FYE 2017

Date Received	Gross	Interest	Discount	Penalty	Annual Collection Fee	Postage	Net
10/21/2016	\$ -	\$ 446.32	\$ -	\$ -	\$ -	\$ -	\$ 446.32
11/9/2016	\$ 162,773.96	\$ 148.18	\$ 8,344.87	\$ -	\$ -	\$ -	\$ 154,577.27
11/23/2016	\$ 810,447.40	\$ -	\$ 32,287.75	\$ -	\$ -	\$ -	\$ 778,159.65
12/12/2016	\$ 1,300,998.62	\$ -	\$ 51,993.68	\$ -	\$ -	\$ -	\$ 1,249,004.94
12/19/2016	\$ 208,209.33	\$ -	\$ 6,931.12	\$ -	\$ 67,945.48	\$ -	\$ 133,332.73
1/10/2017	\$ 151,848.69	\$ -	\$ 4,526.43	\$ -	\$ -	\$ -	\$ 147,322.26
2/6/2017	\$ 192,036.64	\$ -	\$ 4,153.94	\$ -	\$ -	\$ 246.58	\$ 187,636.12
3/7/2017	\$ 143,298.82	\$ -	\$ 1,540.78	\$ -	\$ -	\$ -	\$ 141,758.04
4/5/2017	\$ 291,146.37	\$ -	\$ 36.00	\$ -	\$ -	\$ 38.97	\$ 291,071.40
TOTAL:	\$ 3,260,759.83	\$ 594.50	\$ 109,814.57	\$ -	\$ 67,945.48	\$ 285.55	\$ 3,083,308.73

Assessment BUDGET in FY 2017: \$ 3,516,480.00
%: 93%

Attorney's Report

Incidental Remarks from Trustees

Audience Participation

Adjournment