

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

Friday, August 12, 2016

1:00 PM

1225 BAREFOOT BOULEVARD, BUILDING D/E



BAREFOOT BAY RECREATION DISTRICT

Barefoot Bay Recreation District Regular Meeting
Friday, August 12, 2016 1 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
 - A. FRADA Golf \$50,000 No-Match Grant Presentation
 - B. Over 60 Softball Association Appreciation Presentation
5. Approval of Minutes
6. Treasurer's Report
7. Audience Comment on Agenda Items
8. Unfinished Business
 - A. Over 60 Softball Association Amended Agreement
 - B. West Community Center Restroom Referendum Language
 - C. DOR Violation - 852 Waterway Drive
9. New Business
 - A. DOR
 - i. Case # 16-000842 618 SEA-GULL DRIVE
 - ii. Case # 16-002085 966 LAUREL CIRCLE
 - iii. Case # 16-002030 415 EGRET CIRCLE
 - iv. Case # 16-002046 882 HAWTHORN CIRCLE
 - v. Case # 16-001934 1003 WREN CIRCLE
 - vi. Case # 16-001547 905 SPRUCE STREET
 - B. FY16 3rd Quarter Budget Amendment
 - C. Budget Amendment for Softball Infield Project
 - D. Adoption of Assessment Roll
 - E. 635 Hyacinth Disposition Option
 - F. Adoption of Revised Policy Manual
 - G. 2017 BOT Meeting Dates
 - H. Facilities Planning Advisory Committee Recommendation
 - I. Security Advisory Committee Recommendation
 - J. Replacement Concrete Award of Contract
 - K. Shopping Center Commercial Leasing Options
 - L. Property Owners Survey
 - M. Donation and Waiver of Policy Manual Requirement

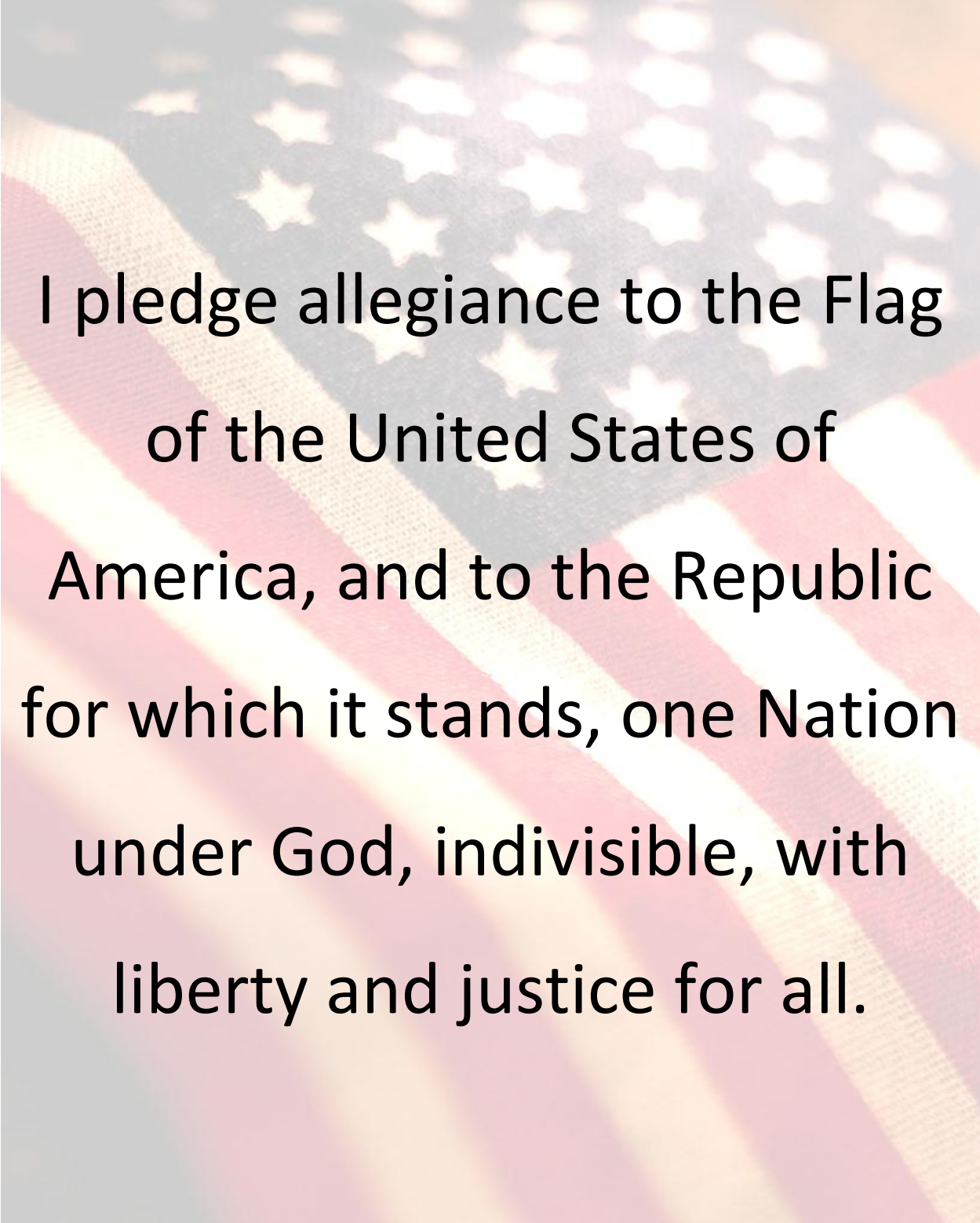
8/5/2016 If an individual decides to appeal any decision made by the Recreation District with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.



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10. Manager's Report
11. Attorney's Report
12. Committee/Liaison Reports
13. Incidental Trustee Remarks
14. Audience Participation
15. Adjournment

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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. Klosky

1st Vice Chair - Ms. Wright

2nd Vice Chair - Mr. Lavier

Secretary - Mr. Diana

Treasurer - Mr. Cavaliere

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 Tuesday, July 26, 2016 7 P.M. –Building D&E

The Barefoot Bay Recreation District held a Regular Meeting on Tuesday, July 26, 2016 in Building D&E, 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Klosky called the meeting to order at 7:00 P.M.

Thought for the Day

As we do before every Board Meeting, the Board of Trustees would like to take a moment of silence to remember all our service men and women, who have or are currently helping to protect this great country of ours. We would also like to remember all our residents of Barefoot Bay both past and present and a special remembrance for our fellow man and woman all over the world in these troubled times. Mr. Diana led the Pledge of Allegiance to the Flag.

Roll Call

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

Minutes

June 28, 2016

Mr. Cavaliere made a motion to approve the minutes from June 28, 2016. Second by Mr. Diana. Motion carried unanimously.

July 8, 2016

Mr. Lavier made a motion to approve the minutes from July 8, 2016. Second by Mr. Cavaliere. Motion carried unanimously.

Harold Wortman requested clarification in the minutes regarding the HOA's involvement in the legal charges to the District.

Treasurer's Report

Mr. Diana presented the Treasurer's Report for July 26, 2016.

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

Audience Participation (Agenda items only)

Mr. Ernest Loening commented on his point raised at the previous meeting regarding the unnecessary presence of a sheriff's deputy at the meeting. He stated that he wrote a letter to Mr. Coffey's employer asking for his resignation since he could not name who asked for the deputy and announced the cost was \$93 per meeting for the District to employ the deputy. Mr. Loening voiced his opposition to this expenditure as, in his opinion, it is excessive spending. He stated that he will also file a complaint about two Trustees breaking the Sunshine Law since he has learned that Mr. Klosky and Ms. Wright asked about implementing the deputy presence. Mr. Klosky stated that he has not broken the Sunshine law in 9 years of service on the Board of Trustees. His request was presented to Mr. Coffey in a one on one discussion and he stands by it. He cannot speak for Ms. Wright as he can only speak for his actions. Ms.



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Louise Crouse thanked the officer present for his service and stated that she would not like to consider the possibility of an incident similar to what has happened in the news recently occurring here in Barefoot Bay. She stated that if the Board felt this was a necessary expenditure then she supports and applauds them for it.

Old Business

Financing Options for Stormwater Projects and Equipment

At the last Board of Trustee Meeting the Board directed staff to apply for financing with Capital Bank and bring back the final loan agreement to the Board for final review and approval. General Counsel read the resolution:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT AUTHORIZING THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT WITH CAPITAL BANK CORPORATION IN THE AMOUNT OF \$165,000 FOR THE PURPOSE OF STORMWATER IMPROVEMENT PROJECTS AND EQUIPMENT; PROVIDING FOR APPROVAL OF THE GOVERNMENTAL CERTIFICATE, LOAN AGREEMENT AND PROMISSORY NOTE WITH CAPITAL BANK CORPORATION; PROVIDING AN EFFECTIVE DATE.

Mr. Diana made a motion to authorize Chairman Klosky to sign the Capital Bank Loan Agreement. Second by Ms. Wright. Motion carried unanimously.

Stormwater Maintenance Equipment Award of Contracts

On May 17, 2016, the Board authorized staff to solicit financing options for the stormwater projects and the previously discussed stormwater maintenance equipment.

Mr. Diana made a motion to award a contract to Bobcat of Orlando in the amount of \$40,535.96 for procurement of a S650-T4 Bobcat Skid Steer Loader via state contract price while using exception to Competition #8. Second by Mr. Lavier. Motion carried unanimously.

Ms. Wright made a motion to award a contract to skidsteersolutions.com in the amount of \$26,290 for procurement of a Raptor Boom Mower and Side-work Attachment System and Cyclone 48" Rotary Brush Cutter – Eterra CY-48. Second by Mr. Cavaliere. Motion carried unanimously.

Stormwater Projects Award of Contract

On May 17, 2016, the BOT authorized staff to solicit financing options for the stormwater projects and the previously discussed stormwater maintenance equipment.

Mr. Cavaliere made a motion to award a contract for Tamarind Circle and Cherokee Court Stormwater projects to Brevard Excavating and Landscaping, Inc. for \$129,690.35 while waiving the RFP and bid/performance bond requirements. Second by Mr. Diana. Motion carried unanimously.

Facilities Planning Committee Recommended Capital Improvement Program

The Board recently deferred the Facility Planning Committee recommendation for the proposed Capital Improvement Program until its advocate, Mr. Len Pellegrino, could be present. After formal review by the Board, staff was authorized to work with Mr. Pellegrino to customize the forms to meet the needs of



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the District. Staff recommended the Board approve the Facility Planning Committee's CIP proposal as presented.

Mr. Cavaliere made a motion to approve the Capital Improvement Program Proposal as presented. Second by Mr. Lavier. Motion carried unanimously.

Appointment to Recreation Committee

On July 8, 2016, Ms. Nancy Eisele resigned from a 3-year alternate seat. The Board reviewed the submitted resumes from Rich Moran and Maryjo Fagereng. Ms. Wright thanked all the applicants and acknowledged Mr. Moran's help to the committee thus far but nominated Maryjo Fagereng for the open seat on the committee due to her vast experience and knowledge in the Recreational Education industry. Mr. Cavaliere and Mr. Lavier supported Mr. Moran for the open committee seat due to his track record and commitment he has already exemplified working with the youth swim on behalf of the committee.

Mr. Lavier made a motion to appoint Mr. Richard Moran as alternate on the Recreation Committee for a term of 3 years. Second by Mr. Diana. Ms. Wright opposed. Motion carried 4-1.

Appointment to Security Committee

On April 26, 2016, The Board appointed Mr. Peter Divergilio, to Mr. Ted Firlein's remaining unexpired term thereby leaving an available alternate seat. The Board reviewed the submitted resume from Mr. Jim Gallagher.

Ms. Wright made a motion to appoint Mr. Jim Gallagher as alternate on the Security Committee for a term of 3 years. Second by Mr. Cavaliere. Motion carried unanimously.

Request to Form a Club (Support Group for People Diagnosed with Multiple Sclerosis)

Ms. Linda Scholefield submitted a request to form the club "Support Group for People Diagnosed with Multiple Sclerosis." Per the Revised Policy Manual, the Board of Trustees shall approve or deny all applications after review by the Community Manager.

Mr. Diana made a motion to approve the request by Ms. Linda Scholefield to form the "Support Group for People Diagnosed with Multiple Sclerosis" and waive the associated room rental fees. Second by Mr. Lavier. Motion carried unanimously.

Tennis Court Restroom Trailer Options

Mr. Klosky previously requested estimates on portable restroom trailers for the area near the tennis courts. Staff provided quotes on new and used male and female bathrooms trailers. Mr. Cavaliere discussed the possibility of a referendum on this year's ballot for a permanent structure.

Louise Crouse commented on the past discussions regarding building a permanent restroom structure which was ultimately not approved and funding shifted to the Building F Replacement project. She thanked the Board for discussing future plans for expansion in the designated area.

Mr. Cavaliere made a motion to explore the option of placing the question of a permanent restroom facility in the tennis court specific area to be determined under \$70,000 on this November's referendum. Second by Mr. Lavier. Motion carried unanimously.

General Counsel Repperger will bring specific language back to the next meeting for approval to submit to the Supervisor of Election's Office.



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Amendment to Over 60 Softball Association Agreement with BBRD

Mr. Diana made a motion to table the agenda item until the General Counsel has had time to review and revise the amended contract with payments effective in July. Second by Mr. Lavier. Motion carried unanimously.

New Business

DOR Violations

Case #16-002191 852 Waterway Drive

Condition of Property-unauthorized items.

The property owner's daughter represented the property. Sue made a request on her behalf for a 10-day extension to get the property violations resolved.

Mr. Cavaliere made a motion to grant Case #16-002191 852 Waterway Drive a 10-day extension to clear the property. Second by Mr. Diana. Motion carried unanimously.

Public Hearing and Adoption of FY17 Proposed Assessment Rate

Mr. Klosky opened the public hearing to hear public commentary on the assessment.

Mr. Joe Barden requested clarification on why the Lounge and the 19th Hole Restaurant is losing money according to the FY17 Budget. Mr. Coffey explained that these facilities have been deemed "amenities" which was approved by the Board. This philosophy is represented in the Food and Beverage guiding document Principles of Operations. A public workshop to review and revise the document will take place on August 4, 2016 at 10am in Building D/E.

Mr. Hurrol Brinker commented on the loss at the 19th Hole. He stated he did not have to see the 19th Hole make money but does want to see this loss slow down.

Ms. Loretta Dorn shared her dissatisfaction with the loss in the Food and Beverage Department and questioned how long the residents will have to support them.

Ms. Jeanne Osborne stated that she was in favor of the assessment and commended the Board on keeping the assessment at the same rate as last year. She encouraged the Board to approve hear their.

Mr. Klosky closed the public hearing to hear commentary on the assessment.

General Counsel read the resolution:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT ESTABLISHING AN ASSESSMENT OF \$720.00 FOR EACH IMPROVED RESIDENTIAL LOT WITHIN THE SAID DISTRICT TO FUND THE 2016/17 FISCAL YEAR OPERATING BUDGET OF THE DISTRICT; PROVIDING FOR THE COLLECTION OF SAID ASSESSMENT IN THE MANNER PROVIDED FOR AD VALOREM TAXES PURSUANT TO SECTION 197.363, FLORIDA STATUTES; PROVIDING THAT SAID ASSESSMENT SHALL BE A VALID LIEN UPON EACH IMPROVED RESIDENTIAL LOT SO ASSESSED UNTIL SUCH ASSESSMENT HAS BEEN PAID IN FULL; PROVIDING THAT SAID ASSESSMENT SHALL BE CONSIDERED PART OF THE COUNTY TAX SUBJECT TO THE SAME PENALTIES, CHARGES, FEES, AND REMEDIES PROVIDED FOR THE ENFORCEMENT AND COLLECTION OF COUNTY TAXES; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

Mr. Diana made a motion to accept the resolution approving the FY17 Proposed Assessment Rate. Second by Mr. Lavier. Motion carried unanimously.



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Finance Advisory Committee (FAC) Recommendation: Research New Banking Options

On July 7, 2016 the Finance committee recommended investigation of banking options which will better serve future needs of BBRD to the Board for consideration. Mr. Cavaliere asked why the options are being requested and also requested clarification regarding who would research the options, he stated that he hoped the committee would not put an extra burden on staff by asking them to do the legwork on this request. Mr. Coffey stated that searching for other options could lead to a better plan or find that we are currently in the best plan for Barefoot Bay now.

Mr. Cavaliere made a motion to authorize the Finance Committee to research banking options under staff outlines and bring back to the Board. Second by Mr. Diana. Motion carried unanimously.

Recreation Advisory Committee Recommendation: End of Summer Youth Swim

Ann Manzo reported on the Wednesday night youth swim in the month of July. In the last three weeks each Wednesday afternoon brought more kids and families out than the last, to participate in the event. Ms. Manzo thanked all who had a part in making the event a success. Only six families did not have badges out of over a hundred participants. Their fees will be paid for by donations. She thanked Richard Moran and Nikita Pina for their help coordinating the event. She also shared her gratitude to the BOT and HOA members and officers for monetary and food or drink donations. Ms. Manzo thanked the Pool hosts Becky and Jan for an outstanding job making the event even more fun for the kids. The Recreation Committee proposed an end of summer youth swim event at Pool 1 for approval by the Board.

Mr. Cavaliere made a motion to approve the summer splash event. Second by Mr. Diana. Motion carried unanimously.

Manager's Report

Mr. Coffey announced that homeowners and residents are encouraged to attend and provide input regarding the development of the BBRD Beach property on Tuesday, August 16, 2016 in Building A beginning at 2 PM. He gave dates and times for the upcoming Policy and Employee Handbook, the Food and Beverage Principles of Operations and the DOR Procedures Workshop. Mr. Cavaliere stated that due to the improvement in the DOR Enforcement office he would like to retract his request to hold the workshop as it is no longer necessary. Mr. Coffey thanked staff for their diligence during the budget preparation season. He also thanked the Finance and Facilities Planning Committees for their part in reviewing the budget. Mr. Coffey requested that the Board reschedule the first Trustee meeting publically noticed on Friday, November 11th to Thursday, November 10th due to Veteran's Day falling on the 11th this year. He also requested the Board cancel the second meeting in November and December as is customary for the Board to do so during the holidays but in advance so the meeting calendars reflect the change.

Mr. Cavaliere made a motion to reschedule the November 11th meeting to November 10th and cancel the second meeting in November and December. Second by Mr. Diana. Motion carried unanimously.

Attorney's Report

General Counsel Repperger announced that the entrance way wall reimbursement has been received. He updated the Board on the 635 Hyacinth case. The County commission did not agree to waive the DOR enforcement costs of \$1,126 on their code enforcement case and \$2,212.35 in taxes are still outstanding.



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Assessed value is \$7,500 He provided options such as, pay the taxes and fees and market the property, pay the fees and hold on to the property or do nothing as it will eventually go to tax sale. Mr. Diana asked to bring this back to a future BOT meeting. General Counsel discussed the Board requested letter to the HOA. He received communication from HOA Attorney Klemm, requesting that all future correspondence go through him and that there would be no response at this time. He also asked why this question is being posed in the first place. General Counsel asked for direction, if any, as far as a response to Attorney Klemm. He also stated for the record, that he did receive two responses that were not in favor of abolishment. Discussion ensued regarding General Counsel's charges to the District on the abolishment topic. He clarified that the charges stemmed from a subtopic concerning the true nature of the District between him and the Assistant County Attorney.

Harold Wortman stated that HOA is not responsible for the attorney charges. A resident asked the county to provide information regarding what would happen if the District were abolished. The County commissioner took it upon herself to bring the question to the County attorney. What occurred between General Counsel and the county attorney had nothing to do with the original inquiry. He also reiterated that the HOA has no power to dissolve the District. Mr. Cavaliere stated that he has never expected the HOA to pay General Counsel's fees on the subject. He clarified that he wants to lay the topic to rest which was his initial motivation for posing the question.

Trustee Liaison Report

The Violation Committee met on July 22nd at 10 PM in Building D/E to hear 32 cases on the agenda. Ultimately, 16 cases came into compliance prior to the meeting and 16 cases were presented and found to be in Violation. The next Violation Committee will meet on August 12th at 10 PM in Building D/E.

The ARCC Committee met on July 12th to review 11 applications, all were approved. The ARCC Committee met this morning, July 26th to review 10 permits, all were approved. The Committee approved final revisions to the ARCC guidelines regarding privacy landscape material and skirting on modular homes, and discussed guidelines for handicap ramps which will be brought back to the next meeting for discussion. The next ARCC committee meeting will meet on August 9th at 9 AM in the Lounge.

Mr. Lavier gave the Property Services report. Painting projects completed: benches around BBRD, wall at the bridge, Resident Relations golf cart storage unit and various parking lot signs, basketball courts, Building A and 2002 Restaurant handicap parking curbs, walk up window at the Lounge and posts at the shopping center. New fencing at Pool 1 golf cart parking area and six new neighborhood watch signs were also installed. Mr. Lavier reported on the Golf department, new sod replaced in the area of washout on tees 8 and 15 and also at tee 12 which is scheduled for use in the next 12 weeks. The second session of Junior Golf is underway. The Jr. Golf Awards Dinner will take place on August 4th at 6 PM in Building D/E. August 6th is the Jr. Golf Tournament sign up by July 31st. Bunker replacement is scheduled to begin soon and due to be completed by August.

Ms. Wright has been meeting with the DOR and Charter Review consistently and they are making progress. She thanked the Recreation Committee for their help in making the Wednesday afternoon youth swim possible and a great success. She also thanked the rest of the Board for allowing the youth swim to take place. Ms. Wright gave the Food and Beverage report. Mark the date of Saturday, August 27th for our Chili Cook off and Summer Games event with prizes, food, music and fun. It all kicks off



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with the Chili Cook off at 1 PM. Sign up with Lynn Tummolo in the F&B office. Flyers will be posted with all the details addressed. Ms. Wright shared her appreciation of the Hawaiian Luau last weekend. Fantastic job from Kathy Mendes and her staff with the drinks, food and music.

Mr. Cavaliere announced the Joint Finance and Facilities Planning meeting scheduled on Aug 9th and 11th in Building D/E at 10AM.

Mr. Diana discussed the proposed kitchen expansion in Building A. The topic will be discussed at the aforementioned joint Finance and Facilities Planning Meeting.

Mr. Harold Wortman discussed the recent special meeting of the Executive Board on Monday, July 25th. He reminded the residents of the Candidate Forum scheduled on August 21st from 2-4 PM in Building A. The proposed startup of movies in Building A is on hold until further information can be gathered. He clarified that the HOA did, in fact, donate \$15,300 for the BBRD Christmas decorations as erroneously stated to the opposite in the Tattler. Mr. Diana thanked Mr. Wortman and the HOA for stepping forward to help the District with the donation.

Trustee's Incidental Remarks

Mr. Diana thanked the Property Service department for all their hard work in maintaining Barefoot Bay. He shared his appreciation of the wonderful landscaping job around the community and expedited repairs and projects. Great job to the Property Services Department.

Ms. Wright addressed Mr. Loening's concern regarding the deputy presence at the meetings. She clarified her reasoning behind this request, as she would prefer to have their presence in the event an unwanted situation arises. She corrected Mr. Loening's statement about costs, as the amount is actually \$2,046 a year. She asserted that it is worth the peace of mind in her opinion knowing that the residents and staff are protected. She also made it clear that she by no means had a private meeting with another Trustee in the presence of Mr. Coffey. She thanked Mr. Diana for his article in the Tattler regarding the benefits of being a part of the Barefoot Bay Community and being appreciative to live here.

Mr. Klosky reiterated that in response to Mr. Loening's claim, he has not broken the tenets of the Sunshine law in his nine years of service on the Board.

Audience Participation

Ms. Mary Weller voiced her gratitude for the support by the Board and to the HOA for helping fund the Christmas Decorations Project. The Friendship Golf Tournament was a great support as well as donations from clubs and residents. The HOA also made a significant donation and on behalf of the entire Deck the Halls committee she is very thankful. She asked to please continue to support the project as they have come a long way but they still have not yet met their goal.

Ms. Carol Joseph thanked Mr. Diana for his past two articles in the Tattler and in his effort to unify the community. She discussed taking the youth activity to another direction and asked for support with youth activities in the winter as well. Particularly water volleyball and even expand on this for our adult residents as well.

Mr. Rich Schwatlow asked the Board to consider holding some time before the BOT meetings to answer resident questions so there are no miscommunication during the 3 minutes slotted for audience participation during the meetings.



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Wilma Weglein addressed Mr. Cavaliere and to J.R. Lochmandy regarding articles in the Tattler and the scheduled meeting Mr. Cavaliere missed between her and Harold Wortman. She stated that Mr. Cavaliere has never addressed that this meeting was set up to discuss ideas for the District and HOA to work together but he never showed up. In her opinion this was the beginning of the issues between HOA and Mr. Cavaliere. She stated that the HOA intentions have been misconstrued they have never stated that they were unwilling to work with the District. She clarified the issue regarding donating to Christmas decorations fund and the erroneous information in the Tattler stating that they did not donate. She stated that they did indeed donate to the fund. She remarked on the sensibility and diligence in which Bob Kahl has used concerning the HOA funds and thanked him for his thoroughness with the account. Mr. Cavaliere stated that he wanted to clarify that he did try to contact Ms. Weglein that evening of the meeting but was unable to and did call as soon as he could. He addressed the meeting that was missed and stated that he wanted to publically apologize for missing that initial meeting and anything else he may have said that affected anyone in the HOA negatively. Mr. Cavaliere maintained that he would still like to meet with Ms. Weglein and Mr. Wortman to discuss working together as this was his intention all along. He stated he will gladly schedule something with them after the meeting today if she is interested.

Mr. Mohammed Barghouti asked for clarification on the commercial vehicle situation as he uses a commercial vehicle for work and has to park the vehicle overnight. Ms. Sue Cuddie stated that the DOR is written clearly and there is nothing she can do to change the language at this time. Mr. Cavaliere asked that Mr. Barghouti try to see what he can do to work with our DOR enforcement office rather than asking us to change our rules to suit his situation. Ms. Wright explained that we will have a meeting about this soon and will address this topic.

Mr. EJ Wright addressed topics from a recent article from Mr. Cavaliere in the Tattler regarding the HOA doing more in the community and regarding the facilities. He stated that he didn't think the DOR can do what he is asking. According to the survey from early in 2015 stated that a majority of the residents wanted the existing buildings upgraded rather than spending on new ones. He addressed Mr. Cavaliere's statement about having guts to be an effective Trustee and stated that in his opinion it takes dedication to the homeowners. Mr. Cavaliere clarified that his whole statement was, 'It takes guts to make hard decisions' and lightheartedly reminded Mr. Wright that he's trying to bury the hatchet.

Adjournment

The next Board of Trustees meeting will be on August 4, 2016 at 1PM in Building D/E.

Mr. Cavaliere made a motion to adjourn. Second by Ms. Wright.

Meeting adjourned 9:42 p.m.

Steve Diana, Secretary

Dawn Myers, District Clerk

Treasurer's Report

Barefoot Bay Recreation District

Treasurer's Report

August 12, 2016

Cash Balances in General Fund

as of 8/2/2016

Bank of America:

Operating Account	\$	1,322,027.83
Money Market Account	\$	105,605.42
Total Cash Balances @BOA in General Fund:	\$	1,427,633.25

SBA:

as of 8/2/2016

Capital Improvement Account	\$	184,981.94
Reserve Account	\$	550,518.69
Total Cash Balances @SBA in General Fund:	\$	735,500.63

Total Cash Balances in General Fund: \$ 2,163,133.88

Cash Balance in Debt Fund

as of 8/2/2016

SBA:

Debt Account	\$	479,702.15
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Total Cash Balance in Debt Fund: \$ 479,702.15

* Participant Return for SBA in July 2016 was 0.64%

Total Cash Balances in All Funds: \$ 2,642,836.03

Total Cash receipts from July 15 to July 31, 2016:

Daily deposits:	\$	54,339.58
Assessments received:	\$	-
	\$	54,339.58

Expenditures over \$5,000 from July 19 to July 31 2016:

<u>Vendor</u>	<u>Description</u>	<u>Check Amount</u>
Employees*	Employees Salaries and Wages	\$ 58,982.73
Complete Electric	Final pmt for upgrade electric infrast.	\$ 8,260.00
Gray Robinson	Legal Fees June 2016	\$ 13,242.82
ABM Landscape & Turf Services	Maintenance fees July 2016	\$ 37,556.75
UnitedHealthCare	Health Insurance Aug 2016	\$ 17,001.45
Special District Services	Management Fees July 2016	\$ 11,315.26
Total of Expenditures over \$5,000		\$ 146,359.01

*7/28/16 Employer Tax Liabilities was only \$4,745.28, and therefore, was not listed above

Barefoot Bay Recreation District
Monthly Summary - BOT Monthly Summary Treasurer Report
From 10/1/2015 Through 7/31/2016

	10/1/2015 - 10/31/2015	11/1/2015 - 11/30/2015	12/1/2015 - 12/31/2015	1/1/2016 - 1/31/2016	2/1/2016 - 2/29/2016	3/1/2016 - 3/31/2016	4/1/2016 - 4/30/2016	5/1/2016 - 5/31/2016	6/1/2016 - 6/30/2016	7/1/2016 - 7/31/2016	Total
Revenues											
Daily Revenue/Deposits	372,836.90	182,409.19	216,964.02	193,707.84	212,305.03	249,996.33	189,740.82	130,169.90	103,984.05	127,490.94	1,979,605.02
Assessments	<u>2,103.42</u>	<u>659,485.24</u>	<u>1,764,997.23</u>	<u>213,883.50</u>	<u>165,565.31</u>	<u>163,242.94</u>	<u>280,535.13</u>	<u>76,888.09</u>	<u>179,552.88</u>	<u>0.00</u>	<u>3,506,253.84</u>
Total Revenues	<u>374,940.32</u>	<u>841,894.43</u>	<u>1,981,961.25</u>	<u>407,591.34</u>	<u>377,870.34</u>	<u>413,239.27</u>	<u>470,275.95</u>	<u>207,057.99</u>	<u>283,537.03</u>	<u>127,490.94</u>	<u>5,485,858.86</u>
General Fund Expenditures											
Payroll											
Salaries & Wages	76,985.69	123,574.11	188,294.56	131,124.39	131,010.93	133,499.63	132,347.19	127,404.91	186,007.39	119,352.14	1,349,600.94
Other Pay & Benefit	1,340.27	1,561.52	2,104.43	1,617.52	2,633.40	3,670.30	2,247.77	2,400.57	2,685.57	1,841.62	22,102.97
Payroll Taxes	6,014.14	9,758.19	14,863.99	13,251.47	13,274.32	13,420.10	12,410.40	11,428.90	15,435.88	9,711.32	119,568.71
Payroll Fees	<u>476.90</u>	<u>478.00</u>	<u>1,360.58</u>	<u>1,484.35</u>	<u>1,112.96</u>	<u>1,706.24</u>	<u>983.21</u>	<u>1,046.45</u>	<u>1,241.10</u>	<u>959.30</u>	<u>10,849.09</u>
Total Payroll	84,817.00	135,371.82	206,623.56	147,477.73	148,031.61	152,296.27	147,988.57	142,280.83	205,369.94	131,864.38	<u>1,502,121.71</u>
Professional Expenses											
SDS	14,452.04	11,458.78	16,840.64	11,644.63	11,447.65	11,536.41	11,692.09	11,450.79	12,014.59	11,315.26	123,852.88
Gray Robinson	8,593.23	6,979.41	8,975.88	11,717.50	12,082.14	15,040.32	10,710.82	15,984.73	13,330.32	0.00	103,414.35
Other Prof. Fees	<u>21,835.80</u>	<u>19,613.45</u>	<u>23,822.10</u>	<u>9,646.70</u>	<u>3,141.70</u>	<u>4,142.20</u>	<u>10,614.70</u>	<u>9,093.70</u>	<u>9,597.15</u>	<u>2,868.89</u>	<u>114,376.39</u>
Total Professional Expenses	44,881.07	38,051.64	49,638.62	33,008.83	26,671.49	30,718.93	33,017.61	36,529.22	34,942.06	14,184.15	341,643.62
Insurance											
Employees Health, Dental & Life	12,892.00	12,859.80	10,709.68	16,640.63	13,278.69	13,497.73	14,225.56	12,876.42	9,838.63	12,056.64	128,875.78
Liabilities Ins.	17,854.87	11,312.83	11,312.83	11,312.83	11,312.83	11,312.83	11,312.83	11,312.83	11,312.83	11,312.83	119,670.34
Worker Comp. Ins.	<u>16,216.25</u>	<u>5,338.75</u>	<u>5,338.75</u>	<u>5,338.75</u>	<u>9,634.75</u>	<u>5,338.75</u>	<u>5,338.75</u>	<u>5,338.75</u>	<u>5,338.75</u>	<u>5,338.77</u>	<u>68,561.02</u>
Total Insurance	46,963.12	29,511.38	27,361.26	33,292.21	34,226.27	30,149.31	30,877.14	29,528.00	26,490.21	28,708.24	317,107.14
Utilities											
Telephone, Internet & Cable	5,553.27	3,535.49	3,458.55	2,489.30	2,511.20	2,275.19	2,277.90	2,478.35	1,900.03	1,938.29	28,417.57
Electricity - FPL	5,879.32	7,061.96	6,590.49	5,519.83	6,060.86	6,747.50	6,378.09	7,039.24	7,123.00	7,466.41	65,866.70
Propane	<u>(1,544.39)</u>	<u>(1,425.95)</u>	<u>(1,795.46)</u>	2,619.51	2,476.40	2,077.93	1,697.78	760.69	508.35	124.90	5,499.76
Water & Sewer	2,785.46	4,698.78	4,119.71	4,425.75	5,929.47	5,074.61	5,358.11	4,472.29	4,122.07	0.00	40,986.25
Garbage & Recycling	1,616.09	2,388.16	1,525.93	1,750.76	2,275.67	2,059.41	2,241.06	2,060.89	2,061.89	2,676.40	20,656.26
Portable Toilets	<u>604.39</u>	<u>442.39</u>	<u>440.13</u>	<u>437.08</u>	<u>434.25</u>	<u>730.50</u>	<u>437.60</u>	<u>440.35</u>	<u>455.65</u>	<u>426.27</u>	<u>4,848.61</u>
Total Utilities	14,894.14	16,700.83	14,339.35	17,242.23	19,687.85	18,965.14	18,390.54	17,251.81	16,170.99	12,632.27	166,275.15
Operations											
Music and Entertainment	5,675.00	5,630.00	7,230.00	7,245.00	6,860.00	8,035.00	7,135.00	4,600.00	4,580.00	6,130.00	63,120.00
Cost of Sales	<u>31,798.25</u>	<u>33,007.16</u>	<u>45,722.51</u>	<u>45,332.04</u>	<u>43,502.66</u>	<u>63,162.90</u>	<u>43,126.98</u>	<u>42,354.86</u>	<u>18,480.75</u>	<u>1,637.12</u>	<u>368,125.23</u>
Total Operations	37,473.25	38,637.16	52,952.51	52,577.04	50,362.66	71,197.90	50,261.98	46,954.86	23,060.75	7,767.12	431,245.23
Repairs and Maintenance											
Golf Course - ABM	35,871.89	35,871.89	35,871.89	35,871.89	35,871.89	35,871.89	35,871.89	35,871.89	35,871.89	35,871.89	358,718.90
Canal/Lake	4,237.50	1,962.50	2,550.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8,750.00
Other R&Ms	<u>38,515.33</u>	<u>42,317.50</u>	<u>23,228.48</u>	<u>17,981.05</u>	<u>20,561.71</u>	<u>16,327.24</u>	<u>12,761.03</u>	<u>16,913.03</u>	<u>21,529.16</u>	<u>13,294.28</u>	<u>223,428.81</u>
Total Repairs and Maintenance	78,624.72	80,151.89	61,650.37	53,852.94	56,433.60	52,199.13	48,632.92	52,784.92	57,401.05	49,166.17	590,897.71
Property Taxes	0.00	28,470.68	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,434.59	29,905.27
Bank Fees	1,063.78	3,693.99	2,053.18	2,245.48	2,140.80	2,065.44	(22.09)	1,805.83	1,125.02	1,739.24	17,910.67
Capital Expenses	49,096.79	23,797.88	18,866.85	650.00	26,638.70	20,756.14	19,579.90	24,090.31	29,596.97	13,386.76	226,460.30
Other Misc. Expenditures	<u>28,418.12</u>	<u>50,688.65</u>	<u>104,159.61</u>	<u>98,387.72</u>	<u>32,364.13</u>	<u>29,407.94</u>	<u>22,589.68</u>	<u>601,866.84</u>	<u>23,917.66</u>	<u>19,431.01</u>	<u>1,011,231.36</u>
Total General Fund Expenditures	<u>386,231.99</u>	<u>445,075.92</u>	<u>537,645.31</u>	<u>438,734.18</u>	<u>396,557.11</u>	<u>407,756.20</u>	<u>371,316.25</u>	<u>953,092.62</u>	<u>418,074.65</u>	<u>280,313.93</u>	<u>4,634,798.16</u>
Debt Service Fund Expenditures											
Debt Service Principal	0.00	0.00	42,487.90	655,574.00	0.00	0.00	0.00	0.00	0.00	0.00	698,061.90
Debt Service Interest	<u>0.00</u>	<u>0.00</u>	<u>2,073.27</u>	<u>83,958.30</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>86,031.57</u>
Total Debt Service Fund Expenditures	<u>0.00</u>	<u>0.00</u>	<u>44,561.17</u>	<u>739,532.30</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>784,093.47</u>

*PLEASE NOTE THAT BBRD FINANCIAL STATEMENTS ARE REPORTED USING THE MODIFIED ACCRUAL BASIS OF ACCOUNTING.
ALL REVENUES AND EXPENDITURES IN THIS REPORT REPRESENT ENTRIES RECORDED ON OR BEFORE 8/3/2016.

Audience Participation Agenda items only

Unfinished Business

Meeting Date
Aug. 12, 2016



Agenda	
Section	8
Item No	A

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Amendment to Over 60 Softball Association Agreement with BBRD

Dept/Office: Administration: District Clerk's Office

Requested Action: Approve Amended Agreement

Summary Explanation and Background:

On 08Jul16, the BOT considered a request from the Over 60 Softball Association (O60SA) to amend their current agreement with BBRD. The BOT instructed General Counsel Repperger to draft an amended agreement based on the following text from said meeting.

On the 26Jan16, the BOT renewed the agreement between the Over 60 Softball Association (O60SA) and BBRD for specific maintenance tasks at the softball field.

A representative of the approached staff recently requested an amendment to the agreement to take over the maintenance of the area from Wren Circle curbing to the softball field fence in exchange for forgiveness of the remaining repayments for the damage to the Kubota Tractor engine (\$837.72 out of total of \$3,987.72) and an increase in their monthly payment of \$40 to a new monthly payment of \$728.00. Below is an analysis of the fiscal impact on the current budget and FY17.

	FY16	FY17							
Budget									
	2,064.00	8,256.00	monthly payments of \$688						
	(450.00)	(387.72)	remaining payments on Kubota damages repayment agreement						
	1,614.00	7,868.28	Total						
O60SA Proposal									
	2,064.00	8,256.00	monthly payments of \$688						
	120.00	480.00	increase in payment request						
	2,184.00	8,736.00	Total						
Difference	570.00	867.72							
Grand Total			1,437.72						

In summary the proposal would reduce Property Services' work, shift areas of ABM's responsibilities (keeping it at about the same overall level) and increasing the responsibility of the O60SA while slightly increasing their monthly payment.

The attached agreement was sent to the O60SA President for his review on 01Jul16 and he did not have any objections to the language.

Staff recommends the BOT approve the amended agreement between the Over 60 Softball Association and BBRD effective 01Jul16 as attached.

Exhibits Attached: Amended Agreement between O60SA and BBRD
Contact: John W. Coffey, Community Manager
Fiscal Impact: \$1,437.72 (\$570.00 in FY16 and \$867.72 in FY17)
Contract/Agreement Reviewed by Attorney: Yes
Community Manager's Approval:

**AMENDED AGREEMENT FOR MAINTENANCE OF
SOFTBALL FIELD RECREATION FACILITIES**

This Agreement, made and entered into on this _____ day of _____, 2016, by and between the BAREFOOT BAY RECREATION DISTRICT, a mobile home park recreation district organized under the laws of the State of Florida (herein called "BBRD") and the OVER SIXTY SOFTBALL LEAGUE (hereinafter called the "LEAGUE"):

WHEREAS, BBRD owns a certain park parcel, located in the Barefoot Bay Recreation District of Brevard County, Florida, described as:

Area designated "Park" in Barefoot Bay Mobile Home Subdivision, Unit 2, Part 10, according to the plat thereof, as recorded in Plat Book 22, Page 111, Public Records of Brevard County, Florida. This parcel is also described as: Park, "Tract EE" as described in Replat of Park Areas in Barefoot Bay Mobile Home Subdivision, Unit Two, Part Ten, according to the plat hereof as recorded in Plat Book 26, Page 5, of the Public Records of Brevard County, Florida; and,

WHEREAS, BBRD owns a certain parcel adjacent to the above described property located in the Barefoot Bay Recreation District of Brevard County, Florida, described as:

Lot 64, Block 137, Barefoot Bay, Unit Two, Part Ten, according to the plat thereof, as recorded in Plat Book 22, Page 105, of the Public Records of Brevard County, Florida; and,

WHEREAS, both of the above described parcels shall be collectively referred to as the "park parcel;" and,

WHEREAS, the said park parcel has been improved by the construction and installation of a recreational softball field and restroom facilities which require continuing maintenance; and,

WHEREAS, the LEAGUE utilizes the said facilities on a regular basis for its activities; and,

WHEREAS, the LEAGUE is willing to provide for maintenance of the improvements on the above-described parcel in order to facilitate and promote the activities of the League; and,

WHEREAS, BBRD and the LEAGUE have previously entered into a written agreement regarding the LEAGUE's maintenance of the park parcel and facilities which was most-recently amended on January 28, 2016; and,

WHEREAS, BBRD and the LEAGUE wish to ~~enter into a further amend the~~ written agreement pursuant to which the LEAGUE ~~shall~~ provides ~~such~~ maintenance services.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, it is agreed as follows:

1. The LEAGUE shall provide maintenance of the grounds comprising the Softball Field, restrooms, storage areas, bleachers and parking on the above-described park parcel. Such

maintenance shall include, but are not limited to, grounds preparation (with materials such as clay and sand), labor and services (such as nail dragging, mowing, edging, tree trimming, removal of debris, weed control, and painting needs) to have a safe and playable surface. All areas of the park parcel from the playing field (starting at the playing field fence line) south to the Wren Circle right-of-way shall be maintained by the LEAGUE with a push mower. The LEAGUE shall be solely responsible to provide the push mower used for all areas required to be maintained with a push mower, and BBRD shall have no obligation to provide any push mower equipment.

Maintenance (via weed wacker) shall be provided by the LEAGUE to all areas of the park parcel that cannot be maintained by BBRD's landscape contractor.

The LEAGUE shall annually provide a list of specific scope of services being performed on the park parcel to the Community Manager for review and approval. To the extent that any dispute should arise between the League and the Community Manager as to the scope of services provided by the LEAGUE on the park parcel, said dispute shall be brought to the BBRD Board of Trustees to clarify the specific scope of services that shall be provided under this Agreement.

2. The LEAGUE shall annually provide BBRD documentation of liability insurance which shall be of an amount and scope that is acceptable to BBRD. BBRD shall be listed as a certificate holder on the policy.

3. Any claim arising out of the maintenance or condition of the fields shall be the sole responsibility of the LEAGUE. The LEAGUE shall indemnify and hold harmless BBRD and its officers, agents, and employees from and against all claims, damages, losses, and expenses, including attorney's fees arising out of or resulting from any actions or omissions taken under this Agreement, where such claim, damage, loss, or expense is caused, in whole or in part, by the act or omission of the LEAGUE, or anyone directly or indirectly employed by the LEAGUE, or anyone for whose acts any of them may be liable, regardless of whether or not it is caused by or in part by a party indemnified thereunder. As part of this indemnification, the LEAGUE agrees to pay, on behalf of the BBRD, the cost of BBRD's legal defense as may be selected by BBRD for all claims described in this paragraph. Such payment on behalf of BBRD shall be in addition to any and all legal remedies available to BBRD and shall not be considered to be BBRD's exclusive remedy. In agreeing to this provision, BBRD does not intend to waive any defense or limit of sovereign immunity to which it may be entitled under Section 768.28, Florida Statutes or otherwise provided. The parties acknowledge that specific consideration has been exchanged for this provision

4. All material and supplies needed shall be ordered by the LEAGUE through BBRD Purchasing.

5. The services and materials to be furnished by the LEAGUE in accordance with this agreement shall expressly exclude repairs to the restroom facilities, as well as fertilizer and weed control. These items shall be and remain the responsibility of BBRD.

6. In consideration for the services set for the in paragraph 1 of this Agreement, BBRD shall monthly pay to the LEAGUE a sum not to exceed ~~\$688.00~~ 728.00 for services performed

beginning ~~October~~July 1, 201~~64~~ (nunc pro tunc) upon the submittal of an invoice to the Finance Office of the BBRD.

7. The BBRD and the LEAGUE mutually agree that given the amended scope of services described in Paragraph 1 herein and the amended monthly pay amount provided in Paragraph 6 herein, the Agreement for Kubota Engine Repair Repayment Schedule is hereby deemed terminated effective July 1, 2016 (nunc pro tunc) and the neither party shall have any obligations or responsibilities pursuant to said agreement other than those had by the parties during the effective dates of the agreement.

8. This Agreement sets forth the entire agreement between the parties hereto, and fully supersedes and replaces any and all prior agreements or undertakings between the parties pertaining to the subject matter hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates written below.

JOSEPH KLOSKY,

Chairman, BBRD

Date: _____

Print Name:_____

President, Over Sixty Softball
League

Date:_____

Meeting Date
Aug. 12, 2016



Agenda	
Section	8
Item No	B

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: West Community Center Restroom Referendum Language

Dept/Office: Administration: District Clerk's Office

Requested Action: Direction to Staff
<p>Summary Explanation and Background:</p> <p>At the 13May16 BOT meeting, Chairman Klosky requested staff research replacement of the current portable restrooms by the tennis court and horseshoe court area (currently in FY21 of the 5yrFM&CIP). Mr. Klosky explained that he had received numerous complaints about the lack of cleanliness in the current portable restrooms. He requested staff look into the new or used portable restroom trailers with sinks included. Staff responded to the task and presented two options at the 10Jun16 meeting for the BOT to discuss. The options include both used and new with separate stalls for men and women. The BOT directed staff to further research the issue and bring back a proposal.</p> <p>At the 26Jul16 BOT meeting, by consensus, the BOT directed General Counsel Repperger to develop referendum language regarding the construction of a permanent facility west of Veteran's Way in the Community Center. BBRD has until 22Aug16 to submit language to the Supervisor of Elections to be placed on the 08Nov16 general election ballot.</p> <p>Staff contacted the Supervisor of Election's Office and was informed that there is no cost for a standard size referendum question on the ballot.</p> <p>Staff requests direction regarding this matter.</p>
Exhibits Attached: Resolution Calling for a Referendum Election for Restroom Facility in the West Community Center Area
Contact: Cliff Repperger, General Counsel; and Dawn Myers, District Clerk
Fiscal Impact: Not to Exceed \$70,000 if referendum is approved
Contract/Agreement Reviewed by Attorney: N/A
Community Manager's Approval:

RESOLUTION 2016-_____

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT CALLING FOR AND SCHEDULING A REFERENDUM ELECTION ON NOVEMBER 8, 2016 TO AUTHORIZE THE BOARD OF TRUSTEES TO EXPEND IN EXCESS OF \$25,000.00, BUT NOT TO EXCEED \$70,000.00, TO CONSTRUCT A PERMANENT RESTROOM FACILITY AT THE MAIN RECREATION COMPLEX OF THE DISTRICT; PROVIDING FOR THE MANNER IN WHICH SUCH ELECTION SHALL BE CONDUCTED; ESTABLISHING THE FORM OF THE BALLOT OF SUCH ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Charter of the Barefoot Bay Recreation District (the “District”) (Brevard County Ordinance 84-05, as amended by Brevard County Ordinances 08-03 and 2012-01, and Section 418.304 (13), Florida Statutes) mandate that the Barefoot Bay Recreation District obtain a majority vote of qualified electors voting in a referendum election called by the District prior to the acquisition of common real or tangible personal property, when the cost, price, or consideration thereof exceeds \$25,000.00 in total costs; and,

WHEREAS, the Board of Trustees is currently considering options for construction of restroom facilities at the main recreation complex of the District which include either the use of portable or construction of permanent restroom facilities; and,

WHEREAS, the Board of Trustees is interested in examining whether the registered electors of the District support the construction of permanent restroom facilities; and,

WHEREAS, the Board of Trustees of the District intends that this Resolution shall set forth the written terms and conditions of the above described expenditure, to wit: the allocation an expenditure of greater than \$25,000.00, but not to exceed \$70,000.00, for the construction of a permanent restroom facility at the main recreation complex of the District; and,

WHEREAS, in accordance with the above referenced authority, the Board of Trustees of the District hereby declares that the above referenced expenditure should be submitted to the qualified electors of Barefoot Bay Recreation District; and

WHEREAS, Section 101.161, Florida Statutes, provides for the procedures to submit a public measure to a vote of the electors of an independent special district; and

WHEREAS, Section 100.342, Florida Statutes, provides for the public notice requirements for such a referendum;

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

Section 1. The Board of Trustees of the Barefoot Bay Recreation District hereby determines that the terms and conditions of the construction of a permanent restroom facility at the main recreation complex of the District, as described in the above recitals, is deemed to require the expenditure of district funds greater than \$25,000.00, but not to exceed \$70,000.00.

Section 2. The Board of Trustees of the Barefoot Bay Recreation District hereby calls for a referendum election to be held concurrent with the general election on the 8th day of November, 2016. The place for voting in such referendum election shall be the usual place for voting in the District in the general election to be held on the 8th day of November, 2016. The polls shall be open at each voting place on the day of the general election during the hours specified by the general laws of the State of Florida. All duly qualified electors residing within the District shall be entitled to participate in and vote at such referendum election.

Section 3. The ballot to be used at such referendum election shall contain a statement of the proposed subject matter of the question and shall provide facilities for qualified voters to vote for or against the expenditure in excess of \$25,000.00, but not to exceed \$70,000.00, to construct a permanent restroom facility at the main recreation complex of the District. Said ballot shall be in substantially the following form:

Ballot
Barefoot Bay Recreation District, Florida

Authorization of Expenditure for
Construction of a Permanent Restroom Facility at the
Main Recreation Complex of the District

Shall the Board of Trustees of the Barefoot Bay Recreation District be authorized to expend in excess of \$25,000.00, but not to exceed \$70,000.00, to construct a permanent restroom facility at the main recreation complex of the District?

_____ YES (for approval)
_____ NO (for rejection)

Section 4. The Community Manager, or the Community Manager's designee, is hereby authorized and directed to instruct the Supervisor of Elections of Brevard County, Florida to include the above described question on the ballot for the general election to be held on the 8th day of November, 2016. The Board of Trustees of the Barefoot Bay Recreation District shall officially certify this Resolution to the Supervisor of Elections not less than thirty (30) days nor more than sixty (60) days from the effective date of this Resolution. The costs associated with such referendum election shall be paid by Barefoot Bay Recreation District.

Section 5. Notice of said referendum election in substantially the form showing in Exhibit "A" to this Resolution shall be published two (2) times in a newspaper of general circulation according to the laws of the State of Florida. The first publication shall be during the fifth week prior to the week in which this referendum election is to be held and the second publication shall be during the third week prior to the week in which the referendum election is to be held. A minimum of five (5) copies of this Resolution shall be kept on file in the office of the Community Manager for public inspection upon demand during normal business hours.

Section 6. Following the referendum described herein, the Board of Trustees of Barefoot Bay Recreation District shall adopt a Resolution declaring and ratifying the results of the referendum.

Section 7. Should any section or provision of this Resolution be declared by a Court of competent jurisdiction to be invalid or unconstitutional, such decision should not affect the validity of the remainder of this Resolution, and the remainder shall remain in full force and effect.

Section 8. This Resolution shall take effect immediately upon adoption.

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, Joseph Klosky	_____
Trustee Lee Wright	_____
Trustee, Steve Diana	_____
Trustee Brian Lavier	_____
Trustee, Frank Cavaliere	_____

The Chairman thereupon declared this resolution duly passed and adopted this 12th day of August, 2016.

BAREFOOT BAY RECREATION DISTRICT

By: _____
JOSEPH KLOSKY, Chairman

Attest: _____
STEVE DIANA, Secretary

EXHIBIT “A”

NOTICE OF REFERENDUM ELECTION ON AMENDMENTS TO CHARTER OF THE BAREFOOT BAY RECREATION DISTRICT

Notice is hereby given that a referendum election shall be held to consider whether the Barefoot Bay Recreation District may expend in excess of \$25,000.00, but not to exceed \$70,000.00, to construct a permanent restroom facility at the Main Recreation Complex of the District. The referendum election shall be held on November 8, 2016, at which the question described in the following resolution number 2016-_____ adopted by the Board of Trustees of Barefoot Bay Recreation District, on the 12th day of August, 2016 shall be submitted to the electors:

[RECITE RESOLUTION]

Meeting Date
August 12, 2016



Agenda
Section 8
Item No C

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Case #16-002191 852 Waterway Drive.
Condition of Property-unauthorized items.

Dept/Office: Resident Relations/DOR Enforcement

Requested Action: Review and Consider the violation as presented in the Statement of Violation.

Per Article III Section 2(C) Condition of Property of the DOR, if the Board of Trustees concurs that the 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 or other appropriate relief in a Court of competent jurisdiction in Brevard County, FL.

Summary Explanation and Background:

This case for accumulation and storage of items of personal property, other than customary outdoor items. The case was presented to the Board of Trustees meeting on July 26, 2016. The Board allowed the property owner 10 days to bring the home into compliance. As of August 4, 2016, the unapproved items have been moved to the back yard, and continue to accumulate.

Staff recommends the BOT find 852 Waterway Drive in violation of Article III Section 2(C) Condition of Property of the DOR and explore the two options:

1. Option 1: To pursue legal or equitable action or other appropriate action with failure to comply.
2. Option 2: Approve the removal of remaining unapproved items by staff when the property is vacated. The property owner has given permission to remove the items. It is the occupant, a relative of the homeowner, who is placing the items on the property.

Exhibits Attached: Statement of Violation, Notice of Hearing, photographs

Contact: Susan Cuddie, Resident Relations Manager, Tom O'Donnell, DOR Officer, John Coffey, Community Manager

Fiscal Impact: Unknown Attorney's Fees and Court Costs.

Contract/Agreement Reviewed by Attorney: N/A

Community Manager's Approval:

**BAREFOOT BAY BOARD OF TRUSTEES
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-002191

#3754/ 16-002191

O`GORMAN, LENORE,
852 WATERWAY DRIVE
BAREFOOT BAY, FL 32976

Respondent(s),

BOARD OF TRUSTEES FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL ORDER

THIS CAUSE having come on for the public hearing before the Board of Trustees on July 26, 2016 after due notice to the Respondent and the Board of Trustees having heard testimony under oath and receiving evidence, thereupon issues this Finding of Fact, Conclusion of Law, and Final Order as follows:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

- A. The Respondent(s) O`GORMAN, LENORE, et. al. is/are the owner(s) of that certain parcel of real property located at 852 WATERWAY DRIVE , Barefoot Bay, FL 32976 ("Property")
- B. Notice of Violation was provided to the Respondent(s) by certified U.S. Mail, Return Receipt Requested, and the Respondent(s) were not present for the hearing
- C. Based upon the testimony heard and the evidence presented, the Board of Trustees concluded that there is a violation of ARTICLE III, SECT. 2 (C), ARTICLE III, SECT. 2 (C), Condition of Prop. (C) Unauthorized items (Occupied) of the Deed of Restriction of Barefoot Bay Recreation District in that the Respondents home has not been corrected.

FINAL ORDER

Based upon the foregoing Finding of Fact and Conclusions of Law, it is

ORDERED AND ADJUDGED THAT:

- A. The Respondent(s) is advised that the matter will be continued to the next available Board of Trustee hearing on August 12, 2016 at 1:00 p.m. in Bldg D & E 1225 Barefoot Circle, Barefoot Bay, FL 32976 . Based on the nature of the violation found to exist in this matter.
- B. The Respondent is further advised that he/she shall contact the DOR staff and schedule an inspection to confirm compliance. Upon compliance, an Affidavit of Compliance shall be issued and the Respondent shall be deemed in compliance with the violation(s) cited herein.
- C. The Respondent(s) are further advised that should a repeat violation occur, the Respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

DONE AND ORDERED this 07/26/2016 at Barefoot Bay Recreation District Brevard County, Florida.

Board of Trustees of the Barefoot Bay
Recreation District Brevard County, Florida

Joseph Klosky, Chairperson



852 Waterway. Front
Thomas O'Donnell
Aug 03, 2016



852 Waterway. Rear
Thomas O'Donnell
Aug 03, 2016



852 Waterway. Party
Thomas O'Donnell
Aug 01, 2016

New Business

Meeting Date
August 12, 2016



Agenda
Section 9
Item No. A. i.

Agenda Report

Barefoot Bay Recreation District Board of Trustees

#1583

Subject: Case # 16-000842 618 SEA-GULL DRIVE

Dept/Office: Resident Relations/DOR Enforcement

Requested Action: To consider the Violations Committee's finding and recommendation to bring an action for legal, equitable or other appropriate action with failure to comply.

If the Board of Trustees brings any such action to enforce the DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien.

Summary Explanation and Background: The Violations Committee met on 05/27/2016 and found ARTICLE II, SECT. (5)(A)(B) ADIR (Unapproved Fence) The respondent has been given until June 17, 2016 to bring the property into compliance. The homeowner was present at the VC meeting.

Staff has signed Affidavit of Notices, First Class and Certified mailing of Order of Finding and Recommended Order and Notice of Hearing and Affidavit of Non-Compliance. There are no delinquent taxes on the property. There is a mortgage. Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

Exhibits Attached: *Findings of Fact of Recommended Order Issued by the Violations Committee * Notice of Board Hearing * Photographs

Contact: Susan Cuddie, Thelma Gruseck, Thomas O'Donnell, Rich Armington

Fiscal Impact: Attorneys fees

Contract/Agreement Reviewed by Attorney ☐ YES ☐ NO ☐ N/A **Community Manager approval:** ☐



618 Sea Gull Drive
Jun 17, 2016

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-000842

#1583

REBECCA WROBEL,
618 SEA-GULL DR
BAREFOOT BAY, FL 32976

Respondent(s),

VIOLATIONS COMMITTEE FINDINGS OF FACT AND RECOMMENDED ORDER
AND
NOTICE OF DISTRICT HEARING

THIS CAUSE having come on for the public hearing before the Violations Committee on 05/27/2016 after due notice to the Respondent and the Violation Committee having heard testimony under oath and receiving evidence, thereupon issues this Finding of Fact and Recommended Order as follows:

- A. The Respondent(s) REBECCA WROBEL, et. al. is/are the owner(s) of that certain parcel of real property located at 618 SEA-GULL DRIVE , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE II, SECT. (5)(A)(B), ADIR (Unapproved Fence),

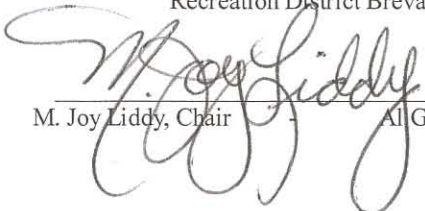
ORDER

Based upon the foregoing finding of fact and recommended order, it is
ORDERED AND ADJUDGED THAT:

1. Respondent(s) shall by June 17, 2016 come into compliance with the violation cited herein by acquiring permit for fence.
2. Should the Respondent(s) fail to comply with this Recommended Order by June 17, 2016 the Respondent(s) is advised that the matter will be forwarded to the Board of Trustees with the Violation Committee's findings and recommendations along with a status report from DOR Enforcement Staff for the Board of Trustees to make a determination as to whether to proceed with legal action. Based on the nature of the violation found to exist in this matter, should the violation not be corrected within the time provided herein, the Violations Committee does recommend legal or equitable action, or other appropriate action, be taken by the Board of Trustees.
3. The Respondent is further advised that he/she shall contact the DOR staff and schedule an inspection to confirm the compliance with this Order has been achieved. Upon compliance, an Order of Compliance shall be issued by the Violations Committee and the Respondent shall be deemed in compliance with the violation(s) cited herein.
4. The Respondent(s) are further advised that should a repeat violation occur, the Respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

DONE AND ORDERED this 05/27/2016 at Barefoot Bay Recreation District Brevard County, Florida.

Violations Committee of the Barefoot Bay
Recreation District Brevard County, Florida


M. Joy Liddy, Chair

Al Grunow, Vice Chair

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
OF
FINDINGS OF FACT AND RECOMMENDED ORDER ISSUED BY THE VIOLATIONS COMMITTEE**

Pursuant to Resolution 2008-1 of the Board of Trustees of The Barefoot Bay Recreation District adopted the 22nd day of January, 2008; Section 7: Enforcement Procedure.

Notice is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **1:00 P.M.** on **August 12, 2016** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.**

The purpose of this **Hearing** will be to consider the Recommended Order of the Violations Committee to the Board of Trustees for your Case.

The Board shall not conduct a full de novo quasi-judicial hearing on the violation, but shall consider the Finding of Fact and Recommended Order issued by the Violations Committee. The owner may not present new or additional evidence, but shall be given an opportunity to be heard. If the Board of Trustees concurs with the Violation Committee that a violation has been established, the Board of Trustees shall have the authority to bring an action for injunctive or other appropriate legal or equitable relief in a court of competent jurisdiction in Brevard County, Florida to remedy the violation. If the Board of Trustees brings any such legal action to enforce the Deed of Restrictions and is deemed to be the prevailing party in such action, the Board of Trustees shall be entitled to an award of attorney's fees and court costs incident to bringing such action.

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE BOARD OF TRUSTEES WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD (FS 286.0105).

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.

June 30, 2016

Deed of Restrictions STAFF



618 Sea Gull Drive
Richard Armington
Jun 29, 2016

Meeting Date
August 12, 2016



Agenda
Section 9
Item No. A ii

Agenda Report

Barefoot Bay Recreation District Board of Trustees

#0008

Subject: Case # 16-002085 966 LAUREL CIRCLE

Dept/Office: Resident Relations/DOR Enforcement

Requested Action: To consider the Violations Committee's finding and recommendation to bring an action for legal, equitable or other appropriate action with failure to comply.

If the Board of Trustees brings any such action to enforce the DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien.

Summary Explanation and Background: The Violations Committee met on 07/22/2016 and found ARTICLE III, SECT. 3 (A) (B) (C) (D) (E) Parking of Vehicles (Boats/Trailer/RV/Comm. Vehicles) The respondent has been given until July 25, 2016 to bring the property into compliance.

Staff has signed Affidavit of Notices, First Class and Certified mailing of Order of Finding and Recommended Order and Notice of Hearing and Affidavit of Non-Compliance.

There are no delinquent taxes on the property. There is no mortgage. There were no letters returned. Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

Exhibits Attached: *Findings of Fact of Recommended Order Issued by the Violations Committee * Notice of Board Hearing * Photographs

Contact: Susan Cuddie, Thelma Gruseck, Thomas O'Donnell, Rich Armington

Fiscal Impact:

Contract/Agreement Reviewed by Attorney ☐ YES ☐ NO ☐ N/A **Community Manager approval:** _____



966 Laurel Circle
Jun 26, 2016

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-002085

#0008/16-002085
MILLER PAUL,
966 LAUREL CIR
SEBASTIAN, FL 32976

Respondent(s),

VIOLATIONS COMMITTEE FINDINGS OF FACT AND RECOMMENDED ORDER
AND
NOTICE OF DISTRICT HEARING

THIS CAUSE having come on for the public hearing before the Violations Committee on 07/22/2016 after due notice to the Respondent and the Violation Committee having heard testimony under oath and receiving evidence, thereupon issues this Finding of Fact and Recommended Order as follows:

- A. The Respondent(s) MILLER PAUL, et. al. is/are the owner(s) of that certain parcel of real property located at 966 LAUREL CIRCLE, Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE III, SECT. 3 (A) (B) (C) (D), Commercial Vehicle, Commercial vehicles not allowed on property

ORDER

Based upon the foregoing finding of fact and recommended order, it is
ORDERED AND ADJUDGED THAT:

1. Respondent(s) shall by July 25, 2016 come into compliance with the violation cited herein by removing commercial vehicle from property.
2. Should the Respondent(s) fail to comply with this Recommended Order by July 25, 2016 the Respondent(s) is advised that the matter will be forwarded to the Board of Trustees with the Violation Committee's findings and recommendations along with a status report from DOR Enforcement Staff for the Board of Trustees to make a determination as to whether to proceed with legal action. Based on the nature of the violation found to exist in this matter, should the violation not be corrected within the time provided herein, the Violations Committee does recommend legal or equitable action, or other appropriate action, be taken by the Board of Trustees.
3. The Respondent is further advised that he/she shall contact the DOR staff and schedule an inspection to confirm the compliance with this Order has been achieved. Upon compliance, an Order of Compliance shall be issued by the Violations Committee and the Respondent shall be deemed in compliance with the violation(s) cited herein.
4. The Respondent(s) are further advised that should a repeat violation occur, the Respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

DONE AND ORDERED this 07/22/2016 at Barefoot Bay Recreation District Brevard County, Florida.

Violations Committee of the Barefoot Bay
Recreation District Brevard County, Florida

M. Joy Liddy, Chair

Al Grunow, Vice Chair

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
OF
FINDINGS OF FACT AND RECOMMENDED ORDER ISSUED BY THE VIOLATIONS COMMITTEE**

Pursuant to Resolution 2008-1 of the Board of Trustees of The Barefoot Bay Recreation District adopted the 22nd day of January, 2008; Section 7: Enforcement Procedure.

Notice is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **1:00 P.M.** on **August 12, 2016** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.**

The purpose of this **Hearing** will be to consider the Recommended Order of the Violations Committee to the Board of Trustees for your Case.

The Board shall not conduct a full de novo quasi-judicial hearing on the violation, but shall consider the Finding of Fact and Recommended Order issued by the Violations Committee. The owner may not present new or additional evidence, but shall be given an opportunity to be heard. If the Board of Trustees concurs with the Violation Committee that a violation has been established, the Board of Trustees shall have the authority to bring an action for injunctive or other appropriate legal or equitable relief in a court of competent jurisdiction in Brevard County, Florida to remedy the violation. If the Board of Trustees brings any such legal action to enforce the Deed of Restrictions and is deemed to be the prevailing party in such action, the Board of Trustees shall be entitled to an award of attorney's fees and court costs incident to bringing such action.

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE BOARD OF TRUSTEES WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD (FS 286.0105).

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.

July 20, 2016

Deed of Restrictions STAFF



966 Laurel Circle
Richard Armington
Jul 16, 2016



Photo: 966 Laurel Circle

Date Taken:07/25/2016

Address:966 LAUREL CIRCLE

Taken by:Richard Armington

Case Number:16-002085



Photo: 966 Laurel Circle

Date Taken:06/26/2016

Address:966 LAUREL CIRCLE

Taken by:Richard Armington

Case Number:16-002085

Meeting Date
August 12, 2016



Agenda
Section 9
Item No. A iii

Agenda Report

Barefoot Bay Recreation District Board of Trustees

#0009

Subject: Case # 16-002030 415 EGRET CIRCLE

Dept/Office: Resident Relations/DOR Enforcement

Requested Action: To consider the Violations Committee's finding and recommendation to bring an action for legal, equitable or other appropriate action with failure to comply.
If the Board of Trustees brings any such action to enforce the DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien.

Summary Explanation and Background: The Violations Committee met on 07/22/2016 and found ARTICLE III, SECT. 3 (A) (B) (C) (D) (E) Parking of Vehicles (Boats/Trailer/RV/Comm. Vehicles) The respondent has been given until July 25, 2016 to bring the property into compliance.

Staff has signed Affidavit of Notices, First Class and Certified mailing of Order of Finding and Recommended Order and Notice of Hearing and Affidavit of Non-Compliance.

There are no delinquent taxes on the property. There is a mortgage. No letters have been returned.
Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

Exhibits Attached: *Findings of Fact of Recommended Order Issued by the Violations Committee * Notice of Board Hearing * Photographs

Contact: Susan Cuddie, Thelma Gruseck, Thomas O'Donnell, Rich Armington

Fiscal Impact:

Contract/Agreement Reviewed by Attorney ___ YES ___ NO ___ N/A **Community Manager approval:** _____



415 Egret Circle
Jul 25, 2016

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-002030

#0009/16-002030

WEBSTER, MICHAEL A,

415 EGRET CIRCLE

BAREFOOT BAY, FL 32976

Respondent(s),

VIOLATIONS COMMITTEE FINDINGS OF FACT AND RECOMMENDED ORDER
AND
NOTICE OF DISTRICT HEARING

THIS CAUSE having come on for the public hearing before the Violations Committee on 07/22/2016 after due notice to the Respondent and the Violation Committee having heard testimony under oath and receiving evidence, thereupon issues this Finding of Fact and Recommended Order as follows:

- A. The Respondent(s) WEBSTER, MICHAEL A, et. al. is/are the owner(s) of that certain parcel of real property located at 415 EGRET CIRCLE , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE III, SECT. 3 (A) (B) (C) (D) (E), Parking of Vehicles (Boats/Trailer/RV/Comm. Vehicles), Commercial vehicles cannot be parked in residential yard

ORDER

Based upon the foregoing finding of fact and recommended order, it is
ORDERED AND ADJUDGED THAT:

1. Respondent(s) shall by July 25, 2016 come into compliance with the violation cited herein by removing commercial vehicle.
2. Should the Respondent(s) fail to comply with this Recommended Order by July 25, 2016 the Respondent(s) is advised that the matter will be forwarded to the Board of Trustees with the Violation Committee's findings and recommendations along with a status report from DOR Enforcement Staff for the Board of Trustees to make a determination as to whether to proceed with legal action. Based on the nature of the violation found to exist in this matter, should the violation not be corrected within the time provided herein, the Violations Committee does recommend legal or equitable action, or other appropriate action, be taken by the Board of Trustees.
3. The Respondent is further advised that he/she shall contact the DOR staff and schedule an inspection to confirm the compliance with this Order has been achieved. Upon compliance, an Order of Compliance shall be issued by the Violations Committee and the Respondent shall be deemed in compliance with the violation(s) cited herein.
4. The Respondent(s) are further advised that should a repeat violation occur, the Respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

DONE AND ORDERED this 07/22/2016 at Barefoot Bay Recreation District Brevard County, Florida.

Violations Committee of the Barefoot Bay
Recreation District Brevard County, Florida

M. Joy Liddy, Chair

- Al Grunow, Vice Chair

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
OF
FINDINGS OF FACT AND RECOMMENDED ORDER ISSUED BY THE VIOLATIONS
COMMITTEE**

Pursuant to Resolution 2008-1 of the Board of Trustees of The Barefoot Bay Recreation District adopted the 22nd day of January, 2008; Section 7: Enforcement Procedure.

Notice is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **1:00 P.M.** on **August 12, 2016** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.**

The purpose of this **Hearing** will be to consider the Recommended Order of the Violations Committee to the Board of Trustees for your Case.

The Board shall not conduct a full de novo quasi-judicial hearing on the violation, but shall consider the Finding of Fact and Recommended Order issued by the Violations Committee. The owner may not present new or additional evidence, but shall be given an opportunity to be heard. If the Board of Trustees concurs with the Violation Committee that a violation has been established, the Board of Trustees shall have the authority to bring an action for injunctive or other appropriate legal or equitable relief in a court of competent jurisdiction in Brevard County, Florida to remedy the violation. If the Board of Trustees brings any such legal action to enforce the Deed of Restrictions and is deemed to be the prevailing party in such action, the Board of Trustees shall be entitled to an award of attorney's fees and court costs incident to bringing such action.

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE BOARD OF TRUSTEES WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD (FS 286.0105).

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.

July 20, 2016

Deed of Restrictions STAFF



415 Egret Circle
Richard Armington
Jul 16, 2016



Photo:

Date Taken:03/16/2016
Address:415 EGRET CIRCLE

Taken by:Richard Armington
Case Number:16-001150



Photo: 415 Egret Circle

Date Taken:06/20/2016
Address:415 EGRET CIRCLE

Taken by:Richard Armington
Case Number:16-002030

Meeting Date
August 12, 2016



Agenda
Section 9
Item No. A iv

Agenda Report

Barefoot Bay Recreation District Board of Trustees

#0140

Subject: Case # 16-002046 882 HAWTHORN CIRCLE

Dept/Office: Resident Relations/DOR Enforcement

Requested Action: To consider the Violations Committee's finding and recommendation to bring an action for legal, equitable or other appropriate action with failure to comply.
If the Board of Trustees brings any such action to enforce the DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien.

Summary Explanation and Background: The Violations Committee met on 07/22/2016 and found ARTICLE III, SECT. 3 (A) (B) (C) (D) (E) Parking of Vehicles (Boats/Trailer/RV/Comm. Vehicles) The respondent has been given until July 25, 2016 to bring the property into compliance.

Staff has signed Affidavit of Notices, First Class and Certified mailing of Order of Finding and Recommended Order and Notice of Hearing and Affidavit of Non-Compliance.

There are no delinquent taxes on the property. No mortgage on property. No letters returned.
Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

Exhibits Attached: *Findings of Fact of Recommended Order Issued by the Violations Committee * Notice of Board Hearing * Photographs

Contact: Susan Cuddie, Thelma Gruseck, Thomas O'Donnell, Rich Armington

Fiscal Impact:

Contract/Agreement Reviewed by Attorney ___ YES ___ NO ___ N/A **Community Manager approval:**_____



882 Hawthorn Cir
Jul 26, 2016

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-002046

#0140/16-002046

STOVER, PAUL R,
882 HAWTHORN CIR
BAREFOOT BAY, FL 32976

Respondent(s),

VIOLATIONS COMMITTEE FINDINGS OF FACT AND RECOMMENDED ORDER
AND
NOTICE OF DISTRICT HEARING

THIS CAUSE having come on for the public hearing before the Violations Committee on 07/22/2016 after due notice to the Respondent and the Violation Committee having heard testimony under oath and receiving evidence, thereupon issues this Finding of Fact and Recommended Order as follows:

- A. The Respondent(s) STOVER, PAUL R, et. al. is/are the owner(s) of that certain parcel of real property located at 882 HAWTHORN CIRCLE , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE III, SECT. 3 (A) (B) (C) (D) (E), Parking of Vehicles (Boats/Trailer/RV/Comm. Vehicles), Boat/trailer on side of property

ORDER

Based upon the foregoing finding of fact and recommended order, it is
ORDERED AND ADJUDGED THAT:

1. Respondent(s) shall by July 25, 2016 come into compliance with the violation cited herein by removing the boat and trailer from the residential lot.
2. Should the Respondent(s) fail to comply with this Recommended Order by July 25, 2016 the Respondent(s) is advised that the matter will be forwarded to the Board of Trustees with the Violation Committee's findings and recommendations along with a status report from DOR Enforcement Staff for the Board of Trustees to make a determination as to whether to proceed with legal action. Based on the nature of the violation found to exist in this matter, should the violation not be corrected within the time provided herein, the Violations Committee does recommend legal or equitable action, or other appropriate action, be taken by the Board of Trustees.
3. The Respondent is further advised that he/she shall contact the DOR staff and schedule an inspection to confirm the compliance with this Order has been achieved. Upon compliance, an Order of Compliance shall be issued by the Violations Committee and the Respondent shall be deemed in compliance with the violation(s) cited herein.
4. The Respondent(s) are further advised that should a repeat violation occur, the Respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

DONE AND ORDERED this 07/22/2016 at Barefoot Bay Recreation District Brevard County, Florida.

Violations Committee of the Barefoot Bay
Recreation District Brevard County, Florida

M. Joy Liddy, Chair

-  Al Grunow, Vice Chair

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
OF
FINDINGS OF FACT AND RECOMMENDED ORDER ISSUED BY THE VIOLATIONS
COMMITTEE**

Pursuant to Resolution 2008-1 of the Board of Trustees of The Barefoot Bay Recreation District adopted the 22nd day of January, 2008; Section 7: Enforcement Procedure.

Notice is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **1:00 P.M.** on **August 12, 2016** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida**.

The purpose of this **Hearing** will be to consider the Recommended Order of the Violations Committee to the Board of Trustees for your Case.

The Board shall not conduct a full de novo quasi-judicial hearing on the violation, but shall consider the Finding of Fact and Recommended Order issued by the Violations Committee. The owner may not present new or additional evidence, but shall be given an opportunity to be heard. If the Board of Trustees concurs with the Violation Committee that a violation has been established, the Board of Trustees shall have the authority to bring an action for injunctive or other appropriate legal or equitable relief in a court of competent jurisdiction in Brevard County, Florida to remedy the violation. If the Board of Trustees brings any such legal action to enforce the Deed of Restrictions and is deemed to be the prevailing party in such action, the Board of Trustees shall be entitled to an award of attorney's fees and court costs incident to bringing such action.

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE BOARD OF TRUSTEES WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD (FS 286.0105).

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.

July 20, 2016

Deed of Restrictions STAFF



882 Hawthorn Cir
Thomas O'Donnell
Jul 15, 2016



Photo: Boat and trailer on side of property - 3 Days - Comply by July 25, 2016

Date Taken:07/15/2016

Address:882 HAWTHORN CIRCLE

Taken by:Thomas O'Donnell

Case Number:16-002046

Meeting Date
August 12, 2016



Agenda
Section 9
Item No. A v

Agenda Report

Barefoot Bay Recreation District Board of Trustees

#1431

Subject: Case # 16-001934 1003 WREN CIRCLE

Dept/Office: Resident Relations/DOR Enforcement

Requested Action: To consider the Violations Committee's finding and recommendation to bring an action for legal, equitable or other appropriate action with failure to comply.
If the Board of Trustees brings any such action to enforce the DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien.

Summary Explanation and Background: The Violations Committee met on 06/24/2016 and found ARTICLE III, SECT. 11 Exterior Maintenance The respondent has been given until July 08, 2016 to bring the property into compliance. This home is unoccupied, unresponsive owner. Options: 1. Turn case over to attorney to pursue legal, equitable or other appropriate action. 2. Hire a contractor and lien the property.

Staff has signed Affidavit of Notices, First Class and Certified mailing of Order of Finding and Recommended Order and Notice of Hearing and Affidavit of Non-Compliance. There are delinquent taxes on the property. There is a lien on the property. Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

Exhibits Attached: *Findings of Fact of Recommended Order Issued by the Violations Committee * Notice of Board Hearing * Photographs

Contact: Susan Cuddie, Thelma Gruseck, Thomas O'Donnell, Rich Armington

Fiscal Impact:

Contract/Agreement Reviewed by Attorney ___ YES ___ NO ___ N/A **Community Manager approval:**_____



1003 Wren Circle
Jul 08, 2016

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-001934

#1431/16-001934
GOBLER, ROBERT,
925 BELL AVE
MELBOURNE, FL 32935

Respondent(s),

VIOLATIONS COMMITTEE FINDINGS OF FACT AND RECOMMENDED ORDER
AND
NOTICE OF DISTRICT HEARING

THIS CAUSE having come on for the public hearing before the Violations Committee on 06/24/2016 after due notice to the Respondent and the Violation Committee having heard testimony under oath and receiving evidence, thereupon issues this Finding of Fact and Recommended Order as follows:

- A. The Respondent(s) GOBLER, ROBERT, et. al. is/are the owner(s) of that certain parcel of real property located at 1003 WREN CIRCLE , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE III, SECT. 11, Exterior Maintenance, Boarded up window on door

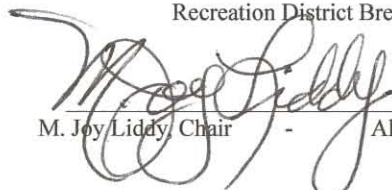
ORDER

Based upon the foregoing finding of fact and recommended order, it is
ORDERED AND ADJUDGED THAT:

1. Respondent(s) shall by July 08, 2016 come into compliance with the violation cited herein by repairing the boarded up window on the door of the home.
2. Should the Respondent(s) fail to comply with this Recommended Order by July 08, 2016 the Respondent(s) is advised that the matter will be forwarded to the Board of Trustees with the Violation Committee's findings and recommendations along with a status report from DOR Enforcement Staff for the Board of Trustees to make a determination as to whether to proceed with legal action. Based on the nature of the violation found to exist in this matter, should the violation not be corrected within the time provided herein, the Violations Committee does recommend legal or equitable action, or other appropriate action, be taken by the Board of Trustees.
3. The Respondent is further advised that he/she shall contact the DOR staff and schedule an inspection to confirm the compliance with this Order has been achieved. Upon compliance, an Order of Compliance shall be issued by the Violations Committee and the Respondent shall be deemed in compliance with the violation(s) cited herein.
4. The Respondent(s) are further advised that should a repeat violation occur, the Respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

DONE AND ORDERED this 06/24/2016 at Barefoot Bay Recreation District Brevard County, Florida.

Violations Committee of the Barefoot Bay
Recreation District Brevard County, Florida


M. Joy Liddy, Chair

- Al Grunow, Vice Chair

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
OF
FINDINGS OF FACT AND RECOMMENDED ORDER ISSUED BY THE VIOLATIONS COMMITTEE**

Pursuant to Resolution 2008-1 of the Board of Trustees of The Barefoot Bay Recreation District adopted the 22nd day of January, 2008; Section 7: Enforcement Procedure.

Notice is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **1:00 P.M.** on **August 12, 2016** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.**

The purpose of this **Hearing** will be to consider the Recommended Order of the Violations Committee to the Board of Trustees for your Case.

The Board shall not conduct a full de novo quasi-judicial hearing on the violation, but shall consider the Finding of Fact and Recommended Order issued by the Violations Committee. The owner may not present new or additional evidence, but shall be given an opportunity to be heard. If the Board of Trustees concurs with the Violation Committee that a violation has been established, the Board of Trustees shall have the authority to bring an action for injunctive or other appropriate legal or equitable relief in a court of competent jurisdiction in Brevard County, Florida to remedy the violation. If the Board of Trustees brings any such legal action to enforce the Deed of Restrictions and is deemed to be the prevailing party in such action, the Board of Trustees shall be entitled to an award of attorney's fees and court costs incident to bringing such action.

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE BOARD OF TRUSTEES WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD (FS 286.0105).

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.

June 21, 2016

Deed of Restrictions STAFF



Exterior Maintenance (Boarded window on door needs repaired) - 14 days - Comply by Aug. 12, 2016

Thomas O'Donnell

Jun 17, 2016

Meeting Date
Aug. 12, 2016



Agenda
Section 9
Item No. A vi

Agenda Report *Barefoot Bay Recreation District Board of Trustees*

#5062

Subject: Case # 16-001547 905 SPRUCE STREET
Dept/Office: Resident Relations/DOR Enforcement

Requested Action: To consider the Violations Committee's finding and recommendation to bring an action for legal, equitable or other appropriate action with failure to comply.
 If the Board of Trustees brings any such action to enforce the DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien.

Summary Explanation and Background: The Violations Committee met on 05/27/2016 and found ARTICLE III, SECT. 10 Condition of Skirting The respondent has been given until June 10, 2016 to bring the property into compliance.
 Staff has signed Affidavit of Notices, First Class and Certified mailing of Order of Finding and Recommended Order and Notice of Hearing and Affidavit of Non-Compliance.
 Option 1. Turn case over to attorney to pursue legal, equitable or other appropriate action.
 Option 2. Hire a contractor and lien the property.
 Respondent is deceased. All 2015 taxes are due. All correspondence has been returned. Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation. Case was put on hold due to investigate new contact information.

Exhibits Attached: *Findings of Fact of Recommended Order Issued by the Violations Committee * Notice of Board Hearing * Photographs

Contact: Susan Cuddie, Paul Ingardia, Thelma Gruseck, Thomas O'Donnell, Rich Armington

Fiscal Impact:

Contract/Agreement Reviewed by Attorney ☐ YES ☐ NO ☐ N/A **Community Manager approval:** _____



905 Spruce St
Jun 11, 2016

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-001547

#5062

JAMIESON, CHRISTOPHER LINDSAY,
905 SPRUCE STREET
BAREFOOT BAY, FL 32976

Respondent(s),

VIOLATIONS COMMITTEE FINDINGS OF FACT AND RECOMMENDED ORDER

AND

NOTICE OF DISTRICT HEARING

THIS CAUSE having come on for the public hearing before the Violations Committee on 05/27/2016 after due notice to the Respondent and the Violation Committee having heard testimony under oath and receiving evidence, thereupon issues this Finding of Fact and Recommended Order as follows:

- A. The Respondent(s) JAMIESON, CHRISTOPHER LINDSAY, et. al. is/are the owner(s) of that certain parcel of real property located at 905 SPRUCE STREET , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE III, SECT. 10, Condition of Skirting, Skirting needs to be repaired

ORDER

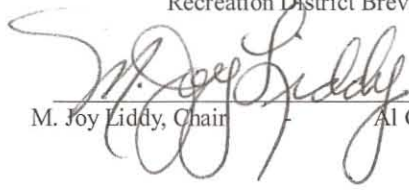
Based upon the foregoing finding of fact and recommended order, it is

ORDERED AND ADJUDGED THAT:

1. Respondent(s) shall by June 10, 2016 come into compliance with the violation cited herein by Repairing the damaged skirting.
2. Should the Respondent(s) fail to comply with this Recommended Order by June 10, 2016 the Respondent(s) is advised that the matter will be forwarded to the Board of Trustees with the Violation Committee's findings and recommendations along with a status report from DOR Enforcement Staff for the Board of Trustees to make a determination as to whether to proceed with legal action. Based on the nature of the violation found to exist in this matter, should the violation not be corrected within the time provided herein, the Violations Committee does recommend legal or equitable action, or other appropriate action, be taken by the Board of Trustees.
3. The Respondent is further advised that he/she shall contact the DOR staff and schedule an inspection to confirm the compliance with this Order has been achieved. Upon compliance, an Order of Compliance shall be issued by the Violations Committee and the Respondent shall be deemed in compliance with the violation(s) cited herein.
4. The Respondent(s) are further advised that should a repeat violation occur, the Respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

DONE AND ORDERED this 05/27/2016 at Barefoot Bay Recreation District Brevard County, Florida.

Violations Committee of the Barefoot Bay
Recreation District Brevard County, Florida


M. Joy Liddy, Chair

Al Grunow, Vice Chair

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
OF
FINDINGS OF FACT AND RECOMMENDED ORDER ISSUED BY THE VIOLATIONS
COMMITTEE**

Pursuant to Resolution 2008-1 of the Board of Trustees of The Barefoot Bay Recreation District adopted the 22nd day of January, 2008; Section 7: Enforcement Procedure.

Notice is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at 1:00 P.M. on July 8, 2016 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.

The purpose of this **Hearing** will be to consider the Recommended Order of the Violations Committee to the Board of Trustees for your Case.

The Board shall not conduct a full de novo quasi-judicial hearing on the violation, but shall consider the Finding of Fact and Recommended Order issued by the Violations Committee. The owner may not present new or additional evidence, but shall be given an opportunity to be heard. If the Board of Trustees concurs with the Violation Committee that a violation has been established, the Board of Trustees shall have the authority to bring an action for injunctive or other appropriate legal or equitable relief in a court of competent jurisdiction in Brevard County, Florida to remedy the violation. If the Board of Trustees brings any such legal action to enforce the Deed of Restrictions and is deemed to be the prevailing party in such action, the Board of Trustees shall be entitled to an award of attorney's fees and court costs incident to bringing such action.

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE BOARD OF TRUSTEES WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD (FS 286.0105).

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 771-664-4722.

May 25, 2016

Deed of Restrictions STAFF



Skirting needs repaired - 14 days - Comply by 6.10.16

Thomas O'Donnell

May 21, 2016

Meeting Date
August 12, 2016



Agenda	
Section	9
Item No	B

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: FY 2016 3rd quarter Capital & Grants Transfer and Resolution

Dept/Office: Administration- Finance Office

Requested Action: Approval of Transfer of Funds Expended in 3rd quarter of FY16 from SBA Capital Improvement Account to BBRD Operating Account and Approval of the Resolution

Summary Explanation and Background:

The following is a list of Remaining Balances for Capital and Grants Projects after FY16 3rd Qtr.:

Repairs and Maintenance Prior Year Funding	5,101.42
Contingency	395.16
Property Services Roof & Gutter Replacement	3,690.00
Removal of Undesirable Homes	4,079.00
Replacement Lawnmower	30,000.00
Replace Damaged Concrete	25,000.00
Upgrade Elec. Infrast. in Bldg. A	19,860.81
Replace Shed for Garden Club	(10.00)
Lawn Bowling Gutters	1,446.38
Restoration of Bunkers Phase 1	30,000.00
Expansion of #11 Tee Box	31.00
Signs at Entrances/Micco Road	2,000.00
Building F Replacement	6,168.04
Freshwater Observation Deck	978.65

Total Remaining Balance for Capital and Grants Projects **\$128,740.46**

As of 7/31/2016, the SBA Capital Improvement Account has a balance of \$184,981.94. *THUS, FY16 3rd QUARTER SBA CAPITAL ACCOUNT TRANSFER is \$56,241.48.*

Staff recommends the BOT approve the accompanying resolution and the transfer of \$56,241.48 from SBA Capital Improvement Account to BOA Operating Account.

Exhibits Attached: Resolution and Oct 2015-Jun 2016 P.S., Capital & Grants Departments' Statement of Revenues and Expenditures report

Contact: Kimi Cheng, Finance Manager

Fiscal Impact: N/A

Contract/Agreement Reviewed by Attorney: N/A

Community Manager's Approval:

RESOLUTION 2016 -

**A RESOLUTION OF THE BOARD OF TRUSTEES OF
THE BAREFOOT BAY RECREATION DISTRICT;
AUTHORIZING THE TRANSFER OF FIFTY SIX
THOUSAND TWO HUNDRED FORTY ONE DOLLARS
AND 48/100 CENTS (\$56,241.48) FROM THE DISTRICT'S
STATE BOARD OF ADMINISTRATION CAPITAL
IMPROVEMENT ACCOUNT TO THE DISTRICT'S
OPERATING ACCOUNT; PROVIDING FOR CONFLICTS;
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, The Barefoot Bay Recreation District Board of Trustees has recognized a need to transfer funds in the amount of Fifty Six Thousand, Two Hundred Forty One Dollars and 48/100 cents (\$56,241.48) from SBA Capital Account to the District's Operating Account for the Benefit of District operations; and

WHEREAS, The Barefoot Bay Recreation District maintains State Board of Administration (SBA) Capital Improvement Account which has a current balance of \$184,981.94 as of July 31, 2016; and

WHEREAS, the total remaining balance for Capital and Grants Projects is \$128,740.46. The total remaining balance is for the following Capital and Grants project approved by the District; and

Repairs and Maintenance Prior Year Funding	5,101.42
Contingency	395.16
Property Services Roof & Gutter Replacement	3,690.00
Removal of Undesirable Homes	4,079.00
Replacement Lawnmower	30,000.00
Replace Damaged Concrete	25,000.00
Upgrade Elec. Infrast. in Bldg. A	19,860.81
Replace Shed for Garden Club	(10.00)
Lawn Bowling Gutters	1,446.38
Restoration of Bunkers Phase 1	30,000.00
Expansion of #11 Tee Box	31.00
Signs at Entrances/Micco Road	2,000.00
Building F Replacement	6,168.04
Freshwater Observation Deck	978.65

WHEREAS, the third quarter projects expenditures was \$55,979.21 and funded by Committed Fund Balance – CIP in General Fund; and

WHEREAS, on August 12, 2016 the Board of Trustees considered the above referenced transfer and directed that such transfer be approved by Resolution.

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

Section 1. A transfer of funds in the amount of Fifty Six Thousand, Two Hundred Forty One Dollars and 48/100 cents (\$56,241.48) is authorized from SBA Capital Improvement Account to be allocated to the District's Operating Account.

Section 2. The Barefoot Bay Recreation District authorizes the usage of Fifty Five Thousand, Nine Hundred Seventy Nine Dollars and 21/100 cents (\$55,979.21) from Committed Fund Balance for CIP in General Fund for fiscal year 2015-16.

Section 3. This Resolution shall become effective immediately upon its adoption.

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, Joseph Klosky
Trustee, Lee Wright
Trustee, Steve Diana
Trustee, Brian Lavier
Trustee, Frank Cavaliere

The Chairman thereupon declared this resolution Done, Ordered, and Adopted this 12th Day of August, 2016.

BAREFOOT BAY RECREATION DISTRICT

By: _____
JOSEPH KLOSKY
CHAIRMAN

STEVE DIANA
SECRETARY

Property Services

	Current Period Actual	Current Year Actual	Total Budget Original	TTL Budget Revised	Balance Remaining	Fund needed in SBA Capital
Repairs and Maintenance Prior Year Funding	0.00	0.00	0.00	5,101.42	5,101.42	5,101.42

Capital

	Current Period Actual	Current Year Actual	Total Budget Original	TTL Budget Revised	Balance Remaining	Fund needed in SBA Capital
Contingency	0.00	0.00	50,000.00	395.16	395.16	395.16
Property Services Roof & Gutter Replacement	3,480.00	3,480.00	0.00	7,170.00	3,690.00	3,690.00
Egret Bridge Rail Replacement	2,767.50	2,767.50	0.00	2,767.50	0.00	0.00
Scoreboard at Softball Field	8,900.00	8,900.00	0.00	8,900.00	0.00	0.00
Pool 3 Pit Replacement	10,023.88	10,023.88	0.00	10,023.88	0.00	0.00
Lawn Bowling Renovation	1,379.63	1,379.63	0.00	0.00	0.00	0.00
Softball Field Repair	16,139.00	16,139.00	0.00	16,139.00	0.00	0.00
Removal of Undesirable Homes	4,121.00	4,121.00	8,200.00	8,200.00	4,079.00	4,079.00
Replacement Lawnmower	0.00	0.00	30,000.00	30,000.00	30,000.00	30,000.00
Replace Damaged Concrete	0.00	0.00	25,000.00	25,000.00	25,000.00	25,000.00
Upgrade Elec. Infrast. in Bldg A	10,139.19	10,139.19	30,000.00	30,000.00	19,860.81	19,860.81
Replace Shed for Garden Club	4,010.00	4,010.00	4,000.00	4,000.00	(10.00)	(10.00)
Lawn Bowling Gutters	2,553.62	2,553.62	4,000.00	4,000.00	1,446.38	1,446.38
Restoration of Bunkers Phase 1	0.00	0.00	30,000.00	30,000.00	30,000.00	30,000.00
Expansion of #11 Tee Box	8,769.00	8,769.00	8,800.00	8,800.00	31.00	31.00
F&B POS System	9,100.94	9,100.94	0.00	9,100.94	0.00	0.00
R.R. Golf Cart Replacement	3,200.00	3,200.00	0.00	3,300.00	100.00	0.00
Building D&E Design	23,400.00	23,400.00	0.00	23,400.00	0.00	0.00
Courtesy Golf Cart	9,653.70	9,653.70	0.00	9,653.70	0.00	0.00
Building A Shed	2,900.00	2,900.00	0.00	2,900.00	0.00	0.00
Building A Shed #2	2,700.00	2,700.00	0.00	2,700.00	0.00	0.00
Building D&E Fire Alarm System	10,951.14	10,951.14	0.00	10,951.14	0.00	0.00
CCTV Replacement and Expansion	12,620.00	12,620.00	0.00	0.00	0.00	0.00
19th Hole Oven	4,667.97	4,667.97	0.00	0.00	0.00	0.00
Signs at Entrances/Micco Road	0.00	0.00	0.00	2,000.00	2,000.00	2,000.00
Building F Replacement	47,460.02	47,460.02	0.00	53,628.06	6,168.04	6,168.04
Total Expenditures	198,936.59	198,936.59	190,000.00	303,029.38	122,760.39	122,660.39

Grants

	Current Period Actual	Current Year Actual	Total Budget Original	TTL Budget Revised	Balance Remaining	Fund needed in SBA Capital
Professional Fees	1,500.00	1,500.00	0.00	0.00	0.00	0.00
Freshwater Observation Deck	14,136.95	14,136.95	0.00	15,115.60	978.65	978.65
Total Expenditures	15,636.95	15,636.95	0.00	15,115.60	978.65	978.65

\$128,740.46

June 30, 2016 CFB-CIP Ending Balance: **\$184,719.67**

Interest Earned from May 16 to July 16: **\$262.27**

SBA Capital Improvement Account Balance as of July 31, 2016: **\$184,981.94**

Fund needed in SBA Capital Improvement Account: **\$128,740.46**

FY16 3rd Quarter SBA Capital Account Transfer to Operating Account: **\$56,241.48**

Meeting Date
August 12, 2016



Agenda	
Section	9
Item No	C

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Softball Infield Project Budget Amendment and Resolution

Dept./Office: Administration - Finance Office

Requested Action: Review and Approve Budget Amendment and Resolution
<p>Summary Explanation and Background:</p> <p>Staff received request from Barefoot Bay Senior Softball League for softball infield tune up project. The total amount of the project is estimated to be approximately \$6,400.00, \$3,000 in labor and \$3,400.00 in materials (to be procured by BBRD).</p> <p>The tentative start date of the project is September 20, 2016.</p> <p>The Community Manager has the authority to approve the above purchase and project since it is under \$7,500 purchase threshold. However, a budget amendment to FY16 Adopted Budget is required to be approved by BOT because it is not a budgeted expenditure:</p> <p style="padding-left: 40px;">A budget amendment to allocate \$6,400.00 from Contingency line item in Administration Finance Sub-Department to R&M Grounds line item in Property Services Recreation Sub-Department.</p> <p>Staff recommends the BOT <u>approve the accompanying resolution for Softball Infield Project in FY16 Adopted Budget.</u></p>
Exhibits Attached: Resolution
Contact: Kimi Cheng, Finance Manager; Matt Goetz, Property Services Manager; and John W. Coffey, Community Manager
Fiscal Impact: \$6,400.00 from Admin Finance Contingency
Contract/Agreement Reviewed by Attorney: N/A
Community Manager's Approval:

RESOLUTION 2016 -

**A RESOLUTION OF THE BOARD OF TRUSTEES
OF THE BAREFOOT BAY RECREATION
DISTRICT AMENDING RESOLUTION 2015-12;
AMENDING THE BUDGETS; PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, the Barefoot Bay Recreation District Board of Trustees adopted Resolution 2015-12, an operating Budget for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016; and

WHEREAS, the Board of Trustees has ascertained that the following amendment is necessary to provide for the operation of the District for the fiscal year 2015/16:

An Amendment in the amount of \$6,400.00 to be allocated from Contingency line item in Administration Finance Sub-Department to R&M Grounds line item in Property Services Recreation Sub-Department; and

WHEREAS, on August 12, 2016 the Board of Trustees considered the above referenced budget amendment and transfers and directed that such budget amendment be approved by Resolution.

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

THAT the amendment and transfers shall be made to the operating Budget for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016.

THAT the Community Manager and Finance Manager are directed to adjust the line items listed in FY16 Budget.

THAT this resolution shall become effective immediately upon adoption.

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, Joseph Klosky
Trustee, Lee Wright
Trustee, Steve Diana
Trustee, Brian Lavier
Trustee, Frank Cavaliere

The Chairman thereupon declared this Resolution Done, Ordered, and Adopted on this 12th day of August, 2016.

BAREFOOT BAY RECREATION DISTRICT

By: _____
JOSEPH KLOSKY,
CHAIRMAN

STEVE DIANA,
SECRETARY

Meeting Date
August 12, 2016



Agenda	
Section	9
Item No	D

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Authorization of Certificate to Non-Ad Valorem Assessment Roll for Fiscal Year 2016/17 and its Resolution

Dept./Office: Administration - Finance Office

Requested Action: Review and Approval of FY 2016/17 Certificate to Non-Ad Valorem Assessment Roll and Resolution
<p>Summary Explanation and Background:</p> <p>The Board of Trustees has previously entered into written agreements with the Brevard County Property Appraiser and Brevard County Tax Collector for the collection of its non-ad valorem assessment; and pursuant to Section 197.3632(5)(a), Florida Statutes, and Rule 12D-18.006, Florida Administrative Code, the Chair of the Board of Trustees, or his or her designee, is required to certify a non-ad valorem assessment roll on compatible electronic medium to the Tax Collector by September 15 of each year; and requires that the non-ad valorem assessment for each parcel shall be posted on the assessment roll.</p> <p>Staff recommends the BOT <u>approve the accompanying resolution and authorize Chairman Klosky to sign the Certificate to Non-Ad Valorem Assessment Roll for FY 2016/17.</u></p>
Exhibits Attached: Resolution; Exhibit A - BBRD Final Assessment Roll FY 2016/17; Exhibit B - Form DR-408A Certificate to Non-Ad Valorem Assessment Roll; Exhibit C - Form DR-409A Certificate of Correction of Non-Ad Valorem Assessment Roll
Contact: Kimi Cheng, Finance Manager
Fiscal Impact: N/A
Contract/Agreement Reviewed by Attorney: N/A
Community Manager's Approval:

RESOLUTION 2016 -

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE
BAREFOOT BAY RECREATION DISTRICT; PROVIDING
FOR THE PREPARATION, ADOPTION, AND
AUTHORIZATION OF CERTIFICATION OF A NON-AD
VALOREM ASSESSMENT ROLL; PROVIDING FOR
CORRECTIONS OF ERRORS AND OMISSIONS;
PROVIDING FOR CONFLICTS; PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, the Board of Trustees of the Barefoot Bay Recreation District (the "District") has, by adoption of Resolution No. 2016-13; adopted a non-ad valorem assessment to fund the operating budget for the District for fiscal year 2016/2017; and

WHEREAS, by way of adoption of Resolution No. 2008-09, the Board of Trustees has previously expressed its intent to utilize the uniform method of levying, collecting, and enforcing non-ad valorem assessments beginning with the fiscal year 2009/2010 and for all future years (subject to annual adjustment) in accordance with Section 197.3632, Florida Statutes; and

WHEREAS, the Board of Trustees has previously entered into written agreements with the Brevard County Property Appraiser and Brevard County Tax Collector for the collection of its non-ad valorem assessment; and

WHEREAS, pursuant to Section 197.3632(5)(a), Florida Statutes, and Rule 12D-18.006, Florida Administrative Code, the Chair of the Board of Trustees, or his or her designee, is required to certify a non-ad valorem assessment roll on compatible electronic medium to the Tax Collector by September 15 of each year; and

WHEREAS, Sec. 197.3632(5)(a), F.S., requires that the non-ad valorem assessment for each parcel shall be posted on the assessment roll; and

WHEREAS, Sec. 197.3632(5)(a), F.S., provides that alterations to the assessment roll may be made by the Chair or his or her designee up to 10 days prior to certification; and

WHEREAS, the Board of Trustees has prepared an assessment roll in accordance with Sec. 197.3632(5)(a), F.S., which is attached and incorporated to this Resolution as Exhibit "A;" and

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

Section 1. The assessment roll attached and incorporated to this Resolution as Exhibit "A" is hereby approved. The assessment roll contains the following information: (1) a summary description of each lot subject to the Assessment; (2) the name of the owner of record of each lot; and (3) the assessment amount attributable to each lot.

Section 2. The Chair, or his designee, is authorized to certify the assessment roll to the Brevard County Tax Collector by execution of the Certificate to Non-Ad Valorem Assessment Roll on Form DR-408A (attached and incorporated as Exhibit “B” to this Resolution).

Section 3. Corrections of errors or omissions discovered on the assessment roll shall be made by the Chair, or his designee, up to ten (10) days prior to certification, in accordance with Section 197.3632 (5)(a), F.S. and Rule 12D-18.006 (2), Florida Administrative Code. After certification, the District may make corrections by filing with the tax collector a Certificate of Correction on Form DR-409A (attached and incorporated as Exhibit “C” to this Resolution) or as otherwise provided by law.

Section 4. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

Section 5. This Resolution shall become effective immediately upon adoption.

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, Joseph Klosky
Trustee, Lee Wright
Trustee, Steve Diana
Trustee, Brian Lavier
Trustee, Frank Cavaliere

The Chairman thereupon declared this resolution Done, Ordered, and Adopted this 12th Day of August, 2016.

BAREFOOT BAY RECREATION DISTRICT

By: _____
JOSEPH KLOSKY
CHAIRMAN

STEVE DIANA
SECRETARY



**CERTIFICATE OF CORRECTION OF
NON-AD VALOREM ASSESSMENT ROLL**
Section 197.3632, F.S, and Rule 12D-18.006(2), F.A.C.

_____ County

To: Tax Collector

You are hereby authorized to correct the assessment, rate/basis, or legal description of the
Non-Ad Valorem Assessment Roll as follows:

Tax year			

Parcel or folio number			
Name to whom assessed			
Address			
<input type="checkbox"/> Change legal description to:			
<input type="checkbox"/> Change rate/basis from:		to:	
<input type="checkbox"/> Change non-ad valorem assessment from:		to:	
State reason for correction:			

Attach additional documents when necessary

Local government representative

Date

Name of government unit or taxing authority

Original: Tax Collector

cc: Property Appraiser
 Local Government
 Department of Revenue
 Property Tax Oversight
 PO Box 3000
 Tallahassee, FL 32315-3000



CERTIFICATE TO NON-AD VALOREM ASSESSMENT ROLL

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of Barefoot Bay Recreation District, located in Brevard County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the 12 day of August, 2016 year.

Chairman of the Board or authorized agent
of Barefoot Bay Recreation District
Name of local government
Brevard County, Florida

Meeting Date

August 12, 2016

**Agenda****Section 9****Item No E**

Agenda Report

Barefoot Bay Recreation District Board of Trustees**Subject:** 635 Hyacinth Circle Disposition Option**Dept/Office:** DOR Enforcement**Requested Action:** Consideration of listing 635 Hyacinth for sale.**Summary Explanation and Background:**

Barefoot Bay Recreation District obtained the deed for 635 Hyacinth in November 2015. Expenses paid or due on the property include:

Actual paid costs	
Demolition & asbestos survey (paid)	3,571.00
County administrative costs (paid)	550
	<u>4,121.00</u>
Enforcement costs (due)	1,126.00
2015 taxes (due)	1,052.39
2014 taxes (due)	<u>1,174.26</u>
	<u>3,352.65</u>
Property services maintenance	4,329.84
Actual Expenses paid or due	7,473.65

To date BBRD has paid \$4,121.00 for the demolition of the home at 635 Hyacinth Circle. The Brevard county taxes and enforcement fees are due. The Property services fees were charged to the prior owners account and have been written off.

A list of sales of vacant lots is included in this e-mail for your consideration. The Board should consider listing the property for \$12,000, with BBRD paying the Enforcement costs and taxes due prior to closing. Once the sales proceeds are received a budget amendment will be presented to the BOT to recognize the revenue and corresponding expenditure budget (back to the project thereby replenishing the budget and allowing for additional homes to be purchased and flipped).

Staff recommends that the BOT authorize listing the lot for sale at \$12,000.00.

Exhibits Attached: Tax Collector list of BB vacant lots sold, E-mail from General Counsel Repperger dated 7/26/16, Tax bill, Deed

Contact: Susan Cuddie, Resident Relations Manager

Fiscal Impact: Estimated \$7,473,65 (FY16 Capital Department Budget of \$8,200)

Contract/Agreement Reviewed by Attorney: N/A

Community Manager's Approval:

WEBSITE IN DEVELOPMENT - NOT ALL FEATURES FULLY FUNCTIONAL - [READ MORE \(/News.aspx?i=newwebsite\)](/News.aspx?i=newwebsite)

[VISIT PREVIOUS WEBSITE](#)

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Brevard County Property Appraiser

Dana Blickley, CFA

Last Updated: 8/4/2016 @ 1:34 AM EST

Results

[Basic](#) | [Advanced](#) | [Results](#) | [Details](#) | [Map](#)

Query: zip=32976&usecode=0020&sdlow=01-01-2016&sdhigh=07-31-2016&size=250

Records: 25

Add/Remove Columns ▾ ()

✓ All () ✓ None ()

☒ Site Address ☐ Mailing Address ☐ Owner ☒ Parcel ID ☒ Account ☒ Sale Date
☒ Sale Price ☐ Acreage ☐ OR Book/Page ☒ Property Use ☐ Taxing District
☒ Subdivision Name ☐ Base Area ☐ Sub Area

Site Address	Parcel ID	Account	Sale Date	Sale Price	Property Use
1013 Oriole Cir Barefoot Bay FL 32976	30---38-09-JS	3003196	01/21/2016	\$8,500	Vacant Mobile h
1022 Oriole Cir Barefoot Bay FL 32976	30---38-09-JS	3003260	05/11/2016	\$9,000	Vacant Mobile h
1166 Waterway Dr Barefoot Bay FL 32976	30---38-09-JS	3003278	03/03/2016	\$100	Vacant Mobile h
1166 Waterway Dr Barefoot Bay FL 32976	30---38-09-JS	3003278	03/09/2016	\$34,000	Vacant Mobile h
1173 Barefoot Cir Barefoot Bay FL 32976	30---38-09-JS	3002354	04/18/2016	\$100	Vacant Mobile h
1173 Barefoot Cir Barefoot Bay FL 32976	30---38-09-JS	3002354	04/18/2016	\$24,500	Vacant Mobile h
1180 Barefoot Cir Barefoot Bay FL 32976	30---38-09-JS	3002540	04/15/2016	\$34,000	Vacant Mobile h
1239 Waterway Dr Barefoot Bay FL 32976	30---38-09-JS	3003247	02/18/2016	\$100	Vacant Mobile h

Site Address	RESEARCH EXEMPTIONS TANGIBLE FORMS GENERAL CONTACTS	Parcel ID	Account	Sale Date	Sale Price	Property Use
1239 Waterway Dr Barefoot Bay FL 32976		30---38-09-JS	3003247	04/11/2016	\$14,000	Vacant Mobile h
381 Marlin Cir Barefoot Bay FL 32976		30---38-15-01	3006991	02/09/2016	\$5,800	Vacant Mobile h
406 Raven Dr Barefoot Bay FL 32976		30---38-10-JT	3004595	02/12/2016	\$3,000	Vacant Mobile h
623 Hyacinth Cir Barefoot Bay FL 32976		30---38-10-JS	3004040	01/04/2016	\$8,000	Vacant Mobile h
640 Barefoot Blvd Barefoot Bay FL 32976		30---38-10-JT	3004434	04/20/2016	\$37,000	Vacant Mobile h
723 Barefoot Blvd Barefoot Bay FL 32976		30---38-10-JT	3004701	03/11/2016	\$39,000	Vacant Mobile h
723 Barefoot Blvd Barefoot Bay FL 32976		30---38-10-JT	3004701	04/18/2016	\$41,500	Vacant Mobile h
741 Hyacinth Cir Barefoot Bay FL 32976		30---38-10-JS	3003736	03/07/2016	\$12,000	Vacant Mobile h
801 Vireo Dr Barefoot Bay FL 32976		30---38-10-76	3006217	02/19/2016	\$15,000	Vacant Mobile h
851 Laurel Cir Barefoot Bay FL 32976		30---38-10-JU	3004884	03/30/2016	\$12,000	Vacant Mobile h
879 Pecan Cir Barefoot Bay FL 32976		30---38-10-JU	3004854	02/18/2016	\$100	Vacant Mobile h
879 Pecan Cir Barefoot Bay FL 32976		30---38-10-JU	3004854	02/23/2016	\$100	Vacant Mobile h
918 Laurel Cir Barefoot Bay FL 32976		30---38-10-JU	3005094	05/31/2016	\$5,000	Vacant Mobile h
919 Yew St Barefoot Bay FL 32976		30---38-10-50	3005793	01/06/2016	\$30,000	Vacant Mobile h
923 Vireo Dr Barefoot Bay FL 32976		30---38-10-76	3006264	06/07/2016	\$100	Vacant Mobile h
929 Thrush Cir Barefoot Bay FL 32976		30---38-09-JS	3002958	04/08/2016	\$10,000	Vacant Mobile h
930 Spruce St Barefoot Bay FL 32976		30---38-10-50	3005660	06/17/2016	\$31,000	Vacant Mobile h

Records: 25

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Online Property Search (</propertysearch>)

Online Map ()

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County Government ▶

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Brevard County - Google Maps (<https://www.google.com/maps/place/Brevard+County,+FL/@28.306727,-80.7168142,160256m/data>

Brevard County - Wikipedia (http://en.wikipedia.org/wiki/Brevard_County,_Florida)

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(<https://www.ssllabs.com/ssltest/analyze.html?d=www.bcpao.us>)

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John Coffey

From: Clifford R. Repperger, Jr., Esq.
Sent: Tuesday, July 26, 2016 8:08 PM
To: Brian Lavier - Barefoot Bay Recreation District (brianlavier@bbrd.org); Frank Cavaliere - Barefoot Bay Recreation District (frankcavaliere@bbrd.org); Joe Klosky; Lee Wright (leewright@bbrd.org); Steve Diana (sdiana@bbrd.org)
Cc: jcoffey@bbrd.org; Dawn Myers (dawnmyers@bbrd.org); Kimi Cheng (kimicheng@bbrd.org)
Subject: 635 Hyacinth Circle Brevard County Code Enforcement Case 13CE-00698

Honorable Trustees,

This morning, I attended the Board of County Commissioners meeting regarding the above referenced property/code enforcement case. The Board of County Commissioners did not agree to waive the actual enforcement case costs (\$1,126.00). The Special Magistrate had previously reduced the accrued fine amount (\$2,625.00) to zero. The Board of Trustees previously paid \$550.00 in administrative enforcement costs. The Board of County Commissioners stated that they did not, as a policy feel comfortable waiving the County's actual costs.

To date the Board of Trustees has spent the following amounts:

\$3,571.00 in demolition and asbestos removal costs.

\$4,329.84 in maintenance-related costs (pre-demolition).*

* Does not include post-demolition administrative costs and legal fees.

Taxes for 2014 (\$1,159.96) and 2015 (\$1,052.39) for a total amount of \$2,212.35 remain outstanding.

The assessed value of the property is currently listed on the Property Appraiser's website at \$7,500.00.

At this point, the Board can take any of the following options:

1. Pay the enforcement costs (\$1,126.00) to Brevard County, pay the outstanding taxes (\$2,212.35), and move forward with marketing the property for sale taking into account the amounts paid.; or,
2. Pay the amounts in number 1 and hold the property for possible increase in value; or,
3. Attempt to sell the property "as is" to a willing buyer subject to the Brevard County enforcement costs lien and outstanding taxes.; or,
4. Do nothing. (In this scenario, the property would eventually be sent to a tax deed sale due to the outstanding tax certificates for 2014 and 2015). After sale, BBRD would be divested of ownership with no additional expenditure of District funds.

I will be raising this issue under my report this evening. If you have any questions or concerns, please feel free to contact me.

Best regards,

Cliff

Clifford R. Repperger, Jr., Esq. | Shareholder
GRAY | ROBINSON

1795 West NASA Blvd. | Melbourne, Florida 32901

T: 321-727-8100 | **F:** 321-984-4122

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BREVARD COUNTY TAX COLLECTOR

Lisa Cullen, CFC

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Bill History — Real Estate Account At 635 HYACINTH CIR, BAREFOOT BAY, FL 32976

Real Estate Account #3004034

[Parcel details](#)

[Latest bill](#)

[Full bill history](#)

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Amounts as of 08/04/2016

Bill	Balance	Pay all: \$2,226.65	
2015 Annual Bill	\$1,052.39	Pay this bill: \$1,052.39	
Issued certificate #13858	Face \$996.32 Rate 17%	06/01/2016	Certificate issued
		05/02/2016	Advertisement file created
2014 Annual Bill	\$1,174.26	Pay this bill: \$1,174.26	
Issued certificate #14247	Face \$953.48 Rate 18%	05/30/2015	Certificate issued
		04/30/2015	Advertisement file created
2013 Annual Bill	Tax Deed (see 2011)		
Tax Deed Application #140175 Sold Tax Deed #140175		09/25/2014	Deed sale
		05/23/2014	Deed certified
		04/16/2014	Deed applied
2012 Annual Bill	Tax Deed (see 2011)		
Tax Deed Application #140175 Sold Tax Deed #140175		09/25/2014	Deed sale
		05/23/2014	Deed certified
		04/16/2014	Deed applied
2011 Annual Bill	\$0.00		
Tax Deed Application #140175 Sold Tax Deed #140175		09/25/2014	Deed sale
		05/23/2014	Deed certified
		04/16/2014	Deed applied
2010 Annual Bill	Tax Deed (see 2011)		
Tax Deed Application #140175 Sold Tax Deed #140175		09/25/2014	Deed sale
		05/23/2014	Deed certified
		04/16/2014	Deed applied
2009 Annual Bill	Tax Deed (see 2011)		
Tax Deed Application #140175 Sold Tax Deed #140175		09/25/2014	Deed sale
		05/23/2014	Deed certified
		04/16/2014	Deed applied
2008 Annual Bill	\$0.00	03/31/2011	Paid \$1,243.38 Receipt #2011-6713300
Redeemed certificate #15638	Face \$1,009.90 Rate 18%	03/31/2011	Certificate redeemed
		05/29/2009	Certificate issued
		05/01/2009	Advertisement file created
2007 Annual Bill	\$0.00	06/14/2010	Paid \$1,218.46 Receipt #2010-1610286
Redeemed certificate #14155	Face \$1,003.21 Rate 10%	06/14/2010	Certificate redeemed
		05/30/2008	Certificate issued
Total Balance	\$2,226.65	Pay all: \$2,226.65	

Bill

Balance

Pay all: \$2,226.65

05/01/2008 Advertisement file created

 [2006 Annual Bill](#)

\$0.00 01/09/2007 **Paid \$1,372.55 Receipt #2007-1208152**
Effective 12/31/2006

 [2005 Annual Bill](#)

\$0.00 12/01/2005 **Paid \$1,246.87 Receipt #2006-6035854**
Effective 11/30/2005

Total Balance

\$2,226.65

Pay all: \$2,226.65

3

E BAREFOOT BAY RECREATION
625 BAREFOOT BLVD
BAREFOOT BAY, FL 32976

PREPARED BY & RETURN TO
Cliff R Reppeger Esq
GrayRobinson, P A
1795 West NASA Blvd
Melbourne Florida 32901

PARCEL TAX ID #30-38-10-JS-78-22
Actual Consideration: \$0.00

WARRANTY DEED

THIS INDENTURE, made this 8th day of NOVEMBER, 2015, between **GOYAL JITENDRA** ("Grantor") whose post office address is 890 Flammang Avenue, Brawley, California 92227, and **BAREFOOT BAY RECREATION DISTRICT BOARD OF TRUSTEES** ("Grantee") whose post office address is 625 Barefoot Boulevard, Barefoot Bay, Florida 32796

WITNESSETH that the Grantor, for and in consideration of the sum of **TEN AND NO/100THS DOLLARS (\$10.00)**, and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee and Grantee's heirs and assigns forever, the following described land, situate, lying and being in the County of Brevard, State of Florida, to wit

Lot 22, Block 78, Barefoot Bay Unit Two Part Ten, according to the plat thereof, as recorded in Plat Book 22, Pages 105 through 115, inclusive, of the Public Records of Brevard County, Florida

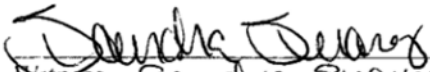
Grantor warrants that at the time of this conveyance, the Subject Property is not the Grantor's homestead within the meaning set forth in the Constitution of the State of Florida, nor is it contiguous to any homestead property of the Grantor

SUBJECT TO zoning, restrictions, prohibitions and other requirements imposed by governmental authority, restrictions and matters appearing on the plat or otherwise common to the subdivision or condominium, the reference to which shall not operate to reimpose the same, public utility easements of record, and any unpaid real estate taxes


TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the Grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written

Signed, sealed and delivered
in presence of


Witness Sandra Suarez


GOYAL JITENDRA


Witness Marie Salazar

STATE OF CALIFORNIA
COUNTY OF _____

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of September, 2015,
by **GOYAL JITENDRA**, who personally appeared before me. [] is personally known to me or [] has
produced _____ as identification

Notary Public
Name _____
My Commission Expires _____

X See attachment
11/9/15 JB

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

State of California

County of Imperial

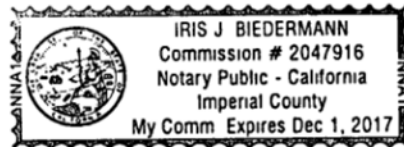
On November 9, 2015 before me, Irish J. Biedermann, Notary Public
(insert name and title of the officer)

personally appeared Jitendra Goyal,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in
his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instru ment

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal

Signature Irish J. Biedermann (Seal)



Meeting Date
Aug. 12, 2016



Agenda
Section 9
Item No F

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Adoption of Revised Policy Manual

Dept/Office: Administration: District Clerk's Office

Requested Action: Review and Adoption

Summary Explanation and Background:

On 28Jul16, the BOT held a workshop to review recommended changes to the BBRD Policy Manual and by consensus agreed to the following changes:

- Clarification of Travel Policy language (p. 1-1&2)
- Increased threshold for items to be tagged for inventory purposes (p. 2-2)
- Removed long-term debt section (p. 2-6&7)
- Clarified competitive pricing exception (p. 2-9)
- Added use of State Contract language (p. 2-10)
- Added reference to continuing service contracts (p. 2-11)
- Added Grandchild pass definition (p.3-1)
- Added an exception/approval process to prohibition to use of certain items in assembly buildings (p. 3-5)
- Added language prohibiting non-employees from entering work areas without being accompanied by management (p. 3-5)
- Added language to allow resident with an expired social membership badge to purchase a guest pass for use until next business day (p.3-6)
- Clarified social membership definition
- Increased golf membership installment payment processing fee (p. 3-9)
- Added language to require persons not fully capable of taking care of themselves to have someone else with them in the pools (p. 3-13)
- Removed prohibition of colored t-shirts and added language making person who wears clothes that bleed in the pool responsible for cost of clean up (p. 3-13)
- Added reference to ADA designated areas on golf course (p. 3-15)
- Clarified camping requirements at the beach
- Clarified badge requirements in Lounge, 19th Hole and Pavilion for BBRD meetings or workshops (p. 3-18)
- Added ability to convert one-day guest pass to week guest pass and receive credit for cost of one-day pass (p. 3-19)
- Removed rental of buildings fees for residents and clubs (p. 3-19)
- Added reference to cost of initial key to beach and pier (p. 3-19)
- Decreased replacement key cost (p.3-19)
- Removed guest pass requirement from Golf Course usage (p. 3-20)
- Increased non-resident cost of using buildings (p. 3-20)
- Removed exclusive use of pools (p. 3-20)
- Removed RV rental costs currently covered in leases (p. 3-20)
- Prohibited homeowners adjacent to the golf course from providing alcohol to golfers

(violation of BBRD's liquor license) (p. 3-23)

- Increased cost of having a F&B employee use the slicer or grill for an event (p. 3-25)
- Provided for exception to homeowners/residents of public records fees for certain documents (section 4.3)
- Minor language tweaks throughout the document

Staff recommends the BOT adopt the revised Policy Manual as attached.

Exhibits Attached: Revised Policy Manual

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

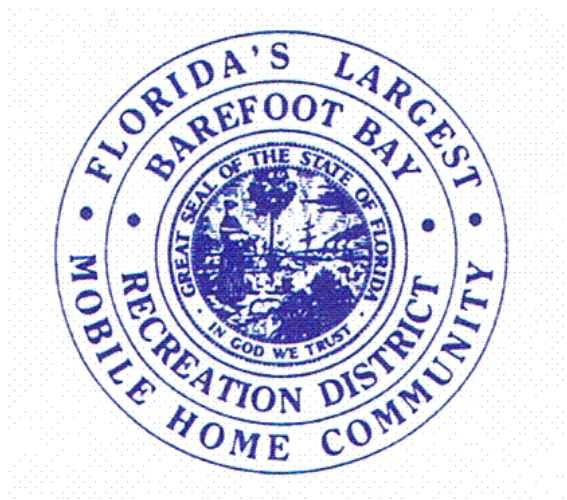
Fiscal Impact: N/A

Contract/Agreement Reviewed by Attorney: N/A

Community Manager's Approval:

Barefoot Bay Recreation District

Policy Manual



Includes Revisions Adopted by BOT on 10Jun16

Barefoot Bay Recreation District
Policy Manual
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1.3 JOB INSTRUCTION TRAINING MANUAL	Part 1-2
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2.0 ACCOUNTS PAYABLE	Part 2-1
Sales Tax	Part 2-1
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2.2 ASSESSMENT FEE COLLECTION POLICY	Part 2-1
2.3 CONVEYANCE OF PROPERTY	Part 2-1
2.4 PAYROLL	Part 2-2
2.5 RETIREMENT PLAN	Part 2-2
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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 available, subject to prior approval of district management. If necessary, during a declared emergency, district management may waive this policy. ³

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. ⁴These 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. ARCC committee members are reimbursed for travel expenses at a rate of \$10.00 per house permit in lieu of mileage as provided above.⁵~~

e.f. Traveler must elect prior to travel use of per diem or reimbursement for meal expense (including up to 15% tip and sales tax).

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. 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.

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 \$~~250-1,000~~ shall be maintained. Each item received is tagged with an all-weather tag.

2.7 FIXED ASSETS

A listing of all 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. Both additions and deletions to the asset list require approval by Community Manager.

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

2.8 YEARLY BUDGET SCHEDULE AND LEVY OF ASSESSMENTS

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

Fiscal Year and Budget Process

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

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

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

October 1 New fiscal year starts

2.9 ESTABLISHING A NEW FUND

It is the policy of the Recreation District to establish a new fund based on the criteria identified by the State of Florida in the Uniform Accounting System Manual. The manual recommends that only a minimum number of funds consistent with the legal and operational requirements of the District should be established. Each new fund adds complexity and costs to the administration of the District's financial system. A fund is defined as an independent fiscal and accounting entity consisting of a self-balancing set of accounts segregated for the purpose of carrying on specific activities in accordance with defined regulations, restrictions and limitations. This policy should address the following areas when opening a new fund:

Charter Reference

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

Fund Identification and Interaction with Other Funds

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

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

2.10 Budget Amendments and Transfer ⁶

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
General Fixed Assets Fund	Used to record capital assets and accumulated depreciation
General Long Term Debt Fund	Current balances for Long Term Debt
Government Wide Fund	Reconciling/conversion entries to Government Wide Statements

2.12 BANK ACCOUNTS

The District maintains bank accounts necessary to provide for operations.

<u>Account</u>	<u>G/L Account #</u>
General Fund	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~~monthly~~. Funds moved out only by Board of Trustees resolution.

SBA Reserve ~~Emergency Reserve~~Account
(Purpose: to reserve money for emergency needs).

SBA ~~Reserve~~ ~~Capital Reserve~~Capital Improvement Account
(Purpose: to reserve funds for capital expenditures).

SBA Debt Service Account
(Purpose: to reserve funds for payment of long term debt).

~~2.13 LONG TERM DEBT NOTES PAYABLE~~

~~Primary Mortgage Instrument~~

~~In December, 1996 the Barefoot Bay Recreation District entered in a loan agreement (Obligation No. 18, Public Improvement Revenue Bond Series 1996 A) with Barnet Bank for the purchase of property, buildings, common grounds, facilities and recreation amenities. This bonded indebtedness or primary loan for the purchase of the above referenced items was in the amount of \$8,370,500.00. The loan is a variable interest rate loan and has a swap rate adjustment factor tied to bond prices and inflationary indexes. As a result, the amount of interest charged on the loan may vary from year to year. Payments are due annually to 2017. Copies of the original loan documents shall be maintained in safety deposit box located at the district's bank of record. The terms of loan established a principal and interest payment based on the following payment schedule:~~

~~BAREFOOT BAY RECREATION DISTRICT REVISED AMORTIZATION \$8,370,500.00~~

Year	Payment	Principal Payment	Outstanding Balance
1/31/1997	0		\$8,370,500.00
1/30/1998	1	\$223,904.00	\$8,146,596.00
1/31/1999	2	\$237,674.00	\$7,908,922.00
1/31/2000	3	\$252,292.00	\$7,656,630.00
1/31/2001	4	\$267,807.00	\$7,388,823.00
1/31/2002	5	\$284,277.00	\$7,104,546.00
1/31/2003	6	\$301,761.00	\$6,802,785.00
1/30/2004	7	\$320,318.00	\$6,482,467.00
1/31/2005	8	\$340,018.00	\$6,142,449.00
1/31/2006	9	\$360,930.00	\$5,781,519.00
1/31/2007	10	\$383,126.00	\$5,398,393.00
1/31/2008	11	\$406,689.00	\$4,991,704.00
1/31/2009	12	\$431,700.00	\$4,560,004.00
1/29/2010	13	\$458,250.00	\$4,101,754.00
1/31/2011	14	\$486,432.00	\$3,615,322.00
1/31/2012	15	\$516,348.00	\$3,098,974.00

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1/31/2013	16	\$548,103.00	\$2,550,871.00
1/31/2014	17	\$581,811.00	\$1,969,060.00
1/30/2015	18	\$617,593.00	\$1,351,467.00
1/29/2016	19	\$655,574.00	\$695,893.00
1/31/2017	20	\$695,893.00	\$0.00

~~Irrigation Loan (Irrigation System)~~

~~A second long term debt instrument line was entered into on September 7, 2001 by the Barefoot Bay Recreation District with Bank of America Inc. (Obligation No. 265, Public Improvement Revenue Bond Payable Series 2001. The principal amount borrowed was \$500,000 and was used for the installation of an irrigation system for the Golf Course. Annual installments are due through December, 2016. The payment schedule is established as follows:~~

~~Bank of America \$500,000~~

Year	Amount
2002	\$16,286.93
2003	24,429.53
2004	25,523.60
2005	26,788.16
2006	28,053.01
2007	29,377.59
2008	30,719.48
2009	32,215.18
2010	33,736.28
2011	35,329.19
2012	36,969.19
2013	38,742.89
2014	40,572.21
2015	42,487.90
2016	58,768.86

~~Annual Debt Payment~~

~~The Long Term Debt is paid once per year. Payment on the original loan is due on January 31 annually and payment on the \$500,000 credit line is due on December 30 annually.~~

2.14 PROCUREMENT POLICY

Ethical Standards and Their Application to Procurement

No officer or employee of the Barefoot Bay Recreation District shall have any financial interest in the profits of any contract, service, or other work performed for BBRD; nor shall an officer or employee personally profit directly or indirectly from any contract, purchase, sale, or service between BBRD or any person or company, nor personally or as an agent provide any surety bail or bond required by law or subject to approval by the Board of Trustees. No officer or employee shall accept any free or preferred service, benefits, or concessions directly or indirectly, from any person or company doing business with, or soliciting business from BBRD.

Payment of Sales Tax

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

Capital Budget Expenditures

The Board of Trustees and Community Manager must approve all Capital budget purchases. Capital budget purchases or outlays are for the acquisition of or addition to fixed assets. They generally add value to the land or building, have a useful life of more than one year, are of a non-consumable nature, and must exceed \$5,000.00⁷ 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 \$7,500.00⁸ 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 \$999.99⁹, a purchase order and competitive pricing is not required; however, obtaining quotations is recommended whenever practical.
2. For purchases of \$1,000.00 to \$19,999.99¹⁰ 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 \$49,999.99¹¹ written, signed bids are required from at least three sources. A "No Bid" does not constitute a bid. These bids should be kept on file in the accounts payable office and the requesting department.
4. For all purchases in the amount of \$50,000¹² 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, #7-8 "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) 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.¹³

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 sale ¹⁴

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.
7. Repairs that require action within 72 hours.¹⁵
8. Under other documented and justified circumstances approved by the Community Manager.

Emergency Purchases

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

In the event of the need to repair existing infrastructure that impacts the health welfare and safety of residents, the Community Manager may waive normal purchasing procedures. The Community Manager shall place the contract for repairs on the next regularly scheduled BOT meeting agenda for confirmation.¹⁶

Purchases from Purchasing agreements of Special Districts, Municipalities, or Counties (Piggybacking)¹⁷

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

Purchases from State Contract

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 \$7,500¹⁸ to pay for needed purchases, supplies or contracted services. ¹⁹

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.
- 3-4. If the District currently has a continuing service contract with the vendor.

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 \$50,000²⁰

Award recommendations exceeding \$7,500.00²¹ will be submitted by the Community Manager for approval by the Board of Trustees, unless previously exempted or approved.

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

Tie Bids

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

Waiver of Irregularities

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

Signatures on Contracts

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

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

Change Orders or Amendments

Change order means changes, due to unanticipated conditions or developments, made to a contract, which do not substantially alter the character of the work contracted for and which do not vary so substantially from the original specifications as to constitute a new undertaking. Such changes must be reasonably and conscientiously viewed as being in fulfillment of the original scope of the contract. Further, such changes when viewed against the background of the work described in the contract and the language used in the specifications, must clearly be directed either to the achievement of a more satisfactory result 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.²²

Receiving and Approving Goods and Services

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

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

Services Performed on BBRD Property

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

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

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

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

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

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

Automobile Liability Insurance:

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

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

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

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

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

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

Hiring or Use of Employment Service Workers-Temporary Employees

The contract for services or use of an Employment Agency for temporary employees 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.²³

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.

2.15 FORMAL SEALED BIDS (FOR PURCHASES OF \$50,000 OR MORE)²⁴

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 in the RFP documents. RFP's are utilized for procurements of professional services or goods with an aggregate cost of \$50,000 or more. At the time of publication of the RFP/RFQ a copy shall be furnished to each member of the Board of Trustees.

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

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

Specific Procedures for Formal Sealed Bids/Quotes

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

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

Award of Bids

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

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

Waiver of Irregularities

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

Evaluation Committee

An evaluation Committee, identified by the Community Manager prior to issuance of the RFP or RFQ, shall review all responses to the RFP or RFQ. The Board shall be advised of the membership of the committee at the time of the issuance of the RFP or RFQ.²⁵

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.²⁶

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.

VENDOR	PRICE	% AWARDED	X	WEIGHT	=	WEIGHTED SCORE
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.²⁷

Vendor Complaints & Disputes (Protests)

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

1. *Posting of Bid/RFP Award Notices*

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

2. *Posting of Formal Sealed Proposals*

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

3. *Proceedings for Protest of Award*

Any bidder, quoter, or proposer who is allegedly aggrieved in connection with the solicitation or pending award of a contract must file a formal written protest with the Community Manager within five (5) business days of the posted award recommendation.

The formal written protest shall reference the bid/quote/proposal number, and shall state with particularity the facts and laws upon which the protest is based, including full details of adverse effects and the relief sought. The Community Manager shall schedule the protest to be heard before the Board of Trustees prior to the Board's consideration of the intended award. The intended award vendor shall be given notice and an opportunity to be heard during the protest hearing.

The Board of Trustees shall have the sole discretion to reverse any intended award on the basis of a protest; to require re-evaluation by the selection committee, or to take any other action as determined by the Board to be appropriate and responsive to the protest.

4. *Stay of Procurement During Protests*

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

PART THREE. GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

3.0 GENERAL

Definitions:

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

"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.

"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.

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

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

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

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

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Part 3 - 2

"Members" shall refer to those who are granted membership Under Section 3.1.

"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.²⁸ Temporary Lounge/Business Passes will not be issued up to two hours before or during any music event.^{29 30}

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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 APPLICABLE TO DISTRICT FACILITIES

General Rules

1. The District's facilities are available to members and open to the public and guests paying the appropriate fees and meeting membership requirements.
2. Guests may use District upon payment of appropriate fees.
3. Fees paid to the District are to be used at the discretion of the "Board."
4. The use of District facilities, including the golf course, may be limited or restricted by the board or by District management as necessary to allow all eligible persons to have reasonable use of District facilities without overcrowding.
5. District management reserves the right to refuse use of the District facilities to any person or group for violations of these rules.
6. Any member delinquent in payment of fees shall be denied use of facilities.
7. District management reserves the right to ask the member to have their guest present at the time of obtaining a guest pass(es).
8. Residency in the District does not confer upon any member the unlimited right to use the District facilities.
9. Fees, assessments, and service charges shall be set by the Board.
10. Office hours of the Community Center complex or other designated facility for the payment of membership fees will be as posted.
11. Property owners shall be responsible for any debt incurred by the Property owner, their family, guests, or tenants.
12. The Property owner is responsible for the conduct and appearance of his/her guest(s) while using the District facilities.
13. Appropriate dress is required in all facilities.
14. Smoking, use of any tobacco product and/or use of e-cigarettes (ie nicotine vapor devices) are not permitted in any District facilities and may only be permitted in designated outdoor areas.³²
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.³³
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:³⁴
 - 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.³⁵
 - 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.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

- C. The Special Magistrate shall determine whether BBRD staff has established, by a preponderance of the evidence, that a rules violation has occurred. If a rules violation is found to have occurred, the Special Magistrate shall impose a penalty of suspension, cancellation, or revocation of the violator's social membership, family membership, golf membership, or guest pass. The violator shall be notified in writing of the Special Magistrate's ruling within ten (10) days of the hearing. In levying any penalty imposed pursuant to this Section, the Special Magistrate is not obligated to impose the penalty imposed³⁶ 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.³⁷
- 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.³⁸
- 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 as an invitee for a club activity or social function conducted by any approved Club or Social Club or for social functions and events authorized by the District.
- 23. All non-property owners who intend to use District facilities must register on arrival and become social members of the District.
- 24. 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.³⁹
- 25. 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.
- 26. 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

27. Decorations ⁴⁰

- 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.⁴¹
- 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.

28. 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.⁴²

29. 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 on 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.⁴³

30. 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.

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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.⁴⁴

2-a. If a resident with an expired social membership badge wishes to enter a facility on the 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.

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.
2. Social membership is available to: ~~Property owners, resident spouses or domestic partners, and unmarried children as an incident of such ownership.~~
- 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. A. 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.

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GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

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2. ~~B.~~ Other adults and children no longer qualified under paragraphs ~~A 1, 2 and 31 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:*⁴⁵

- 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 ~~Pre-Shop~~ Golf Operations Manager.
- B. Golf membership is available to:
 - a. Property owner(s) and unmarried children of property owner(s) under 18 of years 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 ~~Pre-Shop~~ Golf Operations Manager.
 - d. Associate Golf Membership is:
 - i. Open to persons outside of Barefoot Bay.
 - ii. Annual Single & Family Golf Memberships available.
 - iii. Associate Golf Memberships entitles the member the use of the golf course and 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 ~~Pre-Shop~~ 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 ~~Pre-Shop~~ Golf Operations Manager, and must be approved

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GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

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 ~~r~~ March 31 of any fiscal year, there will be no return of any unused portion of fees. ⁴⁶

Applications for Social and Family Social Membership:

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

Fees and Dues

1. Social and Family Social Membership

- A. A membership fee shall be paid for Social and Family Social membership.
- B. A property owner shall pay the fee only once for each home site of which they are owner of record. This fee is non-transferable between parties.
- C. Non-property owner, such as tenants or guests shall pay the fee upon becoming a member.
- D. The tenants or guests who concurrently pays the fee and enters into a home purchase contract may have his/hers ~~unused monthly or initial annual~~ 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.

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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). ~~Statements will be issued thirty (30) days in advance of the due date.~~ If the installment method of payment is utilized, there will be a \$~~310~~.00 processing fee per payment for each additional payment.⁴⁷
- 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 ~~B-d2-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.
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.⁴⁸ 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 clerk.⁴⁹
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.⁵⁰

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.⁵¹
3. Changes to reservations shall be made in writing to appropriate District office in charge of calendar coordination.⁵² 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 facility⁵³ are responsible for the premises during their occupancy. Such sponsors will prevent damage or destruction and provide cleanup, including the kitchen and serving area, following the event.

5. Abuse of the facilities shall be reported to the District Management offices.
6. Persons or organizations responsible for damage or destruction to the building, furnishings or equipment shall be held pecuniary liable. Payment will be required for cleanup necessitated by the failure to leave the building, furnishings, or equipment in the same condition as when they were delivered for use of said person(s) or organization.
7. Use of portable items of equipment shall be arranged for in advance by contact with the District Management offices.
8. Desired setup plans shall be submitted to the District Management office at least two (2) weeks in advance of the scheduled usage date.
9. All setups must meet fire code requirements. No alterations to the setup are allowed by any person, club or organization.

Game/Meeting Rooms

1. Use of the facilities shall be scheduled in advance by arrangements with the District Management offices.
2. Rules for use of the pool tables are posted in the entryway. These rules shall be observed by persons using tables.
3. The pool room may be entered on request made to District management officials, or pool host on duty. No person under the age 18 shall be allowed in pool room unless supervised by parent, grandparent, legal guardian or responsible property owner.
4. Vandalism to the premises or inappropriate conduct by individuals should be immediately reported to the District Management offices or pool host.
5. Normal hours for use are ~~posted~~maintained by the Calendar Coordinator in Resident Relations. 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.⁵⁴
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 an adult parent, guardian or family member over 18 years old 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 an adult parent, guardian or family member over 18 years old.
- ~~8-9.~~ 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.
- ~~9-10.~~ It is a violation of Florida law to bring into pool areas or otherwise use glass bottles, containers, or other glass products.
- ~~10-11.~~ The State of Florida law prohibits bringing in and consuming alcoholic beverages on premises unless purchased from the District.⁵⁵
- ~~11-12.~~ Flasks- Containers carrying alcohol may not be brought into the pool area.⁵⁶
- ~~12-13.~~ No food or drink is permitted in or near the swimming pool or within 4 feet of the swimming pool.
- ~~13-14.~~ Members and guests are required to use the rest rooms located in the dressing room in pool area.
- ~~14-15.~~ Lifesaving equipment shall be used only for the purpose intended.
- ~~15-16.~~ 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.⁵⁷
- ~~16-17.~~ No swimmer with open sores that are likely to degrade water quality, infection, or contagious disease may use District swimming pools.⁵⁸
- ~~17-18.~~ Members and guests are required to shower before entering the swimming pool. Showers are for pool users only.
- ~~18-19.~~ Diving, running, jumping, rough play, or profanity are not allowed in or around the pool.
- ~~19-20.~~ No animals are allowed in the pool area, with the exception of service animals.
- ~~20-21.~~ Appropriate cover-up and shoes must be worn when entering any of the facilities.
- ~~21-22.~~ 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.
- ~~22-23.~~ Swimsuits or authorized swim wear are the only authorized apparel for use in the pools. Cutoff jeans, shorts, and/or colored T shirts are not permitted in the pool. 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.
- ~~23-24.~~ 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).⁵⁹

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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 Courts⁶⁰

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 BBRD I. D. District social membership card, quest pass or visitor's pass is necessary to obtain these keys.
4. Additional rules for the use of the facility may be posted by BBRD at the courts.

Softball Field Rules and Regulations

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

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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 ~~Pro-shop~~ Golf Operations management or his/her designated employee in his/her absence ~~in his absence the starter~~.
13. Power golf carts ~~or hand-pulled carts~~ shall not be driven ~~or pulled~~ on high slopes of greens, sand traps or tees.
- ~~13.~~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.
- ~~14.~~15. Faster players must be permitted to "play through."
- ~~15.~~16. Hawking for golf balls in lakes and canals is strictly forbidden.
- ~~16.~~17. All play will be on a reserved tee time basis.
- ~~17.~~18. No fishing permitted in lakes on the golf course.
- ~~18.~~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.
- ~~19.~~20. The Board reserves the right to terminate the use of private golf carts at any time.
- ~~20.~~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.

Beach ⁶¹

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.
- ~~5.~~6. Any pets on any Barefoot Bay property must be on leashes and owners must clean up after pets.
- ~~6.~~7. Campers assume all risks for camping at the park.
- ~~7.~~8. The following rules apply to overnight camping:
 - a. Maximum camping stays are seven days.
 - b. Camp sites will be assigned at ~~Customer Service~~ Resident Relations
 - ~~b.~~c. A permit must be obtained at Resident Relations office which must be displayed on vehicles.
 - ~~c.~~d. Guests must be accompanied by the resident who obtains the guest pass.
 - ~~d.~~e. Persons under the age of 18 must be accompanied by an adult when camping.
- ~~8.~~9. Fireworks, loud noise, and outside music are not permitted.
- ~~9.~~10. A key is required to gain access to these facilities and is available from ~~Customer Service~~ Resident Relations.
- ~~10.~~11. Members and guests using these facilities are required to observe posted rules.
- ~~11.~~12. The cutting of bait shall be at authorized stations only. The cleaning of fish is prohibited in District facilities.

Fishing Pier

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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 ~~Customer Service~~Resident Relations.
3. Members and guests using these facilities are required to observe posted rules.
4. The cutting of bait shall be at authorized stations only. The cleaning of fish is prohibited in District facilities.

Canoe/Kayak Storage at Fishing Pier

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

RV Lots

1. Use of the RV Storage Lots is primarily for Barefoot Bay Residents. Non-residents may lease the facility during the months of May through September. RV owners utilizing the RV Storage lots must enter into a storage lease agreement.⁶²
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. No stand-alone structures or loose articles will be allowed in any space.~~
8. Owners must assure that all vehicles are chocked.
9. Only one (1) unit or trailer per space will be allowed.
10. No gate access card⁶³ shall be passed on to anyone else.
11. All gate access cards must be returned upon relinquishment of leased space.
12. 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.
13. 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.
14. Nonpayment of lease payments will result in disabling of access cards. A reactivation fee shall be charged as per the BBRD fee schedule.⁶⁴

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15. Owner must give written notice of intent to terminate no later than ~~40-5 business~~ days prior to the end of any month; otherwise owner shall be responsible for payment of full rent for the following month. ⁶⁵
16. 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.
17. A replacement fee will be charged if the access card is not returned upon termination of lease or if the card is lost. ⁶⁶

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 ~~Customer Service~~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 ~~Customer Service~~Resident Relations and appropriate fees will apply.

3.3 FEE SCHEDULE

Residents ⁶⁷

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.

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Additional resident/property owner (over 2) must pay the resident fee.⁶⁸ \$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.⁶⁹

Administrative Fee

Any changes to 2nd on membership will require a change fee.⁷⁰ \$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 Adult⁷¹ \$100.00 + tax

Per Dependent⁷² \$25.00 + tax

Annual Renewal

Per Adult⁷³ \$25.00 + tax

Per Dependent \$10.00 + tax⁷⁴

**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.⁷⁵

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 event or District meeting or workshop in the Lounge, 19th Hole or Pool #1 Pavillion.

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

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1. One Day Guest Pass
 - a. Regular (purchased at Resident Relations or any of the pools) \$3.00 per person⁷⁶
 - b. Street dance or other special events (purchased at Pool#1) \$5.00 per person
2. Two to Seven Day (week) Guest Pass⁷⁷
 - 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 quest pass when purchased on the first business day following the weekend purchase at a pool.
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 Pass⁷⁸ \$0.00 (No Charge)⁷⁹

Additional Fees

Rental of building/spaces for any Barefoot Bay club, organization, or resident except for clubs and organizations registered with the District before July 1, 2016, are based on the following fee schedule.

1. Bldg A. \$100.00 & tax up to 8 hours
 - a. \$50.00 fee for use of kitchen (non-refundable)
2. Bldg. C \$25.00 up to 8 hours
3. Bldg. D or E \$40.00 & tax up to 8 hours per side
4. Bldg. D&E \$80.00 & tax up to 8 hours
5. Pool #1 Pavilion (exclusive use) \$50
6. Pool #1 (exclusive use) (exclusive use) \$500 for 4 hours
7. Pool #2 or #3 (exclusive use) (exclusive use) \$500 for 4 hours

Use is based on availability and with advanced booking through the Calendar Coordinator. These are part of the amenities offered to Barefoot Bay residents unless the use is a for profit function, in which case, the same rates will be charged as for non Barefoot Bay residents or commercial businesses.

Property Owners, Residents, Renter

1. R.V. storage area Per current lease agreement⁸⁰
2. Reactivation of Access Cards \$10.00
3. Initial keys for beach and pier \$5.00
- 3-4. Replacement keys ~~RV storage~~, beach and pier⁸¹ \$25~~10~~.00 per key⁸²
- 4-5. RV Storage late fee⁸³ Per current lease agreement.
- 5-6. Resident for Profit Use of Building Non-Resident fees apply

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Non-Resident

1. ~~Golf course~~ ~~\$5.00 1-day pass plus current green & cart fees~~
~~(includes all privileges included in temporary social membership)~~

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2. Rental of Buildings: Building "A" ~~\$75~~100.00 per hour (2 hour min.)
~~\$60~~100.00 fee for use of kitchen (non-refundable)
Plus \$100.00 refundable deposit

Building "D or E" ~~\$40~~80.00 per hour (2 hour min.)
~~\$15.00/hr. thereafter~~
\$2550.00 for use of kitchen (non-refundable)
Plus ~~\$25.00 or~~ \$7580.00 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)
~~Pools \$1,000.00 (2 hour minimum)~~
~~& all other facilities~~ \$25.00 first 4 hrs.
~~\$10.00/hr. thereafter~~

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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.

3. ~~RV Storage Area~~ ~~\$35.00/Month + tax~~
~~(During months of May to Sept only)~~⁸⁴

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4. ~~RV Storage Key Deposit~~⁸⁵ ~~Per current lease agreement.~~

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5. ~~RV Storage Late Fee~~⁸⁶ ~~Per current lease agreement.~~

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6. ~~7.~~ Parking fee for allowed vehicles
(other than automobiles) at Falcon Dr. Lot \$10.00 per day

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Automobiles overnight in Building "A" lot:

Residents Free

Guests

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1-2 nights	\$ 5.00
3-7 nights	\$10.00
8 or more nights	\$25.00/week

7. Beach and Pier \$15.00 1 Day pass
\$25.00 refundable key deposit

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	2003-01	\$2.00 non-resident guest pass; Softball Fee Schedule deletions.
07/11/03	2003-05	Suspension/cancellation of membership hearing procedure; swimming pool rules.

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 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 residents or elected officers or alternates.
 - C. Times, dates, and their choice of established layouts of tables and chairs needed for the club/organization.
 - D. Definition and purpose of the club/organization.**
 - ~~DE.~~ 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. 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. 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.
4. The designated parties will be the only recognized officials to make new arrangements and changes to the schedule or set up plans.
5. 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.

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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, Organization or Resident Group (Resolution 2003-01).
2. Residents of the Barefoot Bay Recreation District may utilize District facilities but registered Clubs or Organizations shall have priority in scheduling.
3. Social events held by residents requesting use of District facilities shall be classified as "District Resident-Private Parties." Rental fees shall not apply; however, non-residents who attend these functions must register as guests and pay fees in accordance with the District's fee schedule.
4. Residents using District facilities for a "for profit" event are required to pay fees in accordance with the District's fee schedule.
5. Non-registered clubs and organizations or non-residents may use District facilities upon payment of appropriate fees in accordance with the District's fee schedule. Priority shall be given to registered Clubs, Organizations and District Resident-Private Parties in terms of scheduling.

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.⁸⁷

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.
- 2-3. For all functions desiring the use of bar service for the purpose of purchasing alcoholic beverages, the minimum service charge shall be \$100.00.⁸⁸ For non-club functions, this fee is payable in advance at the Customer Service/Resident Relations office.⁸⁹ If the Bar takes in less than \$100.00, the function host will reimburse the bar total.⁹⁰ Clubs who register a bar must also meet the \$100 minimum, but are not required to pay in advance.⁹¹ Clubs who do not meet the \$100 minimum must make up the difference.⁹²
- 3-4. Clubs or Organizations must fill out a Bar Form (if a bar is desired) to request a Bar for the function. Give a good estimate on the number of people that will attend. This helps the bartender to stock the bar properly.
- 4-5. A request for bar service must be made at least two weeks in advance. If not submitted two weeks prior to the event,⁹³ BBRD cannot guarantee that personnel will be available to cover the bar.

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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.
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.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

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. The use of all buildings, pools and Pool #1 Pavilion by clubs, organization or residents require a rental fee except for regularly occurring events of clubs and organizations registered with the District before July 1, 2016. Said rental fees are listed in section 3.3 of this document.
2. 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.
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.⁹⁴
5. Any function that leaves the facilities in an unclean manner shall be charged a ~~\$50~~\$100.00 clean-up fee. If the fee is not paid, the entity will lose their privileges until the matter is settled.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

6. Due to insurance requirements, the slicer and use of grill in Building A is not available for use by non-staff persons. District personnel will provide slicing service when requested. A fee of \$~~4215~~.00 per hour will be charged for this service for the slicer. A \$~~3550~~ fee for ~~use of the grill~~ service for two hours, additional hours \$~~4215~~.00 per hour.⁹⁵
7. The gas grill is available for use at Pool 1 by residents and their guests on a first come, first served basis.⁹⁶
8. Residents must wipe the grill and cooking area clean when cooking is complete.
9. Residents assume all responsibility for food safety.
- ~~10. The grill behind Build D & E is available for use by residents. Reservations for use are made with the Calendar Coordinator.~~
- ~~11.~~ 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.
- ~~12.~~ Residents must provide their own cooking tools.

Payment of Guest Fees

- ~~1. The present "guest pass" fee shall be based on policies adopted by the Board of Trustees and shall be established by the Board of Trustees.~~⁹⁷

3.5 Guidelines for Gift and or Memorials for the Barefoot Bay Recreation District⁹⁸

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

1. No gifts or memorials may be considered until the person has been deceased for more than 90 days.
2. Residents desiring to donate gifts and/or memorials shall work with staff to determine the costs of the memorial or item. The cost of the item will be presented to the donor. BBRD will purchase the item after the resident has paid for the item(s) and assume legal liability for the item.
3. No restrictions can be placed on the use or ownership of the gift or memorial. The BBRD is the sole owner of all gifts and will determine the use of the gift or memorial.
4. The gift or memorial must be deemed appropriate by the Community Manager and the Board of Trustees.
5. The Community Manager must determine all short and long-term costs of all gifts and memorials. These costs shall include the maintenance, repair, upkeep, insurance and/or any other hazards or liability. The placement of any memorial or gift shall not interfere with the maintenance of District facilities.
6. The acceptance, placement, use and removal of gifts and memorials are at the sole discretion of the District.
7. Plaques for all memorials shall not be considered permanent, and will be removed at the sole discretion of the District when they deteriorate.

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PUBLIC RECORDS REQUEST POLICY

Part 4. Public Records Request Policy

4.0 PURPOSE.⁹⁹

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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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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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.

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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:

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

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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:

11x8.5 or less - one-sided	\$0.15
11x8.5 or less - two-sided	\$0.20
14x8.5 or less - one-sided	\$0.15
14x8.5 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.

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Endnotes

¹ Amended 12/10/13 Resolution 2013-16

² Added 2/13/2015, Resolution 2015-04

³ Amended 7/10/09, Resolution 2009-12

⁴ Amended 2/13/2015, Resolution 2015-04

⁵ ~~Amended 12/10/13 Resolution 2013-16~~

⁶ Section added 2/13/2015, Resolution 2015-04

⁷ Amended 2/13/2015, Resolution 2015-04

⁸ Amended 2/13/2015, Resolution 2015-04

⁹ Amended 2/13/2015, Resolution 2015-04

¹⁰ Amended 2/13/2015, Resolution 2015-04

¹¹ Amended 2/13/2015, Resolution 2015-04

¹² Amended 2/13/2015, Resolution 2015-04

¹³ Amended 2/13/2015, Resolution 2015-04

¹⁴ Amended 2/13/2015, Resolution 2015-04

¹⁵ Amended 2/13/2015, Resolution 2015-04

¹⁶ Amended 2/13/2015, Resolution 2015-04

¹⁷ Amended 2/28/12 Resolution 2012-05

¹⁸ Amended 2/13/2015, Resolution 2015-04

¹⁹ Amended 06/23/09, Resolution 2009-08

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 2/13/2015, Resolution 2015-04

²⁴ Amended 2/13/2015, Resolution 2015-04 All references to purchases over \$30,000 changed to \$50,000 in this section.

²⁵ Amended August 13 2010, Resolution 2010-14

²⁶ Amended 12/10/13 Resolution 2013-16

²⁷ Added 2/13/2015, Resolution 2015-04

²⁸ Amended December 10, 2013, Resolution 2013-16

²⁹ Amended May 14, 2010, Resolution 2010-09

³⁰ Amended December 10, 2013, Resolution 2013-16

³¹ Temporary Social membership reference deleted 2/13/2015, Resolution 2015-04

³² Amended December 10, 2013, Resolution 2013-16

³³ Amended December 10, 2013, Resolution 2013-16

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 September 10, 2010, Resolution 2010-15

³⁸ Amended September 10, 2010, Resolution 2010-16

³⁹ Amended December 10, 2013, Resolution 2013-16

⁴⁰ Amended January 13, 2012 Resolution 2012-01

⁴¹ Amended December 10, 2013, Resolution 2013-16

⁴² Amended June 8, 2012 Resolution 2012-09

Version approved February 13, 2015, with approved changes including Resolution 2015-4

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- ⁴³ Amended September 23, 2014 Resolution 2014-12
- ⁴⁴ Amended October 25, 2011. Resolution 2011-16
- ⁴⁵ Amended 7/8/11, Resolution 2011-12 .Changes to Golf Membership regarding “full time students” and changed to fiscal year.
- ⁴⁶ Res. 2001-12, 12/14/01
- ⁴⁷ Approved 12/14/04, Res. 2001-12
- ⁴⁸ Amended 2/13/2015, Resolution 2015-04
- ⁴⁹ Amended March 12, 2010, Resolution 2010-7
- ⁵⁰ Amended March 23, 2010, Resolution 2010-8
- ⁵¹ Amended 2/13/2015, Resolution 2015-04
- ⁵² Amended 2/13/2015, Resolution 2015-04
- ⁵³ Amended 2/13/2015, Resolution 2015-04
- ⁵⁴ Amended December 10, 2013, Resolution 2013-16
- ⁵⁵ Amended December 10, 2013, Resolution 2013-16
- ⁵⁶ Amended December 10, 2013, Resolution 2013-16
- ⁵⁷ Amended December 10, 2013, Resolution 2013-16
- ⁵⁸ Amended December 10, 2013, Resolution 2013-16
- ⁵⁹ Amended 2/13/2015, Resolution 2015-04
- ⁶⁰ Amended 3/11/2011 Resolution 2011-04
- ⁶¹ Amended July 8, 2011 Resolution 2011-12
- ⁶² Amended July 10, 2009, Resolution 2009-14
- ⁶³ Amended 2/13/2015, Resolution 2015-04
- ⁶⁴ Amended 2/13/2015, Resolution 2015-04
- ⁶⁵ Amended July 8, 2011, Resolution 2011-12
- ⁶⁶ Amended 2/13/2015, Resolution 2015-04
- ⁶⁷ Section amended 2/13/2015, Resolution 2015-04
- ⁶⁸ Amended December 10, 2013, Resolution 2013-16
- ⁶⁹ Amended December 10, 2013, Resolution 2013-16
- ⁷⁰ Amended December 10, 2013, Resolution 2013-16
- ⁷¹ Amended December 10, 2013, Resolution 2013-16
- ⁷² Amended December 10, 2013, Resolution 2013-16
- ⁷³ Amended December 10, 2013, Resolution 2013-16
- ⁷⁴ Amended December 10, 2013, Resolution 2013-16
- ⁷⁵ Amended December 10, 2013, Resolution 2013-16
- ⁷⁶ Amended 2/13/2015, Resolution 2015-04
- ⁷⁷ Amended December 10, 2013, Resolution 2013-16
- ⁷⁸ Amended December 10, 2013, Resolution 2013-16
- ⁷⁹ Amended May 14, 2010, Resolution 2010-09
- ⁸⁰ Amended December 10, 2013, Resolution 2013-16
- ⁸¹ Amended December 10, 2013, Resolution 2013-16
- ⁸² Amended 2/13/2015, Resolution 2015-04
- ⁸³ Amended December 10, 2013, Resolution 2013-16
- ⁸⁴ Amended July 10, 2009, Resolution 2009-14
- ⁸⁵ Amended December 10, 2013, Resolution 2013-16
- ⁸⁶ Amended December 10, 2013, Resolution 2013-16
- ⁸⁷ Amended December 10, 2013, Resolution 2013-16
- ⁸⁸ Amended December 10, 2013, Resolution 2013-16
- ⁸⁹ Amended December 10, 2013, Resolution 2013-16
- ⁹⁰ Amended December 10, 2013, Resolution 2013-16
- ⁹¹ Amended December 10, 2013, Resolution 2013-16
- ⁹² Amended December 10, 2013, Resolution 2013-16

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⁹³ Amended 2/13/2015, Resolution 2015-04

⁹⁴ Amended January 8, 2009, Resolution 2010-01

⁹⁵ Amended 2/13/2015, Resolution 2015-04

⁹⁶ Amended July 8, 2011, Resolution 2011-12

⁹⁷ ~~Amended December 10, 2013, Resolution 2013-16~~

⁹⁸ Amended February 12, 2010, Resolution 2010-5

⁹⁹ Barefoot Bay Recreation District Public Records Request Policy was formally adopted with Resolution 2010-22 on October 26, 2010.

Meeting Date
Aug. 12, 2016



Agenda	
Section	9
Item No	G

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: 2017 BOT Meeting Dates Proposed Change

Dept/Office: Administration: District Clerk's Office

Requested Action: Direction to Staff

Summary Explanation and Background:

Trustee Wright requested an agenda item to consider changing the regular BOT meeting dates from the current custom of the 2nd Friday afternoon and 4th Tuesday evening to the 2nd Tuesday afternoon and 4th Tuesday evening. This proposed change would allow for a more consistent agenda preparation and meeting cycle rather than the current schedule which would have 2017 with

- 1 meeting with only 1 business day for staff to prepare the agenda after the previous BOT meeting (due to a holiday)
- 4 meetings with only 2 business days for staff to prepare the agenda after the previous BOT meeting
- 2 meetings with only 3 business days for staff to prepare the agenda after the previous BOT meeting

Under the proposed 2nd and 4th Tuesday schedule, staff would have a minimum of 5 business days to prepare the next agenda except for weeks with holidays (staff would have only 3 business days to prepare for the 11Jul16 meeting). Although staff has not and will not complain about working extra hours to prepare BOT agenda, the short turn-around time limit research time for old business and tends to clump more agenda items on meetings with longer preparation lead times thus resulting in some agendas being very short and others very long.

Currently, the following reservations for the use of D/E in 2017 on the 2nd Tuesday would need to be rescheduled to accommodate the proposed schedule:

- 9 Hokers Board Meeting, Bldg., D, 9-11am
- British Heritage Club, Bldg., D/E, 3-11pm

Staff requests direction regarding the scheduling of 2017 BOT meetings.

Exhibits Attached: 2017 BOT Regular Meeting Schedule (using current custom) and Proposed 2017 BOT Regular Meeting Schedule

Contact: John W. Coffey, Community Manager; Dawn Myers, District Clerk; Lee Wright, Trustee

Fiscal Impact: N/A

Contract/Agreement Reviewed by Attorney: N/A

Community Manager's Approval:

Current Custom of BOT Regular Meeting Schedule

Proposed 2017 BOT Regular Meeting Schedule

Meeting Date
Aug. 12, 2016



Agenda	
Section	9
Item No	H

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Facilities Planning Advisory Committee Recommendation

Dept/Office: Property Services: Grounds

Requested Action: Direction to Staff
<p>Summary Explanation and Background:</p> <p>The Facilities Planning Advisory Committee (FPAC) at their 21Jul16 meeting made the following recommend to BOT:</p> <ul style="list-style-type: none"> To place refurbished boat (14' x 3' that used to sit on the entrance wall) at knoll by Community Center sign. <p>Staff requests direction regarding this matter.</p>
Exhibits Attached: Pictures of Boat and recommended site
Contact: John W. Coffey, Community Manager; Matt Goetz, Property Services Manager; Steve Diana, Trustee and FPAC Liaison; and E.J. Wright FPAC Chairman
Fiscal Impact: TBD
Contract/Agreement Reviewed by Attorney: N/A
Community Manager's Approval:



Meeting Date
Aug. 12, 2016



Agenda
Section 9
Item No I

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Security Advisory Committee Recommendation

Dept/Office: Resident Relations: Community Watch

Requested Action: Direction to Staff
<p>Summary Explanation and Background:</p> <p>On 02May16, the Security Advisory Committee (SAC) passed a recommendation to the BOT to not proceed with hiring private security guards in the FY17 Budget.”</p> <p>On 04Aug16, the SAC passed a motion recommending to the BOT Mr. Jack Dunham’s Licensed Security Officer Program Proposal instead of the community watch program currently in FY17 Resident Relations Community Watch sub-department budget (\$50,000 and 1.4 FTEs) and for General Counsel Repperger to review it.</p> <p>Mr. Dunham’s budget for the proposal (\$49,927.76 for FY17 and FY18 \$42,217.00) is attached. However, his proposal did not include the following line-item costs</p> <ul style="list-style-type: none"> • Payroll taxes (estimated at \$3,744.00) • Workers compensation insurance premiums (\$2,570.88) • Liability insurance (TBD) • Fuel (TBD due to unknown condition of vehicle) • Vehicle maintenance (TBD due to unknown condition of vehicle) <p>Mr. Repperger was unavailable to review the proposal before the publication of this agenda memo so he will provide his opinion at the meeting.</p> <p>Staff requests direction regarding this proposal as the development of Community Watch Officer job descriptions and advertisements are currently under development.</p>
Exhibits Attached: Mr. Dunham’s proposal budget
Contact: Dawn Myers, District Clerk; John W. Coffey, Community Manager; E.J. Wright, SAC Vice-Chairman; and Joe Klosky, Trustee and SAC Liaison
Fiscal Impact: TBD (\$50,000 Budget in FY17)
Contract/Agreement Reviewed by Attorney: N/A
Community Manager’s Approval:

BAREFOOT BAY - SECURITY PROPOSAL

	DAY	SHIFT	TOT HRS
PATROL SCHEDULE	Friday	1900-0300	8
	Saturday	1900-0300	8
	Sunday	1800-0200	8
	Monday	1800-0200	8
	Tuesday	1800-0200	8
	Wednesday	1800-0200	8
	Thursday	1800-0200	8

	HOURLY RATE	HOURS	PAY RATE	
G RATE / HOUR	RATE 12.50 / hr	40	\$ 12.50	\$ 500.00
G RATE / HR /SUPER	RATE 15.00 / HR	16	\$ 15.00	\$ 240.00
SUPERVISOR ADMIN	REPORTS / PAY / ETC	4	\$ 15.00	\$ 60.00
	WEEKLY SALARY BUDGET			\$ 800.00
	WEEKS / YEAR		52	52
	TOTAL YEARLY SALARY			\$ 41,600.00

UNIFORMS FOR 4 OFFICERS	SHORT SLEEVE	8	\$ 38.30	\$ 306.40	SKU #: ELBECO-TEXTROP2-SS LA POLICE GEAR
	LONG SLEEVE	8		\$ -	
	BLACK CLIP ON TIE	4	\$ 5.99	\$ 23.96	SKU #: ROTHCO-CLIPON
	UNIFORM PANTS	8	\$ 19.99	\$ 159.92	
	WIND BREAKER	4	\$ 27.95	\$ 111.80	SKU #: LAPG-PT-CCP1017LRS
	WINTER JACKET	4	\$ 50.00	\$ 200.00	
	BADGE	4	\$ 25.00	\$ 100.00	SKU #: TACTSQD-1111
	NAME PLATE	4	\$ 8.00	\$ 32.00	
					Neiko® 53942A High Visibility Safety Vest, ANSI/ ISEA Standard Color Neon Yellow Size XL
	TRAFFIC VEST	4	\$ 7.00	\$ 28.00	
	FIRE ARMS 9 MM	4	\$ 450.00	\$ 1,800.00	9 MM
	AMMUNITION	4	\$ 22.00	\$ 88.00	
					AMAZON LAW ENFORCEMENT-MILITARY TACTICAL MODULAR DUTY BELT UTILITY
	L/E TAC DUTY BELT SET	4	\$ 25.99	\$ 103.96	
	FLASH LIGHT / DUTY BELT	4	\$ 31.95	\$ 127.80	AMAZON - VIPERTEK VTS 195
	SECURITY BALL CAP	4	\$ 7.31	\$ 29.24	
TOTAL UNIFORMS			TOTAL	\$ 3,111.08	

VEHICLE EQUIPMENT	USED POLICE CAR		\$ 3,000.00
	RE LABEL / BFB SECURITY		\$ 200.00
	CLIP BOARD	1	\$ 5.00
	LIGHT BAR - GREEN	1	\$ 350.00
	8" ANDROID TABLET / 32G	1	\$ 100.00
	LAP TOP STAND / FLOOR TREE	1	\$ 15.99
	RAIN COAT	1	\$ 89.99
	LATEX GLOVES - BOX	1	\$ 12.00
	TRAFFIC GLOVES	1	\$ 14.70
RESIDENT CONTACT	VERIZON CELL PHONE	1	\$ 720.00
TOTAL			\$ 4,507.68

STL SPEED TECS LIGHT ALLEY /
TAKE DOWN

360 Degree Rotatable Windshield
Car Mount Window Tablet Holder
WATER PROOF REFLECTIVE
NEON YELLOW 7 IN 1 PARKA
5 MILL TEAR RESISTANT
Ringers Gloves 307-11 Traffic Glove,
Green, X-Large
ONE YEAR SUBSCRIPTION

FL STATE LICENSE	FL CHAP 493 LICENSE FEE		\$ 542.00	450/YR
	SECURITY MANAGER LIC		\$ 167.00	
TOTAL			\$ 709.00	

42.00 PRINTS / 50.00 APP FEE

TOTAL FIRST YEAR BUDGET	\$ 49,927.76
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CITY BUDGET - 2ND FISCAL YEAR

PATROL SCHEDULE	DAY	SHIFT	TOT HRS
	Friday	1900-0300	8
	Saturday	1900-0300	8
	Sunday	1800-0200	8
	Monday	1800-0200	8
	Tuesday	1800-0200	8
	Wednesday	1800-0200	8
	Thursday	1800-0200	8

	HOURLY RATE	HOURS		
G RATE / HOUR	RATE 12.50 / hr	40	\$ 12.50	\$ 500.00
G RATE / HR /SUPER	RATE 15.00 / HR	16	\$ 15.00	\$ 240.00
SUPERVISOR ADMIN	REPORTS / PAY / ETC	4	\$ 15.00	\$ 60.00
	WEEKLY SALARY BUDGET			\$ 800.00
	WEEKS / YEAR		52	52
TOTAL YEARLY SALARY			\$ 41,600.00	

FL CHAP 493 LICENSE FEE	\$ 450.00
SECURITY MANAGER LIC	\$ 167.00
TOTAL	\$ 617.00

Meeting Date
Aug. 12, 2016



Agenda	
Section	9
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Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Concrete Replacement

Dept/Office: Capital

Requested Action: Award of Contract
<p>Summary Explanation and Background:</p> <p>FY16 Capital Budget contains \$25,000 for replacement concrete (additional \$25,000 per year is planned through FY21) to address deficiencies and safety concerns. Staff solicited the following quotes to replace the existing concrete path from Egret Circle to the bridge.</p> <ul style="list-style-type: none"> • \$8,285 (\$7,985 for concrete work and \$300 for sodding) Squires Construction, LLC. • \$7,550 (A&W Concrete, LLC) <p>The replacement path will be 6 feet wide verse the current 4 feet wide path. The balance of the project budget is recommended to be rolled into FY17 Budget of \$25,000 to address other concrete needs.</p> <p>BBRD previously used A&W Concrete, LLC to replace the motorcycle parking pad in Bldg. A parking lot and while the work was ultimately performed satisfactory, there was a lengthy delay between the quote being signed and the work commencing. Additionally, staff recommends electing to add the option for sodding as the time involved in staff procuring and laying sod could be better used elsewhere and the marginal cost is nominal.</p> <p>Therefore, staff recommends the BOT <u>award of contract in the amount of \$8,285 to Squires Construction, LLC. For replacement concrete work.</u></p>
Exhibits Attached: Quotes from Squires Construction, LLC. And A&W Concrete, LLC.
Contact: John W. Coffey, Community Manager; Matt Goetz, Property Services Manager
Fiscal Impact: \$8,285 (FY16 Budget of \$25,000)
Contract/Agreement Reviewed by Attorney: N/A
Community Manager's Approval:

SQUIRES CONSTRUCTION .LLC

Date 6/23/2016

3202 Jackson Ave. NE
Palm Bay, Florida 32905

phone 321-557-7762
fax 877-353-6618

TO: Barefoot Bay Maintenance

Proposal = Contract

Attn:

Proposal For:

Remove 232ft concrete 4ft wide and haul away
Remove approx 232ft of 4ft wide sod and soil to allow for new sidewalk and sod
Remove roots along the 232 ft by 6ft wide to allow for new sidewalk
Stump grind these roots to reduce shock to trees
Place new 6ft wide by 232 ft of 4" thick side walk
Permit (if applicable) to be discussed
We will keep streets clean each day, traffic control if needed and Ribbon off demo

Option to supply and place pensacol bahai sod 1 ft along each side of new sidewalk
\$ 300.00

Total Cost of this PROPOSAL

\$ 7,985.00

Accepted By: _____

Barefoot Bay

Date

Thank you, Steve Squires

A&W CONCRETE LLC1380 29th Ave

Vero Beach, FL 32960

MOBILE (772) 774-9748 OFFICE (772) 770 2094 EMAIL wayned1959@gmail.com**PROPOSAL****PROPOSAL SUBMITTED TO:****DATE: 07/19/2016****Barefoot Bay Recreation District****Matt Goetz****625 Barefoot Bay Blvd****Barefoot Bay, FL 32976****772-664-1928 Fax****772-494-9985****We hereby submit specifications and estimate for: (Concrete sidewalks remove and replace)****Concrete Sidewalks 233ft x 6ft x 4in thick. 1410 square feet approx. remove existing concrete sidewalk to bridge and dispose, excavate to 6ft wide and 4inches depth, form for new concrete, place pour and finish new concrete.****With light broom finish.****Proposal is for all work as described, any additional Work or permits are subject to additional fees.**

We hereby propose to furnish labor and materials - complete in accordance with the above specifications, for the sum of: **(\$7550.00)** with payment to be made as follows: **\$3775.00 Deposit due upon acceptance, \$3775.00 due on day of completion.**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. The A 1 A Document A201-1 997 applies to General Conditions of the Contract for Construction. Failure to pay in accordance with the terms and conditions of the contract may result in the improvements being removed at the owner's risk and/or expense. Cancellation must be received in writing within 3 (three) days of date of acceptance. Deposits are refundable less expenses incurred and subject to project. Underground and in ground conditions must be specified in writing prior to commencement.

We are not responsible for damage due to unspecified conditions. Interest shall be payable at the rate equal to 1.5 per month, or the highest rate permitted by law, on any balance that remains unpaid. A & W Concrete LLC will be granted access to any/all improvements until contract sum has been paid in full. Note: This proposal may be withdrawn by us if not accepted within 15 days.

Authorized Signature _____

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are hereby accepted. You are authorized to do the work as specified.

INTEREST SHALL BE DUE AND PAYABLE AT THE RATE EQUAL TO 1.5 PER MONTH, OR THE HIGHEST RATE PERMITTED BY LAW, ON ANY BALANCE THAT REMAINS UNPAID. IF IT BECOMES NECESSARY TO EFFECT COLLECTIONS, I (WE) WILL PAY REASONABLE ATTORNEY FEES AND COURT COSTS. _____ INT

DATE _____

SIGNATURE _____

SIGNATURE _____

CONSTRUCTION INDUSTRIES RECOVERY FUND

PAYMENT MAY BE AVAILABLE FROM THE CONSTRUCTION INDUSTRIES RECOVERY FUND IF YOU LOSE MONEY ON A PROJECT PERFORMED UNDER CONTRACT, WHERE THE LOSS RESULTS FROM SPECIFIED VIOLATIONS OF FLORIDA LAW BY A STATE LICENSED CONTRACTOR. FOR INFORMATION ABOUT THE RECOVERY FUND AND FILING A CLAIM, CONTACT THE FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD AT THE FOLLOWING TELEPHONE NUMBER AND ADDRESS: **Department of Business and Professional Regulation Division of Professions**

Construction Industry Licensing Board 1940 N Monroe Street - Tallahassee, FL 32399-0783 • (850) 487-1395 • www.state.fl.us/dbpr

Meeting Date
August 12, 2016



Agenda	
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Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Shopping Center Commercial Leasing Options

Dept/Office: Resident Relations

Requested Action: Consideration of sales agent to list the space previously occupied by IRMC- Dr. Siddiqui and any other spaces that become vacant in the next six months
<p>Summary Explanation and Background:</p> <p>IRMC has notified us of their intention not to renew their lease in Barefoot Bay Recreation District. Their lease expires on September 30, 2016.</p> <p>Staff is currently researching Commercial Real Estate offices that can market the property for Barefoot Bay Recreation District. The results of the contact with the Real Estate companies will be forwarded to the BOT prior to the August 12 meeting.</p>
Exhibits Attached: To be provided to the BOT and posted on www.bbrd.org prior to the BOT meeting
Contact: Susan Cuddie, Resident Relations Manager
Fiscal Impact:
Contract/Agreement Reviewed by Attorney:
Community Manager's Approval:

Meeting Date
Aug. 12, 2016



Agenda	
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Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Property Owner Survey Proposal

Dept/Office: Administration: District Clerk's Office

Requested Action: Direction to Staff
<p>Summary Explanation and Background:</p> <p>Trustee Wright requested this agenda item be placed on the agenda for discussion. Specifically, she requested:</p> <p><i>"I would like to suggest the mail-out consist of questions prepared at a joint meeting of the H.O.A. directors and the Board of Trustees. We should limit it to 5-6 questions that are of the most importance to our homeowners. With each question there should be an explanation of the consequences for their choice. i.e. if they want to cut expenses that would mean a cut in hours of certain amenities. If, like Ms. Jane Doe (name redacted) wants new buildings their \$60 a month would climb to \$70 or more."</i></p> <p>Based on the cost of the 2015 DOR ballot mail-out, a property owner survey is estimated to cost no more than \$6,740.00 (DOR ballot had multiple pages thereby increasing the cost).</p> <p>Staff requests direction regarding this matter.</p>
Exhibits Attached: N/A
Contact: Dawn Myers, District Clerk; John W. Coffey, Community Manager; and Lee Wright, Trustee
Fiscal Impact: Up to \$6,470.00
Contract/Agreement Reviewed by Attorney: N/A
Community Manager's Approval:

Meeting Date
Aug. 12, 2016



Agenda	
Section	9
Item No	M

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Donation and Policy Manual Requirement Waiver Request

Dept/Office: Administration: District Clerk's Office

Requested Action: Direction to Staff
<p>Summary Explanation and Background: The Deck the Halls club submitted a donation request form requesting to donate Christmas decorations in lieu of the BBRD policy Manual requirement of donating cash for staff to purchase requested items.</p> <p>The Club requests the BOT waive Policy Manual requirements found on page 3-25, section 3.5, sub-section 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."</p> <p>Staff requests direction regarding this matter.</p>
Exhibits Attached: Gift and/or Memorial Request Form
Contact: Dawn Myers, District Clerk; John W. Coffey, Community Manager; and Matt Goetz, Property Services Manager
Fiscal Impact: N/A
Contract/Agreement Reviewed by Attorney: N/A
Community Manager's Approval:



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 Deck the Halls of Barefoot Bay		
Street Address 406 Osprey Drive		
Town/Zip Barefoot Bay, 32976		
Telephone # 757-709-5192	Alternate Phone # 203-942-4190	E-mail address mweller8583@gmail.com
In Memory of		
Description of Requested Gift/Memorial, including proposed location (may attach separate sheet)		
Deck the Halls is asking for a waiver of a cash donation to donating Christmas/holiday decorations to the Barefoot Bay Recreation District. These items include various Christmas ornaments like pole hangings, Christmas trees, wreaths, garland wrap, spiral tree wraps and other assorted Christmas decorations.		
Donations: All Donations must be submitted to the Administration office 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		Date
FOR OFFICE USE ONLY		
Memorial Name:		Date
Approved By:		Date Approved
Memo:		

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: August 12, 2016

Subject: Manager's Report

1. **Beach Planning Town Hall Style Meeting** – Homeowners and residents are encouraged to attend and provide input regarding the development of the BBRD Beach property on Tuesday, 16Aug16, Bldg. A, 2pm.
2. **BFBHOA Request** – BFBHOA President Weglein requested staff video the BFBHOA Candidate Forums on 21Aug16 and 16Oct16 and forward them for run viewing on the Bright House Government Channel. Unless the BOT feels otherwise, staff will honor said request.
3. **Stormwater Loan, Projects and Equipment Procurement Update:**
 - a. Staff received the check for \$166,500 on 02Aug16 (See attached)
 - b. General Counsel Repperger and I are working on the contract language and adjacent property owners have been notified of the award of contract by the BOT.
 - c. Equipment was ordered the last week of July.



Official Check

Date: 8/01/16

505329

Branch: 0405

VOID AFTER 90 DAYS

REMITTER **LOAN SETTLEMENT # 4040580296**

**PAY
TO THE
ORDER OF**

EXACTLY **165,000 AND 00/100 DOLLARS

\$165,000.00

BAREFOOT BAY RECREATION DISTRICT

Stanne Peoples



⑈0000505329⑈ ⑆067011760⑆ 560000474906⑈



Official Check

505329

DATE: 8/01/16

REMITTER: **LOAN SETTLEMENT # 4040580296**

BRANCH: 0405
ORIGINATOR: PEOPLES
TIME: 12:25:02
CK AMT: \$165,000.00
FEE AMT: \$.00

TO: **BAREFOOT BAY RECREATION DISTRICT**

TOTAL: \$165,000.00

NON-NEGOTIABLE

Attorney's Report

Trustees Liaison Reports

Incidental Remarks from Trustees

Audience Participation

Adjournment