



**BAREFOOT BAY  
RECREATION DISTRICT**

Barefoot Bay Recreation District Regular Meeting  
July 28, 2020 at 7:00 PM  
Building D&E

Agenda

Please turn off all cell phones

- 1. Thought of the Day**
- 2. Pledge of Allegiance to the Flag**
- 3. Roll Call**
- 4. Presentations and Proclamations**
- 5. Approval of Minutes**
  - A. Minutes dated July 16, 2020
- 6. Treasurer's Report**
  - A. Treasurer's Report
- 7. Audience Participation**
- 8. Unfinished Business**
  - A. Phased Re-Opening Discussion
- 9. New Business**
  - A. DOR Violations
    - i. DOR Violation 19-004441 720 Barefoot Blvd.
    - ii. DOR Violation 20-000564 935 Oriole Circle
    - iii. DOR Violation 20-000260 921 Laurel Circle
  - B. Leash Free Dog Park Presentation
- 10. Manager's Report**
  - A. Community Manager's Report
- 11. Attorney's Report**
- 12. Incidental Trustee Remarks**
- 13. Adjournment**

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

Barefoot Bay Recreation District Regular Meeting



# BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting (closed to the public)

July 16, 2020

1PM –Building D&E

## Meeting Called to Order

The Barefoot Bay Recreation District Board of Trustees held a Meeting on July 16, 2020 Building D&E 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Klosky called the meeting to order at 1PM.

## Pledge of Allegiance to the Flag

Led by Mr. Coffey.

## Roll Call

Present: Mr. Klosky, Ms. Henderson, Mr. Loveland, and Mr. Compton. Also, present, John W. Coffey, ICMA-CM, Community Manager, Cliff Repperger, General Counsel, Stephanie Brown, District Clerk, Matt Goetz, Property Services Manager. Mr. Maino was excused.

## Presentations and Proclamations

None.

## Approval of Minutes

*Ms. Henderson made a motion to approve the minutes dated June 23, 2020. Second by Mr. Compton. Motion passed.*

## Treasurer's Report

*Ms. Henderson made a motion to approve the Treasurer's Report for July 16, 2020 as read. Second by Mr. Compton. Motion passed.*

## Audience Participation

Mr. Coffey read a letter from Harold Joseph-who gave compliments to the BOT for the COVID Policies. He also expressed his gratitude to Mr. Coffey and his staff for the completion Capital Projects. Mr. Joseph spoke in favor of using the deep end of the Pool #3 for laps.

Mr. Coffey read a letter from Richard Schwatlow-636 Marlin Circle- who voiced his concern over not receiving full information regarding costs of the BBRD Beach Restroom Project and other Capital Projects. He also voiced his concern over raising the spending cap.

## Unfinished Business

### Phased Re-Opening Discussion

Mr. Coffey gave an overview on COVID Closures and policies thus far. Stated Shaw Medical Group has offered to handle all employee testing moving forward with no cost to Barefoot Bay Recreation District.

Mr. Klosky things we should defer the discussion to the next BOT meeting. Mr. Compton spoke in favor in staying where we are. Consensus on staying in Phase 2 and continue the discussion to the next meeting.



# BAREFOOT BAY RECREATION DISTRICT

## **Resolution Calling for Referendum Election/Charter Spending Authority**

Proposed resolution-went over resolution and explained the County of Commissioners' would be voting on that in their meeting.

Ms. Henderson doesn't think it is a good idea to limit the spending cap to certain things. Mr. Compton asked if BOT would be making a motion on the proposal. Mr. Repperger responded that they are here to discuss the language on the ballot and if they approve. Mr. Loveland spoke in favor of educating the residents on the spending cap and making the language straightforward. Cliff recommends if you are going to take out personal property (Luann) to strike the entire clause.

*Make a motion to send the proposed resolution to the county. Second by Mr. Loveland. Motion passed.*

## **New Business**

### **Building A Renovations Project: Waiver of Procurement Policies**

Staff recommends the BOT waive all Policy Manual procurement requirements as it pertains to equipment purchases initiated by Parkit Construction, Inc. which will result in a net saving of approximately \$11,200.00 for the project.

*Ms. Henderson made a motion to waive all Policy Manual procurement requirements as it pertains to equipment purchases initiated by Parkit Construction, Inc. which will result in a net saving of approximately \$11,200.00 for the project. Second by Mr. Compton. Motion passes.*

## **Employee COVID-19 Policy**

Community Manager Mr. Coffey recommends the BOT approve the BBRD Employee COVID-19 Policy as read.

*Mr. Compton made a motion to approve the COVID-19 Policy as read. Second by Mr. Loveland. Motion passed.*

## **Revised Employee Handbook**

Community Manager recommends the BOT adopt the revised BBRD Employee Handbook as read.

*Mr. Loveland made a motion to approve the adoption of the revised BBRD Employee Handbook as read. Second by Mr. Compton. Motion passed.*



# BAREFOOT BAY RECREATION DISTRICT

## Manager's Report

### Office of the District Clerk

**CivicReady Mass Notification Implementation Update** – Staff is currently working on the transition from MailChimp to the new bulk email distribution service. The CivicReady solution will allow BBRD to issue urgent notifications, emergency instructions, warnings, and routine communications to subscribed residents via email, text message, and voicemail alert, to keep citizens safe and informed. In the event of a local emergency, residents subscribed to CivicReady will benefit from immediate, actionable information and instructions sent via their preferred notification channel.

### Resident Relations

#### **ARCC Meeting 7/7/20**

- 18 Consent items - approved
- 13 Other items – 10 approved, 2 denied
- 1 Old Business (permit extension approved)

#### **ARCC Meeting 7/21/20 agenda**

- 22 Consent items
- 6 Other items
- 5 Old Business (permit extensions)

#### **Next ARCC Meeting**

- Is scheduled for 10am on 08/04/20

#### **Violations Committee Meeting 06/26/20**

- 18 cases were on the agenda
- 7 came into compliance prior to the meeting
- 1 is working with DOR staff towards voluntary compliance
- 9 were found in violation

#### **Violations Committee Meeting 7/10/20**

- 16 cases were on the agenda
- Meeting was canceled

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

- Is scheduled for 10am on 7/24/20



# BAREFOOT BAY RECREATION DISTRICT

## Interesting Fact of June

- 39 homes were sold

## Golf-Pro Shop

- Irrigation system Design and Engineering
  - Have two quotes and staff is analyzing them
  - Expect award of contract on one of the next two BOT Meeting agendas
- Lake bank repair: Left #1 was scheduled to begin on July 7<sup>th</sup> (delayed due to COVID-19 closure)

## Property Services

- Picked up and began installation of the pavers for Mini golf last week but stopped due to COVID-19 closures
- Continued work on the East Lake trail
- Repainted the hall in the 19th Hole
- Received the new custodian utility cart
- Completed the 19th hole kitchen floor replacement and reinstalled the equipment
- Met with potential bidders for the Shopping Center roof project (as part of the RFP process)
- Rewired the sign at the Shopping Center
- Set out and removed flags for Flag Day
- Provided Beach Restroom building vendor with desired paint codes for completion of the building
- Addressed all current DOR violations
- Continued soliciting bids for various projects



# BAREFOOT BAY RECREATION DISTRICT

## General Information

- **Golf Course Grant Update** – Staff received notice that sufficient funding was allocated to the Florida Recreation Development Assistance Program in the State's FY21 Budget to fund BBRD's project. In the coming weeks, staff will receive the official grant award material for Chairman Klosky's signature which will provide 100% reimbursement for \$50,000 in improvements to the course.
- **Beach Restrooms Project Update** – Due to the proposed location of the new building (within FEMA coastal construction map limits) and results of the core sampling, staff authorized the design team to explore alternate siting of the building to avoid the need of pilings under the base of the building.
- **Building A Renovations Project Update** – Parkit Construction, Inc. resubmitted the building permit application last week and staff is currently working with the vendor on ordering equipment that said cost and applicable sales tax will be deducted from cost of the contract.
- **Pool #2 Pit Replacement Project Update** – Family Pools, Inc received the approved Department of Health permit and is now working to secure the required building permit from Brevard County.
- **Shopping Center Electrical Infrastructure and Additional Parking Lot Lights Design Project Update** – As previously relayed to the Trustees, earlier this month I discovered that I inadvertently failed to email the signed proposal for this project to TLC last October. Said proposal was then promptly emailed to TLC who are currently developing an implementation schedule. Unfortunately, my oversight will probably cause the execution of this project to roll into FY22.
- **Neighborhood Revitalization Project Report Status** – In response to Trustee Loveland's request for a report on the NRP at the June 23, 2020 BOT meeting, staff is currently wrapping up the analysis of data and anticipates the final report being provided to the Trustees and made available to the public (electronic copy via [www.bbrd.org](http://www.bbrd.org) or paper copy at the Administration Building) no later than July 31, 2020.
- **Relocation of Polling Location for August 18<sup>th</sup> Primary and November 3<sup>rd</sup> General Elections** – The Supervisor of Elections staff elected to move the polling location to Building D/E this year due to the soon to start Building A Renovations project. To ensure maximum parking spaces for voters the Golf Course and 19<sup>th</sup> Hole will be closed on the election days. Building D/E (and the restrooms) will be unavailable for use by clubs/organizations the day prior to each election so as to provide the election workers a secure place to store the voting equipment. If you hear someone telling you that BBRD forced the Supervisor of Elections to use Building D/E please do not believe it.



# BAREFOOT BAY RECREATION DISTRICT

## **Attorney's Report**

Mr. Repperger gave case updates and stated that an update would be given every meeting moving forward. Blissful thing case, in process of filing a motion to strike anticipate to be done by the next meeting date.

## **Incidental Trustee Remarks**

**Ms. Henderson**

**Mr. Compton wish the community and trustees continual health**

**Mr. Loveland thanked Mr. Coffey about notifying the voter building change and to get out and vote. FPL has a program for those having trouble paying their electric bill. If you have not gotten your new directy the CVO office is open Mon, Wed Thurs 10am-2pm. Mr. Loveland wanted to notify everyone that we have a new tenant-Holy Canoli. Asked Mr. Coffey to elaborate on the beach issues.**

**Mr. Klosky informed residents to stay safe and healthy.**

## **Adjournment**

The next meeting will be on July 28, 2020 at 7pm in Building D/E

Ms. Henderson made a motion to adjourn. Second by Mr. Compton. Mr. Klosky adjourned.

Meeting adjourned at 2:00pm

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Roger Compton, Secretary

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Stephanie Brown, District Clerk



# Barefoot Bay Recreation District

## Treasurer's Report

July 28, 2020

### Cash Balances in General Fund as of 7/20/20

Petty Cash

**Total Petty Cash:** \$ 2,500.00

### Operating Cash in Banks

MB&T Operating Account

2,488,406.43

**Total Operating Accounts:** 2,488,406.43

### Interest Bearing Accounts

SBA Reserve Account

698,096.48

**Total Interest Bearing Accounts** 698,096.48

**Total Cash Balances in General Fund:**

\$ 3,189,002.91

### Total Daily Deposits and Assessments Received for 7/11 - 7/20/20

Daily deposits: \$ 9,857.47

Assessments received: -

**Total Deposits Received** \$ 9,857.47

### Expenditures over \$5,000 for 7/11 - 7/20/20

Check Number	Vendor	Description	Check Amount
55759	TLC Engineering Solutions Inc	Lounge/Patio Reno & Beach Restroom thru 7/10/20	23,515.16
<b>Total Expenditures over \$5,000</b>			<u>\$ 23,515.16</u>

## Board of Trustees

Date: Tuesday, July 28, 2020  
Title: **Phased Re-Opening Discussion**  
Section & Item: 8.A  
Department: Administration, District Clerk  
Fiscal Impact: TBD  
Contact: John W. Coffey ICMA-CM, Community Manager  
Attachments: BBRD reopening timeline  
Reviewed by  
General Counsel: N/A  
Approved by: John W. Coffey, ICMA-CM, Community Manager



### Requested Action by BOT

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

### Background and Summary Information

On May 8, 2020 the BOT reviewed the proposed conditions-based re-opening timeline and reached a consensus to re-open the beach, keep the pools closed, and revisit this issue at each meeting going forward. On May 26, 2020 the BOT approved the remainder of Phase 1 re-opening effective June 8, 2020.

On June 12, 2020, the BOT voted to move into Phase 2 with the following specific re-opening dates and conditions:

#### Monday, June 15th

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

#### Wednesday, June 17th

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

#### Friday, June 19th

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

#### Monday, June 22nd

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

#### Friday, June 26th

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

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

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

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

*Lastly, the reader should clearly understand that staff will not under any circumstances make the decision to re-open specific amenities/buildings without direct BOT approval in a public meeting. Most people understand the diverse range of opinions in BBRD regarding closures and re-opening and it is simply poor public policy for staff to make a decision (which will be poorly received by one side or the other in this issue) and then flood the individual Trustees with complaints and attend the next scheduled BOT meeting to seek a reversal of staff's actions. The BOT by pre-approving all re-openings will allow the public to participate in the initial decision-making process rather than seek to the BOT to later reverse a decision by staff.*

## A Conditions Based “Reopening BBRD” Timeline

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

### Phase 1

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

## Phase 2

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

## Phase 3

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

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

#### **Phase 4**

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

## Board of Trustees

## Meeting Agenda Memo

Date: Tuesday, July 28, 2020  
Title: **DOR Violation 19-004441 720 Barefoot Blvd.**  
Section & Item: 9.A.i  
Department: Resident Relations, DOR  
Fiscal Impact: N/A  
Contact: Richard Armington, Resident Relations Manager, John W. Coffey ICMA-CM, Community Manager  
Attachments: 19-004441 Statement of Violation  
Reviewed by  
General Counsel: No  
Approved by: John W. Coffey, ICMA-CM, Community Manager



### Requested Action by BOT

Review violation and referral to General Counsel Repperger.

### Background and Summary Information

ARTICLE III, Sect. 2 (C) (D) Condition of Prop. (C) Unauthorized items

First Violation occurred on 10/16/19, ten follow ups and eighteen pictures have been done since first Violation. Staff has signed Affidavit of Notices and attached four pictures. Respondent has been notified by First Class Mail and Certified Mail. Property posted.

Staff recommends that the BOT refer this Violation to the General counsel Repperger for legal action, equitable or other appropriate action with failure to comply. If the BOT 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



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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 19-004441

#799/ 19-004441

FREEMAN, JASON

720 BAREFOOT BLVD

BAREFOOT BAY, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

• **ARTICLE III, SECT. 2 (C) (D) Condition of Prop. (C) Unauthorized items**

(C) The lawn, landscaped areas, driveways and carports on each lot shall be kept free of all items of personal property except for customary outdoor items such as exterior patio or porch furniture, golf carts, vehicles, and barbecue grills. The intent of this requirement is to prohibit the accumulation and/or storage of items such as indoor furniture, automotive parts, cartons, boxes, debris and similar property which causes an unsightly appearance or nuisance if left on or about the exterior of a home.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes of the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 83 Lot # 39

720 BAREFOOT BOULEVARD

BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** unapproved items

**DATE OF VIOLATION FIRST OBSERVED:** Oct 16, 2019

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

October 16, 2019 via First Class

via Certified return receipt requested.

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** July 21, 2020

Deed of Restrictions Staff

July 20, 2020



720 Barefoot Blvd. Unapproved items  
Jul 15, 2020



720 Barefoot Blvd. Unapproved items  
Jun 09, 2020



720 Barefoot Blvd. Unapproved items  
Apr 29, 2020



720 Barefoot Blvd. Unapproved items  
Apr 08, 2020

**BAREFOOT BAY RECREATION DISTRICT  
BREVARD COUNTY, FLORIDA  
NOTICE OF HEARING  
OF  
BOARD OF TRUSTEES**

**Notice** is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **07:00 PM** on **July 28, 2020** 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.

**DUE TO THE FACT THAT ALL BOT MEETINGS ARE BEING STREAMED TO BLD A. THE HOMEOWNER WILL NEED TO BE PRESENT AT BLDA TO PRESENT TESTIMONY ON THE VIOLATION. NOTIFY MODERATOR AT BLD A THAT YOU ARE THERE FOR A VIOLATION.**

**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 772-664-3141.**

**July 20, 2020**

Deed of Restrictions STAFF

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 19-004441

#799 / 19-004441

FREEMAN, JASON,

720 BAREFOOT BLVD

BAREFOOT BAY, FL 32976

Respondent(s),

**RE: 720 BAREFOOT BOULEVARD**

Barefoot Bay, FL 32976

**AFFIDAVIT OF NOTICES**

STATE OF FLORIDA

COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Mary Barry for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.



\_\_\_\_\_  
Mary Barry, DOR Inspector

The Foregoing instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by Mary Barry, who is personally known to me and did take an oath.

\_\_\_\_\_  
Notary Public  
State of Florida at Large

## Board of Trustees

## Meeting Agenda Memo

Date: Tuesday, July 28, 2020  
Title: **DOR Violation 20-000564 935 Oriole Circle**  
Section & Item: 9.A.ii  
Department: Resident Relations, DOR  
Fiscal Impact: N/A  
Contact: Richard Armington, Resident Relations Manager, John W. Coffey ICMA-CM, Community Manager  
Attachments: 20-000564 Statement of Violation  
Reviewed by  
General Counsel: No  
Approved by: John W. Coffey, ICMA-CM, Community Manager



### Requested Action by BOT

Review violation and referral to General Counsel Repperger.

### Background and Summary Information

ARTICLE III, SECT. 2 (C) (D) Condition of Prop. (C) Unauthorized items

First Violation occurred on 2/19/2020, seven follow ups and eight pictures have been done since the first Violation. Staff has signed Affidavit of Notices and attached four pictures. Respondent has been notified by First Class Mail and Certified Mail. Property posted.

Staff recommends that the BOT refer this Violation to the General counsel Repperger for legal action, equitable or other appropriate action with failure to comply. If the BOT 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

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 20-000564

#253/ 20-000564

WHITE, PAUL

935 ORIOLE CIRCLE

BAREFOOT BAY, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

• **ARTICLE III, SECT. 2 (C) (D) Condition of Prop. (C) Unauthorized items**

(C) The lawn, landscaped areas, driveways and carports on each lot shall be kept free of all items of personal property except for customary outdoor items such as exterior patio or porch furniture, golf carts, vehicles, and barbecue grills. The intent of this requirement is to prohibit the accumulation and/or storage of items such as indoor furniture, automotive parts, cartons, boxes, debris and similar property which causes an unsightly appearance or nuisance if left on or about the exterior of a home.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes of the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 134 Lot # 17

935 ORIOLE CIRCLE

BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** Unapproved items / Debris

**DATE OF VIOLATION FIRST OBSERVED:** Feb 19, 2020

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

February 19, 2020 via First Class

via Certified return receipt requested.

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** July 21, 2020

Deed of Restrictions Staff

July 20, 2020





935 Oriole Cir Unapproved Items  
Jul 06, 2020



935 Oriole Unapproved Items  
Jun 23, 2020



935 Oriole. Unapproved items / Debris  
Jun 08, 2020





935 Oriole. Unapproved items / Debris  
Apr 27, 2020

**BAREFOOT BAY RECREATION DISTRICT  
BREVARD COUNTY, FLORIDA  
NOTICE OF HEARING  
OF  
BOARD OF TRUSTEES**

**Notice** is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **07:00 PM** on **July 28, 2020** 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.

**DUE TO THE FACT THAT ALL BOT MEETINGS ARE BEING STREAMED TO BLD A. THE HOMEOWNER WILL NEED TO BE PRESENT AT BLDA TO PRESENT TESTIMONY ON THE VIOLATION. NOTIFY MODERATOR AT BLD A THAT YOU ARE THERE FOR A VIOLATION.**

**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 772-664-3141.**

**July 20, 2020**

Deed of Restrictions STAFF

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 20-000564

#253 / 20-000564

WHITE, PAUL,

935 ORIOLE CIRCLE

BAREFOOT BAY, FL 32976

Respondent(s),

**RE: 935 ORIOLE CIRCLE**  
Barefoot Bay, FL 32976

**AFFIDAVIT OF NOTICES**

STATE OF FLORIDA  
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Mary Barry for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.



\_\_\_\_\_  
Mary Barry, DOR Inspector

The Foregoing instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by Mary Barry, who is personally known to me and did take an oath.

\_\_\_\_\_  
Notary Public  
State of Florida at Large

## Board of Trustees

## Meeting Agenda Memo

Date: Tuesday, July 28, 2020  
Title: **DOR Violation 20-000260 921 Laurel Circle**  
Section & Item: 9.A.iii  
Department: Resident Relations, DOR  
Fiscal Impact: N/A  
Contact: Richard Armington, Resident Relations Manager, John W. Coffey ICMA-CM, Community Manager  
Attachments: 20-000260 Statement of Violation  
Reviewed by  
General Counsel: No  
Approved by: John W. Coffey, ICMA-CM, Community Manager



### Requested Action by BOT

Review violation and referral to General Counsel Repperger

### Background and Summary Information

ARTICLE III, SECT. (13) Temporary Portable or Free-Standing Structures

First Violation occurred on 1/23/2020, eight follow ups and nine pictures have been done since first Violation. Staff has signed Affidavit of Notices and attached four pictures. Respondent has been notified by First Class Mail and Certified Mail. Property posted.

Staff recommends that the BOT refer this Violation to the General counsel Repperger for legal action, equitable or other appropriate action with failure to comply. If the BOT 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.

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 20-000260

#0589/ 20-000260

LEWIS-STEINKE, SARAH J

921 LAUREL CIRCLE

BAREFOOT BAY, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

• **ARTICLE III, SECT. (13) TEMPORARY PORTABLE OR FREE-STANDING STRUCTURES**

Temporary, portable, or freestanding structures that are installed for longer than 48 hours are prohibited unless an application is completed, submitted to and approved by the ARCC.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 114 Lot # 11

921 LAUREL CIRCLE

BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** Temporary, portable, or free standing structure w/out ARCC permit. Trampoline too large (more than 6' in diameter). Must be removed. Must submit ARCC permit to New Administration Building (625 Barefoot Boulevard).

**DATE OF VIOLATION FIRST OBSERVED:** Jan 23, 2020

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

January 23, 2020 via First Class

via Certified return receipt requested.

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** July 21, 2020

Deed of Restrictions Staff

July 20, 2020



921 Laurel Unapproved Structure  
Jul 01, 2020



921 Laurel. Temporary, portable, or free standing structure w/out ARCC permit. Trampoline too large (more than 6' in diameter)  
Jun 15, 2020



921 Laurel. Temporary, portable, or free standing structure w/out ARCC permit. Trampoline too large (more than 6' in diameter)  
Mar 24, 2020



921 Laurel. Temporary, portable, or free standing structure w/out ARCC permit. Trampoline too large (more than 6' in diameter)  
Mar 10, 2020



**BAREFOOT BAY RECREATION DISTRICT  
BREVARD COUNTY, FLORIDA  
NOTICE OF HEARING  
OF  
BOARD OF TRUSTEES**

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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.

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**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).**

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**July 20, 2020**

Deed of Restrictions STAFF

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 20-000260

#0589 / 20-000260

LEWIS-STEINKE, SARAH J,

921 LAUREL CIRCLE

BAREFOOT BAY, FL 32976

Respondent(s),

**RE: 921 LAUREL CIRCLE**  
Barefoot Bay, FL 32976

**AFFIDAVIT OF NOTICES**

STATE OF FLORIDA  
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Mary Barry for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
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FURTHER AFFIANT SAYETH NOT.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.



\_\_\_\_\_  
Mary Barry, DOR Inspector

The Foregoing instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by Mary Barry, who is personally known to me and did take an oath.

\_\_\_\_\_  
Notary Public  
State of Florida at Large



## Board of Trustees

## Meeting Agenda Memo

Date: Tuesday, July 28, 2020  
Title: **Leash Free Dog Park Presentation**  
Section & Item: 9.B  
Department: R&M/Capital Projects  
Fiscal Impact: TBD  
Contact: Luann Henderson, Trustee, 2nd Chair  
Attachments: Dog park resident proposal given to BOT on 16Jul20, July 25, 2017 BOT Meeting memo Dog Park discussion  
  
Reviewed by  
General Counsel: N/A  
Approved by: John W. Coffey, ICMA-CM, Community Manager



### Requested Action by BOT

Discussion and direction to staff.


### Background and Summary Information

At the July 16, 2020 BOT Meeting, Trustee Henderson provided hard copies of the attached “Barefoot Bay Dog Lovers Park” to the trustees for their review prior to the July 28, 2020 BOT meeting. Said proposal seeks to convert the current Lawn Bowling area into a leash free dog park to be maintained by BBRD staff but operated by the Barefoot Bay Dog Lovers Club.

Currently, there is no funding in the FY21 Approved Budget or four out years of the FY21-25 Five-year Financial Model and Capital Improvement Plan (FY21-25 5yrFM&CIP) for construction of a leash free dog park, nor were there any residents supporting inclusion of such an amenity at the December 2019 Budget kickoff meeting, January 2020 FY21-25 5yrFM&CIP workshop, or at the Spring FY21 Budget review workshops.

In 2017, then Trustee Geier requested staff to develop a budget for a possible leash free dog park (see attached). At said BOT meeting, the majority of the BOT did not support moving forward with Trustee Geier’s proposal.

Additionally, over the years, the condition of the Lawn Bowling amenity had significantly declined and as a result of residents’ requests, BBRD made the following improvements and allocated the annual maintenance expenses since FY14:

<b>Lawn Bowling Improvements &amp; Maintenance Cost</b>		<b>10/1/13 -06/30/20</b>
Lawn Bowling gutters and renovations		8,533.25
Replacement of irrigation system		3,400.00
Irrigation pump replacement		1,161.49
Installation of new turf		1,343.00
New shed		1,300.00
<b>Total</b>		<b>15,737.74</b>
ABM annual costs		
Annual maintenance of Bermuda turf		5,151.48
Overseeding		433.77
<b>Total</b>		<b>5,585.25</b>

Staff requests direction regarding this issue.

# **Barefoot Bay Dog Lovers Park Proposal**

Presented July, 2020

to

The Board of Trustees, Barefoot Bay

## Outline

- Mission
- Need
- Benefits
- Community Support
- Location
- Phase I & Phase II
- Concerns
- Dog Park Rules
- Budget
- Business Sponsors
- Appendix

## Mission

**MISSION STATEMENT:** To repurpose an existing fenced in area, for an off-leash dog park where well-behaved canine citizens can exercise in a clean, safe environment without endangering or annoying people, property, or wildlife. To develop a beautiful, well-maintained space that is open to all Barefoot Bay Resident dog lovers who are willing to uphold the park's rules and restrictions. This Dog Park is designed to satisfy the needs of dog-owners and non-dog owners alike.

## Need

- **Established Dog Ownership:** Based on a national ratio of 33%, in a community with 5,000 homes, over 1,650 dog licenses are issued annually. Using this ratio, with over 5,000 homes in Barefoot Bay, we can approximate that there are 1,650 dogs residing in our Community.
- **Health & Safety Hazards:** Dog owners are currently allowing their dogs off lead on common grounds and properties and not cleaning up after them; not controlling them fully to prevent fights/bites.
- **Desirability:** Research shows dog parks are the #2 most desired amenity for home buyers, and existing residents. The biggest beneficiary from dog parks is for our Community. While dogs and their owners love playing in them, dog parks make our Community safer by offering a secure area for dogs to play and socialize without getting in the way of others.

## **Benefits: Humans**

### **Pet Owners & Residents**

- Offers attractive off-lead walking experience in the Bay
- Discourages prevalent off-lead walking on common grounds and properties
- Encourages cleaning up after one's dog
- Allows for community building and bonding between pet owners
- Creates a network of neighbors who share information, and may also help one another during emergencies (hurricanes, storms, power outages, etc.)
- Has health benefits, especially for those who normally do not take their dogs out
  - both in terms of exercise and connection
- Offers a desirable amenity for owners of the approximate 1,650+ dogs in the Bay and pet-owning home buyers interested in residing in the Bay
- Offers an incentive for those pet owners without vaccines to procure them adding to the safety of community and pets

- With the inclusion of a bulletin board in the design, raises awareness about the dog related activities, offerings and opportunities in the Bay bringing additional community participation to the Bay
- Offers a safe environment for residents unable to walk their dogs or are movement challenged to get exercise for their dogs and enjoy watching their interaction with other canines
- Will substantially reduce the use of Common Areas as areas to play or exercise dogs. Owners typically break leash laws because it is difficult to exercise and play with a dog when it is leashed
- The Dog Park will provide an open area for dogs to do all of the things now being done in Common Areas such as running, playing, fetch, etc.



## **Benefits: Dogs**

- Currently Barefoot Bay dogs have no options for off-lead running and play
- Offers an unparalleled opportunity for socializing, which is critical to dog development and healthy dog-human interactions
- Provides an outlet for dogs who do not have fenced-in back yards to run free
- Provides an important service in helping the dogs exercise off lead; this has several benefits:
  - Reduces stress
  - Calms aggressiveness
  - Helps eliminate destructive behaviors (especially due to boredom)
  - Aids in maintaining proper weight levels

## Community Support

- Prior to Covid19, many Barefoot Bay residents have demonstrated their desire for an off-leash Dog Park. We have collected approximately 500 signatures of support from Bay residents. Showing their support for a Dog Park with their signature, each resident has agreed to abide by the Park Rules set forth on the support page and those posted on the Park gates.

## Location

**Where would the Dog Park be Located:** The most suitable location is to repurpose the existing Lawn Bowling area. This area is only used by a handful of seasonal residents. It has an existing perimeter fence, two gates, water, walking area around the grass, is well shaded and has several benches on site. The visibility and ease of access of this location would promote usage and would demonstrate to all that Barefoot Bay is a welcoming and inclusive community. An example of an area that was not being used fully was the far shuffleboard complex that has been repurposed into a putt-putt course.

## **Phase I**

### **Existing Layout Prior To Separation Fencing**

- Remove/Relocate shed
- Lock double entry maintenance gate and additional people gate on south side
- Install double entry gates into existing area where shed was located
- Install combination lock on outside entry gate
- Install waste station (2)
- Install Rules Signage
- Even days reserved for dogs under 25#
- Odd days reserved for dogs over 25#
- All park rules and regulations in effect

## Phase II

### Small and Large Dog Separation

- Remove/Relocate shed
- Install double entry gates into existing area where shed was located
- Install additional entry gate and enclosure at people gate on south side
- Lock double maintenance gate
- Install fencing to separate into two parks (small and large dogs) extending from newly installed double gated entry area (using existing people gate) on south side of park
- Install combination locks on outside entry gates
- Install additional maintenance gate from large dog area into small dog area
- Install 2 waste stations
- Install Park Rules, and Directional signage
- All park rules and regulations in effect

## Concerns/Responses

- Cost to Build: The area already has an existing perimeter fence and three gates. Additional divisional fencing, separating the park into a small dog area and a large dog area will be needed. Using the two existing gates, two additional gates and one gate enclosure would be necessary in preventing dogs running away from owners upon entering and existing the park. In addition, a maintenance gate would be needed between the large and small dog areas. Please see Budget
- Water: There is existing water in the area making it easy to hook up drinking areas for dogs and possible dog rinsing. This would be considered a future expenditure
- Cost to Maintain: Maintenance of grass and grounds can still be provided as part of Bay maintenance, excluding the exact mowing height and heavy watering of the grass, which would cut down on maintenance time and labor and utility costs. The waste stations would be emptied by Bay maintenance. Waste station supplies (bags for both trash cans and waste pick up bags) will be supplied by the BFB DOG

LOVERS PACK

- Insurance: Based on Dog Parks run by municipalities, such as Sebastian and Pieloch Dog Park in Melbourne, have found their liability premiums were not raised. Sebastian Dog Park states that they have never seen a dog park claim. Further, the Bay already carries liability insurance in the event a resident was to get injured on the property. The Bay only owes a duty of care to ensure that the park itself is free from hazards. 2014 Florida Legislative Session Animal Rights Foundation of Florida
- According to Florida Dog Law, Dog Park Liability Laws, Assumption of Risk, dog owners are liable for any injury their dog inflicts on a person or other dog. Dog parks are not responsible for any bite incidents which may occur while at the dog park.
- Under Assumption of Risk, a dog owner is aware that the Dog Park is an off-leash park and that the owner chose to enter the park anyway. The law states that every person can assume that others will abide by the law. Therefore, one does not assume the risk that another user of the dog park will violate the rules of the park
- Parking: There is ample parking in Building A parking lot as well as golf cart parking by the pool

- Noise Levels: This area is not close to any residences. Regular park hours would be Monday through Sunday (not affected by Holidays) from sunup until sundown with no after dark entry.
- Safety for Humans and Dogs: The greatest number of dog bites occur in the home or on the owner's property. The second largest number of bites or attacks happen close to the owner's home or the home of the victim. One is more likely to be bitten by a neighbor's leashed dog walking down the street than by an unfamiliar dog enjoying a dog park. All dogs will bite given the right set of circumstances, however I was not able to find any statistics claiming a "large amount" (or any amount for that matter) of dog bites, fights or attacks occurring at a dog park
- Safety: Best practices and well-displayed policies will be in place to promote the safety of all participants
- Best Practices: Clear rules & policies, good signage, easily accessible water & bowls and eventually water fountains to prevent dehydration and available to break up altercations, separate sides for dogs under 25# and for dogs over 25#, double entry gates with separate entrances for each side, group seating, shaded areas, waste station in each side



- Management: All dogs must be registered in order to enter the Barefoot Bay Dog Lovers Park. Proof of up-to-date vaccines, name of dog(s) owner, and their contact information will be provided on an information form filled out by the owner when they register to use the Dog Park. By their signature, they agree to abide by the Dog Park Rules. At that time they will then be given the combination lock code and a printed copy of the Dog Park Rules. This information will be handled by Angel Agel

## **Dog Park Rules**

### **Human Rules**

- The park is for the use of Barefoot Bay residents and their pets ONLY
- USE AT YOUR OWN RISK. Owners are legally responsible for the actions and behavior of their dog(s) and any injuries caused by them at all times
- The park is open Monday through Sunday, sunup to sundown
- Dogs must have current vaccines and be healthy
- Dog waste must be cleaned up IMMEDIATELY by the dog's owner
- Owners must be within the dog park and supervising their dog(s) at all times with leash readily available.
- Please fill in any holes your dog makes
- Food, pet treats, alcohol, glass, smoking is not permitted inside the park
- Children under the age of 16 are not permitted in the park unless actively supervised by a parent

## **Dog Rules**

- Dogs must remain leashed while entering and exiting the park and at all times when outside the dog park
- Leashes must be removed once inside the dog park
- No aggressive/bad dogs allowed. Aggressive/bad dogs should be leashed and removed immediately
- Dogs in heat, in-tact males and puppies under 4 months of age are not allowed
- All dogs must wear a collar/halter with a current rabies tag
- Excessive barking is not allowed. Dogs should be under voice control by their owners.

## **Prohibited**

Human and Dog Food & Treats

Glass Containers

Smoking

Dogs in Heat & In-Tact Males

Sick Dogs

Aggressive/Bad Dogs

Puppies Under 4 Months Old

Unsupervised children under 16 years of age

**ALL DOG OWNERS THAT FAIL TO COMPLY WITH THESE RULES WILL BE SUBJECT TO  
REMOVAL FROM THE PARK AND SUSPENSION OF PARK PRIVILEGES**

See Appendix for sample sign

## Budget

- Installed fencing for separation into two parks, 3 entry gates, 1 maintenance gate \$2,100 funded by Barefoot Bay and/or Sponsors
- Two combination locks \$12 each funded by Sponsors
- Two Waste Stations \$229.99 each funded by BFB DOG LOVERS PACK
- Two Park Rules sign \$75 each, one small dog area and one large dog area sign \$20 each, two "Keep Gate Closed" \$10 each funded by Sponsors
- Two Shade Sails for shade \$27.89 each, two water receptacles \$119 each, future purchases funded through Sponsors, fundraising, Pack events, etc.

## Sponsors

Sponsors will have their names included on a “Sponsor Plaque”

- Indian River Fitness
- Holy Cannoli
- Cruise & Travel Partners
- Paradise Home Finders
- Nails, Naturally!
- Frank Cavallary

(Additional Sponsors to be contacted after Covid19 restrictions are lifted)

## Appendix

- Fence Diagram and quote
- Sample Rules Sign
- Dog Park Liability Laws
- Florida Dog Law
- Assumption of the Risk
- Dog Owner Registration Form
- Parvo in Dogs
- Picture of Economy Dog Waste Container
- Picture of Nelson Automatic Dog Waterer

**PALM BAY FENCE, INC.**

P.O. Box 060668 • Palm Bay, FL 32906-0668

Phone (321) 724-1021

Locate# \_\_\_\_\_

Date \_\_\_\_\_

**WOOD**

OVERALL LENGTH	OVERALL HEIGHT

STYLE \_\_\_\_\_

## GATE POSTS

4"x6"x8" \_\_\_\_\_ 6"x6"x8" \_\_\_\_\_

POSTS 4"x4"x8' \_\_\_\_\_

STRINGERS 2"x4"x16' \_\_\_\_\_

PICKETS 5/8"x5 1/2"x6' \_\_\_\_\_

PICKETS 1/2"x4"x6' \_\_\_\_\_

WALK GATE

DRIVE GATE

CUSTOM BUILT ON SITE  
ALL POSTS SET IN CONCRETE

NAILS \_\_\_\_\_ GALV. \_\_\_\_\_ STAINLESS \_\_\_\_\_

HRDW \_\_\_\_\_ GALV. \_\_\_\_\_ STAINLESS \_\_\_\_\_

TEAR DOWN &amp; HAUL AWAY \_\_\_\_\_

**CHAIN LINK**

OVERALL LENGTH

OVERALL HEIGHT

172'

4'

WALK GATE

DRIVE GATE

1-4'-6"

10'00"

WIRE GAUGE

DIAMETER TERMINAL POST

DIAMETER LINE POST

DIAMETER TOP RAIL

DIAMETER GATE FRAME

LINE POST SPACING

KNUCKLE UP

BARB UP

All Vinyl Coated

Gr. \_\_\_\_\_

Blk. \_\_\_\_\_

Br. \_\_\_\_\_

Galv. Framework  
Vinyl Wire

Gr. \_\_\_\_\_

Blk. \_\_\_\_\_

Br. \_\_\_\_\_

**TERMS**

- ☐ PAY Installer  
☐ CASH on Completion  
☐ CHECK on Completion  
☐ Credit Card (3% Finance charge)



CUSTOMER'S NAME

BFB Dog Lovers Park

PHONE NUMBER

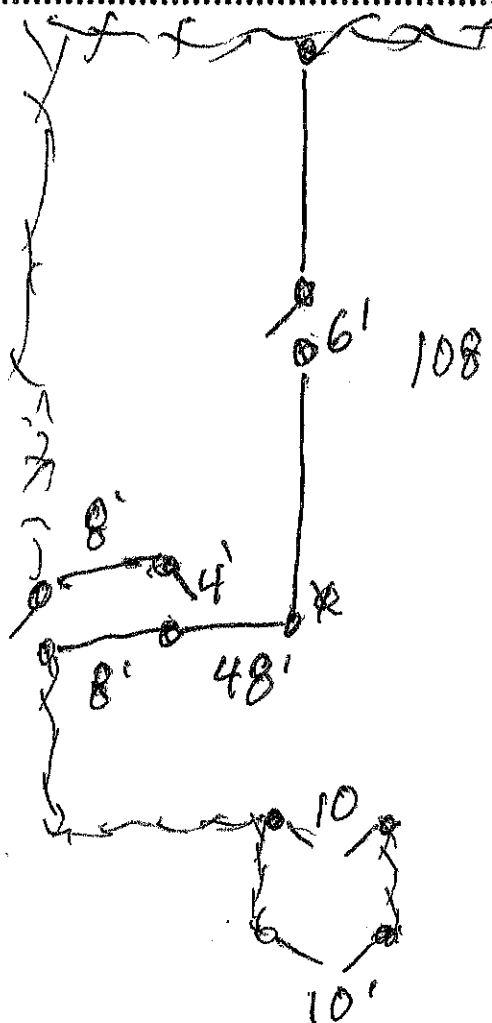
772-257 1984

CUSTOMER'S ADDRESS (STREET &amp; NO.)

CITY

Mico BB

STATE

FL

total 2100.00

PALM BAY FENCE offers to furnish fence materials to the undersigned Customer for the property described herein, in accordance with the Plat and all the terms (including specifications and price) set forth herein.

Bldg. Permit \_\_\_\_\_

Total Price

2005.00

ESTIMATE IS GOOD FOR 30 DAYS

Date:

4/1/20

Time: \_\_\_\_\_

CUSTOMER'S SIGNATURE \_\_\_\_\_

SALES REPRESENTATIVE

Werner Brenner



# DOG PARK RULES

## HUMAN RULES

- **USE AT YOUR OWN RISK** - Owners are legally responsible for the actions and behavior of their dog(s) at all times.
- Dog waste must be cleaned up IMMEDIATELY by the dog's owner.
- Dog waste bags are available at the entrance of each yard.
- Owners must be within the dog park and supervising their dog(s) at all times with leash readily available. Limit three dogs per person per visit.
- All children under age 13 must be accompanied by an adult.
- Pet treats and food are not allowed inside the dog park.

## DOG RULES

- Dogs must remain leashed at all times when outside the dog park.
  - Leashes must be removed once inside the dog park.
  - No aggressive dog allowed. Aggressive dogs should be leashed and removed immediately.
  - Dogs in heat and puppies under 4 months of age are not allowed.
- All dogs must wear a collar with a current rabies tag and identification.
- Excessive barking is not allowed. Dogs should be under voice control by their owner. Owners should fill any holes their dog digs.

### PROHIBITED

HUMAN AND DOG FOOD & TREATS  
GLASS CONTAINERS  
DOGS IN HEAT  
SICK DOGS  
AGGRESSIVE DOGS  
PUPPIES UNDER 4 MONTHS OLD

ALL DOG OWNERS THAT FAIL TO COMPLY WITH THESE  
RULES WILL BE ASKED TO LEAVE BY PARKS PERSONNEL  
OR LAW ENFORCEMENT OFFICERS.

In Florida, dog owners are liable for any damage or injuries caused by their dog regardless of the past history of bite incidents. Although there is no formal state law mandating that owners must contain their dogs on leashes while in public places, most counties in Florida have leash laws in place. However, at leash-optional dog parks this law is waived, which makes liability more ambiguous.

## Dog Park Etiquette

If a dog owner is uncertain of a dog's disposition around other dogs and people, it is recommended that the dog owner keep the dog on a leash while in the park. If the dog exhibits aggression or fear, the dog owner should remove the dog from the park to prevent dog bite incidents. If an owner fails to take reasonable precautions, a dog bite incident may occur.

## Dog Park Liability

Dog parks are not responsible for any bite incidents which may occur while at the dog park. Dog park management only owes a duty of care to park visitors to ensure that the park itself is free from hazards. Dog park owners and management cannot be held liable for incidents which occur between dogs or between dogs and humans.

## Dog Owner Liability

Dog owners are responsible for controlling their dog to a certain degree, even while in the dog park. If dog owners do not control dogs and a bite incident occurs while in the dog park, the owner may have to pay medical costs for any injuries sustained. Dog owners may also be subject to fines or other penalties for negligence.

## Dog Park Lawsuit Complications

While people that suffer dog bite injuries at a dog park may be able to successfully pursue a lawsuit against the offending dog's owners, proving negligence may be more difficult than in other scenarios. Since dog parks allow dogs to roam without a leash, an owner cannot be held accountable for violating leash laws at a dog park. A dog bite victim may have to prove that a dog has exhibited aggressive or fearful behavior that the owner should have been aware of.

## Dog Park Waiver

Most dog parks have a sign posted at the entrance that informs dog owners of assumed risks when entering the dog park. While this waiver is not necessarily legally binding, it may absolve dog owners of some responsibility that would be present in other settings. An experienced dog bite attorney will be able to provide advice regarding dog bite liability and assumed risks based on specific incidents.

### Sources:

"2014 Florida Legislative Session." Animal Rights Foundation of Florida. Animal Rights Foundation of Florida, 2 May 2014. Web. 16 Sept. 2014. <[http://animalrightsflorida.org/Legislation\\_2014.html](http://animalrightsflorida.org/Legislation_2014.html)>

"The 2014 Florida Statutes." Online Sunshine. The Florida Legislature, 16 Sept. 2014. Web. 16 Sept. 2014. <[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0700-0799/0767/Sections/0767.04.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0700-0799/0767/Sections/0767.04.html)>



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## Florida Dog Law

### Liability Statute

In Florida, dog owners are liable for any injury their dog inflicts on a person. The owner of a dog that bites a person in a public place, or bites a person while lawfully in a private place, including the owner's property, is liable for damages, regardless of the dog's former viciousness and regardless of the owner's knowledge of viciousness. If, however, the victim's negligence contributed to the biting incident, the owner's liability will be reduced by the percentage that the victim's negligence contributed to the bite.

This statute also contains another exception. If at the time of the injury, the owner displayed in a prominent place on his property a sign, easily readable, that includes the words, "Bad Dog," the dog owner will not be liable, unless the injuries were caused by the owner's negligence, or if the person bitten is under six years old.

### Common Law Liability

In addition to Florida's dog bite statute, those injured by dogs can also recover under the common law. In order to recover under the common law, the plaintiff must prove that the dog owner's negligence caused the injury.

### Dangerous Dog Statute

#### The Meaning of a "Dangerous Dog"

Under Florida Law, a Dangerous Dog is:

- a dog that has aggressively bitten, attacked, endangered, or inflicted a "severe injury" on a human. A severe injury is one that causes broken bones, multiple bites, or disfiguring lacerations that require sutures or reconstructive surgery;
- a dog that has on more than one occasion severely injured or killed a domestic animal while off the owner's premises;
- a dog that, without provocation, has chased or approached a person on the streets, sidewalks, or any public place in a menacing fashion or with an apparent attitude of attack.

A dog will not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was unlawfully on the property, or lawfully on the property, but was tormenting, abusing, or assaulting the dog, its owner, or a family member. Additionally, a dog will not be declared dangerous if it caused injuries when it was



(1)

[Return to your topic: Dog parks and liability for dog bites \(/dog-parks-liability-for-dog-bites/dog-parks-and-liability-for-dog-bites\)](#)

## Assumption of the Risk

Adults and mature children who voluntarily encounter a known risk are usually deemed to have consented to the injuries they receive as a result of that particular risk.

If you go to a no-leash dog park and you are injured by a dog, under circumstances other than a bite where the dog would not have injured you if it was leashed, then there is a very good argument that you assumed the risk. After all, you knew that leashes were optional at the park, but you went there anyway to take advantage of the same leash-optional law that resulted in your own injuries.

However, the assumption of risk doctrine will not be used against a responsible dog owner who goes to a dog park that is frequented by an irresponsible dog owner who fails to follow the rules of the dog park. The law states that every person can assume that others will abide by the law. Therefore, one does not assume the risk that another user of a dog park will violate the rules of the park. For that reason, courts will not permit this doctrine to be used as a shield for unreasonable or unlawful conduct.

Similarly, the assumption of the risk doctrine will not be used to permit a dog owner to evade responsibility when he brings a dangerous dog into a dog park. (See the next section.)

### Residential Lease Dog Clause



By Attorney Kenneth M. Phillips

Protection for landlords and  
tenants

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"dog clause." Buy once, use  
forever!

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## BFB Dog Lovers Park

### Registration for Park Membership

\*Proof of current vaccinations due with  
form

\*Must be filled out completely **including  
email**

\*Separate form for each dog

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Dog's Name: \_\_\_\_\_ Breed: \_\_\_\_\_

Markings: \_\_\_\_\_

M/F

Spayed/Neutered: Y N

Chipped: Y N

**I have read and agree to Park Rules and Guidelines**

Signature: \_\_\_\_\_

**Due date of Vaccines:**

Rabies: \_\_\_\_\_

## **BFB DOG LOVERS PARK RULES AND GUIDELINES**

- The park is for the use of Barefoot Bay residents and their pets **ONLY**
- **USE AT YOUR OWN RISK.** Owners are legally responsible for the actions and behavior of their dog(s) and any injuries caused by them at all times
- The park is open Monday through Sunday, sunup to sundown
- Dog waste must be cleaned up **IMMEDIATELY** by the dog's owner
- Owners must be within the dog park and supervising their dog(s) at all times with leash readily available. Limit two dogs per person per visit
- Please fill in any holes your dog makes
- Food, pet treats, alcohol, glass, smoking is not permitted inside the park
- Children under the age of 16 are not permitted in the park unless actively supervised by a parent
- Dogs must remain leashed while entering and exiting the park and at all times when outside the dog park
- Leashes must be removed once inside the dog park
- No aggressive/bad dogs allowed. Aggressive/bad dogs should be leashed and removed immediately
- Dogs in heat, in-tact males and puppies under 4 months of age are not allowed
- All dogs must wear a collar/halter with a current rabies tag and identification
- Excessive barking is not allowed. Dogs should be under voice control by their owners

### **PROHIBITED**

Human and Dog Food & Treats

Glass Containers

Smoking

Dogs in Heat & In-Tact Males

Sick Dogs

Aggressive/Bad Dogs

Puppies Under 4 Months Old

Unsupervised children under 16 years of age

**ALL DOG OWNERS THAT FAIL TO COMPLY WITH THESE RULES WILL BE SUBJECT TO  
REMOVAL FROM THE PARK AND SUSPENSION OF PARK PRIVILEGES**

Parvo is every new puppy and dog owner's worst nightmare. In a matter of days, a perfectly healthy puppy can go from playful and active to fatally ill. Parvo in dogs is a preventable disease, however, all new puppy owners and breeders need to be aware of the risks of parvo, how to prevent it, and what to do if a puppy catches the parvovirus.

## What Is Parvo?

Parvo is a highly contagious virus. It causes an infectious gastrointestinal (GI) illness in puppies and young dogs, and without treatment, it is potentially deadly.

Part of what makes the virus so dangerous is the ease with which it is spread through the canine population. The virus spreads either by direct contact with an infected dog, or through feces, and an infected dog can begin shedding the virus four-to-five days after exposure — often before the dog starts exhibiting any clinical signs of infection. The dog will continue to shed the virus while he is sick and for up to 10 days after he has recovered. This means that accurate diagnosis and quarantine are essential for the health of your dog and of other dogs, as well.

## What Dogs Are Most at Risk for Parvo?

Young dogs between six weeks and six months old, unvaccinated or incompletely vaccinated dogs are most at risk for contracting parvo. German Shepherd Dogs, Rottweilers, Doberman Pinschers, English Springer Spaniels, and American Staffordshire Terriers also have an increased risk of contracting the parvovirus, although scientists are not entirely sure why these dog breeds are at a higher risk than others.

Puppies are born with antibodies from their mothers. As these antibodies fade, however, it is up to owners to make sure that the puppies receive a course of parvo vaccinations. The stress of weaning and a secondary parasite or infection, along with parvo, can lead to a more severe case of parvo, which is why it is very important to talk to your vet about the proper care for puppies and pregnant bitches.

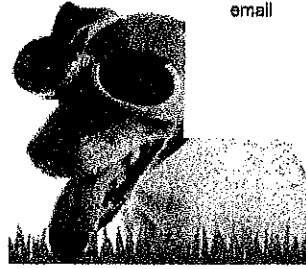
## What Causes Parvo in Dogs?

Account Login

forgot password?

email

password



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DOG WASTE BAGS

DOG WASTE STATIONS

MINI STATION

BAG DISPENSERS

WASTE CAN LINERS

SIGNS, CANS, POSTS

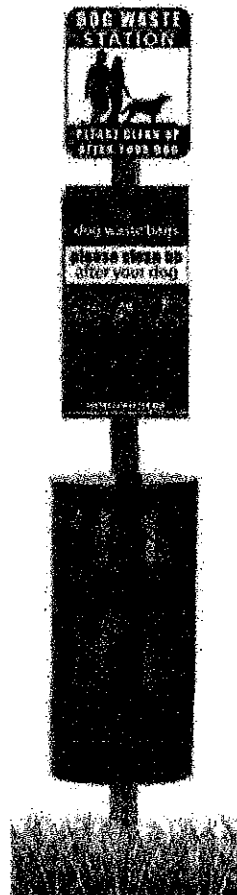
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- Hardware

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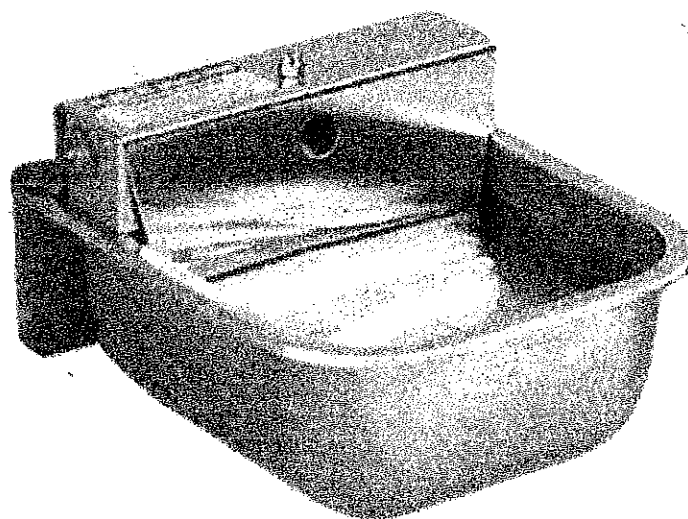


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## Nelson Automatic Dog Waterer Model 1200

MODEL  
**1200**  
AUTOMATIC DOG WATERER



Item Number: NKW

Review Average: ★★★★★ Number of Reviews: 1

[View Reviews](#) | [Review this item](#)**Unit Price: \$119.95**

In Stock

Quantity 1

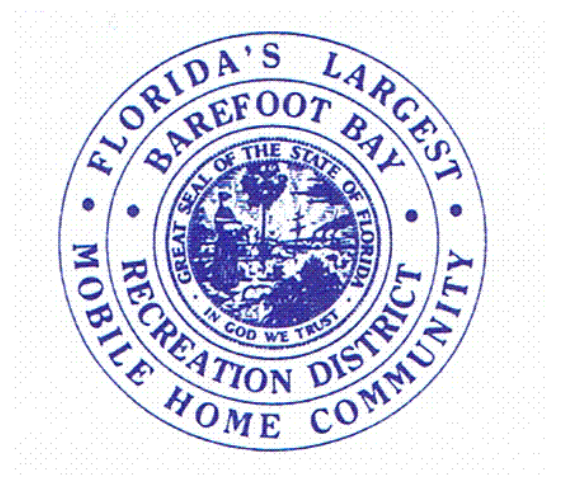


ADD TO CART

[Detailed Description](#)

## Board of Trustees Meeting Agenda Memo

Date: July 25, 2017  
Title: Leash Free Dog Park Discussion  
Section & Item: 9E  
Department: R&M/Capital  
Fiscal Impact: N/A  
Contact: Matt Goetz, Property Services Relations Manager; or John W. Coffey, Community Manager  
Attachments: Map of area  
Reviewed by  
General Counsel: N/A  
Approved by:



### Requested Action by BOT

Discussion and direction to staff.

### Background and Summary Information

Trustee Geier request staff cost out the construction of a leash-free dog park and place the issue on the next available BOT agenda.

Staff developed the following cost estimate for a 100' x 150' leash fee dog park (divided into two 100' x 57' zones for large and small animals) east of Building F between the TuTu Walking Trail (see map on the next page for an approximately location).

	Units	Unit cost	Cost
Rolls 4' Chain link fence	12	56.48	677.76
Terminal posts	6	12.48	74.88
Line posts	52	9.98	518.96
Tension bars	20	4.98	99.60
Top rail	60	12.48	748.80
Gates	8	51.98	415.84
Hardware	1	500.00	500.00
Water fountains w/ dog stations	2	3,000.00	6,000.00
Dog waste stations	2	544.85	1,089.70
Water run from Bldg. A area	1	500.00	500.00
Benches	4	472.85	1,891.40
<b>Total (w/o irrigation)</b>			<b>12,516.94</b>
Irrigation	1	1,500.00	1,500.00
<b>Total with irrigation</b>			<b>14,016.94</b>



Currently there is no dedicated funding for this project in FY17, the Approved FY18 Budget or the out years of the FY18-22 5yrFM&CIP. Of note, BBRD's comprehensive liability insurance would cover the addition of a dog park without significant additional costs.

Staff requests direction regarding this issue.