

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

Tuesday, February 28, 2017

7:00 PM

1225 Barefoot Boulevard, Building D/E



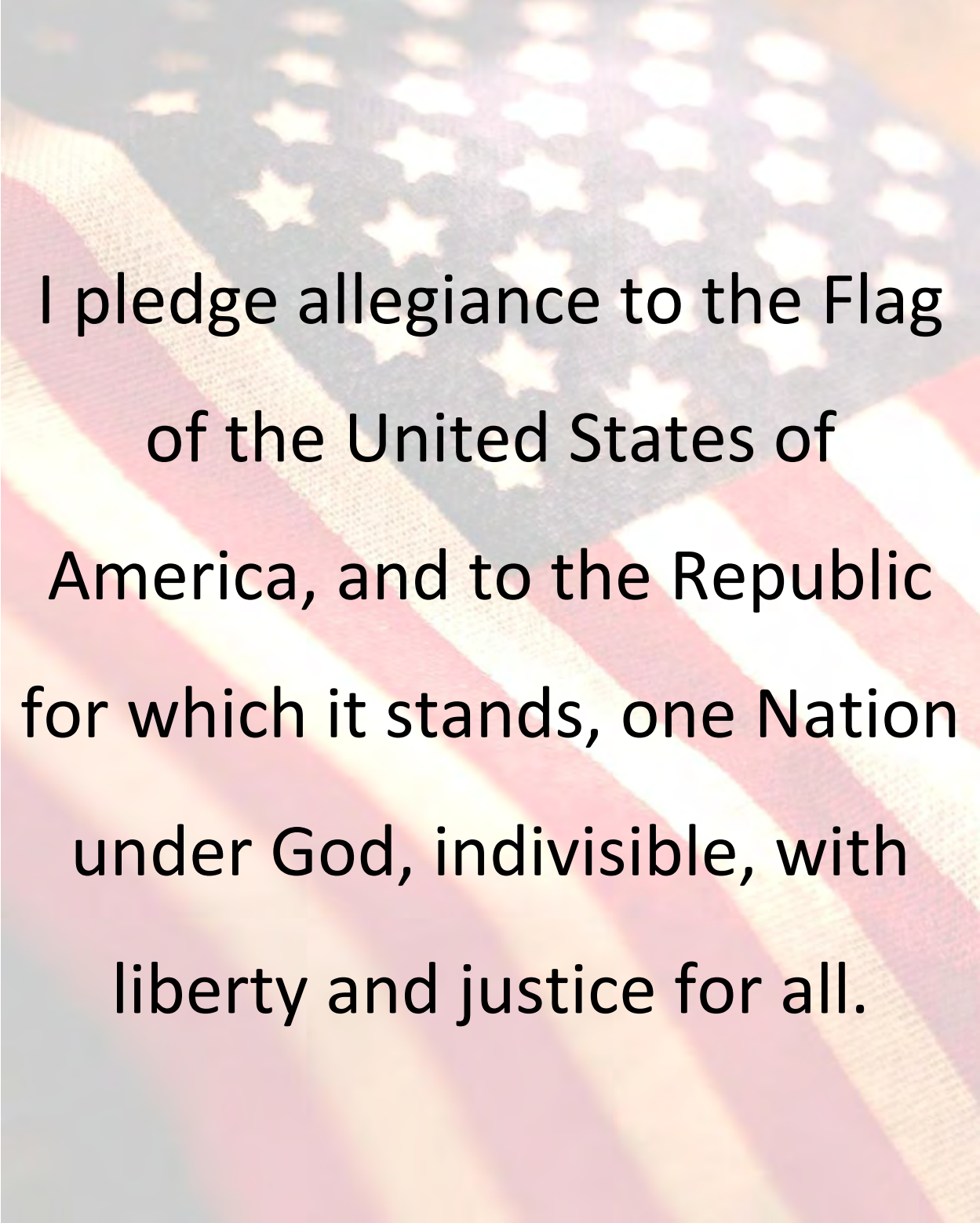
BAREFOOT BAY RECREATION DISTRICT

Barefoot Bay Recreation District Regular Meeting
Tuesday, February 28, 2017 7 P.M.
Building D&E

AGENDA

Please turn off all cell phones

1. Thought for the Day
2. Pledge of Allegiance to the Flag
3. Roll Call
 - A. Reorganization of the Board – Nomination for 2nd Vice Seat
4. Presentations and Proclamations
 - A. Canada Day
5. Approval of Minutes
6. Treasurer's Report
7. Audience comment on Agenda Items
8. Unfinished Business
 - A. DOR Amendment Mailout
 - B. Stormwater Project (Tamarind and Cherokee)
9. New Business
 - A. DOR Violations
 - B. Discussion of Master Plan for Future Projects
10. Manager's Report
11. Attorney's Report
12. Committee/Liaison Reports
13. Incidental Trustee Remarks
14. Audience Participation
15. Adjournment



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

Roll Call

Trustees

Chairman - Mr. Diana

1st Vice Chair - Mr. Lavier

2nd Vice Chair – Ed Geier

Secretary - Mr. Klosky

Treasurer - Mr. Cavaliere

Also Present

General Counsel- Cliff Repperger, Jr., Esq.

Community Manager - John W. Coffey

District Clerk - Dawn Myers

Barefoot Bay Recreation District

A PROCLAMATION

WHEREAS, Canada Day, first known as “Dominion Day” is recognized annually on July 1st and celebrates the union of what was the three separate colonies of Canada, Nova Scotia, and New Brunswick into one Dominion; and

WHEREAS, this year’s celebration, occurring nationally and worldwide, via Canadians living abroad marks an important milestone of 150 years of self-governance, and brings to mind the valor and unwavering spirit of the Canadian people who determined the direction for the formation of Canada; and

WHEREAS, the fêtes symbolize a shared history that honors the virtue, courage, and diversity of the people that have molded the character of its nation; and

WHEREAS, the legacy of those pioneers make up what is recognized worldwide as a wonderfully unique country, breathtakingly beautiful in landscape and exceptionally progressive and multicultural; and

WHEREAS, the joint forces of the United States of America and Canada, who have influenced each other by mere proximity, who fought together in two world wars and now work together in a celebration of peace and a just society for all people,

THEREFORE, LET IT BE KNOWN, by the Board of Trustees of Barefoot Bay Recreation District that Saturday, February 18, 2017, is proclaimed;

Canada Day

and the Board of Trustees encourages all residents to recognize our Canadian friends and neighbors residing in Barefoot Bay by participating in activities within Barefoot Bay and joining in patriotic events and festivities planned in honor of this great nation.

PASSED AND ADOPTED by the Board of Trustees of Barefoot Bay Recreation District this Tuesday, February 28, 2017.

BOARD OF TRUSTEES
BAREFOOT BAY RECREATION DISTRICT
BAREFOOT BAY, FLORIDA
BY: _____
Steve Diana, Chairman

Approval of Minutes



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting February 10, 2017 1 P.M. –Building D&E

Meeting Called to Order

The Barefoot Bay Recreation District held a Regular Meeting on February 10, 2017 in Building D&E, 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Diana called the meeting to order at 1:00 P.M.

Thought for the Day

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

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

Roll Call

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

Presentations

Employee Milestones

Mr. Diana recognized Ms. Sandy Lobello for 25 years of dedicated service to Barefoot Bay and the Barefoot Bay Golf Community. Mr. Diana, Mr. Ernie Cruz, Golf Manager Ms. Sue Cuddie, resident Relations Manager and Mr. John Coffey, Community Manager, presented Ms. Lobello with a 25 year pin, Milestone certificate and Barefoot Bay bucks (“Diana Dollars”) redeemable for (5) paid days off.

Minutes

Mr. Klosky made a motion to approve the minutes January 13, 2017. Second by Mr. Cavaliere. Motion carried unanimously.

Mr. Klosky made a motion to approve the minutes January 24, 2017 with one correction. Second by Mr. Lavier. Motion carried unanimously.

Treasurer’s Report

Mr. Cavaliere presented the Treasurer’s Report for February 10, 2017.

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

Mr. Diana requested an amendment to the agenda by moving New Business items 9A Audit Presentation and 9B Selection of Resident to Fill the Vacancy on the Board up before addressing Old Business Items.

Mr. Klosky made a motion to amend the agenda. Second by Mr. Cavaliere. Motion carried unanimously.



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Audience comment on Agenda Items

None brought forward

Audit Report

Mr. Bill Blend of BBRD Auditing Firm, Moore, Stephens and Lovelace, presented the year-end FY16 Audit Report. Mr. Blend reported that in the Required Communications section of the audit he was please to say that there were no findings to report. Mr. Blend also stated that in the Financial Statements and Internal Controls sections again, no findings to report. Last year there were a few recommendations in the IT department and he was pleased to report that those issues were resolved and IT is now in compliance with their recommendations. Mr. Blend explained that the Auditor General has compliance requirements that must be in keeping with the Florida statutes for the District's Investment Policy and Management Letter and both have met those requirements. Overall, Mr. Blend was pleased with the steady improvement in the District's financial department and with the District's relationship with his office. He commended staff and management for properly conducting the books so the report could be presented early in the year. Mr. Diana stated that he had not been aware of a previous audit report which did not contain any findings and commended the Finance staff for an excellent job this year with the FY16 Audit Report.

Mr. Klosky made a motion to accept the FY16 Audit Report as presented. Second by Mr. Lavier. Motion carried unanimously.

Selection of A Resident to Fill The Unexpired Term on the Board of Trustees

Mr. Diana asked that any comments from residents are stated prior to the statement and selection process for the replacement trustee seat. Four candidates submitted resumes for consideration of the vacancy; Mr. Ed. Geier, Ms. Mary Weller, Ms. Heather Brott and Mr. Robert Peet. Two candidates, Mr. Robert Peet and Ms. Heater Brott were unable to attend due to prior commitments.

Ms. Mary Weller spoke on her capacity to accomplish whatever goals she sets her mind to while also commenting on the variety of tasks she has committed herself to over the years as a concerned resident of Barefoot Bay. Ms. Weller pointed out that she has not only recognized the need for improvement in this community, but went to work to implement change. She was not content to sit idly by and complain but actually did something about it. She discussed her various volunteer efforts organizing a recycling program that was presented to the Barefoot Bay residents and her recognition of the need for updated Christmas decorations throughout the Bay thus, initiating The Deck the Halls Club to ensure this was accomplished. Ms. Weller raised over \$10,000 for the club within one year. Furthermore, she was instrumental in the development of the recent Barefoot Bay Census and Survey currently out in the community. These results of will assist the Trustees in developing a long term financial industrial plan for the development of Barefoot Bay facilities and amenities.

Mr. Cavaliere commended Ms. Weller on her work (with Randy Loveland and Roger Compton) on the census and survey. He asked Ms. Weller her thoughts on what her financial plan would be to update the infrastructure either long-term financing or raising assessment fees. Ms. Weller stated that she is



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approaching the trustee position without any hidden agenda or special interests she is awaiting the results of the census to better understand what needs to be addressed. She stated that she is open to both financial options if presented properly to the residents for their input.

Mr. Diana asked Ms. Weller about her thoughts on the beach, the golf course and the Food and Beverage department. She stated that she was in favor of proceeding with improvements to the beach and maintaining the golf course as the golf course has great appeal for the residents and prospective buyers. Ms. Weller was interested in what they will gain from results of the census and survey regarding the Food and Beverage department. She stated she is in support of the department but believes the District would not have to subsidize if there were closures during slower parts of the year.

Mr. Ed Geier stated that he has been a homeowner in Barefoot Bay since 2011. He has served on the Finance committee for a little over a year and recently as Chairman. He discussed his vast experience working with multi-million dollar budgets while he served in the Army in the early 70's. He also spoke on his years of political experience gained in local government as Mayor of Palm Bay and two terms as City Councilman in the 90's and early part of the 2000's. He assured the Board that with his knowledge and experience in the political arena, he is confident in his ability to pick up the role without a problem and begin his duties as trustee with ease.

Mr. Cavaliere asked Mr. Geier his thoughts on long-term financing and raising assessment fees to help with updates to the Barefoot Bay infrastructure. Mr. Geier stated that he is in favor of long term debt to accomplish the goals of improving the infrastructure. He maintained that though this may be an unpopular position he is not opposed to stating it.

Mr. Diana asked Mr. Geier thoughts on the beach, the golf course and the food and beverage department. Mr. Geier is in favor of developing the beach as he is aware that it is a source of pride to the residents of Barefoot Bay. He believes the Golf department will do well as long as their staff can apply their ideas for improvement unimpeded. He fully supported Food and Beverage and stated in his experience working in the hotel industry those businesses with an active Food and Beverage department did much better financially than those that did not.

Mr. Diana stated that all four candidates are very qualified for holding the seat on the Board. He thanked all of them for volunteering to serve the Barefoot Bay community. The trustees cast their vote privately and submitted their selections to the District Clerk for evaluation. Ms. Myers announced a tie between Mr. Geier and Ms. Weller.

Mr. Diana called the candidates back up to the podium to say a few short words on their own behalf. Mr. Geier and Ms. Weller reiterated their positions on why they would excel in their seat on the Board. The trustees cast their vote a second time. Again the result was a tie between Mr. Geier and Ms. Weller.



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Ms. Carol Joseph spoke on behalf of Ms. Weller and her enthusiasm. Ms. Weller has worked to benefit the community ever since she has moved here. She encouraged the trustees to consider all she has done for Barefoot Bay.

Ms. Jeanne Osborne spoke on behalf of Mr. Geier stating that he has impressed her with his vast knowledge and experience in his position on the Finance committee and in local government.

Ms. Louise Crouse spoke on behalf of Mr. Geier and also noted his experience and knowledge of both the financial industry and the political arena.

The trustees cast their vote a third time which resulted in a third tie between Mr. Geier and Ms. Weller.

The Chairman requested Finance Manager, Kimi Cheng assist in a coin toss with Ms. Weller calling “heads” in advance. Ms. Cheng flipped the coin with an outcome of tails. Mr. Geier won the position of trustee on the Board of Trustees. Ms. Myers administered the Oath of Office to Mr. Geier.

Unfinished Business

Committees

Ms. Lizzann Taylor requested the Board not disband the committees due to the direct and positive relations with the residents and staff.

Mr. Tom Nelson asked to dissolve the Security Committee as there is nothing for them to meet or discuss unless the Board decides to direct topics for them to research. He recalled only one direction from the Board which was the CCTV cameras in the last year. He commented on criticisms regarding the current camera system. He suggested a deeper analysis of the camera systems. He stated that he has 30 years of experience in this industry and would be glad to offer his assistance in this capacity.

Mr. Roger Compton commented on the benefit of bringing information from the residents to the trustees rather than the other way around. Mr. Geier requested keeping the Finance committee under the BOT.

Mr. Lavier supported Mr. Geier’s statement. Mr. Diana requested the Facilities Planning committee also stay under the BOT. Mr. Cavaliere supported his position regarding the HOA organizing the committees as a resident vehicle for change and new ideas for the community. Mr. Geier and Mr. Lavier stated their position about keeping the Finance and the DOR & Charter committee. Discussion ensued regarding the benefits of transferring the committees to the HOA. Mr. Cavaliere explained that there is no reason why the trustees could not create an Ad Hoc committee if needed, but the overall the committees are for the benefit if the residents and not to be micromanaged by the Board.

Mr. Cavaliere made a motion to dissolve the committees with exception of the ARCC and Violations committee. Second by Mr. Klosky. Mr. Geier opposed. Motion passed 4-1.

Mr. Schwatlow commented on a lack of direction from the trustees on the committees and also from the residents. He discusses a possible new schedule that would include new residents moving into the Bay.

DOR Amendments

The Board reviewed and discussed the accuracy of the questions as amended. Mr. requested feedback from Mr. Randy Loveland regarding his take on the questions as presented. Mr. Loveland stated that the questions are not done in an outstanding way where the homeowner might recognize the importance of



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the questions. However he reiterated that the job of HOA is to educate the homeowners and they will ensure that any questions regarding the ballots are addressed.

Ms. Louise Crouse encouraged the Board to use the Supervisor of Elections (SOE) office as they will arrive to the homeowners with a sense of meaning and significance. Using the SOE office will also aid in the ease and accuracy in which they are counted.

Mr. Cavaliere made a motion to approve the DOR amendment questions. Second by Mr. Geier. Motion carried unanimously.

Mr. Cavaliere made a motion to allow the Supervisor of Elections office for the ballot canvassing. Second by Mr. Klosky. Motion carried unanimously

Mr. Geier made a motion to allow 60 days from receipt of letters to return. Second by Mr. Klosky. Motion carried unanimously.

Mr. Geier made a motion to ensure the Supervisor of Elections consider costs to forward undeliverable ballots in overall costs and have the amount of undeliverable ballots communicated BBRD Staff. Second by Mr. Klosky. Motion carried unanimously.

Mr. Cavaliere made a motion to have the ballots sent out by March 1st if possible. Second by Mr. Geier. Motion carried unanimously.

Purchase of 944 Pecan

At the January 24 Board of Trustee meeting, the Board authorized staff to purchase the property and asked for additional information regarding costs. This property will be available at the February 23, 2017 Brevard County Deed Sale. The approximate cost to purchase and remove the home is: \$11,616.28 tax deed minimum bid \$942.22, 2016 outstanding taxes \$3,100 Cost to have the home removed and an asbestos report. Asbestos remediation, if needed, is not included. \$440 Code Enforcement costs \$7,801 Maximum costs of code enforcement fines (35% of \$22,290 value) \$3,500 Estimate of costs suit for ejectment and \$27,399.00 Estimated costs if purchased at minimum. The costs for code enforcement fines are estimated on the high side. Based on past experience the fines will probably be \$2,500 to \$3000.

Mr. Cavaliere made a motion to proceed with participation in auction not to exceed \$30,000. Second by Mr. Geier. Motion carried unanimously.

Rich Schwatlow inquired about why the Board would allow someone else to purchase the home rather than the Bay taking on this expense. Mr. Cavaliere responded by stating this is the best way to ensure the issues associated with this home is officially resolved.

New Business

DOR Violations

Case 16-003325 935 Vireo Drive ARTICLE III, Sect. 2 (C) Condition of Property (C) Unauthorized Items - Occupied.

Ms. Christina Frasier spoke on behalf of her property. She appealed to the Board for additional time as she has been ill and in the hospital. She stated she had a problem with rats that she has not been able to control. There are rentals on either side of her and she believes the debris in the yards are contributing to



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the problem. Mr. Cavaliere appealed to the HOA officers and requested someone assist Ms. Frasier with the pest problem at her home.

Mr. Cavaliere made a motion to table the case until the March 10th meeting. Second by Mr. Lavier Motion carried unanimously.

Case 16-004765 628 Marlin Circle Article III, Sect. 2 (C) Condition of Property (C) Unauthorized Items - Occupied.

Mr. Cavaliere made a motion to table the case until Wednesday, and if not in compliance then forward to General Counsel for legal and equitable action. Second by Mr. Lavier Motion carried unanimously.

Case 16-004556 823 Wren Circle ARTICLE III, Sect. 3 (A) (B) (C) (D) (E) Parking of Vehicles (Boats/Trailer/RV/Commercial Vehicles).

Mr. Lavier made a motion to forward to General Counsel for legal and equitable action. Second by Mr. Cavaliere. Motion carried unanimously.

FY17 1st Quarter General Fund Transfer from CIP Account to Operating Account

Board Approval of Transfer of Funds Expended in 1st quarter of FY17 from CIP Account to Operating Account. General Counsel Repperger read the resolution:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; AUTHORIZING THE TRANSFER OF FORTY FOUR THOUSAND FIVE HUNDRED NINETY SIX DOLLARS AND 73/100 CENTS (\$44,596.73) FROM THE DISTRICT'S STATE BOARD OF ADMINISTRATION CAPITAL IMPROVEMENT ACCOUNT TO THE DISTRICT'S OPERATING ACCOUNT; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

Mr. Klosky made a motion to approve the transfer of \$44,596.73 from CIP Account to Operating Account and approve the resolution. Second by Mr. Lavier. Motion carried unanimously.

Use of Temporary Employment Agency

Board Review and Confirm the Use of Temporary Employment Agency for Vacant Position in Finance Department.

Mr. Klosky made a motion to approve the Client Services Agreement provided by Vaco Orlando. Second by Mr. Geier. Motion carried unanimously.

Shuffle Board Lights Replacement Award of Contract

During Hurricane Matthew, two free standing lights in the shuffle board areas were blown down. Staff removed the damaged units and solicited the following quotes: \$8,400 Complete Electric, \$7,850 Pingston Electric.

Mr. Klosky made a motion to award contract of \$7,850 to Pingston Electric for the replacement of the shuffle board lights. Second by Mr. Lavier. Motion carried unanimously.



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Building A Sound System Upgrade Authorization of Funding

Trustee Cavaliere requested staff research options to improve the sound system in Bldg. A and use the available budget from the FY17 CCTV project in the R&M/Capital Department for a funding source. Staff solicited the following quotes: \$4,744 Premier Electronic Solutions, \$16,895 Hoover Audio Visual. *Mr. Klosky made a motion to authorize staff to proceed with use Premier Electronic Solutions of available budget from the FY17 CCTV project in the R&M/Capital Department for the Building A sound system. Second by Mr. Cavaliere. Motion carried unanimously.*

Resident's Request for Flashing Lights on Micco Road

Ms. Patricia Rinabarger spoke on the speeders on Micco Rd. at East Drive as dangerous and was in dire need of addressing before there is a serious accident involving pedestrians. Ms. Rinabarger wrote to the County Commissioner who forwarded her concern to the Traffic Engineer. The Engineer contacted her with information about installation of flashing lights on Micco Rd and its costs.

Mr. Klosky made a motion to support a letter to the County from the Board of Trustees supporting the installation of flashing lights at East Rd., Ron Beatty Rd. and Sebastian Rd. Second by Mr. Cavaliere. Motion carried unanimously.

Manager's Report

District Clerk

At the last Security Committee requested a representative from the BCSO attend a subsequent meeting to give direction on how Barefoot Bay should proceed with security in the future.

Resident Relations

Customer Service staff at the Resident Relation Office will begin updating badges on February 6, 2017. ARCC Update – 44 permits will be reviewed at the 7Feb17 ARCC meeting.

Violation Committee Update – Commercial screens will be installed within 2 weeks at the Lounge. The roll down screens will be fixed to the windows on the West side of the Lounge. Installation will be completed in 2 hours and scheduled on a morning before the Lounge opens so there will be no disruption in services.

Food & Beverage

Tickets for the upcoming St. Patrick's Day party on the Lakeside of the Lounge are now on sale at the 19th Hole and the Lounge. A full day is planned and flyers with all the details will be posted. Corned Beef sandwich tickets are \$8 and are served at noon and a buffet for \$12 is served at 2:30 p.m.

Commercial screens will be installed within 2 weeks at the Lounge. The roll down screens will be fixed to the windows on the West side of the Lounge. Installation will be completed in 2 hours and scheduled on a morning before the Lounge opens so there will be no disruption in services.

Golf-Pro Shop

Twenty storm covers installed on the new golf carts with another 13 scheduled to arrive next week (back-ordered).



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Golf Course Tournaments Updates:

- February (sign ups start Feb 1, 2017)
- Golf Gala - Feb. 11, 2017
- Ladies 9 hole charity tournament (8:30 shotgun)
- Member/Member - Feb. 25, 2017

The cleaning and reshaping of the irrigation pump intake area will commence soon. This will ensure golf course irrigation does not get clogged.

Property Services Stormwater Maintenance of Canals Update:

- Finish clean upgrading and seeding) at the Garden Club
- Began removal of canal bank debris through the Indian section and Creek Court from Dottie Lane to Barefoot Circle.

Routine Work Update:

- Rototilled the softball infield
- Finished restoration of work site of new drain line at the golf course bathroom
- Framed around new A/C in D&E building
- Replaced beer cooler in building A
- Purchased and installed poles for Soccer goal posts behind the shopping center
- Installed new conduit and wire for the lights in the parking lot at the 19th.

A new crowd control measure will be tested at Pool 1 which involves disposable wristbands to help monitor guests entering and leaving the pool. The bands will also highlight those individuals under 21. The vendor selected for the Pier repairs commenced work on Wednesday and should be finished early today.

General

The first meeting in April falls on Good Friday this year. An alternate date/time of Thursday, 2pm in Bldg. D/E is available. Staff requests direction from the BOT regarding this issue. Board consensus to eliminate the first meeting in April. The FY18 WDPB will be delivered to the trustees and applicable advisory committees by close of business on Mar. 1, 2017. Electronic versions will be available at www.bbrd.org starting at noon on Mar. 02, 2017. Paper copies of the Resident's Budget will be available for free upon request at Building F as per the Policy Manual. The site plan for the beach project was finalized this week and will be submitted to Tallahassee within the next business day or two for approval. Permitting with Brevard County (for exotic removal and berm construction) and FDEP for other non-vertical components are in the process of being submitted. Property Services staff is soliciting bids for exotic removal, berm construction, irrigation and sodding.

Attorneys Report

General Counsel asked for direction from the Board to waive the court fees on 1026 Thrush. Mr. Cavaliere asked to send a letter asking for the fees back.



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Mr. Geier made a motion to waive the fees and dissolve the lawsuit. Second by Mr. Lavier. Mr. Klosky and Mr. Cavaliere opposed. Motion carried 3-2.

He gave an update on 1089 Wren Circle. Due to the owner's husband's passing away, the spouse was not aware of the violations. He requested waiving the costs of \$812.50

Mr. Geier made a motion to waive the fees. Second by Mr. Lavier. Motion carried unanimously.

He announced his office filed a notice of trial in the Guinther vs. BBRD case. He will file a renewed motion for summary judgement with Judge Rainwater.

Incidental Trustee Remarks

Mr. Diana discussed the tour he went on with Golf course manager. He stated that he was pleased with the condition of the golf course. He commended ABM on their maintenance of the golf course.

Mr. Klosky announced the upcoming SDS and Community manager evaluation which will be available to the trustees on March 6 to review. Results will be heard at the March 10th meeting.

Mr. Cavaliere asked to put a discussion item on the agenda regarding the difficulty for groups to get tee times at the Golf Course.

Mr. Geier thanked the Board for giving him the opportunity to serve on the Board and stated that he would do the best job possible to serve the community.

Mr. Lavier thanked all the candidates for volunteering to serve on the Board. He announced a heartfelt farewell to Ms. Valeria Owens from the Finance Department and well wished her new endeavor

Audience Participation

Ms. Kathryn Lesh announced the February 14th swearing in of new HOA officers at their Tuesday night Meeting. The HOA event A Night in the Tropics will take place on February 24, 2017. Sax on the Beach will perform and tickets are \$8. Please call Kathy at 202.4423 or Ann Manzo at 203.942.4190 for information.

Mr. Rich Schwatlow voiced a request to add an enforcement policy to the DOR.

Ms. Lizzann Taylor announced the upcoming BFB Artist's Guild slated to take place on Sunday, February 12th in Building A from 10AM-3PM.

Adjournment

The next meeting will be on February 28, 2017 at 7PM in Building D/E.

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

Meeting adjourned 4:08 PM.

Joe Klosky, Secretary

Dawn Myers, District Clerk

Treasurer's Report

Barefoot Bay Recreation District

Treasurer's Report

February 28, 2017

Cash Balances in General Fund

as of 2/17/2017

Bank of America:

Operating Account	\$	982,234.02
Money Market Account	\$	105,621.35

Total Cash Balances @BOA in General Fund: \$ 1,087,855.37

SBA:

as of 2/17/2017

Capital Improvement Account	\$	676,955.71
Reserve Account	\$	552,888.61

Total Cash Balances @SBA in General Fund: \$ 1,229,844.32

Total Cash Balances in General Fund: \$ 2,317,699.69

Cash Balance in Debt Fund

as of 2/17/2017

SBA:

Debt Account	\$	911,849.17
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Total Cash Balance in Debt Fund: \$ 911,849.17

* Participant Return for SBA in January 2017 was 0.90%

Total Cash Balances in All Funds: \$ 3,229,548.86

Total Daily Deposits and Assessments Rec'd (from County Only) from Feb 1 to Feb 19, 2017:

Daily deposits:	\$	150,996.93
Assessments received (from County only):	\$	192,036.64
	\$	343,033.57

Expenditures over \$5,000 from February 1 to February 20, 2017:

<u>Vendor</u>	<u>Description</u>	<u>Check Amount</u>
Employees	Employees Salaries and Wages 2/9/17	\$ 70,443.31
Federal and State Payroll Taxes	Employer Tax Liabilities 2/9/17	\$ 6,898.07
ATP Alarms	Final payment for CCTV system	\$ 6,310.00
Gabriel, Roeder Smith & Company	FY16 OPEB actuarial valuation report	\$ 7,000.00
Public Risk Insurance	General Liability installment	\$ 35,671.50
Special District Services, Inc.	Management Fee Jan 2017	\$ 11,800.26
Preferred Government Insurance	Worker Comp. Insurance	\$ 5,844.08
Gray Robinson	Legal Fee Jan 2017	\$ 13,950.82
Moore Stephens Lovelace	Final billing for FY16 audit	\$ 11,000.00
UnitedHealthcare Insurance Company	Employees health, dental & vision insurance	\$ 19,405.56
Wesco Turf	Replacement of golf cart for P.S.	\$ 8,101.45
Total of Expenditures over \$5,000		\$ 196,425.05

Audience Participation Agenda items only

Unfinished Business

Board of Trustees Meeting Agenda Memo

Date: Feb. 28, 2017

Title: DOR Amendment Ballot Mail-out

Section & Item: 8A

Department: Administration: District Clerk

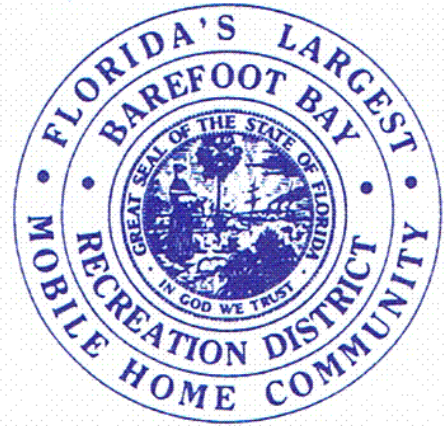
Fiscal Impact: N/A

Contact: Sue Cuddie, Resident Relations Manager; John W. Coffey, Community Manager; Cliff Repperger, General Counsel

Attachments: None

Reviewed by
General Counsel: Y

Approved by:



Requested Action by BOT

Consider/Discuss DOR Amendment Ballot Mail-out Options/Update.

Background and Summary Information

On 10Feb17, the Board of Trustees approved a set of proposed DOR amendment ballot questions for mail-out to the lot owners of BBRD. The Board approved BBRD Staff working with the Supervisor of Elections to accomplish ballot production, the mail-out, and for the administration of the "election." Supervisor of Elections Staff has expressed concerns regarding the length of the proposed ballot questions and has requested that BBRD make revisions to streamline the ballot. Attorney Repperger is currently revising ballot question language to meet this request and to comport with the intent of the Board and the DOR and Charter Review Committee recommendations. Upon completion of these revisions and submission to (and any return comment from) the Supervisor of Elections Staff, this Agenda Item will be supplemented.

The Board also directed that the ballot mail-out occur as close as possible to March 1, 2017. It appears the mail-out date could be delayed for several weeks given production and mail-out timelines. A more definitive timetable will be presented to the Board at the meeting if available.

Board of Trustees Meeting Agenda Memo

Date: Feb. 28, 2017

Title: **Stormwater Projects (Tamarind & Cherokee) Update**

Section & Item: 8B

Department: R&M/Capital

Fiscal Impact: N/A

Contact: John W. Coffey, Community Manager

Attachments:

- 26Jul16 BOT agenda
- 26Jul16 BOT minutes
- E-mail stating vendor withdrew from negotiations and list of its last contract language proposals
- Original bid from selected vendor
- Original bid from alternate vendor
- E-mail from engineering firm stating their difficulty in getting bids for a BBRD project.

Reviewed by

General Counsel: N/A

Approved by:



Requested Action by BOT

Direction to staff regarding how to proceed.

Background and Summary Information

On 26Jul17, the BOT awarded a contract to Brevard Excavating and Landscaping, Inc. (BE&L) for stormwater projects behind Tamarind Circle and Cherokee Court. Subsequently, General Counsel Repperger and Community Manager Coffey attempted to negotiate a suitable contract with the vendor. The civil engineering firm (B.S.E., a sub-contractor of TLC) supplied a draft contract which was used as a starting point. Multiple back and forth edits and proposals occurred with BE&L notifying BSE of their withdrawal from negotiations on 13Feb17. Subsequently, Community Manager Coffey instructed BSE to seek additional quotes while also attempting to determine why the vendor withdrew from negotiations (process still ongoing as of the date of the publication of this agenda memo – 21Feb17)..

Additionally at the same meeting, the BOT authorized the Chairman to sign for a loan of \$165,000 which would partially (84%) fund the projects in addition to the procurement of stormwater maintenance equipment (award of contract authorized at the same meeting). The balance of the loan proceeds fell to fund balance at the end of FY16 and is available for use. Furthermore, surplus fund balance is available to cover the estimated \$130,000 in project costs.

In the spirit of transparency, residents who live adjacent to the two areas were notified of the status of the project and this agenda memo.

Staff identified the following options for consideration by the BOT:

1. Confirm Community Manager's actions to seek additional bids and defer action until one or more additional bids are received.

2. Instruct staff to contact the alternate vendor (Brewer Paving & Development, Inc.) to inquire why their bid was so much higher, if they can adjust it within reason and then re-submit it to the BOT for consideration of award of contract.
3. Instruct staff to have BSE break the projects into 4 separate projects (grading at Tamarind, piping at Tamarind, grading/excavation at Cherokee and piping at Cherokee) to expedite portions of the projects as fast as possible (would entail additional engineering costs to revise design plans and has the potential for conflicts between vendors where work site meet).
4. Other direction from the BOT.

Staff requests direction from the BOT regarding this matter.

Meeting Date
July 26, 2016



Agenda	
Section	8
Item No	C

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Stormwater Projects Award of Contract

Dept/Office: Stormwater

Requested Action: Award of Contract for Stormwater Projects (Tamarind Circle and Cherokee Court)

Summary Explanation and Background:

On Mar 22, 2016 BOT meeting, the Board discussed the possible procurement of a skid steer and boom arm mower to maintain the canal system. The Board tabled the agenda item so staff could research the cost of leasing a skid steer and inquire with Brevard County about the cost and feasibility of their staff doing the work for a fee.

At the May 13, 2016 BOT meeting, staff presented lease options to finance the equipment.

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

Two quotes were received via TLC sub-contractor B.S.E.:

- \$129,690.35 Brevard Excavating and Landscaping, Inc. (does not include bid and performance bonds)
- \$271,610.00 Brewer Paving & Development, Inc.

May 2016 Estimate	Submitted/Actual						
68,000	74,592	Tamarind Drainage project					
56,000	55,098	Cherokee drainage project					
124,000	129,690	sub-total drainage projects cost					
68,000	N/A	Stormwater equipment (Skid Steer and boom arm mower)					
N/A	40,536	Skid Steer					
N/A	18,995	Boom arm					
N/A	7,495	Mower head					
N/A	(200)	discount for ordering boom arm and mower head at same time					
68,000	66,826	Equipment Sub-total					
192,000	196,516	Total Stormwater Projects and Equipment					
165,000	165,000	Amount financed					
86%	84%	Percent Financed					

The reader should note that the sample bid document language contains the following clauses:

- 90 days for substantial completion
- 120 days for full completion
- Liquidated damages of \$100 a day past substantial completion (plus any extensions in accordance with the General Conditions of the contract).

Sufficient available budget is available to cover the acquisition and payments through FY17.

5,796	Loan payments assuming two payments			
32,000	Projects payments (assuming 01Sep16 start date)			
37,796	FY16 Estimated Costs			
40,750	FY16 Available Budget			
34,758	Loan payments			
97,690	Projects (balance of two started in FY16)			
132,448	FY17 Estimated Costs			
136,690	FY17 Available Budget (loan repayment, carry-forward for projects and partial canal/lake restoration budget)			

The BOT should be aware that award of contract to the lowest responsible bidder will require the waiver of BBRD's RFP requirement per Policy Manual pages 2-9 & 2-14 through 2-16. Additionally, staff recommends the BOT waive the optional bid/performance bond requirements that would add an additional 7.5% (\$9,727) to the project costs. Staff believes the long-term positive experience of B.S.E. in working with the vendor and General Counsel Repperger's ability to enforce contracts, negates the need for the bid/performance bonds for this type of project.

Once the BOT awards a contract for the projects staff will work with General Counsel Repperger and TLC sub-contractor B.S.E. to develop a contract based on the bid, bid documents, BBRD requirements and state laws.

Staff recommends the BOT 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.

Exhibits Attached: Bids from Brevard Excavating and Landclearing, Inc & Brewing Paving and Development, Inc.; sample bid documents, email from B.S.E.

Contact: John W. Coffey, Community Manager and Matt Goetz, Acting Property Services Manager

Fiscal Impact: \$129,690 (with payments of a maximum of \$5,796 [including stormwater maintenance equipment] in FY16, \$34,758 in each FY17, 18, 19 & 20 and approximately \$28,980 in FY21)

Contract/Agreement Reviewed by Attorney: N/A

Community Manager's Approval:



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. Cavaliere 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. Louise Crouse thanked the officer present for his service and stated that she would not like to consider



BAREFOOT BAY RECREATION DISTRICT

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 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.



BAREFOOT BAY RECREATION DISTRICT

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.

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



BAREFOOT BAY RECREATION DISTRICT

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 theit.

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.

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 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.



BAREFOOT BAY RECREATION DISTRICT

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. 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



BAREFOOT BAY RECREATION DISTRICT

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 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.



BAREFOOT BAY RECREATION DISTRICT

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.

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



BAREFOOT BAY RECREATION DISTRICT

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

John Coffey

From: Scott Glaubitz
Sent: Tuesday, February 14, 2017 5:48 PM
To: Colin Doyle; John Coffey
Subject: Fwd: Barefoot bay contract changes (BSE # 11311.01)

I believe we just lost the best people for this work.

Sent from my iPhone
Scott Glaubitz PE;PLS
312 So. Harbor City Blvd
Melbourne, FL 32901
Cell 321-403-1436
Office 321-725-3674
sglaubitz@bseconsult.com

Begin forwarded message:

From: Cory Peebles <peeblescory@yahoo.com>
Date: February 14, 2017 at 1:32:15 PM EST
To: Julie Bernal <JBernal@bseconsult.com>
Cc: "sglaubitz@bseconsult.com" <sglaubitz@bseconsult.com>
Subject: Re: Barefoot bay contract changes (BSE # 11311.01)

Hi Scott, we are no longer interested in negotiating the contract documents for Barefoot Bay project. Please call me or Doug if you have any questions.

On Feb 14, 2017, at 9:45 AM, Julie Bernal <JBernal@bseconsult.com> wrote:

Cory,

See below comments on the Contract language revisions that you requested and were sent to the Barefoot Bay attorney back on December 16. Please review and let us know how you would like to proceed.

Julie Bernal
Executive Assistant
BSE Consultants, Inc.
312 S Harbor City Boulevard
Melbourne, FL 32901
(321) 725-3674
jbernal@bseconsult.com
www.bseconsult.com

From: Clifford R. Repperger, Jr., Esq. [<mailto:Cliff.Repperger@gray-robinson.com>]
Sent: Thursday, February 09, 2017 5:33 PM

To: Julie Bernal <JBernal@bseconsult.com>
Cc: John Coffey <jcoffey@bbrd.org>
Subject: RE: Barefoot bay contract changes (BSE # 11311.01)

Julie,

I apologize for the delay in my response. Below, please find BBRD's responses to the contract amendments suggested by Brevard Excavating and Landscaping. The responses are reflected in red text below each item. If acceptable, please incorporate the changes and have the contractor move forward with execution of the Agreement. If not, or if we need to schedule a conference call between the parties to discuss these items in greater detail, please let me know. Although not entirely the fault of any one party, the Board of Trustees, BBRD management, and the residents are very anxious to see the project commence as soon as possible. If we cannot come to an expeditious resolution on the contract language, we may need to consider other alternatives to engage an alternate contractor to get the project moving. If you want to discuss any of BBRD's responses with me in greater detail, please let me know, and I will clear my schedule so that we can discuss them. If you get confirmation that the contractor will accept the changes agreed to below, please let me know as soon as that occurs so that I may advise BBRD management and the Board of Trustees of the status of the project.

I appreciate your assistance in advance and efforts.

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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From: Julie Bernal [<mailto:JBernal@bseconsult.com>]
Sent: Friday, December 16, 2016 8:24 AM
To: 'John Coffey (jcoffey@bbrd.org)'; Clifford R. Repperger, Jr., Esq.
Cc: Scott Glaubitz
Subject: FW: Barefoot bay contract changes (BSE # 11311.01)

Brevard Excavating and Landclearing has reviewed the Cherokee Court and Tamarind Circle Drainage Improvements contract with the revisions that were incorporated per

the request of BBRD (attached for your convenience). They are requesting the additional revisions below be incorporated into the Contract before they will sign. Please review and advise if all of these are acceptable to BBRD and I will make the changes to the contract.

Thanks!

Julie Bernal
Executive Assistant
B.S.E. Consultants, Inc.
312 South Harbor City Blvd., Suite 4
Melbourne, FL 32901
(321) 725-3674
e-mail: jbernal@bseconsult.com
Website: bseconsult.com

From: Cory Peebles [<mailto:peeblescory@yahoo.com>]

Sent: Thursday, December 15, 2016 2:22 PM

To: Julie Bernal

Subject: Barefoot bay contract changes

Hi Julie, we have a few items we would like to see changed in the contract document, they are as follows.

1. Under ARTICLE 3.2 OF THE AGREEMENT BBRD shall also pay equal liquidated damages (\$100.00 PER DAY) to CONTRACTOR for any delays caused by BBRD.

BBRD is not agreeable to a liquidated damages provision being applied against it in favor of the contractor where BBRD is not performing work and is not in control of the same. BBRD has no problem inserting amended language to provide, "Liquidated damages shall not be assessed against CONTRACTOR if the number of calendar days past the substantial completion period as provided in paragraph 3.1 is offset by the number of calendar days of delay caused solely by BBRD. In order to avoid the assessment of liquidated damages, CONTRACTOR shall, prior to the expiration of the substantial completion period as provided in paragraph 3.1, advise BBRD in writing, of the total number of calendar days of delay CONTRACTOR asserts BBRD to be solely responsible for."

2. Under ARTICLE 5.1.1 CHANGE progress payments shall be made equal to 95%.

BBRD is not agreeable to this change. Section 5.1.2 provides for 95% payment upon Substantial Completion.

3. Please provide any/all subsurface investigative reports that may be available as referenced in SC-4.2.1 of the SUPPLEMENTAL CONDITIONS.

BBRD has no additional subsurface investigative reports beyond the information provided in the bid documents.

4. Please remove SC-4.2.3 of the SUPPLEMENTAL CONDITIONS.

BBRD would defer to BSE's technical advice as to whether SC-4.2.3 should be removed. BBRD has no specific objection to the removal of this condition if B.S.E. deems it to be a reasonable request.

5. Please remove SC-4.3.1 of the SUPPLEMENTAL CONDITIONS.

BBRD is not agreeable to this change.

6. Please amend SC-5.3 and SC-5.5. A current COI showing coverages shall be provided by CONTRACTOR to BBRD, if additional insurance is required by BBRD above and beyond CONTRACTOR normally carried insurance the cost of additional insurance shall be billed to BBRD and paid prior to work starting.

BBRD cannot agree to alter its required vendor/contractor insurance requirements as provided by BBRD Policy 2-10. Attached is a copy of the Policy for reference. The contractor should note that the amounts of required coverage actually exceed the minimum coverage amounts specifically stated in SC-5.3.

7. Please add under SC-5.3 SUBSECTION A, workers compensation exemptions shall be accepted by BBRD.

BBRD has no objection to the acceptance of the Contractor availing itself of Workers' Compensation exemptions as provided by law.

8. Under ARTICLE 6 CONTRACTOR RESPONSIBILITIES, LABOR, MATERIALS AND EQUIPMENT item 6.3.

Change CONTRACTOR to BBRD of the first sentence. No such line item was provided in the bid form therefore survey and layout is not included in the bid form. Or we can amend the bid form to reflect appropriate charges.

BBRD would be agreeable to deleting the first sentence of General Conditions 6.3.

9. Please remove item 6.9 from ARTICLE 6 CONTRACTOR RESPONSIBILITIES.

BBRD will not agree to the deletion of General Conditions 6.9.

10. Please remove item 6.12 from ARTICLE 6 CONTRACTOR RESPONSIBILITIES.

BBRD would prefer not to delete General Conditions 6.12. However, BBRD acknowledges that this provision deals with license fees and royalties not anticipated to be applicable to the scope of work to be conducted on this project. As such, BBRD would defer to BSE's professional expertise and advice as to whether this provision should be deleted. If recommended by B.S.E., BBRD would not object to the same.

11. Please REMOVE “Contractor shall obtain and pay for all construction permits and licenses. BBRD shall assist Contractor, when necessary, in obtaining such permits and licenses. Contractor shall pay all charges of utility BBRDs for connections to the Work. During performance of the Contract, the Contractor shall keep all permits on the project site. Contractor shall not be responsible for paying impact fees or other connection charges associated with providing utility service to residential or commercial units as the case maybe.” from SC-6.13. BBRD shall be responsible for any and all permits required and associated fees.

BBRD believes permit fees should be paid by the Contractor and that the contract documents (and bid price) encompassed this requirement. BBRD Policy 2-10 also requires the Contractor to be responsible for all required permits (see attached).

12. Please remove SC-6.28.1 as it is not applicable.

BBRD has no objection to the deletion of SC-6.28.1.

13. Change SC-8.5 to read, Delete paragraphs 8.5, and 8.8.

BBRD is agreeable to amending SC-8.5 to read, “Delete paragraph 8.5.” BBRD asserts that 8.8 should not be deleted.

14. Remove paragraph 2 of SC-12.4

BBRD does not agree to the suggested deletion of paragraph 2 of SC-12.4.

15. Please remove “ , take possession of CONTRACTOR’S tools, appliances, construction equipment and machinery at the site” from ARTICLE 13 section 13.14. Also there is a reference to an article 22 that is not in the contract therefore reference shall be null and void. \

BBRD has no objection to the proposed amendment to Article 13.14.

16. Please change under ARTICLE 14 section 14.4 both references to ten days to five days.

BBRD is agreeable to the amendment of the reference of “ten” days to “five” days in the first sentence of 14.4. Due to internal processing concerns, BBRD cannot agree to change the second reference of “ten” days to “five” days. However, BBRD will process payment as expeditiously as possible, and can assure the contractor that most payments will be made sooner than ten days. BBRD would agree to change the last sentence of General Conditions 14.4 to read, “After presentation of the Application for Payment with ENGINEER’S recommendation, the amount recommended will (subject to the provisions of the last sentence of paragraph 14.7) become due and, when due, will be paid within ten days by BBRD to CONTRACTOR.”

17. Please remove “,exclude CONTRACTOR from the site and take possession of the Work and of all CONTRACTOR's tools, appliances, construction equipment and machinery at the site and use the same to the full extent they could be used by CONTRACTOR (without liability to CONTRACTOR for trespass or conversion), from ARTICLE 15 SECTION 15.2.9.

BBRD has no objection to the proposed amendment to General Conditions 15.2.9.

18. Please remove SC-15.5.

BBRD has no objection to the proposed deletion of SC-15.5.

Please review the changes to be made, call if yo have any questions.

Thank you
Cory

<BBRD Vendor Insurance Requirements 2-10 Policy Manual.pdf>

BAREFOOT BAY
CHEROKEE COURT & TAMARIND CIRCLE DRAINAGE IMPROVEMENTS
CONTRACTOR BID FORM
BSE # 11311.02

ITEM	UNIT	ENGINEER ESTIMATED QUANTITY	CONTRACTOR UNIT PRICE	CONTRACTOR ESTIMATED QUANTITY	TOTAL PRICE
TAMARIND CIRCLE					
CLEAN/REGRADE SWALE, PROTECT THE EXISTING FENCE, RESOD AS NECESSARY, CLEAR AS NECESSARY	LF	1,415	\$ 11.00	1,415	\$ 15,565.00
INLETS/mitered end	EA	5	\$ 1,970.00	5	\$ 9,850.00
15" ADS PIPE	LF	383	\$ 61.25	383	\$ 23,458.75
18" ADS PIPE	LF	346	\$ 67.85	368	\$ 24,968.80
MISCELLANEOUS IRRIGATION REPAIR (IF ANY)	LS	1	\$ 750.00	1	\$ 750.00
SUBTOTAL - TAMARIND CIRCLE					\$ 74,592.55
<i>Bid bond/performance bond. Acquired if awarded at cost of 7.5% of proposed project total. Cost not reflected in subtotal.</i>					
<i>Included in linear foot pricing: All dump fees, hauling, grass stripping, grading, import fill for grading, sodding disturbed areas for proposed sotrm pipe and dewatering of large retention pond. Irrigation repair is estimated, exact cost up or down shall be reflected in final invoice.</i>					
CHEROKEE COURT					
CLEAN/REGRADE SWALE, PROTECT THE EXISTING FENCE, RESOD AS NECESSARY, CLEAR AS NECESSARY (NOT REFILLING FOR REPLACEMENT PIPE)	LF	412	\$ 22.00	412	\$ 9,064.00
CLEAN EXISTING OUTFALL DITCH	LF	815	\$ 10.00	815	\$ 8,150.00
MODIFY EXISTING BATCH BASINS	EA	2	\$ 450.00	2	\$ 900.00
NEW CATCH BASINS	EA	2	\$ 1,750.00	2	\$ 3,500.00
12" ADS PIPE	LF	90	\$ 57.55	90	\$5,179.50
15" ADS PIPE	LF	287	\$ 59.85	306	\$ 18,314.10
14" X 23" ALUMINUM PIPE	LF	92	\$ 74.35	92	\$ 6,840.20
HEADWALL (14" x 23")	EA	1	2800	1	\$ 2,800.00
MISCELLANEOUS IRRIGATION REPAIR (IF ANY)	LS	1	\$ 350.00	1	\$ 350.00
<i>Bid bond/performance bond. Acquired if awarded at cost of 7.5 % of proposed total. Cost not reflected in subtotal..</i>					
<i>Included in linear foot pricing: All dump fees, hauling, grass stripping, grading, import fill for grading, sodding disturbed areas for proposed sotrm pipe. Irrigation repair is estimated, exact cost up or down shall be reflected in final invoice.</i>					
SUBTOTAL - CHEROKEE COURT					\$ 55,097.80
TOTAL					\$ 129,690.35

NOTES

1. Bids shall include sales tax and other applicable taxes and fees.
2. The Engineer's Estimated Quantities are provided for your convenience. Contractor should bid their own quantities. If there is a large discrepancy, please contact Engineer.

BAREFOOT BAY
CHEROKEE COURT & TAMARIND CIRCLE DRAINAGE IMPROVEMENTS
CONTRACTOR BID FORM
BSE # 11311.02

ITEM	UNIT	ENGINEER ESTIMATED QUANTITY	CONTRACTOR UNIT PRICE	CONTRACTOR ESTIMATED QUANTITY	TOTAL PRICE
TAMARIND CIRCLE					
CLEAN/REGRADE SWALE, PROTECT THE EXISTING FENCE, RESOD AS NECESSARY, CLEAR AS NECESSARY	LF	1,415	\$ 35.00	1,415	\$ 49,525.00
INLETS	EA	4	\$ 7,500.00	4	\$ 30,000.00
15" ADS PIPE	LF	383	\$ 65.00	383	\$ 24,895.00
18" ADS PIPE	LF	346	\$ 85.00	346	\$ 29,410.00
MISCELLANEOUS IRRIGATION REPAIR (IF ANY)	LS	ALLOWENCE	\$ 10,000.00	1	\$ 10,000.00
SUBTOTAL - TAMARIND CIRCLE					\$ 143,830.00
CHEROKEE COURT					
CLEAN/REGRADE SWALE, PROTECT THE EXISTING FENCE, RESOD AS NECESSARY, CLEAR AS NECESSARY (NOT REFILLING FOR REPLACEMENT PIPE)	LF	412	\$ 55.00	412	\$ 22,660.00
CLEAN EXISTING OUTFALL DITCH	LF	815	\$ 35.00	815	\$ 28,525.00
MODIFY EXISTING BATCH BASINS	EA	2	\$ 5,000.00	2	\$ 10,000.00
NEW CATCH BASINS	EA	2	\$ 7,500.00	2	\$ 15,000.00
12" ADS PIPE	LF	90	\$ 60.00	90	\$ 5,400.00
15" ADS PIPE	LF	287	\$ 65.00	287	\$ 18,655.00
14" X 23" ALUMINUM PIPE	LF	92	\$ 120.00	92	\$ 11,040.00
HEADWALL OR MITERED END SECTION (14" x 23")	EA	1	\$ 6,500.00	1	\$ 6,500.00
MISCELLANEOUS IRRIGATION REPAIR (IF ANY)	LS	ALLOWENCE	\$ 10,000.00	1	\$ 10,000.00
SUBTOTAL - CHEROKEE COURT					\$ 127,780.00
TOTAL					\$ 271,610.00

NOTES

1. Bids shall include sales tax and other applicable taxes and fees.
2. The Engineer's Estimated Quantities are provided for your convenience. Contractor should bid their own quantities. If there is a large discrepancy, please contact Engineer.
3. No Layout or As Builts
4. No New Landscaping or saving Existing Landscaping.
5. No fence removal or sheds of any kind.
6. No removal of residents' belongings from work area.

EXHIBIT "A" NOTES

MASTER NOTES

Prices submitted are based upon the following:

- 1 No permits or associated fees.
- 2 Final payment to be made based upon final field measurement paid at the unit prices in the above bid.
- 3 Pricing is good for 30 days after submission of proposal, unless bid documents state otherwise.
- 4 Price does not include adjusting any existing utilities to grade.
- 5 No engineering or testing.
- 9 No Export of any Material (Assumed onsite Material suitable for Fill & Backfill)
- 10 No fencing relocation or repair
- 11 No repair or modification to existing Asphalt.
- 13 Project was bid using the assumption of full access to the site. Brewer Paving cannot be held responsible for any issues related to time if the access had been restricted.
- 14 Unless the words "lump sum" appear next to an item, all prices are per unit, and payments will be based upon the actual number of unites performed at that price. The prices quoted are binding for 30 days, but may be accepted at any later date at the sole option of Brewer Paving & Development, Inc. and subject to escalation based upon increases in Brewer's costs.
- 15 Payment and performance bonds are not included (Please add 2.5%, if required).
- 16 Pricing excludes any permits, fees, testing, as-builts, staking, utility location and adjustment or relocation, asphalt saw-cutting.
- 17 This quote is contingent upon Brewer's satisfaction with credit conditions.
- 18 Brewer cannot be held responsible for any damage caused to any concrete surfaces while performing our portion of the proposed work. Brewer cannot be held responsible for any cleaning of any concrete surfaces while performing our portion of the proposed work.
- 19 Pricing is based on performing work during daytime operational hours and in accordance with Brewer's normal operational schedule.

PROPOSAL

BAREFOOT BAY – CHEROKEE COURT & TAMARIND CIRCLE DRAINAGE IMPROVEMENTS

Full Name of Bidder:

Brewer Paving & Development, LLC

Main Business Address:

3190 Crissom Parkway

Place of Business:

Cocoa, FL 32926

State Contractor's License:

Florida

TO: Barefoot Bay Recreation District (hereinafter called the **Owner**)

The undersigned, as Bidder, declares that the only person or parties interested in this Proposal as principals are those named herein, that this Proposal is made without collusion with any other person, firm or corporation; that he has carefully examined the location of the proposed work, the proposed forms of Agreement and Bonds, and the Contract Drawings and Specifications, including Addenda issued thereto and acknowledges receipt below:

Addendum Number	Date Issued	Contractor's Initials
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

He proposes, and agrees if this Proposal is accepted, that he will contract with Barefoot Bay Recreation District in the form of the copy of the Agreement included in these Contract Documents, to provide all necessary machinery, tools, apparatus and other means of construction, including utility and transportation services necessary to do all the Work, and furnish all the materials and equipment specified or referred to in the Contract Documents in the manner and time herein prescribed, and according to the requirements of the Owner as therein set forth, furnish the Contractor's Bonds and Insurance specified in the General Conditions of the Contract, and to do all other things required of the Contractor by the Contract Documents, and that he will take full payment the sums set forth in the following bid schedule.

Upon receipt or written notice of the conditional acceptance of this bid, bidder will execute the formal Contract attached and deliver the insurance within 15 days as required by the Contract Documents.

If awarded a contract under this Proposal, the Undersigned proposes to start work at the site within 14 calendar days after the receipt from the Owner of a written Notice to Proceed. The Undersigned further agrees to fully complete all work covered per the following schedule. All dates shown represent consecutive calendar days from and including the date of receipt from the Owner of a written Notice to Proceed.

Contract Time Substantial Completion
90 days

Final Completion
120 days

OWNER and **CONTRACTOR** recognize that time is of the essence of the Agreement and that **OWNER** will suffer financial loss if the Work is not substantially complete within the time specified, plus any extensions thereof allowed in accordance with the General Conditions. They also recognize that it is difficult, if not impossible, to ascertain precisely the actual loss suffered by **OWNER** if the Work is not substantially complete on time. Accordingly, instead of requiring any such proof, **OWNER** and **CONTRACTOR** agree that as liquidated damages for delay (but not as a penalty) **CONTRACTOR** shall pay **OWNER** one hundred dollars (\$100.00) for each calendar day that expires after the time specified substantial completion until the Engineer finds the Work is substantially completed, in accordance with the General Conditions.

Bid Security

Accompanying this Bid is a Certified or a Cashier's Check or a Bid Bond in the amount of \$_____, made payable to the Owner which may be forfeited as liquidated damages if, in the event this proposal is accepted, the undersigned fails to execute the Agreement and furnish and pay for the required performance and payment bonds for the Owner within ten (10) days after acceptance of the Bid; otherwise said Certified or Cashier's Check or Bid Bond will be returned to the undersigned.

Award of Bid

Bidder acknowledges that Owner may not award the Contract immediately. Bidder acknowledges that all prices quoted within the proposal are valid for a period of sixty (60) days after bid opening. If the Contract is not awarded within sixty (60) days, Bidder may adjust the unit prices proposed; however, Owner retains the right to reject all bids and rebid the project.

Respectfully Submitted:

State of Florida

County of Brevard

Billy Joe Brewer, being first duly sworn on oath deposes and says that the Bidder on the above Proposal is organized as indicated below and that all statements herein made are made on behalf of such Bidder and that this deponent is authorized to make them.

Billy Joe Brewer, also deposes and says that he has examined and carefully prepared his Bid Proposal from the Contract Drawings and Specifications and has checked the same in detail before submitting this Bid; that the statements contained herein are true and correct.

(a) Corporation

The bidder is a corporation organized and existing under the laws of the State of _____, which operates under the legal name of _____, and the full names of its officers are as follows:

President _____

Secretary _____

Treasurer _____

Manager _____

and it (does) or (does not) have a corporate seal. The _____ is authorized to sign construction proposals and contracts for the company by action of its Board of Directors taken _____, a certified copy of which is hereto attached (Strike out this last sentence if not applicable).

(b) Co-Partnership

The Bidder is a co-partnership consisting of individual partners whose full names are as follows:

_____	_____
_____	_____
_____	_____
_____	_____

The co-partnership does business under the legal name of: _____

(c) Individual

The bidder is an individual whose full name is, _____, and if operating under a trade name, said trade name is _____.

Dated _____, 2016.

Brewer Paving & Development, LLC
Legal Entity

(Seal - If Corporation)
(Sign Here)

By: [Signature] m.p.

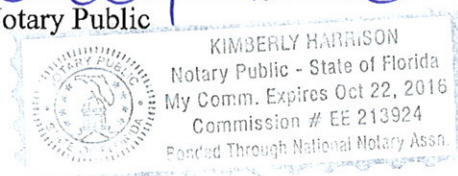
Telephone No. 321-636-4645

Subscribed and sworn to before me this 27th day of June, 2016.

[Signature]
Notary Public

My Commission Expires:

10/22/2016



LIST OF SUBCONTRACTORS/SUPPLIERS

BAREFOOT BAY – CHEROKEE COURT & TAMARIND CIRCLE DRAINAGE IMPROVEMENTS

The Undersigned states that the following is a full and complete list of the proposed subcontractors and suppliers on this Project and the class of work to be performed by each, and that such list will not be added to nor altered without written consent of the Owner through the Engineer.

Subcontractor and Address

Class of Work to be performed or Type of Material to be Supplied

(1) _____

(2) _____

(3) _____

(4) _____

(5) _____

(6) _____

*Attach additional sheets as necessary.

DATE

BIDDER

SIGNATURE

BID FORM

PROJECT IDENTIFICATION: Barefoot Bay – Cherokee Court & Tamarind Circle
Drainage Improvements

CONTRACT IDENTIFICATION AND NUMBER:
B.S.E. # 11311.02 / 11311.03

THIS BID IS SUBMITTED TO:

B.S.E. Consultants, Inc.
312 South Harbor City Boulevard
Melbourne, FL 32901
(321) 725-3674 telephone
(321) 723-1159 fax

1. The undersigned **BIDDER** proposes and agrees, if the **BID** is accepted, to enter into an Agreement with **OWNER** in the form included in the Contract Documents to complete all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the Contract Documents.
2. **BIDDER** accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid Security. This Bid will remain open for sixty calendar days after the day of Bid opening. **BIDDER** will sign the Agreement and submit the Contract Security and other documents required by the Contract Documents within fifteen calendar days after the date of **OWNER**'s Notice of Award.
3. In submitting this Bid, **BIDDER** represents, as more fully set forth in the Agreement, that:
 - (a) **BIDDER** has examined copies of all the Contract Documents and of the following addenda:

<u>Date</u>	<u>Number</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

(receipt of all of which is hereby acknowledged) and also copies of the Invitation to Bid and the Instruction to Bidders;

- (b) **BIDDER** has examined the site and locality where the Work is to be performed, the legal requirements (federal, state and local laws, ordinances, rules and regulations), including disposal of cleared material and the conditions affecting cost, progress or performance for the Work and has made such independent investigations as **BIDDER** deems necessary;
- (c) This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; **BIDDER** has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; **BIDDER** has not sought by collusion to obtain for himself any advantage over any other Bidder or over **OWNER**; and
- (d) Two sets of drawings, each set consisting of a Cover Sheet and Sheet Number 2; the first set bearing the General Title Barefoot Bay – Tamarind Circle and the second set Barefoot Bay – Cherokee Court.
4. **BIDDER** will complete the Work for the following price(s): Six Hundred-Ten $\frac{00}{100}$
CONTRACT PRICE: Two Hundred Seventy-One Thousand DOLLARS,
(\$ 271,610.00).
5. **BIDDER** acknowledges that a separate Notice to Proceed will be issued and the possible impacts of such have been considered within the Bid.
6. **BIDDER** agrees that the individual stages of the Work will be substantially completed per the following schedule, such days reflecting the time after the date when the Contract Time commences to run.

Substantial Completion
90 days

Full Completion
120 days

OWNER and **CONTRACTOR** recognize that time is of the essence of the Agreement and that **OWNER** will suffer financial loss if the Work is not substantially complete within the time specified, plus any extensions thereof allowed in accordance with the General Conditions. They also recognize that it is difficult, if not impossible, to ascertain precisely the actual loss suffered by **OWNER** if the Work is not substantially complete on time. Accordingly, instead of requiring any such proof, **OWNER** and **CONTRACTOR** agree that as liquidated damages for delay (but not as a penalty) **CONTRACTOR** shall pay **OWNER** one hundred dollars (\$100.00) for each calendar day that expires after the time specified substantial completion until the Engineer finds the Work is substantially completed, in accordance with the General Conditions.

BIDDER accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work on time.

7. The following document is attached to and made a condition of this Bid:
- (a) A tabulation of Subcontractors and other persons and organizations required to be identified in this Bid.
 - (b) Exhibit A — Estimated Quantity Forms
8. The attached estimated quantities are included only for the assistance of the Bidder and for establishing unit prices for individual items. Payment for all work will be based upon actual measurements of installed and accepted work.
9. Communications concerning this Bid shall be addressed to:
- Mr. Scott M. Glaubitz, P.E., P.L.S.
B.S.E. Consultants, Inc.
312 South Harbor City Boulevard
Suite 4
Melbourne, FL 32901
10. The terms used in this Bid which are defined in the General Conditions of the Construction Contract included as a part of the Contract Documents have the meanings assigned to them in the General Conditions.

SUBMITTED ON 6-28, 2016.

Name of Firm: Brewer Paving & Development, LLC

Signature: [Signature] Title: MANAGING Partner
(Seal)

Attest: [Signature]

Business Address: 3190 ORISON PIKE
CELEBRITY, FL 32926

Phone No.: 321-636-4645

IMPORTANT:

Note: If the Contractor is a corporation, the legal name of the corporation shall be set forth above together with a signature of the officer or officers authorized to sign Contracts on behalf of the Corporation; if Contractor is a co-partnership, the true name of the firm shall be set forth above together with the signatures of all the partners; and if Contractor is an individual, his signature shall be placed above. If signature is by an agent other than an officer of a corporation or a member of a partnership, a power-of-attorney must be attached hereto. Signature of Contractor shall also be acknowledged before a Notary Public or other person authorized by law to execute such acknowledgment.

BAREFOOT BAY
CHEROKEE COURT & TAMARIND CIRCLE DRAINAGE IMPROVEMENTS
CONTRACTOR BID FORM
BSE # 11311.02

ITEM	UNIT	ENGINEER ESTIMATED QUANTITY	CONTRACTOR UNIT PRICE	CONTRACTOR ESTIMATED QUANTITY	TOTAL PRICE
TAMARIND CIRCLE					
CLEAN/REGRADE SWALE, PROTECT THE EXISTING FENCE, RESOD AS NECESSARY, CLEAR AS NECESSARY	LF	1,415	\$ 35.00	1,415	\$ 49,525.00
INLETS	EA	4	\$ 7,500.00	4	\$ 30,000.00
15" ADS PIPE	LF	383	\$ 65.00	383	\$ 24,895.00
18" ADS PIPE	LF	346	\$ 85.00	346	\$ 29,410.00
MISCELLANEOUS IRRIGATION REPAIR (IF ANY)	LS	ALLOWENCE	\$ 10,000.00	1	\$ 10,000.00
SUBTOTAL - TAMARIND CIRCLE					\$ 143,830.00
CHEROKEE COURT					
CLEAN/REGRADE SWALE, PROTECT THE EXISTING FENCE, RESOD AS NECESSARY, CLEAR AS NECESSARY (NOT REFILLING FOR REPLACEMENT PIPE)	LF	412	\$ 55.00	412	\$ 22,660.00
CLEAN EXISTING OUTFALL DITCH	LF	815	\$ 35.00	815	\$ 28,525.00
MODIFY EXISTING BATCH BASINS	EA	2	\$ 5,000.00	2	\$ 10,000.00
NEW CATCH BASINS	EA	2	\$ 7,500.00	2	\$ 15,000.00
12" ADS PIPE	LF	90	\$ 60.00	90	\$ 5,400.00
15" ADS PIPE	LF	287	\$ 65.00	287	\$ 18,655.00
14" X 23" ALUMINUM PIPE	LF	92	\$ 120.00	92	\$ 11,040.00
HEADWALL OR MITERED END SECTION (14" x 23")	EA	1	\$ 6,500.00	1	\$ 6,500.00
MISCELLANEOUS IRRIGATION REPAIR (IF ANY)	LS	ALLOWENCE	\$ 10,000.00	1	\$ 10,000.00
SUBTOTAL - CHEROKEE COURT					\$ 127,780.00
TOTAL					\$ 271,610.00

NOTES

1. Bids shall include sales tax and other applicable taxes and fees.
2. The Engineer's Estimated Quantities are provided for your convenience. Contractor should bid their own quantities. If there is a large discrepancy, please contact Engineer.
3. No Layout or As Builts
4. No New Landscaping or saving Existing Landscaping.
5. No fence removal or sheds of any kind.
6. No removal of residents' belongings from work area.

EXHIBIT "A" NOTES

MASTER NOTES

Prices submitted are based upon the following:

- 1 No permits or associated fees.
- 2 Final payment to be made based upon final field measurement paid at the unit prices in the above bid.
- 3 Pricing is good for 30 days after submission of proposal, unless bid documents state otherwise.
- 4 Price does not include adjusting any existing utilities to grade.
- 5 No engineering or testing.
- 9 No Export of any Material (Assumed onsite Material suitable for Fill & Backfill)
- 10 No fencing relocation or repair
- 11 No repair or modification to existing Asphalt.
- 13 Project was bid using the assumption of full access to the site. Brewer Paving cannot be held responsible for any issues related to time if the access had been restricted.
- 14 Unless the words "lump sum" appear next to an item, all prices are per unit, and payments will be based upon the actual number of unites performed at that price. The prices quoted are binding for 30 days, but may be accepted at any later date at the sole option of Brewer Paving & Development, Inc. and subject to escalation based upon increases in Brewer's costs.
- 15 Payment and performance bonds are not included (Please add 2.5%, if required).
- 16 Pricing excludes any permits, fees, testing, as-builts, staking, utility location and adjustment or relocation, asphalt saw-cutting.
- 17 This quote is contingent upon Brewer's satisfaction with credit conditions.
- 18 Brewer cannot be held responsible for any damage caused to any concrete surfaces while performing our portion of the proposed work. Brewer cannot be held responsible for any cleaning of any concrete surfaces while performing our portion of the proposed work.
- 19 Pricing is based on performing work during daytime operational hours and in accordance with Brewer's normal operational schedule.

John Coffey

From: Julie Bernal
Sent: Thursday, June 30, 2016 11:15 AM
To: John Coffey (jcoffey@bbrd.org); Colin Doyle (colin.doyle@tlc-eng.com)
Cc: Scott Glaubitz
Subject: Barefoot Bay - Cherokee Court & Tamarind Circle Bids (BSE # 11311.02 / 11311.03)
Attachments: Brevard Excavating Bid_6.23.16.pdf; Brewer Bid Form & Exhibit A.pdf

John/Colin,

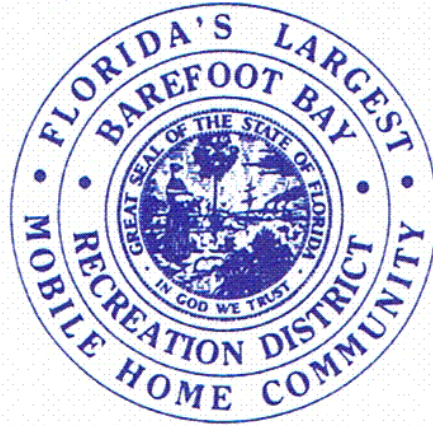
Attached are the two Contractor bids that we received for the Cherokee Court and Tamarind Circle Drainage Improvements. It was very difficult to obtain bids for this project as Barefoot Bay is perceived to be a difficult community to work within – we had several Contractors decline to bid. Let us know how you would like to proceed.

Julie Bernal
Executive Assistant
B.S.E. Consultants, Inc.
312 South Harbor City Blvd., Suite 4
Melbourne, FL 32901
(321) 725-3674
e-mail: jbernal@bseconsult.com
Website: bseconsult.com

New Business

Board of Trustees Meeting Agenda Memo

Date: February 28, 2017
Title: DOR Violation 16-003759
831 THRUSH CIRCLE
Section & Item: 9A
Department: Resident Relations
Fiscal Impact: \$
Contact: Susan Cuddie, Resident Relations
Manager; or John W. Coffey,
Community Manager
Attachments: Statement of Violations, Notice of
Hearing, Photos
Reviewed by
General Counsel:
Approved by:



Requested Action by BOT

Consideration of resolving the safety concern caused by storm damage to 831 Thrush Circle

Background and Summary Information

- The property at 831 Thrush Circle sustained substantial damage during Hurricane Matthew, as well as subsequent wind events.
- The owner has been unresponsive to letters that have been sent to the property.
- After the Hurricane, the carport was secured by an unknown person, presumably associated with the owner of the home.
- Subsequent wind storms have resulted in the carport roof being flipped onto the home. The carport roof was tied down to the home roof by an unknown person or persons preventing further damage to neighboring properties.
- During the last wind storm the week of February 13, pieces of the home flew onto neighboring properties, causing neighbors to call for fear of damage to their homes.

Requested Action by BOT:

To consider the options to remedy this safety and welfare concern.

- Allow Property Services to further secure the debris on the home and lien the property for the cost.
- Hire a contractor to remove the damage material on the home and lien the property, bids to be provided prior to the February 28 meeting.

Research:

- There are/are no outstanding taxes on the property.
- Notices and correspondence was/was not returned

BAREFOOT BAY BOARD OF TRUSTEES
BREVARD COUNTY, FLORIDA

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-003759

#0375/ 16-003759

OWEN, MILDRED H

831 THRUSH CIR

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, Section 11, Exterior Maintenance, to wit, The exterior of the home, including, but not limited to, windows, screens, roofs, gutters, and siding shall be maintained in good condition at all times and/or in substantially the same condition as when each item was newly installed without gaps or openings. Only materials as approved by ARCC shall be used.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 130 Lot # 2

831 THRUSH CIRCLE

BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Carport roof and house roof are severely damaged

It is requested that you come into compliance by repairing the damage within three (3) days from the date of this letter. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the repairs are not done and if the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a Hearing will be conducted before the Board of Trustees at 07:00 PM on February 28, 2017 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.

BAREFOOT BAY BOARD OF TRUSTEES
BREVARD COUNTY, FLORIDA
NOTICE OF HEARING
Hearing Date:

The Board of Trustees will receive testimony and evidence at the Hearing and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the Hearing, or may be represented by an attorney.

If the Board of Trustees finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to repair the damage. In such an event, you will be billed the costs for removing the damaged property (including enforcement costs).

DATE OF VIOLATION FIRST OBSERVED: Oct 12, 2016

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

October 12, 2016 via First Class

February 16, 2017 via Certified return receipt requested.

DATE ON/BY WHICH VIOLATION TO BE CORRECTED:

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 (FS 286.0105) 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.

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.

February 16, 2017



Thomas O'Donnell, DOR Enforcement Officer



831 Thrush Cir
Thomas O'Donnell
Feb 15, 2017



831 Thrush Cir
Thomas O'Donnell
Feb 15, 2017



831 Thrush Cir
Thomas O'Donnell
Feb 15, 2017



831 Thrush Cir

Thomas O'Donnell
Feb 15, 2017



831 Thrush
Thomas O'Donnell
Oct 12, 2016

Board of Trustees Meeting Agenda Memo

Date: Feb. 28, 2017

Title: **Discussion of Master Plan for Future Projects**

Section & Item: 9B

Department: R&M/Capital

Fiscal Impact: N/A

Contact: John W. Coffey, Community Manager or Steve Diana, BOT Chairman

Attachments: List of projects by Fiscal Year in BOT Endorsed 5yrFM&CIP

Reviewed by
General Counsel: N/A

Approved by:



Requested Action by BOT

Direction to staff regarding how to proceed.

Background and Summary Information

Chairman Diana requested this topic be placed on the next available agenda for discussion. Currently, the FY18-22 Five-Year Financial Model and Capital Improvement Plan (5yrFM&CIP) has 84 listed projects (estimated cost of \$10,290,482) with 53 projects proposed for funding at a cost of \$3,064,482 (over the 5 years).

Said projects (as listed in the attachment) proposed to be funded through identified General Fund revenues/sources which include the following revenue stream enhancements:

- Use of Fund Balance in FY18 & FY19
- \$2.5 a month assessment increase starting in FY18
- 10% increases Vehicle Storage fees in FY18
- 10% increase in Golf Membership fees in FY18 and FY20

Staff requests direction from the BOT regarding this matter.

BOT endorsed FY18-22 BBRD 5-Year Interactive Financial Model Capital Improvement Plan

Budget	FY18 Projects	
150,000	Replace Building F (Site Prep, bldg., data/phone sys., furniture, etc.)	1
100,000	Removal of undesirable homes	2
90,000	Lake bank restoration, Ph. 6 (left of 11 tee box, right of 16 green)	3
75,000	Additional 4 Pickle Ball Courts	4
75,000	Beach Projects, LWCF (50% match) Ph. 3	5
70,000	Upgrade elect. infrastr. in Bldg. A	6
60,000	Replace pit building at Pool 1 and add salt water system	7
55,000	Replace concrete & pavers Lounge (west side)	8
44,000	Relocate heater equipment into new pit building at Pool 1	9
32,000	Replace roof on Lounge	10
31,000	Expand paver area west of Lounge by 20 feet	11
30,500	Replace Lawnmower	12
30,000	Bunker restoration, Ph. 3	13
25,000	Replace damaged concrete sidewalks/assembly areas (Location TBD)	14
22,500	Comm. Ctr. Projects: Convert west shuffle board area to miniature golf (50% FRDAP grant funded)	15
21,000	Replace sidewalks at D&E / 19th Hole	16
20,000	New awning and panels west of Lounge	17
20,000	Replace Golf cart path Ph. 3	18
18,000	Additional parking lights @ Shopping Ctr.	19
17,000	Replace P.S. truck (2002 mid-size)	20
15,000	Replace P.S. HD Utility Cart (2008)	21
13,500	D/E Emergency Backup Generator (added by staff after 5yrFM&CIP review)	22
10,000	Sails (sun shades) south of Lounge	23
10,000	Christmas decorations Ph. 1	24
9,200	Replace P.S. Golf Cart (2000)	25
9,200	Replace P.S. Golf Cart (2012)	26
9,200	Replace P.S. Golf Cart (2003)	27
1,062,100	FY18 Sub-total	

BOT endorsed FY18-22 BBRD 5-Year Interactive Financial Model Capital Improvement Plan

Budget	FY18 Projects	
Budget	FY19 Projects	
499,962	Replace Building F (Site Prep, bldg., data/phone sys., furniture, etc.)	1
75,020	Beach Projects, LWCF (50% match) Ph. 4	2
65,000	Replace electrical infrastructure in Shopping Center	3
34,000	Beach gate access card system	4
30,000	Replace roof on Bldg. C	5
30,000	Replace P.S. truck (2005 F-250-size)	6
30,000	Bunker restoration, Ph. 4	7
25,000	Replace damaged concrete sidewalks/assembly areas (Location TBD)	8
21,000	Replace windows in Bldg. C	9
20,000	Removal of undesirable homes	10
10,000	Marquee Sign @ Shopping Ctr.	11
9,400	Replace P.S. Golf Cart (2013)	12
9,000	Replace doors in Bldg. C	13
4,000	Beach Volley Ball Court (by Pool#1)	14
862,382	FY19 Sub-total	
Budget	FY20 Projects	
163,000	Repave shopping center parking lot	1
87,000	Lake bank restoration, Ph. 7 (bewteen holes 10 & 12)	2
35,000	Replace P.S. Truck (2006 F-250 size)	3
25,000	Pool 2 restrooms roof replacement	4
25,000	Pool 3 restrooms roof replacement	5
25,000	Removal of undesirable homes	6
25,000	Replace damaged concrete sidewalks/assembly areas (Location TBD)	7
385,000	FY20 Sub-total	
Budget	FY21 Projects	
100,000	Repave 19th Hole parking Lot	1
88,000	Lake bank restoration, Ph. 8 (right of 6, right of 2, right of 3 & behind 5)	2
50,000	Restroom trailer by Tennis Courts	3
45,000	Basketball Court upgrades & resurface	4
35,000	Replacement Backhoe (used)	5
28,000	Replace P.S. Truck (2006 full-size)	6
25,000	Removal of undesirable homes	2
25,000	Replace damaged concrete sidewalks/assembly areas (Location TBD)	7
396,000	FY21 Sub-total	

BOT endorsed FY18-22 BBRD 5-Year Interactive Financial Model Capital Improvement Plan

Budget	FY18 Projects	
Budget	FY22 Projects	
280,000	Repave Micco RV lot	1
25,000	Removal of undesirable homes	2
25,000	Replace damaged concrete sidewalks/assembly areas (Location TBD)	3
19,000	Replacement R.R. Truck (2015 mid-size)	4
10,000	Replace P.S. Golf Cart (2013)	5
359,000	FY22 Sub-total	
3,064,482	FY18-22 Total	60

Board of Trustees Meeting Agenda Memo

Date: Feb. 28, 2017

Title: **Request for Larger Office Space by Barefoot Bay Homeowners' Association**

Section & Item: 9C

Department: Shopping Center

Fiscal Impact: N/A

Contact: Susan Cuddie, Resident Relations Manager and John W. Coffey, Community Manager

Attachments: Letter from BFBHOA and proposed floorplan for Building 1, Suite 5 and part of 4

Reviewed by General Counsel: N/A

Approved by:



Requested Action by BOT

Direction to staff regarding how to proceed.

Background and Summary Information

In January 2014, the Barefoot Bay Homeowners' Association (BFBHOA) was given a corner of the Brevard County Sheriff's Office Citizens On Patrol (COPS) office from BBRD.

Newly elected BFBHOA President Randy Loveland has submitted a request (as attached) for use of the larger adjacent vacant space (Building 1, Suite 5 and part of 4). Currently, the space is vacant and being advertised via a commercial real estate agent for rent.

Staff requests direction from the BOT regarding this matter.

New HOA Building Proposal for Board Of Trustees consideration and approval

This proposal is being submitted for consideration based on the need for a more conducive space for the Homeowners Association Office. Currently the space that is provided is approximately a 9'X9' space giving the HOA board less than 100 square foot of space to conduct meetings, general office functions that require more than 1 person or any storage space of printed materials that is used for reference or the education of the homeowner.

The space that is being requested is on the back side of the Shopping Center and would serve the HOA boards need comfortably. By moving to this space we would be in a better position to not only serve the community but to free up space elsewhere in the Bay.

- The storage shed that is currently being used to could go back to the BBRD for other use as the new office space would give the HOA adequate storage for the items currently being stored in there.
- The new office space would allow space for small committee or club meetings that would free up the use of building A, D & E.
- By having this space the Homeowners would be better served by having the office hours expanded and the printed material for them readily on hand.
- The new space would allow us the opportunity to conduct ongoing "New Homeowner Orientations" in real time, thus increasing the attendance and creating a much more educated community.
- The new space would benefit all homeowners by giving them a common area that serves them on multiple levels and would be consistent with their daily needs as it would be a permanent.

Our current location is a basic desk and phone and does not serve to benefit the homeowners of Barefoot Bay and has little use other than a storage space for a desk and 2 file cabinets.

The Homeowners of Barefoot Bay need a resource center that they can utilize to stay informed, get involved and have the sense that their BOT and HOA are working together for them. While there may be a small loss in future revenue potential, the benefit provided to the Homeowner is far greater in value to the community as a whole.

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: February 28, 2017

Subject: Manager's Report -revised

Resident Relations

1. **ARCC Update** – 20 permits were reviewed and 18 approved at the 21Feb17 ARCC meeting. 3 permits were put on hold pending additional information. The next ARCC meeting is Tuesday 7Mar17 at 9am in the Lounge.
2. **Violation Committee Update** – The 24Feb17 meeting is canceled since only one case remains open as of 21Feb17. The next meeting is Friday 10Mar17 at 10am in D/E.
3. **DOR Enforcement Transparency Update** – Staff is working on putting the DOR software database on www.bbrd.org. "Citizenserve" will be a searchable product where residents can look up specific properties to see the status of DOR enforcement cases. Staff will provide a short demonstration of the web-based search engine at a future BOT meeting.

Food & Beverage

4. **St. Paddy's Day** – Tickets for the party on the Lakeside of the Lounge are still on sale at the 19th Hole and the Lounge. A full day is planned and flyers with all the details will be posted. Corned Beef sandwich tickets are \$8 and are served at noon and a buffet for \$12 is served at 2:30pm.
5. **Lounge Update** – A new point of sale (POS) system is being installed. There will be 2 stations which will help bartenders and servers to order and close out checks out in a timely fashion.

Golf-Pro Shop

6. **Golf Course Tournaments Updates:**

- February
 - Member/Member - 25Feb17

- March
 - New York Group – 7Mar17
 - Canada Club – 11Mar17
 - Ladies 18 Hole Invitational – 21Mar17
 - Barefoot Bay Club Championship- 23-25Mar17 (Residents are invited to come out and watch the players tee off and see if two-time Men's Champ Doug McGrath and 2016 Ladies Champ Pat LeFebvre defend their titles).

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

7. **R&M Project Update** – Staff is currently planning the summertime projects including the \$50,000 no match grant program.

Property Services

8. **Routine Work Update:**

- Installed poles for the soccer field
- Repaired poles at the tennis courts
- Reinstalled new windscreen at pool 2
- Installed new curb stops in front of screens in the golf course parking lot
- Finished air conditioning enclosure in D&E
- Repainted white rope fence poles throughout BFB
- Continued canal bank brush removal for stormwater maintenance
- Installed hot water heaters in the 6th and 16th restrooms on the golf course
- Repaired handrail on handicap ramp in front of Bldg. A
- Rototilled the softball field

Attorney's Report

Trustees Liaison Reports

Incidental Remarks from Trustees

Audience Participation

Adjournment