

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

Friday, June 10, 2016

1:00 PM

1225 BAREFOOT BOULEVARD, BUILDING D/E



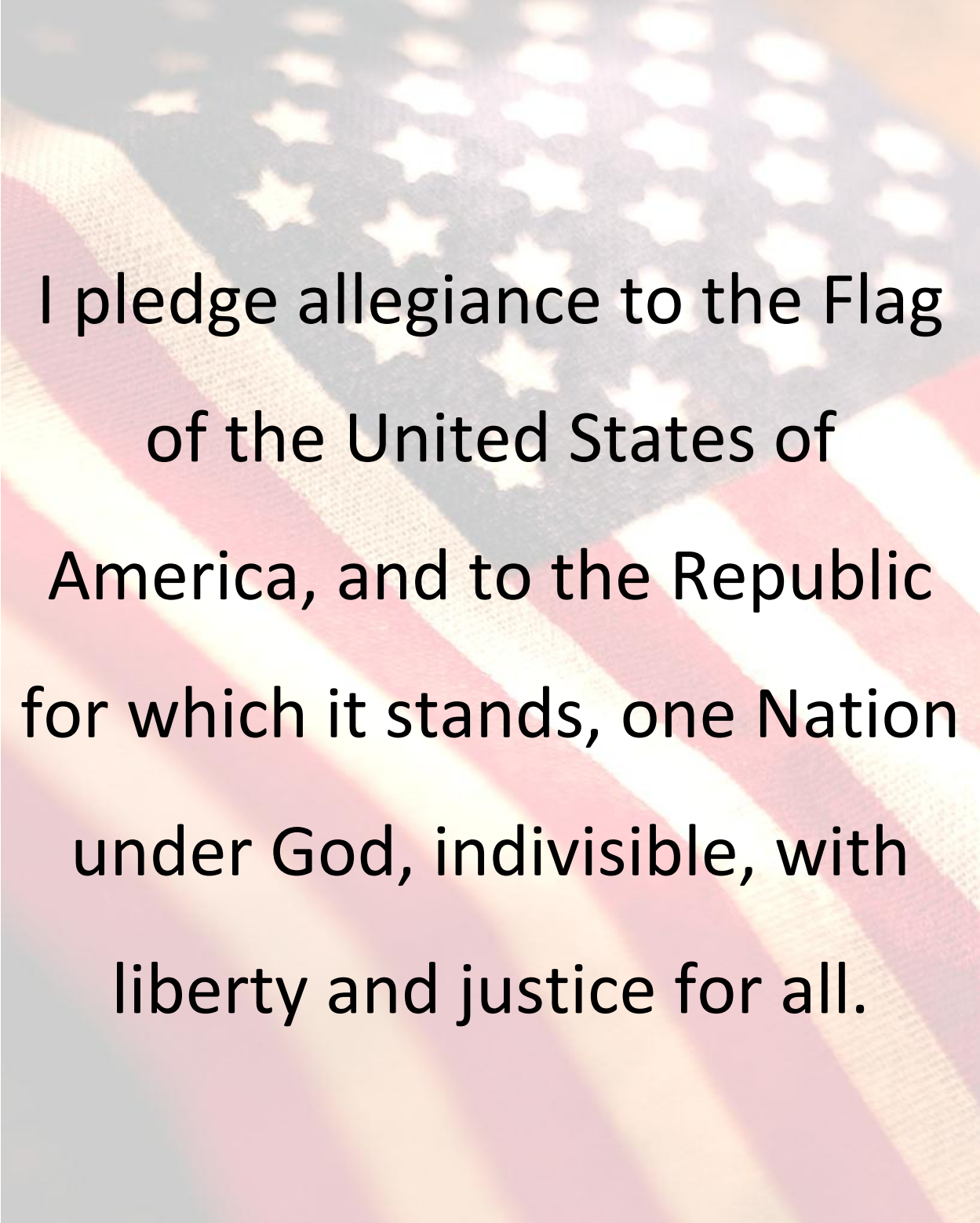
BAREFOOT BAY RECREATION DISTRICT

Barefoot Bay Recreation District Regular Meeting
Friday, June 10, 2016 1 P.M.
Building D&E

AGENDA

Please turn off all cell phones

1. Thought for the Day
2. Pledge of Allegiance to the Flag
3. Roll Call
4. Presentations and Proclamations
 - A. Employee Milestones
5. Approval of Minutes
6. Treasurer's Report
7. Audience comment on Agenda Items
8. Unfinished Business
 - A. Revisit BOT Rules – Robert's Rules of Order
 - B. ATP Change Order
 - C. Aqua Zumba Discussion
9. New Business
 - A. DOR Violations
 - I. 400 EAGLE DRIVE
 - II. 580 MARLIN CIRCLE
 - B. Bldg. A Electrical Panel Replacement Award of Contract
 - C. Request for Dismissal of Lawsuit and Waiver of Fees and Costs (748 Canary Drive)
 - D. Request for Dismissal of Lawsuit and Waiver of Fees and Costs (466 Egret Circle)
 - E. Revision to Policy Manual Guest Fees
 - F. Procurement of New or Used Restroom Trailer for Tennis Courts
 - G. Discussion - Barefoot Bay Slogan
 - H. Discussion – Advisory Committees Purpose
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. Klosky

1st Vice Chair - Ms. Wright

2nd Vice Chair - Mr. Lavier

Secretary - Mr. Diana

Treasurer - Mr. Cavaliere

Also Present

General Counsel- Cliff Repperger, Jr., Esq.

Community Manager - John W. Coffey

District Clerk - Dawn Myers

Approval of Minutes



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting Tuesday, May 24, 2016 7 P.M. –Building D&E

The Barefoot Bay Recreation District held a Regular Meeting on May 24, 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

Mr. Klosky 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.

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

Roll Call

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

Memorial Day Proclamation

Mr. Klosky presented the Memorial Day Proclamation to Mr. Ray Bourgault, American Legion Post Commander.

Minutes

Ms. Wright made a motion to approve the minutes from May 13, 2016. Second by Mr. Diana. Motion carried unanimously.

Treasurer's Report

Mr. Diana presented the Treasurer's Report for May 24, 2016.

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

Audience Participation (Agenda items only)

None brought forward

Old Business

None brought forward

New Business

FY17 Proposed Budget Mailout

Per BBRD Policy Manual, section 2.8, the Board shall "adopt proposed draft for mail out to community and hear comments from both Trustees and citizens." Staff requested Board approval of FY17 Proposed Budget for mail out to property owners.

Mr. Diana made a motion to accept the FY17 Budget mail out. Second by Ms. Wright. Motion carried unanimously.

Camera Replacement and Expansion

On April 4, 2016 the Board reached a consensus on the FY17 Proposed Budget including the CCTV proposal at the final BOT Budget Workshop. This project will require a budget amendment as it is not a FY16 Budgeted item.



BAREFOOT BAY RECREATION DISTRICT

Mr. Diana made a motion to accept the quote from ATP Security for \$18,930 plus \$1300 for first year maintenance of the CCTV system. Second by Ms. Wright. Motion carried unanimously.

Manager's Report

Mr. Coffey announced the Brevard County Emergency Management Services will host the annual informational meeting regarding hurricane preparation and evaluation procedures on June 3, 2016 in Building A at 2:30pm. He stated that Resident Relations will have extended hours and open on one Saturday (in June) to allow residents who do not find it convenient to renew their badges during our normal operating hours. Specific special hours include:

Monday 23May16: Open till 5:30pm

Tuesday 24May16: Open till 5:30pm

Friday 27May16: Open till 7pm

Saturday 4Jun16: 10m-2pm

Mr. Coffey announced the closure of the 19th Hole from June 5th-June 8th for maintenance and other activities that cannot be accomplished during normal operating hours. Food & Beverage staff will have limited hours of operations in D/E to offer as much service as possible.

Merchandise Sales under Golf Operations Manager Ernie Cruz continues to outpace historic performances. Please see below for details.

		Apr 15 YTD Actual	Apr 16 YTD Actual
	Merchandise Sales	38,438	62,131
	Merchandise Cost of Sales	27,178	40,804
	Net Rev/Exp.	11,260	21,327
	merchandise cost of sales percentage	70.7%	65.7%

Mr. Coffey requested the Board schedule the BOT Workshop on June 10, 2016 at 11am for Todd Wodraska, SDS President, to present a briefing on "running effective public meetings." Staff anticipates the presentation to last no more than 60 minutes with a break for lunch between the workshop and the Board of Trustees meeting.

Attorney's Report

General Counsel Repperger commented on the case on 1015 Thrush. Due to evidence that the owner's mail may have been tampered with resulting in not receiving the violations notices the case will be held until May 31st to allow time for the owner to remedy the issues. He will then follow up after next week. The previously discussed case on 730 Canary will be on the first agenda in June to give the owner an opportunity to appear before the Board. At this time the Board can decide if fees will be waived or to proceed with the case. General Counsel addressed a memorandum from the County stating an opinion on the possible abolishment of the District and also presented a perplexing position which essentially asserted that BBRD is not an independent Special District under F.S. 189. He stated that he will draft a response to the memorandum and will forward that response to the Trustees.

Mr. Diana requested an update on the insurance claim for the entrance wall. General Counsel has not heard back from Traveler's Insurance but will follow up with Board. Mr. Diana requested information on the sale of 710 Barefoot Blvd. Mr. Coffey stated that the buyer has other properties in Barefoot Bay



BAREFOOT BAY RECREATION DISTRICT

and is not out of state. General Counsel added that the buyer is well aware of the liens against the property.

Trustee Liaison Report

Mr. Klosky reported the ARCC met on May 3rd in the lounge at 9 AM. He stated 14 permits were issued and 1 application was tabled. The next ARCC meeting is May 17, 2016 at 9AM in the Lounge. The Violations Committee met on April 22, 2016. He stated 18 cases were found in violation. This morning at 10 AM, the committee met and 16 cases were presented to the committee. All were found in violation. The next Violations Committee meeting is on May 27, 2016 at 10 AM in Building D & E. Mr. Klosky read the Property Services report on behalf of Mr. Lavier who was excused. Stairs were installed at the 15th tee, the Garden Club shed replacement project is now complete and a new pump and handrail was installed at the pier. Please be aware badges expired in April and will need to be renewed in order to gain entry to the amenities.

Ms. Wright announced the closing of the 19th Hole for ceiling tile replacement and painting in the kitchen from June 6th – June 10th. Music Bingo will be held in the Lounge on Monday June 6th for one night only 5:30pm-8pm. There will be no Pasta Night on Wednesday and Vince Love will be in the Lounge from 5pm-8pm on Thursday June 9th. Breakfast will be available at 7am on Saturday June 11th in the 19th Hole. Tickets on sale for the Father's Day Street Dance and Clam Bake for \$12 at the Lounge Resident Relations and the 19th Hole. Guests must have a guest pass to get into the pool area.

Mr. Diana reported no issues with the District Clerk's office and thanked the Chairman of the Facilities Planning Committee and the members for their efforts. They are currently working on the official usage of the buildings as he requested at their last committee meeting.

Trustee's Incidental Remarks

Ms. Wright commented on a topic from the last meeting regarding Trustees attending conferences. She read from F.S. 189.063 Education Programs for New Members of District Governing Bodies. Some of the courses recommended for the newly elected members include Code of Ethics, Public Records, Public Finance and Parliamentary Procedures all topics covered at the last conference she attended. She requested a budget for the trustees that want to attend these conferences.

She thanked Ms. Myers and Facilities Planning Committee for their diligence in getting the CCTV project brought up to the FY16 budget and brought to the Board for approval. She stated she was very pleased with the results of this project.

Audience Participation

Ms. Carol Paskoroso voiced a concern about the rescheduled Aqua Zumba class. She did not believe this was fair as the Aqua Zumba's class is only one hour. She went on to explain that some of these residents cannot use any other recreational activities and stated that this is a very beneficial activity for the many resident. Ms. Merry Baker spoke on behalf of the Zumba's members request to hold classes on Tuesday, Wednesday and Thursday from 2pm-3pm. Ms. Karen Gallagher read a letter distributed to the members regarding the removal of one of their Aqua Zumba practice days.

Mr. Klosky stated that he does not see a problem with allowing the Zumba class to maintain the schedule for one hour on the three days for four months. Mr. Coffey stated that he wanted to maintain fairness for all involved when he removed one practice day for Aqua Zumba. Ms. Wright stated that she was in favor of the program but believed we should support Mr. Coffey's decision to remove one of the days. Mr. Diana stated that he was not opposed to the three days but asked if they would stick with one



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day on Saturday. He also was not in favor of deciding this topic this late in the meeting as it was not placed on the agenda.

Board consensus to allow the Zumba class to continue with the original schedule Tuesday, Wednesday and Thursday from 2-3pm and revisit the schedule after four months.

Ms. Loretta Dorn commented on the misinformation in the calendar and on the calendar online regarding the time for the Recreation Committee.

Ms. Mary Weller asked about cost to the District for Mr. Wodraska to speak to the District on running an effective public meeting. Mr. Coffey stated that there would be no cost with the exception of lunch and the gas to drive here from the SDS office in West Palm.

Mr. Ernest Loening stated that there is a dilapidated home with a roof that needs repair he would like to see this addressed. He commented on the lack of compensation for the entrance wall yet we would not still be waiting if the Board would have decided to build the wall back as he recommended.

Mr. Rich Schwatlow requested the resident not listen to rumors but read the minutes to the Recreation Committee for accurate information.

Ms. Carol Joseph announced that the little free library is here and encouraged the residents to take advantage of the free books available at the shopping center.

Mr. Bob Kahl stated that the HOA van will be traveling to the Bushnell Cemetery on Memorial Day for any interested parties. Please call him if interested 202-4139. He thanked the eteran's Coincil who will pay for the gas for the trip

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Mr. Diana requested the District Clerk organize a sheriff deputy presence at the next District meeting in an effort to discuss the COPS program and bring more attention to this program. He also asked that we place a topic regarding adoption of a Barefoot Bay Slogan on the next agenda.

Adjourn

Next meeting on Friday, June 10, 2016 at 1PM in Building D/E.

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

Meeting adjourned 3:20 p.m.

Steve Diana, Secretary

Dawn Myers, District Clerk



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting

Tuesday, May 24, 2016

7 P.M. –Building D&E

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Meeting adjourned 3:20 p.m.

Steve Diana, Secretary

Dawn Myers, District Clerk

Treasurer's Report

Barefoot Bay Recreation District

Treasurer's Report

June 10, 2016

Cash Balances in General Fund

as of 6/2/2016

Bank of America:

Operating Account	\$	1,597,051.02
Money Market Account	\$	105,600.14
Total Cash Balances @BOA in General Fund:	\$	1,702,651.16

SBA:

as of 6/2/2016

Capital Improvement Account	\$	184,777.65
Reserve Account	\$	549,915.50
Total Cash Balances @SBA in General Fund:	\$	734,693.15

Total Cash Balances in General Fund: \$ 2,437,344.31

Cash Balance in Debt Fund

as of 6/2/2016

SBA:

Debt Account	\$	479,162.15
Total Cash Balance in Debt Fund:	\$	479,162.15

* Participant Return for SBA in May 2016 was 0.60%

Total Cash Balances in All Funds: \$ 2,916,506.46

Total Cash receipts from May 16 to May 31, 2016:

Daily deposits:	\$	40,359.48
Assessments received:	\$	-
	\$	40,359.48

Expenditures over \$5,000 from 5/16/16 to 5/31/16

<u>Vendor</u>	<u>Description</u>	<u>Check Amount</u>
Employees	Employees Salaries and Wages	\$ 64,001.73
Federal and State Payroll Taxes	Employer Tax Liabilities	\$ 5,601.60
Gray Robinson	Legal Fees for April 2016	\$ 10,710.82
ABM Landscape & Turf Services	May 2016 service	\$ 37,556.75
State Board of Administration	Transfer to SBA CIP Account	\$ 190,000.00
State Board of Administration	Transfer to SBA Debt Account	\$ 570,000.00
State Board of Administration	Transfer to SBA Reserve Account	\$ 100,000.00
United Healthcare Insurance Company	Medical, dental & Vision June 2016	\$ 16,096.56
Special District Services, Inc	Management fee May 2016	\$ 11,450.79
Total of Expenditures over \$5,000		\$ 1,005,418.25

Barefoot Bay Recreation District
Monthly Summary - BOT Monthly Summary Treasurer Report
From 10/1/2015 Through 5/31/2016

	10/1/2015 - 10/31/2015	11/1/2015 - 11/30/2015	12/1/2015 - 12/31/2015	1/1/2016 - 1/31/2016	2/1/2016 - 2/29/2016	3/1/2016 - 3/31/2016	4/1/2016 - 4/30/2016	5/1/2016 - 5/31/2016	Total
Revenues									
Daily Revenue/Deposits	372,836.90	182,409.19	216,964.02	193,707.84	212,305.03	249,996.33	189,740.82	129,859.98	1,747,820.11
Assessments	<u>2,103.42</u>	<u>659,485.24</u>	<u>1,764,997.23</u>	<u>213,883.50</u>	<u>165,565.31</u>	<u>163,242.94</u>	<u>280,535.13</u>	<u>76,888.09</u>	<u>3,326,700.86</u>
Total Revenues	<u>374,940.32</u>	<u>841,894.43</u>	<u>1,981,961.25</u>	<u>407,591.34</u>	<u>377,870.34</u>	<u>413,239.27</u>	<u>470,275.95</u>	<u>206,748.07</u>	<u>5,074,520.97</u>
General Fund Expenditures									
Payroll									
Salaries & Wages	76,985.69	123,574.11	188,294.56	131,124.39	131,010.93	133,499.63	132,347.19	127,404.91	1,044,241.41
Other Pay & Benefit	1,340.27	1,561.52	2,104.43	1,617.52	2,633.40	3,670.30	2,247.77	2,400.57	17,575.78
Payroll Taxes	6,014.14	9,758.19	14,863.99	13,251.47	13,274.32	13,420.10	12,410.40	11,428.90	94,421.51
Payroll Fees	<u>476.90</u>	<u>478.00</u>	<u>1,360.58</u>	<u>1,484.35</u>	<u>1,112.96</u>	<u>1,706.24</u>	<u>983.21</u>	<u>966.47</u>	<u>8,568.71</u>
Total Payroll	<u>84,817.00</u>	<u>135,371.82</u>	<u>206,623.56</u>	<u>147,477.73</u>	<u>148,031.61</u>	<u>152,296.27</u>	<u>147,988.57</u>	<u>142,200.85</u>	<u>1,164,807.41</u>
Professional Expenses									
SDS	14,452.04	11,458.78	16,840.64	11,644.63	11,447.65	11,536.41	11,692.09	11,450.79	100,523.03
Gray Robinson	8,593.23	6,979.41	8,975.88	11,717.50	12,082.14	15,040.32	10,710.82	0.00	74,099.30
Other Prof. Fees	<u>21,835.80</u>	<u>19,613.45</u>	<u>23,822.10</u>	<u>9,646.70</u>	<u>3,141.70</u>	<u>4,142.20</u>	<u>10,614.70</u>	<u>7,014.70</u>	<u>99,831.35</u>
Total Professional Expenses	<u>44,881.07</u>	<u>38,051.64</u>	<u>49,638.62</u>	<u>33,008.83</u>	<u>26,671.49</u>	<u>30,718.93</u>	<u>33,017.61</u>	<u>18,465.49</u>	<u>274,453.68</u>
Insurance									
Employees Health, Dental & Life	12,892.00	12,859.80	10,709.68	16,640.63	13,278.69	13,497.73	14,225.56	12,876.42	106,980.51
Liabilities Ins.	17,854.87	11,312.83	11,312.83	11,312.83	11,312.83	11,312.83	11,312.83	11,312.83	97,044.68
Worker Comp. Ins.	<u>16,216.25</u>	<u>5,338.75</u>	<u>5,338.75</u>	<u>5,338.75</u>	<u>9,634.75</u>	<u>5,338.75</u>	<u>5,338.75</u>	<u>5,338.75</u>	<u>57,883.50</u>
Total Insurance	<u>46,963.12</u>	<u>29,511.38</u>	<u>27,361.26</u>	<u>33,292.21</u>	<u>34,226.27</u>	<u>30,149.31</u>	<u>30,877.14</u>	<u>29,528.00</u>	<u>261,908.69</u>
Utilities									
Telephone, Internet & Cable	5,553.27	3,535.49	3,458.55	2,489.30	2,511.20	2,275.19	2,277.90	1,133.82	23,234.72
Electricity - FPL	5,879.32	7,061.96	6,590.49	5,519.83	6,060.86	6,747.50	6,378.09	242.68	44,480.73
Propane	(1,544.39)	(1,425.95)	(1,795.46)	2,619.51	2,476.40	2,077.93	1,697.78	0.00	4,105.82
Water & Sewer	2,785.46	4,698.78	4,119.71	4,425.75	5,929.47	5,074.61	5,358.11	0.00	32,391.89
Garbage & Recycling	1,616.09	2,388.16	1,525.93	1,750.76	2,275.67	2,059.41	2,241.06	2,060.89	15,917.97
Portable Toilets	<u>604.39</u>	<u>442.39</u>	<u>440.13</u>	<u>437.08</u>	<u>434.25</u>	<u>730.50</u>	<u>437.60</u>	<u>440.35</u>	<u>3,966.69</u>
Total Utilities	<u>14,894.14</u>	<u>16,700.83</u>	<u>14,339.35</u>	<u>17,242.23</u>	<u>19,687.85</u>	<u>18,965.14</u>	<u>18,390.54</u>	<u>3,877.74</u>	<u>124,097.82</u>
Operations									
Music and Entertainment	5,675.00	5,630.00	7,230.00	7,245.00	6,860.00	8,035.00	7,135.00	4,600.00	52,410.00
Cost of Sales	<u>31,798.25</u>	<u>33,007.16</u>	<u>45,722.51</u>	<u>45,332.04</u>	<u>43,502.66</u>	<u>63,162.90</u>	<u>42,893.88</u>	<u>2,859.96</u>	<u>308,279.36</u>
Total Operations	<u>37,473.25</u>	<u>38,637.16</u>	<u>52,952.51</u>	<u>52,577.04</u>	<u>50,362.66</u>	<u>71,197.90</u>	<u>50,028.88</u>	<u>7,459.96</u>	<u>360,689.36</u>
Repairs and Maintenance									
Golf Course - ABM	35,871.89	35,871.89	35,871.89	35,871.89	35,871.89	35,871.89	35,871.89	35,871.89	286,975.12
Canal/Lake	4,237.50	1,962.50	2,550.00	0.00	0.00	0.00	0.00	0.00	8,750.00
Other R&Ms	<u>38,515.33</u>	<u>42,317.50</u>	<u>23,228.48</u>	<u>17,981.05</u>	<u>20,561.71</u>	<u>16,327.24</u>	<u>12,442.03</u>	<u>13,852.25</u>	<u>185,225.59</u>
Total Repairs and Maintenance	<u>78,624.72</u>	<u>80,151.89</u>	<u>61,650.37</u>	<u>53,852.94</u>	<u>56,433.60</u>	<u>52,199.13</u>	<u>48,313.92</u>	<u>49,724.14</u>	<u>480,950.71</u>
Property Taxes	0.00	28,470.68	0.00	0.00	0.00	0.00	0.00	0.00	28,470.68
Bank Fees	1,063.78	3,693.99	2,053.18	2,245.48	2,140.80	2,065.44	(22.09)	0.00	13,240.58
Capital Expenses	49,096.79	23,797.88	18,866.85	650.00	26,638.70	20,756.14	18,229.90	550.00	158,586.26
Other Misc. Expenditures	<u>28,452.65</u>	<u>50,688.65</u>	<u>104,159.61</u>	<u>98,337.72</u>	<u>32,364.13</u>	<u>29,407.94</u>	<u>22,452.76</u>	<u>595,484.94</u>	<u>961,348.40</u>
Total General Fund Expenditures	<u>386,266.52</u>	<u>445,075.92</u>	<u>537,645.31</u>	<u>438,684.18</u>	<u>396,557.11</u>	<u>407,756.20</u>	<u>369,277.23</u>	<u>847,291.12</u>	<u>3,828,553.59</u>
Debt Service Fund Expenditures									
Debt Service Principal	0.00	0.00	42,487.90	655,574.00	0.00	0.00	0.00	0.00	698,061.90
Debt Service Interest	<u>0.00</u>	<u>0.00</u>	<u>2,073.27</u>	<u>83,958.30</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>86,031.57</u>
Total Debt Service Fund Expenditures	<u>0.00</u>	<u>0.00</u>	<u>44,561.17</u>	<u>739,532.30</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>784,093.47</u>

*PLEASE NOTE THAT BBRD FINANCIAL STATEMENTS ARE REPORTED USING THE MODIFIED ACCRUAL BASIS OF ACCOUNTING.
ALL REVENUES AND EXPENDITURES IN THIS REPORT REPRESENT ENTRIES RECORDED ON OR BEFORE 6/2/2016.

Audience Participation Agenda items only

Unfinished Business

Meeting Date
June 10, 2016



Agenda	
Section	8
Item No	A

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Revisit BOT Rules – Robert’s Rules of Order

Dept/Office: Administration

Requested Action: Discussion
<p>Summary Explanation and Background:</p> <p>At the February 12, 2016 Board of Trustees Meeting the Board reviewed and adopted the amended Rules of Trustees to include implementation of Robert’s Rules of Order as standard procedure for District Meetings going forward.</p> <p>At the May 13, 2016 Board of Trustees Meeting, the Board discussed the use of Robert’s Rules in the meetings and questioned if the procedures were being followed implicitly.</p> <p>General Counsel Repperger suggested that the Trustees may not be following the Robert’s Rules procedures as closely as possible. Though the Board was provided with the paperback copy of Robert’s Rules they acknowledged that following the procedure can be somewhat unclear.</p> <p>Discussion ensued about the necessity of discontinuing use of the procedures or continuing to use them with additional guidance from General Counsel.</p> <p>Trustee Cavaliere requested that the topic be revisited and put on a future agenda for further discussion.</p>
Exhibits Attached: Rules of Trustees
Contact: Trustee Frank Cavaliere
Fiscal Impact: N/A
Contract/Agreement Reviewed by Attorney: N/A
Community Manager’s Approval:

RULES FOR THE BOARD OF TRUSTEES BAREFOOT BAY RECREATION DISTRICT

ARTICLE I NAME AND ADDRESS OF ORGANIZATION

Section 1

The name of the organization is BAREFOOT BAY RECREATION DISTRICT, hereinafter referred to as THE DISTRICT.

Section 2

The mailing address of the District is 625 Barefoot Blvd, Barefoot Bay, Florida 32976-9233.

ARTICLE II PURPOSE OF THE RULES

Section 1

The purpose of these Rules is to implement the applicable Florida Statutes and in particular, Chapter 418.30-309, Laws of Florida, and Brevard County Ordinance 84-05, dated 23rd February, 1984, hereinafter referred to as the “Charter”; which said instruments of law and any amendments thereto are incorporated by reference.

Section 2

A further purpose is to inform the residents and property owners of Barefoot Bay as to the operation and management of the District.

ARTICLE III THE GOVERNING BODY

Section 1

The governing body of the District is the Board of Trustees, hereinafter referred to as the “Board.”

Section 2

The composition, qualifications for membership, election, term of office, method of replacement or removal and compensation, shall be as specified in Article V of the Charter, and other applicable state statutes.

Section 3

A. The term of office of each elected Trustee shall commence on the first Tuesday after the first Monday in January following his or her election. Trustees shall serve for two (2) years, or until their successors have qualified for office. The Board shall organize itself within fourteen (14) days next after the first Tuesday after the first Monday in January following each November election by electing from its number a Chairperson, two (2) Vice-Chairmen, a Secretary and a Treasurer.

B. Elected Trustees shall be sworn into office at a public ceremony at a convenient time, providing such ceremony shall stipulate the actual date of assumption of office as in subparagraph A above.

C. The officers of the Board shall serve for one (1) year, commencing on the organizational meeting held in January, after the general election, as defined in paragraph A above.

Section 4

An in-term replacement of a Trustee shall be made by remaining members of the Board as provided for by Section 4, Article V of the Charter and such selected member shall be seated at the next regular meeting.

ARTICLE IV **REGULAR AND SPECIAL MEETINGS**

Section 1

The Board shall hold all regular meetings in Barefoot Bay, Florida on the second Friday and the fourth Tuesday of each month at a time and place designated by the Board.

Section 2

Special or emergency meetings may be called and conducted in accordance with Article V, Section 1 of these Rules.

Section 3

A majority of the entire membership of the Board shall constitute a quorum for the transaction of business.

Section 4

The Chairperson, or Vice-Chairperson in his/her absence, shall conduct all meetings according to these Rules and Regulations and such other rules as are, from time to time, adopted by the Board; but not inconsistent with the laws of Florida or the Charter.

Section 5

Workshop meetings may be conducted by the full Board or by a committee of the Board. Meetings will be chaired by a Trustee on a rotating basis. A committee shall be chaired by a Trustee and shall include other members of the public as deemed necessary. The committee may discuss, or prepare written recommendations for future consideration by the full Board. These meetings shall be conducted in accordance with the requirements of the Sunshine Law and shall be properly noticed for public attendance. No business transactions or decisions binding the full Board are permitted.

Section 6

The following guidelines pertain to the public's attendance at a public meeting and are subject to the Chairperson's discretion:

1. No attendee shall be allowed the floor until recognized by the Chairperson.
2. No attendee may be allowed more than three (3) minutes on an Agenda Item or audience participation. Attendees may be allowed more than three minutes per Agenda item or audience participation per the discretion of the Chairman. The attendee must fill out a card informing the Chairperson on the Number of the Agenda Item they wish to speak about prior to the meeting.
3. No attendee shall be required to register his or her attendance. However, those desiring to be heard must state their name and place of residence.
4. No attendee may be allowed to enter into a debate with members of the Board.
5. All questions shall be directed to the Chairperson, answered by the Chairperson or the Chairperson may refer to other members of the Board.
6. Any attendee shall have the right to use a silent tape recorder, and to make an accurate record of what transpires. A reporter may use this means for the benefit of his readers or listeners.
7. Use of cameras will be allowed, so long as such use is not disruptive or the conduct of the meeting.

ARTICLE V
TRANSACTION OF BUSINESS BY THE BOARD

Section 1

“The Board shall utilize the latest edition Robert’s Rules of Order as its official rules of procedure. To the extent that a conflict shall exist between these Rules for the Board of Trustees and Robert’s Rules of Order, these Rules for the Board of Trustees shall control.”

Section 2

All meetings of the Board for transaction of business shall be in harmony with the requirements of Chapter 189.417, F.S., in a building accessible to the public. Any meeting other than a regular meeting or any recessed and reconvened meeting of the Board must be advertised with the day, time, place and purpose of the meeting at least seven (7) days prior to such meeting, except in the case of emergency meetings. Meetings other than regularly scheduled or emergency meetings are deemed to be special meetings and may be called by the entire Board collectively, the Community Manager, and/or the Chairperson as necessary.

A meeting called to deal with bona fide emergency, will be held as necessary upon the call of the Chairperson or at least two (2) requests to convene such an emergency meeting submitted separately by any two (2) Trustees to the Community Manager action taken at any emergency meeting will be ratified at the next regular Board meeting. Reasonable notice of any such emergency meeting will be provided.

Section 3

No approval of the annual budget shall be granted at an emergency meeting.

Section 4

All meetings of the Board shall be open to the public and governed by the provisions of Chapter 286, F.S.

Section 5

Minutes shall be taken, recorded and made available for public inspection at all reasonable time.

Section 6

Under any Liaison, Incidental, Manager, or Attorney report, any member of the Board may request that any initial motion made by any other member be determined by the Board to be of significant public importance. If the initial motion is determined to be of significant public importance, the initial motion shall be required to be heard as a specific item on a subsequent agenda rather than acted on by motion under the report.

Section 7

If an item is continued it should be placed under unfinished business until it is completed unless the Board of Trustees sets a specific agenda for it to be discussed.

Section 8

The Board shall have the power to create any advisory or fact-finding committee as deemed appropriate and necessary by the Board collectively. Any Trustee may propose the formation of any such committee which may only be formed upon a majority vote of the full membership of the Board. At the time of formation/revision of any such committee, the Board shall define in writing the purpose and duration of the committee, the number of committee members, their length of terms (not to exceed 5 years), appoint the individual members of the committee, and assign a staff representative to support each committee. Trustees shall not serve as members of committees. Each committee shall only have the powers granted to it by the Board at the time of establishment. In the event of a change of membership of any committee, replacement members shall only be confirmed upon a majority vote of the membership of the Board. The Board shall have the power to review the membership, purpose, and duration of any committee, including the right to dissolve and disband any committee, at any time upon a majority vote of the membership of the Board.

After the adoption of the revisions to this section, the Board shall review all committees (excluding Violations committee) and adopt written purposes of each committee. Existing committee members (excluding Violations and ARCC committees) may be re-appointed for fixed terms with a staggered length of terms to ensure all committee members' terms do not expire at the same time. Under no circumstances shall a paid staff person be appointed as a voting members of a committee. Applicants for said committees shall submit a resume for consideration of appointment.

Written minutes of committee meetings must be kept, with a copy provided to the District Record Custodian for record keeping. Members of all advisory committees shall be advised of the Sunshine Laws applicable to the committee members. The BBRD Guidelines for Committee/Task Force form shall be prepared for each committee and shall be turned in to the District Record Custodian for record keeping.

ARTICLE VI

DUTIES AND RESPONSIBILITIES OF OFFICERS AND TRUSTEES

Section 1

The Board of Trustees have the general powers and duties as set forth in Article V of the District Charter.

Trustees shall:

- Attend all Board of Trustees meetings and workshops, unless otherwise excused by the Chairperson
- Chair committees or acts as liaison to assigned committees and regularly reports on their activities;
- Liaise with assigned BBRD department managers, provide perspective to said department manager and report on departmental activities at Board of Trustees meetings (under no circumstances shall the Trustee liaison provide specific direction to a department manager or individual staff member);
- Evaluate the Community Manager and or management company at the prescribed times and provides an assessment of current performance and areas for improvement;
- Respond to resident complaints by refering them to the appropriate entity, Board of Trustees or Community Manager for prompt resolution; and

The Board of Trustees shall determine who has signing authority for all banking and savings accounts of the District. The Board shall determine who has “view only” or “account change” authority. All access to Recreation District accounts must be approved through a regular meeting and be recorded in the official minutes of the Board of Trustees. Changes which affect the status, location and value of any accounts held by Barefoot Bay Recreation District shall be approved by the Board of Trustees.

Safety Deposit Box procedure. Anyone trustee or staff member requesting access to the safety deposit box must notify the Community Manager for the key. Access to the safety deposit box is granted to the Community Manager or his/her designee and one trustee who must also be present at the time of access.

Section 2

Chairperson. The Chairperson or Vice-Chairperson shall preside at all meetings of the Board. The Chairperson shall appoint regular and special committees as necessary. He/she shall also be an ex-officio member of all committees appointed by him/her. In the absence of the Chairperson, the 1st or 2nd Vice-Chairperson shall act in his/her place. The Chairperson shall perform all the duties of Trustee.

The Chairperson shall sign all contracts and documents requiring the signature of the Board representative. He/She shall have signing, withdraw, deposit and information changing authority on all SBA accounts. The Chairperson may review agenda items with the community manager prior to the release of any final agenda for all regular and special meetings of the Board.

Section 3

Secretary.

1. Is responsible for directing and over-seeing that the Community Manager maintains all records of the business of the District and any other records required by Florida Statutes;
2. Is responsible for ensuring the Community Manager provides notice of all meetings and that minutes are taken by as required by Florida Statutes;
3. Reviews draft copies of minutes and oversees the necessary corrections before they are issued to the Board of Trustees or public;
4. Performs the regular duties of a Trustee; and
5. Takes roll call at the meetings and determine that a quorum is present.

Section 4

Treasurer. The Treasurer shall be responsible for ensuring that the Community Manager maintains accurate accountings of receipts and disbursements of monies to the operation of the District and shall direct the Community Manager to prepare all financial reports required by the Florida Statutes and any rules or regulations of any state of Florida or federal agency.

Notwithstanding the foregoing, a Trustee who does not have the authority to sign any checks for the District shall be appointed by the Board to review the monthly bank statements of the District for accuracy.

1. The Treasurer or designee shall review all payments and supporting documents for accuracy and sign the Recreation District checks for payment of invoices. In the absence of the Treasurer, the second signature required for all checks over \$5,000 may be any Trustee authorized with signing authority.
2. In the case of any emergency action, the Treasurer or designated person shall act with the Community Manager in the best financial interest of the Recreation District and bring the issue to the Board for approval at the next scheduled meeting.
3. The Treasurer shall initiate any actions approved by the Board for withdrawal and deposit of any funds from the SBA and Money Market accounts of the District.
4. The Treasurer shall prepare reports for the regular scheduled board meetings which accurately reflect the most recent balances of the accounts held by the District. The Treasurer shall prepare a monthly summary report after each close of business and review the bank statement monthly along with the list of deposits and disbursements reflected in that bank statement.

ARTICLE VII

CONFLICT OF INTEREST

Section 1

“A code of ethics for all state employees and non-judicial officers prohibiting conflict between public duty and private interest shall be prescribed by law.” (Article III, Sec. 18, Fla. Const.) This mandated Code of Ethics is found in Chapter 112 (Part III) of the Florida Statutes.

ARTICLE VIII

ADMINISTRATIVE DUTIES

Section 1

The Board of Trustees employs a Community Manager who is the chief appointed officer responsible for the daily operations and management of all BBRD personnel and functions. The Board of Trustees, as a group in public meetings, provides direction to the Community Manager regarding policy and operational activities. The Board of Trustees is responsible for the selection, evaluation and termination of the Community Manager and/or management company (in lieu of directly hiring a Community Manager). Individual Trustees may discuss any specific issue with the Community Manager in private, but shall not provide specific direction regarding District administrative operations of BBRD, including the operation of individual departments or and management of employees.

Section 2

Trustees should work closely with volunteer groups or individuals including the District as well as with the Barefoot Bay Homeowners Association.

Section 3

Board Representative Liaison

1. **Authority.** The Board, pursuant to the authority vested therein by Florida Law, Brevard County Ordinance, and the Barefoot Bay Recreation District Deed of Restrictions, hereby creates representative positions to be held by designated members of the Board, which shall be referred to as “Board Representative Liaisons.”
2. **Board Representative Liaison Appointment.** The Board’s Chairperson may, from time to time, appoint an individual member of the Board to serve as the Board Representative Liaison. . At the time of said appointment, the District Chairperson shall specify the individual Board member to serve as a Board Representative Liaison and the administrative department/section that the Board member shall become a liaison to. The Board Representative Liaison shall serve at the discretion of the Board

and shall serve no specific term. Nothing contained herein shall require the Board's Chairperson to appoint said Liaison.

3. **Scope of Authority.** The Chairperson of the Board may appoint a Board Representative Liaison to represent the Board for the sole purpose of interacting with the various administrative departments of the District. A duly appointed Board Representative Liaison shall have authority to interact with the various managers and/or supervisors. The Board Representative Liaison shall have the express authority of the Board to observe and interact with their designated administrative department for the purpose of obtaining and gathering information that will be useful in the administrative department of future policies and procedures to be adopted by the Board.

The Board Representative Liaison shall only have the express authority granted to them by the Board and shall have no authority to direct operational services, adopt policies, or in any way engage in the supervisory function to the administrative department for which the Board Representative Liaison has been appointed.

The Board Representative Liaison shall not have authority to implement policy, issue directives, instructions, orders or any other mandate for the day-to-day operations of the District.

Section 4 Organizational Chart

An organizational chart of the District specifying the Trustee positions and operations structure of the staff will be maintained and modified as required.

ARTICLE IX
ORDER OF BUSINESS

Section 1

1. Thought for the Day
2. Pledge of Allegiance to the Flag
3. Roll Call
4. Presentations and Proclamations
5. Approval of Minutes
6. Treasurer's Report
7. Audience comments on Agenda Items
8. Unfinished Business
9. New Business
10. Community Manager's Report
11. Attorney's Report
12. Committee/Liaison Report
13. Incidental Trustee Remarks
14. Audience Participation
15. Adjournment

ARTICLE X
AMENDMENTS

Section 1

Amendments to these Rules and Regulations may be introduced by any Trustee in writing. A copy of the proposed amendment shall be posted by the Secretary on the official bulletin board and on www.bbrd.org at least seven (7) days prior to the next regular meeting of the Board, after which the Trustees shall vote on the proposed amendment.

Any amendment to these Rules adopted in accordance with this article shall become effective no sooner than seven (7) days after the date of the adoption of a resolution setting forth any amendments.

ARTICLE XI
PRECEDENT OF LAW

Section 1

Any portion of the Rules in conflict with Florida Laws and the Charter shall be invalid.

Section 2

These Rules shall supersede any and all previous Rules adopted, including but not limited to, Part I of Resolution 2004-1, 2007-03, 2008-07, 2010-19, and 2014-01.

Section 3

These Rules are effective upon passage by the Board and adoption of resolution defining said amendments.

DATED: _____

JOSEPH KLOSKY,
Chairperson

STEVE DIANA,
Secretary

Meeting Date
June 10, 2016



Agenda	
Section	8
Item No	B

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: CCTV Replacement and Expansion Project - Change Order

Dept/Office: Administration/District Clerk

Requested Action: Approve Change Order
<p>Summary Explanation and Background:</p> <p>The CCTV Phase I Project was awarded by the Board of Trustees at the May 24, 2016 meeting to American Total Protection (ATP) for a total of \$18, 930 for installation.</p> <p>In the subsequent tour of the areas designated for camera installation the ATP representative realized that a necessary piece of equipment, the NVR, was inadvertently left off the original quotes provided to BBRD for the Building D/E and ProShop complex.</p> <p>The initial vendor misinterpreted the distance the current fiber optic cabling in the building D/E complex extended to and subsequently did not deem it necessary to submit a quote for an NVR at that location. The second vendor quote followed the same parameters as the first, as stated in BBRD procurement policy.</p> <p>Upon discovery of this essential requirement, ATP informed the District Clerk that they will need to provide an additional quote for the NVR in the Building D/E location as follows:</p> <ul style="list-style-type: none"> Digital Watchdog 16 Channel NVR (same manufacturer of the Blackjack Cube) with 8 TB of storage - \$2,135.00. <p>The additional amount will raise the total cost for installation from \$18,930 to \$21,065.</p> <p>Staff recommends the approval of the change order for \$2,135.</p>
Exhibits Attached: May 24, 2016 Agenda Memo ;ATP Change Order
Contact: Dawn Myers, District Clerk and/or E.J. Wright, Facilities Planning Committee Chair and Security Committee Vice Chair
Fiscal Impact: \$2,135.00
Contract/Agreement Reviewed by Attorney: N/A
Community Manager's Approval:

Meeting Date
May 24, 2016



Agenda
Section 9
Item No B

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: CCTV Replacement and Expansion Project

Dept/Office: Administration: District Clerk

Requested Action: Award of Contract

Summary Explanation and Background:

On January 6, 2016, ADS Security General Manager, Adam Gaffney, met with District Clerk, Dawn Myers, Facilities Planning Chair and Security Committee Vice Chair, Mr. E.J. Wright and Trustee, Ms. Lee Wright to discuss options for additional, digital, wide range security cameras for the community complex and Building D/E complex. IT bandwidth availability, fiber optics, type of equipment and location options were discussed. The first quote for new camera installation was submitted to staff the following day to include (4) 180 degree wide ranging cameras. Additionally, Vice Chair, Mr. E.J. Wright solicited additional quotes which resulted with two of the three vendors sought, dropping out of the bidding process. Three quotes were recommended so the search for additional vendors continued.

On January 28, 2016 the Board of Trustees endorsed the proposed 5Year Fiscal Model and Capital Improvement Plan (5YrFM&CIP) which contained \$25,000 for Phase I of the proposed camera install for FY16 and a subsequent \$25,000 for FY17 designated for Phase II of a community wide security camera project.

The proposal was reviewed in the Facilities, Finance and Security Committees for further discussion. Finance and Facilities Committees recommended forwarding final decision to lie with the Security committee. After another tour of the proposed locations with the second vendor, Mr. Wright followed the recommendations from ATP Security and revised the options to include additional locations with a reduction in the quantity of the costly 180 degree camera. The original vendor provided a revised quote to match.

On March 10, 2016 the Security Committee approved the CCTV proposal as a FY16 Budget Amendment and FY17 proposal for inclusion in the FY17 Proposed Working Draft Budget.

On April 4, 2016 the Board reached a consensus on the FY17 Proposed Budget including the CCTV proposal at the final BOT Budget Workshop. This project will require a budget amendment as it is not a FY16 Budgeted item.

Currently, staff is in possession of (2) quotes, as traditionally recommended, since a 3rd additional vendor solicited for quotes subsequently dropped out of the bidding process.

	ADS	ATP
Installation	\$19,983	\$18,930
Maintenance	\$1,992	\$1,300
SubTotal	\$21,975	\$20,230
*Fiber	\$6,327	\$6,327
Total	\$28,302	\$26,557
*Not to exceed		

The above cost of fiber installation between Bldg A and Bldg F and also between the Lounge and the playground (as listed above) is the maximum cost for the part of the project. Staff is seeking a 2nd quote for the fiber installation.

Although BBRD has an ongoing contractual relationship with ADS, staff recommends the BOT award the contract to ATP for \$18,930 based on the reduced initial and annual cost. Staff will bring back as a budget amendment using fund balance to cover the cost.

Exhibits Attached: Quotes from ADS and ATP

Contact: Dawn Myers, District Clerk or E.J. Wright, Facilities Planning Committee Chair and Security Committee Vice Chair

Fiscal Impact: Not to exceed \$26,557 for the first 12 months

Contract/Agreement Reviewed by Attorney: N/A

Community Manager's Approval:



Barefoot Bay Recreation Center
3, 2016
625 Barefoot Bay, Blvd.
Barefoot Bay, FL., 32956

June

Subj: Change in Scope Order

During a walkthrough of the 19th hole pro shop and restaurant area with the Network Solutions representative we discovered the internet networking fiber connection does not extend from the 19th hole area to 625 Barefoot Bay Blvd, Community Center. The cameras and recording device currently installed are a stand-alone analog system and is not compatible with the new proposed IP networking camera system. In order for the new IP cameras and recording device to be utilized a replacement Network Video Recorder (NVR) will be required to operate the cameras at the 19th hole area. The current Digital Video Recorder (DVR) will not fit the application.

Replacement of the recording device will be as follows:

1 ea. 16 Channel Digital Watchdog Network Video Recorder with POE/HDMI and 8 TB of Storage.

We will provide the necessary Cat5 e cables and connect to the provided gigabyte switch and converter for fiber connection.

Total cost of the 16 Channel Network Video Recorder: \$2,135.00

I can be reached at (321) 917-6535 if you have any questions

Thank You

Randy L. Cuti
Director of Security
American Total Protection



Meeting Date
June 10, 2016



Agenda	
Section	8
Item No	C

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Aqua Zumba

Dept/Office: Administration

Requested Action: Discussion
<p>Summary Explanation and Background:</p> <p>At the May 24, 2016 Board of Trustees meeting, the Board heard the complaints from members of the Aqua Zumba course that holds their classes at Pool 3.</p> <p>Due to a lack of participation on Saturdays during the summer, one of three of their regular scheduled practice days, Aqua Zumba requested placing three practice days during the week for the duration of the summer on the community calendar.</p> <p>A staff oversight inadvertently left the change off the calendar which resulted in the dissatisfaction of regular attendees to Pool 3 when the members showed up to practice during prime swim hours.</p> <p>The issue was brought to Staff's attention for a resolution which resulted in the Community Manager's decision to reduce the days Aqua Zumba practiced from three to two days during the summer.</p> <p>On May 24, 2016 Aqua Zumba members requested the Board reconsider staff's decision to reduce the number of days Aqua Zumba practiced and to reinstate their traditional three day schedule during the week.</p> <p>The Board authorized placing Aqua Zumba back on the calendar at three times a week from 2-3PM. Due to his absence from the meeting Trustee Cavaliere requested placing this topic on this agenda for further discussion.</p>
Exhibits Attached: N/A
Contact: Trustee Frank Cavaliere
Fiscal Impact: N/A
Contract/Agreement Reviewed by Attorney: N/A
Community Manager's Approval:

New Business

Meeting Date

June 10, 2016

**Agenda**

Section 9

Item No. A.I

Agenda Report***Barefoot Bay Recreation District Board of Trustees***

#0464

Subject: Case # 16-000032 400 EAGLE DRIVE**Dept/Office:** Resident Relations/DOR Enforcement

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

Summary Explanation and Background: The Violations Committee met on 05/13/2016 and found ARTICLE III, SECT. 1 Residential Use - Unauthorized Structure The respondent has been given until May 27, 2016 to bring the property into compliance.

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

There are no delinquent taxes on the property.

Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

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

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

Fiscal Impact:

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



400 Eagle Drive
May 01, 2016



400 eagle
Apr 19, 2016



Jan 03, 2016

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-000032

#0464

MILLER, JONATHAN,
400 EAGLE DR
BAREFOOT BAY, FL 32976

Respondent(s),

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

THIS CAUSE having come on for the public hearing before the Violations Committee on 05/13/2016 after due notice to the Respondent and the Violation Committee having heard testimony under oath and receiving evidence, thereupon issues this Finding of Fact and Recommended Order as follows:

- A. The Respondent(s) MILLER, JONATHAN, et. al. is/are the owner(s) of that certain parcel of real property located at 400 EAGLE DRIVE , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE III, SECT. 1, Residential Use - Unauthorized Structure, Unauthorized storage building

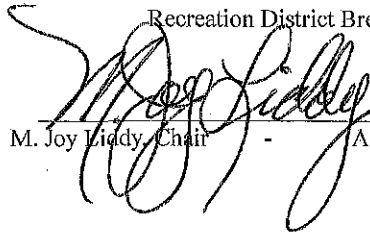
ORDER

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

1. Respondent(s) shall by May 27, 2016 come into compliance with the violation cited herein by removing unauthorized shed and installing an ARCC approved utility building..
2. Should the Respondent(s) fail to comply with this Recommended Order by May 27, 2016 the Respondent(s) is advised that the matter will be forwarded to the Board of Trustees with the Violation Committee's findings and recommendations along with a status report from DOR Enforcement Staff for the Board of Trustees to make a determination as to whether to proceed with legal action. Based on the nature of the violation found to exist in this matter, should the violation not be corrected within the time provided herein, the Violations Committee does recommend legal or equitable action, or other appropriate action, be taken by the Board of Trustees.
3. The Respondent is further advised that he/she shall contact the DOR staff and schedule an inspection to confirm the compliance with this Order has been achieved. Upon compliance, an Order of Compliance shall be issued by the Violations Committee and the Respondent shall be deemed in compliance with the violation(s) cited herein.
4. The Respondent(s) are further advised that should a repeat violation occur, the Respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

DONE AND ORDERED this 05/13/2016 at Barefoot Bay Recreation District Brevard County, Florida..

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


M. Joy Liddy, Chair

- Al Grunow, Vice Chair

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

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

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

Notice is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **1:00 P.M.** on **June 10, 2016** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.**

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

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

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

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

May 12, 2016

Deed of Restrictions STAFF



Unauthorized Storage Bldg. - 14 days - Comply by 5.27.16

Richard Armington

May 07, 2016

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-000032

#0464

MILLER, JONATHAN,

400 EAGLE DR

BAREFOOT BAY, FL 32976

Respondent(s),

RE: 400 EAGLE DRIVE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

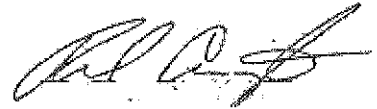
STATE OF FLORIDA
COUNTY OF BREVARD

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

1. That on or about the 13 day of May 2016, a Findings of Fact and Recommended Order and Notice of District Hearing/Final Order was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the 13 day of May 2016, a Findings of Fact and Recommended Order and Notice of District Hearing/Final Order was mailed via **certified mail**, return receipt requested, to the respondent's address of record with Brevard County Property Appraiser, a copy of which is attached hereto.
3. That on or about the _____ day of _____ 2016, a Findings of Fact and Recommended Order and Notice of District Hearing/Final Order was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the _____ day of _____ 2016, a Findings of Fact and Recommended Order and Notice of District Hearing/Final Order was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

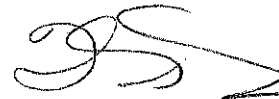
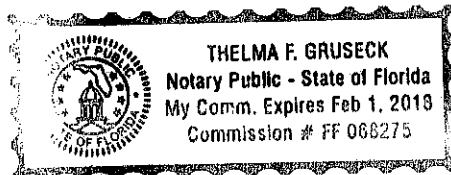
FURTHER AFFIANT SAYETH NOT.

Dated this 13 day of May 2016



Richard Armington, DOR Enforcement Officer

The Foregoing instrument was acknowledged before me on 13 day of May 2016 by Richard Armington, who is personally known to me and did take an oath.



Notary Public
State of Florida at Large

Meeting Date

June 10, 2016

**Agenda**

Section 9

Item No. A.II

Agenda Report***Barefoot Bay Recreation District Board of Trustees***

#0464

Subject: Case # 16-000033 400 EAGLE DRIVE**Dept/Office:** Resident Relations/DOR Enforcement

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

Summary Explanation and Background: The Violations Committee met on 05/13/2016 and found ARTICLE II, SECT. (3) (A)(2) ADIR (garage or carport roof) The respondent has been given until May 27, 2016 to bring the property into compliance.

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

There are no delinquent taxes on the property.

Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

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

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

Fiscal Impact:

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



Home does not have carport / 14 days - Comply by 5.27.16
May 07, 2016

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-000033

#0464

MILLER, JONATHAN,
400 EAGLE DR
BAREFOOT BAY, FL 32976

Respondent(s),

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

THIS CAUSE having come on for the public hearing before the Violations Committee on 05/13/2016 after due notice to the Respondent and the Violation Committee having heard testimony under oath and receiving evidence, thereupon issues this Finding of Fact and Recommended Order as follows:

- A. The Respondent(s) MILLER, JONATHAN, et. al. is/are the owner(s) of that certain parcel of real property located at 400 EAGLE DRIVE , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE II, SECT. (3) (A)(2), ADIR (garage or carport roof), Must have a carport

ORDER

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

ORDERED AND ADJUDGED THAT:

1. Respondent(s) shall by May 27, 2016 come into compliance with the violation cited herein by obtaining an ARCC permit for construction and adding a carport..
2. Should the Respondent(s) fail to comply with this Recommended Order by May 27, 2016 the Respondent(s) is advised that the matter will be forwarded to the Board of Trustees with the Violation Committee's findings and recommendations along with a status report from DOR Enforcement Staff for the Board of Trustees to make a determination as to whether to proceed with legal action. Based on the nature of the violation found to exist in this matter, should the violation not be corrected within the time provided herein, the Violations Committee does recommend legal or equitable action, or other appropriate action, be taken by the Board of Trustees.
3. The Respondent is further advised that he/she shall contact the DOR staff and schedule an inspection to confirm the compliance with this Order has been achieved. Upon compliance, an Order of Compliance shall be issued by the Violations Committee and the Respondent shall be deemed in compliance with the violation(s) cited herein.
4. The Respondent(s) are further advised that should a repeat violation occur, the Respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

DONE AND ORDERED this 05/13/2016 at Barefoot Bay Recreation District Brevard County, Florida.

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


M. Joy Liddy, Chair

Al Grunow, Vice Chair

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

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

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

Notice is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **1:00 P.M.** on **June 10, 2016** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.**

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

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

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

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

May 12, 2016
Deed of Restrictions STAFF



Home does not have carport / 14 days - Comply by 5.27.16
Richard Armington
May 07, 2016

Meeting Date

06/10/2016

**Agenda**

Section 9

Item No. A III

Agenda Report***Barefoot Bay Recreation District Board of Trustees***

#0464

Subject: Case # 16-001177 400 EAGLE DRIVE**Dept/Office:** Resident Relations/DOR Enforcement

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

Summary Explanation and Background: The Violations Committee met on 04/22/2016 and found ARTICLE II, SECT. 3 (A)(15) ADIR (Lamp Post) The respondent has been given until 05/06/2016 to bring the property into compliance.

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

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

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

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

Fiscal Impact:

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



400 Eagle Drive
May 07, 2016

**BA/ FOOT BAY VIOLATIONS COMM/ EE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-001177

#0464

MILTON L MILLER,

400 EAGLE DR

BAREFOOT BAY, FL 32976

Respondent(s),

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

THIS CAUSE having come on for the public hearing before the Violations Committee on 04/22/2016 after due notice to the Respondent and the Violation Committee having heard testimony under oath and receiving evidence, thereupon issues this Finding of Fact and Recommended Order as follows:

- A. The Respondent(s) MILTON L MILLER, et. al. is/are the owner(s) of that certain parcel of real property located at 400 EAGLE DRIVE , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE II, SECT. 3 (A)(15), ADIR (Lamp Post), Lamppost must be operational from dusk to dawn

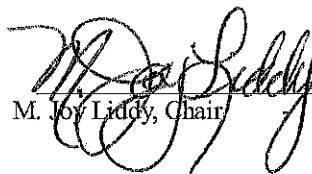
ORDER

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

1. Respondent(s) shall by May 06, 2016 come into compliance with the violation cited herein by maintaining an operable lamppost from dusk to dawn.
2. Should the Respondent(s) fail to comply with this Recommended Order by May 06, 2016 the Respondent(s) is advised that the matter will be forwarded to the Board of Trustees with the Violation Committee's findings and recommendations along with a status report from DOR Enforcement Staff for the Board of Trustees to make a determination as to whether to proceed with legal action. Based on the nature of the violation found to exist in this matter, should the violation not be corrected within the time provided herein, the Violations Committee does recommend legal or equitable action, or other appropriate action, be taken by the Board of Trustees.
3. The Respondent is further advised that he/she shall contact the DOR staff and schedule an inspection to confirm the compliance with this Order has been achieved. Upon compliance, an Order of Compliance shall be issued by the Violations Committee and the Respondent shall be deemed in compliance with the violation(s) cited herein.
4. The Respondent(s) are further advised that should a repeat violation occur, the Respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

DONE AND ORDERED this 04/22/2016 at Barefoot Bay Recreation District Brevard County, Florida.

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


M. Joy Liddy, Chair

Al Grunow, Vice Chair

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

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

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

Notice is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **1:00 P.M.** on **June 10, 2016** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.**

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

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

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

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

April 20, 2016
Deed of Restrictions STAFF

Meeting Date

06/10/2016



Agenda

Section 9

Item No. IV

Agenda Report

Barefoot Bay Recreation District Board of Trustees

#4486

Subject: Case # 16-001117 580 MARLIN CIRCLE

Dept/Office: Resident Relations/DOR Enforcement

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

Summary Explanation and Background: The Violations Committee met on 04/22/2016 and found ARTICLE III, SECT. 10 Condition of Skirting The respondent has been given until 05/06/2016 to bring the property into compliance.

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

There are delinquent taxes on the property. A Lis Pendens was filed December 2015 by Barbara Lynch Trustee. Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

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

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

Fiscal Impact:

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



580 Marlin Circle
May 07, 2016

BA REFOOT BAY VIOLATIONS COMM TEE
BREVARD COUNTY, FLORIDA

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-001117

#4486

LONG, BONNIE JEAN,
580 MARLIN CIR
BAREFOOT BAY, FL 32976

Respondent(s),

VIOLATIONS COMMITTEE FINDINGS OF FACT AND RECOMMENDED ORDER

AND

NOTICE OF DISTRICT HEARING

THIS CAUSE having come on for the public hearing before the Violations Committee on 04/22/2016 after due notice to the Respondent and the Violation Committee having heard testimony under oath and receiving evidence, thereupon issues this Finding of Fact and Recommended Order as follows:

- A. The Respondent(s) LONG, BONNIE JEAN, et. al. is/are the owner(s) of that certain parcel of real property located at 580 MARLIN CIRCLE , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE III, SECT. 10, Condition of Skirting, Vents must be repaired

ORDER

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

1. Respondent(s) shall by May 06, 2016 come into compliance with the violation cited herein by repairing the skirting with ARCC approval.
2. Should the Respondent(s) fail to comply with this Recommended Order by May 06, 2016 the Respondent(s) is advised that the matter will be forwarded to the Board of Trustees with the Violation Committee's findings and recommendations along with a status report from DOR Enforcement Staff for the Board of Trustees to make a determination as to whether to proceed with legal action. Based on the nature of the violation found to exist in this matter, should the violation not be corrected within the time provided herein, the Violations Committee does recommend legal or equitable action, or other appropriate action, be taken by the Board of Trustees.
3. The Respondent is further advised that he/she shall contact the DOR staff and schedule an inspection to confirm the compliance with this Order has been achieved. Upon compliance, an Order of Compliance shall be issued by the Violations Committee and the Respondent shall be deemed in compliance with the violation(s) cited herein.
4. The Respondent(s) are further advised that should a repeat violation occur, the Respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

DONE AND ORDERED this 04/22/2016 at Barefoot Bay Recreation District Brevard County, Florida.

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


M. Joy Liddy, Chair

Al Grunow, Vice Chair

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

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

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

Notice is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **1:00 P.M.** on **June 10, 2016** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.**

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

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

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

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

April 20, 2016
Deed of Restrictions STAFF

Meeting Date
Jun. 10, 2016



Agenda
Section 9
Item No B

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Bldg. A Electrical Panel Replacement Award of Contract

Dept/Office: Capital

Requested Action: Award of Contract for Bldg. A Electrical Panel Replacement
<p>Summary Explanation and Background: The FY16 Budget contains \$30,000 in the Capital Department for Upgrade Electrical Infrastructure in Bldg A, Phase I. Tasks completed so far include:</p> <ul style="list-style-type: none"> • Needs assessment of the building • In-house minor repairs/replacement • Miscellaneous work <p>Based on the assessment, staff solicited quotes for the replacement of an electrical panel that is obsolete and for which new replacement parts cannot be procured.</p> <p>\$12,600 Advanced Electrical Systems, Inc. \$11,800 Complete Electric, Inc.</p> <p>A balance of \$23,400.81 is available.</p> <p>Staff recommends the <u>BOT award contract of \$11,800, plus permitting costs, to Complete Electric, Inc. for replacement of the Bldg. A electrical panel.</u></p>
Exhibits Attached: Quotes from Advanced Electrical Systems, Inc. and Complete Electric, Inc.
Contact: John W. Coffey, Community Manager & Matt Goetz, Acting Property Services Manager
Fiscal Impact: \$11,800 plus permitting costs (\$23,400.81 available budget)
Contract/Agreement Reviewed by Attorney: N/A
Community Manager's Approval:

Advanced Electrical Systems, Inc.
2020 Old Dixie Highway S.E. Suite 9
Vero Beach, FL 32962

Phone: (772) 770-2407 Fax: (772) 778-3925

Date: Wednesday, May 18, 2016
Company: Barefoot Bay Recreation District
Address: 625 Barefoot Blvd
City: Barefoot Bay, FL 32976
Phone: 772-664-2063
RE: Repairs-150 KVA Transformer

Advanced Electrical Systems, Inc. is pleased to present you with the quote detailed below:

Scope of Work: Replace the existing 150 KVA transformer inside the main electrical room at Building A with a new outdoor type transformer in the corner of the AC shelter.

- Saw cut concrete walkway between buildings to install new transformer.
- Install 200amp 480volt on/off disconnect on wall near transformer. Install liquid tight flex conduits to transformer.
- Supply and install 2016 rated 150kva step down transformer to new location.
- Install ground rods and wire at new transformer location.
- Install PVC conduits with three phase copper feeders from transformer back to the electrical room, for 400amp 120/208 volt transformer.
- Replace the concrete in the saw cut trench.

TOTAL PRICE: \$12600.00

NOTES:

1. Permit fees are not included at this time.
2. Branch circuitry that exits this 400A panel appears to be original.
3. All branch circuitry to remain as is, no additional work to existing system is included.
4. No other repairs are included downstream of the Main Electrical Room

Estimator: Bob O.

PAYMENT LIABILITY

Customer signature signifies authorization of quoted work and acceptance of payment liability. Payment is due upon completion of work or satisfactory passing of any required inspection. If the invoice is not paid and the Contractor engages an attorney to enforce collection the customer agrees to pay all expenses including court costs and reasonable attorney fees to be fixed by any court in which said attorney is required to appear. The Customer further agrees that he or she may be sued in an Indian River County, Florida Court.

X

**Complete Electric, Inc.
Complete Alarm, Inc.
637 Sebastian Blvd.
Sebastian, FL 32958**

Indian River: (772) 388-0533 Brevard: (321) 726-0601 St. Lucie: (772) 344-3444
Fax: (772) 388-2411

www.completeelectricinc.com

Date: Wednesday, May 11, 2016
Name: Barefoot Bay Recreation District
Attn: Matt Goetz
Address: 625 Barefoot Blvd, Barefoot Bay, FL 32976
Email: johnmorris@bbrd.org
Phone: 772-664-2063/ Cell #772-532-2060
Re: Building A Electrical Repairs-150KVA Transformer

Complete Electric, Inc. Is Pleased To Present You, With Our Proposal Detailed Below:

Scope of Work: As you are aware there are conditions present with the Main Electrical panels that require attention. The proposal listed below covers the replacement of the existing 150KVA transformer with a new 2016 energy code rated type transformer. As of January 2016, all transformers made have to comply with the new energy efficiency codes. It also covers the relocation of this transformer to a location outside of the electrical room.

150KVA TRANSFORMER:

- Saw cut the concrete between the main buildings over to the corner of the parapet wall where we discussed placing the new transformer.
- Install PVC conduit with 225A feeders from the main 800A 277/480V distribution panel, or MDP.
- Install a 200A 480V ON/OFF disconnect on the wall near the new transformer. Install liquid tight flex conduits from disconnect to the transformer.
- Supply and install a 2016 energy efficiency rated 150KVA step down transformer inside the parapet walls where we discussed.
- Install PVC conduits with 400A 120/208V three phase CU feeders from the new transformer back in to the electrical room, and terminate in the new 400A panel.
- Install ground rod and ground wire at new transformer.
- Replace and patch the concrete out of the trench with Sakrete.

NOTES: Permit fees are not included at this time. The existing 150KVA transformer is extremely hot and needs to be replaced. We cannot warranty any pre-existing equipment in this room. Branch circuitry that exits this 400A panel appears to be original. All branch circuitry to remain as is. I recommend verifying each branch circuit that exits this panel to make sure the breakers are correct for what they are supplying.

TOTAL QUOTE: \$11800.00

NOTES: Please allow 6 to 8 weeks for new Gear to arrive with standard shipping and build times. Quick build and ship pricing can be determined if requested. No other repairs are included downstream of the Main Electrical Room at this time. We recommend replacing the 200A FPE three phase panel in the kitchen as soon as possible. Budget to replace this panel now would be an additional \$2500.00. Wall cutting and repair would be required since this is a concrete wall, and the panel does sit flush. Wall repair not included.

If The AHJ Requires Additional Devices Or Items Not Indicated On The Plans, Or Not Included In The Specifications They Will Be Added At Additional Cost. Quote Based On Working Hours, 7:00 AM – 3:30 PM. Damage Resulting From the Installation Of Our Scope Of Work To Underground Items That Have Not Been Identified By Locates Will Not Be The Sole Responsibility Of The Electrical Contractor.

No Permit fees or FPL fee's are included in the above quote. Quote is valid for 30 days. All Work will be performed in accordance to the National Electric Code standards and local ordinances. Please contact us if we can provide you with any additional information.

Note: If work does not commence within 30 days of the date of this proposal, or if work is delayed after the designated start date, Complete Electric, Inc. reserves the right to increase the price to the current material cost at that time.

Estimator: Mike Macleary

Payment Schedule: 30% due at signing. Balance upon completion.
.025% will be added to all invoices paid with major credit cards.

PAYMENT LIABILITY

Customer signature signifies authorization of quoted work and acceptance of payment liability. Payment is due upon completion of work or satisfactory passing of any required inspection. If the invoice is not paid and the Contractor engages an attorney to enforce collection the customer agrees to pay all expenses including court costs and reasonable attorney fees to be fixed by any court in which said attorney is required to appear. The Customer further agrees that he or she may be sued in an Indian River County, Florida Court,

Customer Signature

Date

F: SERVICE QUOTES 2016-BAREFOOT BAY-A Building Electrical Repairs-150KVA Only

Meeting Date
June 10, 2016



Agenda
Section 9
Item No C

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Request for Dismissal of Lawsuit and Waiver of Fees and Costs
DOR Violation Enforcement Case Number: 16-000217
748 Canary Drive

Dept/Office: Administrative/Legal

Requested Action: Consider owner Request for Dismissal of Lawsuit and Waiver of Fees and Costs.
Summary Explanation and Background: <p>At the Board's meeting held on March 11, 2016, the Board referred DOR Violation Enforcement Case Number 16-000217 to Attorney Repperger for Legal or Equitable Action.</p> <p>After attempts to notice the property owner failed to result in compliance, on April 22, 2016, Complaint number 05-2016-CA-023805-XXXX-XX was filed in Brevard County Circuit Court.</p> <p>On May 7, 2016, the property came into compliance.</p> <p>On May 13, 2016 the Board discussed dismissal of the lawsuit and waiver of the fees and costs. The Board requested that a property owner representative appear before the Board to make the request. Staff has requested a property representative attend or submit a statement (to be provided if submitted).</p>
Exhibits Attached: Minutes from March 11, 2016; Affidavit of Compliance; Minutes from May 13, 2016.
Contact : Clifford R. Repperger, Jr. GrayRobinson, P.A
Fiscal Impact: As of date of Agenda Report: \$1,382.50 Fees, \$449.00 Costs; Total: \$1,831.50
Contract/Agreement Reviewed by Attorney : N/A
Community Manager's Approval :

From: tbnavarro [mailto:tbnavarro@gmail.com]

Sent: Friday, June 03, 2016 1:18 PM

To: suecuddie@bbrd.org

Subject: 745 Canary Drive

To Whom it May Concern:

I am sending this email as an official request to dismiss the suit against Tracy Navarro/745 Canary Drive and waive any and/or all fees and costs. I am requesting this because the trailer was left at 745 Canary Drive by Carlos Navarro as he suddenly departed Florida for New Jersey. When he left I had no way to remove the trailer. It took me time to be able to find a way, and someone to help me get it moved. I am disabled. I have MS and am unemployed but do not receive disability. I am separated, not divorced, so I receive no alimony. I did contact Carlos requesting he pay for any costs and his response was that since this suit is against me, "tough". With my situation, I am hoping that any leniency you can provide to me, please be granted.

Thank you,
Tracy Navarro
321.514.8700



BAREFOOT BAY RECREATION DISTRICT

Appointment of Landscaping Committee Members

Mr. Klosky recommended abolishing this committee as Property Services already maintains the common areas of the community.

Mr. Cavaliere made a motion to abolish the Landscaping Committee. Second by Mr. Diana. Motion carried unanimously.

New Business

Case # 15-003658 453 EGRET CIRCLE

Violation of ARTICLE II, SECT. 3 (A) (15) ADIR (Lamp Post)

Mr. Diana made a motion to forward Case # 15-003658 453 EGRET CIRCLE to the attorney's office for equal and equitable action and lien the property for the fees. Second by Mr. Cavaliere. Motion carried unanimously.

Case # 16-000052 466 EGRET CIRCLE

Violation of ARTICLE II, SECT. (3) (A)(7) ADIR (Skirting)

Mr. Diana made a motion to forward Case # 16-000052 466 EGRET CIRCLE to the attorney's office for equal and equitable action and lien the property for the fees. Second by Mr. Lavier. Motion carried unanimously.

Case # 16-000217 748 CANARY DRIVE

Violation of ARTICLE III, SECT. 3 (A) (B) (C) (D) (E) Parking of Vehicles (Boats/Trailer/RV/Comm. Vehicles)

Mr. Diana made a motion to forward Case # 16-000217 748 CANARY DRIVE to the attorney's office for equal and equitable action and lien the property for the fees. Second by Mr. Lavier. Motion carried unanimously.

Mr. Diana recommended BBRD utilize the County code enforcement officer for assistance with repeated violations. Mr. Coffey stated that staff currently works with the County in serious, repeated violations.

Resignations and Appointments to Finance Committee

Susie White and Wilma Weglein submitted letters of resignation from appointed seats on the Finance committee and requested exchanging their appointed seat assignments.

Mr. Cavaliere made a motion to accept the resignations from Wilma Weglein and Susie White from the Finance Committee. Second by Mr. Diana. Motion carried unanimously.

Mr. Cavaliere stated that he received a resume for the Finance committee after the last meeting from Ed Geier, former, Mayor of Palm Bay. He pointed out that Mr. Geier brings a lot of experience to the table and Mr. Cavaliere was confident he would be a great attribute to the Finance committee.

Mr. Cavaliere made a motion to appoint Ed Geier to the alternate seat on the Finance Committee. Motion died for lack of a second.

Mr. Cavaliere made a motion to move Mr. Bob Peet to a one year term on the Finance committee from the alternate position. Second by Mr. Diana. Motion carried unanimously.

Mr. Klosky asked for a nomination for the remaining open alternate seat on the Finance Committee

Mr. Cavaliere made a motion to nominate Ed Geier for the alternate position. Second for discussion by Mr. Diana. Mr. Diana withdrew the second.

Mr. Diana made a motion to table this item until the next meeting and have Ed Geier's resume forwarded to the trustees for review. Second by Mr. Lavier. Motion carried unanimously.



BAREFOOT BAY RECREATION DISTRICT

point summary and revenue/expenditure summary will be available on www.bbrd.org and at Building F starting May 17, 2016.

Although the rumor mill from time to time likes to say that BBRD liens expire each year, Ms. Kimi Cheng and her staff collected \$6,008.69 in delinquent fees that has been liened against a property since 2007. He stated he wanted to publically thank Finance Manager Kimi Cheng and her staff for their dedicated efforts to collect outstanding receivables.

Attorney's Report

General Counsel contacted the county about fines stemming from 635 Hyacinth and learned that it is currently at a cost of \$2625. They are willing to waive 20% of the costs but may be willing to waive the entire cost. He asked if he is successful in getting the entire fine waived, would the Board be willing to pay the \$550 court costs. Should the county not waive the costs the hearing to address this is next Thursday before the Special Magistrate. He asked for direction from the Board.

Mr. Cavaliere made a motion to accept General Counsel's recommendation to try to get fines waived and pay just court costs. Second by Mr. Diana. Motion carried unanimously.

General Counsel discussed the property on 748 Canary Drive. District filed a lawsuit against the owner and the trailer has subsequently been removed. The owner has come into compliance and legal fees are \$1700. He inquired if the Board would like to waive fees or proceed to a final judgment which is approximately an additional \$1000.

Ms. Loretta Dorn spoke on the matter in question. She asked that the Board consider waiving this fee as this is a young family struggling to make ends meet.

Mr. Cavaliere stated that the owner should be at the meeting to explain and he would recommend General Counsel reaching out to the resident. If there is still no resolution then he would recommend forwarding for a final judgment.

Mr. Cavaliere made a motion to accept General Counsel's recommendation and have General Counsel contact the property owner for a statement before going for a final judgment. Second by Mr. Diana. Motion carried unanimously.

General Counsel gave an update regarding the entrance wall claim with the insurance company we should be getting a payout within a week.

He announced that the District has been sued by Mr. Tom Guinther regarding the Building F replacement project. The suit does not ask for damages and is a declaratory judgment to determine if the project needs to go to referendum. He will respond by May 29th and try to get a hearing by late June. Due to the temporary injunction he recommended the District freeze any further talks with the engineers currently assigned to the project until we can find out more information.

Mr. Cavaliere requested the Board revisit the Robert's Rules item at the first meeting in June.

Mr. Ernest Loening asked about 710 Barefoot Blvd. General Counsel stated that the case is scheduled to be heard June 13, 2016 at 11am in Viera with Judge Maxwell.

Trustee Liaison Report

Mr. Klosky reported that the ARCC meeting held on April 19, 2016, there were 12 applications. All were approved.

BAREFOOT BAY VIOLATIONS COMMITTEE BREVARD COUNTY, FLORIDA

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-000217

0234

NAVARRO, TRACY,
976 HAMPSHIRE AVE NE
PALM BAY, FL 32905

Respondent(s),

RE: 748 CANARY DRIVE

AFFIDAVIT OF COMPLIANCE

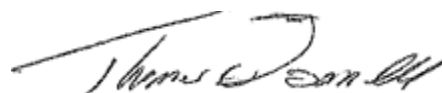
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared Thomas O'Donnell, Deed of Restrictions Enforcement Officer for the Barefoot Bay Recreation District who, after being duly sworn, deposes and says.

1. That on the 02/26/2016 the Board of Trustees held a public hearing and issues its Order in the above-styled matter.
2. Said Order provided for further legal action to be taken by the Recreation District's Attorney.
3. That a re-inspection was performed on the ____ day of _____, 20____.
4. That a re-inspection revealed that the corrective action ordered by the Board of Trustees has been taken in that the violation has been corrected.
5. Pursuant to Article III, Section 12(C) of the DOR, Barefoot Bay is entitled to an award of attorney fees and cost incident to bring this action.
6. This Affidavit of Compliance does not release the Respondents from the obligations of any judgment rendered in Brevard County Circuit Court, including, but not limited to, those as to attorney's fees and costs and/or curative action costs incurred by Barefoot Bay Recreation District.

FURTHER AFFIANT SAYETH NAUGHT.

Dated May 07, 2016.



Thomas O'Donnell, DOR Enforcement Officer,

The forgoing instrument was acknowledged before me on May 07, 2016, by _____, who is personally know to me and who did take an oath.

Notary Public
State of Florida at Large



748 Canary Dr
Thomas O'Donnell
May 07, 2016

Meeting Date
June 10, 2016



Agenda
Section 9
Item No D

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Request for Dismissal of Lawsuit and Waiver of Fees and Costs
DOR Violation Enforcement Case Number: 16-000052
466 Egret Circle

Dept/Office: Administrative/Legal

Requested Action: Consider owner Request for Dismissal of Lawsuit and Waiver of Fees and Costs.
<p>Summary Explanation and Background:</p> <p>At the Board's meeting held on March 11, 2016, the Board referred DOR Violation Enforcement Case Number 16-000052 to Attorney Repperger for Legal or Equitable Action.</p> <p>After attempts to notice the property owner failed to result in compliance, on May 2, 2016 Complaint number 05-2016-CA-024665-XXXX-XX was filed in Brevard County Circuit Court.</p> <p>Pam Talamantez is the personal representative for the property. Ms. Talamantez is the daughter of the deceased owners. Ms. Talamantez advises that she did not receive notice of the violation until April 9, 2016. Ms. Talamantez advises that she was told by a property manager that the violation would be cured by April 13, 2016. The initial attempt to cure the violation was unsatisfactory to staff. Service of the lawsuit occurred on May 9, 2016. Ms. Talamantez filed the attached answer/response to the lawsuit on or about May 25, 2016. The property was found to be in compliance by staff on May 27, 2016.</p> <p>Ms. Talamantez now requests a dismissal of the lawsuit and waiver of fees and costs incurred.</p>
Exhibits Attached: Minutes from March 11, 2016; Talamantez answer/response; and Affidavit of Compliance.
Contact : Clifford R. Repperger, Jr. GrayRobinson, P.A
Fiscal Impact: As of date of Agenda Report: \$1,755.00 Fees, \$484.00 Costs; Total: \$2,239.00
Contract/Agreement Reviewed by Attorney : N/A
Community Manager's Approval :



BAREFOOT BAY RECREATION DISTRICT

Appointment of Landscaping Committee Members

Mr. Klosky recommended abolishing this committee as Property Services already maintains the common areas of the community.

Mr. Cavaliere made a motion to abolish the Landscaping Committee. Second by Mr. Diana. Motion carried unanimously.

New Business

Case # 15-003658 453 EGRET CIRCLE

Violation of ARTICLE II, SECT. 3 (A) (15) ADIR (Lamp Post)

Mr. Diana made a motion to forward Case # 15-003658 453 EGRET CIRCLE to the attorney's office for equal and equitable action and lien the property for the fees. Second by Mr. Cavaliere. Motion carried unanimously.

Case # 16-000052 466 EGRET CIRCLE

Violation of ARTICLE II, SECT. (3) (A)(7) ADIR (Skirting)

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Violation of ARTICLE III, SECT. 3 (A) (B) (C) (D) (E) Parking of Vehicles (Boats/Trailer/RV/Comm. Vehicles)

Mr. Diana made a motion to forward Case # 16-000217 748 CANARY DRIVE to the attorney's office for equal and equitable action and lien the property for the fees. Second by Mr. Lavier. Motion carried unanimously.

Mr. Diana recommended BBRD utilize the County code enforcement officer for assistance with repeated violations. Mr. Coffey stated that staff currently works with the County in serious, repeated violations.

Resignations and Appointments to Finance Committee

Susie White and Wilma Weglein submitted letters of resignation from appointed seats on the Finance committee and requested exchanging their appointed seat assignments.

Mr. Cavaliere made a motion to accept the resignations from Wilma Weglein and Susie White from the Finance Committee. Second by Mr. Diana. Motion carried unanimously.

Mr. Cavaliere stated that he received a resume for the Finance committee after the last meeting from Ed Geier, former, Mayor of Palm Bay. He pointed out that Mr. Geier brings a lot of experience to the table and Mr. Cavaliere was confident he would be a great attribute to the Finance committee.

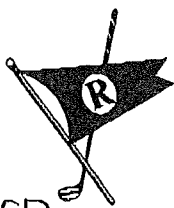
Mr. Cavaliere made a motion to appoint Ed Geier to the alternate seat on the Finance Committee. Motion died for lack of a second.

Mr. Cavaliere made a motion to move Mr. Bob Peet to a one year term on the Finance committee from the alternate position. Second by Mr. Diana. Motion carried unanimously.

Mr. Klosky asked for a nomination for the remaining open alternate seat on the Finance Committee

Mr. Cavaliere made a motion to nominate Ed Geier for the alternate position. Second for discussion by Mr. Diana. Mr. Diana withdrew the second.

Mr. Diana made a motion to table this item until the next meeting and have Ed Geier's resume forwarded to the trustees for review. Second by Mr. Lavier. Motion carried unanimously.



To: Fax 321-637-6557

Date: 5-25-2016

Brevard County Clerk of the Court.

Case # 05-2016-CA-024665

Name, Donald & Susan Hoeltzel

Address of Complaint; 466 Egret Cir, Barefoot Bay, FL 32976

I Pamela A. Talamantez the Personal Representative
of Donald & Susan Hoeltzel (Deceased)

I didn't receive the Complaint of the Skirting until 4-09-2016, which I called my property manager that day. I was told the skirting would be fixed by 4-13-2016. It was completed, but not to the Plaintiffs guide lines for Barefoot Bay Deed Restrictions. So I received a Summons on 5-09-16. I spoke to the Plaintiffs property manager Susan Cuddie on 5-18-16 I told her I was trying to get the Skirting fixed and should be done by June 1st-2016. She said that would be ok by the two weeks 6-01-16 and she would call Attorney Clifford Reppenger to let him know.

Thank You

From Fax 888-788-0445

Pamela Talamantez

Address 114 Filbert St, Sebastian, FL 32958

Phone 772-559-2269

cc Fax to

Clifford Reppenger

321-984-4122

5-25-2016

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

BAREFOOT BAY RECREATION DISTRICT
Petitioner

Vs
1626
Pam Talamantez, HOELTZEL, SUSAN H/W
114 Filbert St.
Sebastian, FL 32958-6703
Respondent(s),

Case no. 16-000052

RE: 466 EGRET CIRCLE

AFFIDAVIT OF COMPLIANCE

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared Thomas O'Donnell, Deed of Restrictions Enforcement Officer for the Barefoot Bay Recreation District who, after being duly sworn, deposes and says.

1. That on the 02/12/2016 the Board of Trustees held a public hearing and issues its Order in the above-styled matter.
2. Said Order provided for further legal action to be taken by the Recreation District's Attorney.
3. That a re-inspection was performed on the ____ day of _____, 20 ____.
4. That a re-inspection revealed that the corrective action ordered by the Board of Trustees has been taken in that the violation has been corrected.
5. Pursuant to Article III, Section 12(C) of the DOR, Barefoot Bay is entitled to an award of attorney fees and cost incident to bring this action.
6. This Affidavit of Compliance does not release the Respondents from the obligations of any judgment rendered in Brevard County Circuit Court, including, but not limited to, those as to attorney's fees and costs and/or curative action costs incurred by Barefoot Bay Recreation District.

FURTHER AFFIANT SAYETH NAUGHT.
Dated May 27, 2016.



Thomas O'Donnell, DOR Enforcement Officer,

The forgoing instrument was acknowledged before me on May 27, 2016, by _____, who is personally know to me and who did take an oath.

Notary Public
State of Florida at Large





Thomas O'Donnell
May 27, 2016

Meeting Date
June 10, 2016



Agenda	
Section	9
Item No	E

Agenda Report
Barefoot Bay Recreation District Board of Trustees

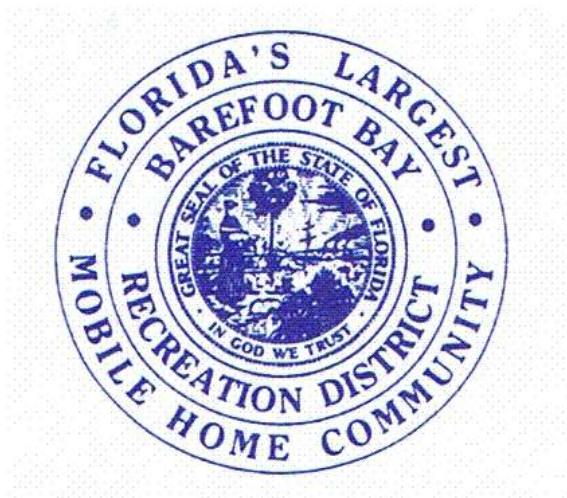
Subject: Revision to Policy Manual Guest Fees

Dept/Office: Resident Relations/DOR Enforcement

Requested Action: Review and Approve Proposed Language.
<p>Summary Explanation and Background:</p> <p>On a workshop held on May 12, 2016, the Board approved the changes to guest fees in the BBRD Policy Manual.</p> <p>Staff requests approval of the proposed changes.</p>
Exhibits Attached: Proposed change to policy manual
Contact: Sue Cuddie, Resident Relations Manager; Cliff Repperger, District Attorney
Fiscal Impact: None
Contract/Agreement Reviewed by Attorney: Yes
Community Manager's Approval:

Barefoot Bay Recreation District

Policy Manual



Draft Revisions

Barefoot Bay Recreation District
Policy Manual
TABLE OF CONTENTS

i

PURPOSE	
Part One. General Operating Policy	1
1.0 EMPLOYMENT AND TRAINING	1
1.1 TRAVEL POLICY	1
1.2 REPORTS REQUESTED BY THE BOARD OF TRUSTEES	2
1.3 JOB INSTRUCTION TRAINING MANUAL	2
Part Two. General Financial Policies	1
2.0 ACCOUNTS PAYABLE	1
Sales Tax	1
2.1 ACCOUNTS RECEIVABLE	1
2.2 ASSESSMENT FEE COLLECTION POLICY	1
2.3 CONVEYANCE OF PROPERTY	1
2.4 PAYROLL	2
2.5 RETIREMENT PLAN	2
2.6 INVENTORIES	2
2.7 FIXED ASSETS	2
2.8 YEARLY BUDGET SCHEDULE AND LEVY OF ASSESSMENTS	3
Fiscal Year and Budget Process	3
2.9 ESTABLISHING A NEW FUND	4
Charter Reference	4
Fund Identification and Interaction with Other Funds	4
2.10 Budget Amendments and Transfer	4
Budget Amendments	4
Budget Transfers	4
2.11 CHART OF ACCOUNTS – GENERAL LEDGER ACCOUNT STRUCTURE	5
2.12 BANK ACCOUNTS	5
Investment Policy	6
2.13 LONG TERM DEBT-NOTES PAYABLE	6
Primary Mortgage Instrument	6
Irrigation Loan (Irrigation System)	7
Annual Debt Payment	7
2.14 PROCUREMENT POLICY	8
Ethical Standards and Their Application to Procurement	8

Barefoot Bay Recreation District
Policy Manual
TABLE OF CONTENTS

ii

Payment of Sales Tax _____	8
Capital Budget Expenditures _____	8
General Purchasing Requirements _____	9
Use of Purchase Orders-Competitive Pricing _____	9
Blanket Purchase Orders _____	9
Exceptions to the use of Purchase Orders _____	10
Exceptions to Competition _____	10
Emergency Purchases _____	10
Purchases from Purchasing agreements of Special Districts, Municipalities, or Counties (Piggybacking) _____	10
Emergency Payment _____	10
Purchase of Services From a Goods and Sole Source Provider _____	11
Awards Quotes/Bids under \$50,000 _____	11
Tie Bids _____	11
Waiver of Irregularities _____	11
Signatures on Contracts _____	11
Change Orders or Amendments _____	11
Purchase of Computer, Related Equipment and Supplies _____	12
Receiving and Approving Goods and Services _____	12
Services Performed on BBRD Property _____	12
Hiring or Use of Employment Service Workers-Temporary Employees _____	13
Unacceptable Purchasing Practices _____	13
2.15 FORMAL SEALED BIDS (FOR PURCHASES OF \$50,000 OR MORE) _____	14
Competitive Procurements Process For Formal Bids _____	14
Specific Procedures for Formal Sealed Bids/Quotes _____	14
Award of Bids _____	14
Waiver of Irregularities _____	15
Evaluation Committee _____	15
Vendor Complaints & Disputes (Protests) _____	17
PART THREE. GENERAL RULES APPLICABLE TO DISTRICT FACILITIES _____	1
3.0 GENERAL _____	1
Definitions: _____	1
Objective _____	2
Management _____	2
General Rules _____	3
Identification Badges and Dress _____	5
3.1 MEMBERSHIP _____	7
Types of Membership _____	7
Social memberships: _____	7
Family Social Membership: _____	7
Golf Membership: _____	7
Applications for Social and Family Social Membership: _____	9
Fees and Dues _____	9
Property Damage _____	10
3.2 RULES FOR SPECIFIC DISTRICT FACILITIES _____	11
General _____	11

Barefoot Bay Recreation District
Policy Manual

iii

TABLE OF CONTENTS

Use of Buildings or Amenities _____	11
Game/Meeting Rooms _____	12
Swimming Pools _____	13
Shuffle Board-Bocce- Lawn bowling – Horseshoes and Basketball _____	13
Lounge _____	14
Tennis Courts- _____	14
Softball Field Rules and Regulations _____	14
Golf _____	14
Beach _____	15
Fishing Pier _____	15
RV Lots _____	16
Temporary Parking _____	16
3.3 FEE SCHEDULE _____	1718
Residents _____	1718
Fees Applicable to Renters/Tenants _____	1718
Badges _____	1819
Guest Passes/Temporary Social Membership _____	1819
Additional Fees _____	19
3.4 Guidelines for Registering as a Club, or Organization or Resident Group and Use of District Facilities _____	22
Registration of Clubs/Organizations/Private Parties _____	22
Use of District Facilities _____	22
Non-Discrimination Policy _____	23
Use of Alcoholic Beverages _____	23
Scheduling and Set-Up _____	23
Use of District Facilities Where Fees Are Charged _____	24
Use of Facilities for Gambling and Games of Chance _____	24
Use of Kitchen Facilities/Bringing in Incidental Food _____	24
Payment of Guest Fees _____	25
3.5 Guidelines for Gift and or Memorials for the Barefoot Bay Recreation District _____	26
Part 4. Public Records Request Policy _____	1
4.0 PURPOSE. _____	1
4.1 PUBLIC RECORDS REQUEST PROCEDURE. _____	1
A. Intake of Request. _____	1
B. Notification and Response. _____	2
C. Public Record Inspections. _____	2
4.2 REQUESTS FOR VOLUMINOUS RECORDS REQUIRING EXTENSIVE STAFF TIME/EXTENSIVE INFORMATION TECHNOLOGY RESOURCES. _____	3
4.3 COPIES AND FEES. _____	4
Endnotes _____	1

PURPOSE

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

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

The reasons for developing a Policy Manual include:

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

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

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

Part One. General Operating Policy

1.0 EMPLOYMENT AND TRAINING

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

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

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

1.1 TRAVEL POLICY

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

Per diem and travel expenses of public officers, employees and authorized persons shall be reimbursed in accordance with Section 112.061, Florida Statutes. Training will be completed in state only. In the event there is a need for out of state training, the Board will approve the travel.⁴ These basic policies apply to all BBRD travel:

- a. All travel, if pre-authorized by the Community Manager
- b. Receipts are required for reimbursed expenses
- c. Rates of per diem and subsistence allowance and mileage rate for use of personal vehicles is reimbursed in accordance with Sec.-112.061, F.S.
- d. Expense reports that approved by the Department Head and Community Manager are reimbursed in a timely manner.
- e. ARCC committee members are reimbursed for travel expenses at a rate of \$10.00 per house permit in lieu of mileage as provided above.⁵

1.2 REPORTS REQUESTED BY THE BOARD OF TRUSTEES

The following reports shall be provided by the 15th of each month:

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

The following report shall be provided at each meeting:

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

1.3 JOB INSTRUCTION TRAINING MANUAL

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

Part Two. General Financial Policies

2.0 ACCOUNTS PAYABLE

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

Sales Tax

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

2.1 ACCOUNTS RECEIVABLE

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

2.2 ASSESSMENT FEE COLLECTION POLICY

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

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

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

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

2.3 CONVEYANCE OF PROPERTY

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

2.4 PAYROLL

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

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

2.5 RETIREMENT PLAN

A retirement plan is available for any full time employees who wish to participate.

2.6 INVENTORIES

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

A listing of all equipment for each department, with a purchase price greater than \$250 shall be maintained. Each item received is tagged with an all-weather tag.

2.7 FIXED ASSETS

A listing of all assets with a value of \$2,000.00 or more will be maintained, updated, and completed for each year by September 30th. Each item received is tagged with an all-weather tag. Both additions and deletions to the asset list require approval by Community Manager.

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

2.8 YEARLY BUDGET SCHEDULE AND LEVY OF ASSESSMENTS

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

Fiscal Year and Budget Process

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

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

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

October 1 New fiscal year starts

2.9 ESTABLISHING A NEW FUND

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

Charter Reference

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

Fund Identification and Interaction with Other Funds

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

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

2.10 Budget Amendments and Transfer ⁶

Budget Amendments

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

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

Budget Transfers

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

2.11 CHART OF ACCOUNTS – GENERAL LEDGER ACCOUNT STRUCTURE

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

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

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

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

2.12 BANK ACCOUNTS

The District maintains bank accounts necessary to provide for operations.

<u>Account</u>	<u>G/L Account #</u>
General Fund	001-101000

Purpose: receipts and expenditures for the General Fund.

Investment Policy

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

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

SBA Reserve - Capital Reserve
(Purpose: to reserve funds for capital expenditures).

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

2.13 LONG TERM DEBT-NOTES PAYABLE

Primary Mortgage Instrument

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

BAREFOOT BAY RECREATION DISTRICT REVISED AMORITIZATION \$8,370,500.00

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

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

Barefoot Bay Recreation District
Policy Manual
GENERAL FINANCIAL POLICIES

Part 2- 7

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

Irrigation Loan (Irrigation System)

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

Bank of America \$500,000

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

Annual Debt Payment

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

2.14 PROCUREMENT POLICY

Ethical Standards and Their Application to Procurement

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

Payment of Sales Tax

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

Capital Budget Expenditures

The Board of Trustees and Community Manager must approve all Capital budget purchases. Capital budget purchases or outlays are for the acquisition of or addition to fixed assets. They generally add value to the land or building, have a useful life of more than one year, are of a non-consumable nature, and must exceed \$5,000.00⁷ in value.

Capital Budget expenditures are classified as:

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

General Purchasing Requirements

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

Department	Department Head or Designee
Administration	Community Manager or Designee

The Community Manager is authorized to approve budgeted expenditures of up to \$7,500.00 without Board authorization. All expenditures of \$7,500.00⁸ or more shall be authorized by the Board of Trustees and have two authorized signatures on ANY check.

Use of Purchase Orders-Competitive Pricing

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

1. For purchases of up to \$999.99⁹, a purchase order and competitive pricing is not required; however, obtaining quotations is recommended whenever practical.
2. For purchases of \$1,000.00 to \$19,999.99¹⁰ informal quotes are required from at least two sources. A "No Bid" does not constitute a quote. These quotations should be submitted in writing, and kept on file in the accounts payable office and the requesting department.
3. For purchases in the amount of \$20,000.00 to \$49,999.99¹¹ written, signed bids are required from at least three sources. A "No Bid" does not constitute a bid. These bids should be kept on file in the accounts payable office and the requesting department.
4. For all purchases in the amount of \$50,000¹² or more, sealed bids are required and the Request for Proposal or Invitation to Bid Process must be followed (see Section 2.14).

If staff is unable to obtain more than one quote or bid after a reasonable time, the Community Manager may authorize the procurement based on the Department Manager's recommendation and use of Exception to Competition, #7 "Under other documented and justified circumstances approved by the Community Manager." When this exception to competition is used, the Community Manager shall notify the Board of Trustees at the next regularly scheduled Board meeting and notate the date, vendor and price on an "Exception to Competition log" as maintained by the District Clerk.¹³

Blanket Purchase Orders

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

Exceptions to the use of Purchase Orders

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

- Utilities
- Travel and Training (reimbursements are handled through A/P)
- Insurance Premiums
- Debt Service Costs
- Certain refunds and reimbursements
- Inventory purchases for retail sale ¹⁴

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

Exceptions to Competition

The competitive procurement process may be waived:

1. In defined emergencies, documented in accordance with the Emergency Purchases section of these policies.
2. For sole source procurements documented and approved in accordance with the Sole Source Purchases section of these policies.
3. For seminars registrations and professional membership dues and fees.
4. For purchase of local utility services for BBRD owned or operated facilities.
5. Postage expense, when billed by a vendor at the currently prevailing postage rates established by the U.S. Postal Service.
6. Repair or services for proprietary equipment,
7. Repairs that require action within 72 hours.¹⁵
8. Under other documented and justified circumstances approved by the Community Manager.

Emergency Purchases

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

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

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

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

Emergency Payment

In a declared emergency either the Community Manager and one Trustee, or two Trustees, are required to sign checks over \$7,500¹⁸ to pay for needed purchases, supplies or contracted services. ¹⁹

Purchase of Services From a Goods and Sole Source Provider

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

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

1. The stated vendor is the only producer of the product or service, and no commercial substitute is available.
2. The information or data is proprietary.
3. The maintenance or repair requires specialized equipment or expertise, which is available only from the original vendor, or vendor representative.

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

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

Awards Quotes/Bids under \$50,000²⁰

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

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

Tie Bids

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

Waiver of Irregularities

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

Signatures on Contracts

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

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

Change Orders or Amendments

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

the language used in the specifications, must clearly be directed either to the achievement of a more satisfactory result of the elimination of work not necessary to the satisfactory completion of the contract.

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

1. All change orders resulting in a cumulative net decrease to the initial cost of the contract to Barefoot Bay Recreation District.
2. All change orders increasing the initial contract cost by under 10%, provided sufficient documentation is provided.
3. All change orders or amendments involving procedural or other matters that will not result in any change to the contract's cost.

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

Purchase of Computer, Related Equipment and Supplies

Purchase of any IT related product or service will be coordinated through the IT services contract manager for vendor analysis and approval.²²

Receiving and Approving Goods and Services

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

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

Services Performed on BBRD Property

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

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

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

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

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

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

Automobile Liability Insurance:

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

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

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

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

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

Hiring or Use of Employment Service Workers-Temporary Employees

The contract for services or use of an Employment Agency for temporary employees shall have the approval of the Community Manager up to a \$7,500.00 (or existing budgetary restraints). Any contract greater than \$7,500.00 will be brought to the Board of Trustees for approval.²³

Unacceptable Purchasing Practices

The following practices are prohibited:

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

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

Competitive Procurements Process For Formal Bids

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

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

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

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

Specific Procedures for Formal Sealed Bids/Quotes

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

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

Award of Bids

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

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

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

Waiver of Irregularities

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

Evaluation Committee

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

Members of the Evaluation Committee shall consist of at least one (1) user department representative, one (1) Board member, and one (1) third-party non-employee resident chosen at the discretion of the Community Manager. The Community Manager and Board Chairman shall serve on the committee as non-voting members.²⁶

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

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

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

The lowest priced proposal receives the maximum weighted score for the price criteria. The other proposals should receive a percentage of the weighted score based on the percentage differential between the lowest proposal and the other proposals. All weighted scores are then multiplied by the maximum score available (i.e. 45%) to determine the total percentage awarded.

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

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

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

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

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

If fewer than three sealed and qualified proposals are received by the Evaluation Committee, by a majority vote the Evaluation Committee may request the Community Manager to seek non-sealed bids for comparative analysis or forward their recommendation for award of contract or (in the case of a RFQ) their recommended ranking order for staff to negotiate a contract to the Board of Trustees for their consideration.²⁷

Vendor Complaints & Disputes (Protests)

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

1. *Posting of Bid/RFP Award Notices*

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

2. *Posting of Formal Sealed Proposals*

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

3. *Proceedings for Protest of Award*

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

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

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

4. *Stay of Procurement During Protests*

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

PART THREE. GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

3.0 GENERAL

Definitions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Part 3 - 2

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

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

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

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

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

~~"Resident Group" shall mean a group of residents and non-residents organized for a recreational activity or event.~~

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

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

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

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

"Temporary Lounge/Business Pass" shall mean a pass obtained by a vendor or realtor that has a stated business purpose ~~or a resident for their guests for the purpose of eating or consuming alcoholic beverages~~ at the lounge.²⁸ Temporary Lounge/Business Passes will not be issued up to two hours before or during any music event.^{29 30}
³¹

Objective

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

Management

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

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

General Rules

1. The District's facilities are available to members and open to the public and guests paying the appropriate fees and meeting membership requirements.
2. Guests may use District upon payment of appropriate fees.
3. Fees paid to the District are to be used at the discretion of the "Board."
4. The use of District facilities, including the golf course, may be limited or restricted by the board or by District management as necessary to allow all eligible persons to have reasonable use of District facilities without overcrowding.
5. District management reserves the right to refuse use of the District facilities to any person or group for violations of these rules.
6. Any member delinquent in payment of fees shall be denied use of facilities.
7. District management reserves the right to ask the member to have their guest present at the time of obtaining a guest pass(es).
8. Residency in the District does not confer upon any member the unlimited right to use the District facilities.
9. Fees, assessments, and service charges shall be set by the Board.
10. Office hours of the Community Center complex or other designated facility for the payment of membership fees will be as posted.
11. Property owners shall be responsible for any debt incurred by the Property owner, their family, guests, or tenants.
12. The Property owner is responsible for the conduct and appearance of his/her guest(s) while using the District facilities.
13. Appropriate dress is required in all facilities.
14. Smoking, use of any tobacco product and/or use of e-cigarettes (ie nicotine vapor devices) are not permitted in any District facilities and may only be permitted in designated outdoor areas.³²
15. All physical injuries sustained on Barefoot Bay Recreation District Property must be reported to BBRD Staff as soon as possible by the injured party or a representative.³³
16. Golf membership shall be renewed annually.
17. The Community Manager may suspend, cancel, or revoke any resident or property's social membership, family membership, golf membership, or guest pass based on a violation of these rules. The affected resident whose membership was suspended, canceled, or revoked may appeal the suspension, cancellation or revocation by requesting a hearing before a Special Magistrate. The Board of Trustees shall appoint a Special Magistrate to hear and decide cases involving such violations. If an appeal is requested, violation cases shall be processed as follows:³⁴
 - A. District Management shall provide the owner, resident, and/or guest with written notification of the alleged rules violation and penalty. The alleged violator would accept the penalty or request a hearing before the Special Magistrate. If a hearing is requested, a written notice of hearing shall be provided at least ten (10) days in advance of any hearing. After a hearing is requested suspension, cancellation or revocation may be stayed by the Community Manager until the Special Magistrate hearing.³⁵
 - B. BBRD staff shall present evidence of the alleged rules violation to the Special Magistrate at a quasi-judicial hearing held to determine whether such violation occurred, and if so, the appropriate penalty to be imposed. The hearing shall not be governed by the formal rules of evidence; however, due process shall be provided to the owner, resident, and/or guest. The owner, resident, and/or guest shall have the right to cross examine witnesses and to present relevant evidence which is responsive to the alleged rule violations.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

- C. The Special Magistrate shall determine whether BBRD staff has established, by a preponderance of the evidence, that a rules violation has occurred. If a rules violation is found to have occurred, the Special Magistrate shall impose a penalty of suspension, cancellation, or revocation of the violator's social membership, family membership, golf membership, or guest pass. The violator shall be notified in writing of the Special Magistrate's ruling within ten (10) days of the hearing. In levying any penalty imposed pursuant to this Section, the Special Magistrate is not obligated to impose the penalty imposed³⁶ by District Management.
- D. The decision of the Special Magistrate shall constitute final quasi-judicial action of BBRD. Any aggrieved party may appeal the ruling of the Special Magistrate to a court of competent jurisdiction in Brevard County, Florida.
- E. If a hearing is requested and the violator is found to have committed the violation as alleged, the violator shall be responsible for the District's cost in bringing the matter to hearing.³⁷
- 18. Pets are not allowed in District Recreational facilities, except for service animals.
- 19. Special rules applicable to individual buildings will be conspicuously posted and observed by members and guests.
- 20. Beverage laws and license regulations forbid the bringing in alcoholic beverages of any type for consumption on or in District facilities. Therefore, alcoholic beverages of any type consumed on the premises must be obtained from District facilities.
- 21. The following behaviors may result in the suspension, cancellation or revocation of a person's social membership, family membership, golf membership and/or guest pass:
 - A. Violation of District Policies or Rules applicable to District Facilities.
 - B. Violation of any local, state, or federal law while using District Facilities.
 - C. Fighting and verbal assault.
 - D. Discourteous, threatening, or rude behavior to BBRD employees, residents or patrons of District Facilities.
 - E. Loud and raucous behavior which decreases the enjoyment of other patrons of District Facilities.
 - F. Unintentional or deliberate misuse of the BBRD Facility or property which results in, or has the potential to result in, damage to the Facility or property, or in any way compromises the safety of any Barefoot Bay Recreation District Facility patron or BBRD staff member.
 - G. Misrepresentation of facts which may result in the District's Policies or fee structure improperly administered or collected.³⁸
- 22. A guest fee shall be charged in accordance with the fee schedule to any non-resident for use of District facilities. This fee shall not be charged to any non-resident using District facilities as an invitee for a club activity or social function conducted by any approved Club or Social Club or for social functions and events authorized by the District.
- 23. All non-property owners who intend to use District facilities must register on arrival and become social members of the District.
- 24. Children under age 12, must be accompanied by an adult when using District facilities. Groups of children who are using the facilities with guest passes must have one responsible adult for every five children.³⁹
- 25. Commercial solicitation is prohibited while on District properties. The gathering of signatures for petitioning of elected officials is prohibited within buildings or upon District facilities. Bonafide nonprofit or 501(c) fundraising efforts shall be permitted.
- 26. Any organization or individual desiring to plant trees, shrubbery, flowers, or other vegetation on District property must have prior approval of District management. A landscaping and maintenance plan shall be submitted for review and approval prior to any planting activity. Any vegetation planted on District property shall become the property of the District. No removal of vegetation is permitted without District approval.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

27. Decorations⁴⁰

- A. No items or decorations of any type, which may be viewed as offensive to any patrons, may be affixed, installed or added to any facility by individuals, residents, clubs, or ~~resident groups~~ organizations.
- B. No items or decorations may be applied or attached to any public area facility without the expressed permission of management. This permission must be in writing and cover the type, style, material, custodial and maintenance requirements as well as the contact person in charge of the decorations.
- C. The use of candles, confetti, birdseed, rice or other non-environmentally friendly products will not be used.⁴¹
- D. All items must be promptly removed from the area at the end of the event (party, meeting, show or other)
- E. Failure to adhere to this policy could result in revocation of use of the facilities for the persons involved.

28. If any property has been determined to be in violation of the Amended and Restated Deed of Restrictions for Barefoot Bay by the BBRD Violations Committee, then all social, family, and golf memberships affiliated with property determined to be in violation shall be automatically suspended upon rendition of a Findings of Fact, Conclusions of Law, and Order by the BBRD Violation Committee. No party, whether they be owner, renter, or guest affiliated with the property in violation may use any District Facility until an Order of Compliance is issued by the Violation Committee. This provision shall operate to suspend all referenced memberships regardless of whether the owner owns multiple properties or other properties not determined to be in violation. Should an owner appeal a finding of the Violation Committee to the BBRD Board of Trustees (or circuit court), the automatic suspension of privileges shall be tolled during the pendency of such appeal.⁴²

29. Where any vehicle located on any residential lot has been posted with three (3) administrative notices of violation of Article III, Section 3 (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay related to prohibited parking on the lawn, grass, or landscaped area of said lot, within any thirty (30) day period, all social, family, and golf memberships affiliated with the lot shall be automatically suspended for thirty (30) days. For any subsequent posted violation of Article III, Section 3 (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay occurring of the same lot, subsequent to the issuance of the initial thirty (30) day suspension, and within one (1) year from the date of the initial posted notice, all social, family, and golf memberships affiliated with the lot shall be automatically suspended for six (6) months. For any subsequent posted violations of Article III, Section 3 (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay occurring on the same lot at any time subsequent to the issuance of any six (6) month suspension, all social, family, and golf memberships affiliated with the lot shall be automatically suspended for one (1) year for each subsequent posted violation. An owner may appeal any notice of suspension issued pursuant to the provisions of Paragraph 17 herein.⁴³

Identification Badges and Dress

1. Identification badges are issued to identify members, their dependents, guests and renters. The issuance of badges will be controlled by District management. Badges are required for all.
2. Unless waived by District Policy or Management, members and guests are required to wear, or have in their possession, an appropriate District identification badge when using District facilities. The identification badge must be produced upon request by Barefoot Bay staff. If not presented, resident/member/guest must leave the facilities.⁴⁴
3. Shoes and shirts shall be required when using District facilities, except for the swimming pool areas.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

4. Unidentified persons using District facilities should be reported to the District Management.
5. Property owner(s), guest(s) or rental tenant(s) shall not make, or have made duplicate keys to gain access to fishing pier, beach property or RV storage compounds, or allow unauthorized persons access to such keys. Keys shall be returned to the Community Center office when no longer needed. Violators will be subject to prosecution for trespassing and/or revocation of social membership privileges.
6. Any violators may be subject to prosecution for trespassing and/or revocation of membership privileges.

3.1 MEMBERSHIP

Types of Membership

Social memberships:

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

Family Social Membership:

- A. Privileges and fees under this type of membership are the same as social membership. Family Social membership shall include the adult property owner(s) and their children, when the children reside with the owner(s) and are:
 - a. Under 18 years of age and unmarried.
 - b. Full-time students at any institution of higher education and not over 23 years of age.
 - c. Incapable of total self-support due to physical or mental handicap regardless of age.
- B. Other adults and children no longer qualified under paragraphs A 1, 2 and 3, of this section residing with the property owner(s) shall secure a social membership of the District in their own name and pay the appropriate membership fees.

*Golf Membership:*⁴⁵

- A. Golf membership entitles the member to the use of the golf course and attendant facilities in consideration of annual membership dues as provided in these rules. Application for membership by eligible persons is made to the Pro Shop Manager.
- B. Golf membership is available to:
 - a. Property owner(s) and unmarried children of property owner(s) under 18 of years age and residing at a property owner(s) home under the Family Social Membership or full-time students at any institution of higher education and not over 23 years of age.
 - b. Unmarried children over 18 years of age and other adults residing in a property owner(s) home must obtain a membership in their own name.
 - c. Renters/Tenants with a lease agreement and residing in the subdivision may be granted a golf membership upon application to the Pro Shop Manager.

- d. Associate Golf Membership is:
 - i. Open to persons outside of Barefoot Bay.
 - ii. Annual Single & Family Golf Memberships available.
 - iii. Associate Golf Memberships entitles the member the use of the golf course and 19th Hole.
 - iv. Annual Associate Golf Membership dues include a one-time Initiation Fee and appropriate User Fees.
 - v. Application for membership by eligible persons is made to the Pro Shop Manager.

Priorities with respect to golf membership.

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

Changes of Golfing Membership

A member may terminate his or her golf membership, or Trail fees only for medical reasons, or death. Documentation from his or her doctor either limiting or prohibiting the member's ability to play shall be required. This request must be in writing to the Pro Shop Manager, and must be approved by the Community Manager prior to any return of any funds for unused fees. Both membership and trail fees will be returned on a pro-rata basis for the first six (6) months of the fiscal year. After March 31 of any fiscal year, there will be no return of any unused portion of fees.⁴⁶

Applications for Social and Family Social Membership:

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

Fees and Dues

1. **Social and Family Social Membership**
 - A. A membership fee shall be paid for Social and Family Social membership.
 - B. A property owner shall pay the fee only once for each home site of which they are owner of record. This fee is non-transferable between parties.
 - C. Non-property owner, such as tenants or guests shall pay the fee upon becoming a member.
 - D. The tenants or guests who concurrently pays the fee and enters into a home purchase contract may have his/hers rental social membership or guest fee amount applied toward the property owner membership fee due at the time of closing provided that closing occurs within 12 months of initial membership.
2. **Golf Membership**
 - A. Fees for the golf membership are as specified in these rules and subject to change by the Board of Trustees.
 - B. Golf membership fees are for one fiscal (October 1 thru September 30) year; six-month memberships are available for the time period between October 1st thru March 31st of any fiscal year.
 - C. A member accepting a golf membership after October 1 shall pay a pro-rated share of the annual fee. Dues shall be on an annual basis only.
 - D. Membership dues or the first of three (3) installments are due on or before October 1st of each fiscal year. (Second and third payments are due November 1st and December 1st). Statements will be issued thirty (30) days in advance of the due date. If the installment method of payment is utilized, there will be a \$3.00 processing fee per payment for each additional payment.⁴⁷
 - E. Membership fees are categorized as "family" or "single" as follows:
 - a. Family - joint property owners owning a home as defined in definitions.
 - b. Single - one property owner with non-playing spouse, unmarried children over 18 years, or other adults in residence.
 - c. Family and single memberships are also available to eligible renter/tenants.
 - d. Annual Associate Family and Single Memberships are available.

No six month memberships available.
All other Associate Golf Membership policies apply.
Refer to 3.1 Membership, Section 3 Golf Membership Item B.d

Property Damage

1. *Personal Property*

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

2. *District Property*

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

3.2 RULES FOR SPECIFIC DISTRICT FACILITIES

General

1. The rules in this section pertain to the buildings, Recreation facilities and common grounds available for use by members and registered Clubs or Social Clubs. More specific rules for each separate facility are posted in the building or areas designated and must be observed.
2. Only registered Clubs or Social Clubs and members may use District facilities in accordance with the rules herein. Use of facilities will be governed by BBRD management.⁴⁸ Use of District facilities by non-members shall be required to pay appropriate rental fees according to adopted fee schedules.
3. Keys or combinations to locks shall be provided to all sheds, rooms, cabinets, offices and storage facilities used by clubs or groups and which are owned or placed on BBRD property. These shall be clearly marked and provided to the BBRD clerk.⁴⁹
4. Any club, organization, ~~resident group~~ or individual desiring to construct or install any building, sun cover, bench or other type of structure on District property must have prior approval of District management. A complete plan including materials and design, along with maintenance, repair and insurance requirements must be included. All local, county, state and federal regulations pertaining to excavation and building must be met prior to construction or installation of any structure. Any structure constructed, placed or installed on District property becomes the property of the District. No removal of any such structure is permitted without District approval.⁵⁰

Use of Buildings or Amenities

1. Normal hours for use of buildings are posted. Exceptions may be granted by pre-arrangement with the District Management offices.
2. Persons or official BBRD organizations desiring to use Barefoot Bay facilities shall make such reservations in advance with the appropriate District office in charge of calendar coordination in writing. Persons or organizations may reserve Building A, Building D&E or other facilities for exclusive or non-exclusive use. Denial of requests for exclusive use of amenities shall be provided to the requestor within 3 business days in writing, citing reasons for denial. Persons or official BBRD organizations may appeal staff's denial of a request for exclusive use of an amenity to the Board of Trustees at the next regularly scheduled meeting. These facilities are for the principal use of residents, who have priority over any outside-sponsored activities.⁵¹
3. Changes to reservations shall be made in writing to appropriate District office in charge of calendar coordination.⁵² When two parties or organizations are involved in a change, both parties to the change will sign the written request. Calendar dates unconditionally released will be reassigned on a first request basis. Calendar schedules of events will be published monthly and posted on the official website.
4. Individuals or organizations authorized for exclusive use of any facility⁵³ are responsible for the premises during their occupancy. Such sponsors will prevent damage or destruction and provide cleanup, including the kitchen and serving area, following the event.

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

Game/Meeting Rooms

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

Swimming Pools

1. The District's "Rules for Swimming Pool Use", as posted at each pool, must be adhered to by members and guests in the pools, pool-side areas, and dressing/rest room facilities. The posted pool rule signs will be updated to reflect the amended policies as soon as possible.
2. District management reserves the right to refuse use of the swimming pool to any person or group for a violation of any of these rules.
3. Proper ID, as required by the District, must be presented in order to gain access to the pool areas.
4. The Pool Host has the authority to check bags or coolers for prohibited items before access is granted into the pool area.⁵⁴
5. There is no life guard on duty at any of the District's pools; swim at your own risk.
6. Normal hours for use are as posted.
7. Children under 12 years of age must be accompanied by an adult while in the swimming pool area.
8. Children under 6 years of age are not permitted in the pool without immediate and constant supervision of an adult.
9. It is a violation of Florida law to bring into pool areas or otherwise use glass bottles, containers, or other glass products.
10. The State of Florida law prohibits bringing in and consuming alcoholic beverages on premises unless purchased from the District.⁵⁵
11. Flasks may not be brought into the pool area.⁵⁶
12. No food or drink is permitted in or near the swimming pool or within 4 feet of the swimming pool.
13. Members and guests are required to use the rest rooms located in the dressing room in pool area.
14. Lifesaving equipment shall be used only for the purpose intended.
15. Infants, and those individuals with incontinence issues, shall wear 'swim diapers' or other appropriate apparel which prevents the release of bodily waste while using swimming pools.⁵⁷
16. No swimmer with open sores that are likely to degrade water quality, infection, or contagious disease may use District swimming pools.⁵⁸
17. Members and guests are required to shower before entering the swimming pool. Showers are for pool users only.
18. Diving, running, jumping, rough play, or profanity are not allowed in or around the pool.
19. No animals are allowed in the pool area, with the exception of service animals.
20. Appropriate cover-up and shoes must be worn when entering any of the facilities.
21. Members and guests should exercise respectful and proper conduct around the pools and report all improper behavior to the District Management offices or pool host.
22. Swimsuits or authorized swim wear are the only authorized apparel for use in the pools. Cutoff jeans, shorts, and/or colored T-shirts are not permitted in the pool. Colorfast shirts are permitted if in good condition.
23. In the event of thunder or other threatening weather, residents must leave the pool when instructed by the Pool Host and remain out of pool until instructed by the Pool Host that it is safe to re-enter the pool (for at least 30 minutes from the last thunder observed).⁵⁹

Shuffle Board-Bocce- Lawn bowling – Horseshoes and Basketball

1. Normal hours for play are as posted.
2. Equipment is available for issue from the pool host. Badges will be left with pool host for security of equipment.

3. Misuse of the courts or equipment should be reported to the District Management offices or pool host.

Lounge

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

Tennis Courts⁶⁰

1. Tennis Courts are available to all residents wishing to use this recreational facility.
2. Tennis Courts are reserved through the Calendar Coordinator.
3. Gates to the courts are open from dawn to dusk. Operating hours are dawn to 10:00 PM. Access after dusk is available by obtaining a key to the gate and to the lights from the Pool Host at Pool 1. A BBRD I. D. card is necessary to obtain these keys.
4. Additional rules for the use of the facility may be posted by BBRD at the courts.

Softball Field Rules and Regulations

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

Golf

1. The Golf Operation Manager or his/her designee is in charge of the golf course, Pro Shop and the facilities at the course.
2. All players shall register in the Pro shop before play.
3. Play may be limited by Golf Operation Manager or his/her designee for specific reasons, i.e. tournaments, maintenance, weather, etc.
4. Property owners, members having golf membership and their guests shall have priority for available tee time.
5. Green fees are on a daily basis. Rain check policies are posted in the Pro shop.
6. Each player must have a set of clubs and putter including a golf bag.
7. All play must begin at either the 1st. or 10th tee as scheduled by the Pro Shop.
8. Power golf carts are not to be used for more than two (2) riders and two (2) golf bags.
9. Children under 16 years of age are not permitted to operate power golf carts.
10. Players must be properly attired. Shirts and shoes are mandatory.
11. Wading in lakes is prohibited.
12. Players shall play in foursomes, particularly on Saturday, Sunday and holidays. "Five some" must have permission from Pro shop management or in his absence the starter.
13. Power golf carts or hand-pulled carts shall not be driven or pulled on high slopes of greens, sand traps or tees.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

14. Faster players must be permitted to "play through."
15. Hawking for golf balls in lakes and canals is strictly forbidden.
16. All play will be on a reserved tee time basis.
17. No fishing permitted in lakes on the golf course.
18. The club will not allow private golf carts or replacements when the total number of private carts equals 170. The Board shall be responsible for establishing user fees for private carts and such fees are subject to change at any time at the discretion of the Board.
19. The Board reserves the right to terminate the use of private golf carts at any time.
20. All golf guests must be registered by the golf member, fees paid, receipts presented to starter, and if requested by the starter, member's current year's membership card must be presented.

Beach⁶¹

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

Fishing Pier

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

Canoe/Kayak Storage at Fishing Pier

1. Canoe and Kayak owners utilizing the Canoe/Kayak storage must enter into a storage lease agreement.
2. Lessee's shall be solely responsible for all loss or damage to Lessee's stored property.
3. Due to limited availability, Barefoot Bay Property Owners with authorized social membership privileges may rent one canoe/kayak storage unit.

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

4. Assignment or subletting of spaces is prohibited.
5. Only one (1) unit per space will be allowed.
6. Nonpayment of lease payments will result in abandonment of space, and removal of stored items.
7. All lease payments are due on the first day of the current quarter and may be made up to twelve (12) months in advance.
8. All canoes and kayaks must display a Barefoot Bay provided identification sticker.

RV Lots

1. Use of the RV Storage Lots is primarily for Barefoot Bay Residents. Non-residents may lease the facility during the months of May through September. RV owners utilizing the RV Storage lots must enter into a storage lease agreement.⁶²
2. Storage lease agreements shall be on a month-to-month basis.
3. No stand-alone structures or loose articles will be allowed in any space.
4. Owners shall be solely responsible for all loss or damage to owners stored property.
5. Owner shall keep all stored property properly licensed, registered, road-worthy, and/or operational for the property's intended use at all times.
6. Assignment or subletting of spaces is prohibited.
7. No stand-alone structures or loose articles will be allowed in any space.
8. Owners must assure that all vehicles are choked.
9. Only one (1) unit or trailer per space will be allowed.
10. No gate access card⁶³ shall be passed on to anyone else.
11. All gate access cards must be returned upon relinquishment of leased space.
12. Upon termination of the Lease, owner shall surrender the leased space to the District in the same condition as it was originally leased to the owner.
13. All lease payments are due on the first day of the current month and may be made up to twelve (12) months in advance. Payment of lease payments in advance shall not prevent Lessor from terminating the lease as provided herein. In the event of such default or upon termination by Lessor, Lessee shall only be entitled to the return of any advance payments made by Lessee, prorated accordingly.
14. Nonpayment of lease payments will result in disabling of access cards. A reactivation fee shall be charged as per the BBRD fee schedule.⁶⁴
15. Owner must give written notice of intent to terminate no later than 10 days prior to the end of any month; otherwise owner shall be responsible for payment of full rent for the following month.⁶⁵
16. Failure to comply with the above rules and regulations will result in termination of this Lease Agreement. Any non-compliant Lessee will be held responsible for costs incurred for removal of stored property from storage facility. Costs of removal will be determined by staff. The monthly fee will continue to accrue until the issue of non-compliance is settled.
17. A replacement fee will be charged if the access card is not returned upon termination of lease or if the card is lost.⁶⁶

Temporary Parking

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

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

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

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

3.3 FEE SCHEDULE

Residents ⁶⁷

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

Property owner (one-time fee) \$495.00 + tax for 2 people.

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

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

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

Additional resident/property owner (over 2) must pay the resident fee.⁶⁸ \$125.00 + tax

Note: In the event more than 2 people are listed on a deed, additional (over 2) property owners must pay resident fee - \$125.00 + tax.⁶⁹

Administrative Fee

Any changes to 2nd on membership will require a change fee.⁷⁰ \$25.00

Dependents \$25.00 + tax

All dependents are required to register to use District facilities.

Fees Applicable to Renters/Tenants

Seasonal Renter \$20.00 per person per month & tax

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

Part 3 - 18

Long term renter** Per Adult ⁷¹	\$100.00 + tax
Per Dependent ⁷²	\$25.00 + tax

Annual Renewal

Per Adult ⁷³	\$25.00 + tax
Per Dependent	\$10.00 + tax ⁷⁴

**A dated copy of the current lease agreement showing address of home and duration of the lease shall be provided on an annual basis or on renewal of rental badges. ⁷⁵

Badges

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

All replacement picture badges \$5.00

- 4-2. *Residents and guests must display their badges and/or guest passes at any event or meeting in the Lounge, 19th Hole or Pool #1-Pavillion.*

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

1. One Day Guest Pass
 - a. Regular (purchased at Resident Relations or any of the pools) ~~\$13.00~~ per person ⁷⁶
 - b. Street dance or other special events (purchased at Pool#1) \$5.00 per person
2. Two to Seven Day (week) Guest Pass ⁷⁷ ~~\$3.00 per person~~
 - a) Purchased at Pools \$7.00 per person
 - b) Purchased at Resident Relations Office \$5.00 per person
3. ~~One Day Event/Facility Guest Pass ⁷⁸ \$1.00 per person~~
~~(Allows a non-resident to attend an event in Barefoot Bay, ie. wedding/club function)~~
3. Grandchild Pass (with picture)
 - a. Quarterly \$10.00 per child
 - b. Annually \$25.00 per child

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

Part 3 - 19

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|----|--|----------------------------------|
| 4. | Non-Residents (<i>Visitor</i>) Pass | \$15.00 per person per day |
| 5. | Temporary Lounge/Business Pass ⁷⁹ | \$0.00 (No Charge) ⁸⁰ |

Additional Fees

Rental of building/spaces for any Barefoot Bay *club, organization, or resident except for clubs and organizations registered with the District before July 1, 2016, who has paid their social membership fees are provided at no charge* are based on the following fee schedule.

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

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

Property Owners, Residents, Renter

- | | | |
|----|---|---|
| 1. | R.V. storage area | Per current lease agreement ⁸¹ |
| 2. | Reactivation of Access Cards | \$10.00 |
| 3. | Replacement keys RV storage, beach and pier ⁸² | \$25.00 per key ⁸³ |
| 4. | RV Storage late fee ⁸⁴ | Per current lease agreement. |
| 5. | Resident for Profit Use of Building | Non-Resident fees apply |

Non-Resident

- | | | |
|----|----------------------|--|
| 1. | Golf course | \$5.00 1-day pass plus current green & cart fees
(includes all privileges included in temporary social membership) |
| 2. | Rental of Buildings: | Building "A" \$75.00 per hour (2 hour min.)
\$50.00 fee for use of kitchen (non-refundable)
Plus \$100.00 refundable deposit

Building "D or E" \$40.00 per hour (2 hour min.)
\$15.00/hr. thereafter
\$25.00 for use of kitchen (non-refundable)
Plus \$25.00 or \$75.00 refundable deposits |

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

Part 3 - 20

Note: Fees are double if both sides are used.

Building "C" & all other facilities \$25.00 first 4 hrs.
\$10.00/hr. thereafter

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

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

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

- | | | |
|----|--|--|
| 3. | RV Storage Area | \$35.00/Month + tax
(During months of May to Sept only) ⁸⁵ |
| 4. | RV Storage Key Deposit ⁸⁶ | Per current lease agreement. |
| 5. | RV Storage Late Fee ⁸⁷ | Per current lease agreement. |
| 6. | Parking fee for allowed vehicles
(other than automobiles) at Falcon Dr. Lot | \$10.00 per day |
| | Automobiles overnight in Building "A" lot: | |
| | Residents | Free |
| | Guests | |
| | 1-2 nights | \$ 5.00 |
| | 3-7 nights | \$10.00 |
| | 8 or more nights | \$25.00/week |
| 7. | Beach and Pier | \$15.00 1 Day pass
\$25.00 refundable key deposit |

Revision Record Page

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

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

Part 3 - 21

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

Date	Resolution	Subject
01/30/98	98-01	Fee Schedule.
05/12/00	2000-01	Fee Schedule.
05/11/01 Schedule.	2001-02	Non-Resident Golf Badge Fee; Fee
09/17/01	2001-09	Revised General Rules.
12/14/01 Dues.	2001-12	Golf Membership and Membership
03/08/02	2002-02	R.V. Storage Area Fees.
03/08/02	2002-03	A&E Clean Up Deposit.
05/10/02	2002-06	Social/Family Membership Fees when moving within District.
03/14/03	2003-01	\$2.00 non-resident guest pass; Softball Fee Schedule deletions.
07/11/03	2003-05	Suspension/cancellation of membership hearing procedure; swimming pool rules.

3.4 Guidelines for Registering as a Club, ~~or Organization or Resident Group~~ and Use of District Facilities

Registration of Clubs/Organizations/Private Parties

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

Use of District Facilities

1. Any Club, ~~or Organization or Resident Group~~ that uses District facilities must be comprised of a majority of Barefoot Bay residents unless permitted by policies adopted by the Board of Trustees. Only registered Clubs, ~~or Organizations or Resident Groups~~ may use District facilities on a non-fee basis. No fees, (other than temporary social membership fees, as applicable) shall be charged to an invitee of a registered Club, ~~or Organization or Resident Group~~ to attend an activity or specific event sponsored by a Club, Organization or Resident Group (Resolution 2003-01).
2. Residents of the Barefoot Bay Recreation District may utilize District facilities but registered Clubs, ~~or Organizations or Resident Groups~~ shall have priority in scheduling.
3. Social events held by residents requesting use of District facilities shall be classified as "District Resident-Private Parties." Rental fees shall not apply; however, non-residents who attend these functions must register as guests and pay fees in accordance with the District's fee schedule.
4. Residents using District facilities for a "for profit" event are required to pay fees in accordance with the District's fee schedule.
5. Non-registered clubs and organizations or non-residents may use District facilities upon payment of appropriate fees in accordance with the District's fee schedule. Priority shall be given to registered Clubs, Organizations, ~~Resident Groups~~ and District Resident-Private Parties in terms of scheduling.

Non-Discrimination Policy

1. The Barefoot Bay Recreation District does not discriminate against anyone in a protected class including, but not limited to race, creed, color, national origin, religion, gender, or sexual orientation. When in use of Barefoot Bay Recreation District facilities, anyone in a protected class including employees, residents and guests will not be discriminated against regardless of race, creed, color, national origin, religion, gender or sexual orientation.⁸⁸

Use of Alcoholic Beverages

1. Bringing alcoholic beverages to District facilities is prohibited. Where permitted, all alcoholic beverage purchases must be provided by the Barefoot Bay Recreation District.
2. For all functions desiring the use of bar service for the purpose of purchasing alcoholic beverages, the minimum service charge shall be \$100.00.⁸⁹ For non-club functions, this fee is payable in advance at the Customer Service office.⁹⁰ If the Bar takes in less than \$100.00, the function host will reimburse the bar total.⁹¹ Clubs who register a bar must also meet the \$100 minimum, but are not required to pay in advance.⁹² Clubs who do not meet the \$100 minimum must make up the difference.⁹³
3. Clubs, ~~or Organizations~~ ~~or Resident Groups~~ must fill out a Bar Form (if a bar is desired) to request a Bar for the function. Give a good estimate on the number of people that will attend. This helps the bartender to stock the bar properly.
4. A request for bar service must be made at least two weeks in advance. If not submitted two weeks prior to the event,⁹⁴ BBRD cannot guarantee that personnel will be available to cover the bar.

Scheduling and Set-Up

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

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

10. Persons requesting the use of Building A or D & E and requiring multiple large electrical usage appliances must follow the plan outlined by Property Services to safely utilize existing power supplies. Failure to follow the set plan will result in loss of usage of the facility for that event. It is the responsibility of the Barefoot Bay Recreation District to strictly adhere to all Fire and Safety regulations for events in and around the Recreation District facilities.
11. Persons requesting the use of Building A or D & E which will result in large groups of mobile guests are required to follow the plan outlined by Property Services to safely utilize doorways and exits. Failure to follow the set plan will result in loss of usage of the facility for that event. It is the responsibility of the Barefoot Bay Recreation District to strictly adhere to all Fire and Safety regulations for events in and around the Recreation District facilities.

Use of District Facilities Where Fees Are Charged

1. *The use of all buildings, pools and Pool #1 Pavilion by clubs, organization or residents require a rental fee except for regularly occurring events of clubs and organizations registered with the District before July 1, 2016. Said rental fees are listed in section 3.3 of this document.*
2. All private functions requiring a fee or individual admissions charge may be subject to additional payment fees to the District, unless waived by the Board of Trustees in consideration that the fees accrued go to benefit the registered club's stated purpose that being of a "non-profit" nature. Non-resident fees will apply.

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Use of Facilities for Gambling and Games of Chance

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

Use of Kitchen Facilities/Bringing in Incidental Food

1. Any function that requires the use of kitchen facilities including the use of grills stoves, refrigerators, sinks shall pay a usage fee and clean-up deposit as may be determined by the Board of Trustees.
2. Clean up deposits and usage fees may be waived if food and beverages brought into the District facilities are of an incidental nature. However, a clean-up fee may be charged to any entity using District facilities if areas have to be cleaned by custodial staff.
3. Refrigerators and Freezers must be reserved with the Calendar Coordinator at least two weeks prior to their use.
4. If a private caterer requires the use of the stove, refrigerator and/or freezer, the Barefoot Bay club, ~~or~~, organization ~~or resident group~~ representative, or Barefoot Bay resident must reserve them with the Calendar Coordinator at least two weeks in advance. There will be no catering charge for the Barefoot Bay club, ~~or~~, organization, ~~resident group~~ or resident unless the equipment is damaged. Damage to equipment will be assessed at the repair or replacement cost of the equipment to the Barefoot Bay club, organization, ~~resident group~~ or resident.⁹⁵
5. Any function that leaves the facilities in an unclean manner shall be charged a \$50.00 clean-up fee. If the fee is not paid, the entity will lose their privileges until the matter is settled.
6. Due to insurance requirements, the slicer and use of grill in Building A is not available for use by non-staff persons. District personnel will provide slicing service when requested. A fee of \$12.00 per hour will be charged for this service for the slicer. A \$35 fee for use of the grill for two hours, additional hours \$12.00 per hour.⁹⁶

GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

7. The gas grill is available for use at Pool 1 by residents and their guests on a first come, first served basis.⁹⁷
8. Residents must wipe the grill and cooking area clean when cooking is complete.
9. Residents assume all responsibility for food safety.
10. The grill behind Build D & E is available for use by residents. Reservations for use are made with the Calendar Coordinator.
11. Due to the potential risks, residents using grills are required to sign a waiver and assume all responsibility for the cooking and safety of the prepared food.
12. Residents must provide their own cooking tools.

Payment of Guest Fees

1. The present "guest pass" fee shall be based on policies adopted by the Board of Trustees and shall be established by the Board of Trustees.⁹⁸

3.5 Guidelines for Gift and or Memorials for the Barefoot Bay Recreation District⁹⁹

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

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

Barefoot Bay Recreation District
Policy Manual
PUBLIC RECORDS REQUEST POLICY

Part 4. Public Records Request Policy

4.0 PURPOSE.¹⁰⁰

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

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

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

4.1 PUBLIC RECORDS REQUEST PROCEDURE.

A. Intake of Request.

1. Parties requesting to inspect and/or receive copies of public records maintained by BBRD ("Requesting Parties") shall be directed to submit their requests to the BBRD Clerk who shall serve as the BBRD Records Custodian.
2. Upon receipt of a public records request, the BBRD Clerk shall coordinate the response.
3. Each request shall be reviewed carefully by the BBRD Clerk to determine the estimated length of time required to gather the records. All requests shall be satisfied as expeditiously as possible considering the nature and volume of the request.
4. Public records will be made available within a "reasonable period of time" and "under reasonable conditions." Although there is no statutory definition of this time period, a "reasonable period of time" and "reasonable conditions" shall take into account the number of documents sought; the number of locations where the documents are stored; whether the records are maintained electronically or as hard copies; whether the documents must be examined for confidential information or redacted; and whether substantial research will be required to identify, obtain and copy the records requested.
5. The BBRD Clerk must review the documents to determine if exempt/confidential information or material is included in the documents requested. Exempt/confidential information as provided pursuant to the Florida Constitution or Chapter 119, F.S., must be redacted prior to review by, or distribution to, the requesting party.
6. Unless otherwise provided by law, BBRD is not required to create new records in response to a request for information, nor is BBRD required to reformat its records in a particular electronic format, if requested by the requesting party. BBRD will provide a copy of the record in the medium requested, if BBRD maintains the record in that medium. BBRD may also elect to provide a copy of a public record in the requested medium, if not routinely used in BBRD, and charge a reasonable fee in accordance with section 119.07(4), Florida Statutes and as provided herein.

Barefoot Bay Recreation District
Policy Manual
PUBLIC RECORDS REQUEST POLICY

B. Notification and Response.

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

C. Public Record Inspections.

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

Barefoot Bay Recreation District
Policy Manual
PUBLIC RECORDS REQUEST POLICY

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

1. For the purposes of this policy, a "voluminous" request, which requires "extensive" use of clerical or supervisory assistance/information technology resources by BBRD staff for response, is deemed to exist if BBRD staff will be required to expend more than thirty (30) minutes researching, reviewing, gathering, redacting, or copying the requested records.
2. If the nature or volume of public records requested to be inspected or copied pursuant to this policy is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by BBRD staff, BBRD may charge the actual cost incurred for duplication as provided in Paragraph 4.3 of this policy, as well as a special reasonable service charge based on the cost incurred for extensive use of information technology resources or the labor cost attributable to the clerical and supervisory assistance required to provide the response to the request.
3. In the case of requests for voluminous as described above, the BBRD Clerk should provide the requesting party with a written response providing the following information after coordinating a projected response time and cost with the applicable BBRD staff members who will assist in the preparing the response:
 - a. an estimate of the staff time required to respond to the request;
 - b. the projected cost that will be charged to comply with the request;
 - c. a request for a deposit in the amount of 50% of the projected cost, before BBRD staff will begin preparing the response;
 - d. an offer to allow the requesting party the alternative of inspecting any nonexempt or non-confidential records requested and identifying which specific records, if any, the requesting party would like to have copied.
4. A deposit in the amount of 50% of the estimated charge shall be required before undertaking a response to a request for voluminous public records. All charges shall be invoiced and collected by the BBRD Clerk based upon the number of copies made and the amount of time spent complying with the request in excess of thirty (30) minutes.
5. Charges for extensive staff time will be assessed at the hourly rate of the lowest paid staff person who is qualified to respond to or supervise (where required) a response to the request for public records.
6. Charges for extensive use of information technology resources shall be billed at the actual cost incurred by BBRD for the extensive use of such information technology resources in filling the request for public records.
7. In the event of non-retrieval of records copied as a result of a public records request, any advance deposit may be retained and the requesting party may also be billed for any difference between the deposit and actual costs incurred by BBRD to produce the records. BBRD may require any requesting party who fails to retrieve or pay the charges associated with a request for voluminous public records, as provided herein, to pay the full costs associated with filling any subsequent public records requests in advance of providing any response to such subsequent request.

Barefoot Bay Recreation District
Policy Manual
PUBLIC RECORDS REQUEST POLICY

4.3 COPIES AND FEES.

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

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

Those records maintained by BBRD in an electronic information system may transfer the electronic records from that system onto a CD or, in the case of videotaped documents, onto a DVD. Assuming that the electronic information within the system is easily retrievable, the charges for such transfer should be the actual costs of duplication. BBRD may charge for CD disks, if not provided by the requestor. Special charges may be added if the request is extensive enough to require clerical assistance and extensive use of technology resources as provided in Paragraph 4.2 above.

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

Paper copies:

First 10 pages per month, per citizen: No Charge

Additional:

11x8.5 or less - one-sided	\$0.15
11x8.5 or less - two-sided	\$0.20
14x8.5 or less - one-sided	\$0.15
14x8.5 or less - two-sided	\$0.20
11x17	\$0.25

Certified copies: \$1.00

CD/DVD/VHS/Audio Tapes:

Duplication:

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

Postage:

Large orders or those to be mailed out of BBRD should be weighed and calculated individually, using www.usps.gov for postage rates.

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

Barefoot Bay Recreation District
Policy Manual
PUBLIC RECORDS REQUEST POLICY

Endnotes

¹ Amended 12/10/13 Resolution 2013-16

² Added 2/13/2015, Resolution 2015-04

³ Amended 7/10/09, Resolution 2009-12

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

⁵ Amended 12/10/13 Resolution 2013-16

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

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

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

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

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

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

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

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

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

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

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

¹⁷ Amended 2/28/12 Resolution 2012-05

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

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

²⁰ Amended 2/13/2015, Resolution 2015-04

²¹ Amended 2/13/2015, Resolution 2015-04

²² Amended 2/13/2015, Resolution 2015-04

²³ Amended 2/13/2015, Resolution 2015-04

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

²⁵ Amended August 13 2010, Resolution 2010-14

²⁶ Amended 12/10/13 Resolution 2013-16

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

²⁸ Amended December 10, 2013, Resolution 2013-16

²⁹ Amended May 14, 2010, Resolution 2010-09

³⁰ Amended December 10, 2013, Resolution 2013-16

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

³² Amended December 10, 2013, Resolution 2013-16

³³ Amended December 10, 2013, Resolution 2013-16

³⁴ Amended 2/13/2015, Resolution 2015-04

³⁵ Amended 2/13/2015, Resolution 2015-04

³⁶ Amended 2/13/2015, Resolution 2015-04

³⁷ Amended September 10, 2010, Resolution 2010-15

³⁸ Amended September 10, 2010, Resolution 2010-16

³⁹ Amended December 10, 2013, Resolution 2013-16

⁴⁰ Amended January 13, 2012 Resolution 2012-01

⁴¹ Amended December 10, 2013, Resolution 2013-16

⁴² Amended June 8, 2012 Resolution 2012-09

Barefoot Bay Recreation District
Policy Manual
PUBLIC RECORDS REQUEST POLICY

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- ⁴³ Amended September 23, 2014 Resolution 2014-12
⁴⁴ Amended October 25, 2011. Resolution 2011-16
⁴⁵ Amended 7/8/11, Resolution 2011-12 .Changes to Golf Membership regarding “full time students” and changed to fiscal year.
⁴⁶ Res. 2001-12, 12/14/01
⁴⁷ Approved 12/14/04, Res. 2001-12
⁴⁸ Amended 2/13/2015, Resolution 2015-04
⁴⁹ Amended March 12, 2010, Resolution 2010-7
⁵⁰ Amended March 23, 2010, Resolution 2010-8
⁵¹ Amended 2/13/2015, Resolution 2015-04
⁵² Amended 2/13/2015, Resolution 2015-04
⁵³ Amended 2/13/2015, Resolution 2015-04
⁵⁴ Amended December 10, 2013, Resolution 2013-16
⁵⁵ Amended December 10, 2013, Resolution 2013-16
⁵⁶ Amended December 10, 2013, Resolution 2013-16
⁵⁷ Amended December 10, 2013, Resolution 2013-16
⁵⁸ Amended December 10, 2013, Resolution 2013-16
⁵⁹ Amended 2/13/2015, Resolution 2015-04
⁶⁰ Amended 3/11/2011 Resolution 2011-04
⁶¹ Amended July 8, 2011 Resolution 2011-12
⁶² Amended July 10, 2009, Resolution 2009-14
⁶³ Amended 2/13/2015, Resolution 2015-04
⁶⁴ Amended 2/13/2015, Resolution 2015-04
⁶⁵ Amended July 8, 2011, Resolution 2011-12
⁶⁶ Amended 2/13/2015, Resolution 2015-04
⁶⁷ Section amended 2/13/2015, Resolution 2015-04
⁶⁸ Amended December 10, 2013, Resolution 2013-16
⁶⁹ Amended December 10, 2013, Resolution 2013-16
⁷⁰ Amended December 10, 2013, Resolution 2013-16
⁷¹ Amended December 10, 2013, Resolution 2013-16
⁷² Amended December 10, 2013, Resolution 2013-16

⁷³ Amended December 10, 2013, Resolution 2013-16
⁷⁴ Amended December 10, 2013, Resolution 2013-16
⁷⁵ Amended December 10, 2013, Resolution 2013-16
⁷⁶ Amended 2/13/2015, Resolution 2015-04
⁷⁷ Amended December 10, 2013, Resolution 2013-16
⁷⁸ ~~Amended December 10, 2013, Resolution 2013-16~~
⁷⁹ Amended December 10, 2013, Resolution 2013-16
⁸⁰ Amended May 14, 2010, Resolution 2010-09
⁸¹ Amended December 10, 2013, Resolution 2013-16
⁸² Amended December 10, 2013, Resolution 2013-16
⁸³ Amended 2/13/2015, Resolution 2015-04
⁸⁴ Amended December 10, 2013, Resolution 2013-16
⁸⁵ Amended July 10, 2009, Resolution 2009-14
⁸⁶ Amended December 10, 2013, Resolution 2013-16
⁸⁷ Amended December 10, 2013, Resolution 2013-16

⁸⁸ Amended December 10, 2013, Resolution 2013-16
⁸⁹ Amended December 10, 2013, Resolution 2013-16
⁹⁰ Amended December 10, 2013, Resolution 2013-16
⁹¹ Amended December 10, 2013, Resolution 2013-16
⁹² Amended December 10, 2013, Resolution 2013-16

Barefoot Bay Recreation District
Policy Manual
PUBLIC RECORDS REQUEST POLICY

⁹³ Amended December 10, 2013, Resolution 2013-16

⁹⁴ Amended 2/13/2015, Resolution 2015-04

⁹⁵ Amended January 8, 2009, Resolution 2010-01

⁹⁶ Amended 2/13/2015, Resolution 2015-04

⁹⁷ Amended July 8, 2011, Resolution 2011-12

⁹⁸ Amended December 10, 2013, Resolution 2013-16

⁹⁹ Amended February 12, 2010, Resolution 2010-5

¹⁰⁰ Barefoot Bay Recreation District Public Records Request Policy was formally adopted with Resolution 2010-22 on October 26, 2010.

Meeting Date
June 10, 2016



Agenda	
Section	9
Item No	F

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Procurement of New or Used Restroom Trailer for Tennis Courts

Dept/Office: Property Services

Requested Action: Discuss and Authorize Procurement of New Restroom Trailer
<p>Summary Explanation and Background:</p> <p>At the May 13, 2016 Board of Trustees meeting, Chairman Klosky requested staff research replacement of the current portable restrooms by the tennis court and horseshoe court area. Mr. Klosky explained that he had received numerous complaints about the lack of cleanliness in the current portable restrooms.</p> <p>He requested Staff look into the new or used portable restroom trailers with sinks included.</p> <p>Staff responded to the task and has presented two options for the Board to discuss. The options include both used and new trailers with male and female stalls.</p> <p>Staff requests direction from the Board.</p>
Exhibits Attached: New and Used Options for Portable Restrooms
Contact: Matt Goetz, Acting Property Services Manager and/or Chairman Joe Klosky
Fiscal Impact: TBD
Contract/Agreement Reviewed by Attorney: N/A
Community Manager's Approval:

QUICK SPECS

Trailer Name: Pre-Owned 2012
Classic Series 2 Station Portable
Restrooms Trailer

Inventory ID: RR569017

Status: Used for Sale

Trailer Availability: Available Now

Heat Package: Full Heat

Model Year : 2012

Trailer size: Small

Toilets: 2

Urinals: 1

Trailer Type: Classic Series,
Closeout/Show Special

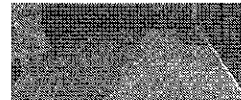
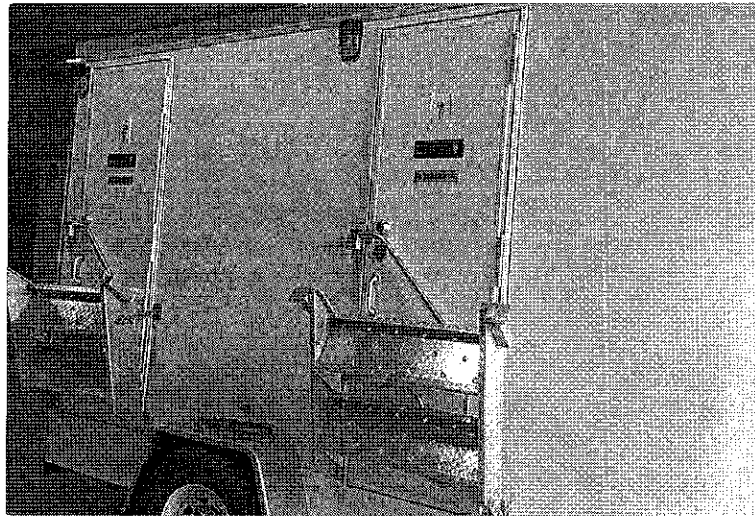
Price Value: Lowest Retail Price

Region: Southeast

PRICE AT \$ 19,340

PRE-OWNED 2012 CLASSIC SERIES 2 STATION PORTABLE RESTROOMS TRAILER

\$ 19,340



2012 Classic Series 2 Station Portable Restrooms Trailer

Overview

Features

Floor Plan

This Amazing little unit can be yours today! Your guest will feel like a star this this unit, previously used on movie locations. This unit is crisp, clean and ready to roll! Features classic black and white interior with water saving foot pedal toilets. Upgrades galore- Extra Large Fresh Water Tank, Plus Extra Large Waste Tank, Marble countertops, solid as a rock.

The women's suite has single vanity with lockable under cabinet storage to stow those extra supplies, Marble (yes, marble) countertop with stainless steel sinks, metered faucets, foaming soap dispenser, plus upgraded hands free paper towel dispenser! Includes roof vent with fan to keep your restroom always at its freshest, your guest will never run out of the necessities with the four plus toilet paper roll dispenser, keeping down the need to refill as often.

The men's suite has not been left out of the upgrades, from the waterless urinal to the same vanity and sink, plus hands free paper towel dispenser! Plus guys you get your own roof vent with fan.

Do not miss out on this unit! It is strong and stable, just like a leading man or woman!

Additional Features

Exterior Color: White

Length: 12

Water Supply: Garden Hose

Fresh Water Tank: 100

Waste Tank: 370

Delivery Method: Freight Shipping

Trailer Uses: Agriculture, Concerts, Construction & Remodeling, Corporate Events, Education, Emergency Response, Festivals, Film Production, Golf Courses, Government, Industrial, Municipalities, Outdoor Events, Political Events, Remote Locations, Sports Events, Weddings & Upscale Events

QUICK SPECS

[CLICK HERE FOR A BROCHURE](#)

Trailer Name: **2016 Comfort Series 12 Ft. 4 Station Compact Portable Restrooms Trailer**

Inventory ID: **FR627227**

Status: **New for Sale**

Trailer Availability: **Available Now**

Heat Package: **Heat Strips**

Model Year : **2016**

Trailer size: **Small**

Toilets: **4**

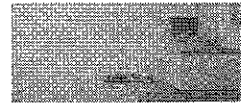
Trailer Type: **Comfort/Elite Series, Unisex**

Price Value: **Lowest Retail Price**

PRICE AT \$ 20,875

2016 COMFORT SERIES 12 FT. 4 STATION COMPACT PORTABLE RESTROOMS TRAILER

\$ 20,875



COMFORT SERIES 12 FT. 4 STATION COMPACT PORTABLE RESTROOMS TRAILER

Special Price! \$500 off the regular price of \$21,375- One only

[Overview](#)

[Details](#)

[Features](#)

[Floorplan](#)

The Comfort Series 12 Ft. 4 Station Compact Portable Restrooms Trailer offers a compact yet comfortable environment perfect for industrial, manufacturing, construction sites, schools, or municipalities and can easily be staged for more formal events. This unique floor plan includes 2 Women's suites and 2 Men's suites, each with a separate entrance. The Women's suite includes 1 pedal-flush, water-saving china flushable toilet, space-saving stainless steel corner sink with solid surface countertop, shatter-proof mirror, self-closing faucet, and wastebasket, soap and paper-towel dispenser and toilet-paper holder. The Men's suite includes 1 pedal-flush, water-saving china flushable toilet, space-saving stainless steel corner sink with solid surface countertop, shatter-proof mirror, self-closing faucet, and wastebasket, soap and paper-towel dispenser and toilet-paper holder.

Your guests will also be sure to enjoy the comfort of a fully climate-controlled environment maintained by air conditioning and heat strips! This well-designed unit can really handle a crowd with a roof-mounted A/C unit and built-in air supply return. This amazingly priced trailer also includes a smooth, durable white fiberglass interior, insulated walls and ceiling, and 1-piece non-skid rubber flooring.

A special feature of this self-contained unit is the inclusion of a mechanical room that provides easy access to the fresh water tank, utilities, and connections! The 125 gallon fresh water tank and large 370 gallon waste tank with garden hose hook-up found within this restroom trailer hold enough for approximately 1,400 uses including hand washing!

Exterior details of this 12 foot unit continue to impress with a LED porch light & occupancy indicator light at each entrance, one piece aluminum seamless roof with smooth siding, and fold down aluminum steps and platforms with railings.

This Comfort Series 12 Ft. 4 Station Compact Portable Restrooms Trailer provides your guests with all the beauty and convenience they desire with all the comfort they need, what more could you ask for? The possibilities are endless with this top-of-the-line unit- contact us today to start customizing your new trailer!

Financing available with deposit and approved credit. Call us today for more information at 1-888-998-8169

*Pictures may not be an exact representation of this model

**** Monthly payments based on a 60 month term with deposit and approved company credit , no payments for 90 days with deposit and approved company credit**

Additional Features

Exterior Color: Champagne

Length: 12

Water Supply: City - Garden Hose

Fresh Water Tank: 125

Waste Tank: 370

Power Supply: 110 v 30 amp

Delivery Method: Freight Delivery

Trailer Uses: Agriculture, Concerts, Construction & Remodeling, Corporate Events, Education, Emergency Response, Festivals, Film Production, Golf Courses, Government, Industrial, Municipalities, Outdoor Events, Political Events, Remote Locations, Sports Events, Weddings & Upscale Events

Share this : [Facebook](#) [Tweet](#) [Pinterest](#) [Email](#) [Print](#)

REQUEST A QUOTE

Quote Inquiry: *

Purchase New Trailers ▼

First Name: *

Last Name: *

Company:

Phone: *

Email: *

Address:

City: *

State/Province: *

Meeting Date
June 10, 2016



Agenda	
Section	9
Item No	G

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Barefoot Bay Slogan

Dept/Office: Administration/District Clerk

Requested Action: Discussion
<p>Summary Explanation and Background:</p> <p>At the May 24, 2016 Board of Trustees meeting, Trustee Diana requested the topic of selecting a Barefoot Bay slogan be added to the following meeting agenda.</p> <p>Trustee Diana suggested the District implement a community wide contest for catchiest slogan.</p> <p>Staff awaits direction from the Board.</p>
Exhibits Attached: N/A
Contact: Trustee Steve Diana
Fiscal Impact: N/A
Contract/Agreement Reviewed by Attorney: N/A
Community Manager's Approval:

Meeting Date
June 10, 2016



Agenda	
Section	9
Item No	H

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Advisory Committees - Purpose

Dept/Office: Administration/District Clerk

Requested Action: Discussion
<p>Summary Explanation and Background:</p> <p>Due to an apparent misinterpretation of the role of Advisory Committees and the degree that committee members have been interacting with employees during daily operations and during the bidding process, Trustee Frank Cavaliere requested placement of this topic on the agenda for discussion and clarification of the Purpose of Advisory Committees.</p>
Exhibits Attached: N/A
Contact: Trustee Frank Cavaliere
Fiscal Impact: N/A
Contract/Agreement Reviewed by Attorney: N/A
Community Manager's Approval:

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: June 10, 2016

Subject: Manager's Report

1. Projector and Screen in D/E – The Projector and screen was successfully installed in the 19th Hole on June 1st and will be available for use at the next Board of Trustee meeting.
2. ATP CCTV Installation Contract Signed – The ATP CCTV Contract was signed and returned to the District Clerks office this week. Installation is scheduled to begin on June 6, 2016.
3. The FY17 Budget Mailout – Currently at the printer and will be mailed out to all property owners on June 6, 2016.
4. Informational Emails – Topics of Interest email communications are underway please sign up at Resident Relations or Building F if you wish to receive District communication via email.

Attorney's Report

Trustees Liaison Reports

Incidental Remarks from Trustees

Audience Participation

Adjournment