

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

Friday, May 12, 2017

1:00 PM

1225 Barefoot Boulevard, Building D/E



BAREFOOT BAY RECREATION DISTRICT

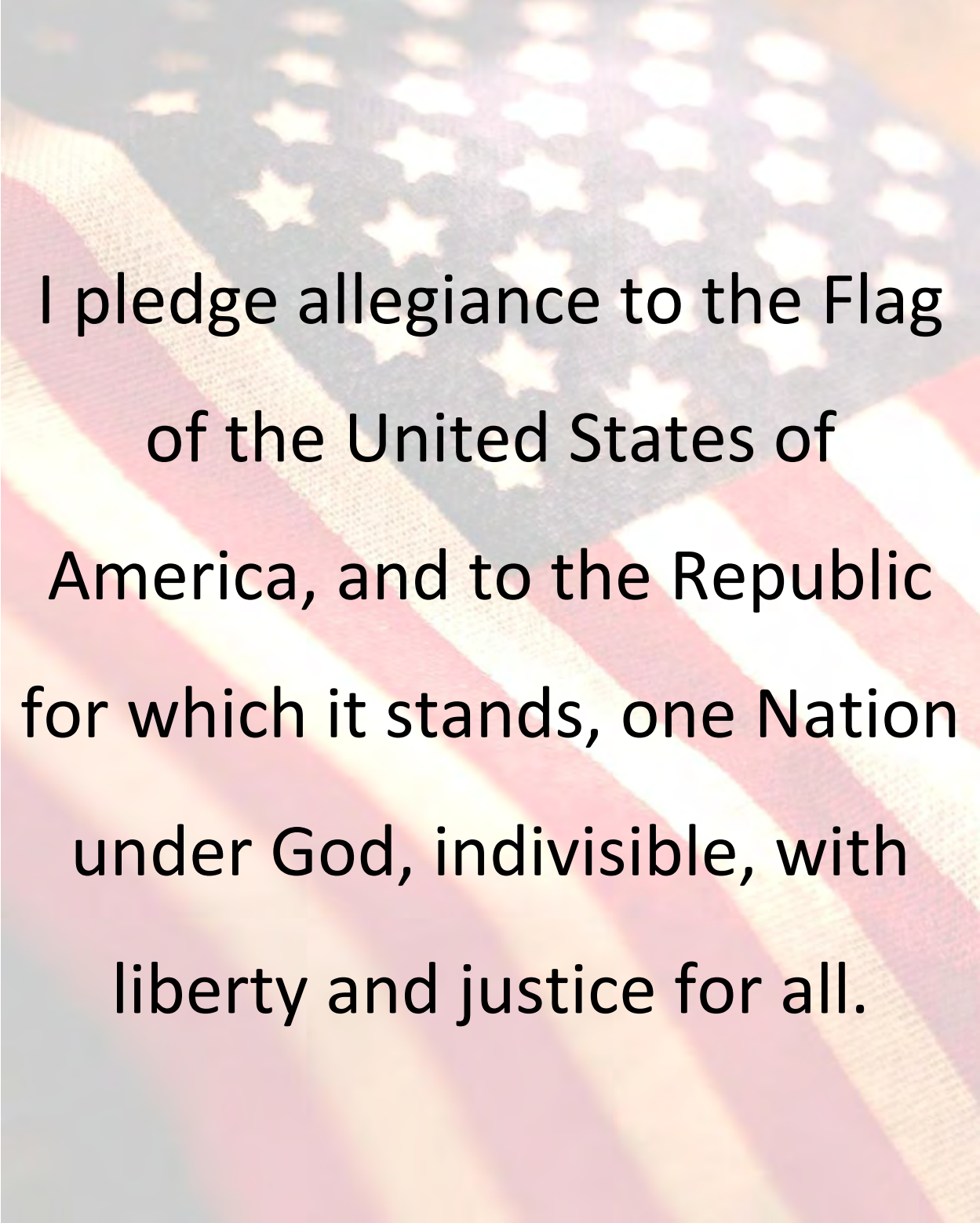
Barefoot Bay Recreation District Regular Meeting
Friday, May 12, 2017 at 1 P.M.
Building D&E

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 Participation
8. Unfinished Business
9. New Business
 - A. Shopping Center Proposed Lease
 - B. Transfer of Shopping Center Lease
 - C. DOR
 - i. 16-004202 836 Hawthorn Circle
 - ii. 16-004317 715 Barefoot Blvd.
 - iii. 16-004576 903 Wren Circle
 - D. Revised BOT Rules
 - E. Confirmation of Remaining 2017 BOT Meeting Dates
 - F. Definition of "Amenity"
 - G. Budget Transfer: Debt Service
 - H. Budget Transfer: Capital
 - I. Appointment to VC
 - J. Golf-Pro Shop Procedures Discussion
 - K. Stormwater Project Change Order #1
10. Manager's Report
11. Attorney's Report
12. Incidental Trustee Remarks
13. Adjournment

5/5/2017 If an individual decides to appeal any decision made by the Recreation District with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.



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

Roll Call

Trustees

Chairman - Mr. Diana

1st Vice Chair - Mr. Lavier

2nd Vice Chair – Mr. Cavaliere

Secretary - Mr. Klosky

Treasurer – Mr. Geier

Also Present

General Counsel- Cliff Repperger, Jr., Esq.

Community Manager - John W. Coffey

District Clerk - Dawn Myers

Approval of Minutes



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting

April 25, 2017

7 P.M. –Building D&E

Meeting Called to Order

The Barefoot Bay Recreation District held a Regular Meeting on April 25, 2017 in Building D&E, 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Diana called the meeting to order at 7:00 P.M.

Thought for the Day

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

Pledge of Allegiance to the Flag.

Roll Call

Present: Mr. Diana, Mr. Lavier, Mr. Cavaliere, Mr. Geier and Mr. Klosky. Also present: John W. Coffey, Community Manager, General Counsel Cliff Repperger and Sue Cuddie, Resident Relations Manager as Acting Recording Secretary. District Clerk, Dawn Myers was excused.

Presentations

None brought forward.

Minutes

Mr. Klosky made a motion to approve the minutes March 28, 2017. Second by Mr. Geier. Motion carried unanimously.

Treasurer's Report

Mr. Cavaliere presented the Treasurer's Report for April 25, 2017.

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

Audience comment on Agenda Items

Ms. Nancy Eisele reminded residents that the first Thursday in May is National Day of Prayer.

Old Business

Special District Services, Inc. Contract Extension

General Counsel Repperger explained that the proposed renewal agreement eliminates the breakdown of fee by year, and inputs a flat fee in for the next five fiscal years, thereby imposing a 2.5% increase each year. The fee includes all of the management services, with a reimbursable maximum addressed in the actual agreement.



BAREFOOT BAY RECREATION DISTRICT

Mr. Klosky made a motion to approve the contract extension. Second by Mr. Geier. Motion carried unanimously.

New Business

ARCC Promulgation of Rules

Ms. Cuddie explained the proposed changes presented by the ARCC, revising covering on fencing, allowing eight foot vinyl panels attached to carports only, and allowing prefabricated storage units adjacent to the home, removing the restriction that they are only allowed in carport or covered patio.

Mr. Klosky made a motion to approve the ARCC Promulgated Rules as presented. Second by Mr. Lavier. Motion carried unanimously.

Discussion of Sexual Offender & Predator Notification Requirement

Mr. Geier requested Board consensus to develop a letter to the Brevard County Board of Commissioners requesting approval to implement a resolution similar to the City of Palm Bay Ordinance 2005-60. The Palm Bay Ordinance requires any vendor employing sexual predators to reveal that information prior to entering a private home to perform any contractual work. Mr. Geier stated we could amend the DOR to prohibit but the penalty would be applied to the homeowner and not the vendor.

Mr. Geier made a motion to send a letter of request to the Brevard County Board of Commissioners requesting authorization to implement the requirement that all vendors doing work in Barefoot Bay reveal any employed sexual predators or offenders prior to entering the resident's home to perform any contractual work. Second by Mr. Klosky. Motion carried unanimously.

Adoption of Revised Policy Manual.

Mr. Coffey explained the changes to policy manual regarding commercial entities hosting catering events, the need to execute an indemnification agreement and changes to club registration.

- 3-4 (Part Three. General Rules Applicable to District Facilities, 3.4 Guidelines for Registering as a Club or Organization and Use of District Facilities, Use of Kitchen Facilities/Bringing in Incidental Food, page 3-22)
 - Added #11. All commercial entity hosted for-profit, revenue-based, food service special events, excluding outside commercial entity catering and/or simple food delivery for resident or club-hosted meetings or special events, are prohibited from being held in any District owned facilities.
 - Added #12. Any private commercial caterer and/or event planner providing food-related services for any resident or club-hosted meeting or special event, excluding simple food service delivery, shall be required to execute an indemnification and hold harmless agreement in favor of the District related to any food-related services provided.
- 3-4 (Part Three. General Rules Applicable to District Facilities, 3.4 Guidelines for Registering as a Club or Organization and Use of District Facilities, Registration of Clubs/Organizations/Private Parties, page 3-19)
 - Instructed staff to remove BOT approval from #1



BAREFOOT BAY RECREATION DISTRICT

- The Community Manager also recommends the insertion of the following language under #2(B)
 - Any club or organization having fewer than 3 meetings and/or events per year shall be de-certified.

General Counsel Repperger read the accompanying resolution.

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; PROVIDING FOR THE ADOPTION OF VARIOUS COMPREHENSIVE REVISIONS TO THE POLICY MANUAL ADOPTED MAY 8, 2009, AS SUBSEQUENTLY AMENDED THROUGH MARCH 28, 2017; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Lavier made a motion to approve the resolution to amend the Policy Manual as presented. Second by Mr. Klosky. Motion carried unanimously.

Summer Youth Program Discussion

The Property Services Recreation sub-department, has a current available FY17 Budget of \$2,660.50 in Resident Activities line-item that may be used for any summer youth programs upon the consent of the Board.

Mr. Rich Moran discussed his proposal for a youth summer program to include end of school year and back to school splash parties beginning on Wednesday, May 31, 2017 through August 23, 2017 from 5:30-7:30PM. He requested the Board waive the requirement for a social membership or guest pass during that time for children whose families have not purchased the required social membership to use district facilities. Mr. Moran proposed holding the weekly pool party at Pool 2. However, he asked that the Board grant permission to hold the first and the last event at Pool 1, which will be catered by 2002 Restaurant and include a live DJ with the final back to school party catered by the BBRD Food and Beverage department. Board agreed that the parties are a welcome addition to the summer events in Barefoot Bay.

Mr. Diana was in favor of all the youth events planned for the summer and stated that along with the summer splash parties, the summer softball camp and junior golf camps are a great way to keep our Barefoot Bay youth involved and active.

Mr. Klosky made a motion to approve the weekly events on Wednesday's at Pool 2. Second by Mr. Cavaliere. Discussion ensued. Mr. Klosky amended his motion to have the first and last parties at Pool 1, and the remaining events at pool 2. Motion carried unanimously.

Board of Trustees Meeting Dates Discussion

Mr. Coffey explained that the Board previously requested options for moving the dates that the District holds their regular Board of Trustees meetings. He offered alternate dates for the Board to consider.

Mr. Lavier made a motion to reduce the traditional two-meeting a month to meeting once a month. Second by Mr. Geier for discussion.

Mr. Jack Reddy voiced concern that one meeting a month could mean very long meetings.

Mr. Coffey recommended, upon approval of the Chairman, that a special meeting could be called if needed. Board consensus to call a special meeting as needed.



BAREFOOT BAY RECREATION DISTRICT

Ms. Lizzann Taylor suggested that the Board could have more workshops so they can discuss topics prior to meeting as a way to keep the one meeting a month at a reasonable length of time.

Ms. Louise Crouse expressed her opposition to one meeting a month, and voiced her concern for calling Special meetings while trying to maintain the posting requirement for public meeting agendas.

Ms. Nancy Eisele also expressed her opinion that the two-meeting month should not change.

General Counsel Repperger explained that we would need to change the Rules of Trustees and reminded the Board that Special meetings would require a seven-day notice. A Resolution will be required to change the BOT rules, which can be presented prior to the June 2017 start date.

Mr. Lavier made a motion to reduce the traditional two-meeting a month to meeting once a month. He amended the motion to include maintaining the current evening meeting day and time namely on the 4th Tuesday of the month at 7PM and beginning this June. Second by Mr. Geier. Mr. Diana and Mr. Cavaliere opposed. Motion carried 3-2.

Donation Request

Mr. Diana addressed the memorial request from Patricia Henry Beling for placement of a donated bench at Pool 3 in memory of her mother Suzanne R. Flynn.

Mr. Lavier made a motion to accept the memorial donation. Second by Mr. Klosky. Motion carried unanimously.

Discussion of Off-Season Use of Lawn Bowling Court for Croquet

Mr. Diana discussed his recommendation to use the Lawn Bowling Court for Croquet during the off season. Mr. Coffey explained that Staff has spoken to the ABM on-site superintendent about the proposed off-season use and he is amenable to it given the following circumstances:

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

Mr. Cavaliere made a motion to approve and accept the use of the lawn bowling courts for croquet during the off-season with ABM suggestions. Second by Mr. Lavier. Motion carried unanimously.

ARRC Appointment

Mr. Brian Belanger submitted a letter of interest for the open position of ARCC alternate.

Mr. Klosky made a motion to appoint Mr. Belanger to the open position. Second by Mr. Cavaliere. Motion carried unanimously.

Manager's Report

District Clerk

Upcoming BOT Workshops:



BAREFOOT BAY RECREATION DISTRICT

- FY18 WDPB Review: Thurs., 27Apr17, Bldg. D/E, 10am CANCELED
- FY18 WDPB Review: Tuesday 02May17, Bldg. D/E. 2:30pm
- FY18 WDPB Review: Thurs., 11May17, Bldg. D/E, 7pm (if needed)

Finance

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

Resident Relations

ARCC Update

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

Violations Committee Update:

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

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

Food & Beverage

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

2nd Annual Kentucky Derby Party Update – Location: the 19th Hole on 6May17 @ 5 p.m. No tickets required. Dress in your Derby best. There are prizes for Best Hat and Best Derby Dresser for both men & women. A mint julep drink special and derby food will be available for purchase.

Food & Beverage Staff Training Update – On the morning of Tuesday, 9May17, Food & Beverage staff will be attending a professional service training conducted by the hospitality group Service with Style. The vendor will also provide additional training for supervisors immediately following the staff training. The 19th Hole and the Lounge will open at noon on this day and notices are posted.

Golf-Pro Shop

May Tournament Updates:

- Martini League 9 –hole: Easter Bonnet Tournament was a huge success. They had 40 players, grand decorations, hats, food, and a great deal of laughs.
- Ace Wright's Ryder Cup Tournament: April 21 and 22nd
- HOA Fundraiser Golf and merchandise: April 29 @ 8:30 am shotgun

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

Special Projects Update:

- Attended GHIN training for recertification of the handicap software program



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

Property Services

Routine Work Update:

- Removed all damaged concrete by the bridge and replaced with sod
- Installed 2 new picnic tables in sodded area
- Constructed new office for the COP's in the BFBHOA Office
- Replaced several burned out lights on the tennis courts
- Repaired skirting on Building F
- Addressed roof leak in Building F
- Trained staff on implementing the new cell phone badge policy
- Ordered new signs for Resident Relations Office and the Beach
- Installed new Italian cypress trees along the lake side of the tennis courts and irrigation
- Replaced old damaged drainage next to sidewalk by horseshoe pits
- Scheduled Fire extinguisher training for all staff
- Mowed all current lot violations

Special Projects Update:

- Released building A roof replacement RFP (to be opened on 4May17)
- Developed draft Bldg. A Kitchen Expansion and Renovation Project RFP document.
- Obtained quotes for roof replacement on the 16th tee restroom
- Scheduled installation of new A/C in the 19th hole and walkway roof replacement
- Beach CPI Grant funded Projects Update:
 - Received copy of approved site plan permit from Brevard County
 - Staff is soliciting
 - Materials costs for the crushed concrete paths and parking phase
 - Educational sign costs and options
 - CCTV quotes
 - required "grant funded" signage requirements and cost
- Stormwater Projects Update:
 - Walked project sites with vendor
 - Met with multiple homeowners to discuss ways to mitigate impact to their properties from the project.
 - Received notification of the approved site plan permit for the stormwater projects



BAREFOOT BAY RECREATION DISTRICT

Received signed fully executed contract.

- Mobilization commenced today.
- Cell Phone Picture Badge Use Update – Per the recently revised Policy Manual, starting 01May17 residents can show a picture of their badge on their phone (under certain conditions) if they forget their physical badge.
- Pool #2 & #3 Smoking Sections Relocation Update – Effective 01May17 the smoking sections will be relocated outside the fence.

Attorneys Report

General Counsel Repperger explained that the Supervisor of Elections office has approved the final ballot changes with the use of an informational insert explaining the question. The ballot questions themselves will be in a simple “yes or no” format. He is still awaiting the final estimate for the mail out. The timeframe suggested by the Supervisors office for the mail out is on June 15th or 16th, with the latest possibility of an August 1st mail out date. He suggested that this will be close to the November municipal election, therefore, if not mailed out in June, it would have to wait until January 2018. It was the consensus of the Board to mail the ballot out in June.

General Counsel gave an update on the Guinther vs. BBRD lawsuit. A June 6th hearing date for a renewed motion for summary judgement has been set. The judge can then either, issue her own order, deny the motion or move forward for new information. If she does not rule on exception to bring case to resolution, the case may be moved to the June 12th trial dates.

He reported on the term limit changes, the item is in with a grouping of local bills. If it passes, the term limit change will go out with this year’s referendum election ballot.

Incidental Trustee Remarks

Mr. Cavaliere requested adding the following items to a future BOT agenda:

- Financing some of our larger expense items on our capital list
- A definition of what an amenity is

It was the consensus of the Board to put these items on the next agenda.

Audience Participation

Mr. Brian Belanger asked the Board if they could consider not scheduling the hours for junior golf on the same days as the summer softball camp. He voiced a concern for the very small children that are playing softball with the teens as he is afraid someone may get hurt.

Adjournment

The next meeting will be on May 12, 2017 at 1PM in Building D/E.

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

Meeting adjourned 8:17 PM.

Joe Klosky, Secretary

Dawn Myers, District Clerk

Treasurer's Report

Barefoot Bay Recreation District

Treasurer's Report

May 12, 2017

Cash Balances in General Fund

as of 5/3/2017

Bank of America:

Operating Account	\$	899,841.53
Money Market Account	\$	105,629.07

Total Cash Balances @BOA in General Fund: \$ 1,005,470.60

SBA:

as of 5/3/2017

Capital Improvement Account	\$	678,664.26
Reserve Account	\$	554,284.01

Total Cash Balances @SBA in General Fund: \$ 1,232,948.27

Total Cash Balances in General Fund: \$ 2,238,418.87

Cash Balance in Debt Fund

as of 5/3/2017

SBA:

Debt Account	\$	914,150.58
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Total Cash Balance in Debt Fund: \$ 914,150.58

* Participant Return for SBA in April 2017 was 1.10%

Total Cash Balances in All Funds: \$ 3,152,569.45

Total Daily Deposits and Assessments Rec'd (from County Only) from Apr 17 to Apr 30, 2017:

Daily deposits:	\$	85,568.02
Assessments received (from County only):	\$	-
	\$	85,568.02

Expenditures over \$5,000 from April 17 to April 30, 2017:

<u>Vendor</u>	<u>Description</u>	<u>Check Amount</u>
Employees	Employees Salaries and Wages 4/20/17	\$ 67,049.56
Federal and State Payroll Taxes	Employer Tax Liabilities 4/20/17	\$ 5,627.72
ABM Landscape & Turf Services	Golf course, softball field, lawn bowling	\$ 37,954.84
Gray Robinson	Legal Fees March 2017	\$ 16,252.32
Sysco Southeast Florida, LLC	19th Hole	\$ 6,179.64
Team Waterbuyr LLC	15% deposit for beach project	\$ 5,568.00
	Total of Expenditures over \$5,000	\$ 138,632.08

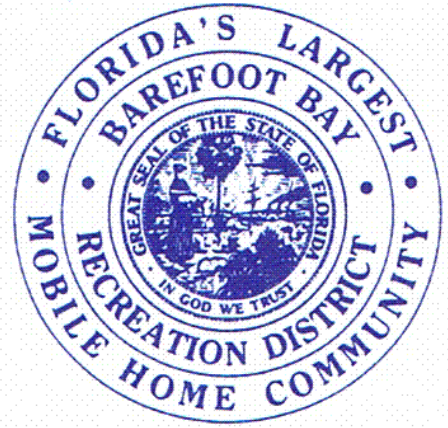
Audience Participation Agenda items only

Unfinished Business

New Business

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017
Title: Shopping Center Proposed Lease
Section & Item: 9A
Department: Resident Relations: Shopping Center
Fiscal Impact: Approximately \$11,900 annually for rent (at \$9 sq ft.), CAM and RE tax
Contact: Susan Cuddie, Resident Relations Manager
Attachments: Proposal to rent
Reviewed by
General Counsel: N/A
Approved by:



Requested Action by BOT

Consideration of lease proposal.

Background and Summary Information

- BBRD has an exclusive leasing agreement with Lightle Beckner Robison.
- Our agent has provided a proposal to rent the space located at 935 Barefoot Blvd Suite 2 to a florist. The term of the lease is for 39 months, with the first three months unpaid.

Staff requests direction from BOT regarding this proposal.



May 5, 2017

Barefoot Bay
966 Barefoot bay Suite G
Barefoot Bay FL

RE: Barefoot Shopping center

Dear Board members,

Per your request listed below please find a non-binding proposal for Lease space at Barefoot Bay Please review this proposal and see if it meets with your approval. We look forward to creating a Win-Win situation for all.

<i>SPACE:</i>	966 Barefoot Bay Suite G
<i>TENANT:</i>	Blissful Things (JENNIFER BLISS GARY)
<i>USE:</i>	<i>Floral Shop, retail shop and Classes</i>
<i>SIZE:</i>	+/- 1500 SF
<i>RENTAL RATE:</i>	\$9 A SQUARE FOOT PLUS CAM \$3.50 PSF
TERM OF LEASE	39 MONTH LEASE 36 MONTHES OF PAID RENT
FREE RENT:	90 Days
EFFECTIVE DATE:	JUNE 2017
TENANT IMPROVMENTS:	The tenant will be re-painting the space, New carpet and closing off some of the openings in the walls

Page 2

DEPOSIT: Equal to 1 month rent.

Board Members , once you have reviewed the information, please call me with any questions you may have. If you are in agreement with the foregoing, please sign herein I will present to Seller for his approval.

Best regards,

APPROVED this ____ day of MAY 2017

Brian Fernandez
Lightle Beckner Robison, Inc.

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017
Title: Transfer of Shopping Center Lease
Section & Item: 9B
Department: Resident Relations: Shopping Center
Fiscal Impact: N/A
Contact: Susan Cuddie, Resident Relations Manager
Attachments:

- Proposed Assignment of Lease,
- e-mail from prospective new tenant
- Registration of Fictitious Name
- Articles of Incorporation

Reviewed by
General Counsel: N/A
Approved by:



Requested action by the Board of Trustees

Consideration of assignment of Lease from Barefoot Bay Beauty Salon to Barefoot Bay Salon and Barber.

Background and Summary Information

- The Barefoot Bay Beauty Salon first opened in 1997
- The current owner, Joanne Morris assumed the lease in 2003.
- Ms. Morris has always been in good standing with Barefoot Bay.
- In November 2016, the Board approved an amendment to the lease for two additional 2 year periods. The first two year period will expire January 31, 2018.
- Ms. Morris is in the process of selling her business to Walter Schmidt for use as a Beauty Salon & Barber Shop

Staff recommends review of attached documents and consideration of the lease assignment.

Sue Cuddie

From: walter
Sent: Friday, April 28, 2017 1:20 PM
To: suecuddie@bbrd.org
Subject: Salon sale

Hi Sue,

This is Walter Schmidt, thanks for meeting with me earlier today. As you requested I am sending you a notice of use for the salon. I will not be changing anything physically to the space, all I will be doing is rearranging the existing equipment to allow for a new barber area to be created within the shop. The new area will offer any and all barber services to be completed by myself, a fully licensed Florida barber and new shop owner. License # BB8898261. As per our conversation Joanne and I now have concern over the possible offering of the sherrif's space, when it becomes available, to what would be a similar competing business. Moving forward I am requesting that a "non compete" clause, for hair related businesses, be added or amended into the new lease for the shop. Please inform the appropriate person(s) of my request and inform me of their approval, for the clause, as soon as possible.

Thank You,

Walter Schmidt

321-507-5691

walter3412267@hotmail.com

APPLICATION FOR REGISTRATION OF FICTITIOUS NAME

REGISTRATION# G17000048650

Fictitious Name to be Registered: BAREFOOT BAY SALON AND BARBER

Mailing Address of Business: 935 BAREFOOT BLVD
SUITE 3
BAREFOOT BAY, FL 32976

Florida County of Principal Place of Business: BREVARD

FEI Number:

FILED
May 03, 2017
Secretary of State

Owner(s) of Fictitious Name:

WALTER E SCHMIDT INC
935 BAREFOOT BLVD SUITE #3
BAREFOOT BAY, FL 32976 US
Florida Document Number: P17000037196
FEI Number: 82-1314409

I the undersigned, being an owner in the above fictitious name, certify that the information indicated on this form is true and accurate. I further certify that the fictitious name to be registered has been advertised at least once in a newspaper as defined in Chapter 50, Florida Statutes, in the county where the principal place of business is located. I understand that the electronic signature below shall have the same legal effect as if made under oath and I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s. 817.155, Florida Statutes.

WALTER E SCHMIDT

Electronic Signature(s)

05/03/2017

Date

Certificate of Status Requested ()

Certified Copy Requested ()

**Electronic Articles of Incorporation
For**

P17000037196
FILED
April 24, 2017
Sec. Of State
msolomon

WALTER E. SCHMIDT INC.

The undersigned incorporator, for the purpose of forming a Florida profit corporation, hereby adopts the following Articles of Incorporation:

Article I

The name of the corporation is:

WALTER E. SCHMIDT INC.

Article II

The principal place of business address:

935 BAREFOOT BLVD.
SUITE #3
BAREFOOT BAY, FL. US 32976

The mailing address of the corporation is:

935 BAREFOOT BLVD.
SUITE #3
BAREFOOT BAY, FL. US 32976

Article III

The purpose for which this corporation is organized is:

ANY AND ALL LAWFUL BUSINESS.

Article IV

The number of shares the corporation is authorized to issue is:

1

Article V

The name and Florida street address of the registered agent is:

WALTER E SCHMIDT
631 LUND CIR
MELBOURNE, FL. 32901

I certify that I am familiar with and accept the responsibilities of registered agent.

Registered Agent Signature: WALTER SCHMIDT

Certificate of Status

I certify from the records of this office that WALTER E. SCHMIDT INC. is a corporation organized under the laws of the State of Florida, filed electronically on April 24, 2017, effective April 24, 2017.

The document number of this corporation is P17000037196.

I further certify that said corporation has paid all fees due this office through December 31, 2017, and its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

I further certify that this is an electronically transmitted certificate authorized by section 15.16, Florida Statutes, and authenticated by the code noted below.

Authentication Code: 170425160125-900298380199#1

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this the
Twenty Fifth day of April, 2017



Ken Detzner
Ken Detzner
Secretary of State

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017

**Title: DOR Violation 16-004202
836 Hawthorn Circle**

Section & Item: 9C i

Department: Resident Relations: DOR Enforcement

Fiscal Impact: N//A

Contact: Susan Cuddie, Resident Relations Manager

Attachments: Violation Committee paperwork

Reviewed by
General Counsel: N/A

Approved by:



Requested Action by BOT

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.

Background and Summary Information

- The Violations Committee met on 02/10/2017 and found ARTICLE III, SECT. 3 (A) (B) (C) (D) (E) Vehicle Violations(Boats/Trailer/RV/Comm. Vehicles, Etc.) The respondent has been given until February 13, 2017 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.
- Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

Research:

There are no delinquent taxes on the property.
The home is occupied

Staff recommends the BOT approve the Violations Committee recommendation to pursue legal or equitable action, or other appropriate action for failure to comply.

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-004202

#0591/16-004202

KING, CHRISTOPHER L,
836 HAWTHORN CIR
BAREFOOT BAY, FL 32976

Respondent(s),

VIOLATIONS COMMITTEE FINDINGS OF FACT AND RECOMMENDED ORDER

AND

NOTICE OF DISTRICT HEARING

THIS CAUSE having come on for the public hearing before the Violations Committee on 02/10/2017 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) KING, CHRISTOPHER L, et. al. is/are the owner(s) of that certain parcel of real property located at 836 HAWTHORN CIRCLE , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE III, SECT. 3 (A) (B) (C) (D) (E), Parking of Vehicles (Boats/Trailer/RV/Comm. Vehicles), vehicle must be parked on concrete driveway

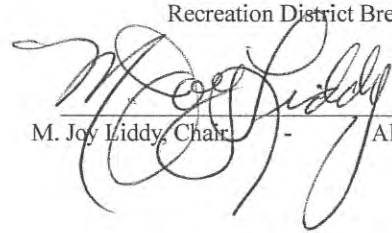
ORDER

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

1. Respondent(s) shall by February 13, 2017 come into compliance with the violation cited herein by vehicle must be parked on concrete driveway.
2. Should the Respondent(s) fail to comply with this Recommended Order by February 13, 2017 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 02/10/2017 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 **May 12, 2017** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.**

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

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

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

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

February 08, 2017

Deed of Restrictions STAFF



836 Hawthorn

Stephane Fecteau

Feb 02, 2017



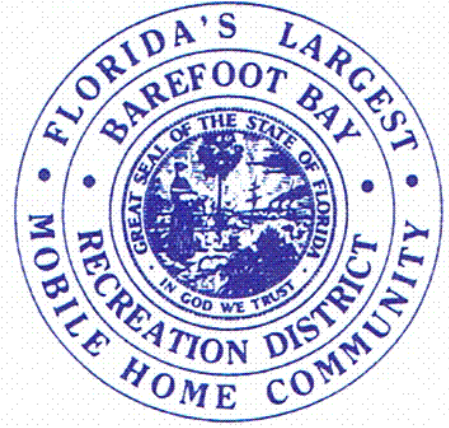
Photo: 836 Hawthorn

Date Taken: 10/29/2016
Address: 836 HAWTHORN CIRCLE

Taken by: Stephane Fecteau
Case Number: 16-004202

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017
Title: DOR Violation 16-004317
715 BAREFOOT BOULEVARD
Section & Item: 9C ii
Department: Resident Relations: DOR Enforcement
Fiscal Impact: N//A
Contact: Susan Cuddie, Resident Relations
Manager
Attachments: Violations Committee paperwork
Reviewed by
General Counsel: N/A
Approved by:



Requested Action by BOT

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.

Background and Summary Information

- The Violations Committee met on 02/10/2017 and found ARTICLE III, SECT. 3 (A) (B) (C) (D) (E) Vehicle Violations(Boats/Trailer/RV/Comm. Vehicles, Etc.) The respondent has been given until February 13, 2017 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.
- Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

Research:

- There are no delinquent taxes on the property.
- There are no liens on the property.
- Notices and correspondence were not returned.
- There has been contact with a responsible party of the property.
- The attorney currently has a case for unapproved items on this property.

Staff recommends the BOT approve the Violations Committee recommendation to pursue legal or equitable action, or other appropriate action for failure to comply.

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-004317

#0123/16-004317

CLARK, CHARLES LIFE ESTATE,
715 BAREFOOT BLVD
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 02/10/2017 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) CLARK, CHARLES LIFE ESTATE, et. al. is/are the owner(s) of that certain parcel of real property located at 715 BAREFOOT BOULEVARD , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE III, SECT. 3 (A) (B) (C) (D) (E), Parking of Vehicles (Boats/Trailer/RV/Comm. Vehicles), Vehicle must be parked on the concrete driveway

ORDER

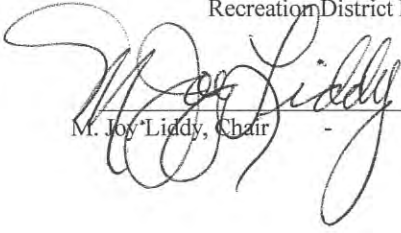
Based upon the foregoing finding of fact and recommended order, it is

ORDERED AND ADJUDGED THAT:

1. Respondent(s) shall by February 13, 2017 come into compliance with the violation cited herein by All vehicles must be parked on concrete driveway.
2. Should the Respondent(s) fail to comply with this Recommended Order by February 13, 2017 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 02/10/2017 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 **May 12, 2017** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.**

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

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

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

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

February 08, 2017
Deed of Restrictions STAFF



Photo: 715 BFB

Date Taken:04/18/2017

Address:715 BAREFOOT BOULEVARD

Taken by:Stephane Fecteau

Case Number:16-004317

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017
Title: **DOR Violation 16-004576**
903 WREN CIRCLE
Section & Item: 9C iii
Department: Resident Relations: DOR Enforcement
Fiscal Impact: N//A
Contact: Susan Cuddie, Resident Relations Manager
Attachments: Violations Committee paperwork
Reviewed by
General Counsel: N/A
Approved by:



Requested Action by BOT

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.

Background and Summary Information

- The Violations Committee met on 02/10/2017 and found ARTICLE II, SECT. 5 (A) (B) ADIR (Unapproved Fence) The respondent has been given until February 24, 2017 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.
- Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

Research:

- There are no delinquent taxes on the property.
- There are no liens on the property.
- Notices and correspondence have been sent but returned refused.

Staff recommends the BOT approve the Violations Committee recommendation to pursue legal or equitable action, or other appropriate action for failure to comply.

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-004576

#0810/16-004576

TURNER, JOHN V,

903 WREN 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 02/10/2017 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) TURNER, JOHN V, et. al. is/are the owner(s) of that certain parcel of real property located at 903 WREN CIRCLE , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE II, SECT. 5 (A) (B), ADIR (Unapproved Fence), illegal lattice (fence)

ORDER


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

ORDERED AND ADJUDGED THAT:

1. Respondent(s) shall by February 24, 2017 come into compliance with the violation cited herein by illegal lattice ARCC No permit.
2. Should the Respondent(s) fail to comply with this Recommended Order by February 24, 2017 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 02/10/2017 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 **May 12, 2017** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.**

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

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

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

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

February 08, 2017

Deed of Restrictions STAFF



903 Wren

Stephane Fecteau

Feb 02, 2017



Photo: 903 Wren

Date Taken:04/22/2017
Address:903 WREN CIRCLE

Taken by:Stephane Fecteau
Case Number:16-004576

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017

**Title: DOR Violation 16-004202
836 Hawthorn Circle**

Section & Item: 9C i

Department: Resident Relations: DOR Enforcement

Fiscal Impact: N//A

Contact: Susan Cuddie, Resident Relations Manager

Attachments: Violation Committee paperwork

Reviewed by

General Counsel: N/A

Approved by:



Requested Action by BOT

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.

Background and Summary Information

- The Violations Committee met on 02/10/2017 and found ARTICLE III, SECT. 3 (A) (B) (C) (D) (E) Vehicle Violations(Boats/Trailer/RV/Comm. Vehicles, Etc.) The respondent has been given until February 13, 2017 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.
- Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

Research:

There are no delinquent taxes on the property.
The home is occupied

Staff recommends the BOT approve the Violations Committee recommendation to pursue legal or equitable action, or other appropriate action for failure to comply.

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-004202

#0591/16-004202

KING, CHRISTOPHER L,
836 HAWTHORN CIR
BAREFOOT BAY, FL 32976

Respondent(s),

VIOLATIONS COMMITTEE FINDINGS OF FACT AND RECOMMENDED ORDER

AND

NOTICE OF DISTRICT HEARING

THIS CAUSE having come on for the public hearing before the Violations Committee on 02/10/2017 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) KING, CHRISTOPHER L, et. al. is/are the owner(s) of that certain parcel of real property located at 836 HAWTHORN CIRCLE , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE III, SECT. 3 (A) (B) (C) (D) (E), Parking of Vehicles (Boats/Trailer/RV/Comm. Vehicles), vehicle must be parked on concrete driveway

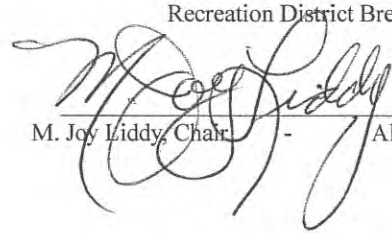
ORDER

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

1. Respondent(s) shall by February 13, 2017 come into compliance with the violation cited herein by vehicle must be parked on concrete driveway.
2. Should the Respondent(s) fail to comply with this Recommended Order by February 13, 2017 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 02/10/2017 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 **May 12, 2017** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.**

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

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

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

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

February 08, 2017

Deed of Restrictions STAFF



836 Hawthorn

Stephane Fecteau

Feb 02, 2017



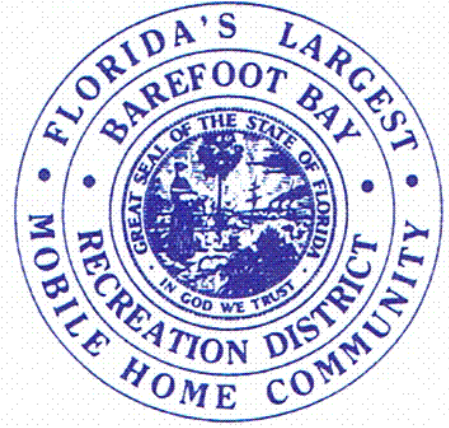
Photo: 836 Hawthorn

Date Taken: 10/29/2016
Address: 836 HAWTHORN CIRCLE

Taken by: Stephane Fecteau
Case Number: 16-004202

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017
Title: DOR Violation 16-004317
715 BAREFOOT BOULEVARD
Section & Item: 9C ii
Department: Resident Relations: DOR Enforcement
Fiscal Impact: N//A
Contact: Susan Cuddie, Resident Relations
Manager
Attachments: Violations Committee paperwork
Reviewed by
General Counsel: N/A
Approved by:



Requested Action by BOT

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.

Background and Summary Information

- The Violations Committee met on 02/10/2017 and found ARTICLE III, SECT. 3 (A) (B) (C) (D) (E) Vehicle Violations(Boats/Trailer/RV/Comm. Vehicles, Etc.) The respondent has been given until February 13, 2017 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.
- Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

Research:

- There are no delinquent taxes on the property.
- There are no liens on the property.
- Notices and correspondence were not returned.
- There has been contact with a responsible party of the property.
- The attorney currently has a case for unapproved items on this property.

Staff recommends the BOT approve the Violations Committee recommendation to pursue legal or equitable action, or other appropriate action for failure to comply.

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-004317

#0123/16-004317

CLARK, CHARLES LIFE ESTATE,
715 BAREFOOT BLVD
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 02/10/2017 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) CLARK, CHARLES LIFE ESTATE, et. al. is/are the owner(s) of that certain parcel of real property located at 715 BAREFOOT BOULEVARD , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE III, SECT. 3 (A) (B) (C) (D) (E), Parking of Vehicles (Boats/Trailer/RV/Comm. Vehicles), Vehicle must be parked on the concrete driveway

ORDER

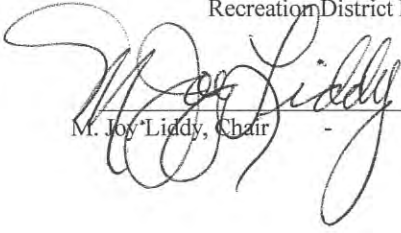
Based upon the foregoing finding of fact and recommended order, it is

ORDERED AND ADJUDGED THAT:

1. Respondent(s) shall by February 13, 2017 come into compliance with the violation cited herein by All vehicles must be parked on concrete driveway.
2. Should the Respondent(s) fail to comply with this Recommended Order by February 13, 2017 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 02/10/2017 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 **May 12, 2017** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.**

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

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

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

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

February 08, 2017
Deed of Restrictions STAFF



Photo: 715 BFB

Date Taken:04/18/2017

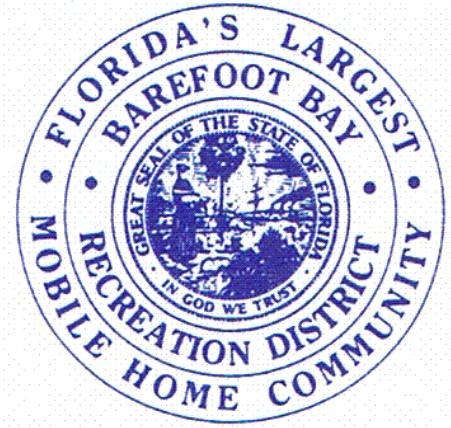
Address:715 BAREFOOT BOULEVARD

Taken by:Stephane Fecteau

Case Number:16-004317

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017
Title: **DOR Violation 16-004576**
903 WREN CIRCLE
Section & Item: 9C iii
Department: Resident Relations: DOR Enforcement
Fiscal Impact: N//A
Contact: Susan Cuddie, Resident Relations Manager
Attachments: Violations Committee paperwork
Reviewed by
General Counsel: N/A
Approved by:



Requested Action by BOT

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.

Background and Summary Information

- The Violations Committee met on 02/10/2017 and found ARTICLE II, SECT. 5 (A) (B) ADIR (Unapproved Fence) The respondent has been given until February 24, 2017 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.
- Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

Research:

- There are no delinquent taxes on the property.
- There are no liens on the property.
- Notices and correspondence have been sent but returned refused.

Staff recommends the BOT approve the Violations Committee recommendation to pursue legal or equitable action, or other appropriate action for failure to comply.

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 16-004576

#0810/16-004576

TURNER, JOHN V,

903 WREN 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 02/10/2017 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) TURNER, JOHN V, et. al. is/are the owner(s) of that certain parcel of real property located at 903 WREN CIRCLE , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE II, SECT. 5 (A) (B), ADIR (Unapproved Fence), illegal lattice (fence)

ORDER


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

ORDERED AND ADJUDGED THAT:

1. Respondent(s) shall by February 24, 2017 come into compliance with the violation cited herein by illegal lattice ARCC No permit.
2. Should the Respondent(s) fail to comply with this Recommended Order by February 24, 2017 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 02/10/2017 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 **May 12, 2017** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.**

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

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

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

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

February 08, 2017

Deed of Restrictions STAFF



903 Wren

Stephane Fecteau

Feb 02, 2017



Photo: 903 Wren

Date Taken:04/22/2017
Address:903 WREN CIRCLE

Taken by:Stephane Fecteau
Case Number:16-004576

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017
Title: **Revised Rules for the BOT**
Section & Item: 9D
Department: Administration: Office of District Clerk
Fiscal Impact: N/A
Contact: Dawn Myers, District Clerk or John W. Coffey, Community Manager
Attachments: Resolution and Revised Rules for the BOT
Reviewed by
General Counsel: N/A
Approved by:



Requested Action by BOT

Adoption of Resolution 2017-08 amending the *Rules for the BOT*.

Background and Summary Information

At the 25Apr17 BOT meeting, the BOT voted to eliminate the 2nd Friday regular meeting which is currently prescribed as a meeting date in the *Rules for the BOT*. Additionally, the BOT agreed to amend the process of calling a special meeting by the following procedure:

- Community Manager recommends holding a special meeting on a specific topic at a specific date and time to the BOT Chairman
- The BOT Chairman authorizes holding the meeting
- Staff advertises the meeting and publishes the agenda at least 7 calendar days in advance of the meeting.

The first two bullets above are incorporated into Exhibit A (Revised *Rules of the BOT*).

.

Staff recommends the BOT adopt resolution 2017-08 amending the *Rules for the BOT* as attached.

RESOLUTION 2017-08

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

WHEREAS, the Board of Trustees has previously adopted Resolution 2017-06 revising the Rules for the Board of Trustees in relation to the duties and roles of trustees of Barefoot Bay; and

WHEREAS , the Barefoot Bay Recreation District Board of Trustees discussed suggested revisions to Article IV Regular and Special Meetings and Article V Transaction of the Business by the Board, at a public meeting on March 28, 2017; and

WHEREAS, the Board of Trustees of Barefoot Bay Recreation District is desirous of amending the Rules of the Board of Trustees previously adopted and revised consistent with the revised version attached and incorporated hereto as Exhibit "A"

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

Section 1: The Rules for the Board of Trustees for Barefoot Bay Recreation District is hereby amended in accordance with Exhibit "A" attached and specifically incorporated hereto this Resolution.

Section 2: If any portion, clause, phrase, sentence or classification of this resolution is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the resolution; it is hereby declared to be the expressed opinion of the Trustees of the Barefoot Bay Recreation District that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this resolution did not induce its passage, and that without the inclusion of any such portion or portions of this resolution, the Trustees would have enacted the valid constitutional portions thereof.

Section 3. Conflict with other Provisions.

All resolutions or parts of resolutions in conflict herewith are hereby repealed and all resolutions or parts or resolutions not in conflict herewith are hereby continued in full force and effect.

Section 4. Effective Date.

The said Rules of the Board of Trustees appearing in Exhibit "A" of this Resolution shall take effect immediately upon adoption by the Board of Trustees. This Resolution shall become effective seven (7) days after adoption.

The foregoing resolution was moved for adoption by Trustee _____. The motion was seconded by Trustee _____ and, upon being put to a vote, that vote was as follows:

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

The Chairman thereupon declared this resolution duly passed and adopted this 12th day of May, 2017.

BAREFOOT BAY RECREATION DISTRICT

By: _____
STEVE DIANA, Chairman

Attest: _____
JOSEPH KLOSKY, Secretary

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 by the Chairman upon the recommendation of the Community Manager.

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 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.

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 member 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
- 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 referring 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

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 Participation
8. Unfinished Business
9. New Business
10. Community Manager's Report
11. Attorney's Report
12. Incidental Trustee Remarks
13. 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 staff 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: _____

STEVE DIANA,
Chairperson

JOSEPH KLOSKY,
Secretary

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017

Title: Confirmation of Remaining 2017 BOT Meeting dates

Section & Item: 9E

Department: Administration: Office of District Clerk

Fiscal Impact: N/A

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

Attachments: Calendar showing 4th Tuesday Meetings and Alternates

Reviewed by
General Counsel: N/A

Approved by:



Requested Action by BOT

Review of meeting dates and confirmation of remaining schedule for 2017

Background and Summary Information

At the 25Apr17 BOT meeting, the BOT voted to eliminate the 2nd Friday regular meeting which is currently prescribed as a meeting date in the Rules for the BOT. In reviewing the remaining 2017 BOT meeting dates, staff believes the BOT should consider the November and December meeting dates as the BOT has canceled the 4th Tuesday night meetings in these months the last three years.

Specifically, the 4th Tuesday in November falls after the Thanksgiving Day holiday but the 4th Tuesday in December falls on 26Dec17 which is a BBRD holiday for employees. Available alternate dates (for use of Bldg. D/E) are marked on the attachment and provided below if the BOT wishes to alter the current schedule:

November

- Tues., 28Nov17 at 7pm (regularly scheduled BOT meeting date and time)
- Thurs., 09Nov17 at 1pm (alternate)
- Thurs., 16Nov17 at 1pm (alternate)

December

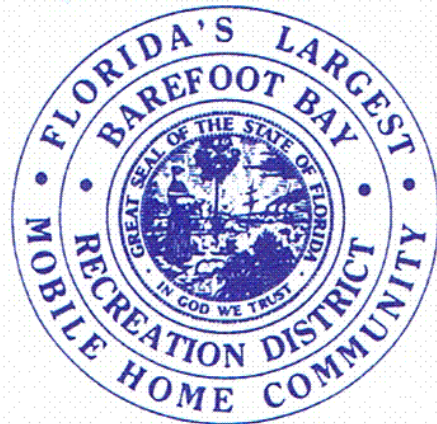
- Tues., 26Dec17 at 7pm (regularly scheduled BOT meeting date and time falling on a BBRD holiday)
- Fri., 8Dec17 at 1pm (alternate)
- Thurs., 21Dec17 at 1pm (alternate)
- Thurs., 28Dec17 at 7pm (alternate)

Staff recommends the BOT select meeting dates for November and December and confirm the remaining 2017 regular meeting schedule.

2016							2017							2018 Printfree.com Yearly Calendars						
January							February							March						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7				1	2	3	4				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25	19	20	21	22	23	24	25
29	30	31					26	27	28					26	27	28	29	30	31	
April							May							June						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1		1	2	3	4	5	6					1	2	3
2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10
9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
23 30	24	25	26	27	28	29	28	29	30	31				25	26	27 R	28	29	30	
July							August							September						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1			1	2	3	4	5						1	2
2	3	4	5	6	7	8	6	7	8	9	10	11	12	3	4	5	6	7	8	9
9	10	11	12	13	14	15	13	14	15	16	17	18	19	10	11	12	13	14	15	16
16	17	18	19	20	21	22	20	21	22 R	23	24	25	26	17	18	19	20	21	22	23
23 30	24 31	25 R	26	27	28	29	27	28	29	30	31			24	25	26 R	27	28	29	30
October							November							December						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7				1	2	3	4						1	2
8	9	10	11	12	13	14	5	6	7	8	9 A ₁	10	11	3	4	5	6	7	8 A ₁	9
15	16	17	18	19	20	21	12	13	14	15	16 A ₁	17	18	10	11	12	13	14	15 A ₁	16
22	23	24 R	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21 A ₁	22	23
29	30	31					26	27	28 R	29	30			24 31	25	26 R	27	28 A ₁	29 A ₂	30

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017
Title: Definition of "Amenity"
Section & Item: 9F
Department: Administration: Office of District Clerk
Fiscal Impact: N/A
Contact: Dawn Myers, District Clerk or John W. Coffey, Community Manager
Attachments: Various Definitions of "Amenity"
Reviewed by
General Counsel: N/A
Approved by:



Requested Action by BOT

Approval of the official BBRD definition of "Amenity" as related to the Policy Manual

Background and Summary Information

At the 25Apr17 BOT meeting, Trustee Cavaliere requested placement of this topic on this agenda. Historically, residents have debated whether Food & Beverage Department and the Golf-Pro Shop Department were amenities (that require an operating subsidy) or "break even or profit generating" departments. In 2014, the BOT voted (and confirmed in 2016) via the *F&B Principles of Operations* that the Food & Beverage Department was an amenity that required an operating subsidy so hours of operations in the summer could be maximized (as opposed to breaking even or generating a profit by having reduced days and hours of operations in the summer). During a workshop this year, the BOT reached a consensus that the Golf-Pro Shop Department was also an amenity.

Attached are several definitions of the word "amenity."

Staff requests the BOT define the word "amenity" so a future revision of the Policy Manual can be adjusted accordingly.

Attachment (definitions of “amenity”)

Black's Law Dictionary (source: <http://thelawdictionary.org/amenity/>)

In real property law. Such circumstances, In regard to situation, outlook, access to a water-course, or the like, as enhance the pleasantness or desirability of an estate for purposes of residence, or contribute to the pleasure and enjoyment of the occupants, rather than to their indispensable needs. In England, upon the building of a railway or the construction of other public works, “amenity damages” may be given for the defacement of pleasure grounds, the impairment of riparian rights, or other destruction of or injury to the amenities of the estate. In the law of easements, an “amenity” consists in restraining the owner from doing that with and on his property which, but for the grant or covenant, he might lawfully have done; sometimes called a “negative easement” as distinguished from that class of easements which compel the owner to suffer something to be done on his property by another. *Equitable Life Assur. Soc. v. Bren- nan* (Sup.) 24 N. Y. Supp. 788

Merriam-Webster Dictionary (source: <https://www.merriam-webster.com/dictionary/amenity>)

1. Something that helps to provide comfort, convenience, or enjoyment hotels with modern amenities providing residents with the basic amenities
2. Usually amenities: something (such as a conventional social gesture) that promotes smoothness or pleasantness in social relationships maintaining social amenities
3. a: The quality of being pleasant or agreeable
b: (1) The attractiveness and value of real estate or of a residential structure (2) a feature conducive to such attractiveness and value

Cambridge Dictionary (source: <http://dictionary.cambridge.org/dictionary/english/amenity>)

Something, such as a swimming pool or shopping centre, that is intended to make life more pleasant or comfortable for the people in a town, hotel, or other place

Investopedia (source: <http://www.investopedia.com/terms/a/amenity.asp#ixzz4fqMHolXo>)

Benefits of a property whose existence increase the value or desirability of that property. An amenity can be either tangible, such as a swimming pool or gym, or intangible, such as proximity to a local school or supermarket.

The Free Dictionary (source: <http://www.thefreedictionary.com/amenity>)

1. The quality of being pleasant or attractive; agreeableness: "Everything in her surroundings ministered to feelings of ease and amenity" (Edith Wharton).
2. Something that contributes to physical or material comfort: amenities offered by the hotel.
3. A feature that increases attractiveness or value, especially of a piece of real estate or a geographic location.
4. Amenities: Social courtesies.

MacMillan Dictionary (source: <http://www.macmillandictionary.com/dictionary/british/amenity>)

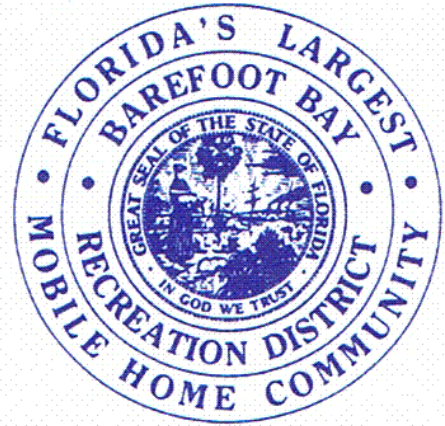
Something that makes it comfortable or enjoyable to live or work somewhere

Webster's 1913 Dictionary (source: <http://www.webster-dictionary.org/definition/amenity>)

The quality of being pleasant or agreeable, whether in respect to situation, climate, manners, or disposition; pleasantness; civility; suavity; gentleness.

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017
Title: **FY17 Transfer from SBA Debt Account to Operating Account and Resolution**
Section & Item: 9G
Department: Administration: Finance
Fiscal Impact: N/A
Contact: Kimi Cheng, Finance Manager
Attachments: Resolution and Invoices
Reviewed by
General Counsel: N/A
Approved by:



Requested Action by BOT

Approval of Resolution and Transfer of Fund from SBA Debt Account

Background and Summary Information

The following debt payments were made in December 2016 and January 2017 from BBRD Operating Account:

- Obligation #18: \$711,125.04
- Obligation #265: \$60,064.97
- Swap: \$28,033.01

Total of FY17 debt payments was \$799,223.02

The current SBA Debt Account balance is \$914,150.58 as of May 3, 2017.

Since BBRD already made its last debt payment in January 2017, staff recommends the BOT to transfer the remaining balance from SBA Debt Account (\$914,150.58 as of 5/3/17) to BBRD Operating Account, close out SBA Debt Account and approve the accompanying Resolution.

RESOLUTION 2017 -

**A RESOLUTION OF THE BOARD OF TRUSTEES OF
THE BAREFOOT BAY RECREATION DISTRICT;
AUTHORIZING THE TRANSFER OF REMAINING
BALANCE FROM THE DISTRICT'S STATE BOARD OF
ADMINISTRATION DEBT ACCOUNT TO THE
DISTRICT'S OPERATING ACCOUNT; PROVIDING FOR
CONFLICTS; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, The Barefoot Bay Recreation District Board of Trustees has recognized that the District made its final payments to Obligation #18 in the amount of \$711,125.04, Obligation #265 in the amount of \$60,064.97 and Swap in the amount of \$28,033.01 in December 2016 and January 2017; and

WHEREAS, The Barefoot Bay Recreation District Board of Trustees has desired to close State Board of Administration (SBA) Debt Account for the reason of the Obligations being paid in full; and

WHEREAS, The Barefoot Bay Recreation District maintains State Board of Administration (SBA) Debt Account, which has a balance of Nine Hundred Fourteen Thousand, One Hundred Fifty Dollars and 58/100 cents (\$914,150.58) as of May 3, 2017; and

WHEREAS, on May 12, 2017 the Board of Trustees considered to transfer all remaining balance from SBA Debt Account to Operating Account and directed that such transfer be approved by Resolution.

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

Section 1. A transfer all remaining balance from SBA Debt Account to the District's Operating Account.

Section 2. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed

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

The foregoing resolution was moved for adoption by Trustee _____. The motion was seconded by Trustee _____ and, upon being put to a vote, that vote was as follows:

Chairman Steve Diana
Trustee Brian Lavier
Trustee Joseph Klosky
Trustee Frank Cavaliere
Trustee Edward Geier

The Chairman thereupon declared this resolution Done, Ordered, and Adopted this 12th Day of May, 2017.

BAREFOOT BAY RECREATION DISTRICT


By: _____
STEVE DIANA
CHAIRMAN

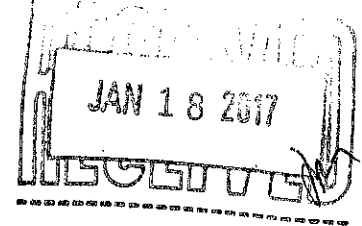
JOSEPH KLOSKY
SECRETARY

SUMMARY

Obligation(s)	0000000018	Due	Past Due	This Period	Total Due	Amount Enclosed
Statement Date:	01/11/17	Principal	0.00	695,892.89	695,892.89	
Due Date:	01/31/17	Total	0.00	695,892.89	695,892.89	


 BAREFOOT BAY RECREATION
 DISTRICT
 ATTN KIMI CHENG FINANCE MGR
 625 BAREFOOT BLVD
 Barefoot Bay, FL 32976-7305


 BANK OF AMERICA NA
 P O BOX 660576
 DALLAS TX 75266-0576



!10003219735117100027290131170069589289320000713

Please detach and return top portion with payment by JANUARY 31, 2017.

IMPORTANT INFORMATION

Access your eligible loan information online, at no charge.
 Qualified Small Business Online Banking users, click on the loan link from your Overview page.
 For information on qualification through CashPro Online, contact your bank representative.
 A late fee will be assessed in accordance with the terms of your note if full payment is not made promptly.
 Excess payment amounts will be applied to your principal balance.

ACTIVITY SINCE YOUR LAST STATEMENT

BAREFOOT BAY RECREATION					Due Date	Total Due
					01/31/17	695,892.89
OBLIGATION NO.	RATE	NOTE DATE	ORIG/RENEWAL AMOUNT	MATURITY	<p> <i>Obligation 18, By bank payment 2017.</i> <i>001 - BOB 510710-06</i> <i>gelo.</i> <i>Jan 18 Jan 17</i> </p>	
18	2.345	12/30/96	8,370,500.00	01/31/17		
Date	Transaction Description		Activity	Balance		
	Starting Balance			1,351,466.89		
01/21/16	Principal Payment		655,574.00-	695,892.89		
01/31/17	Principal Due		695,892.89			
	PAST DUE	THIS PERIOD	TOTAL DUE			
PRINCIPAL	0.00	695,892.89	695,892.89			
TOTAL	0.00	695,892.89	695,892.89			

ENTERED

BANK OF AMERICA NA
 P O BOX 660576
 DALLAS TX 75266-0576

SUMMARY

Obligation(s)	0000000018
Statement Date:	01/11/17
Due Date:	01/31/17

Due	Past Due	This Period	Total Due
Interest	0.00	15,232.15	15,232.15
Total	0.00	15,232.15	15,232.15

Amount
Enclosed



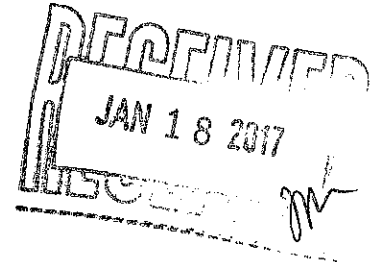
BAREFOOT BAY RECREATION
DISTRICT
ATTN KIMI CHENG FINANCE MGR
625 BAREFOOT BLVD
Barefoot Bay, FL 32976-7305



BANK OF AMERICA NA
P O BOX 660576
DALLAS TX 75266-0576



310003219735117100027280131170001523215320000113



Please detach and return top portion with payment by JANUARY 31, 2017.

IMPORTANT INFORMATION

- Access your eligible loan information online, at no charge.
- Qualified Small Business Online Banking users, click on the loan link from your Overview page. For information on qualification through CashPro Online, contact your bank representative.
- A late fee will be assessed in accordance with the terms of your note if full payment is not made promptly.
- Excess payment amounts will be applied to your principal balance.

ACTIVITY SINCE YOUR LAST STATEMENT

BAREFOOT BAY RECREATION				Due Date	Total Due
				01/31/17	15,232.15
OBLIGATION NO.	RATE	NOTE DATE	ORIG/RENEWAL AMOUNT	MATURITY	
18	2.345	12/30/96	8,370,500.00	01/31/17	
Date	Transaction Description		Activity	Balance	
	Starting Balance			1,351,466.89	
	Previous Interest Due		27,950.88		
12/16/15	Rate Chg - 2.18925000				
01/21/16	Principal Payment		655,574.00-	695,892.89	
01/21/16	Interest Payment		27,950.88-		
ADJUST	Prior Principal Actvty		398.67-		
	Int 319 days @ 2.1892		13,499.75		
12/15/16	Rate Chg - 2.34562500				
	Int 017 days @ 2.3456		770.81		
	Int 030 days @ 2.3456		1,360.26		
	PAST DUE	THIS PERIOD	TOTAL DUE		
INTEREST	0.00	15,232.15	15,232.15		
TOTAL	0.00	15,232.15	15,232.15		

obrigation 18, By bank
payment 2017

001 1300 510700 06

18 Jan 17 jlb.

ENTERED
01/18/17

obligation 18, By bank
payment 2017

001 1380 510720 06

18 Jan 17

llb.

ENTERED
01/18/17

BANK OF AMERICA NA
P O BOX 660576
DALLAS TX 75266-0576

SUMMARY

Obligation(s)	0000000265	Due	Past Due	This Period	Total Due	Amount Enclosed
Statement Date:	12/11/16	Principal	0.00	58,768.86	58,768.86	
Due Date:	12/30/16	Interest	0.00	1,296.11	1,296.11	
		Total	0.00	60,064.97	60,064.97	



BAREFOOT BAY RECREATION
DISTRICT
ATTN KIMI CHENG FINANCE MGR
625 BAREFOOT BLVD
Barefoot Bay, FL 32976-7305



BANK OF AMERICA NA
P O BOX 660576
DALLAS TX 75266-0576



210003219735116101283131230160006006497320000113

Please detach and return top portion with payment by DECEMBER 30, 2016.

IMPORTANT INFORMATION

- Access your eligible loan information online, at no charge. Qualified Small Business Online Banking users, click on the loan link from your Overview page. For information on qualification through CashPro Online, contact your bank representative.
- A late fee will be assessed in accordance with the terms of your note if full payment is not made promptly.
- Excess payment amounts will be applied to your principal balance.

ACTIVITY SINCE YOUR LAST STATEMENT

BAREFOOT BAY RECREATION				Due Date 12/30/16	Total Due 60,064.97
OBLIGATION NO. 265	RATE 2.189	NOTE DATE 09/07/01	ORIG/RENEWAL AMOUNT 500,000.00	MATURITY 12/30/16	
Date	Transaction Description		Activity	Balance	
	Starting Balance			101,256.76	
12/16/15	Rate Chg - 2.18925000				
12/23/15	Principal Payment		42,487.90-	58,768.86	
12/23/15	Interest Payment		2,073.27-		
ADJUST	Prior Prin/Rate Actvty		11.93-		
	Int 002 days @ 2.1892		7.15		
	Int 364 days @ 2.1892		1,300.89		
12/30/16	Principal Due		58,768.86		
	PAST DUE	THIS PERIOD		TOTAL DUE	
PRINCIPAL	0.00	58,768.86		58,768.86	
INTEREST	0.00	1,296.11		1,296.11	
TOTAL	0.00	60,064.97		60,064.97	

BANK OF AMERICA NA
P O BOX 660576
DALLAS TX 75266-0576

Bank of America, N.A.

DERIVATIVES TRADE SUPPORT
 200 N College St
 Charlotte NC, 28255

30JAN17 14:37:34 GMT

TO: Barefoot Bay Recreation District
 625 Barefoot Bay Boulevard
 Barefoot Bay
 Florida
 329769233
 United States

ATTN: Kimi Cheng
 TEL: 772 664 3141
 FAX: 772 664 1928

Type of Transaction - **FIXED/FLOAT SWAP**
 Trade Date - 31OCT96
 Effective Date - 31JAN97
 Maturity Date - 31JAN17

Please be advised of the following interest rate swap payment, all rates are inclusive of Spread where applicable, period interest may also reflect notional adjustment amounts:

Start Date	End Date	Day Count	Rate Index	Interest Rate	Effective Notional	Period Interest
29JAN16	31JAN17	368/360	USD-FIXED	6.15000	USD695,893.00	43,748.47
29JAN16	31JAN17	368/360	USD-Prime-H.15	2.20922	USD695,893.00	(15,715.46)

Barefoot Bay Recreation District will pay USD 28,033.01 value 31JAN17 to

We will debit your account.

Bank : BANK OF AMERICA, N.A., FL

Account Name : BAREFOOT BAY RECREATION DISTRICT, BAREFOOT BAY, FL

Account Number :

Best Regards,
 Global FX and Derivative Operations
 Bank of America, N.A.

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017

Title: General Fund Transfer from SBA CIP Account to Operating Account and Resolution

Section & Item: 9H

Department: Administration: Finance

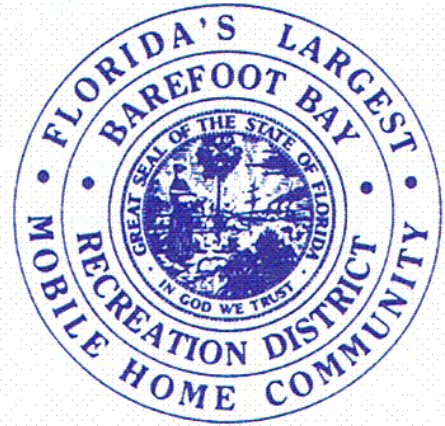
Fiscal Impact: N/A

Contact: Kimi Cheng, Finance Manager

Attachments: Resolution; Oct 2016-Mar 2017
Statement of Expenditures for Capital Department

Reviewed by
General Counsel: N/A

Approved by:



Requested Action by BOT

Approval of Resolution and Transfer of Fund from SBA CIP Account

Background and Summary Information

The following is a list of Remaining Balance for Capital Improvement Projects after FY17 2nd Quarter:

Contingency	82,000.00
Removal of Undesirable Homes	10,668.68
Replace Damaged Concrete	41,715.00
Replace 19th Hole Tables and Chairs	3,644.13
Shuffleboard Concrete/Curbs (Grant)	352.65
Shuffleboard/Bocce Benches & Covers	20,500.00
Comm. Ctr. Projs: Replace 4 Bocce Ball Courts (Grant)	7,500.00
Beach Project Ph.2 (Grant)	71,460.45
Upgrade Elec. Infrast. in Bldg. A FY17	76,474.05
Replace Pit at Pool 2	40,000.00
Replace Roof on Bldg. A	60,000.00
Misc. F&B Equipment	1,279.90
Replace P.S. Dump Truck (used)	55,000.00
Replace P.S. Golf Cart (2011)	898.55
Bleachers for Softball Field (2)	780.75
Golf Course Drainage (1,345 linear ft.)	16,500.00
Restoration of Golf Course Bunkers Ph. 2	30,000.00
Hi-Def CCTV Cameras	11,273.32
Upgrade Golf Cart Parking Area (Lounge) to Crushed Concrete	11,000.00
Long-term Records Storage Unit	5,500.00
Golf Course Pump House	60,000.00

Total Remaining Balance for Capital Improvement Projects is \$606,547.48.
As of 5/3/17, the SBA CIP Account has a balance of \$678,664.26.

On 3/28/17 BOT meeting, the Board approved the Revised Policy Manual, which eliminated the SBA Capital Improvement Account.

Staff recommends the BOT transfer the remaining balance from SBA Capital Improvement Account (\$678,664.26 as of 5/3/17) to BBRD Operating Account, approve to close out SBA Capital Improvement Account and approve the accompanying Resolution.

Staff will continue utilizing current accounting software to keep track of R&M/Capital Projects expenditures and Committed Fund Balance for CIP.

RESOLUTION 2017 -

**A RESOLUTION OF THE BOARD OF TRUSTEES OF
THE BAREFOOT BAY RECREATION DISTRICT;
AUTHORIZING THE TRANSFER OF REMAINING
BALANCE FROM THE DISTRICT'S STATE BOARD OF
ADMINISTRATION CAPITAL IMPROVEMENT
ACCOUNT TO THE DISTRICT'S OPERATING
ACCOUNT; PROVIDING FOR CONFLICTS; PROVIDING
AN EFFECTIVE DATE.**

WHEREAS, The Barefoot Bay Recreation District Board of Trustees has approved and adopted Resolution 2017-05 for Revised Policy Manual on March 28, 2017 Board of Trustees Meeting to eliminate State Board of Administration (SBA) Capital Improvement Account; and

WHEREAS, The Barefoot Bay Recreation District Board of Trustees has recognized the following list for Committed Fund Balance – CIP:

Contingency	82,000.00
Removal of Undesirable Homes	10,668.68
Replace Damaged Concrete	41,715.00
Replace 19 th Hole Tables and Chairs	3,644.13
Shuffleboard Concrete/Curbs (Grant)	352.65
Shuffleboard/Bocce Benches & Covers	20,500.00
Comm. Ctr. Projs: Replace 4 Bocce Ball Courts (Grant)	7,500.00
Beach Project Ph.2 (Grant)	71,460.45
Upgrade Elec. Infrast. in Bldg. A FY17	76,474.05
Replace Pit at Pool 2	40,000.00
Replace Roof on Bldg. A	60,000.00
Misc. F&B Equipment	1,279.90
Replace P.S. Dump Truck (used)	55,000.00
Replace P.S. Golf Cart (2011)	898.55
Bleachers for Softball Field (2)	780.75
Golf Course Drainage (1,345 linear ft.)	16,500.00
Restoration of Golf Course Bunkers Ph. 2	30,000.00
Hi-Def CCTV Cameras	11,273.32
Upgrade Golf Cart Parking Area (Lounge) to Crushed Concrete	11,000.00
Long-term Records Storage Unit	5,500.00
Golf Course Pump House	60,000.00

The total for CFB-CIP is \$606,547.48; and

WHEREAS, The Barefoot Bay Recreation District maintains State Board of Administration (SBA) Capital Improvement Account, which has a balance of Six Hundred Seventy Eight Thousand, Six Hundred Sixty Four Dollars and 26/100 cents (\$678,664.26) as of May 3, 2017; and

WHEREAS, on May 12, 2017 the Board of Trustees considered to transfer all remaining balance from SBA Capital Improvement Account to Operating Account and directed that such transfer be approved by Resolution.

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

Section 1. A transfer all remaining balance from SBA Capital Improvement Account to the District's Operating Account.

Section 2. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed

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

The foregoing resolution was moved for adoption by Trustee _____. The motion was seconded by Trustee _____ and, upon being put to a vote, that vote was as follows:

Chairman Steve Diana
Trustee Brian Lavier
Trustee Joseph Klosky
Trustee Frank Cavaliere
Trustee Edward Geier

The Chairman thereupon declared this resolution Done, Ordered, and Adopted this 12th Day of May, 2017.

BAREFOOT BAY RECREATION DISTRICT

By: _____
STEVE DIANA
CHAIRMAN

JOSEPH KLOSKY
SECRETARY

Barefoot Bay Recreation District
Statement of Revenues and Expenditures
From 10/1/2016 Through 3/31/2017

R&M/Capital Projects

	Current Period Actual	Total Budget Original	TTL Budget Revised	Balance Remaining
Expenditures				
Contingency	0.00	82,000.00	82,000.00	82,000.00
Removal of Undesirable Homes	0.00	10,000.00	10,668.68	10,668.68
Replace Damaged Concrete	0.00	25,000.00	41,715.00	41,715.00
Replace 19th Hole Tables and Chairs	8,355.87	12,000.00	12,000.00	3,644.13
Shuffleboard Concrete/Curbs (Grant)	14,647.35	6,500.00	15,000.00	352.65
Shuffleboard/Bocce Benches & Covers	0.00	21,500.00	20,500.00	20,500.00
Bldg. A Sound System Upgrade	4,744.49	0.00	0.00	0.00
Comm. Ctr. Projs: Replace 4 Bocce Ball Courts (Grant)	0.00	15,000.00	7,500.00	7,500.00
Building F Replacement	8,308.15	0.00	3,590.54	0.00
Beach Project Ph.2 (Grant)	3,539.55	75,000.00	75,000.00	71,460.45
Upgrade Elec. Infrast. in Bldg. A FY17	0.00	70,000.00	76,474.05	76,474.05
Replace Pit at Pool 2	0.00	40,000.00	40,000.00	40,000.00
Replace Roof on Bldg. A	0.00	60,000.00	60,000.00	60,000.00
Misc. F&B Equipment	8,220.10	9,500.00	9,500.00	1,279.90
Replace P.S. Dump Truck (used)	0.00	55,000.00	55,000.00	55,000.00
Replace P.S. Golf Cart (2011)	8,101.45	9,000.00	9,000.00	898.55
Bleachers for Softball Field (2)	5,219.25	6,000.00	6,000.00	780.75
Golf Course Drainage (1,345 linear ft.)	0.00	16,500.00	16,500.00	16,500.00
Restoration of Golf Course Bunkers Ph. 2	0.00	30,000.00	30,000.00	30,000.00
Hi-Def CCTV Cameras	13,726.68	25,000.00	25,000.00	11,273.32
Upgrade Golf Cart Parking Area (Lounge) to Crushed Concrete	0.00	11,000.00	11,000.00	11,000.00
Long-term Records Storage Unit	0.00	5,500.00	5,500.00	5,500.00
Golf Course Pump House	0.00	60,000.00	60,000.00	60,000.00
Replacement of Golf Course Irrigation Control Unit	11,806.40	0.00	11,806.40	0.00
Replacement of 19th Hole Floor FY17	8,247.50	0.00	4,773.83	0.00
Replacement of Awnings at Lounge	7,615.00	0.00	0.00	0.00
Total Expenditures	<u>102,531.79</u>	<u>644,500.00</u>	<u>688,528.50</u>	<u>606,547.48</u>

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017

Title: Violations Committee Member Appointment

Section & Item: 9I

Department: Resident Relations: DOR Enforcement

Fiscal Impact: N//A

Contact: Susan Cuddie, Resident Relations Manager

Attachments: Roster of Violations Committee Members

Reviewed by
General Counsel: N/A

Approved by:



Requested Action by BOT

Consideration of two candidates to fill an expired 3 year term of current Violations Committee member:

1. Reappointment of current Violations Committee member Mary Firlein. Mary has requested that she is reappointed to her position, which she has held since April 2005.
2. Appointment of applicant Hurrol Brinker

Background and Summary Information

- Resolution 2008-1 Section 3 - Violations Committee (d) The Board shall appoint the members of the Violations Committee and the appointments shall be made for a term of three years.
- Resolution 2010-18 amending Resolution 2008-1 Section 3(f) A member of the Violations Committee may be reappointed upon approval of the Board of Trustees.

Staff recommends the BOT appoint one of the two candidates to fill the open Violations Committee position.

Violations Committee, Mailing list and Member Reappointment and Expiration schedules

- **M. Joy Liddy, Chair**
412 Papaya Circle
Barefoot Bay, FL 32976
sunshinerents@gmail.com
664-8470 home - 664-4411wk
Appoint Date: **2/8/06**
Reappointed retro 2/8/09
2nd term ends 2/8/12
3rd term ends 2/8/15
4th term ends 2/8/18
- **John Atta, 2nd Vice Chair**
1213 Apache Drive
Barefoot Bay, FL 32976
jjatta84@att.net
664-5021 home
Appoint Date: **9/12/07**
2nd term 9/12/10 ends 9/12/13
3rd term 9/12/13 ends 9/12/16
4th term 9/12/16 to 9/12/19
- **Arlene Maguire**
712 Amaryllis Drive
Barefoot Bay, FL 32976
arlenejm@yahoo.com
663-1617 home
828-301-3483
Appoint Date: **10/11/06**
Reappointed retro 10/11/09
2nd term ends 10/11/12
3rd term ends 10/11/15
4th term ends 10/11/18
- **Mary Firlein**
639 Marlin Circle
Barefoot Bay, FL 32976
MaryDFirlein@hotmail.com
663-3326 home
Appoint Date: **4/13/05**
Reappointed retro 4/13/08
1st term ends 4/13/11
Reappointed 4/8/11
2nd term ends 4/8/14
3rd term ends 5/9/17
- **Albert O. Grunow, Vice Chair**
484 Marlin Circle
Barefoot Bay, FL 32976
AlGrunow@aol.com
228-3000 c. 321-544-6061
Appoint Date: Alternate– **6/23/15**
1st term ends 6/23/18
- **Ed Dunham “Alternate”**
843 Hyacinth Circle
Barefoot Bay, FL 32976
(no email)
772-388-7055
Appoint Date: **7/28/15**
1st term ends: 7/28/18
- **Beverly Charette “Alternate”**
621 Bougainvillea Circle
Barefoot Bay, FL 32976
401-261-1390
Bellaferm18@aol.com
Appoint Date: 3/10/17
1st term ends 3/10/20
- **Joe Klosky, Trustee, DOR Enforcement**
ARCC Chairperson – **664-3324**
JKlosky@bbrd.org
- **Sue Cuddie, Resident Relations Mgr. 664-4839**
SusanCuddie@bbrd.org
- **Thomas O'Donnell, Officer 664-4722**
Todonnell@bbrd.org
- **Rich Armington, Officer 664-4722**
RichArmington@bbrd.org
- **Stefane Facticeau, Officer 664-4722**
Stefanefacticeau@bbrd.org
- **Thelma Gruseck, Officer/Admin. Clerk**
DOR/ARCC Recording Secretary/Notary
ThelmaGruseck@bbrd.org **664-4722**
- **Matt Goetz, Property Services – Recording**
MattGoetz@bbrd.org **664-2063**

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017
Title: **Golf-Pro Shop Procedures**
Section & Item: 9J
Department: Golf-Pro Shop
Fiscal Impact: N/A
Contact: Ernie Cruz, Golf Operations Manager;
John W. Coffey, Community Manager
Attachments: N/A
Reviewed by
General Counsel: N/A
Approved by:



Requested Action by BOT

Review and direction to staff regarding changes to Golf-Pro Shop procedures

Background and Summary Information

On 12Apr17, the BOT discussed various issues related to the Golf-Pro Shop Department. At the 02May17 BOT budget workshop, the BOT reached a consensus to include proposed increases for golf membership and private cart fees in the FY18 Proposed Budget. The BOT also agreed to create a family private cart rate (based on current differential of single and family golf membership rates plus the elimination of the season golf memberships).

Trustee Cavaliere asked for an agenda item to be placed on this meeting to address the outstanding issues of:

- Definition of "membership" and what it provides
- Lottery system for players who do not get their requested tee times
- Limitations on group play
- Flexibility in green fee rates
- Nine-hole play

Mr. Cruz will be at the meeting to answer any questions and provide his professional opinion if requested.

Staff requests direction regarding these issues.

Board of Trustees Meeting Agenda Memo

Date: May 12, 2017

Title: Stormwater Project Change Order #1

Section & Item: 9K

Department: Stormwater

Fiscal Impact: \$900

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

Attachments: Change order #1, supporting material
and excerpt from BBRD Policy Manual

Reviewed by
General Counsel: N/A

Approved by:



Requested Action by BOT

Confirm Community Manager's approval of change order #1 for the stormwater project.

Background and Summary Information

On 28Mar17, the BOT awarded a contract for stormwater work (in the vicinity of Tamarind Circle and Cherokee Court) to JoBear Contraction for \$175,097.40. Work commenced on 24Apr17. On 02May17, staff met with the on-site superintendent about a grading issue. The Community Manager authorized JoBear Contracting to submit a change order for a riser to a drain inlet rather than excessively grade the rear yards of two homeowners.

On 04May17, the Community Manager received and approved (to keep the project progressing) a change order for said 16 inch riser in the amount of \$900. The Policy Manual (page 9) authorizes the Community Manager to approve change orders up to 10% of the cost.

Hence, desiring utmost transparency for this high profile project, staff requests the BOT confirm the approval of change order #1 in the amount of \$900 for the Stormwater contract with JoBear Contracting.



JOBEAR CONTRACTING, INC.

1950 Danr Drive
Palm Bay, FL 32905
Phone 321-723-3571 Fax 321-728-5619

CHANGE REQUEST

DATE: 5/4/2017

Change Request #: 1

Project Name: Tamarind Circle Drainage

Description of Work: Riser for "C" Inlet D-3

Submitted To:

Barefoot Bay Recreation District
ATTN: Mr. John Coffey
via email Jcoffey@bbrd.org

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
16" Riser for structure D-3 Provide and Install	1	LS	\$ 900.00	\$ 900.00
TOTAL				\$ 900.00

Sincerely,

Robert Beatty
Vice President

AMERICAN CONCRETE INDUSTRIES, INC.

350 NORTH ROCK ROAD
FORT PIERCE, FLORIDA 34945
772-464-1187 · FAX (772) 595-9050

TAMARIND CIRCLE

BAREFOOT BAY, FLORIDA

ENGINEER: B.S.E. CONSULTANTS

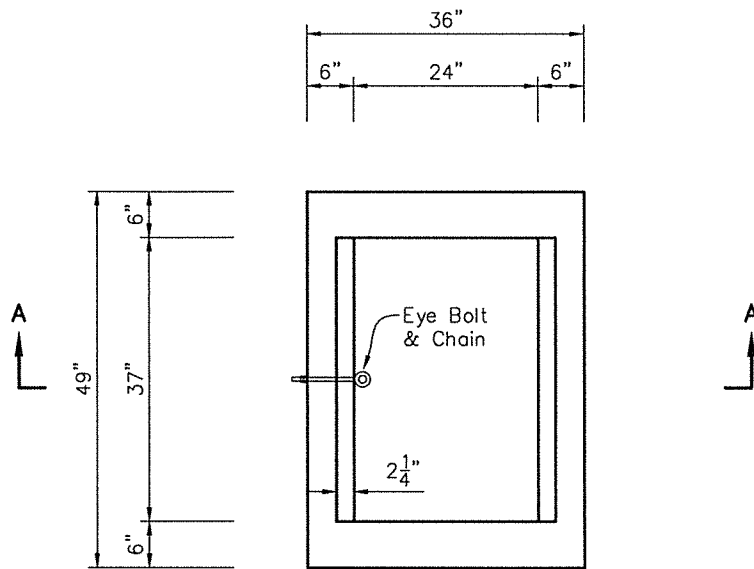
CONTRACTOR: JOBEAR CONTRACTING, INC.

MAY 4, 2017

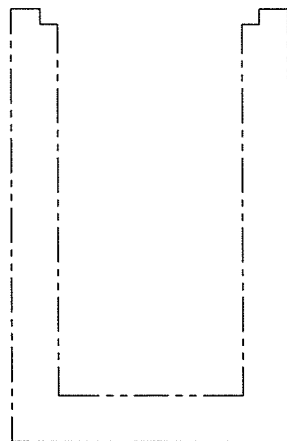
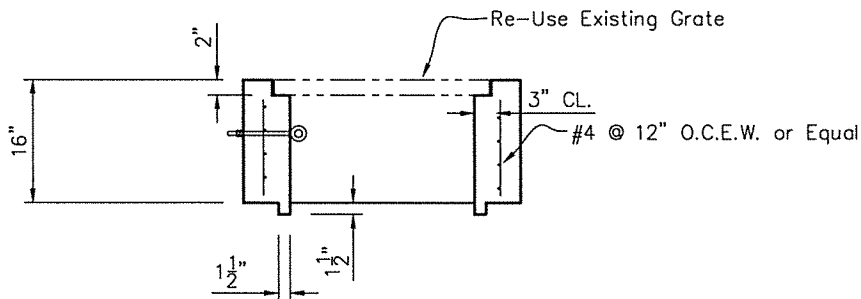
AMERICAN CONCRETE INDUSTRIES, INC.

350 North Rock Road / Fort Pierce, Florida 34945

(772) 464 1187 fax (772) 595-9050



Plan View



Section A-A

Design Notes:

1. All concrete has a minimum compressive strength of 4000 psi at 28 days.
2. Type II Cement.
3. Reinforcing steel is Grade 60 rebar with 2" minimum cover unless noted otherwise. Conforms with Index 232.
4. Lifting holes taper from 2 1/2" ϕ to 2" ϕ .
5. All pipe openings shall receive 1 - extra #4 bar each side & above pipe opening. Bars to have 1 1/2" min. hole clearance. Side bars to overlap top bars 3" min. Top bar to overlap side bars min. 6". Corner holes shall have 4 extra #4 bars above the hole (continuous around corner evenly spaced). Tie to the outside of vertical wall reinforcement.

Riser Height: 16"

Weight: 1200 lbs

Tamarind Circle

DS3

TYPE "C" RISER

Cherokee Court & Tamarind Circle

Barefoot Bay

Barefoot Bay Recreation District Policy Manual
GENERAL FINANCIAL POLICIES

Waiver of Irregularities

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

Signatures on Contracts

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

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

Change Orders or Amendments

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

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

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

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

Purchase of Computer, Related Equipment and Supplies

Purchase of any IT related product or service will be coordinated through the IT services contract manager for vendor analysis and approval.³⁶

Receiving and Approving Goods and Services

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

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

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

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: May 12, 2017

Subject: Manager's Report

Finance

1. **Bank Switch Update** – Staff has established an Operating Account with Marine Trust & Bank and received its deposit slips, bank stamp and bank bags so deposit to new account will start on 08May17. The next step will be setting up online banking for staff and Trustees. Staff is currently working on signature forms on all SBA accounts to change bank account information. Also, staff is in the process of transferring the safety deposit box items to the new bank.

Resident Relations

2. **ARCC Update:**
 - 2May17 ARCC Meeting: 26 permits were reviewed and approved
 - The next ARCC meeting is on 16May17 in the new BFBHOA office.
3. **Violations Committee Update:**
 - 28Apr17 Meeting: 33 cases were on the agenda 9 came into compliance prior to the meeting.
 - The next meeting is scheduled for Fri., 12May17 at 10am in Bldg. D/E.
4. **Misc.**
 - Brevard County Sheriff's office is giving warnings to vehicles that are parked on the street between the hours of 2-6am. Those who do not comply will be given parking tickets.
 - Remember to trim your trees/palms and pick up your yard prior to the arrival of storm season.

Food & Beverage

5. **Mother's Day Brunch Update** – Tickets for Mother's Day brunch on 14May17 at Pool #1 are still available at the Lounge, the 19th Hole and Resident Relations.

6. **Father's Day Clam Bake Update** – Tickets go on sale Monday 22May17. Flyers with all the details are posted in our facilities and tickets may be purchased at the Lounge, the 19th Hole and Resident Relations.

The 19th Hole will be closed for air conditioning repairs and a new carpet installation from Tues., 30May17 through Thurs., 15Jun17.

Golf-Pro Shop

7. **May Tournament Updates:**

- HOA event was a big league success. Over \$3,800 was raised for the HOA and the Pro Shop sold over \$1,250 in merchandise.
- 3rd Annual Employee Tournament is 20May17 (8:30 Shotgun)

Call or stop by the Pro Shop for more information about any of the tournaments, tee times or merchandise specials.

8. **Special Projects**

- Course aerified on 1&2May17
- Grant Projects
 - Wall on 8 started 2May17 (ground cover restoration still to be done)
 - Range upgrade will begin 15May17 (tee box and hitting cage)
- Submitted Grant Request for Junior Golf Camp (Decision expected by 8-10May17)
- Researching experts for irrigation repairs evaluation

Property Services

9. **Routine Work Update:**

- Installed new smoking areas at pools 2 and 3 outside the gate

10. **Special Projects Update:**

- Installed new retaining wall behind #8 green. Filled and graded area. Installed crushed concrete drive paths
- Stormwater projects began on 25May17. The Cherokee piping part of the project should be completed on 8May17. The contractor will move to Cherokee Court to finish the piping work. A separate grading team will follow to finish the work and restore works sites.

General

11. **Building A Roof Replacement RFP Update** – No proposals were received by the deadline of 3May17. Staff requests direction whether the BOT wishes to re-advertise the RFP or solicit bids.
12. **Selection of New Insurance Broker** – Staff has determined it is in the best interest of BBRD to obtain a new insurance broker (firm that solicits proposals from insurance companies and provides services to BBRD and employees throughout the year. BBRD does not pay for the services. The

broker is compensated by commissions paid from the insurance companies the BOT elects to use.). Staff requests direction whether the BOT wishes to interview brokers or allow staff to select a new broker.

District Clerk

13. **BBRD Community Art Program Update** – New exhibits are displayed in Building A which are available for purchase.
14. **3rd Annual Employee Picnic Update** – The Department Managers and Community Managers fed over 50 employees and guests as their way of saying thank you for staff's hard work during the busy winter season. Chef Coffey, Dog Master Goetz and Rib Slicer Cruz are pictured below.



Attorney's Report

Trustees Liaison Reports

Incidental Remarks from Trustees

Audience Participation

Adjournment