

Barefoot Bay Recreation District Regular Meeting September 24, 2019 at 7:00 PM Building D&E

Agenda

Please turn off all cell phones

- 1. Thought of the Day
- 2. Pledge of Allegiance to the Flag
- 3. Roll Call
- 4. Presentations and Proclamations
  - A. Breast Cancer Awareness Proclamation

#### 5. Approval of Minutes

- A. September 13, 2019
- 6. Treasurer's Report
  - A. Treasurer's Report for September 24, 2019
- 7. Audience Participation
- 8. Unfinished Business
  - A. Revised Rules for the BOT
- 9. New Business
  - A. Budget Amendment: FPE Panel Replacement: Building C & Lounge and Building A
  - B. Pool Services RFQ Award of Continuing Services Contract
  - C. Sea of Pink Guest Pass Waiver Request

#### 10. Manager's Report

- A. Sept. 24, 2019
- 11. Attorney's Report
- 12. Incidental Trustee Remarks
- 13. Adjournment

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



Barefoot Bay Recreation District Proclamation for Breast Cancer Awareness Month

Every year, too many Americans are touched by the pain and hardship caused by breast cancer - a disease that, among women, is not only one of the most common cancers, but also one of the leading causes of cancer-related death. During Breast Cancer Awareness Month, we honor all those who lost their lives to breast cancer, and we recognize the courageous survivors who are still fighting it. For these individuals, and for their loved ones who give their unwavering support during the most trying times, we recommit ourselves to the essential and necessary work of forging a future free from cancer in all its forms.

WHEREAS, breast cancer is the second most common cancer in women after skin cancer and is about 100 times more common in women than men. 1 in 8 women will be diagnosed with the disease - with diagnoses increasing as patients get older. Doctors estimate that about 5-10% of breast cancers are hereditary, and individuals whose family history puts them at increased risk for breast cancer should discuss with their doctor or qualified health professional the proper prevention and early diagnosis strategies. Since early diagnosis strategies have been introduced, the five-year survival rate for a breast cancer patient has greatly increased, now at 89.7%. Breast Cancer Awareness Month serves as an opportunity to increase awareness of the disease and to encourage individuals to have a plan to detect the disease in its early stages.

It is vital that those affected by breast cancer have access to quality, affordable care, and that research of all forms of breast cancer continues to be vigorously supported;

NOW, BE IT RESOLVED, by the Board of Trustees of Barefoot Bay Recreation District, to recognize October 2019 as Breast Cancer Awareness Month in our District in the State of Florida, in recognition and support of the patients, families, and professionals leading the fight against breast cancer, and we call this observance to the attention of all our residents.

**PASSED AND ADOPTED** by the Board of Trustees, Barefoot Bay Recreation District this 24<sup>th</sup> day of September 2019.

> **Board of Trustees Barefoot Bay Recreation District Barefoot Bay, FL**

By:

Joseph Klosky, Chairman



Board of Trustees Regular Meeting September 13, 2019 1PM –Building D&E

#### **Meeting Called to Order**

The Barefoot Bay Recreation District Board of Trustees held a Meeting on August 9, 2019 Building D&E 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Klosky called the meeting to order at 1PM.

#### Pledge of Allegiance to the Flag

Led by Mr. Wheaton.

#### **Roll Call**

Present: Mr. Klosky, Mr. Wheaton, Mr. Diana, and Mr. Loveland. Ms. Henderson was excused. Also, present, John W. Coffey, ICMA-CM, Community Manager, Cliff Repperger, General Counsel, and Kary Farrow, Recording Secretary.

#### Presentations

#### **Employee Incentive Awards**

Mr. Klosky presented Beth Gillette of the pro shop with a \$500 Employee Incentive Award for taking on additional responsibilities in a time of need and for her dedication to the BBRD community.

#### Minutes

*Mr.* Diana made a motion to approve the minutes dated August 9, 2019. Second by Mr. Wheaton. Motion carried unanimously.

#### **Treasurer's Report**

*Mr. Diana made a motion to approve the Treasurer's Report for September 13, 2019 as read. Second by Mr. Wheaton. Motion passed unanimously.* 

#### **Audience Participation**

Mr. Paul Preston addressed the Board regarding non-compliant 501C-3s in the Bay.

Richard LePage addressed the Board regarding the temperature for the pools.

Nancy Eisele agreed with Mr. LePage regarding the pool temperatures. She also let the audience know the florist is moving locations.

Ethel Ratner addressed her concern with the pool temperature, as well.

Mike R. Maino announced that he is running for the BOT and introduced himself.

#### **Unfinished Business**

No unfinished business.

#### **New Business**

#### DOR Violations Case# 19-003313, 18-003551, 18-003554, and 19-002111 400 Osprey Drive



Article III, Section 2, Section 2c and d, Section 3a, b, c, d, e, and Section 11 and 2d *Mr. Diana made a motion to combine the violations on 400 Osprey Drive. Mr. Loveland Seconded. Motion carried unanimously.* 

#### Case# 18-002208 935 Oriole Circle

Article III Section 2c, d

Mr. Diana made a motion to refer case# 18-002208 935 Oriole Circle to General Counsel Repperger for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce the DOR, the charge for such action shall be charged to the Respondent's account and shall constitute as a lien. Seconded by Mr. Loveland. Motion carried unanimously.

#### Case# 18-003366 and 19-000328 805 Wren Circle

Article III Section 2b, d, Section 11 and 2d

*Mr.* Diana makes a motion to combine both violations into one violation. *Mr.* Wheaton Seconded. Motion carried unanimously.

#### Case# 19-002473 1082 Parkway Lane

Article III Section 2a, d

Mr. Diana made a motion to refer case# 19-002473 1082 Parkway Lane Circle to General Counsel Repperger for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce the DOR, the charge for such action shall be charged to the Respondent's account and shall constitute as a lien. Seconded by Mr. Wheaton. Motion carried unanimously.

#### Confirmation of CVO Donated Pavilion Installation Change Order #1

Confirmation of approval of Change Order #1 for the installation of the Pavilion and acceptance of additional donation from the Barefoot Bay CVO in the amount of \$5,065.95.

*Mr.* Loveland made a motion to confirm the Community Manager's approval of the change order and accept the donation from the CVO for \$5,065.95. Second by Mr. Diana. Motion passed unanimously.

#### Donation Request: CVO Public-Private Partnership for Additional Outdoor Furniture

Acceptance of donation from the Barefoot Bay CVO to offset \$9,500 for purchase of outdoor furniture. *Mr. Loveland made a motion to award contract for the purchase of additional outdoor furniture to US foods in the amount of \$9,509.80. Seconded by Mr. Diana. Motion passed unanimously.* 

#### **Budget Amendment: NRP Funds**

Approval of Resolution 2019-08: increasing the budget with proceeds from the sale of assets by \$29,675 and increase the NRP program by \$29,675.

*Mr.* Diana made a motion to approve increasing the budget with proceeds from the sale of assets and increase the NRP program by \$29,675. Seconded by Mr. Wheaton. Motion passed unanimously.

#### Liability & Workers' Compensation Insurance Award

Staff recommends awarding the BOT award liability and worker's compensation insurance coverage to Florida Municipal Insurance Trust for \$158,256.



*Mr.* Diana makes a motion to award the liability and workers' comp insurance to FMIT with a two-year rate guarantee.

Andrew Boyd from EGIS asked to speak before a vote was taken. He discussed his insurance product as compared to FMIT. A resident asked if the polices were compared apple to apple/orange to orange. Mr. Coffey said this was done by Ms. Myers and Mr. Henley. Mr. Wheaton addressed his concerns regarding exclusionary clauses in insurance policies.

Mr. Wheaton seconded.

Raylene McSally said an all-risk policy is the best policy.

*Mr. Diana requested a roll call vote. Mr. Wheaton: aye, Mr. Diana: aye, Mr. Loveland: aye, Mr. Klosky: aye. Motion passed unanimously.* 

#### **Employee Health and Ancillary Insurances**

Mr. Coffey discussed the options available for employee health insurance. He recommended raising the amount covered by BBRD be increased to 85% for employees and recommends covering 35% for dependents. He credited Mr. Armington for his research regarding employee health insurance.

*Mr. Diana made a motion to raise the employer's premium percentage to 85% from 82.5%. Seconded by Mr. Loveland. Motion carried unanimously.* 

*Mr.* Diana made a motion to accept the staff's recommendation to raise the amount covered for employee dependents from 25% to 35%. Mr. Loveland seconded the motion. Motion passed 3-1.

*Mr.* Diana makes a motion to keep the health plan we currently have. Seconded by Mr. Loveland. Motion passed unanimously.

*Mr.* Diana makes a motion to award the dental contract to Principal Voluntary. *Mr.* Loveland seconds. Motion passed unanimously.

*Mr. Diana makes a motion to award contract for group life and AD&D to Principal. Second by Mr. Loveland. Motion passed unanimously.* 

*Mr.* Diana makes a motion to award the vision contract to Principal VSP choice. Second my Mr. Loveland. Motion passed unanimously.

*Mr.* Loveland makes a motion to award voluntary short-term disability insurance to Principal. Mr. Diana seconds. Motion passed unanimously.

*Mr.* Loveland makes a motion to award supplemental life and AD&D insurance to Principal. Seconded by Mr. Diana. Motion passed unanimously.

#### **Concrete Pathway Replacements**

Mr. Coffey explained that this will extend the apron of the by-pass golf cart path and address broken concrete in the adjacent area. He presented quotes from Superior Concrete and Brevard Concrete Paving, Inc. *Mr. Diana makes a motion to award the contract to Brevard Concrete Paving. Second by Mr. Wheaton. Motion passed unanimously.* 

#### **Pool Services RFQ Committee Recommendation**

Mr. Coffey details the lack of responses from pool companies. Only one firm replied with a quote. Mr. Loveland makes a motion that the BOT authorize the staff to negotiate pricing with this vendor. Mr. Wheaton seconds. Motion passes unanimously.



#### Manager's Report

#### Office of the District Clerk

**New District Clerk Recruitment Update** - The search for a new District Clerk is on-going. 305 Applicants were received through September 12, 2019.

#### **Resident Relations**

#### ARCC Meeting 8/20/2019

- 2 Old Business approved
- 12 Consent Items approved
- 14 Other Items 11 approved, 2 approved with stipulations, 1 Denied

#### ARCC Meeting 9/3/19 – MEETING CANCELLED DUE TO HURRICANE

- 1 Old Business
- 12 Consent Items
- 5 Other Items

#### ARCC Meeting 9/17/19

- 1 Old Business
- 17 Consent Items
- 7 Other Items

#### VC Meeting 8/23/2019

• 41 Total Violations - 20 came into compliance prior to the meeting, 1 DOR is working with the homeowner, 1 closed due to new homeowner

#### VC Meeting 9/13/2019

• 22 Total Violations – 13 came into compliance prior to the meeting, 1 DOR is working with the homeowner, 1 closed due to new homeowner

#### August 2019 Interesting Facts

- 42 New Homeowners
- 50 New badges created

**Violation Committee Vacancy** – Staff requests permission to advertise the vacancy on the Violations Committee (John Atta's term expired on September 12, 2019).

#### Food & Beverage

New Dart Machine Update - The new units for the Lounge are anticipated to arrive within the next week.

The annual **Summer Games and Chili Cook** off will be held on Sunday, September 15 starting at 1 p.m.



The next Ring of Fire show is October 12 in Building A. Listen and dance to the sounds of Cash, Willie, and Haggard from 6-9:30 p.m. Tickets are \$13 and go on sale September 16 in the new Administration Building at 9:30 a.m. One person may purchase up to 8 tickets.

Barefoot Bay's first annual **Sea of Pink**, a Walk for Breast Cancer, will be held on Saturday, October 19th on the walking path next the New Administration Building. Register at the CVO office Monday-Friday between the hours of 10am and 2pm. Flyers with all the details are posted.

#### Golf-Pro Shop

- Pro Shop Flooring: Complete
- Hole 12 Sod repair: Complete
- Golf Membership renewals start Oct 1st (Contact pro shop with questions)
- Driving range hitting cages received
- Construction of the overflow golf cart parking (behind Hole 9 and D&E) is anticipated to begin within the next few weeks

#### Property Services

- Replaced hot water heater at pool 2
- Repaired and replaced shower assembly at pool 3
- Continued canal maintenance at the garden area by the ball field
- Addressed water leak at pool 2
- Repaired flooring at the 19th Hole
- Completed install of flooring for the Veteran's Office
- Installed new racks and server station for the 19th Hole
- Addressed leaks in the 19th Hole roof
- Installed new tables and sandwich station for 19th Hole
- Received new benches for the mini golf project
- Installed and then removed shutters for Hurricane Dorian
- Finished grading and installed new sod for the NAB
- Began interior renovations in Building C
- Installed all new LED light fixtures in D/E
- Ordered new tables and chairs for Building C card room
- Addressed all current DOR violations

#### **Attorney's Report**

Stewart Medical lease status: General Counsel received comments from the lease who has suggested edits to the lease agreement. The BOT has not seen the changes proposed. The changes are substantive. Proposed start date of the lease is November 1, 2019.

A dog bite occurred on private property to a private owner. It was not on district property, but The District was named due to "standard operating procedure." The claim was never properly noticed to the district, so attorney Repperger believes they should be released from the suit. A nominal settlement could make the case go away. Question to the BOT is if they are interested in considering a nominal settlement agreement. Mr. Diana feels this would set a dangerous precedent. He would rather spend the money to litigate it. Mr. Loveland asked what



liability the property owner has. Mr. Repperger doesn't believe they have insurance. Mr. Loveland agrees with Mr. Diana in that it would be setting a bad precedent. Mr. Wheaton says to just endure the lawsuit in lieu of making a settlement. Mr. Klosky agrees with the other board members.

Mr. Loveland asked Mr. Repperger for an update on Mr. Tobias and the collection of taxes. There is no update from the commissioner's office. Mr. Diana stated he has no respect for individuals who meddle in the finances of The Bay.

#### **Incidental Trustee Remarks**

Mr. Loveland expressed gratitude that everyone got through the hurricane safely and recommends everyone stay vigilant in case there are more threats of bad weather.

Ethel Radner expressed concern over the state of the floors in Building C.

Mr. Diana echoed the words of Mr. Loveland. He commended staff for their hard work during the storm.

Mr. Wheaton stated his concern for the long-term increases in personnel costs which takes away money that could fund projects. He thanked John for all the money he's been able to save the homeowners of BBRD. Mr. Klosky agrees with the other BOT members regarding Hurricane Dorian and asked that people remember the citizens of the Bahamas, and donate what you can to help out.

#### Adjournment

The next meeting will be on September 24, 2019 at 7pm in Building D/E. Meeting adjourned at 2:43pm.

Steve Diana, Secretary

Kary Farrow, Recording Secretary

## **Barefoot Bay Recreation District**

Treasurer's Report September 24, 2019

Total Deposits Received	\$ 43,498.37
Assessments received:	-
Daily deposits:	\$ 43,498.37
Total Daily Deposits and Assessments Received for 9/6 - 9/16/2019	
Total Cash Balances in General Fund:	\$ 2,325,906.27
Total Interest Bearing Accounts	689,275.03
SBA Reserve Account	689,275.03
Interest Bearing Accounts	
Total Operating Accounts:	1,634,131.24
<b>Operating Cash in Banks</b> MB&T Operating Account	1,634,131.24
Onerating Cash in Panks	
Cash Balances in General Fund as of 9/16/19Total Petty CashPetty CashTotal Petty Cash:	\$ 2,500.00

### Expenditures over \$5,000 for for 9/6 - 9/16/2019

Check Number	Vendor	Description		Check Amount
53618	ABM Landscape & Turf Services	Re-level three exisiting trench lines on #12 fairway		7,442.00
53632	Parkit Construction, Inc.	Draw 2 - Building C Exterior		60,873.30
53640	ABM Landscape & Turf Services	Golf course, Softball field & lawn bowling: 9/19		38,691.16
	Florida Department of Revenue	Sales Tax: August 2019		8,510.81
		Total Expenditures over \$5,000	\$	115,517.27

Board of	Meeting Agenda Memo	
Trustees	Meeting Agenda Memo	
Date:	Tuesday, September 24, 2019	
Title:	Revised Rules for the BOT	
Section & Item	: 8.A.	
Department:	Adminstration, District Clerk	
Fiscal Impact:	N/A	
Contact:	Joseph Klosky, Chairman, Chairman, Luann Henderson, Trustee, 2nd Chair, Matt Goetz, Property Services Manager, John W. Coffey ICMA- CM, Community Manager	
Attachments:	attachment revised Board of Trustees rules 12July19v2	
Reviewed by General		
Counsel:	Yes	
Approved by:	John W. Coffey, ICMA-CM, Community Manager	



#### **Requested Action by BOT**

Review and adopt Revised Rules for the BOT.

#### **Background and Summary Information**

This agenda item was tabled at the August 9, 2019 BOT meeting. Below is the text of the original agenda memo.

In early 2019, Chairman Klosky raised the subject of strengthening the prohibition against nepotism within the Rules for the BOT by adding a clause prohibiting immediate family members of Trustees from working as employees of BBRD. At that time there was a consensus not to proceed. In late Spring, Trustee Henderson asked that this topic be re-addressed. Additionally, Chairman Klosky asked that language requiring newly elected Trustees to attend the annual Florida Association of Special Districts (FASD) Conference be added to the Rules for the BOT. Of note, a similar nepotism clause is proposed to be added to the revised Employee Handbook later in this meeting.

Staff requests direction regarding this matter.

## **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 <u>PURPOSE OF THE RULES</u>

#### 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 23<sup>rd</sup> 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 <u>REGULAR AND SPECIAL MEETINGS</u>

#### Section 1

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

#### Section 2

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

#### Section 3

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

#### Section 4

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

#### Section 5

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

#### Section 6

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

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

#### ARTICLE V TRANSACTION OF BUSINESS BY THE BOARD

#### Section 1

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

#### Section 2

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

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

#### Section 3

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

#### Section 4

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

#### Section 5

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

#### Section 6

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

#### Section 7

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

#### Section 8

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

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

• Chair committees or acts as liaison to assigned committees and regularly reports on their activities;

• 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.

<u>Florida Association of Special District (FASD) Conference Attendance: Newly elected or</u> appointed Trustees, who have not previously attended a FASD Conference, will attend the next FASD Conference after her/his election or appointment. Additionally, each Trustee is eligible to attend the annual FASD Conference, as long as the Administration Budget (Finance and District Clerk Sub-Departments) has sufficient roll-up available budget.

#### Section 2

<u>Chairperson</u>. 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 1<sup>st</sup> or 2<sup>nd</sup> 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

<u>**Treasurer.**</u> 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.

Section 2

Immediate family members of a Trustee shall be prohibited from formal employment or serving in a volunteer capacity (i.e. Golf-Pro Shop Player Assistants, Courtesy Golf Cart Drivers, etc.) with the District during the term(s) of service of said Trustee. This prohibition shall begin upon the post-election or post-appointment formal commencement of the term of the Trustee. Any family members of a Trustee classified as a current employee (whether working or on approved leave) as of August 9, 2019 will be exempt from this prohibition until the employee separates employment. Immediate family members falling within this prohibition shall be eligible for reemployment with District upon the expiration of the term(s) of the Trustee to which they are related. For purposes of this prohibition, "immediate family member" is defined as one of the following: spouse or significant other, parent/step parent, child/step child, grandparent, grandchild, brother/brother-in-law, sister/sister-in-law, uncle, aunt, nephew, niece, first cousin, in-laws (father, mother, son daughter).

#### 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 comments on Agenda Items
- 8. Unfinished Business
- 9. New Business
- 10. Community Manager's Report
- 11. Attorney's Report
- 12. Committee/Liaison Report
- 13. Incidental Trustee Remarks
- 14. Audience Participation
- 15. Adjournment

#### ARTICLE X AMENDMENTS

#### Section 1

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

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

#### ARTICLE XI PRECEDENT OF LAW

#### Section 1

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

#### Section 2

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

#### Section 3

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

DATED: \_\_\_\_\_

JOSEPH KLOSKY, Chairperson

STEVE DIANA,

Secretary

#### **Board of Trustees Meeting Agenda Memo**

Date:	Tuesday, September 24, 2019	
Title:	Budget Amendment: FPE Panel Replacement: Building C 8	
	Lounge and Building A	
Section & Item:	9.A.	
Department:	Administration, Finance	
Fiscal Impact:	\$36,300	
Contact:	John W. Coffey ICMA-CM, Community Manager, Charles	
	Henley, Finance Manager	
Attachments:	190924 Resolution 09 - FPE Panel Replacement - Bldg C &	
	Lounge and Bldg A	
Reviewed by		
General Counsel:	N/A	
Approved by:	John W. Coffey, ICMA-CM, Community Manager	



#### **Requested Action by BOT**

Adoption of accompanying Resolution 2019-09.

#### **Background and Summary Information**

On August 9, 2019, the BOT awarded two contracts to Complete Electric, Inc. and the use of fund balance for the replacement of Federal Pacific Electric panels and transformers in the amount of \$7,400 for Building C and \$28,900 for Building A and the lounge.

Staff recommends the BOT adopt resolution 2019-09 using \$7,400 in Fund Balance to Building C and Lounge FPE Panel Replacement Budget in the R&M/Capital Department and \$28,900 in Fund Balance to Building A FPE Panel Replacement Budget in the R&M/Capital Department.

#### **RESOLUTION 2019-09**

#### A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT AMENDING RESOLUTION 2018-06; AMENDING THE BUDGET.

**WHEREAS,** the Barefoot Bay Recreation District Board of Trustees adopted Resolution 2018-06, an operating Budget for the Fiscal Year beginning October 1, 2018 and ending September 30, 2019; and

**WHEREAS,** the Board of Trustees is desirous of amending the previously adopted Budget; and

**WHEREAS**, the Board of Trustees has ascertained that the following amendments are necessary to provide for the operation of the District for the Fiscal Year 2018-19:

An Amendment in the amount of \$7,400 from Fund Balance to be added to the Building C & Lounge FPE Panel Replacement Project Budget in the R&M/Capital Department.

An Amendment in the amount of \$28,900 from Fund Balance to be added to the Building A FPE Panel Replacement Project Budget in the R&M/Capital Department.

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

**Section 1.** The amendment shall be made to the operating Budget for the Fiscal Year beginning October 1, 2018 and ending September 30, 2019.

**Section 2.** The Community Manager and the Finance Manager are directed to adjust FY 2018/19 Adopted Budget.

Section 3. This resolution shall become effective immediately upon adoption.

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

Chairman, Joseph Klosky Trustee, David Wheaton Trustee, Luann Henderson Trustee, Steve Diana Trustee, Randy Loveland

The Chairman thereupon declared this Resolution Done, Ordered, and Adopted on this 24<sup>th</sup> day of September 2019.

#### **BAREFOOT BAY RECREATION DISTRICT**

Page 1 of 2

By:

Joseph Klosky, CHAIRMAN

Steve Diana, SECRETARY

#### **Board of Trustees Meeting Agenda Memo**

Date:	Tuesday, September 24, 2019
Title:	Pool Services RFQ Award of Continuing Services Contract
Section & Item:	9.B.
Department:	R&M/Capital Projects
Fiscal Impact:	N/A
Contact:	Matt Goetz, Property Services Manager, John W. Coffey ICMA-CM, Community Manager
Attachments:	price proposal, RFQ response from Family Pools Inc
Reviewed by	
General Counsel:	No
Approved by:	John W. Coffey, ICMA-CM, Community Manager



#### **Requested Action by BOT**

Award of continuing services contract to Family Pools, Inc. and authorize General Counsel Repperger to draft a contract for Chairman Klosky's signature.

#### **Background and Summary Information**

On June 14, 2019 the BOT authorized staff to develop a request for qualification for pool services (RFQ) for projects and inspection/maintenance services since BBRD has failed to secure bids from pool companies over the last two years and a recently issued RFP resulted in zero responses (the reader should note that an RFQ excludes price in the criteria used by the evaluation committee as opposed to a RFP which includes price in the evaluation process). Hence in July BBRD issued a Request for Qualifications (RFQ) for pool services. The evaluation committee was established with the following voting members: Trustee Randy Loveland, then-CVO President Roger Compton, and Property Services Manager Matt Goetz; non-voting members included Chairman Klosky and Community Manager John W. Coffey, ICMA-CM.

The RFQ was advertised in the *Florida Today*, placed on <u>www.bbrd.org</u>, placed on <u>www.demandstar.com</u>, and mailed to all identifiable pool firms in Brevard and Indian River Counties. Sadly, only one qualification statement was received and opened by the evaluation committee on August 16, 2019. Said committee reviewed the proposal and made a recommendation to the BOT to authorize staff to negotiate tentative contract with Family Pools, Inc.

On September 13, 2019 the BOT authorized staff to negotiate a contract with Family Pools, Inc. until a tentative agreement or an impasse is reached. Staff reached agreement with the vendor based on the following rates:

- \$250.00 per hour per professional hourly billing for positions involved in the provision f consultation and inspection services. One-way travel time from Port St. Lucie to BBRD is billable.

- 40% overhead/profit rate will be built into construction related proposals. Staff was able to get clarification that "overhead/profit" is all costs above materials and permitting costs.

Hence, staff recommends, the BOT <u>award a contract for pools continuing services to Family Pools, Inc. and authorize</u> <u>General Counsel to draft a continuing services contract for Chairman Klosky's signature.</u>



FAMILY POOLS INC.

873 SW South Macedo Blvd. Pt. St. Lucie, FL 34983 License # CPC1456929 1-866-294-4011 772-785-9558 fax



Barefoot Bay Recreation District Office of the District Clerk 625 Barefoot Blvd. Barefoot Bay, FL 32976

REQUEST FOR QUALIFICATIONS #2019-04 Pool Construction and Consultation Services

Cost Proposal:

Hourly billable rates for the positions that will be involved in the provision of consultation and inspection services \$250.00 Per Hour Per Professional

Overhead/profit rate built into construction related proposals 40%

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## FAMILY POOLS INC.

873 SW South Macedo Blvd. Pt. St. Lucie, FL 34983 License # CPC1456929 1-866-294-4011 772-785-9558 fax



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#### REQUEST FOR QUALIFICATIONS #2019-04 Pool Construction and Consultation Services

Barefoot Bay Recreation District Office of the District Clerk 625 Barefoot Blvd. Barefoot Bay, FL 32976

CONTACT: Dawn Myers PHONE NUMBER: 772.664.3141 FAX: 772.664.1928 E-MAIL: dawnmyers@bbrd.org ISSUE DATE: July 16, 2019

QUALIFICATION STATEMENTS TO BE RECEIVED NO LATER THAN 4:30 PM ON THURSDAY, AUGUST 15, 2019

QUALIFICATION STATEMENTS WILL BE OPENED AT 10:00 AM ON FRIDAY, AUGUST 16, 2019

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#### SECTION I

#### INTRODUCTION

Barefoot Bay Recreation District (hereinafter referred to as "BBRD") is requesting sealed Qualification Statements for "Pool Construction and Consultation Services." Said services to be performed under a continuing service contract (without a second bid) are but not limited to:

- Consultation on design of pool projects
- Replacement of Pool #1 Pit
- Replacement of Pool #1 Heater Building
- Replacement of Pool #2 Pit
- Periodic inspections of pools and equipment

QUALIFICATION STATEMENTS DUE DATE & TIME: Thursday, August 15, 2019 AT 4:30 pm. Qualification Statements package shall be mailed or hand-delivered to the Office of the District Clerk, located at the New Administration Building, 625 Barefoot Blvd., Barefoot Bay, Florida 32976. Qualification Statements are to be received NO LATER THAN 4:30 pm after which time receipt will officially be closed. Qualification Statements received after the specified time and date will not be accepted. BBRD will not be responsible for mail delays, late or incorrect deliveries. The time/date signed on the envelopes by BBRD staff will be the official authority for determining late Qualification Statements.

The Qualification Statements opening will be conducted by the Evaluation Committee in public at 10:00am. on, Friday, August 16, 2019. The location of the opening will be the New Administration Building, 625 Barefoot Blvd., Barefoot Bay, FL 32976.

All Qualification Statements must be executed and submitted in a single sealed package. Respondent shall mark Qualification Statements package, "RFQ No. 2019-04, Pool Construction and Consultation Services." Respondent's name and return address should be clearly identified on the outside of the package.

Respondent shall submit one complete set with all supporting documentation within a single sealed package:

- One (1) hard-copy original (marked "ORIGINAL") and signed in blue ink.
- <u>One (1) copy of the proposed fee structure in a separate sealed envelope within the seal submitted</u> <u>response</u>.

Qualification Statements submitted by facsimile (fax) or electronically via e-mail will NOT be accepted. Qualification Statements, which do not comply with these requirements, may be rejected at the option of BBRD. It is the Respondent's responsibility to ensure that submittals are in accordance with all addendums issued. Failure of any Respondent to receive any such addendum or interpretation shall not relieve such Respondent from its terms and requirements. Qualification Statements not submitted on the enclosed RFQ Form will be rejected.

All questions about the meaning or intent of the Qualification Statement documents shall be submitted in writing and directed to The Office of the District Clerk, 625 Barefoot Blvd., Barefoot Bay, FL 32976, Attention: Dawn Myers, District Clerk. Questions may also be sent via fax at 772.664.1928 or e-mailed to <u>dawnmyers@bbrd.org</u>.

#### STANDARD TERMS & CONDITIONS AND INSURANCE REQUIREMENTS

Proposers are responsible for reviewing BBRD's terms and conditions of RFPs within the BBRD Policy Manual available at <a href="http://bbrd.org/resident-relations/">http://bbrd.org/resident-relations/</a> (click on "BBRD Policy Manual rev October 2018") on pages 17-20.

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#### SECTION II

#### AGENCY OVERVIEW

The Barefoot Bay Recreation District (BBRD), established by an act of the Florida Legislature in 1984, is a Recreation District of the State of Florida. The legislative branch of BBRD is composed of five elected Trustees. The Community Manager is responsible for the execution of Board of Trustees' established and adopted policy. BBRD, with an estimated population of 9,000 residents, is the largest manufactured housing community in the State of Florida.

(Please visit our official web site, www.bbrd.org for more information)

#### SCOPE OF WORK

The Barefoot Bay Recreation District (BBRD) requests Qualification Statements from qualified respondents for **Pool Construction and Consultation Services**. The successful respondent will be awarded a continuing services contract in accordance with to purchasing regulations, BBRD can authorize specific projects based on a proposal from the vendor of record (respondent who signs a continuing service contract) without seeking a second bid (as is required for projects to be performed by a vendor who is not a continuing service contractor).

Current budgeted projects include the following (budgeted amounts are dated and are not meant to imply a maximum amount BBRD is willing to pay for said projects):

- Replacement of Pool #1 Pit and conversion to a saltwater system \$60,000.00
- Replacement of Pool #1 Heater Building \$44,000.00
- Replacement of Pool #2 Pit \$40,000.00

Recurring services requested include but are not limited to:

- Consultation on design ad cost estimates of current and future pool projects
- Periodic inspections of pools and equipment

Future projects currently not budgeted but anticipated to be completed in the next 5-7 years include but are not limited to:

- Marcite refinishing of pool surfaces
- Replacement of main drains
- Replacement of safety equipment (i.e. ladders, lighting, etc.)
- Leak detection and repair

#### SECTION III

#### **REQUEST FOR QUALIFICATION STATEMENTS TIMELINE**

The anticipated schedule for this RFQ is as follows:

Order	Task	Date (and Time if applicable)	
1	Florida Today Advertisement	July 15, 2019	
2	Publication Date	July 16, 2019	
3	Advertisement	July 16, 2019 through Aug. 15, 2019	
4	Deadline for Written Questions	Aug. 8, 2019	
5	Responses/Addendum Issued	July 17, 2019 through Aug. 9, 2019	
6	Submission Deadline (RFQ close date)	Aug. 15, 2019 (4:30pm)	
7	RFQ Opening and Evaluation Committee	Aug 16, 2019 (10:00am Administration	
	Meeting Date (Discussion & Review)	Conference Room)	

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8	Additional Evaluation Committee Meetings (Short listing, if needed, otherwise vote to recommend award to Board of Trustees)	Aug. 23, 2019 (10:00am Administration Conference Room)	
9	Evaluation Comm. Interviews (if needed) and vote to recommend the top respondents to Board of Trustees	Date & Time TBD, no later than Sep. 5, 2019	
10	Board of Trustees authorization to negotiate with top respondent(s)	Sep. 13, 2019 (1:00pm, Bldg. D/E)	
11	Comm. Mgr. negotiation with top respondent(s)	Sep. 18-26, 2019	
12	Board of Trustees award of contract	Oct. 11, 2019 (1:00pm, Bld. D/E)	

#### SELECTION AND EVALUATION PROCESS

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

Members of the Evaluation Committee shall consist of at least one (1) user department representative, one (1) Board member, and one (1) third-party non-employee resident chosen at the discretion of the Community Manager. The Community Manager and Board of Trustees Chairman shall serve on the committee as non-voting members. The Evaluation Committee meetings are subject to Sunshine Law; therefore, public notice of the intended meeting of the committee must be posted in advance to allow for the provision of any special accommodation needs of any attendees.

In general, BBRD wishes to avoid the expense to BBRD and to respondents of unnecessary oral interviews. Therefore, BBRD will make every reasonable effort to achieve the ranking using written submittals alone. If no top-ranked respondents can be clearly identified by review of the written submittals alone, then the Evaluation Committee will schedule the top ranked vendor(s) for formal interviews.

The Respondent's separate price proposal will not be viewed by the Evaluation Committee nor the Board of Trustees (BOT) until the BOT authorizes the Community Manager to negotiate with the top ranked respondents.

#### Formal Interviews (If Requested)

BBRD may choose to conduct oral interviews with one or more of the respondents. If BBRD chooses to allow oral interviews, such interviews will be open to the public. If oral interviews are held, the following guidelines will be used.

- BBRD's Office of the District Clerk will advertise the meeting place, date and time at least seven (7) calendar days in advance. The specific format of the interviews will be established by the Evaluation Committee and will be provided to respondents with the notifications.
- BBRD will allot equal time per each vendor, divided into three sequential parts: formal presentations, questions and answers, and discussion by Evaluation Committee.
- Oral interviews will provide an opportunity for the respondents to demonstrate their ability to use time
  efficiently, effectively and economically. The times allotted are maximums and no respondent will be penalized
  for using less than the allotted time.

#### Evaluation Committee Final Ranking and Recommendation to the Board of Trustees

After the interviews are completed, the Evaluation Committee will score all Qualification Statements to determine a final ranking of respondents considered to be most capable of performing the required service in the best interest of BBRD.

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#### Board of Trustees (BOT) Authorization for the Community Manager to Negotiate a Tentative Contract

The top three respondents, in order of ranking by the Evaluation Committee, will be listed in a Board of Trustees (BOT) Meeting agenda memorandum on September 13, 2019. At said meeting, the BOT will review the Evaluation Committee's recommendation, may re-order the rankings, and then authorize the Community Manager to negotiate a tentative contract. Likewise, the BOT may reject the Evaluation Committee's recommendation at which point the RFQ would be re-issued.

#### Negotiation of a Tentative Contract

The Community Manager shall first negotiate with the top ranked respondent until a tentative agreement or an impasse is reached. If the Community Manager determines an impasse is reached, he will notify the respondent that the negotiations are ended and shall proceed to negotiate with the second ranked respondent until a tentative agreement or an impasse is reached. If the Community Manager determines an impasse is reached, he will notify the vendor that the negotiations are ended and shall proceed to negotiate with the second ranked respondent until a tentative agreement or an impasse is reached. If the Community Manager determines an impasse is reached, he will notify the vendor that the negotiations are ended and shall proceed to negotiate with the third ranked vendor until a tentative agreement or an impasse is reached. If an impasse is reached with the third ranked respondent then BBRD may re-issue the RFQ (or seek an alternate method of solicitation of vendors for desired work). If a tentative agreement is reached, an agenda memorandum will be drafted for the October 11, 2019 BOT meeting for award of contract.

Of note, once the Community Manager determines negotiations have reached an impasse with a specific respondent and has notified him/her of the impasse, then the Community Manager shall be prohibited from further negotiations with the respondent and must move onto the next highest ranked respondent.

#### Board of Trustees (BOT) Award of Final Contract

Only the BOT has the authority to award the final continuing service contract to the successful respondent. Typically, the BOT follows the recommendation of staff on the selection of vendors for projects, but has the authority to ultimately pursue a different avenue if they so desire. Once the BOT has voted to award a continuing service contract, BBRD General Counsel will work the staff and the successful respondent to develop and review and execute a formal contract.

#### **EVALUATION PROCESS**

All qualification submittals will be subject to a review and evaluation process. It is the intent of BBRD that all respondents responding to this RFQ, who meet the requirements, will be ranked in accordance with the criteria established in these documents. BBRD will consider all responsive and responsible submittals received in its evaluation and award process.

Submittals shall include all the information solicited in this RFQ, and any additional data that the vendor deems pertinent to the understanding and evaluation of the Qualification Statements. Respondents should not withhold any information from the written response in anticipation of presenting the information orally or in a demonstration, since oral presentations or demonstrations may not be solicited. Each submittal will be ranked based on the criteria herein addressed.

An adjective-based scoring system shall be applied to the non-price factors throughout the evaluation process for the assessment of the written responses and the interviews (if requested). A score of 0 is the least favorable and a score of 10 is the most favorable in all sections.

The vendor's response will be scored by Committee members in accordance with the following scale:

- 0 = Unsatisfactory: Not responsive to the requirement.
- 1-3 = Below Minimum Standards: Responsive to the requirement but below acceptable standards.
- 4-6 = Marginal: Minimal acceptable performance standards and responsive to the requirement.
- 7-8 = Satisfactory: Above minimum performance, Effective and Responsive to the requirement.
- 9-10 = Exceeds Expectations for effectiveness and responsiveness to the requirement.

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NOTE: The Committee members' score times the "weighted value" assigned to the different sections listed under "Criteria" equals the total score for that section. (example: individual score of 9 multiplied by the weighted value of 25% equals the total score of 2.25-points).

Respondents submitting the required criteria will have their Qualification Statements evaluated by the Evaluation Committee and scored for the non-price factors to include summary of qualifications and technical qualifications.

During the evaluation process and at the sole discretion of BBRD, requests for clarification of one or more respondent submittals may be conducted. This request for clarification may be performed by the BBRD in a written format, or through scheduled oral interviews. Such clarification requests will provide respondents with an opportunity to answer any questions BBRD may have on a respondent's submittal.

#### CRITERIA

Respondents shall include the following information in their written Qualification Statement document and should use the following format when compiling their responses. Sections should be labeled, and pages should be sequentially numbered at the bottom of the page.

#### Summary of Qualifications: (60% X \_\_\_\_ = maximum \_\_\_\_\_ points)

- a) Indicate the respondent's background in providing these services.
- b) Provide a listing of comparable client references that are using the respondent's professional services for the type of services outlined in Section II, (i.e., client name, address, telephone number, contact person and project name and cost). A minimum of five references are required. Pictures of said projects are encouraged.

#### Technical Qualification: (40% X \_\_\_\_ = maximum \_\_\_\_\_ points)

- a) Provide a listing of the respondent's employees who will have primary responsibility for the BBRD's contract and provide a concise listing of each employee's length of employment with firm and years of experience in his/her profession.
- b) Indicate who in the respondent's firm will be the point of contact for BBRD.

#### **Cost Proposal**

The qualifications document should include a <u>cost proposal submitted in a separately sealed envelope and placed</u> <u>within the qualifications documents</u>. Proposed cost shall include the hourly billable rates for the positions that will be involved in the provision of consultation and inspection services plus the overhead/profit rate built into construction related proposals.

#### Waiver of Irregularities:

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

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FAMILY POOLS INC.

873 SW South Macedo Blvd. Pt. St. Lucie, FL 34983 License # CPC1456929 1-866-294-4011 772-785-9558 fax



Barefoot Bay Recreation District Office of the District Clerk 625 Barefoot Blvd. Barefoot Bay, FL 32976

REQUEST FOR QUALIFICATIONS #2019-04 Pool Construction and Consultation Services

Summary of Qualifications:

a) Family Pools Inc has been in business locally, owned and operated by Frank Russo for over 30 years. Frank Russo is not the kind of owner who only signs checks. He is hands on and involved in the daily on goings of every job big or small to ensure the highest quality work and products for our customers. More importantly Frank Russo stands behind all of his work.

Throughout the history of Family Pools Inc and Frank Russo's professional career the total dollar figure of completed projects is in excess of \$60 million dollars to include both large scale commercial and municipal projects as well as residential projects of all sizes.

The work involved pool resurfacing, equipment and VakPak installations, deck and pool shell repairs and rebuilds, re-plumbs and new plumbs, paver deck and coping installations, professional consulting/inspections for operational efficiency, cost efficiency, DOH and commercial pool code compliance, and real estate transactions etc. Family Pools Inc in house staff employees are all long term employees who have been with the company for over 5 years each they come with a combined total of 40 years' experience in the swimming pool industry.

These things are what make us not only capable but the best company to complete the renovation work needed as part of the renovation, repairs and/or remodel projects you may have. Identifying and putting into practice the proper code adherences, project elevations, slope and plumbing techniques in addition to using the best performing most efficient parts, valves, and equipment to include new pumps, filters, and all specified items are important as are quality materials and installation of tile, plaster/pebble surfaces, deck textures, and even demolition work when needed; however my expertise and professional proficiency is the distinction between a simple install and an expert end result.

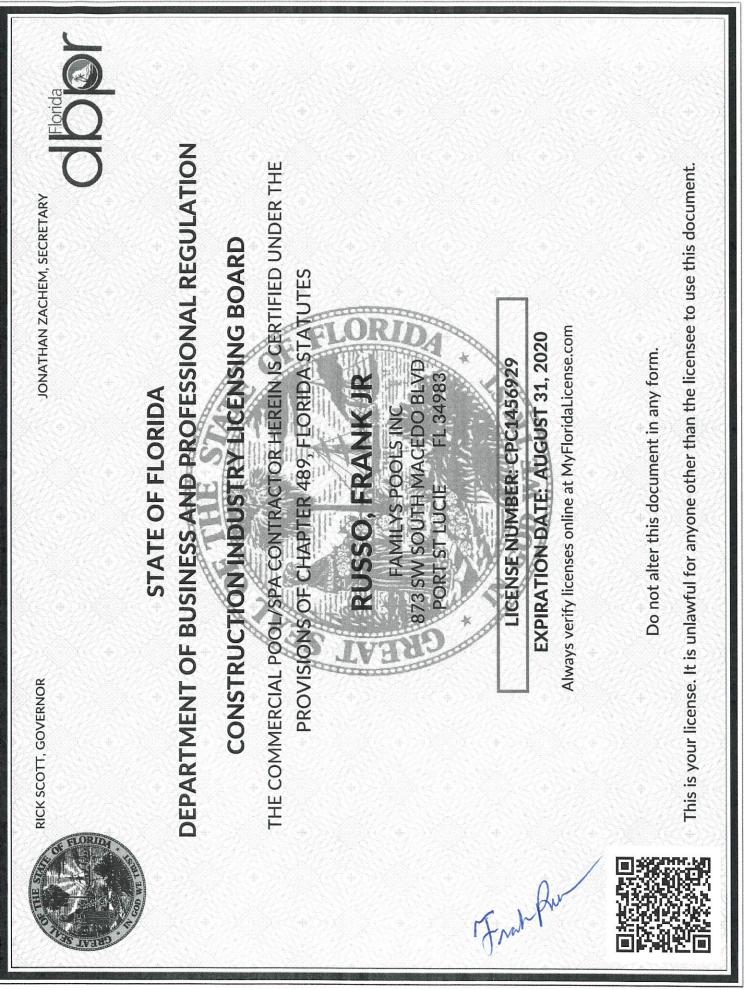
(1) Family Pools Inc is a state certified CPC licensed company qualified by Frank Russo and able to provide all scope of work items listed services and materials within proper contractor licensing limits. CPC1456929 see attached license for verification.

(2) I, Frank Russo as the qualifier of Family Pools Inc understands the work to be done, commits to perform the work, is able to and will comply with all applicable laws, rules, regulations and ordinances the State of Florida and the United States.

b) SEE ATTACHED REFERENCE LIST

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FAMILY POOLS INC.

873 SW South Macedo Blvd. Pt. St. Lucie, FL 34983 License # CPC1456929 1-866-294-4011 772-785-9558 fax



References:

#### (ALL OF WHICH WE WERE PRIMARY CONTRACTOR ON & FRANK RUSSO WAS DIRECT PROJECT SUPERVISOR.)

Charlotte County BOCC Art Markham 941-743-1377 art.markham@charlottecountyfl.gov Various municipal commercial pool renovations including re tile, pool resurface, depth markers, lane tile, etc. 2014 - current \$239,000.00

Windsor of Florida Juan Tierrablanca 772-321-0566 or 772-388-8422 juan.tierrablanca@windsorflorida.com Various commercial renovations as well as residential for rental/vacation properties 2010 – current **\$136,000.00** 

Concord Management Ltd. Melanie Caglioni 407-621-6415 melanie.caglioni@concordrents.com 2605 Maitland Center Parkway Maitland, FL 32751 Numerous commercial renovations at various properties including pool retiles, and interior resurfaces. 2014 – current **\$62,000.00** 

Okeechobee County BOCC Sheri Selvy or Donnie Odom 863-763-0805 sselvy@co.okeechobee.fl.us 1700 NW 9th Ave Okeechobee, FL 34972 Commercial renovation pool & deck retile, resurface, coping repairs, etc. 2013 – current **\$189,000.00** 

Sea Pointe Towers Ft Pierce 801 South Ocean Drive. Ft Pierce, FL 34949 Seapointe801@outlook.com 772 -872-1771 Rick Commercial pool resurface, retile, deck repairs and texture then stain. 2018 **\$37,000.00** 

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Barefoot Bay Recreation District 625 Barefoot Blvd. Barefoot Bay, FL 32976 John Coffey Phone: 772.664.3141Fax: 772.664.1928 Commercial pool retile, resurface, acid wash, heater / equipment install and repairs etc. 2015-2016 **\$84,000.00** 

Magnolia Lakes Clubhouse Bob Allen 101 NW Magnolia Lakes Blvd Saint Lucie West, FL 34983 772-260-9886 Commercial retile, resurface, new light fixture installations. 2013 **\$48,000.00** 

The Lakes Saint Lucie West 1210 NW Sun Terrace Circle Port Saint Lucie jeff@pinnacleam.com 772-631-9755 Jeff Commercial pool resurface, retile, etc. 2018 **\$36,000.00** 

Town Park Master Assn 11270 SW Town Park Ave Port St Lucie, FL 34953 561-235-0625 RVick@campbellproperty.com Commercial pool resurface and retile, coping and deck repairs, splash pad resurface, handicap lift install etc. 2018 **\$74,000.00** 

The Club at Saint Lucie West 111 SW Palm Drive Port St Lucie, FL 34986 (772) 343-8807 franchesca.rodriguez@fsresidential.com Commercial pool resurface 2017 **\$39,000.00** 

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Karma Hotels Best Western 3975 Highway 441 South Okeechobee, FL Holiday Inn 3101 Highway 441 South Okeechobee, FL 863-634-9032 Jay karmahotels@hotmail.com Pool resurface, retile, deck repairs, etc. 2018 **\$22,000.00** 

MARRIOTT HUTCHINSON ISLAND 555 NE Ocean Blvd Stuart, FL 34996 Jason Hazelton 772-214-7070 Hotel pool resurface & re tile 2018 **\$28,000.00** 

Keystone Property Management Southwinds @ The Moorings 1250 W Southwinds Blvd Vero Beach, FL 32963, USA Michael Barber 772-538-1986 Resurface two onsite community pools, re tile, new coping installation 2018 **\$62,000.00** 

Villas of Village Green 1487 NE Colchester Cr PSL, FL 772- 335-2393 Resurface & retile pool 2018 **\$65,000.00** 

City of Lauderhill 5581 W Oakland Park Blvd Lauderhill, FL 33313 John Mullins Aquatic Center BUDDY 954-614-4744 Resurface, retile, leak repair, new filters, new lights 2018 **\$138,000.00** 

Frande

EVERGREEN CONDOMINIUM 1622 SE GREEN ACRES CIR PT ST LUCIE, FL (772) 335-7984 Resurface & retile 2018 \$40,000.00

Oasis Village of Okeechobee C/O Vesta Property 1601 Us Highway 441 SE Okeechobee, FL Ed 217-653-3205 Resurface and retile 2018 **\$25,000.00** 

Treasure Cove Dunes Condo Association 4100 N Hwy A1A Ft Pierce, FL (305) 433-1870 BRIAN JEROME Resurface, retile, new pavers, new fence, new ladders and handrails 2018 **\$86,000.00** 

Peacock Run Apartments 5502 NW East Torino Parkway Port St. Lucie, FL 34986 Ph 772.344.3998 Fax 772.446.4403 Christine Lombardi Property Manager Drain and acid wash pool. Install all new equipment VakPak system and replumb. 2019 **\$45,000.00** 

City of Sunrise Village Beach Club and Welleby Pool Resurfacing Meghan Kaufold, R.A. 777 Sawgrass Corporate Parkway Sunrise. FL 33325 (954) 888-6070 telephone (954) 572-2494 fax Resurfaced and retiles 2 commercial/city community pools and one kiddie pool. 2019 **\$166,000.00** 

Franker

4

Brevard County MCLARTY PARK POOL RENOVATIONS 790 Barton Boulevard Rockledge, FL 32955 Doug Haymond Construction Coordinator Brevard County Facilities Office: 321-633-2050 Demo existing kiddie pool eliminate use, pour concrete solid to fill and merge with existing deck area, resurface and retile community pool, repairs deck and spraydeck entire deck area. 2019 **\$129,000.00** 

Wendy Woodman General Manager Okeechobee KOA Resort 4276 US Hwy 441 So. Okeechobee, FL 34974 (863) 763-0231 Resurface one community pool and spa. 2019 \$48,000.00

Village of North Palm Beach Special Projects Director Village of North Palm Beach Country Club Pool, Deck, & Equipment Room Renovation 951 US-1, North Palm Beach, FL 33408 Office Phone – 561-904-2139 Cell Phone – 561-348-0697 Resurface pool, retile pool, rebuild step to code, replumb pool, install all new pumps and filters, new coping, diving blocks, lifts, install 29 new lights, pool size is over 14,000 total interior area 2019 **\$500,000.00** 

Frah Run



FAMILY POOLS INC.

873 SW South Macedo Blvd. Pt. St. Lucie, FL 34983 License # CPC1456929 1-866-294-4011 772-785-9558 fax



Barefoot Bay Recreation District Office of the District Clerk 625 Barefoot Blvd. Barefoot Bay, FL 32976

REQUEST FOR QUALIFICATIONS #2019-04 Pool Construction and Consultation Services

Technical Qualification:

a)	Frank Russo	owner/president	772-370-5151	
,	Jose Esquivel	operations foreman	772-333-7426	(see res
	Nichole Aponte	office manager	772-361-3439	(see res

(see resume attached) (see resume attached)

b) Any of the above can be used for a point of contact on any/all projects and bids.

Franklin

# NICHOLE APONTE 1582 SW Dycus Ave. Port Saint Lucie, FL 34953 772-216-8888 nmaponte@gmail.com

## Office Manager/Administrative Assistant

Dependable, trustworthy professional with 20 years of experience in providing effective & comprehensive support to senior executives & upper management.

Excels in fast paced environments as well as in supervising & motivating staff to increase productivity & company profitability.

I have a sharp mind, I am well spoken and educated.

I am anxious to learn and train quickly.

I works well independently or as part of a team.

Proficient in Microsoft Word, Microsoft Excel, QuickBooks & Internet Navigation.

Adept with Computer Usage, Fax Machines, Copiers, Phone Systems, Printers & other major office equipment.

45 WPM typing skills.

Thank you for your time & consideration.

There are 2 total pages including this cover.

#### Certifications & Education

Keiser University

A.S. Nursing - 1 Year Completed Dean's List Degree Incomplete, Externship Credit Hours Needed

A.A Business Administration Ashworth University

State of Florida Notary

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## Family Pools, Inc.

## 03/2006 - present

## Office Manager/Administrative Assistant/Retail Showroom Manager

Coordinated and managed daily operations. Quickly became a trusted assistant to the company president and earned a reputation for maintaining a positive attitude and producing efficient high quality work flow.

## Daily Regular Tasks:

Retail sales, inventory, cash handling, product deliveries, shipments, internet orders, job log maintenance, work scheduling coordination of 5 + crews, A/P, A/R, phones, customer service, contract processing, permitting, inspections, NOC, collections, small claims, data entry, correspondence preparation on behalf of the company owners, municipal bid coordinator, etc.

## Tri-County Waste/Towing 05/05 - 11/05

## Receptionist/CSR

Implemented & developed computer generated forms that streamlined procedures, increased productivity, & improved profit margin as a result of improved organization. Daily Regular Tasks:

Collections, A/R, billings, dispatching, vehicle releases, vehicle reports, parts orders/garage assistance, customer service, contract management, sales, productivity reporting etc.

# Choice Sanitation/Environmental 10/97 - 04/05

# Office Manager/Administrative Assistant

Assisted in the development of the company to gross a profit of \$10 million annually. <u>Daily Regular Tasks:</u>

Collections, A/R, billing, data entry, updating customer files, customer service, contract management, computer software management, sales, fleet management & routing, dispatching, legal issues, accounting, payroll, A/P, corporate mergers, audits, banking, human resources, insurance, appointment setting, meeting coordination, document creation, travel & expense reports, letter transcription, special projects etc.

Frend

Jose Esquivel 1028 Hispana Ave. Fort Pierce, FL 34982 772-267-8451

#### Summary:

Dependable, hard-working job foreman with just about 20 combined years of experience in the swimming pool industry.

#### Skills:

Plumbing, tile, excavation equipment, finishing concrete, concrete form and masonry, carpentry, landscaping, pool deck texture and pavers, coping over pour and brick, and demolition.

- Trained contract workers to perform general construction/maintenance duties to company standards.
- Dependable independent worker
- Good at following instructions
- Consistent work history
- Team player
- Establishing goals and setting priorities

As a supervisor, I must have to have strong communication skills, optimize efficiency, cut cost where possible, review dig plans, estimations, and coordinate different phases of the job.

As a person that is in charge, I can't stress safety enough. I maintained a spotless record with no major injuries. Job cleanliness was also very important. A clean job is a safe job.

#### **Experience:**

Family Pools Inc. 2013 - current Job Foreman

Supervise up to 10 working projects at a time as well as 6 workers to ensure top quality product, workmanship and safety. Hands on foreman actually putting my hands to work with the crews all while training when necessary. Evaluate projects and advise customers of job progress and information per phase. Order all materials for projects.

Harbor Bay Pools Port Saint Lucie 2000 - 2013 Laborer promoted to job foreman

I was involved in all aspects of the construction of swimming pools. Laying out the dig, maintaining inventory and maintenance of tools and equipment, building the pool walls, making sure the dig was dug to spec, maintaining a proficient crew, installing spas, handled customer relations, installed plumbing, and oversaw sod laying and light landscaping after pool was complete.

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# **CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE OCERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AF BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.         IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURE If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an ethis certificate does not confer rights to the certificate holder in lieu of such endorsement(s).         PRODUCER       CONTACT         Insurance by Ken Brown, Inc.       CONTACT         707 Pennsylvania Ave Ste 1300       AMME:         Altamonte Springs FL 32701       MSURER 3: Certificates@insbykenbrown.com         INSURED       FAMIL-6         Family Pools, Inc       NSURER 0:         873 SW South Macedo Blvd.       NSURER 1:         Port St. Lucie FL 34983       INSURER 1:         THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED AN INSURER C.         THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED AE INDICATED. NOTWITH STANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT V         THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED AE INDICATED. NOTWITH STANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT V         VERTIFICATE MAY BE IS	FORDED BY THI INSURER(S), A D provisions or b ndorsement. A s FAX (A/C, No): 321-3 E	E POLICIES UTHORIZED De endorsed. Intatement on		
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DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) RFP No. 2014-03 Pool # 2 Resurfacing & Deck Paver Installation				
CERTIFICATE HOLDER CANCELLATION	CANCELLATION			
THE EXPIRATION DATE THEREOF, NOT	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.			
Barefoot Bay FL 32976	© 1988-2015 ACORD CORPORATION. All rights reserved.			

ACORD 25 (2016/03)

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Board of Trustees	Meeting Agenda Memo	
Date:	Tuesday, September 24, 2019	DA'S
Title:	Sea of Pink Guest Pass Waiver Request	4V 8AREF007
Section & Item:	9.C.	2 2 2 C 11 54
Department:	Adminstration, District Clerk	
Fiscal Impact:	N/A	MR
Contact:	Kathy Mendes, Food & Beverage Manager, John W. Coffey ICMA-CM, Community Manager	OBILI
Attachments:	Breast Cancer walk flyer	HOME
Reviewed by		OME
General Counsel:	No	
Approved by:	John W. Coffey, ICMA-CM, Community Manager	

# **Requested Action by BOT**

Waive guest pass requirement for Sea of Pink fundraiser event.

# **Background and Summary Information**

BBRD and the CVO will be hosting the inaugural Sea of Pink-Walk for Breast Cancer on Saturday, October 19, 2019 at the TuTu walking trail near the Administration Building from 8-10am. Afterwards, a brief ceremony will be held, along with complimentary food and beverages, at the new Pavilion behind Building A.

Residents are recruiting family and friends to participate in this fundraising event for Breast Cancer. BBRD's Policy Manual requires residents to purchase guests passes for all guests to use BBRD facilities (common grounds, pools, etc.). Staff is requesting that guest passes be waived until noon to allow non-residents to participate in the event and ceremony afterwards.

Hence, staff recommends, the BOT waive the guest pass requirement for Sea of Pink participants from 7am to noon on Saturday, October 19, 2019.

# A SEA OF PINK

# A party of pink with a purpose

<u>Barefoot Bay's 1st Annual Walk for Breast Cancer</u> <u>When</u>: October 19, 2019 @ 9 a.m. <u>Where</u>: Walking path "Under the Oaks" near the Administration Building (625 Barefoot Blvd.) <u>Register</u>: \$2 per person @ the CVO office

Starting Tuesday, September 3 <u>On the day of the walk</u>

Sign in from 8-9 a.m.

Warm up with MJ @ 9 a.m. & music by So. Sisters Walk starts after the warm up

<u>PUT A TEAM TOGETHER!</u> Name your team, get glammed up, raise money &

awareness

<u>Barefoot Bay Clubs</u>: challenge other clubs for highest sponsorships!

Prizes for the highest sponsorships

COME & CHEER ON THE WALKERS!

Food & beverages available after A SEA OF PINK in the new pavilion area



# **Barefoot Bay Recreation District**

625 Barefoot Boulevard, "New Administration Building" Barefoot Bay, FL 32976-9233

> Phone 772-664-3141 Fax 772-664-1928

Memo To: Board of Trustees

From: John W. Coffey, ICMA-CM, Community Manager

Date: Sept 24, 2019

Subject: Manager's Report

Due to the short-turn around from the September 13<sup>th</sup> BOT meeting, departmental updates will be provided at the meeting.