



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Workshop
Wednesday, September 13, 2018 2:30pm
Building D &E

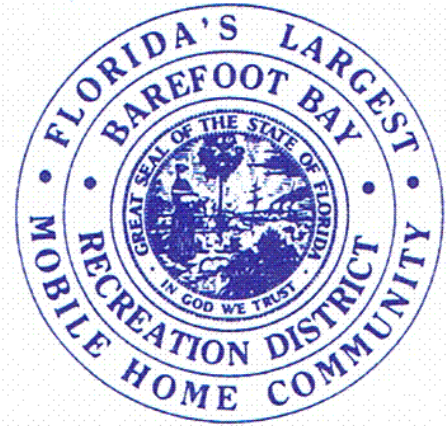
AGENDA

Please silence all electronic devices

1. Welcome
2. Pledge of Allegiance to the Flag
3. Roll Call
4. Audience Participation
5. Review of Proposed Changes to Policy Manual
6. Review of Proposed Changes to Employee Handbook
7. Adjournment

Board of Trustees Workshop Agenda Memo

Date: September 13, 2018
Title: **Review of Proposed Changes to Policy Manual**
Section & Item: 5
Department: Administration: Office of District Clerk
Fiscal Impact: N/A
Contact: John W. Coffey, Community Manager or appropriate department manager
Attachments: Policy Manual with strike-through and underline formatting
Reviewed by
General Counsel: N/A
Approved by: John W. Coffey, Community Manager



Requested Action by BOT

Review of proposed changes and direction to staff.

Background and Summary Information

Following the bi-annual comprehensive review of the Policy Manual, staff recommends the following changes:

Part Two General Financial Policies

- 2.12 Bank Account, Investment Policy section: Clarification of current BBRD investment procedures
- 2:13 Procurement Policy, Use of (Pre-Paid) Credit Card Section: Elimination of reference of pre-paid credit card usage and addition of reference to credit card usage/limits (currently silent on use of credit accounts)
- 2.13 Procurement Policy, Change orders or amendments section: addition of clause authorizing the Community Manager to approve change orders that exceed 10% when waiting for the next BOT meeting would substantially delay a project.

Part Three General Rules Applicable to District Facilities

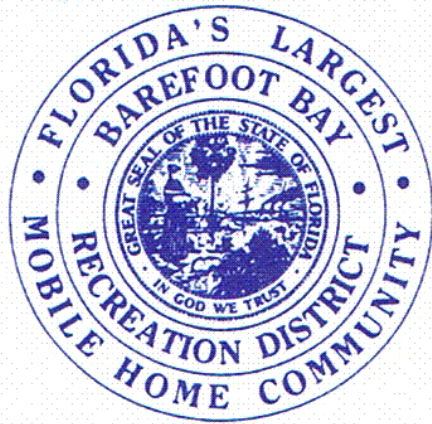
- General Rules section, #22: Removal of old page reference
- Identification Badges and Attire section: Change word "dress" to "attire" in title
- Identification Badges and Attire section, #2: changed language requiring "wearing badges" to "wearing upon request..."
- Identification Badges and Attire section, #2: Insert one-year limit to expired badge clause
- Identification Badges and Attire section: Added new #4 section prohibiting vulgar and/or offensive language and/or images on clothing in District facilities
- 3.1 Membership section, Golf Membership sub-section: simplified "family membership" definition and deleted "Child membership" reference
- 3.1 Membership section, Golf Membership sub-section, Changes of Golf Membership sub-sub-section: Added limitation on frequency of medical related membership refund and added prohibition from switching between membership types within a fiscal year
- 3.2 Rules for Specific District Facilities section, Use of Buildings or Amenities sub-section, #1: Added the term "amenities" and clarified official who can grant exceptions.
- 3.2 Rules for Specific District Facilities section, Swimming Pools sub-section: Added new #2, requiring residents, guests and visitors to follow the instructions of the Pool Host.

- 3.2 Rules for Specific District Facilities section, Swimming Pools sub-section: Revised old #24 (new #25) clarifying pool usage in the event of thunder or other threatening weather
- 3.2 Rules for Specific District Facilities section, Tennis Courts sub-section: Added reference to Pickle ball.
- 3.2 Rules for Specific District Facilities section, Golf sub-section: Revised #1 clarifying consequences of failure to follow course rules and/or the direction of staff.
- 3.2 Rules for Specific District Facilities section, Golf sub-section: Deletion of #21.
- 3.2 Rules for Specific District Facilities section, Temporary Parking sub-section: Elimination of reference to boat/trailers and trucks/RV's parking at Falcon Drive.
- 3.3 Fee Schedule section, Fees Applicable to Renters/Tenants sub-section: (Per Trustee Diana's request to address Airbnb leasees obtaining renter's badges) added sentence requiring renters or tenants with a lease of less than 30 days from obtaining a renter's badge and requiring a guest pass to be purchased for them.
- 3.3 Fee Schedule section, Badges sub-section: Added "upon request" clause to the requirement for residents and guests to display their badges.
- 3.3 Fee Schedule section, Badges sub-section: (Per Trustee Diana's request to address Airbnb leasees obtaining renter's badges) Added new #1 stating valid badge holders must be present when purchasing guest passes or the fees are doubled.

Upon consensus of the BOT for any changes, the document will be sent to General Counsel Repperger for legal review and placed on the next available BOT meeting agenda for consideration of adoption.

Barefoot Bay Recreation District

Policy Manual



Revised 08Dec17

[Presented to the Board of Trustees on 13Sep18](#)

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Exhibit A
Barefoot Bay Recreation District
Policy Manual
PURPOSE

PURPOSE

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

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

The reasons for developing a Policy Manual include:

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

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

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

Part One. General Operating Policy

1.0 EMPLOYMENT AND TRAINING

Barefoot Bay Recreation District recognizes the value of employees, and wishes to acquire talented personnel, providing the necessary training to allow employees to advance within the organization. Barefoot Bay Recreation District will hire the most suitable candidate for any open position, and employees to learn about the organization and to work as a valued team member. Standard hiring practice is to perform open recruitment for job openings. To encourage employee personal and professional development growth, the hiring manager may elect to use internal recruitment only when the hiring manager and his or her supervisor believes there is more than one qualified employee to fill the position. Under special circumstances (key critical positions), the Community Manager may authorize promotion or appointment of a qualified candidate to a position without using the recruitment process. Upon such circumstances a written statement will be placed in the employees file explaining why the normal process was not used.

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

1.1 TRAVEL POLICY

Barefoot Bay Recreation District does not recommend the use of personal vehicles for business purposes. Employees will not be reimbursed for mileage when they use their personal vehicle for Barefoot Bay Recreation District business. An exception is made when 1. an employee is required to attend a seminar, training or any overnight business travel, or 2. An employee is on an official assignment and a Barefoot Bay vehicle is not available³, subject to prior approval of district management. If necessary, during a declared emergency, district management may waive this policy. ⁴

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

⁵These basic policies apply to all BBRD travel:

- a. All travel, if pre-authorized by the Community Manager
- b. Receipts are required for reimbursed expenses
- c. Rates of per diem and subsistence allowance and mileage rate for use of personal vehicles is reimbursed in accordance with Sec.-112.061, F.S.
- d. Expense reports that approved by the Department Head and Community Manager are reimbursed in a timely manner.
- e. Traveler must elect prior to travel use of per diem or reimbursement for meal expense (including up to 15% tip and sales tax).^{6 7}

Barefoot Bay Recreation District
Policy Manual
General Operating Policy

1.2 REPORTS REQUESTED BY THE BOARD OF TRUSTEES

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

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

The following report shall be provided at each meeting:

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

1.3 JOB INSTRUCTION TRAINING MANUAL

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

Part Two. General Financial Policies

2.0 ACCOUNTS PAYABLE

All bills, packing slips, filled purchase orders and applicable paperwork must be turned into accounts payable on a daily basis, and all bills must be signed by the department manager or designee.⁸ Unsigned bills will be returned to the department and payment will be delayed.

Sales Tax

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

2.1 ACCOUNTS RECEIVABLE

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

2.2 ASSESSMENT FEE COLLECTION POLICY

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

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

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

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

Barefoot Bay Recreation District Policy Manual
GENERAL FINANCIAL POLICIES

2.3 CONVEYANCE OF PROPERTY

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

2.4 PAYROLL

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

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

2.5 RETIREMENT PLAN

A retirement plan is available for any full time employees who wish to participate. The District will match one for one up to 3% of employee's deduction of gross wages.⁹

2.6 INVENTORIES

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

2.7 FIXED ASSETS (tangible personal property)

A listing of all fixed assets with a value of \$2,000.00 or more will be maintained, updated, and completed for each year by September 30th. Each item received is tagged with an all-weather tag. Additions and deletions of tangible asset require approval by Community Manager.¹⁰

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

2.8 YEARLY BUDGET SCHEDULE AND LEVY OF ASSESSMENTS

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

Fiscal Year and Budget Process

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

Barefoot Bay Recreation District Policy Manual
GENERAL FINANCIAL POLICIES

parcel within 30 days after its preparation, and a copy of each shall be made available for public inspection at the principal office of the district at reasonable hours."

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

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

2.9 ESTABLISHING A NEW FUND

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

Charter Reference

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

Barefoot Bay Recreation District Policy Manual
GENERAL FINANCIAL POLICIES

Fund Identification and Interaction with Other Funds

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

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

2.10 Budget Amendments and Transfer ¹¹

Budget Amendments

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

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

Budget Transfers

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

2.11 CHART OF ACCOUNTS – GENERAL LEDGER ACCOUNT STRUCTURE

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

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

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

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

Barefoot Bay Recreation District Policy Manual
GENERAL FINANCIAL POLICIES

2.12 BANK ACCOUNTS

The District maintains bank accounts necessary to provide for operations.

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

Purpose: receipts and expenditures for the General Fund.

Investment Policy Procedures

The District ~~does not have a written investment policy that adheres to F.S. Section 218.415. Therefore, has an investment policy whereby~~ the District can only invest in various the following instruments and programs:

1. The Local Government Surplus Funds Trust Fund, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act of 1969, as provided in s. 163.01.
2. Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency.
3. Interest-bearing time deposits or savings accounts in qualified public depositories, as defined in s. 280.02.
4. Direct obligations of the U.S. Treasury.

The District currently participates in the State Board Association Pooled Investment Program (SBA) The interest earned on the SBA investments is recorded ~~annually when it is received.~~¹² Funds are only moved between investment accounts within a fund by moved out only by Board of Trustees resolution.

~~SBA Reserve Account¹³~~

~~(Purpose: to reserve money for emergency needs).~~

~~SBA Debt Service Account¹⁴~~

~~(Purpose: to reserve funds for payment of long term debt).¹⁵~~

2.13 PROCUREMENT POLICY

Ethical Standards and Their Application to Procurement

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

Barefoot Bay Recreation District Policy Manual
GENERAL FINANCIAL POLICIES

Payment of Sales Tax

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

Capital Budget Expenditures

The Board of Trustees and Community Manager must approve all Capital budget purchases. Capital budget purchases or outlays are for the acquisition of or addition to fixed assets. They generally add value to the land or building, have a useful life of more than one year, are of a non-consumable nature, and must exceed \$5,000.00¹⁶ in value.

Capital Budget expenditures are classified as:

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

General Purchasing Requirements

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

Department	Department Head or Designee
Administration	Community Manager or Designee

The Community Manager is authorized to approve budgeted expenditures of up to \$7,500.00 without Board authorization. All expenditures of \$7,500.00¹⁷ or more shall be authorized by the Board of Trustees and have two authorized signatures on ANY check.

Use of Purchase Orders-Competitive Pricing

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

1. For purchases of up to \$999.99¹⁸, a purchase order and competitive pricing is not required; however, obtaining quotations is recommended whenever practical.

Barefoot Bay Recreation District Policy Manual
GENERAL FINANCIAL POLICIES

2. For purchases of \$1,000.00 to \$19,999.99¹⁹ informal quotes are required from at least two sources. A "No Bid" does not constitute a quote. These quotations should be submitted in writing, and kept on file in the accounts payable office and the requesting department.
3. For purchases in the amount of \$20,000.00 to \$49,999.99²⁰ written, signed bids are required from at least three sources. A "No Bid" does not constitute a bid. These bids should be kept on file in the accounts payable office and the requesting department.
4. For all purchases in the amount of \$50,000²¹ or more, sealed bids are required and the Request for Proposal or Invitation to Bid Process must be followed (see Section 2.14).

If staff is unable to obtain more than one quote or bid after a reasonable time, the Community Manager may authorize the procurement based on the Department Manager's recommendation and use of Exception to Competition, #8 "Under other documented and justified circumstances approved by the Community Manager." When this exception to competition (a second quote cannot be found in a reasonable time)²² is used, the Community Manager shall notify the Board of Trustees at the next regularly scheduled Board meeting and notate the date, vendor and price on an "Exception to Competition log" as maintained by the District Clerk.²³

Blanket Purchase Orders

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

Use of ~~Pre-paid Credit Cards~~

~~Department Managers may be authorized by the Community Manager to use pre-paid credit card with a maximum limit of \$1,000.00 for minor purchases where credit accounts or payment by check is not acceptable or efficient. The Finance Manager or designee shall monitor the usage of departmental pre-paid credit card. Departments shall be limited to one prepaid credit card. Said cards shall be secured stored by the Department Managers when not in use.~~

Department Managers are authorized by the Community Manager to use a credit card with a maximum monthly limit of \$1,000.00 for purchases when credit accounts or payment by check is not acceptable or efficient. An additional \$1,000.00 per month may be pre-approved by the Community Manager as needed. The Finance Manager is authorized by the Community Manager to use a credit card with a maximum monthly limit of \$5,000.00 for purchases when credit accounts or payment by check is not acceptable or efficient. Department Managers will forward receipts for all purchases made by use of the credit card to the Finance Manager or designee. The Finance Manager or designee shall monitor the usage of departmental credit cards. Credit cards shall be stored in a secured location by the Department Managers when not in use.

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Exceptions to the use of Purchase Orders

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

- Utilities
- Travel and Training (reimbursements are handled through A/P)
- Insurance Premiums
- Debt Service Costs
- Certain refunds and reimbursements
- Inventory purchases for retail sale ²⁴

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

Exceptions to Competition

The competitive procurement process may be waived:

1. In defined emergencies, documented in accordance with the Emergency Purchases section of these policies.
2. For sole source procurements documented and approved in accordance with the Sole Source Purchases section of these policies.
3. For seminars registrations and professional membership dues and fees.
4. For purchase of local utility services for BBRD owned or operated facilities.
5. Postage expense, when billed by a vendor at the currently prevailing postage rates established by the U.S. Postal Service.
6. Repair or services for proprietary equipment, software, hardware, etc.²⁵
7. Capital or R&M projects proposed by a vendor responsible for long-term maintenance when recommended by responsible department manager and approved by the Community Manager.
8. Repairs that require action within 72 hours.²⁶
9. Under other documented and justified circumstances approved by the Community Manager.

Emergency Purchases

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

In the event of the need to repair existing infrastructure that impacts the health welfare and safety of residents, the Community Manager may waive normal purchasing procedures. The Community Manager shall place the contract for repairs on the next regularly scheduled BOT meeting agenda for confirmation.²⁷

Purchases from Purchasing agreements of Special Districts, Municipalities, or Counties (Piggybacking)²⁸

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

Purchases from State Contract²⁹

District purchases based on the use of state contracts will be allowed.

Emergency Payment

In a declared emergency either the Community Manager and one Trustee, or two Trustees, are required to sign checks over \$7,500³⁰ to pay for needed purchases, supplies or contracted services.³¹

Purchase of Services From a Goods and Sole Source Provider

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

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

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1. The stated vendor is the only producer of the product or service, and no commercial substitute is available.
2. The information or data is proprietary.
3. The maintenance or repair requires specialized equipment or expertise, which is available only from the original vendor, or vendor representative.
4. If the District currently has a continuing service contract with the vendor.³²

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

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

Awards Quotes/Bids under \$50,000³³

Award recommendations exceeding \$7,500.00³⁴ will be submitted by the Community Manager for approval by the Board of Trustees, unless previously exempted or approved.

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

Tie Bids

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

Waiver of Irregularities

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

Signatures on Contracts

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

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

Change Orders or Amendments

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

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

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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. Any change order over 10% costs upon the verbal approval of the Chairman of the Board if the delay in taking the proposed change order to the next available Board meeting would substantially delay the project. The Community Manager shall place the change order on the next available Board meeting agenda for confirmation by the Board in a public meeting.
- ~~3-4.~~ 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.³⁵

Receiving and Approving Goods and Services

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

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

Services Performed on BBRD Property

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

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

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

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

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

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

Automobile Liability Insurance:

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Bodily Injury: \$1,000,000 per occurrence
Property Damage: \$1,000,000 per occurrence
If a Combined Single Limit is provided, the total coverage shall not be less than \$2,000,000 per occurrence;

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

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

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

Hiring or Use of Employment Service Workers-Temporary Employees

The contract for services or use of an Employment Agency for temporary employees, that can be funded through an existing departmental available budget, shall have the approval of the Community Manager. Any contract requiring a budget amendment to recognize additional monies for said use will be brought to the Board of Trustees for approval.³⁶

Purchase or Sale of Properties by BBRD Using Neighborhood Revitalization Program (NRP) Funding

The Chairman of the NRP BOT Sub-Committee shall be authorized to approve (as recommended by the Community Manager or designee) the expenditures of NRP funds in excess of \$7,500 and not to exceed \$25,000 by staff toward the acquisition of a target property identified by the Sub-Committee in accordance with NRP rules as established by the BOT.

The purchase of the property shall be ratified by the Board of Trustees at the next scheduled regular meeting of the Board of Trustees.

The Chairman of the NRP BOT Sub-Committee shall be authorized to sign any proposed contracts for sale of BBRD owned properties acquired through the NRP (as recommended by the Community Manager or designee). Once a property is under contract for sale, the transaction shall be placed on the next regularly scheduled BOT meeting agenda for confirmation.

Any proceeds from sale of properties acquired through the NRP shall be added back into the NRP expenditure account via a budget amendment at the next available meeting after receipt of proceeds for said sale.

Unacceptable Purchasing Practices

The following practices are prohibited:

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

2.14 FORMAL SEALED BIDS (FOR PURCHASES OF \$50,000 OR MORE)³⁷

Competitive Procurements Process For Formal Bids

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

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

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

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

Specific Procedures for Formal Sealed Bids/Quotes

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

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

Award of Bids

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

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

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Waiver of Irregularities

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

Evaluation Committee

An evaluation Committee, identified by the Community Manager prior to issuance of the RFP or RFQ, shall review all responses to the RFP or RFQ. The Board shall be advised of the membership of the committee at the time of the issuance of the RFP or RFQ. ³⁸

Members of the Evaluation Committee shall consist of at least one (1) user department representative, one (1) Board member, and one (1) third-party non-employee resident chosen at the discretion of the Community Manager. The Community Manager and Board Chairman shall serve on the committee as non-voting members. ³⁹

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

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

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

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

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

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

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

NOTE: Weighted Score shall be rounded to nearest whole number price evaluation and calculation may be revised to conform to the needs for each individual RFP selection committee. Each committee member

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shall then rank each vendor's score. A scoring sheet (Exhibit A) shall be completed by each voting committee member. The rankings are then added for each vendor and the vendor with the lowest sum of collective rankings is recommended for award. A ranking sheet (Exhibit B) compiling the ranking of each proposal shall be completed by the Community Manager and posted with the scoring sheets.

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

If fewer than three sealed and qualified proposals are received by the Evaluation Committee, by a majority vote the Evaluation Committee may request the Community Manager to seek non-sealed bids for comparative analysis or forward their recommendation for award of contract or (in the case of a RFQ) their recommended ranking order for staff to negotiate a contract to the Board of Trustees for their consideration.⁴⁰

Vendor Complaints & Disputes (Protests)

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

1. ***Posting of Bid/RFP Award Notices***

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

2. ***Posting of Formal Sealed Proposals***

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

3. ***Proceedings for Protest of Award***

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

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

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

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

PART THREE. GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

3.0 GENERAL

Definitions:

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

"Amenity" shall mean something, such as a swimming pool or shopping center that is intended to make life more pleasant or comfortable for the people in a community.

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

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

"BFBHOA" shall mean the Barefoot Bay Home Owners' Association.

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

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

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

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

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

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

"Grandchild pass" shall mean a pass purchased by a social member to be used for their grandchildren (under 18 years of age) while they are visiting their grandparent.⁴¹

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

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

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

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GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

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

"Members" shall refer to those who are granted membership Under Section 3.1 and in good standing.⁴²

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

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

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

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

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

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

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

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

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

"Temporary Lounge/Business Pass" shall mean a pass obtained by a vendor or realtor that has a stated business purpose at the lounge.⁴³ Temporary Lounge/Business Passes will not be issued up to two hours before or during any music event.^{44 45}

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Objective

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

Management

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

General Rules

1. The District's facilities are available to members and open to the public and guests paying the appropriate fees and meeting membership requirements.
2. Guests may use District upon payment of appropriate fees.
3. Fees paid to the District are to be used at the discretion of the "Board."

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GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

4. The use of District facilities, including the golf course, may be limited or restricted by the Board or by District management as necessary to allow all eligible persons to have reasonable use of District facilities without overcrowding.
5. District management reserves the right to refuse use of the District facilities to any person or group for violations of these rules.
6. Any member delinquent in payment of fees shall be denied use of facilities.
7. District management reserves the right to ask the member to have their guest present at the time of obtaining a guest pass(es).
8. Residency in the District does not confer upon any member the unlimited right to use the District facilities.
9. Fees, assessments, and service charges shall be set by the Board.
10. Office hours of the Community Center complex or other designated facility for the payment of membership fees will be as posted.
11. Property owners shall be responsible for any debt incurred by the Property owner, their family, guests, or tenants.
12. The Property owner is responsible for the conduct and appearance of his/her guest(s) while using the District facilities.
13. Appropriate dress is required in all facilities.
14. Smoking, use of any tobacco product and/or use of e-cigarettes (i.e. nicotine vapor devices) are not permitted in any District facilities and may only be permitted in designated outdoor areas.⁴⁷
15. All physical injuries sustained on Barefoot Bay Recreation District Property must be reported to BBRD Staff as soon as possible by the injured party or a representative.⁴⁸
16. Golf membership shall be renewed annually.
17. The Community Manager may suspend, cancel, or revoke any resident or property's social membership, family membership, golf membership, or guest pass based on a violation of these rules. The affected resident whose membership was suspended, canceled, or revoked may appeal the suspension, cancellation or revocation by requesting a hearing before a Special Magistrate. The Board of Trustees shall appoint a Special Magistrate to hear and decide cases involving such violations. If an appeal is requested, violation cases shall be processed as follows:⁴⁹
 - A. District Management shall provide the owner, resident, and/or guest with written notification of the alleged rules violation and penalty. The alleged violator would accept the penalty or request a hearing before the Special Magistrate. If a hearing is requested, a written notice of hearing shall be provided at least ten (10) days in advance of any hearing. After a hearing is requested suspension, cancellation or revocation may be stayed by the Community Manager until the Special Magistrate hearing.⁵⁰
 - B. BBRD staff shall present evidence of the alleged rules violation to the Special Magistrate at a quasi-judicial hearing held to determine whether such violation occurred, and if so, the appropriate penalty to be imposed. The hearing shall not be governed by the formal rules of evidence; however, due process shall be provided to the owner, resident, and/or guest. The owner, resident, and/or guest shall have the right to cross examine witnesses and to present relevant evidence which is responsive to the alleged rule violations.
 - C. The Special Magistrate shall determine whether BBRD staff has established, by a preponderance of the evidence that a rules violation has occurred. If a rules violation is found to have occurred, the Special Magistrate shall impose a penalty of suspension, cancellation, or revocation of the violator's social membership, family membership, golf membership, or guest pass. The violator shall be notified in writing of the Special Magistrate's ruling within ten (10) days of the hearing. In levying any penalty imposed pursuant to this Section, the Special Magistrate is not obligated to impose the penalty imposed⁵¹ by District Management.

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GENERAL RULES APPLICABLE TO DISTRICT FACILITIES

- D. The decision of the Special Magistrate shall constitute final quasi-judicial action of BBRD. Any aggrieved party may appeal the ruling of the Special Magistrate to a court of competent jurisdiction in Brevard County, Florida.
- E. If a hearing is requested and the violator is found to have committed the violation as alleged, the violator shall be responsible for the District's cost in bringing the matter to hearing.⁵²
18. Pets are not allowed in District Recreational facilities, except for service animals.
19. Special rules applicable to individual buildings will be conspicuously posted and observed by members and guests.
20. Beverage laws and license regulations forbid the bringing in alcoholic beverages of any type for consumption on or in District facilities. Therefore, alcoholic beverages of any type consumed on the premises must be obtained from District facilities.
21. The following behaviors may result in the suspension, cancellation or revocation of a person's social membership, family membership, golf membership and/or guest pass:
- A. Violation of District Policies or Rules applicable to District Facilities.
 - B. Violation of any local, state, or federal law while using District Facilities.
 - C. Fighting and verbal assault.
 - D. Discourteous, threatening, or rude behavior to BBRD employees, residents or patrons of District Facilities.
 - E. Loud and raucous behavior which decreases the enjoyment of other patrons of District Facilities.
 - F. Unintentional or deliberate misuse of the BBRD Facility or property which results in, or has the potential to result in, damage to the Facility or property, or in any way compromises the safety of any Barefoot Bay Recreation District Facility patron or BBRD staff member.
 - G. Misrepresentation of facts which may result in the District's Policies or fee structure improperly administered or collected.⁵³
22. A guest fee shall be charged in accordance with the fee schedule to any non-resident for use of District facilities. This fee shall not be charged to any non-resident using District facilities under the following circumstances:⁵⁴
- A. When the facility is rented by a non-resident who has paid the appropriate fee ~~per page 3-19~~.
 - B. Any exemptions to this rule shall only be authorized by the Board of Trustees no less than 30 days before the event.
 - C. This section does not apply to Food & Beverage events.
 - D. Vendors hired by clubs/organization are exempt from guest pass fee.⁵⁵
23. Children under age 12, must be accompanied by an adult when using District facilities. Groups of children who are using the facilities with guest passes must have one responsible adult for every five children.⁵⁶
24. Commercial solicitation is prohibited while on District properties. The gathering of signatures for petitioning of elected officials is prohibited within buildings or upon District facilities. Bonafide nonprofit or 501(c) fundraising efforts shall be permitted.
25. Any organization or individual desiring to plant trees, shrubbery, flowers, or other vegetation on District property must have prior approval of District management. A landscaping and maintenance plan shall be submitted for review and approval prior to any planting activity. Any vegetation planted on District property shall become the property of the District. No removal of vegetation is permitted without District approval.
26. Decorations⁵⁷
- A. No items or decorations of any type, which may be viewed as offensive to any patrons, may be affixed, installed or added to any facility by individuals, residents, clubs, or organizations.

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- B. No items or decorations may be applied or attached to any public area facility without the expressed permission of management. This permission must be in writing and cover the type, style, material, custodial and maintenance requirements as well as the contact person in charge of the decorations.
 - C. The use of candles, confetti, birdseed, rice or other non-environmentally friendly products will not be used except as authorized by the Community Manager. Requests for said exceptions shall be made in writing, reviewed by the Property Services Manager and approved or denied by the Community Manager no less than 3 business days before an event.⁵⁸
 - D. All items must be promptly removed from the area at the end of the event (party, meeting, show or other)
 - E. Failure to adhere to this policy could result in revocation of use of the facilities for the persons involved.
27. If any property has been determined to be in violation of the Amended and Restated Deed of Restrictions for Barefoot Bay by the BBRD Violations Committee, then all social, family, and golf memberships affiliated with property determined to be in violation shall be automatically suspended upon rendition of a Findings of Fact, Conclusions of Law, and Order by the BBRD Violation Committee. No party, whether they be owner, renter, or guest affiliated with the property in violation may use any District Facility until an Order of Compliance is issued by the Violation Committee. This provision shall operate to suspend all referenced memberships regardless of whether the owner owns multiple properties or other properties not determined to be in violation. Should an owner appeal a finding of the Violation Committee to the BBRD Board of Trustees (or circuit court), the automatic suspension of privileges shall be tolled during the pendency of such appeal.⁵⁹
28. Where any vehicle located on any residential lot has been posted with three (3) administrative notices of violation of Article III, Section 3 (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay related to prohibited parking on the lawn, grass, or landscaped area of said lot, within any thirty (30) day period, all social, family, and golf memberships affiliated with the lot shall be automatically suspended for thirty (30) days. For any subsequent posted violation of Article III, Section 3 (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay occurring of the same lot, subsequent to the issuance of the initial thirty (30) day suspension, and within one (1) year from the date of the initial posted notice, all social, family, and golf memberships affiliated with the lot shall be automatically suspended for six (6) months. For any subsequent posted violations of Article III, Section 3 (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay occurring on the same lot at any time subsequent to the issuance of any six (6) month suspension, all social, family, and golf memberships affiliated with the lot shall be automatically suspended for one (1) year for each subsequent posted violation. An owner may appeal any notice of suspension issued pursuant to the provisions of Paragraph 17 herein.⁶⁰
29. Non-employees (including but not limited to trustees, advisory committee members, residents and/or guests) shall not enter an employee work area (i.e. behind a bar, kitchen, work shop, private office, etc.) without being accompanied by the Community Manager, Department Manager or designee.⁶¹
30. The Board of Trustees hereby declares that all Recreation District Facilities, including, but not limited to, all District owned or managed buildings, pools, golf course areas, fields, courts, beach areas, piers, general recreation areas, and common areas of all kinds, are deemed to constitute "Parks" for enforcement of Sec. 74 - 101 through 74 - 105, Code of Ordinances of Brevard County, Florida and for enforcement of any applicable state statutes prohibiting sexual offenders and/or sexual predators from said locations."⁶²

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Identification Badges and DressAttire

1. Identification badges are issued to identify members, their dependents, guests and renters. The issuance of badges will be controlled by District management. Badges are required for all.
2. Unless waived by District Policy or Management, members and guests are required to ~~wear~~ or have in their possession and wear when requested by a District employee, an appropriate District identification badge when using District facilities. The identification badge must be produced upon request by Barefoot Bay staff. If not presented, resident/member/guest must leave the facilities.⁶³
 - a. If a resident with an expired social membership badge (not to exceed 1 year expired badge) wishes to enter a facility when business offices are closed, the resident may purchase a daily guest pass to enter the facility when business offices are closed. Said residents must update their badges the next business day at which point they may apply for reimbursement of the guest pass paid.⁶⁴
 - b. Pictures of badges on cell/mobile phones will be accepted under the following conditions:⁶⁵
 - I. Screen must be large enough for all detail of the badge to be seen at one time.
 - II. Image must be a color picture of the full badge with resident's face visible.
 - i. Black and white images will not be accepted.
 - ii. Daily guest passes, weekly guest passes and short term renter badges will not be accepted on a cell phone.
 - III. The image must contain all of the information on one side of the badge. If the resident has a badge with the account number on the back side, they must either bring their physical badge, or get their badge updated in the Resident Relations Office so that all the information is visible on one side of the badge.
 - IV. The image of the badge must be clear. BBRD staff, including but not limited to pool hosts, must be able to read the account number, see the resident's picture, and (if the resident is purchasing a guest pass) the resident's name.
3. Shoes and shirts shall be required when using District facilities, except for the swimming pool areas.
- ~~3.4.~~ Vulgar and/or offensive language and/or images on clothing (as deemed by staff) is prohibited within District facilities.
4. Unidentified persons using District facilities should be reported to the District Management.
5. Property owner(s), guest(s) or rental tenant(s) shall not make, or have made duplicate keys to gain access to fishing pier, beach property or RV storage compounds, or allow unauthorized persons access to such keys. Keys shall be returned to the Community Center office when no longer needed. Violators will be subject to prosecution for trespassing and/or revocation of social membership privileges.
6. Any violators may be subject to prosecution for trespassing and/or revocation of membership privileges.

3.1 MEMBERSHIP

Types of Membership

Social memberships:

1. Social membership entitles the member to the use of the District facilities. Social membership fees for property owners are a one-time fee except as further defined herein. Social membership fees for guests and renters/tenants are annual fees as defined herein. Golf privileges may be extended upon registration at the Pro shop and payment of current green fees.
2. Social membership is available to:
 - a. Property owners, resident spouses or domestic partners, and unmarried children as an incident of such ownership.
 - b. Non-property owners renting in the subdivision as tenants or guests as an incident of residence.

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- c. Other guests upon payment of appropriate fees.
- 3. Social Membership fees shall be due and payable upon application for social membership in accordance with adopted fee schedules.

Family Social Membership:

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

Golf Membership:⁶⁶

- A. Golf membership entitles the member to the use of the golf course and attendant facilities in consideration of annual membership dues as provided in these rules. Application for membership by eligible persons is made to the Golf Operations Manager.
- B. Golf membership is available to:
 - a. Family membership shall be limited to two individuals, regardless of family size.
 - b. Child membership
 - c. ~~Property owner(s) and unmarried children of property owner(s) under 18 years of age and residing at a property owner(s) home under the Family Social Membership or full-time students at any institution of higher education and not over 23 years of age.~~
 - d. Unmarried children over 18 years of age and other adults residing in a property owner(s) home must obtain a membership in their own name.
 - e. Renters/Tenants with a lease agreement and residing in the subdivision may be granted a golf membership upon application to the Golf Operations Manager.
 - f. Associate Golf Membership is:
 - i. Open to persons outside of Barefoot Bay.
 - ii. Annual Single & Family Golf Memberships available.
 - iii. Associate Golf Memberships entitles the member the use of the golf course and 19th Hole.

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- iv. Annual Associate Golf Membership dues include a one-time Initiation Fee and appropriate User Fees.
- v. Application for membership by eligible persons is made to the Golf Operations Manager.

Priorities with respect to golf membership.

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

Changes of Golfing Membership

A member may terminate his or her golf membership, or Trail fees only for medical reasons, or death. Documentation from his or her doctor either limiting or prohibiting the member's ability to play shall be required. This request must be in writing to the Golf Operations Manager, and must be approved by the Community Manager prior to any return of any funds for unused fees. Both membership and trail fees will be returned on a pro-rata basis for the first six (6) months of the fiscal year. After March 31 of any fiscal year, there will be no return of any unused portion of fees. ⁶⁷ Medical related membership refunds cannot be used in two consecutive years. A member status may be changed for medical need once during membership period. A member may not change the status of membership back and for (i.e. Family to Single back to Family) within one membership period.

Applications for Social and Family Social Membership:

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

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Fees and Dues

1. ***Social and Family Social Membership***
 - A. A membership fee shall be paid for Social and Family Social membership.
 - B. A property owner shall pay the fee only once for each home site of which they are owner of record. This fee is non-transferable between parties.
 - C. Non-property owner, such as tenants or guests shall pay the fee upon becoming a member.
 - D. The tenants or guests who concurrently pays the fee and enters into a home purchase contract may have his/hers unused monthly or initial annual ⁶⁸rental social membership amount applied toward the property owner membership fee due at the time of closing provided that closing occurs within 12 months of initial membership.

2. ***Golf Membership***
 - A. Fees for the golf membership are as specified in these rules and subject to change by the Board of Trustees.
 - B. Golf membership fees are for one fiscal year (October 1 thru September 30).; Said fees shall be paid per rules established by the Golf Operations Manager and approved by the Community Manager. Processing fees may be assessed for installment payments.
 - C. A member accepting a golf membership after October 1 shall pay a pro-rated share of the annual fee. Dues shall be on an annual basis only.
 - D.
 - E. Membership fees are categorized as "family" or "single" as follows:
 - a) Family - joint property owners owning a home as defined in definitions.
 - b) Single - one property owner with non-playing spouse, unmarried children over 18 years, or other adults in residence.
 - c) Family and single memberships are also available to eligible renter/tenants.
 - d) Annual Associate Family and Single Memberships are available.

All other Associate Golf Membership policies apply.
Refer to 3.1 Membership, Section 3 Golf Membership Item 2-d

Property Damage

1. ***Personal Property***

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

2. ***District Property***
 - A. Any District member, non-member, or guests responsible for intentional, accidental, or negligent damage or destruction of District property shall be charged for repair or replacement costs of the District property.

 - B. Items removed from District property without permission will be charged to the responsible person.

3.2 RULES FOR SPECIFIC DISTRICT FACILITIES

General

1. The rules in this section pertain to the buildings, Recreation facilities and common grounds available for use by members and registered Clubs or Social Clubs. More specific rules for each separate facility are posted in the building or areas designated and must be observed.
2. Only registered Clubs or Social Clubs and members may use District facilities in accordance with the rules herein. Use of facilities will be governed by BBRD management.⁶⁹ Use of District facilities by non-members shall be required to pay appropriate rental fees according to adopted fee schedules.
3. Keys or combinations to locks shall be provided to all sheds, rooms, cabinets, offices and storage facilities used by clubs or groups and which are owned or placed on BBRD property. These shall be clearly marked and provided to the BBRD District Clerk.⁷⁰
4. Any club, organization or individual desiring to construct or install any building, sun cover, bench or other type of structure on District property must have prior approval of District management. A complete plan including materials and design, along with maintenance, repair and insurance requirements must be included. All local, county, state and federal regulations pertaining to excavation and building must be met prior to construction or installation of any structure. Any structure constructed, placed or installed on District property becomes the property of the District. No removal of any such structure is permitted without District approval.⁷¹

Use of Buildings or Amenities

1. Normal hours for use of buildings and amenities (including the Golf Course) are posted. Exceptions may be granted by pre-arrangement with the District Management officesCommunity Manager and/or his designees.
2. Persons or official BBRD organizations desiring to use Barefoot Bay facilities shall make such reservations in advance with the appropriate District office in charge of calendar coordination in writing. Persons or organizations may reserve Building A, Building D&E or other facilities for exclusive or non-exclusive use. Denial of requests for exclusive use of amenities shall be provided to the requestor within 3 business days in writing, citing reasons for denial. Persons or official BBRD organizations may appeal staff's denial of a request for exclusive use of an amenity to the Board of Trustees at the next regularly scheduled meeting. These facilities are for the principal use of residents, who have priority over any outside-sponsored activities.⁷²
3. Changes to reservations shall be made in writing to appropriate District office in charge of calendar coordination.⁷³ When two parties or organizations are involved in a change, both parties to the change will sign the written request. Calendar dates unconditionally released will be reassigned on a first request basis. Calendar schedules of events will be published monthly and posted on the official website.
4. Individuals or organizations authorized for exclusive use of any facility⁷⁴ are responsible for the premises during their occupancy. Such sponsors will prevent damage or destruction and provide cleanup, including the kitchen and serving area, following the event.

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

Game/Meeting Rooms

1. Use of the facilities shall be scheduled in advance by arrangements with the District Management offices.
2. Rules for use of the pool tables are posted in the entryway. These rules shall be observed by persons using tables.
3. The pool room may be entered on request made to District management officials, or pool host on duty. No person under the age 18 shall be allowed in pool room unless supervised by parent, grandparent, legal guardian or responsible property owner.
4. Vandalism to the premises or inappropriate conduct by individuals should be immediately reported to the District Management offices or pool host.
5. Normal hours for use are maintained by the Calendar Coordinator in Resident Relations. ⁷⁵ Exceptions may be granted by pre-arrangement with District Management offices.

Swimming Pools

1. The District's "Rules for Swimming Pool Use", as posted at each pool, must be adhered to by members and guests in the pools, pool-side areas, and dressing/rest room facilities. The posted pool rule signs will be updated to reflect the amended policies as soon as possible.
2. Residents, guests and visitors must follow instructions of the Pool Host. Failure to do so may result in a suspension of their social membership privileges.
- ~~2-3.~~ District management reserves the right to refuse use of the swimming pool to any person or group for a violation of any of these rules.
- ~~3-4.~~ Proper ID, as required by the District, must be presented in order to gain access to the pool areas.
- ~~4-5.~~ The Pool Host has the authority to check bags or coolers for prohibited items before access is granted into the pool area.⁷⁶
- ~~5-6.~~ There is no life guard on duty at any of the District's pools; swim at your own risk.

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- ~~6-7.~~ Normal hours for use are as posted.
- ~~7-8.~~ Children under 12 years of age must be accompanied by a parent, guardian or family member over 18 years old ⁷⁷while in the swimming pool area.
- ~~8-9.~~ Children under 6 years of age are not permitted in the pool without immediate and constant supervision of parent, guardian or family member over 18 years old.
- ~~9-10.~~ Guests that have physical issues that decrease their personal safety (i.e. elderly, physically or mentally disabled, etc.) in the pool, are not permitted in the pool without immediate and constant supervision of a guardian or care taker. ⁷⁸
- ~~10-11.~~ It is a violation of Florida law to bring into pool areas or otherwise use glass bottles, containers, or other glass products.
- ~~11-12.~~ The State of Florida law prohibits bringing in and consuming alcoholic beverages on premises unless purchased from the District. ⁷⁹
- ~~12-13.~~ Containers carrying alcohol ⁸⁰may not be brought into the pool area. ⁸¹
- ~~13-14.~~ No food or drink is permitted in or near the swimming pool or within 4 feet of the swimming pool.
- ~~14-15.~~ Members and guests are required to use the rest rooms located in the dressing room in pool area.
- ~~15-16.~~ Lifesaving equipment shall be used only for the purpose intended.
- ~~16-17.~~ Infants, and those individuals with incontinence issues, shall wear 'swim diapers' or other appropriate apparel which prevents the release of bodily waste while using swimming pools. ⁸²
- ~~17-18.~~ No swimmer with open sores that are likely to degrade water quality, infection, or contagious disease may use District swimming pools. ⁸³
- ~~18-19.~~ Members and guests are required to shower before entering the swimming pool. Showers are for pool users only.
- ~~19-20.~~ Diving, running, jumping, rough play, or profanity are not allowed in or around the pool.
- ~~20-21.~~ No animals are allowed in the pool area, with the exception of service animals.
- ~~21-22.~~ Appropriate cover-up and shoes must be worn when entering any of the facilities.
- ~~22-23.~~ Members and guests should exercise respectful and proper conduct around the pools and report all improper behavior to the District Management offices or pool host.
- ~~23-24.~~ Swimsuits or authorized swim wear are the only authorized apparel for use in the pools. Colorfast shirts are permitted if in good condition. Anyone entering a pool with clothing that bleeds and requires the pool to be closed will be billed the cost to treat the pool. ⁸⁴
- ~~24-25.~~ In the event of thunder or other threatening weather, residents must leave the pool area (Pool 2 & 3 – gated area: Pool 1 – lower deck) when instructed by the Pool Host and remain out of pool area until instructed by the Pool Host that it is safe to re-enter the pool area. In the event of thunder or other threatening weather, residents must leave the pool when instructed by the Pool Host and remain out of pool until instructed by the Pool Host that it is safe to re-enter the pool (for at least 30 minutes from the last thunder observed). ⁸⁵

Shuffle Board-Bocce- Lawn bowling - Horseshoes and Basketball

1. Normal hours for play are as posted.
2. Equipment is available for issue from the pool host. Badges will be left with pool host for security of equipment.
3. Misuse of the courts or equipment should be reported to the District Management offices or pool host.

Lounge

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

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Tennis/Pickle Ball Courts⁸⁶

1. ~~Tennis~~The cCourts are available to all residents wishing to use this recreational facility.
2. ~~Tennis~~The cCourts are reserved through the Calendar Coordinator.
3. Gates to the courts are open from dawn to dusk. Operating hours are dawn to 10:00 PM. Access after dusk is available by obtaining a key to the gate and to the lights from the Pool Host at Pool 1. A. District social membership card, guest pass or visitor's pass is necessary to obtain these keys.
4. Additional rules for the use of the facility may be posted by BBRD at the courts.

Softball Field Rules and Regulations

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

Golf

1. The Golf Operation Manager or his/her designee is in charge of the golf course, Pro Shop and the facilities at the course. Failure to adhere to course rules or direction of staff may result in a suspension of the player's social membership or revocation of playing privileges.
2. All players shall register in the Pro shop before play.
3. Play may be limited by Golf Operation Manager or his/her designee for specific reasons, i.e. tournaments, maintenance, weather, etc.
4. Property owners, members having golf membership and their guests shall have priority for available tee time.
5. Green fees are on a daily basis. Rain check policies are posted in the Pro shop.
6. Each player must have a set of clubs and putter including a golf bag.
7. All play must begin at either the 1st. or 10th tee as scheduled by the Pro Shop.
8. Power golf carts are not to be used for more than two (2) riders and two (2) golf bags.
9. Children under 16 years of age are not permitted to operate power golf carts.
10. Players must be properly attired. Shirts and shoes are mandatory.
11. Wading in lakes is prohibited.
12. Players shall play in foursomes, particularly on Saturday, Sunday and holidays. "Five some" must have permission from Golf Operations manager or his/her designated employee in his/her absence.
13. Power golf carts shall not be driven on high slopes of greens, sand traps or tees.
14. ADA validated individuals may park in designated areas (identified by blue stakes). These areas may be moved or closed due to inclement weather or any unsafe condition as defined by the Golf Operations Manager or his/her designee and/or the Golf Course Superintendent.⁸⁷
15. Faster players must be permitted to "play through."
16. Hawking for golf balls in lakes and canals is strictly forbidden.
17. All play will be on a reserved tee time basis.
18. No fishing permitted in lakes on the golf course.

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19. The club will not allow private golf carts or replacements when the total number of private carts equals 170. The Board shall be responsible for establishing user fees for private carts and such fees are subject to change at any time at the discretion of the Board.
20. The Board reserves the right to terminate the use of private golf carts at any time.
- ~~21. All golf guests must be registered by the golf member, fees paid, receipts presented to starter, and if requested by the starter, member's current year's membership card must be presented.~~

Beach⁸⁸

1. The park and beach are for the use of residents and their guests. Guests must have an appropriate guest pass, secured in advance and displayed on their vehicle.
2. The gate should be locked except when entering and exiting the park.
3. While the park is open 24 hours per day, quiet is maintained from 10:00 PM to 6:00 AM.
4. Fires are permitted in the grills only.
5. Brevard County Ordinance does not permit dogs on the beach.
6. Any pets on any Barefoot Bay property must be on leashes and owners must clean up after pets.
7. Campers assume all risks for camping at the park.
8. The following rules apply to overnight camping:
 - a. Maximum camping stays are three days.
 - b. Camp sites will be assigned at Resident Relations
 - c. A permit must be obtained at Resident Relations office which must be displayed on vehicles.⁸⁹
 - d. Guests must be accompanied by the resident who obtains the guest pass.
 - e. Persons under the age of 18 must be accompanied by an adult when camping.
 - f. RV and motorhome camping is strictly prohibited.
9. Fireworks, loud noise, and outside music are not permitted.
10. A key is required to gain access to these facilities and is available from Resident Relations.
11. Members and guests using these facilities are required to observe posted rules.
12. The cutting of bait shall be at authorized stations only. The cleaning of fish is prohibited in District facilities.

Fishing Pier

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

Canoe/Kayak Storage at Fishing Pier

1. Canoe and Kayak owners utilizing the Canoe/Kayak storage must enter into a storage lease agreement.
2. Lessee's shall be solely responsible for all loss or damage to Lessee's stored property.
3. Due to limited availability, Barefoot Bay Property Owners with authorized social membership privileges may rent one canoe/kayak storage unit.
4. Assignment or subletting of spaces is prohibited.
5. Only one (1) unit per space will be allowed.

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6. Nonpayment of lease payments will result in abandonment of space, and removal of stored items.
7. All lease payments are due on the first day of the current quarter and may be made up to twelve (12) months in advance.
8. All canoes and kayaks must display a Barefoot Bay provided identification sticker.

RV Lots

1. Use of the RV Storage Lots is primarily for Barefoot Bay Residents. Non-residents may lease the facility during the months of May through September. RV owners utilizing the RV Storage lots must enter into a storage lease agreement.⁹⁰
2. Storage lease agreements shall be on a month-to-month basis.
3. No stand-alone structures or loose articles will be allowed in any space.
4. Owners shall be solely responsible for all loss or damage to owners stored property.
5. Owner shall keep all stored property properly licensed, registered, road-worthy, and/or operational for the property's intended use at all times.
6. Assignment or subletting of spaces is prohibited.
7. Owners must assure that all vehicles are chocked.
8. Only one (1) unit or trailer per space will be allowed.
9. No gate access card⁹¹ shall be passed on to anyone else.
10. All gate access cards must be returned upon relinquishment of leased space.
11. Upon termination of the Lease, owner shall surrender the leased space to the District in the same condition as it was originally leased to the owner.
12. All lease payments are due on the first day of the current month and may be made up to twelve (12) months in advance. Payment of lease payments in advance shall not prevent Lessor from terminating the lease as provided herein. In the event of such default or upon termination by Lessor, Lessee shall only be entitled to the return of any advance payments made by Lessee, prorated accordingly.
13. Nonpayment of lease payments will result in disabling of access cards. A reactivation fee shall be charged as per the BBRD fee schedule.⁹²
14. Owner must give written notice of intent to terminate no later than 5 business ⁹³days prior to the end of any month; otherwise owner shall be responsible for payment of full rent for the following month.⁹⁴
15. Failure to comply with the above rules and regulations will result in termination of this Lease Agreement. Any non-compliant Lessee will be held responsible for costs incurred for removal of stored property from storage facility. Costs of removal will be determined by staff. The monthly fee will continue to accrue until the issue of non-compliance is settled.
16. A replacement fee will be charged if the access card is not returned upon termination of lease or if the card is lost.⁹⁵

Temporary Parking

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

~~A permit must be obtained from Resident Relations prior to parking. Appropriate fees apply based on the fee schedule.~~

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

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

3.3 FEE SCHEDULE

Residents ⁹⁶

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

Property owner (one-time fee) \$750.00 + tax for 2 people.

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

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

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

Additional resident/property owner (over 2) must pay the resident fee.⁹⁷ \$125.00 + tax

Note: In the event more than 2 people are listed on a deed, additional (over 2) property owners must pay resident fee - \$125.00 + tax.⁹⁸

Administrative Fee
Any changes to 2nd on membership will require a change fee.⁹⁹ \$25.00 + tax

Dependents \$25.00 + tax
All dependents are required to register to use District facilities.

Fees Applicable to Renters/Tenants

Seasonal Renter \$25.00 per person per month & tax

Long term renter**
Per Adult ¹⁰⁰ \$100.00 + tax

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Property Owners, Residents, Renter

- | | | |
|----|---|---|
| 1. | R.V. storage area | Per current lease agreement ¹¹⁰ |
| 2. | Reactivation of Access Cards | \$10.00 |
| 3. | Initial keys for beach and pier | \$5.00 ¹¹¹ |
| 4. | Replacement keys, beach and pier ¹¹² | \$10.00 ¹¹³ per key ¹¹⁴ |
| 5. | RV Storage late fee ¹¹⁵ | Per current lease agreement. |
| 6. | Resident for Profit Use of Building | Non-Resident fees apply |

Non-Resident

1. Rental of Buildings:¹¹⁶
- Building "A" \$100.00 per hour (2 hour min.)
\$100.00 fee for use of kitchen (non-refundable)
Plus \$100.00 refundable deposit
- Building "D or E" \$80.00 per hour (2 hour min.)
- \$50.00 for use of kitchen (non-refundable)
Plus \$80.00 refundable deposits
Note: Fees are double if both sides are used.
- Building "C" \$50.00 per hour (2 hour minimum)
Pool #1 Pavilion \$100 per hour (2 hour minimum)

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

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

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

2. Parking fee for allowed vehicles
(other than automobiles) at Falcon Dr. Lot \$10.00 per day

Automobiles overnight in Building "A" lot:

Residents	Free
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Guests	
1-2 nights	\$ 5.00
3-7 nights	\$10.00
8 or more nights	\$25.00/week

3. Beach and Pier \$15.00 1 Day pass
\$25.00 refundable key deposit

3.4 Guidelines for Registering as a Club or Organization and Use of District Facilities

Registration of Clubs/Organizations/Private Parties

- Any request to form a registered Club or Organization that intends to use District facilities must be approved by the Community Manager.¹¹⁷
- An Application form and Building Registration form must be filed as part of the application which shall include the following information:
 - Name of Club or Organization
 - Names, addresses, phone numbers of at least four responsible year round District residents or elected officers or alternates. All officers of the club or organization must be District residents.¹¹⁸
 - Times, dates, and their choice of established layouts of tables and chairs needed for the club/organization.
 - Any club or organization having fewer than 3 meetings and/or events per year shall be de-certified.¹¹⁹
 - Definition and purpose of the club or organization.¹²⁰
 - Other pertinent information as may be required.
- Changes to Club Officers or designated responsible parties must be reported to BBRD management staff when changes occur to keep registration forms current.
- Clubs or Organizations must renew their applications for use of District facilities on an annual basis. This must be done no later than the December 31st of each year. Names and address of officers (who must be District residents) shall be provided. Failure to maintain residents as officers will result in the club or organization being de-certified as a registered club or organization.¹²¹ This is necessary to reaffirm scheduling for each season/year. Applicants also need to report if they desire to have their names published in the HOA annual phone directory.
- The designated parties will be the only recognized officials to make new arrangements and changes to the schedule or set up plans.
- The time that has been scheduled for club meetings must be followed. Members are not allowed to come in early. Other functions or cleaning may be in progress prior to the clubs scheduled time.

Use of District Facilities

- Any Club or Organization that uses District facilities must be comprised of a majority of Barefoot Bay residents unless permitted by policies adopted by the Board of Trustees. Only registered Clubs or Organizations may use District facilities on a non-fee basis. .¹²²
- Residents of the Barefoot Bay Recreation District may utilize District facilities but registered Clubs or Organizations shall have priority in scheduling.

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3. Social events held by residents requesting use of District facilities shall be classified as "District Resident-Private Parties." Rental fees shall not apply; however, non-residents who attend these functions must register as guests and pay fees in accordance with the District's fee schedule.
4. Residents using District facilities for a "for profit" event are required to pay fees in accordance with the District's fee schedule.
5. Non-registered clubs and organizations or non-residents may use District facilities upon payment of appropriate fees in accordance with the District's fee schedule. Priority shall be in terms of scheduling:
 - A. BBRD official meetings, workshops and/or events
 - B. BFBHOA
 - C. District Resident-Private Parties
 - D. Registered Clubs, Organizations
 - E. Non-residents.

Non-Discrimination Policy

1. The Barefoot Bay Recreation District does not discriminate against anyone in a protected class including, but not limited to race, creed, color, national origin, religion, gender, or sexual orientation. When in use of Barefoot Bay Recreation District facilities, anyone in a protected class including employees, residents and guests will not be discriminated against regardless of race, creed, color, national origin, religion, gender or sexual orientation.¹²³

Use of Alcoholic Beverages

1. Bringing alcoholic beverages to District facilities is prohibited. Where permitted, all alcoholic beverage purchases must be provided by the Barefoot Bay Recreation District.
2. In accordance with Florida Law, Home owners, residents, or guests may NOT place alcoholic beverages that are not purchased through the golf course or 19th-hole on their property adjacent to the golf course for any amenity user to consume.¹²⁴
3. For all functions desiring the use of bar service for the purpose of purchasing alcoholic beverages, the minimum service charge shall be \$100.00.¹²⁵ For non-club functions, this fee is payable in advance at the Resident Relations Office.¹²⁶ If the Bar takes in less than \$100.00, the function host will reimburse the bar total.¹²⁷ Clubs who register a bar must also meet the \$100.00 minimum, but are not required to pay in advance.¹²⁸ Clubs who do not meet the \$100.00 minimum must make up the difference.¹²⁹
4. Clubs or organizations must fill out a Bar Form (if a bar is desired) to request a Bar for the function. A good estimate on the number of people that will attend is required. This helps the bartender to stock the bar properly.
5. A request for bar service must be made at least two weeks in advance. If not submitted two weeks prior to the event,¹³⁰ BBRD cannot guarantee that personnel will be available to cover the bar.

Scheduling and Set-Up

1. It will be necessary to have dates of annual events scheduled prior to November 25th each year for the following year. There will be no confirmation of these dates until they have been reviewed and approved.
2. Reservations will be booked for eleven months only: If an entity desires the use of club facilities during December, this must be requested on a separate form. Regular scheduling of facilities shall be beginning in January.
3. Pick more than one date and check with the Calendar Coordinator's Office to determine the availability of time and building.

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4. At the time of reservation, you will need to know the number of people that will be attending, and if you would like round or square tables. Options for table layout are limited to established table layouts.
5. Buildings will no longer be held for the Clubs or Organizations unless they come into the office and sign the necessary paperwork.
6. In order to cancel a meeting, an authorized representative must come in person to the Calendar Coordinator's office to cancel. They will be asked to sign a cancellation form.
7. The Barefoot Bay Recreation District reserves the right to assign, re-assign or re-schedule any function. The Community Manager shall be responsible for all final decisions regarding conflicts in scheduling.
8. Smaller clubs/organizations/events may be reassigned to a smaller facility to reduce utility and maintenance costs.
9. All functions requiring set-up must be submitted at least 2 weeks in advance. Failure to provide adequate notice by this deadline shall result in payment of set-up fees of \$25.00 & tax. Once set up plans are submitted and approved, any changes to the set up plans as submitted may be required to pay additional fees.
10. Persons requesting the use of Building A or D & E and requiring multiple large electrical usage appliances must follow the plan outlined by Property Services to safely utilize existing power supplies. Failure to follow the set plan will result in loss of usage of the facility for that event. It is the responsibility of the Barefoot Bay Recreation District to strictly adhere to all Fire and Safety regulations for events in and around the Recreation District facilities.
11. Persons requesting the use of Building A or D & E which will result in large groups of mobile guests are required to follow the plan outlined by Property Services to safely utilize doorways and exits. Failure to follow the set plan will result in loss of usage of the facility for that event. It is the responsibility of the Barefoot Bay Recreation District to strictly adhere to all Fire and Safety regulations for events in and around the Recreation District facilities.

Use of District Facilities Where Fees Are Charged

1. All private functions requiring a fee or individual admissions charge may be subject to additional payment fees to the District, unless waived by the Board of Trustees in consideration that the fees accrued go to benefit the registered club's stated purpose that being of a "non-profit" nature. Non-resident fees will apply.

Use of Facilities for Gambling and Games of Chance

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

Use of Kitchen Facilities/Bringing in Incidental Food

1. Any function that requires the use of kitchen facilities including the use of grills stoves, refrigerators, sinks shall pay a usage fee and clean-up deposit as may be determined by the Board of Trustees.
2. Clean up deposits and usage fees may be waived if food and beverages brought into the District facilities are of an incidental nature. However, a clean-up fee may be charged to any entity using District facilities if areas have to be cleaned by custodial staff.
3. Refrigerators and Freezers must be reserved with the Calendar Coordinator at least two weeks prior to their use.
4. If a private caterer requires the use of the stove, refrigerator and/or freezer, the Barefoot Bay club, organization representative, or Barefoot Bay resident must reserve them with the Calendar Coordinator at least two weeks in advance. There will be no catering charge for the Barefoot Bay club, organization,

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- or resident unless the equipment is damaged. Damage to equipment will be assessed at the repair or replacement cost of the equipment to the Barefoot Bay club, organization, or resident. ¹³¹
5. Any function that leaves the facilities in an unclean manner shall be charged a \$100.00¹³² clean-up fee. If the fee is not paid, the entity will lose their privileges until the matter is settled.
 6. Due to insurance requirements, the slicer, deep fryer¹³³ and use of grill in Building A are not available for use by non-staff persons. District personnel will provide said services when requested. A fee of \$15.00 per hour will be charged for this service for the slicer or deep fryer. A \$50.00 fee for grill service for two hours, additional hours \$15.00 per hour.¹³⁴
 7. The gas grill is available for use at Pool 1 by residents and their guests on a first come, first served basis. ¹³⁵
 8. Residents must wipe the grill and cooking area clean when cooking is complete.
 9. Residents assume all responsibility for food safety.
 10. Due to the potential risks, residents using grills are required to sign a waiver and assume all responsibility for the cooking and safety of the prepared food.
 11. Residents must provide their own cooking tools.
 12. 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.¹³⁶
 13. 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.

3.5 Guidelines for Gift and or Memorials for the Barefoot Bay Recreation District¹³⁷

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

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

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6. The acceptance, placement, use and removal of gifts and memorials are at the sole discretion of the District.
7. Plaques for all memorials shall not be considered permanent, and will be removed at the sole discretion of the District when they deteriorate.

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PUBLIC RECORDS REQUEST POLICY

Part 4. Public Records Request Policy

4.0 PURPOSE.¹³⁸

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

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

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

4.1 PUBLIC RECORDS REQUEST PROCEDURE.

A. Intake of Request.

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

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B. Notification and Response.

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

C. Public Record Inspections.

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

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

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

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4.3 COPIES AND FEES.

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

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

Homeowners and residents may obtain one free copy of the following documents per calendar year:¹³⁹

- Charter
- Deed of Restrictions
- ARCC Guidelines
- Policy Manual
- Employee Handbook
- Homeowners' Copy of Proposed Budget
- Homeowners' Copy of Approved Budget

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

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

Paper copies:

First 10 pages per month, per citizen: No Charge
Additional:
8.5x11.5 or less - one-sided \$0.15
8.5x11.5 or less - two-sided \$0.20
8.5x14 or less - one-sided \$0.15
8.5x14 or less - two-sided \$0.20
11x17 \$0.25

Certified copies: \$1.00

CD/DVD/VHS/Audio Tapes:

Duplication:

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

Postage:

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

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

Revision Record Page

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

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

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

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Endnotes

- 1 Amended 12/10/13 Resolution 2013-16
- 2 Added 2/13/2015, Resolution 2015-04
- 3 Amended 9/9/16, Resolution 2016-19
- 4 Amended 7/10/09, Resolution 2009-12
- 5 Amended 2/13/2015, Resolution 2015-04
- 6 Amended 9/9/16, Resolution 2016-19
- 7 Amended 3/28/2017 to remove reimbursement of ARCC travel expenses, Resolution 2017-5
- 8 Amended 9/9/16, Resolution 2016-19
- 9 Amended 9/9/16, Resolution 2016-19
- 10 Amended 3/28/2017, Resolution 2017-05
- 11 Section added 2/13/2015, Resolution 2015-04
- 12 Amended 9/9/16, Resolution 2016-19
- ~~13 Amended 9/9/16, Resolution 2016-19~~
- ~~14 Amended 9/9/16, Resolution 2016-19~~
- ~~15 Amended 3/28/2017, Resolution 2017-05~~
- 16 Amended 2/13/2015, Resolution 2015-04
- 17 Amended 2/13/2015, Resolution 2015-04
- 18 Amended 2/13/2015, Resolution 2015-04
- 19 Amended 2/13/2015, Resolution 2015-04
- 20 Amended 2/13/2015, Resolution 2015-04
- 21 Amended 2/13/2015, Resolution 2015-04
- 22 Amended 9/9/16, Resolution 2016-19
- 23 Amended 2/13/2015, Resolution 2015-04
- 24 Amended 2/13/2015, Resolution 2015-04
- 25 Amended 9/9/16, Resolution 2016-19
- 26 Amended 2/13/2015, Resolution 2015-04
- 27 Amended 2/13/2015, Resolution 2015-04
- 28 Amended 2/28/12 Resolution 2012-05
- 29 Amended 9/9/16, Resolution 2016-19
- 30 Amended 2/13/2015, Resolution 2015-04
- 31 Amended 06/23/09, Resolution 2009-08
- 32 Amended 9/9/16, Resolution 2016-19
- 33 Amended 2/13/2015, Resolution 2015-04
- 34 Amended 2/13/2015, Resolution 2015-04
- 35 Amended 2/13/2015, Resolution 2015-04
- 36 Amended 2/13/2015, Resolution 2015-04
- 37 Amended 2/13/2015, Resolution 2015-04 All references to purchases over \$30,000 changed to \$50,000 in this section.
- 38 Amended August 13 2010, Resolution 2010-14
- 39 Amended 12/10/13 Resolution 2013-16
- 40 Added 2/13/2015, Resolution 2015-04
- 41 Amended 9/9/16, Resolution 2016-19
- 42 Amended 9/9/16, Resolution 2016-19
- 43 Amended December 10, 2013, Resolution 2013-16
- 44 Amended May 14, 2010, Resolution 2010-09
- 45 Amended December 10, 2013, Resolution 2013-16
- 46 Temporary Social membership reference deleted 2/13/2015, Resolution 2015-04
- 47 Amended December 10, 2013, Resolution 2013-16
- 48 Amended December 10, 2013, Resolution 2013-16
- 49 Amended 2/13/2015, Resolution 2015-04

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- 50 Amended 2/13/2015, Resolution 2015-04
- 51 Amended 2/13/2015, Resolution 2015-04
- 52 Amended September 10, 2010, Resolution 2010-15
- 53 Amended September 10, 2010, Resolution 2010-16
- 54 Amended 9/9/16, Resolution 2016-19
- ⁵⁵ Amended 12/8/2017 Resolution 2017-19
- 56 Amended December 10, 2013, Resolution 2013-16
- 57 Amended January 13, 2012 Resolution 2012-01
- 58 Amended December 10, 2013, Resolution 2013-16
- 59 Amended June 8, 2012 Resolution 2012-09
- 60 Amended September 23,2014 Resolution 2014-12
- 61 Amended 9/9/16, Resolution 2016-19
- 62 Amended 3/28/2017, Resolution 2017-05
- 63 Amended October 25, 2011. Resolution 2011-16
- 64 Amended 9/9/16, Resolution 2016-19
- ⁶⁵ Amended 3/28/2017, Resolution 2017-05
- 66 Amended 7/8/11, Resolution 2011-12 .Changes to Golf Membership regarding "full time students" and changed to fiscal year.
- 67 Res. 2001-12, 12/14/01
- 68 Amended 9/9/16, Resolution 2016-19
- 69 Amended 2/13/2015, Resolution 2015-04
- 70 Amended March 12, 2010, Resolution 2010-7
- 71 Amended March 23, 2010, Resolution 2010-8
- 72 Amended 2/13/2015, Resolution 2015-04
- 73 Amended 2/13/2015, Resolution 2015-04
- 74 Amended 2/13/2015, Resolution 2015-04
- 75 Amended 9/9/16, Resolution 2016-19
- 76 Amended December 10, 2013, Resolution 2013-16
- 77 Amended 9/9/16, Resolution 2016-19
- 78 Amended 9/9/16, Resolution 2016-19
- 79 Amended December 10, 2013, Resolution 2013-16
- 80 Amended 9/9/16, Resolution 2016-19
- 81 Amended December 10, 2013, Resolution 2013-16
- 82 Amended December 10, 2013, Resolution 2013-16
- 83 Amended December 10, 2013, Resolution 2013-16
- 84 Amended 9/9/16, Resolution 2016-19
- 85 Amended 2/13/2015, Resolution 2015-04
- 86 Amended 3/11/2011 Resolution 2011-04
- 87 Amended 9/9/16, Resolution 2016-19
- 88 Amended July 8, 2011 Resolution 2011-12
- 89 Amended 9/9/16, Resolution 2016-19
- 90 Amended July 10, 2009, Resolution 2009-14
- 91 Amended 2/13/2015, Resolution 2015-04
- 92 Amended 2/13/2015, Resolution 2015-04
- 93 Amended 9/9/16, Resolution 2016-19
- 94 Amended July 8, 2011, Resolution 2011-12
- 95 Amended 2/13/2015, Resolution 2015-04
- 96 Section amended 2/13/2015, Resolution 2015-04
- 97 Amended December 10, 2013, Resolution 2013-16
- 98 Amended December 10, 2013, Resolution 2013-16
- 99 Amended December 10, 2013, Resolution 2013-16

Exhibit A
Barefoot Bay Recreation District Policy Manual
PUBLIC RECORDS REQUEST POLICY

100 Amended December 10, 2013, Resolution 2013-16
101 Amended December 10, 2013, Resolution 2013-16
102 Amended December 10, 2013, Resolution 2013-16
103 Amended December 10, 2013, Resolution 2013-16
104 Amended December 10, 2013, Resolution 2013-16
105 Amended 2/13/2015, Resolution 2015-04
106 Amended December 10, 2013, Resolution 2013-16
107 Amended 9/9/16, Resolution 2016-19
108 Amended December 10, 2013, Resolution 2013-16
109 Amended May 14, 2010, Resolution 2010-09
110 Amended December 10, 2013, Resolution 2013-16
111 Amended 9/9/16, Resolution 2016-19
112 Amended December 10, 2013, Resolution 2013-16
113 Amended 9/9/16, Resolution 2016-19
114 Amended 2/13/2015, Resolution 2015-04
115 Amended December 10, 2013, Resolution 2013-16
116 Amended 9/9/16, Resolution 2016-19
¹¹⁷ Amended April 25, 2017, Resolution 2017-07

¹¹⁹ Amended April 25, 2017, Resolution 2017-07

¹²² Amended 12/8/2017 Resolution 2017-19

123 Amended December 10, 2013, Resolution 2013-16
124 Amended 9/9/16, Resolution 2016-19
125 Amended December 10, 2013, Resolution 2013-16
126 Amended December 10, 2013, Resolution 2013-16
127 Amended December 10, 2013, Resolution 2013-16
128 Amended December 10, 2013, Resolution 2013-16
129 Amended December 10, 2013, Resolution 2013-16
130 Amended 2/13/2015, Resolution 2015-04
131 Amended January 8, 2009, Resolution 2010-01
132 Amended 9/9/16, Resolution 2016-19
133 Amended 9/9/16, Resolution 2016-19
134 Amended 2/13/2015, Resolution 2015-04
135 Amended July 8, 2011, Resolution 2011-12

¹³⁶ Amended April 25, 2017, Resolution 2017-07

137 Amended February 12, 2010, Resolution 2010-5

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

139 Amended 9/9/16, Resolution 2016-19

Board of Trustees Workshop Agenda Memo

Date: September 13, 2018

Title: Review of Proposed Changes to Employee Handbook

Section & Item: 6

Department: Administration: Office of District Clerk

Fiscal Impact: N/A

Contact: John W. Coffey, Community Manager or appropriate department manager

Attachments: Policy Manual with strike-through and underline formatting

Reviewed by
General Counsel: N/A

Approved by: John W. Coffey, Community Manager



Requested Action by BOT

Review of proposed changes and direction to staff.

Background and Summary Information

Following the bi-annual comprehensive review of the Employee Handbook, staff recommends the following changes:

- Working and Compensation section, Recording hours worked sub-section: Addition of reference to “approval of bi-weekly payroll submittals”
- Working and Compensation section, Holidays sub-section: revised to add clarity. No substantial changes proposed.
- Working and Compensation section, Maintaining your personnel records sub-section: Changed “HR Department” to “Resident Relations Office”
- Working and Compensation section, Personnel Files sub-section: Codified current practice of notifying an employee when a record is viewed or copied from his/her employment file.
- Working and Compensation section, Recognition Policy Files sub-section: Codified recently BOT approved “Innovation, extraordinary service and/or innovation award program.”
- Standards and Expectations for Workplace and Safety section, Emergency Operations Policy sub-section: correction of a mis-spelled word
- Standards and Expectations for Workplace and Safety section, Appearance and attire sub-section: Added clarifying language to appearance standards.
- Benefits Section, Vacation time sub-section: Rewording of section for clarity, adjusting start date of accrual and modification of accrual period (to ease administrative process). No substantive changes are proposed to the amount of time an employee can accrue.
- Benefits Section, Vacation time sub-section: Rewording of section for clarity, adjusting start date of accrual and modification of accrual period (to ease administrative process). No substantive changes are proposed to the amount of time an employee can accrue.
- Benefits Section, Vacation time sub-section: Clarification that Department Managers are responsible for determining if sick leave is properly used.
- Acknowledgement of Receipt of Employee Handbook section: Elimination of requirement that an employee must return his/her copy of the document upon separation (a practice that is not currently enforced).

Upon consensus of the BOT for any changes, the document will be sent to General Counsel Repperger for legal review and placed on the next available BOT meeting agenda for consideration of adoption.

Barefoot Bay Recreation District Employee Handbook

Version ~~65~~ approved ~~presented to the~~ Board of Trustees on
~~09Sep16~~13Sep18



Original Approved December 11, 2009

Amended by Resolutions 2010-23 and 2012-02

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WELCOME TO BAREFOOT BAY RECREATION DISTRICT

Welcome to the Barefoot Bay Recreation District (the “District”). The purpose of this employee handbook (“Handbook”) is to familiarize employees with the various aspects of working for the District. We feel it will be a useful reference tool for all employees. We encourage you to use it to better understand the policies and procedures relating to your employment with the District. Our policies, practices and benefits are continuously reviewed and are updated from time to time. If you have any questions regarding the items discussed in this Handbook, please ask for clarification from Department Manager. For the purpose of this Handbook, the term “Human Resources” or “HR” refers to a Barefoot Bay employee assigned duties which include Human Resource Coordinator and who is supported by the BBRD HR consultant. This employee handbook supersedes any and all prior employee policies, procedures, and handbooks of the District. The District reserves the right to modify, supplement, rescind, or revise any part of this handbook from time to time as it deems necessary or appropriate in its sole discretion with or without notice to you. These provisions may not be amended or added to without the express written approval of the Barefoot Bay Recreation District Board of Trustees.

BAREFOOT BAY RECREATION DISTRICT’S PHILOSOPHY

OPEN-DOOR POLICY

We strive to provide an environment where two-way communication is encouraged, thereby fostering a warm, friendly and harmonious work environment.

Employees are encouraged to bring their work-related questions, problems, suggestions or complaints to their immediate supervisor, who will respond within 10 calendar days. If employees are dissatisfied by their supervisor’s response and further follow-up is needed, employees may address their concern with their supervisor’s superior and/or the Community Manager who will respond within 10 calendar days.

Periodically, employees may not feel comfortable discussing a sensitive matter with their supervisor. In such situations, Human Resources can provide confidential counseling and help the employee choose an appropriate manner to address their concern.

In order for the District to properly respond to your concerns, employees should bring their concerns to the attention of management or the HR Department. Employees may not always receive the response they are looking for, however their issue will be promptly addressed and an explanation given as to why a particular action was taken. This open door policy helps small problems stay small, where they are most easily resolved.

Steps to take if you have concerns:

- Bring the situation to the attention of your immediate supervisor, or a member of management and discuss it privately
- If you feel the situation has not been resolved, make an appointment to discuss the situation with your supervisor’s superior and/or the Community Manager
- If you have followed steps 1 and 2, and still feel that the situation has not been satisfactorily resolved, or in situations regarding a sensitive manner you may contact Human Resources who will assist in addressing your concerns.

Your position will not be jeopardized for bringing a legitimate problem or concern to management's attention. Working together to address common issues and concerns enables us to implement mutually-beneficial solutions to problems.

CODE OF ETHICAL CONDUCT

In order to avoid any appearance of a conflict of interest, employees are expected to abide by the following code of ethical conduct. Please consult your Department Manager or the Community Manager if you have any questions.

As public employees, we are bound by the "Code of Ethics for Public Officers and Employees" set forth in the Florida Statutes, Chapter 112, Part III. The efficient and faithful performance of our duties is very important, therefore any infraction of applicable laws regarding ethical and legal conduct will be cause for potential discipline, up to and including termination. Additionally, some acts which are breaches of the trust the public has placed in us are crimes and may be prosecuted under Florida law.

Employees of the District should not solicit anything of value from any person or organization with which the District has a current or potential relationship.

Employees may not accept items valued over \$15 received in course of business from suppliers or vendors. Such items may include gifts, food, drink and entertainment.

If you are faced with and are unsure how to handle a situation that you believe has the potential to violate this code of ethical conduct, notify your Department Manager or Community Manager.

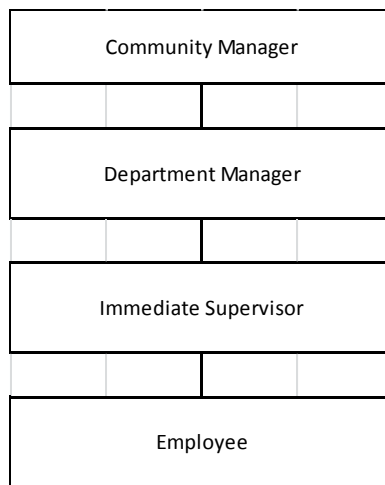
Violations of this code may lead to disciplinary action, up to and including termination.

LOYALTY OATH

Florida law requires all employees to take an Oath of Loyalty when they are hired. Any individual who refuses to take an Oath of Loyalty will not be hired. As a public employee, you will be required to take and sign an Oath of Loyalty to the Constitution of the United States and the State of Florida. The law requires the termination of a person who refuses to take an Oath of Loyalty.

CHAIN OF COMMAND

Every employee, upon receipt of this manual, is presumed to know the applicable chain-of-command that pertains to him or her. Employees are expected to follow the chain of command when dealing with matters that relate to your job responsibilities. Sensitive matters and concerns of a legal nature can be brought to the attention of the HR Department or another member of management.



PROHIBITION AGAINST NEPOTISM

It is the policy of the District to avoid hiring relatives into the workplace whenever possible. However, on occasion more than one relative may work for the District. A relative is defined as an individual who is related to the employee as grandfather, grandmother, father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother or half-sister. The following guidelines will govern these situations:

- Under no circumstances will an individual be appointed, employed, retained, promoted or transferred to any position where a relative has direct supervision, jurisdiction or control over that position. If two employees become related while working for the District, they are subject to this policy and must immediately notify HR.
- Related persons will not be involved in evaluation of each other's job performance or in making recommendations for salary adjustments, promotions, or other budget decisions.
- Related employees shall not be employed in the same department.

INTERNAL RECRUITMENT/TRANSFERS/PROMOTIONS

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Management may post vacant positions internally only when the department manager, Community Manager and H.R. Coordinator believe two or more current employees are qualified for the position. Employees with more than six months of service may apply for internally-posted positions.

Management may transfer employees between departments and facilities to meet specified work requirements and reassign work requirements as needed. When a transfer is required and there are two or more qualified employees, that are in the position to be transferred, the H.R. Coordinator will work with affected Department Managers to identify the most suitable employee.

The Community Manager may directly promote an employee to critical administrative/management positions, without advertising the position, when it is in the best interest of the District. To be considered, employees must have held their current position for at least six months and have a satisfactory performance record. The Community Manager retains the discretion to make exceptions to the policy.

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

It is the policy of the District to provide equal employment opportunity to all employees and applicants for employment and not to discriminate on any basis prohibited by law, including race, color, sex, age, religion, national origin, disability, sexual orientation, marital status or status as a veteran in accordance with applicable state and federal laws. It is our intent and desire that equal employment opportunities will be provided in employment, recruitment, selection, compensation, benefits, promotion, demotion, layoff, termination and all other terms and conditions of employment. The Barefoot Bay Board of Trustees', Community Manager, and all managerial personnel are committed to this policy and its enforcement.

Employees are directed to bring any violation of this EEO policy to the immediate attention of any member of management and the HR Department who will promptly bring the matter to the attention of the Community Manager for investigation and resolution. Any employee who violates this policy or knowingly retaliates against an employee reporting or complaining of a violation of this policy shall be subject to immediate disciplinary action, up to and including discharge. Complaints brought under this policy will be promptly investigated and handled with due regard for the privacy and respect of all involved.

NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

It is the policy of the District that you should be able to enjoy a work atmosphere free from all forms of discrimination, including sexual harassment. Each employee has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, harassment and retaliation.

The District prohibits and does not tolerate any such discrimination or harassment.

Definitions of Sexual Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for

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sexual favors and other verbal or physical conduct of a sexual nature when, for example (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through email); and other physical, verbal or visual conduct of a sexual nature. Sex-based harassment - that is, harassment not involving sexual activity or language e.g., male manager yells only at female employees and not males - may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex.

Other Forms of Harassment

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, national origin, age, disability, marital status, genetic predisposition or carrier status, sexual orientation or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance, or (3) otherwise adversely affects an individual's employment opportunities. Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or show hostility or aversion toward an individual or group (including through email).

Individuals and Conduct Covered

These policies apply to all applicants, and employees, and prohibit harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to the District, e.g., and outside vendor, consultant or residents.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Retaliation is Prohibited

The District prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

Reporting an Incident of Harassment, Discrimination or Retaliation

The District strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced

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conduct that they believe is contrary of the District's policy or who have concerns about such matters should file their complaints with their immediate supervisor or Human Resources before the conduct becomes severe or pervasive. Employees should feel free to file their complaints with any member of management and/or Human Resources.

Employees who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure. An employee's failure to fulfill this obligation could affect his or her rights in pursuing legal action. Please note, federal, state and local discrimination laws establish specific time frames for initiating a legal proceeding pursuant to those laws.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, the District strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The District will make every effort to stop alleged harassment before it becomes severe or pervasive, but needs the cooperation of employees in order to do so.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

It is important that each employee play a role in preventing or eliminating sexual or any other harassment by:

- Examining his/her own behavior in the workplace to be sure that he/she is not engaged in offensive conduct
- Making it clear that he/she does not approve of actions or conduct that may be offensive
- Supporting the District's policy against harassment
- Promptly informing the person or persons involved that they should stop engaging in the conduct which is offensive or objectionable to the employee
- Promptly bringing the matter to the attention of their immediate supervisor, a member of management or Human Resources

The Investigation

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly and impartially by management and Human Resources. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Responsive Action

Misconduct constituting harassment, discrimination or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, reassignment, temporary suspension without pay or termination, as the District believes appropriate under the circumstances.

If an employee making a complaint does not agree with its resolution, the employee may appeal the decision to the Community Manager.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of the District prohibit discrimination on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

AMERICANS WITH DISABILITIES ACT POLICY STATEMENT

The Americans with Disabilities Act (“ADA”) and the Americans with Disabilities Amendments Act, known as the ADAAMA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that, when needed, provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

A disability is:

- A physical or mental impairment that substantially limits one or more major life activities; or
- A record of such impairment (with respect to an individual); or
- An impairment which substantially limits a major life activity (with respect to any individual regarded as having the same); or
- Having a relationship or association with someone who has a known disability.

Reasonable Accommodation

It is the policy of BBRD to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (“EEOC”). Consistent with this policy of nondiscrimination, the District will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the District aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the District.

BBRD will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so would result in an undue hardship to the District or impose a direct threat to the safety of the employee or others in the workplace and the threat cannot be eliminated by reasonable accommodation. The District encourages individuals with disabilities to come forward and request reasonable accommodation. Contact Human Resources with any questions or requests for accommodation.

Procedure for Requesting an Accommodation

On receipt of an accommodation request, a member of Human Resources will meet with you to discuss and identify the precise limitations resulting from the disability and the potential accommodation the District might make to help overcome those limitations.

The District will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, and the accommodation's impact on the operation of the District, including its impact on the ability of other employees to perform their duties and the District's ability to conduct business.

The District will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, employees will be advised of their right to appeal the decision by submitting a written statement explaining the reasons for the request. If the request on appeal is denied, that decision is final.

The ADA does not require the District to make the best possible accommodation, to reallocate essential job functions, or to provide personal use items, i.e., eyeglasses, hearing aids, wheelchairs etc.

An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should notify Human Resources. All such inquiries or complaints will be treated as confidential to the extent permissible by law.

WORKING AND COMPENSATION

EMPLOYMENT ON AN AT-WILL BASIS

All employees of the District, regardless of their classification or position, are employed on an at-will basis. This means that each employee's employment is terminable at the will of the employee or the District at any time, with or without cause and with or without notice. No representative or employee of the District has any authority to enter into any agreement with any employee or applicant for employment on other than an at-will basis. Furthermore, nothing contained in the policies, procedures, handbooks, manuals, job descriptions, application for employment, or any other document of the District shall in any way create an express or implied contract of employment or an employment relationship on other than an at-will basis.

ATTENDANCE AND REPORTING TO WORK

Each employee is important to the overall success of our operation. When you are not here, someone else must do your job. Consequently, you are expected to report to work on time as scheduled. Reporting to work on time means that you are ready to start work, not just arriving at work, at your scheduled starting time.

The District depends on its employees to be at work at the times and locations scheduled. Excessive absenteeism and/or tardiness will lead to disciplinary action, up to and including termination. The determination of excessive absenteeism will be made at the discretion of the Department Manager. After three days' absence, you will be required to provide documentation from your physician to support an injury- or illness-related absence, and to ensure that you may safely return to work.

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Absence from work for three consecutive days without properly notifying your immediate supervisor will be considered a voluntary resignation except for unavoidable circumstances.

If you expect to be absent from the job for an approved reason (e.g., paid time off or a FMLA leave of absence), you should notify your immediate supervisor of your upcoming absence as far in advance as possible. If you unexpectedly need to be absent from or late to work, you must notify your immediate supervisor prior to the start of your scheduled workday that you will be late or absent and provide the reason for that absence or tardiness. If your immediate supervisor is not available, you should contact the Department or Community Manager prior to the start of your scheduled workday. Leave your number so that your immediate supervisor can return your call. Depending on the circumstances of your absence, failure to properly contact us as soon as possible, may result in an unexcused absence for disciplinary purposes. Your attendance record is a part of your overall performance rating. Your attendance will be included during your review and may be considered for other disciplinary action up to and including termination.

Where possible, medical and dental appointments should be scheduled around your assigned work hours. If you are unable to schedule an appointment before or after your shift, you are required to talk to your immediate supervisor to make special arrangements.

WORKDAY HOURS AND SCHEDULING

Due to the nature of operating a recreation district, employees of the District are required to work a variety of hours during the week. Some departments will operate at different times than others. Your starting, lunch and quitting times are determined by your Department Manager. Employees are expected to observe the specific hours outlined in the work schedules prepared by their respective Department Managers. These schedules are posted and must be strictly adhered to in order to ensure the smooth operations of the District. Work schedules will be changed when management deems it necessary. Any deviation from your assigned schedule must be approved in advance by your Department Manager. Additionally, employees are not permitted to change schedules with a fellow employee without securing permission from each employee's Department Manager.

The regularly scheduled workweek for the District is: Monday at 12:01 a.m. and ends on Sunday at 12:00 midnight. Start and end times are scheduled by your Department Manager. Employees are required to be present for work during the workday established for them by their supervisors.

Work schedules may vary depending on such factors as weather, materials supply, building needs, etc. If you are unsure about expected starting times on any particular job assignment, ask your Department Manager for clarification.

In case of unplanned conditions, such as bad weather, that may force a schedule change at the last minute, you should contact your Department Manager or call the office directly.

RECORDING HOURS WORKED

All hourly employees shall follow supervisor's instructions to record correct time of your arrival and departure for your scheduled shift, [including the approval of bi-weekly payroll submittals](#). It is expressly forbidden to falsify your time or another employee's time at work. Immediate supervisors and department managers are responsible for verifying employee attendance.

PAY PERIOD AND PAYDAY

The District issues paychecks, on a Bi-weekly basis. Pay periods start Monday at 12:01 a.m. and ends on Sunday at 12:00 midnight. Employees are encouraged to have their paychecks directly deposited into their designated bank account. Paychecks are deposited no later than Thursday following the end of the pay period. If the employee does not choose direct deposit, the paychecks will be mailed by the payroll company directly to the employee's address of record.

WORKWEEK & OVERTIME/COMPENSATORY TIME

The District's workweek begins on Monday at 12:01 a.m. and ends on Sunday at 12:00 midnight. Occasionally it may be necessary for an employee to work beyond his or her normal workday hours. Under no circumstances shall an employee work overtime without the approval of their immediate supervisor or the Department Manager.

Non-exempt employees will receive overtime pay at a rate of one-and-one-half times their regular hourly rate for all hours worked in excess of 40 in a workweek. Non-exempt employees may elect to receive compensatory time (prior to working over 40 hours in a work week) at the rate of 1.5 hours for every 1.0 hours worked. Non-exempt employee's compensatory time must be used within the same fiscal year and cannot be accrued in excess of 80 hours. Compensatory time for non-exempt employees will be paid out 100% upon separation.

Exempt employees may elect to receive compensatory time. Compensatory time will be calculated as one hour comp time for one hour worked. Compensatory time must be used within the same fiscal year of earning the time and cannot exceed 80 hours. Compensatory time will not be paid out upon separation. The employee's immediate supervisor shall track comp time accruals and usage and will maintain written records of approvals of comp time earned and used. Only comp time approved in writing by the employee's supervisor will be accrued and then later used.

Decisions regarding overtime work will be made by the Department Manager or the Community Manager. Any employee asked to work overtime will be expected to rearrange his/her personal schedule to work the requested overtime.

HOLIDAYS

The District observes the following holidays:

- New Year's Day
- Martin Luther King Jr. Day
- Memorial Day
- Fourth of July
- Labor Day
- Veteran's Day
- Thanksgiving

- Day after Thanksgiving
- Christmas Eve
- Christmas

~~Only full-time employees who have been employed a minimum of 30 days will be paid for these holidays as long as the employee was present for scheduled work on the workdays immediately before and after that holiday. If a paid holiday falls within an employee's prior approved vacation period, the holiday will not be counted as a vacation day.~~

~~If a holiday falls on a Saturday it is observed on Friday, or if it falls on a Sunday, it will be observed on the following Monday. If you normally work weekends you will observe the holiday on the day it occurs.~~

~~If you are a Regular Part-time or Temporary/Seasonal Employee and work on a holiday you will be paid your regular pay plus holiday pay for every hour worked.~~

~~All non-exempt employees who work on both the actual holiday and the observed holiday will be paid holiday pay for only one of the two days worked.~~

~~Only Regular Full-Time Employees who have been employed a minimum of 30 days are eligible to be paid for Holidays. Holiday Pay is paid on the hours normally worked by a Regular Full-Time-Employee. If a holiday falls on a Saturday, it is observed on the preceding non-holiday week day. If a holiday falls on a Sunday, it is observed on the subsequent non-holiday week day. Regular Full-Time Employees must either be present for scheduled work or on approved vacation on both the work days immediately preceding and immediately following a holiday to receive Holiday Pay. If a paid holiday falls within an approved vacation, the holiday will not be counted as a vacation day unless the vacation is coincident with an employee's separation of employment.~~

~~Regular Full-Time non-exempt employees will be paid normally for all hours worked on a holiday or on an observed holiday in addition to being paid the holiday pay if eligible.~~

~~All Regular Part Time, Seasonal and Temporary Employees will be paid double time for every hour worked on a holiday. All Regular Part Time, Seasonal and Temporary Employees will be paid double time for every hour worked on an observed holiday unless they worked the actual date of the holiday.~~

EMPLOYMENT CLASSIFICATIONS

Upon being hired by the District, all new employees and employees who have been transferred or promoted to a new position must serve a six (6) month probationary period. It is especially important that you make your Department Manager aware of any questions or problems you may encounter during this period. Your performance will be carefully monitored during this period. At the end of the probationary period, your performance will be reviewed, by your Department Manager and if it has been satisfactory, you will become a Regular Full-Time or Regular Part-Time Employee. Satisfactory completion of the probationary period does not entitle you to employment for any specific term, but may entitle you to participation in many of the District's employee benefits programs.

For the sole purpose of determining the allowance of certain employee benefits, employees are classified as:

1. Regular Full-Time Employees - An employee who has satisfactorily completed the probationary period and is scheduled to work a minimum of thirty (30) hours per week (minimum of 1,500 hours per year).
2. Regular Part-Time Employees - An employee who has satisfactorily completed the probationary period and is scheduled to work less than thirty (30) hours per week (maximum of 1,500 hours per year).
3. Temporary or Seasonal Employees - An employee whose services are scheduled to be of limited duration. Temporary or Seasonal employees are not eligible for participation in those employee benefits programs made available for the District Regular Full-Time and Regular Part-Time Employees. Service as a temporary does not count as service as a Regular Employee for benefit eligibility purposes.
4. Interim Employee – An employee who is hired or promoted as a replacement to temporarily supplement the workforce.

For payroll purposes, employees will be classified as one of the following:

1. Exempt Employees - Certain employees such as executive, administrative, professional and supervisory employees, whose positions meet specific tests established by the Fair Labor Standards Act, are paid on a salary basis for all hours worked each week. These employees are expected to work whatever hours are required to accomplish their duties, even if it exceeds their normal workweek. Exempt employees working outside their normal hours may receive compensatory time per their immediate supervisor.
2. Non-Exempt Employees - All employees who do not meet the Fair Labor Standards Act exemption test for exempt employee are identified as non-exempt employees. Non-exempt employees are hourly employees, who must be paid the state minimum wage and are eligible for payment of overtime pay.

MAINTAINING YOUR PERSONNEL RECORDS

It is your responsibility to provide current information regarding your address, telephone number, insurance beneficiaries, change in dependents, marital status, etc. Please notify the [Resident Relations Office HR Department](#) to note any changes in your address, phone number, emergency contact information, marital status, number of dependents, etc. Changes in exemptions for tax purposes will only be made upon the receipt of a completed W-4 form.

PERSONNEL FILES

Employee personnel files are the property of the District, and do not belong to the employee. However, upon request, the District will allow an employee to review their employee file under the supervision of management. [If a public record is viewed or copied from an employee's personnel file, the Resident Relations Manager/H.R. Coordinator or designee shall notify said employee as soon as possible.](#)

PERFORMANCE EVALUATIONS

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Employees will have their job performance reviewed at the mid-point and end of their -6 month probationary period and on an annual basis by their immediate supervisor and/or Department Manager.

RECOGNITION POLICIES: SERVICE AWARDS

Barefoot Bay Recreation District recognizes the value of institutional knowledge and experience held by long-term employees. Additionally, retention of high-performing employees reduces the cost of employee turnover and enhances corporate competitiveness.

Two programs are used to reward longevity and innovation/extraordinary service/innovation.

1. Longevity Milestone Award Program

Eligibility full-time, and part-time active employees become eligible for a milestone recognition award of bonus days off in the year in which they complete five, 10, 15, 20, 25, 30, 35 and 40 years of service.

Years	Bonus days off	Years	Bonus days off
Five	One	Twenty Five	Five
Ten	Two	Thirty	Six
Fifteen	Three	Thirty Five	Seven
Twenty	Four	Forty	Eight

Employees reaching the following service milestones will be granted the following lifetime discount on lunch meals at the 19th Hole:

10 years	\$1
20 years	\$2
30 30 years	\$3

2. Innovation, Extraordinary Service and/or Innovation Award Program

PURPOSE:

The purpose of the Employee Recognition and Incentive Program is to reward employees for exceptional, extraordinary, or innovative performance that benefits or improves District services and programs. The Program is intended to promote and encourage teamwork, motivation, efficiency, and productivity in the performance of duties for the benefit of the District and the community.

SCOPE:

Applies to all full-time and part-time employees.

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DEFINITIONS:

Bonus: A one-time monetary award not to exceed five hundred dollars (\$500.00) provided to an employee in addition to the employee's regular compensation which may be made upon determination of merit for an Award by the District's Management Team. Award criteria must be met for a bonus to be awarded to any employee. Operational Excellence Award: To recognize employees who have demonstrated continuous exceptional performance and have made a significant positive contribution to their Department's operations, functions, or provision of services. Extraordinary Service Award: To recognize employees who have demonstrated performance that goes above and beyond the call of duty for a particular job classification, substantially exceed performance expectations, or perform valuable tasks or services beyond defined job classification duties during special, unusual, or emergency events. Innovation Award: To recognize employees who have made innovative suggestions, have implemented new or novel processes, or have engaged in creative or ingenious performance that has raised substantial revenue or saved substantial costs to the District.

PROCESS:

Any District employee (including Department Heads and the Community Manager) may nominate any other District employee for any specific Recognition and Incentive Program Award. The nominating employee must provide a written statement providing the facts and circumstances supporting the nominated employee's entitlement to the Award. The nomination shall be submitted to any Department Head or the Community Manager, but may be anonymous. Upon receipt of a written nomination, the District Management Team (consisting of all Department Heads and the Community Manager) shall jointly consider and determine whether an Award is merited. The Management Team shall have the sole discretion to determine whether the criteria for any Award have been met and/or the amount of any bonus, not to exceed five hundred dollars (\$500.00), which may be provided upon the granting of any Award. The Board of Trustees shall be publicly notified when any employee has been granted an Award pursuant to this policy.

STANDARDS AND EXPECTATIONS FOR ~~THE~~ WORKPLACE AND SAFETY

The District believes in maintaining safe and healthy working conditions for our employees. However, to achieve our goal of providing a safe workplace, each employee must be safety conscious. We have established the following policies and procedures that allow us to provide safe and healthy working conditions. We expect each employee to follow these policies and procedures, to act safely, and to report unsafe conditions to his or her Department Manager in a timely manner.

REPORTING UNSAFE CONDITIONS OR PRACTICES

Employees are expected to continually be on the lookout for unsafe working conditions or practices. If you observe an unsafe condition, you should warn others, if possible, and report that condition to

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your Department Manager immediately. If you have a question regarding the safety of your workplace and practices, ask your Department Manager for clarification.

If you observe a coworker using an unsafe practice, you are expected to mention this to the coworker and to your Department Manager. Likewise, if a coworker brings to your attention an unsafe practice you may be using, please thank the coworker and make any necessary adjustments to what you are doing. Safety at work is a team effort.

MAINTAINING A SAFE WORKSITE

We expect employees to establish and maintain a safe worksite. This includes but is not limited to the following applications:

- Building and maintaining walkways, handrails, and guardrails.
- Properly lifting and lowering heavy objects.
- Inspecting tools and equipment for defects before use.
- Keeping walkways clear of debris.
- Unsafe cell phone use
- In conditions affecting public safety, use of medications that may affect the safety and well-being of others.
- Inspecting, cleaning, and properly storing tools and equipment after use.
- Following established safety rules.

USING SAFETY EQUIPMENT

Where needed, the District provides its employees with appropriate safety equipment and devices. You are required to use the equipment provided in the manner designated as proper and safe by the manufacturer. Failure to properly use safety equipment may lead to disciplinary action, up to and including termination.

If you require safety equipment that has not been provided, contact your Department Manager before performing the job duty for which you need the safety equipment.

REPORTING AN INJURY

Employees are required to report any injury, accident, or safety hazard immediately to their immediate supervisor and/or Department Manager. Minor cuts or abrasions must be treated on the spot. More serious injuries or accidents will be treated accordingly. Serious injuries must be reported on the injury or accident report form available in the office.

The District provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits. In all cases in which an employee files a workers' compensation claim for a job related injury, drug testing is required pursuant to the BBRD Drug Free Workplace Policy.

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Employees who sustain work-related injuries/illnesses; or who see a co-worker sustain a work related injury or illness must by penalty of disciplinary action inform their immediate supervisor or Department Manager as soon as possible. . No matter how minor an on-the-job injury may appear, it is important that it be reported immediately.

DIRECTIONS FOR ANY WORKER ACCIDENT:

Step 1: If this requires emergency attention – CALL 911

Step 2: Have a manager complete a First Report of Injury Form and have the employee sign (if capable)

Step 3: If need be, go first to an Urgent Care Facility (see below) or the Emergency Room. Inform the location that you have a workers' comp injury and give them the claim number if you have it.

If you are unable to obtain a claim number in advance of treatment, please give the medical facility your Social Security number and contact HR or your Department Manager as soon as possible.

URGENT CARE

1. Sebastian Family Walk-In Clinic 13840 US Hwy 1, Sebastian (4.18 Miles)
2. Palm Bay Community Hospital 1425 Malabar Rd, NE, Palm Bay, FL (13 Miles)
3. Indian River Walk In Clinic 652 21st. St., Vero Beach (19.77 Miles)
4. Urgent Care West 2050 40th Ave. Ste. 6, Vero Beach (20.99 Miles)

HOSPITALS

1. Sebastian River Medical Center 13695 US Hwy 1, Sebastian, FL., 32958 (3.77 Miles)
2. Palm Bay Community Hospital 1425 Malabar Rd, NE, Palm Bay, FL (13 Miles)
3. Holmes Regional Medical Center, 1350 S Hickory, Melbourne, FL (16.89 miles)
4. Indian River Memorial Hospital 1000 36th St., Vero Beach, FL., (18.28 miles)
5. Wuesthoff Medical Center 250 N. Wickham Rd., Melbourne, Fl. (21.87 miles)

Neither Barefoot Bay Recreation District nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off duty recreational, social, or athletic activity sponsored by Barefoot Bay Recreation District (Employees may not be eligible for workers' compensation benefits if following an accident or upon reasonable suspicion they refuse to submit to a drug test or if they test positive for illegal drugs within their system).

HAZARD COMMUNICATIONS

If you believe that you are dealing with a hazardous material and lack the appropriate information and/or safety equipment, contact your Department Manager immediately.

DISTRICT EQUIPMENT, SUPPLIES, AND VEHICLES

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All employees are expected to take care of all equipment and supplies provided to them. Equipment or vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the immediate supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or is in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Your immediate supervisor or Department Manager can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

Driving a vehicle owned by the District is a privilege. If you are granted the privilege of driving such a vehicle, you are solely responsible for ensuring that the vehicle assigned to you is operated in a safe and prudent manner and in compliance with all of the District's rules and regulations, and all state and federal laws, rules and regulations relating to motor vehicle operation. Your failure to abide by any such laws, rules and regulations may result in a variety of consequences, including, without limitation, the loss of this privilege, termination of your employment and possible legal consequences.

You are responsible for the vehicle's keys and license plate and any other property of the District related to the vehicle. If you are authorized to drive a vehicle owned by the District, you must adhere to these regulations:

- Absolutely No Smoking. Under no circumstances will there be any smoking in any vehicle at any time, including, but not limited to, tobacco products and electronic cigarettes.
- Authorized Barefoot Bay Recreation District personnel Only. In cases of emergency, the Community Manager may authorize an exception.
- In Case of Accident. All accidents and damages must be reported to your immediate Department Manager as soon as possible. Any employee involved in any accident with a District vehicle must complete both state and company insurance accident reports within 24 hours of the accident.
- Driver's License. All employees assigned to drive a vehicle owned by the District must have a valid and current Florida driver's license. Employees recently relocated to Florida must obtain a Florida license before they may drive a District vehicle.
- Driving while impaired. No employee may operate a vehicle owned by the District while impaired by alcohol, illegal drugs or medication.
- Personal Use. Vehicles owned by the District may not be used for personal purposes.
- Loss of Insurability. If you are deemed to be a high risk driver or are otherwise uninsurable, you will lose the right to use a vehicle owned by the District. You must notify your supervisor immediately if you are a high risk driver or are uninsurable.
- No Irresponsible or Reckless Driving. Anyone driving a vehicle owned by the District must obey all laws and regulations regarding the operation of a motor vehicle and shall exercise extreme caution when operating the vehicle.
- Payment of Fines and Tickets. Employees will be responsible for paying all traffic or parking fines received while operating a District owned vehicle.

The theft, improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

Employees are subject to mandatory drug testing as provided for in the BBRD Drug Free Workplace Policy immediately after any vehicular accident while at work and/or on duty that the employee has caused, contributed to, or been involved in. This provision shall apply regardless of whether employee is driving a District owned vehicle or a vehicle owned by any other party.

SMOKING AT THE WORKPLACE

The District's policy is to provide smoke-free environments for our employees, residents, and the general public. Smoking of any kind is prohibited inside our office, district buildings and district vehicles. Employees may smoke on scheduled breaks or during meal times, as long as they do so outside in designated smoking locations.

Employees are also responsible to inform anyone working on our grounds of this smoke-free policy, and report to their immediate supervisor any violation of this policy.

VIOLENCE AND WEAPONS

The District believes in maintaining a safe and healthy workplace, in part by promoting open, friendly, and supportive working relationships among all employees. Violence or threats of violence have no place in our business, and will not be tolerated. Violence is not an effective solution to any problem. Employees are strictly prohibited from the unlawful use of any weapons- including knives, pistols, rifles, stun guns, Mace, etc., in the worksite or office. Neither threats of violence nor fighting will be tolerated. Furthermore, if you have a situation that is creating stress or otherwise making you agitated, you are encouraged to discuss it with your immediate supervisor, Department Manager and/or Human Resources Department.

You are expected to immediately report to your Department Manager any violation of this policy. Any employee found threatening another employee, fighting, and/or unlawfully using weapons- in the worksite will be subject to disciplinary action, up to and including termination.

EMERGENCY OPERATION POLICY

During emergencies or the preparation for a potential emergency, employees of the Barefoot Bay Recreation District have responsibilities to the citizens of the district and to assist in the preparation for the potential emergency. Employees are also critical in the recovery from events. To ensure that BBRD's expectations are clear to all, and that the safety of people, employees and facilities are protected the following policies are adopted. Additionally, Department Managers, supervisors and essential personnel are expected to be familiar with the BBRD Emergency Management Plan. Non-essential employees are encouraged to familiarize themselves with the Emergency Management plan each year prior to hurricane season.

DEFINITION:

Emergency – Any natural or man-made event that requires the preparation for and potential evacuation of BBRD facilities and or residents, and is declared by the Chairman of the Board of County Commissioners.

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Administrative Leave - Paid at regular rate for the days during a Declared Emergency and not to exceed five days.

Return to Work Notice - Per the Emergency Management Plan, employees will be notified when to return to work based on their classification (essential, pre/post disaster essential personnel and non-essential personnel).

Emergency Phone Number - All employees will provide their immediate supervisor an updated regular and emergency contact numbers each year on or before May 31.

EMERGENCY OPERATION POLICIES

1. No time off or annual leave will be granted within 5 days of an anticipated emergency, during a declared state of emergency and during a Level II EOC state of preparedness or immediately following an emergency (as determined by the Community Manager). Exceptions will be reviewed and granted by the Community Manager on a case by case basis.. Given the above, employees are expected to prepare their home emergency plans and protect their property during non-work hours and in advance of the possible preparation of District facilities.
2. Those who are not scheduled to work may be called in to assist in the preparation of BBRD facilities. Those called in will be compensated in accordance with the BBRD's policies.
3. BBRD facilities and amenities will be closed in accordance with the Emergency Management plan prior to any anticipated disaster.
4. Per the Emergency Management Plan, non-essential personnel and pre/post disaster essential personnel will be released from work as required. Said employees will be put on administrative leave. Employees who work scheduled shifts in advance of ~~ceasation~~[cessation](#) of normal BBRD operations, and report back to work after the emergency will be compensated for the time on administrative leave up to 32 hours.
5. Employees are required ~~before~~ hurricane season each year to provide their immediate supervisor with an up-to-date contact number or numbers. This number will be the number at which the employee can be reached in the event of preparation for, evacuation of area and Return to Work Notice. Failure to Return to Work when notified at this contact number may result in the determination that the employee has abandoned the job. He or she may be disciplined up to and including ~~termination~~.
6. During the preparation of facilities and recovery from disasters employees may be asked to perform jobs that are not in their usually daily work or job description. Failure to perform reasonable tasks at the direction of Management of BBRD may be cause for immediate suspension and/or termination.

All compensation policies for non-exempt employees shall be in effect during recovery operations. Non-exempt essential employees who shelter in place will be paid for every hour they are at BBRD, up to 24 hours per day. All other non-exempt employees will only be paid for hours worked at BBRD, excluding Administrative leave hours. Exempt employees working outside their normal hours during the declared emergency may receive compensatory time. Exempt employees working during a declared state of emergency shall record their hours worked (as instructed by the Finance Office) in case federal disaster recover funds cover their hours worked beyond 40 hours per week. In the event

reimbursable overtime is paid to exempt employees, BBRD compensatory time shall not be allow.

DRUG-FREE WORKPLACE

The District does not tolerate the presence of illegal drugs or the illegal use of legal drugs in our workplace. The use, possession, distribution, or sale of controlled substances such as drugs or alcohol, or being under the influence of such controlled substances is strictly prohibited while on duty, while on the District's premises or worksites, or while operating the District's equipment or vehicles.¹ The use of illegal drugs as well as the illegal use of legal drugs is a threat to us all because it promotes problems with safety, customer service, productivity, and our ability to survive and prosper as an organization. Employees in safety-sensitive positions have an obligation to ensure that they are not impaired while engaged in their jobs and do not pose a direct threat to their safety and the safety of others. If you need to take a prescription medication that may affect your ability to safely perform your job duties, you are required to discuss possible accommodations with your Department Manager. Violation of this policy will result in disciplinary action, up to and including termination.

Prior to employment, each potential employee must undergo a drug test. Employees reasonably suspected through observation/documentation to be under the influence of alcohol or other drugs shall be prevented from engaging in further work of any sort and will have given the District cause to subject them to immediate testing, in accordance with the procedures set forth in the policy.

As a condition of employment, employees must notify their Department Manager if they are arrested for a criminal charge relating to illegal drugs and/or alcohol. Such notification must be made within twenty four (24) hours of the arrest. Any employee who is convicted of violating criminal drug or alcohol statutes must notify an appropriate Department Manager or the Community Manager of that conviction within five days of the conviction. Failure to do so may lead to disciplinary action, up to and including termination.

Barefoot Bay Drug-Free Workplace Program adheres to Florida State Statutes. The Barefoot Bay Drug-Free Workplace Policy is available in the District Office for review.

RESIDENT RELATIONS

-At Barefoot Bay Recreation District, delivering excellent customer service is the measure of our success. It is the responsibility of each employee, within reason, to interact with the residents or guest to achieve this goal.

APPEARANCE AND ~~DRESS~~ATTIRE

¹ This policy is not intended to prohibit the possession, distribution, and/or sale of alcohol by authorized Food and Beverage Department employees in the normal course and scope of performing their job duties where such possession, distribution, and/or sale of alcohol is a defined part of their job description or has been otherwise authorized in advance by District Management.

Management may exercise good discretion to determine appropriateness in appearance. Employees who do not meet a professional standard, to be determined at management's sole discretion, may be sent home to change and non-exempt employees will not be paid for that time off. Some basic essentials of appropriate dress include the need for clothing to be neat and clean. A reasonable dress code prohibits any extreme in dress, accessory, fragrances or hair. It is impossible and undesirable to define an absolute code for dress and fragrances. Management will apply a rule of reason on a case-by-case basis.

Appearance has an impact on both employee performance and customer perceptions; therefore Barefoot Bay does not allow facial jewelry, specifically eyebrow, nose and lip piercing if the Department Manager deems it a safety hazard. It also requires earrings, hair color, and tattoos on both men and women, to be "professional". To present a professional image to our residents, guest and the public, all employees are required to wear appropriate clothing on the job. Shirts with inappropriate slogans, tight pants, miniskirts, tank tops, cut-offs halter tops, muscle shirts, crop tops and flip flops are not acceptable attire. If District clothing is provided by the District, it must be worn while on duty. By necessity, the dress standards for the business office are somewhat different than for jobsites.

- For the business office, casual business-style dress is appropriate. Employees should be neatly groomed and clothes should be clean and in good repair. Leisure clothes such as jeans, shorts, cut-offs or halter tops are not acceptable attire for the business office, which includes the Administrative Office and Resident Relations. Management may designate days in which more casual attire is acceptable.
- For worksites, employees are expected to wear clothes appropriate for work to be done as outlined by the Department Manager or Community Manager. Employees should be sensitive to the location and context of their work and should be ready to adjust their dress if the circumstances so warrant. Employees at a jobsite should wear clothing that protects their safety and wear clothing in such a way as to be safe (e.g., shirts tucked in when working around machinery).

CONFLICTS OF INTEREST

Barefoot Bay Recreation District is a special unit of local government which means that Florida Statutes have established clear rules of conduct. You should avoid external business, financial, or employment interests that conflict with the District's community & business interests or with your ability to perform your job duties. This applies to your possible relationships with any other employer, consultant, contractor, resident, or supplier.

Violations of law may lead to disciplinary action, up to and including termination, and prosecution under the law.

SOLICITATION AND DISTRIBUTION

For the safety, convenience, and protection of all employees, the District has adopted the following rules concerning solicitation and the distribution of materials:

- The District prohibits solicitation and distribution of non-district materials on District property or at District sites at all times.

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- Commercial solicitation is prohibited while on District properties. The gathering of signatures for petitioning of elected officials is prohibited within buildings or upon District facilities. Bona fide non-profit 501(c) fundraising efforts shall be permitted.

PERSONAL CALLS, VISITS, AND BUSINESS

The District expects the full attention of its employees while they are working. Although employees may occasionally have to take care of personal matters during the workday, employees should try to conduct such personal business either before or after the workday or during breaks or meal periods.

Employees should also limit incoming personal calls, internet use, visits, or personal transactions on both District and personal devices (use of personal devices is allowed on breaks). The District's phones should be available to serve the District's community, and non-business use of the phones can hurt the District's operations. A pattern of excessive personal phone calls, personal visits, and/or private business dealings is not acceptable and may lead to disciplinary action.

INSPECTION OF PERSONAL AND DISTRICT PROPERTY

The District's employees use the property and equipment the District owns and provides, and may also use the District's materials, information, and other supplies. While employees may decorate their office workspaces with their personal possessions (such as pictures, plants, and the like), employees must remember that property supplied by the District remains the property of the District. The District reserves the right to search any District property (e.g., personal computers, desks, lockers, or other storage areas) at any time. Refusal to allow inspection may lead to disciplinary action, up to and including termination.

WORKPLACE MONITORING

Workplace monitoring may be conducted by Barefoot Bay Recreation District to ensure quality control, employee safety, security, and customer satisfaction.

Barefoot Bay Recreation District may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.

Because Barefoot Bay Recreation District is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

Notice is hereby given that video surveillance may occur on District property. In the event a video surveillance recording captures an employee or other building user violating District policies, rules or local, state, or federal laws, the video surveillance recording may be used in appropriate disciplinary proceedings against the employee or other building user and may also be provided to law enforcement agencies.

No employee, unless authorized by the Community Manager or designee, shall tamper with, alter, turn off or otherwise adjust CCTV cameras or equipment. Employees who violate this prohibition will be disciplined including up to termination based on the severity and nature of the offense.

NETWORK AND ELECTRONIC RESOURCES POLICY

Network and Electronic Resources, such as computers, other hardware, software, e-mail, landline and cellular telephones, fax machines and internet access, are tools that the District provides its employees to assist them in their work. These Network and Electronic Resources and related access systems are proprietary District property and subject to review or access by the District at any time.

All employees who use the District's Network and Electronic Resources must follow the guidelines below:

1. Use Network and Electronic Resources for District business purposes only.
2. Messages and communications sent via the District's Network and Electronic Resources are subject to the Public Records Act, and may be used in legal proceedings. Thus, all records are open to public review. Please consider this before sending any confidential messages or material via the Network and Electronic Resources.
3. E-Mail is not a substitute for face-to-face communication. If you have a conflict with someone or need to discuss an important issue, it should be handled in person or over the telephone if a meeting is not possible.
4. Remember that all of the District's policies, including but not limited to policies on Equal Employment Opportunity, Harassment, Confidentiality, Personal Conduct and Rules of Conduct, apply to the use of the District's Network and Electronic Resources. Employees must not review or forward sexually explicit, profane or otherwise unprofessional or unlawful material through the District's Network and Electronic Resources
5. District's Network and Electronic Resources are the District's property and will be assigned to employees as needed. Upon assignment of original password, employees shall change the password to a unique password. Passwords shall not be shared with any co-workers, supervisors or other persons. Only the Community Manager, District Clerk or designee are authorized to download or install any software or program on any District computer or other hardware.
6. The District expressly prohibits the unauthorized use, installation, copying or distribution of copyrighted, trademarked or patented material.
7. Employees must not attempt to override or evade any program or measure installed by the District to protect the security or limit the use of its Network and Electronic Resources.
8. Employees shall not play non-work related video and/or music streaming during regular business hours from District computers or devices.

The District retains the right to review all communications conducted and data saved, reviewed or accessed via the District's Network and Electronic Resources, including District computers, e-mail and internet access. The District does not permit its employees to access or use any District password, e-mail or internet access other than their own. Inappropriate use of Network and Electronic Resources may result in discipline, up to and including discharge. Employees should be careful to safeguard their passwords, log off their terminals when not in use and not permit others to access District systems.

CONFIDENTIAL AND PROPRIETARY INFORMATION

In the course of employment, you may have access to confidential information or other information regarding the District or fellow employees. It is your responsibility to refrain from revealing or

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divulging any such information and that you use it only in the performance of your duties. Even information subject to public records laws shall be considered confidential until such time a request is made by the public to review such information. Violation of this policy shall be considered misconduct connected with employment as contemplated by Chapter 443 of the Florida Statutes, governing unemployment compensation, and shall subject the employee to immediate dismissal.

PERSONAL CONDUCT

As a condition of employment, employees must notify their Department Manager if they are arrested for a criminal charge. Such notification must be made within twenty four (24) hours of the arrest.

RULES OF CONDUCT AND PROGRESSIVE DISCIPLINARY PROCEDURE

There are reasonable rules of conduct which must be followed in any organization to help a group of people work together effectively. The District expects each employee to present himself or herself in a professional appearance and manner. If an employee is not considerate of others and does not observe reasonable work rules, disciplinary action will be taken.

Depending on the severity or frequency of the disciplinary problems, a verbal or written reprimand, suspension without pay, disciplinary probation, or discharge may be necessary. It is within the District's sole discretion to select the appropriate disciplinary action to be taken. Notwithstanding the availability of the various disciplinary options, the District reserves the right to discharge an employee at its discretion, with or without notice.

Although employment with Barefoot Bay Recreation District is based on mutual consent and both the employee and Barefoot Bay Recreation District have the right to terminate employment at will, with or without cause or advance notice, Barefoot Bay Recreation District may use progressive discipline at its discretion. These steps are guides only; it is not to be assumed that any one of them, or all of them in progression, will automatically be administered.

Barefoot Bay Recreation District recognizes that each disciplinary situation is unique. Therefore, management retains the right to treat each incident on an individual basis at its discretion. However, in considering the discipline to be utilized in a particular case, management may consider the severity of the event, the cost involved to Barefoot Bay Recreation District, the interval between violations of a similar nature by the same employee, other violations, the employee's overall work record, the employee's length of service, and other factors as may bear upon the efficient and harmonious operation of Barefoot Bay Recreation District. While Barefoot Bay Recreation District is in no way bound to follow any specific procedures, the following forms of discipline may be utilized:

- ORAL WARNING - For minor offenses, the employee should be given an oral warning and documenting with the date, and the incident in the District employee's personnel file.
- WRITTEN WARNING - If the Oral Warning does not produce the necessary improvements and when repeated; or, when more severe offenses occur, the employee should be given a written warning. The written warning must include what has occurred, what rule or policy has been violated, what is expected of the employee, the amount of time allowed for improvement and make specific reference to all previous warning(s) (if any) that pertain in any way, to this warning. The warning statement should also contain a statement as to what more drastic disciplinary action will be taken if the employee does not correct the situation

or commits further policy or rule infractions. All the facts of the case leading to the written warning should be discussed with the employee in private, with no interruptions. A copy of the written warning should be provided to the employee. The employee should acknowledge receipt of the written warning by signing the Written Warning document (memo). The employee should be encouraged to make any comments she/he feels is pertinent to the situation. If the employee refuses to sign the Written Warning, it is the responsibility of the Department Manager to so state on the form prior to forwarding it to be put in the District employee's personnel file.

Following a written warning the immediate supervisor under guidance of the Human Resources shall jointly develop a "Corrective Action Plan" with the employee to give clear expectation of how the employee can correct his/her work related deficiencies

- **SUSPENSION** - A period of time that an individual is not permitted to work or receives pay from Barefoot Bay Recreation District. Suspension is appropriate in lieu of termination, when management feels an investigation of the circumstances is warranted and immediate "defusing" of a situation becomes necessary or when conflict with another employee warrants both to be suspended until an investigation uncovers the individual culpability of the conflict. Suspensions are generally without pay and are issued for a period of one (1) to ten (10) working days depending upon the seriousness of the infraction. If there is a need to dock pay from an exempt employee because of a suspension, the pay will be docked in full day increments.

Following a suspension, the immediate supervisor under guidance of the Human Resources shall jointly develop a "Corrective Action Plan" with the employee to give clear expectation of how the employee can correct his/her work related deficiencies

- **DEMOTION** - Demotions occur when employees do not follow the methods and procedures established for the particular job function or when the employee does not sustain quality performance.
- **DISMISSAL** - Dismissals are the involuntary separation of an employee at Barefoot Bay Recreation District. Dismissals should be substantiated with documentation of previous disciplinary actions, except in those cases serious enough to warrant immediate dismissal.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and Barefoot Bay Recreation District. All discipline actions must be documented in the employee file.

The following is not a complete list of offenses for which an employee may be subject to discipline, but it is illustrative of those offenses that may result in immediate discipline, up to and including dismissal, for a single offense:

1. Excessive absenteeism or tardiness.
2. Dishonesty, including falsification of District-related documents, Employment Applications, or misrepresentation of any fact.
3. Fighting, disorderly conduct, horseplay, or any other behavior which is dangerous or disruptive.
4. During your working hours for the District, being in the possession of, consumption of, or being under the influence of alcoholic beverages or illegal drugs.
5. Illegal manufacture, distribution, dispensation, sale, possession, or use of illegal drugs or un-prescribed controlled substances.

6. Reporting for work with illegal drugs or un-prescribed controlled substances in your body.
7. Possession of weapons, firearms, ammunition, explosives, or fireworks, in accordant with current Local, State, and Federal laws.
8. Failure to promptly report a workplace injury or accident involving any of the District's employees, residents, equipment, or property.
9. Willful neglect of safety practices, rules, and policies.
10. Speeding or reckless driving in a District Vehicle.
11. Violation of a criminal or civil state or federal law or other conduct which may damage the reputation of District.
12. Use of profane language while on District business.
13. Stealing, misappropriating, or intentionally damaging property belonging to the District or its residents or employees.
14. Unauthorized use of the District's or its residents' name, logo, funds, equipment, vehicles, or property.
15. Insubordination, including failure to comply with any work assignments or instructions given by any District Department Manager or immediate supervisor with the authority to do so.
16. Violation of the District's Equal Employment Opportunity Policy or its Harassment Policy.
17. Interference with the work performance of other employees.
18. Failure to cooperate with an internal investigation, including, but not limited to, investigations of violations of these work rules.
19. Failure to maintain the confidentiality of information belonging to the District or its residents.
20. Failure to comply with the personnel policies and rules of the District.
21. Unauthorized tampering, altering, turning off or adjusting District electronic equipment, including but not limited to CCTV system.

RE-EMPLOYMENT

Former employees who are rehired and return to work within three months of their termination will not be required to go through another probationary period, unless the District deems it necessary. Former employees who are rehired and return to work more than three months after their termination will be rehired only as new employees and must complete a new probationary period. They will be considered new employees for any and all benefits. As a general rule, the District will not rehire former employees who:

- Were dismissed by the District
- Resigned without giving two weeks' notice
- Were dismissed for inability to perform job duties
- Had a poor attendance record
- Had a below-average evaluation
- Violated work rules or safety rules

Variances from the above referenced general rule shall be authorized by Human Resources and the Community Manager.

OUTSIDE EMPLOYMENT

The District discourages our employees from taking additional outside employment. Employees who wish to take on outside employment must first obtain permission from their Department Manager or the Community Manager. Work requirements for the District, including overtime, must take precedence over any outside employment.

If the District permits an employee to take outside employment, the employee must report to his or her Department Manager when the outside job has started. If, as a result of this outside employment, the employee is unable to work when requested by the District, including overtime, or is unable to maintain a high work performance level at the District, permission to work at the outside job may be rescinded, or the employee may be subject to termination.

Employees are not permitted to work for any vendor of the District outside of the regular working hours as described above, without the express approval of the District's Community Manager or his or her designated representative.

The District will not pay medical benefits for injuries or sickness resulting from employment by any employer other than the District.

BENEFITS

HEALTH INSURANCE

Barefoot Bay Recreation District's health insurance plan provides employees and their dependents access to medical and dental care insurance benefits. Employees in the following employment classifications are eligible to participate in the health insurance plan:

-Full-time employees and part-time employees who work 30+ hours per week. Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between Barefoot Bay Recreation District and the insurance carrier.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) policy for more information.

Details of the health insurance plan are described in the employee benefits package.

VOLUNTARY INSURANCE AND BENEFITS

In addition to health insurance programs, the District offers benefits and insurance that Regular full-time employees may elect at their cost. Currently, these benefits include additional life insurance, Accidental Death and Dismemberment (AD&D) insurance, retirement plan, tuition reimbursement, short-term disability insurance, long-term disability insurance, and dental insurance. These optional benefits are subject to change from time to time.

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TUITION REIMBURSEMENT

Approval for participation in this program must be granted in advance of the start of the classes, by the employee's immediate supervisor, Department Manager and HR, in order for the participant to be reimbursed. Application made after the start of classes may not be approved.

Employees in the following employment situations are eligible to participate in Tuition Reimbursement:

Regular full-time employees and under certain circumstances part time employees may take academic course work and receive reimbursement for tuition. Courses must be job related.

- A.
 - I. Courses must be taken at an accredited institution and are normally taken on the employee's own time.
 - II. Employees may seek reimbursement only for courses that are directly related to their current position.
 - III. The District will provide 100% tuition reimbursement only for classes that the employee successfully completed and passed. There is no reimbursement for classes that have not been completed or failed.
 - IV. Separation from employment with Barefoot Bay Recreation District terminates any eligibility for this program. The District must be reimbursed for any funds it has expended if separation occurs prior to the completion of the course(s).
- B. Course reimbursement will be made after completion of course with documentation of course passing.
- C. Each budget year funds will be allocated for this program and managed by Department managers. If the allocated funds are exhausted no further reimbursements will be made for the balance of the current budget year.
- D. If you terminate employment within three (3) years after completion of a course for which you have received tuition assistance, you must reimburse Barefoot Bay in an amount proportionate to the three (3) year period of employment not completed, rounded to the nearest month.

VACATION TIME

~~The Regular full-time employees are eligible for paid vacation. Regular part-time employees are eligible for paid vacation only for the weeks they work 20 hours or more. Temporary and seasonal employees are not eligible for paid vacation. The length of annual vacations is determined by the length of service.~~

~~Vacation time will begin to accrue on the 31st day of employment; however, employees may not use accrued vacation time until completing six (6) months of employment. Vacation time must be scheduled and approved in advance by your Department Manager. Every effort will be made to accommodate vacation requests. However, business needs will determine the ability to honor such requests. Regular Full-Time and Regular Part-Time Employees are eligible to earn vacation hours. Vacation time begins to accrue at the start of the first full pay period following an employee's hire date; however, employees may not use accrued vacation time until after completing six months of~~

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employment. Vacation Time must be scheduled and approved by your Department Manager. Department Managers may approve requests that are not submitted timely in extraordinary situations. Every effort will be made to accommodate vacation requests; however, business needs will determine the ability to honor such requests.

Temporary and seasonal employees are not eligible for paid vacation.

Regular Full and Part-Time Employees earn vacation based upon their length of service with BBRD according to the schedules below:

Regular Full-time Employees - Vacation Accrual Schedule

<u>Length of Service</u>	<u>Vacation Accrual</u>
0 through 5th year =	8 hours per month
6 years through 10th year =	10 hours per month
11 years through 15th year =	12 hours per month
16+ years =	14 hours per month

<u>Length of Service – From Hire Date</u>	<u>Vacation Accrual</u>	<u>Old Annual Rate</u>	<u>New Annual Rate</u>
<u>0 - 5th year</u>	<u>3.70 hours per pay period.</u>	<u>96 Hours</u>	<u>96.2 Hours</u>
<u>6th year - 10th year</u>	<u>4.62 hours per pay period.</u>	<u>120 Hours</u>	<u>120.12 Hours</u>
<u>11th year - 15th year</u>	<u>5.54 hours per pay period.</u>	<u>144 Hours</u>	<u>144.04 Hours</u>
<u>16th year +</u>	<u>6.47 hours per pay period.</u>	<u>168 Hours</u>	<u>168.22 Hours</u>

Regular Part-Time Employee - Vacation Accrual Schedule

<u>Length of Service - From Hire Date</u>	<u>Vacation Accrual</u>	<u>Old Annual Rate</u>	<u>New Annual Rate</u>
<u>0 - 2nd year</u>	<u>1 hour per pay period.</u>	<u>24 Hours</u>	<u>26 Hours</u>
<u>3rd year +</u>	<u>2 hours per pay period.</u>	<u>48 Hours</u>	<u>52 Hours</u>

Maximum Accrued Time ~~for Regular Full-time Employee:~~

~~240 hours maximum on record~~

~~The maximum amount of Vacation time a Regular Full-time Employee may accrue is 240 hours. Once an employee's Vacation time reaches a maximum of 240 hours, no more hours will be credited to the employee's Vacation time until hours are used and hours on record falls below the 240 hour maximum.~~

Regular Part-time Employees – Accrual Schedule

<u>Length of Service</u>	<u>Vacation Accrual</u>
<u>0 through 2nd year</u>	<u>2 hours per month</u>
<u>3+ years</u>	<u>4 hours per month</u>

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Maximum Accrued Time for Regular Part-time employee:

~~The maximum amount of Vacation time a Regular Part-time employee (work at least 20 hours per week) may accrue is 90 hours. Once a Regular Part-time employee (work at least 20 hours per week) Vacation Time reaches a maximum of 90 hours, no more hours will be credited to the employee's Vacation Time until hours are used and hours on record falls below the 90-hour maximum.~~

~~New employees who begin work between the first and fifteenth days of the month will begin to accrue annual vacation as of the first of the month; those employed after the fifteenth day of the month will start accruing vacation on the first day of the next calendar month.~~

~~The maximum amount of Vacation Time a Regular Full-Time Employee may accrue is 240 hours. The maximum amount of Vacation time a Regular Part-Time Employee may accrue is 90 hours. No hours will be credited to the employee's Vacation Time once an employee reaches her/his applicable maximum hours until hours are used and the balance falls below the applicable maximum.~~

~~Holiday, Sick Time and Bereavement Leave may occur while an employee is on an approved vacation and may not count as vacation time. When sickness occurs while on vacation, the period of illness may be charged as sick leave and not vacation time if a request supported by a medical certification is that made within two business days of the employee returning to work. If bereavement leave is approved within a period of vacation, the vacation may be extended, or the vacation leave may be reduced by the bereavement leave.~~

Exempt employees who have a minimum of one hundred twenty (120) hours of unused recorded vacation time may convert forty (40) hours of such unused vacation time to cash one time per fiscal year.

Upon termination, all employees of the District have the right to be paid for any unused vacation time accrued by the employee up the maximum allowable accrual.

~~Holidays that occur while an employee is on prior approved vacation will count as a holiday rather than as a vacation day. When sickness occurs within a vacation leave, the period of illness may be charged as sick leave and the charge against vacation leave reduced accordingly. Request for such action must be made within two (2) days after return from vacation and must be supported by a medical certification substantiating the illness or injury claimed.~~

~~If bereavement leave occurs within a vacation period, the vacation period may be extended to cover this period and such time charged to bereavement leave as authorized; otherwise, the vacation leave will be reduced accordingly. Upon the termination of employment, the employee shall receive payment for all accumulated vacation time up to the maximum accumulations listed above.~~

The following key points provide answers to the most frequently asked questions concerning Vacation Time:

- An employee in his or her initial 6-months employment is not eligible to use Vacation Time. However, an employee is accruing Vacation Time during this period that will be available upon completion of this 6-month period.
- Employees on short-term illness or Family Medical Leave Act (FMLA) leave will not accrue Vacation Time.
- Regular Full-time employees Vacation Time is accrued in hours, once a month, on the first pay period after the 15th. Regular Part-time employees Vacation Time is accrued in hours, once a month, on the first pay period of the following month.

- Upon termination from the District, employees who have completed their initial 6-month employment period will be paid in their last check for any accrued, but unused Vacation time.

SICK LEAVE

~~Sick leave is available for regular full time employees only and is intended for use on a necessity basis only. It is not intended as additional vacation or paid time off. Sick time will begin to accrue on the first day of employment and may be used after completion of six (6) months of employment.~~

~~Sick leave is only available for Regular Full-Time employees and is not intended as additional vacation or paid time off. Sick leave begins to accrue at the start of the first full pay period following an employee's hire date; however, employees may not use accrued sick leave until after completing six months of employment. Sick leave shall not accrue when an employee is on any type of leave, other than vacation~~

~~Sick leave will accrue at a rate of eight (8) hours per month during the first ten (10) years of employment. Sick leave will accrue at a rate of twelve (12) hours per month after completing ten (10) years of employment. The maximum amount of sick time an employee may accrue is 750 hours. Once an employee's Sick leave reaches a maximum of 750 hours, no more hours will be credited to the employee's Sick leave until hours are used and fall below the 750-hour maximum. Sick leave shall not accrue when an employee is on any type of leave, other than vacation.~~

~~Regular Full Time Employees earn Sick Leave based upon their length of service with BBRD according to the schedule below:~~

<u>Length of Service – From Hire Date</u>	<u>Sick Leave Accrual</u>	<u>Old Annual Rate</u>	<u>New Annual Rate</u>
<u>0 - 10th year</u>	<u>3.70 hours per pay period.</u>	<u>96 Hours</u>	<u>96.2 Hours</u>
<u>11th year +</u>	<u>5.56 hours per pay period.</u>	<u>144 Hours</u>	<u>144.56 Hours</u>

Sick leave may be used for personal illness, the death or critical illness of a member of your immediate family, to keep medical and dental appointments, and to supplement workers compensation or disability, in order to equal the employee's usual gross pay prior to the workers compensation triggering event. Holidays that occur while an employee is on Sick leave will count as a holiday rather than as a Sick leave.

If you will be absent from work due to an illness, notice must be given to your- immediate supervisor prior to or at your scheduled reporting time, each day you are absent from work due to illness. If you are to be absent and fail to comply with the rules and regulations covering sick leave, you may be subject to disciplinary action. If you are absent from work and you are unable to contact your Department Manager because of a serious emergency situation or an accident, you must contact your Department Manager as soon as you are able. ~~Management-Department Managers are~~ responsible for determining that sick leave is properly authorized and used in accordance with this policy. At the discretion of the ~~District Department Manager~~, you must furnish a written medical certification that substantiates the illness and/or injury and your need to be absent from work. Absences of three (3) or more consecutive days will require medical certifications that affirm your illness and/or injury and permits you to return to work.

No payment shall be made for unused sick leave except at retirement, resignation or layoff. Such employees will receive pay for their accrued sick leave upon separation from employment. Payment will be at the following schedule:

- 0-5 year's service — 10%
- 6-10 year's service — 15%
- 11-15 year's service — 20%
- 16-20 year's service — 25%
- 21-25 year's service — 30%
- 25+ year's service — 40%

Holidays that occur while an employee is on Sick leave will count as a holiday rather than as a Sick leave.

Employees who retire, resign or who are laid off will receive pay for their accrued sick leave upon separation from employment. No payment shall be made for unused sick leave except at retirement, resignation or layoff.

Payment will be at the following schedule:

<u>Length of Service – From Hire Date</u>	<u>Sick Leave Payout</u>
<u>0 - 5th year =</u>	<u>10%</u>
<u>6th year - 10th year</u>	<u>15%</u>
<u>11th year - 15th year</u>	<u>20%</u>
<u>16th year - 20th year</u>	<u>25%</u>
<u>21st year - 25th year</u>	<u>30%</u>
<u>25th year +</u>	<u>40%</u>

ADDITIONAL BENEFITS

- Employees are entitled to a reduced price lunch at the lounge and 19th Hole during their working hours.
- All employees are permitted to play one game of golf a week for \$5 from November through April and two times a week from May through October at no charge for greens fees.
- All full time employees may join the ICMA Retirement Corporation Plan. The District will match employee deductions one for one up to a maximum of 3% of the employee's gross pay.

LEAVES OF ABSENCE

FAMILY AND MEDICAL LEAVE (FMLA ELIGIBILITY)

Employees may qualify for an unpaid leave under the Family and Medical Leave Act (FMLA) for up to twelve weeks per year. FMLA can be taken as either a single block of time such as whole weeks, as part time such as single days, or in small blocks of time such as hours and in some cases less than an hour if medically necessary.

To be eligible for FMLA leave the employee must meet these criteria:

- Be employed with the District for at least 12 months
- Have worked at least 1250 hours over the previous 12 months
- Have not already exhausted any FMLA leave entitlement for the past 12 month period.

The following circumstances qualify for FMLA leave:

- Birth of an employee's child and to bond with such child within one year after birth.
- Placement of a child with an employee for adoption or foster care and to bond with such child within one year of placement.
- The employee is needed to care for a child, spouse, or parent who has a "serious health condition".
 - A child shall mean the covered employee's biological, adopted, or foster child, stepchild, legal ward, and child of a person standing *in loco parentis* who is under 18 years of age or is over 18 years of age and is incapable of self-care because of a physical or mental disability. *In loco parentis* is a person who provides day-to-day care or financial support for a child with no biological or legal relationship to the child.
 - A parent means a covered employee's biological, adoptive, step, foster or *in loco parentis* father or mother. This term does not include parents "in law".
 - A "spouse" means a husband or wife as defined under the law in the State of Florida.
- The employee is unable to perform the functions of his or her position because of his or her own "serious health condition".
- Any qualifying exigency arising out of the fact that an employee's spouse, son, daughter, or parent is a covered military member on covered active duty
- Military Caregiver Leave – 26 workweeks of job-protected leave during a single 12 month period to care for a covered service member with a serious injury or illness, if the eligible employee is a service member's spouse, son, daughter, parent or next of kin.

SERIOUS HEALTH CONDITION

An employee may take FMLA to care for a spouse, child, parent who has a serious health condition or when the employee is unable to work because of their own serious health condition.

Serious health conditions include:

- Conditions requiring an overnight stay in a hospital or other medical care facility;
- Conditions that incapacitate the employee or covered family member for more than three consecutive days and require ongoing medical treatment (either multiple appointments

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with a health care provider, or a single appointment and follow-care such as prescription medication);

- Chronic conditions that cause occasional periods when the employee or family member are incapacitated and require treatment by a health care provider at least twice a year; and
- Pregnancy (including prenatal medical appointments, incapacity due to morning sickness and medically required bed rest).

REQUESTING FMLA LEAVE

If the employee knows in advance of the need for FMLA Leave, (for example, pregnancy or planned surgery) the employee is required to give notice to the BBRD at least 30 days in advance.

If the employee learns of the need for FMLA leave less than 30 days in advance (for example, sudden illness), the employee must give BBRD notice as soon as possible (generally either the day the employee learns of the need or the next work day).

When the employee needs FMLA unexpectedly (for example, emergency medical care or an accident) and is unable to notify the District, the employee must inform the employer as soon as possible and follow the usual notice or call-in procedures when the employee is able.

A **Family and Medical Leave Request Form** must be fully completed and signed by the employee prior to the commencement date of the leave. The employee's notice must include sufficient information for the District to determine that the employee may have a FMLA qualifying reason and the anticipated timing and duration of the leave. It is imperative that the employee complete and return any forms as requested and within the required timeframe. Failure to meet those requirements may result in a delay or denial of FMLA leave. Also, failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

The employee's initial request will be acknowledged in writing within 5 business days by Human Resources, and the employee will receive the following information:

- An eligibility notice stating if the employee's leave is or is not covered under the Family Medical Leave Act. If the employee is not eligible, the HR Department will state the reason for ineligibility.
- A notice of your rights and responsibilities under FMLA including:
 - A definition of the 12 month period used to keep track of FMLA usage. The BBRD will measure the 12-month period as a "rolling 12-month period measured backward" from the date an employee uses any leave under the policy. Each time an employee takes leave, the BBRD will compute the amount of leave the employee has taken under this policy and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.
 - The right to use paid leave and whether the employee will be required to use their paid leave. BBRD requires that all available paid leave be used first and will provide the employee with their current available Paid Time Off (the amount could change based on the employee's action leave date).
 - Information on the continuation of health benefits.
 - The employee's right to return to his or her job at the end of the 12 week FMLA leave.
 - A request for medical certification as required.

MEDICAL CERTIFICATION

If Leave is due to illness, the employee must supply medical certificate indicating:

- Contact information for the health care provider
- The onset of the serious health condition
- How long it is expected to last
- Appropriate medical facts about the condition
- Whether the employee needs leave continuously or intermittently and specific information about how often, how much time and information about the medical necessity for taking intermittent leave.

Failure to return the medical certification within 15 calendar days after the request, could result in the leave not being covered under the FMLA, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts.

If any of the required information for certification is missing, the employee will be notified in writing. He or she must provide the missing information within 7 calendar days. If the District has concerns about the validity of the certification, it may request a second opinion at the District's cost. If the first and second opinion differs, it may request a third opinion at the District's cost. If the employee's need for leave continues for an extended period of time, or if it changes significantly, the District may require the employee to provide an updated re-certification at intervals in accordance with the FMLA.

The employee will be required to furnish a certificate stating that he or she is physically able to resume his or her responsibilities before he or she is permitted to return to work. Return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner.

BENEFITS WHILE ON LEAVE

While on Leave the employee will not be eligible for paid holidays. The employee must use all PTO as a part of and at the beginning of the leave.

Group health insurance benefits will be continued on the same basis as if the employee had continued active employment. Any share of the group health plan premiums which had been paid by the employee prior to FMLA leave must continue to be paid by the employee during the FMLA leave period. If premiums are raised or lowered, the employee must pay the new premium rates. Only group health insurance benefits and premium payments will be maintained during the requisite period.

Premiums for other benefits, such as additional supplemental life insurance, must be fully paid by the employee.

If a premium payments more than 30 days late, the District will provide written notice to the employee that the payment has not been received. Such notice will be mailed to the employee at least 15 days before coverage is to cease, advising that coverage will be dropped on a specified date at least 15 days after the date of the letter unless the payment has been received by that date.

Employees who fail to return from a leave and have maintained medical insurance coverage will be responsible for reimbursing the District for the Employer's portion of the premiums paid by the District while on such leave. However, the District will not send reimbursement for premiums if the

employee's failure to return to work is due to the continuation, recurrence, or the onset of a serious health condition or other circumstances beyond the employee's control.

RETURN TO WORK

During FMLA leave, the employee must provide HR with periodic reports regarding the employee's status and intent to return to work. If the employee does not contact Human Resources during that time, we will consider the employee to have voluntarily resigned from his or her position.

For a Leave in excess of one month, contact should be made no later than two weeks prior to the employee's intended return date. For a Leave less than one month in duration, contact should be made no later than five days prior the employee's intended return date. If the employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide HR with reasonable notice, i.e., within two business days of the employee's changed circumstances and new return to work date.

If the employee gives HR notice of the employee's intent not to return to work, the employee will be considered to have voluntarily resigned.

If the employee fails to return to work, the last day of leave will be considered the employee's date of resignation.

Before the employee returns to work from FMLA leave for the employee's own serious health condition, the employee may be required to submit a fitness for duty certification from the employee's health care provider, with respect to the condition for which the leave was taken, stating that the employee is able to resume work.

JOB RESTORATION

Upon return from authorized FMLA leave, an employee must be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits and other terms and conditions of employment. In addition, an employee's use of FMLA cannot result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA, nor be counted against the employee under a "no fault" attendance policy.

If the Leave was covered under the Family Medical Leave Act, and the employee is returning within the specified 12 week period, the employee will be notified by Human Resources whether to return to the position he or she held at the time the Leave began, or alternatively, what comparable position the employee has been assigned to. Only Human Resources is authorized to allow the employee to return to work. The employee will be required to provide proof from a physician that he or she is medically capable of returning.

The employee will not be guaranteed reemployment for FMLA in excess of 12 weeks.

If the Leave was not covered by the Family Medical Leave Act, the employee will be notified whether a position is available for him or her.

KEY EMPLOYEES

Under specific and limited circumstances, BBRD may deny job restoration to "key employees" whose restoration to employment after FMLA leave will cause substantial and grievous economic injury to

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its operations. A “key” employee must be among the highest paid 10 percent of all the employees – both salaried, non-salaried, eligible and ineligible who are employed by the employer within 75 miles of the worksite.

KEY EMPLOYEE NOTIFICATION

BBRD will:

- Notify the employee in writing of his/her status as a key employee at the time of the FMLA leave request
- For unforeseeable leave, BBRD will provide written notice at the start of the leave to inform the employee of the potential consequences regarding reinstatement.
- If the employee is already on leave, BBRD will offer the employee a reasonable opportunity to return to work from FMLA leave after giving this notice
- Once it is determined that job restoration will cause substantial economic injury, the key employee will be notified of the decision, the reasons for the determination and that he or she is still entitled to take the leave.
- After taking FMLA leave, a “key” employee is still entitled to request reinstatement and the BBRD will determine and again notify the employee as to whether reinstatement will cause severe economic injury.

DONATIONS OF SICK LEAVE

Employees with greater than eighty hours of accrued sick time, or who are separating from the District, may donate leave to an employee who has experienced an FMLA leave qualifying event from your accrued vacation or sick time on an hour to hour basis. Donations may be made under the following conditions in regard to receiving employee: he/she has not abused sick leave in the past; the illness is documented; all sick and annual leave is exhausted; and only the specific amount of leave time which is needed may be donated.

BEREAVEMENT LEAVE

The District will provide up to three days of paid bereavement leave for all District employees upon the death of an immediate family member. Part time employees will be paid for their regularly scheduled hours.

For purposes of this policy, “immediate family” is defined as the employee’s or the employee’s spouse’s parents, siblings, children, grandparents, grandchildren, the employee’s spouse, or any other relative who resides in the employee’s household. If an employee must travel out of state for this purpose, five (5) days of paid bereavement leave will be granted.

Employees should direct all requests for Bereavement Leave to their Department Manager or to the Community Manager.

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While on Bereavement Leave, an employee will be paid at straight time for the hours the employee was scheduled to work on the days missed.

JURY LEAVE

All employees of the District who are called for jury duty will be granted time off with pay to perform this civic duty for the hours that they are scheduled for work. Employees must notify their immediate supervisor as soon as they learn they have been summoned as a juror so that work arrangements can be made. In order to be paid for Jury Leave, an employee must provide his or her immediate supervisor with the jury summons and a note from the Clerk of the Court indicating the times the employee was in court for jury duty. The District will pay employees straight time for their regularly scheduled hours of work, for up to five days of jury service. An employee who is excused from jury duty prior to the end of a regularly scheduled workday must notify the Department Manager who will determine if the employee is to report for work for the remainder of that day.

MILITARY LEAVE

The District will grant Regular full-time employees called into temporary active military service an unpaid leave of absence and reemployment rights as per Uniformed Services Employment and Reemployment Rights Act (USERRA) provided that:

- The employee provides advance written or verbal notice of service within a reasonable amount of time.
- The cumulative service is 5 years or less
- The employee returns to work or applied for re-employment in a timely manner after the conclusion of service:
 - Less than 31 days = next work period beginning at least 8 hours after arriving home
 - 31-180 days = Within 14 days, or if not possible then next full day after it becomes possible
 - Over 180 days = no later than 90 days.
- The employee has not been separated from service with a disqualify discharge or under other than honorable conditions.

The employee has the right to elect to continue existing employer-based health plan coverage for the employee and dependents for up to 24 month while in the military and if the employee chooses not to continue coverage, generally has the right to be reinstated in the health plan upon re-employment without any waiting periods or exclusion.

Upon re-employment, the employee must be reinstated to the job and benefits that he or she would have attained if the employee had not been absent due to military service, or in some cases, a comparable job.

Employees may use accrued vacation time during a military leave of absence, but are not required to do so.

Unpaid military leave will be granted in accordance with U.S. Federal law.

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DOMESTIC VIOLENCE LEAVE POLICY

In accordance with Florida Statute 741.313, an employee may be granted up to three (3) working days of leave (unpaid or paid if the employee chooses to use Vacation Time) if the employee (or a family or household member of the employee) is the victim of domestic violence.

NOTE: "Family or household" means spouse, former spouse(s), persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family and persons who are parents of a child in common (regardless of whether they have been married). With the exceptions of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same dwelling unit.

Reasons this leave can be requested include:

1. To seek an injunction for protection against domestic violent or an injunction for protection in cases of repeat violence, dating violence, or sexual violence.
2. To obtain medical care or mental health counseling, or both, for the employee or a family or household member to address physical or psychological injuries resulting from the act of domestic violence.
3. To obtain services from a victim-services organization, including, but not limited to, a domestic violence shelter, program or a rape crisis center as a result of the act of domestic violence.
4. To make your home secure from the person responsible for the domestic violence or to seek new housing to escape this person.
5. To seek legal assistance in addressing issues arising from the act of domestic violence or to attend and prepare for court related proceedings arising from the act of domestic violence.

Except in cases of imminent danger to the health or safety of you or your family or household member, and employee must provide appropriate advance notice of the need for leave, along with sufficient documentation of the act of domestic violence or sexual violence. This documentation may include copies of restraining orders, police reports, orders to appear in court, etc.

RETURNING/NOT RETURNING FROM A LEAVE OTHER THAN FMLA

When an employee is ready to return from a leave of absence without pay, the District will attempt to reinstate the employee to his or her former position or to one with similar responsibilities on a case by case basis.

An employee who returns to work following an unpaid leave will be considered as having continuous service. If an employee does not return from an unpaid leave of absence without pay, the termination date is the last day of the authorized leave period or the date the employee notifies his or her supervisor or manager that he or she is not returning, whichever is sooner. Such employees may be considered for reemployment.



ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK

I have received the current **Barefoot Bay Recreation District Employee Handbook - Amended by Barefoot Bay Recreation District Board of Trustees and Approved on September 9, 2016**. I have read and understand the material covered. I have had the opportunity to ask questions about the policies in this handbook, and I understand that any future questions that I may have about the handbook or its contents will be answered by the Community Manager or his or her designated representative upon request. I agree to and will comply with the policies, procedures, and other guidelines set forth in the handbook. I understand that the District reserves the right to change, modify, or abolish any or all of the policies, benefits, rules, and regulations contained or described in the handbook as it deems appropriate at any time, with or without notice. I acknowledge that neither the handbook nor its contents are an express or implied contract regarding my employment.

I further understand that all employees of the District, regardless of their classification or position, are employed on an at-will basis, and their employment is terminable at the will of the employee or the District at any time, with or without cause, and with or without notice. I have also been informed and understand that no officer, agent, representative, or employee of the District has any authority to enter into any agreement with any applicant for employment or employee for an employment arrangement or relationship other than on an at-will basis and nothing contained in the policies, procedures, handbooks, or any other documents of the District shall in any way create an express or implied contract of employment or an employment relationship other than one on an at-will basis.

[This handbook is the District property and must be returned upon separation.](#)

Signature

Date

Printed Name

Commented [JC1]: To be updated based on actual date of adoption by the BOT