

**BOYETTE PARK
COMMUNITY DEVELOPMENT
DISTRICT**

**PUBLIC HEARINGS AND
REGULAR MEETING
AGENDA**

November 6, 2017

Boyette Park Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W•Boca Raton, Florida 33431
Phone: (954) 426-2105•Toll-free: (877) 276-0889•Fax: (954) 426-2147

October 30, 2017

Board of Supervisors
Boyette Park Community Development District

ATTENDEES: Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Dear Board Members:

The Board of Supervisors of the Boyette Park Community Development District will hold multiple Public Hearings and a Regular Meeting on Monday, November 6, 2017 at 1:00 p.m., at Mattamy Homes, 4107 Crescent Park Drive, Riverview, Florida 33578.

The agenda is as follows:

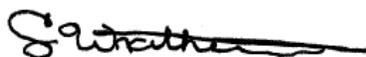
1. Call to Order/Roll Call
2. Public Comments
3. Consideration of Engineer's Report, *dated November 2017*
4. Consideration of Master Special Assessment Methodology Report, *dated November 6, 2017*
5. Consideration of Resolution 2018-01, Ratifying the Actions of the District Manager in Re-Scheduling and Re-Noticing the Public Hearings on the District Rules of Procedure, the District's Intent to Use the Uniform Method of Collection, and the District's Imposition and Levy of Special Assessments; Amending Resolutions 2017-16, 2017-23 And 2017-25 to Set The Public Hearings Thereon for November 6, 2017, at 1:00 P.M., at 4107 Crescent Park Drive, Riverview, Florida 33578
6. Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements
 - *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*
 - *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*

- A. Affidavit/Proof of Publication
 - B. Mailed Notice to Property Owner(s)
 - C. Consideration of Resolution 2018-02, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited By Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments By the Methods Provided for by Chapters 170, 190 and 197, Florida Statutes; Confirming the District's Intention to Issue Special Assessment Revenue Bonds; Making Provisions for Transfers of Real Property to Homeowners Associations, Property Owners Association and/or Governmental Entities; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date
7. Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date
- A. Affidavit/Proof of Publication
 - B. Consideration of Resolution 2018-03, Expressing its Intent of the District to Use the Uniform Method of Levying, Collecting and Enforcing Non-Ad Valorem Assessments Which May Be Levied By the Boyette Park Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date
8. Public Hearing to Hear Public Comment and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54, Florida Statutes
- A. Affidavits of Publication
 - Notice of Rule Development
 - Notice of Rule Making
 - B. Consideration of Resolution 2018-04, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date
9. Consideration of Response(s) to Request for Qualifications for Engineering Services
- A. Affidavit/Proof of Publication
 - B. RFQ Package

- C. Respondent(s)
 - i. Clearview Land Design, PL
- 10. Approval of Unaudited Financial Statements as of September 30, 2017
- 11. Consideration of Minutes
 - A. August 21, 2017 Landowners' Meeting
 - B. August 21, 2017 Organizational Meeting
- 12. Staff Reports
 - A. District Counsel
 - B. District Engineer (Interim)
 - C. District Manager
 - i. NEXT MEETING DATE: November 20, 2017 at 1:00 P.M.
- 13. Board Members' Comments/Requests
- 14. Public Comments
- 15. Adjournment

I look forward to seeing all of you at the upcoming meeting. In the meantime, if you should have any questions or concerns, please do not hesitate to contact me directly at 561-719-8675.

Sincerely,



Craig Wrathell
District Manager

FOR BOARD MEMBERS AND STAFF
TO ATTEND BY TELEPHONE:

Call-in number: 1-888-354-0094
Conference ID: 2144145

**Boyette Park
Community Development District
Report of District Engineer
November 2017**

Prepared for:

**Boyette Park
Community Development District
Hillsborough County, Florida**

Prepared by:

**Toxey A Hall, P.E.
Clearview Land Design, P.L.
Tampa, Florida**



November 2017

Board of Supervisors
Boyette Park Community Development District

**RE: Boyette Park Community Development District
Preliminary Report of District Engineer**

To Whom It May Concern:

Pursuant to the Board of Supervisor's authorization, Clearview Land Design, P.L. is pleased to submit this Engineer's Report for the proposed Capital Improvement Plan for the Boyette Park Community Development District. This report has been prepared on behalf of the District in connection with the financing for these proposed improvements. A detailed description of the improvements and their corresponding estimates of costs are outlined in the following report.

Thank you for this opportunity to be of professional service.

Sincerely,

CLEARVIEW LAND DESIGN, P.L.

Toxey A. Hall, P.E.

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1213 E. 6th Avenue, Tampa, FL 33605 Phone (813) 223-3919 Fax (813) 223-3975

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Exhibits

- A. Vicinity Map**
- B. Boyette Park Boundary Metes & Bounds Description and Map**
- C. Summary of Estimated Project Costs**
- D. Permit and Construction Approval Status**

INTRODUCTION

Boyette Park Community Development District (the "District") is a unit of special-purpose government organized and existing in accordance with Chapter 190, F.S., as amended, created by ordinances enacted by the Board of County Commissioners of Hillsborough County, Florida (the "County"). The District, containing approximately 108 acres is generally located in southern Hillsborough County along the south side of Boyette Road and west of McMullen Road. The County authorized the creation of the District pursuant to Hillsborough County Ordinance 17-14 effective June 14, 2017.

The District is located in Sections 21, 28, Township 30 South, Range 20 East. Exhibit A is a Vicinity Map of the District. The District was formed to provide necessary, public infrastructure so that the lands within the District can be developed as a residential community. Access to the Development (as defined below) will be via two separate entrance roadway connections. The main entrance will be located on McMullen Road approximately 1,500 feet south of the intersection of McMullen and Boyette Road. The second entrance will be located off Boyette Road about 1,700 feet west of the intersection of McMullen and Boyette Road. The lands constituting the District are presently intended for development into a master planned community (the "Development"), known as Boyette Park. Exhibit B provides a Boundary Metes & Bounds Description and Map of the District. The majority of all public infrastructure is wholly contained within the limits of the District. Offsite improvements are required on both Boyette Road and McMullen Road. An eastbound to southbound right turn lane is required for the access point off Boyette Road. The improvements on McMullen Road include both a right and left turn as well as some road widening to accommodate the turn lanes.

PURPOSE AND SCOPE

The District was established for the purpose of financing or acquiring, constructing, maintaining and operating a portion of the infrastructure necessary for community development within the District. The purpose of this report is to provide a description of the infrastructure improvements necessary for progression of the Development and an estimate of the costs. The District will finance, acquire and/or construct, operate, and maintain a portion of the infrastructure improvements that are needed to serve the Development and allocate the costs for the infrastructure improvements among the lands within the District. A portion of these infrastructure improvements will be completed by Mattamy Tampa/Sarasota LLC, the primary developer of the Development (the "Developer"), and will be acquired by the District with proceeds of bonds issued by the District. The Developer will construct the balance of the infrastructure improvements needed for the development that is not financed by the District.

The proposed infrastructure improvements, as outlined herein, are necessary for the functional development of the Development as required by the County.

This Engineer's Report reflects the District's present intentions based on the Developer's development plan. The implementation and completion of the Capital Improvement Plan (CIP) of the District outlined in this report requires final approval by the District's Board of Supervisors, including the award of contracts for the construction and/or acquisition of the improvements comprising the CIP. Cost estimates contained in this report have been prepared based on the best available information, including bid documents and pay requests where available. These estimates may not reflect final engineering design. Actual costs will vary based upon final plans, design, planning, approvals from regulatory authorities, inflation, etc. Nevertheless, all costs contained herein, may be reasonably expected to adequately fund the improvements described, and contingency costs as included are reasonable.

LAND USE

As stated, the lands within the District encompass approximately 108 acres. The District is planned to ultimately include a mixture of single-family, townhome, and villa residential units with an overall lot count of 414 units. The table below illustrates the current land use plan in acreage. Such information is subject to change.

<u>Proposed Land Use</u>	<u>Approximate Acres</u>	<u>Units</u>
Residential Units	41	414
Surface Water Management Areas	24	N/A
Right of way	8	N/A
Other	35	N/A
TOTAL	108	414

GOVERNMENTAL ACTIONS

On September 16, 2015, the County approved the project as Planned Development (“PD”) Hillsborough County Rezoning Number RZ-PD 15-0694. On May 19, 2017, the County certified the most recent site plan (17-0490 RV) which allows for a maximum of 424 dwelling units.

The Development is not a DRI. The lands and entitlements within the zoning parcel, but outside the District are owned by an entity unrelated to Mattamy Tampa/Sarasota, LLC.

It is our opinion that there are no technical reasons existing at this time which would prohibit the implementation of the plans for the CIP as presented herein and that permits normally obtained by site development engineers, not heretofore issued and which are necessary to effect the improvements described herein, will be obtained during the

ordinary course of development. The permit status for the public improvements is summarized in Exhibit D included with this report.

CAPITAL IMPROVEMENT PLAN

The District’s CIP includes infrastructure improvements that will provide special benefit to all assessable land within the District. Said improvements include earthwork, offsite roadway improvements, stormwater management facilities including those associated with such roadway improvements, on-site water and wastewater facilities, landscaping and sidewalk improvements all within public rights-of-way or on District owned lands and associated professional fees. The estimated total cost of the CIP is \$7,328,978. Refer to Exhibit C for a summary of the costs by infrastructure category for the CIP.

The current plan of development of the CIP is to be constructed in 4 phases (see table below), and ultimately it is expected that once completed it will support the construction of 414 residential dwelling units.

Construction Phasing	Total No. of Units	Estimated Completion Date
Boyette Park Phases 1A-1D	159	December 2017
Boyette Park Phases 1E & 2A	105	April 2019
Boyette Park Phases 2B & 2C	58	April 2020
Boyette Park Phases 3 & 4	92	April 2021
Total Number of Units	414	

ROADWAYS

Primary vehicular access to the District is to be provided from McMullen Road south of Boyette Road with a secondary entrance off Boyette Road. Boyette Park Drive, the main entrance to the District from McMullen Road, will be a divided 4-lane collector with street lighting, sidewalks and landscaping. The other access entrance to the District off Boyette Road will be a divided 4-lane road that will transition to divided 2-lane residential street. Internal roads will be undivided 2-lane residential streets with sidewalks and street lighting. The offsite roadway improvements on McMullen Road and Boyette Road will comply with the roadway design criteria of Hillsborough County. The internal roadway design will comply with Hillsborough County transportation design criteria. The District will fund and construct the offsite improvements and the access improvements within the District or in the alternative acquire much completed improvements from the Developer. Hillsborough County will own, operate, and maintain the improvements on McMullen Road and Boyette Road as well as the access connection to Boyette Road. The Boyette Park Homeowners Association will own, operate and maintain the internal roads within the District which will not be district funded.

STORMWATER MANAGEMENT

The County and the Southwest Florida Water Management District (SWFWMD) regulate the design criterion for the stormwater management system within the District. The District is located within the Alafia River Watershed. The pre-development site runoff and water management conditions have been developed by the County and SWFWMD. The existing, onsite, naturally occurring wetlands have been delineated by SWFWMD.

The stormwater management plan for the District focuses on utilizing newly constructed ponds in the uplands for stormwater treatment in conjunction with the naturally occurring wetlands.

The primary objectives of the stormwater management system for the District are:

1. To provide a stormwater conveyance and storage system, which includes stormwater quality treatment.
2. To adequately protect development within the District from regulatory-defined rainfall events.
3. To maintain wetland hydroperiods.
4. To ensure that adverse stormwater impacts do not occur upstream or downstream as a result of the Development.
5. To satisfactorily accommodate stormwater runoff from adjacent off-site areas that naturally drains through the District. Accommodating existing drainage conditions is a requirement of more than one regulatory agency and is an integral part of the infrastructure improvements constructed with development projects.

The stormwater collection and outfall systems will be a combination of site grading, earthwork, stabilization, curb inlets, pipe culverts, control structures and open waterways. Wetland hydroperiods (normal pool and season high water elevations) will be maintained through proper design and maintenance of the outfall control structures. The District will fund and construct the stormwater management system or in the alternative acquire the completed system from the Developer. Curb inlets and pipe culverts in the HOA right-of-ways will be owned, operated and maintained by the CDD as they are necessary components of the stormwater management system. The District will not finance the cost of the earthwork and site grading with regards to any of the developable lots except to the extent it is necessary to facilitate the stormwater management system.

The two commercial outparcels located off Boyette Road will be provided drainage through a CDD owned and maintained drainage pond. The infrastructure that will serve the commercial parcels will be installed at the Developer's expense. The amount of money the Developer will be spending to benefit the District will far outweigh the cost the District will need to spend on the maintenance caused by the commercial parcels and reflects a contribution of the public infrastructure in lieu of assessment or other allocation of cost to such outparcels.

WASTEWATER COLLECTION

The District is within the County's Valrico Sub Regional Service Area which will provide wastewater treatment service. The District will fund the construction of the wastewater system or in the alternative acquire the completed system from the Developer. When completed, the County will own, operate and maintain the District's internal wastewater systems.

The District onsite wastewater system will consist of gravity collection lines with appurtenant manholes, and a pump station discharging to a force main that will connect to the existing county force main in the Boyette Road right-of-way.

WATER DISTRIBUTION SYSTEM

The District is within the County's South Central Service Area which will provide potable water service. The District will fund the construction of the potable water system or in the alternative acquire the completed system from the Developer. When completed, the County will own, operate and maintain the District's internal potable water systems.

The District's onsite potable water system will consist of distribution lines of varying sizes with appurtenant valves

and backflow prevention equipment connecting to the existing water transmission lines in the McMullen Road and Boyette Road right-of-ways.

LANDSCAPING

Significant landscape features and associated irrigation systems are planned for the public rights of way and District owned lands relating to the CIP. These features may include entry monumentation at the entrances of the District, installation of irrigation wells, irrigation systems, and the perimeter buffer areas. The District will fund, construct, operate and maintain entry monumentation, irrigation systems and landscaping in publicly accessible areas of the District. The District will fund, construct, and maintain perimeter berms. In the alternative, the Developer will construct these improvements and convey the same to the District.

OWNERSHIP AND MAINTENANCE

The ownership and maintenance responsibilities of the proposed infrastructure improvements for the development are set forth below.

<u>Proposed Infrastructure Improvements</u>	<u>Ownership</u>	<u>Maintenance</u>
Internal Roadway Improvements	Boyette Park HOA	Boyette Park HOA
Access Roadway Improvements on McMullen and Boyette	Hillsborough County	Hillsborough County
Stormwater Management System	CDD	CDD
Wastewater Collection System including the on-site Transmission System for Single Family Residences	Hillsborough County	Hillsborough County
Water Distribution System including the Transmission System	Hillsborough County	Hillsborough County
Landscaping and Irrigation Systems within public rights-of-way and district owned lands	CDD	CDD

PROJECT COSTS

The CIP’s identifiable total costs associated with the infrastructure improvements are estimated to be \$7,328,978. The infrastructure improvements include: roadways, sewer, water, storm water management systems and landscaping and irrigation as well as hardscape elements. It is understood that the funds available to the District to construct or acquire the improvements comprising the CIP, will be limited. Any such improvements not financed by the District will be constructed and conveyed to the District by the Developer for no consideration.

Exhibit C outlines the anticipated costs associated with the construction of the CIP for the District.

SUMMARY AND CONCLUSION

The infrastructure, as outlined above, is necessary for the functional progression of the Development within the District as required by the County. The planning and design of the infrastructure will be in accordance with current governmental regulatory requirements. The infrastructure will provide its intended function so long as the construction is in substantial compliance with the design and permits. The platting, design and permitting for the public infrastructure are ongoing at this time and there is no reason to believe such permits will not be obtained.

Items of construction in this report are based on preliminary plan quantities for the infrastructure construction as shown on the master plans, conceptual plans, construction drawings and specifications. It is my professional opinion that the estimated infrastructure costs provided herein for the District improvements comprising the CIP are reasonable to complete the construction of the infrastructure described herein and that these infrastructure improvements will provide a special benefit to the assembled land in the District, which special benefit will at least equal the costs of such improvements. All such infrastructure costs are public improvements or community facilities as set forth in Section 190.012(1) and (2) of the Florida Statutes.

The infrastructure total construction cost developed in this report is only an estimate and not a guaranteed maximum price. The estimated cost is based on unit prices currently being experienced for ongoing and similar items of work in the Tampa Bay area and quantities as represented on the master plans. The labor market, future costs of equipment and materials, and the actual construction processes frequently vary and cannot be accurately forecasted. Due to this inherent opportunity for fluctuation in cost, the total final cost may be more or less than this estimate.

The professional services for establishing the opinion of estimated construction cost are consistent with the degree and care and skill exercised by members of the same profession under similar circumstances.

Toxey A. Hall, P.E

District Engineer

FL Registration No.: 37278

EXHIBITS

Exhibit A **Vicinity Map of District**

Exhibit B **Boundary Metes & Bounds Description of District**

Exhibit C **Summary of Estimated Project Costs**

Exhibit D **Permit and Construction Approval Status**

EXHIBIT A

VICINITY MAP

EXHIBIT B

**BOYETTE PARK
COMMUNITY DEVELOPMENT DISTRICT**

**BOUNDARY METES AND
BOUNDS DESCRIPTION SKETCH**

EXHIBIT C

SUMMARY OF ESTIMATED PROJECT COST

Summary of Costs

Boyette Park Community Development District

Offsite Roadway Improvements

McMullen Road Improvements	\$ 402,380.75
Boyette Road Turn Lanes	\$ 122,825.35

Stormwater Management System

Ponds/General Conditions	\$ 1,331,043.00
Storm Water Inlets, Piping, Curbs, Etc.	\$ 2,317,239.53

Wastewater System

Gravity Lines and Force main	\$ 1,045,613.05
Pump Station	\$ 385,000.00

Water Distribution System	\$ 699,514.25
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Perimeter Landscaping/Hardscape	\$ 677,683.00
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Soft Costs

Engineering Design	\$ 180,942.10
Landscape Design	\$ 41,750.00
Engineering Construction Inspection	\$ 93,380.00
Soft Cost Contingency and Other	
Professional Fees (10%)	\$ 31,607.21

TOTAL	\$ 7,328,978.24
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EXHIBIT D

PERMIT AND CONSTRUCTION APPROVAL STATUS

EXHIBIT “D”

Boyette Park Community Development District

Approval Date	Agency	Permit No.	Permit Name
11/6/16	Hillsborough County	S.R. No. 16-0098 through 16-0103,16- 0245 through 16-0248	Reservation of Capacity – Water, Wastewater
7/12/16	Hillsborough County	Folio # 76681,76683,76684,7 6844	Phase 1 Preliminary Plat Approval / Phase 1A- 1E,2A-2C, 3 & 4
1/6/17	Southwest Florida Water Management District	Permit No. 43042302.001	ERP Individual Construction Permit
06/15/17	Hillsborough County	PI # 3232/Folio # 76681,76683,76684,7 6844	Phase 1A-1E, 2B, 2C, & 4 Construction Plan Approval

BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT

Special Assessment Methodology Report

November 6, 2017



Provided by:

Wrathell, Hunt and Associates, LLC

2300 Glades Road, Suite 410W

Boca Raton, FL 33431

Phone: 561-571-0010

Fax: 561-571-0013

Website: www.whhassociates.com



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1.0 Introduction

1.1 Purpose

This Preliminary Special Assessment Methodology Report (the "Report") was developed to provide a financing plan and a special assessment methodology for the Boyette Park Community Development District (the "District"), located in unincorporated Hillsborough County, Florida, as related to funding the costs of public infrastructure improvements (the "Capital Improvement Program") contemplated to be provided by the District.

1.2 Scope of the Report

This Report presents the projections for financing the District's Capital Improvement Program described in the Report of District Engineer developed by Clearview Land Design, P.L. (the "District Engineer") dated August, 2017 (the "Engineer's Report"), as well as describes the method for the allocation of special benefits and the apportionment of special assessment debt resulting from the provision and funding of the Capital Improvement Program.

1.3 Special Benefits and General Benefits

Improvements undertaken and funded by the District as part of the Capital Improvement Program create special and peculiar benefits, different in kind and degree than general benefits, for properties within its borders as well as general benefits to the public at large. However, as discussed within this Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits which accrue to property within the District. The District's Capital Improvement Program enables properties within its boundaries to be developed.

There is no doubt that the general public and property owners of property outside the District will benefit from the provision of the Capital Improvement Program. However, these benefits are only incidental since the Capital Improvement Program is designed solely to provide special benefits peculiar to property within the District. Properties outside the District are not directly served by



the Capital Improvement Program and do not depend upon the Capital Improvement Program to obtain or to maintain their development entitlements. This fact alone clearly distinguishes the special benefits which District properties receive compared to those lying outside of the District's boundaries.

The Capital Improvement Program will provide public infrastructure improvements which are all necessary in order to make the lands within the District developable and saleable. The installation of such improvements will cause the value of the developable and saleable lands within the District to increase by more than the sum of the financed cost of the individual components of the Capital Improvement Program. Even though the exact value of the benefits provided by the Capital Improvement Program is hard to estimate at this point, it is nevertheless greater than the costs associated with providing the same.

1.4 Organization of the Report

Section Two describes the development program as proposed by the Developer, as defined below.

Section Three provides a summary of the Capital Improvement Program as determined by the District Engineer.

Section Four discusses the financing program for the District.

Section Five introduces the special assessment methodology for the District.

2.0 Development Program

2.1 Overview

The District will serve the Boyette Park development (the "Development" or Boyette Park+), a master planned, mixed-use development located in unincorporated Hillsborough County, Florida. The land within the District consists of approximately 108.34 +/- acres and is generally located in Southern Hillsborough



County along the south side of Boyette Road and west of McMullen Road.

2.2 The Development Program

The development of Boyette Park is anticipated to be conducted by Mattamy Tampa/Sarasota, LLC (the "Developer"). Based upon the information provided by the Developer and the Engineer, the current development plan envisions a total of 414 residential units, although land use types and unit numbers may change throughout the development period. Table 1 in the *Appendix* illustrates the development plan for Boyette Park. The development of Boyette Park is planned to be conducted in several phases over a multi-year period.

3.0 The Capital Improvement Program

3.1 Overview

The public infrastructure costs to be funded by the District are described by the District Engineer in the Engineer's Report. Only public infrastructure that may qualify for bond financing by the District under Chapter 190, Florida Statutes and under the Internal Revenue Code of 1986, as amended, was included in these estimates.

3.2 Capital Improvement Program

The Capital Improvement Program needed to serve the Development is projected to consist of improvements which will serve all of the lands in the District. The Capital Improvement Program will consist of offsite roadway improvements, storm water management, water and wastewater facilities, landscaping/irrigation/entry/perimeter buffers. At the time of this writing, the total cost of the Master Infrastructure Improvements is estimated to total approximately \$7,328,978.

According to the District Engineer, these infrastructure improvements will serve and provide benefit to all land uses in the



District. The improvements that are part of the Capital Improvement Program will comprise an interrelated system of improvements, which means all of improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

Table 2 in the *Appendix* illustrates the specific components of the Capital Improvement Program.

4.0 Financing Program

4.1 Overview

As noted above, the District is embarking on a program of capital improvements which will facilitate the development of lands within the District. Generally, construction of public improvements is either funded by the Developer and then acquired by the District or funded directly by the District. The choice of the exact mechanism for providing public infrastructure has not yet been made at the time of this writing, and the District may either acquire the public infrastructure from the Developer or construct it, or even partly acquire it and partly construct it.

Even though the actual financing plan may change to include multiple series of bonds, it is likely that in order to fully fund costs of the Capital Improvement Program as described in *Section 3.2* in two financing transactions, the District would have to issue approximately \$9,735,000 in par amount of special assessment bonds (the "Bonds").

Please note that the purpose of this Report is to allocate the benefit of the Capital Improvement Program to the various land uses in the District and based on such benefit allocation to apportion the maximum debt necessary to fund the Capital Improvement Program. The discussion of the structure and size of the indebtedness is based on various estimates and is subject to change.



4.2 Types of Bonds Proposed

The proposed financing plan for the District provides for the issuance of the Bonds in the approximate principal amount of \$9,735,000 to finance approximately \$7,328,978 in Capital Improvement Program costs. The Bonds as projected under this financing plan would be structured to be amortized in 30 annual installments following a 24-month capitalized interest period. Interest payments on the Bonds would be made every May 1 and November 1, and principal payments on the Bonds would be made either on May 1 or on November 1.

In order to finance the improvement and other costs, the District would need to borrow more funds and incur indebtedness in the total amount of approximately \$9,735,000. The difference is comprised of debt service reserve, capitalized interest, underwriter's discount and costs of issuance. Preliminary sources and uses of funding for the Bonds are presented in Table 3 in the *Appendix*.

Please note that the structure of the Bonds as presented in this Report is preliminary and may change due to changes in the development program, market conditions, timing of infrastructure installation as well as for other reasons. The District maintains complete flexibility as to the structure of the Bonds and reserves the right to modify it as necessary.

5.0 Assessment Methodology

5.1 Overview

The issuance of the Bonds provides the District with funds necessary to construct/acquire the infrastructure improvements which are part of the Capital Improvement Program outlined in *Section 3.2* and described in more detail by the District Engineer in the Engineer's Report. These improvements lead to special and general benefits, with special benefits accruing to the assessable properties within the boundaries of the District and general benefits accruing to areas outside the District but being only incidental in nature. The debt incurred in financing the public infrastructure will be paid off by assessing properties that derive special and peculiar



benefits from the Capital Improvement Program. All properties that receive special benefits from the Capital Improvement Program will be assessed for their fair share of the debt issued in order to finance all or a portion of the Capital Improvement Program.

5.2 Benefit Allocation

The most current development plan envisions the development of 414 residential units, although unit numbers and land use types may change throughout the development period.

According to the District Engineer, these infrastructure improvements will serve and provide benefit to all land uses in the District. The improvements that are part of the Capital Improvement Program will comprise an interrelated system of improvements, which means all of improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

By allowing for the land in the District to be developable, both the improvements that comprise the Capital Improvement Program and their combined benefit will be greater than the sum of their individual benefits. All of the land uses within the District will benefit from each infrastructure improvement category, as the improvements provide basic infrastructure to all land within the District and benefit all land within the District as an integrated system of improvements.

As stated previously, the public infrastructure improvements included in the Capital Improvement Program have a logical connection to the special and peculiar benefits received by the land within the District, as without such improvements, the development of the properties within the District would not be possible. Based upon the connection between the improvements and the special and peculiar benefits to the land within the District, the District can assign or allocate a portion of the District's debt through the imposition of non-ad valorem assessments, to the land receiving such special and peculiar benefits. Even though these special and peculiar benefits are real and ascertainable, the precise amount of the benefit cannot yet be calculated with mathematical certainty. However, such benefit is more valuable than the cost of, or the actual non-ad valorem assessment amount levied on that parcel.



The benefit associated with the Capital Improvement Program of the District is proposed to be allocated to the different product types within the District in proportion to the density of development and intensity of use of the master infrastructure as measured by a standard unit called an Equivalent Residential Unit ("ERU"). Table 4 in the *Appendix* illustrates the ERU weights that are proposed to be assigned to the land uses contemplated to be developed within the District based on the relative density of development and the intensity of use of master infrastructure, the total ERU counts for each land use category, and the share of the benefit received by each land use.

The rationale behind different ERU weights is supported by the fact that generally and on average smaller units or units with a lower intensity of use will use and benefit from the District's improvements less than larger units or units with a higher intensity of use, as for instance, generally and on average smaller units or units with lower intensity of use produce less storm water runoff, may produce fewer vehicular trips, and may need less water/sewer capacity than larger units. Additionally, the value of the larger units or units with a higher intensity of use is likely to appreciate by more in terms of dollars than that of the smaller units or units with a lower intensity of use as a result of the implementation of the Capital Improvement Program. As the exact amount of the benefit and appreciation is not possible to be calculated at this time, the use of ERU measures serves as a reasonable approximation of the relative amount of benefit received from the District's improvements.

Table 5 in the *Appendix* presents the apportionment of the assessment associated with funding the District's Capital Improvement Program (the Assessment) in accordance with the ERU benefit allocation method presented in Table 4. Table 5 also presents the annual levels of the projected annual debt service assessments per unit.

5.3 Assigning Debt

The Assessment associated with repayment of the Bonds will initially be levied on all of the gross acre land in the District. Consequently, the Assessment will be levied on approximately 108.34 +/- gross acres on an equal pro-rata gross acre basis and



thus the total bonded debt in the amount of \$9,735,000 will be preliminarily levied on approximately 108.34 +/- gross acres at a rate of \$89,856.01 per acre.

As the land is platted, the Assessment will be allocated to each platted parcel on a first platted-first assigned basis based on the planned use for that platted parcel as reflected in Table 5 in the *Appendix*. Such allocation of Assessments to platted parcels will reduce the amount of Assessment levied on unplatted gross acres within the District.

Further, to the extent that any residential land which has not been platted is sold to another developer or builder, the Assessment will be assigned to such parcel at the time of the sale based upon the development rights associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Assessment transferred at sale.

5.4 Lienability Test: Special and Peculiar Benefit to the Property

As first discussed in *Section 1.3*, Special Benefits and General Benefits, improvements undertaken by the District create special and peculiar benefits to certain properties within the District. The District's improvements benefit assessable properties within the District and accrue to all such assessable properties on an ERU basis.

Improvements undertaken by the District can be shown to be creating special and peculiar benefits to the property within the District. The special and peculiar benefits resulting from each improvement include, but are not limited to:

- a. added use of the property;
- b. added enjoyment of the property;
- c. decreased insurance premiums;
- d. increased marketability and value of the property.

The improvements which are part of the Capital Improvement Program make the land in the District developable and saleable and when implemented jointly as parts of the Capital Improvement Program, provide special and peculiar benefits which are greater than the benefits of any single category of improvements. These



special and peculiar benefits are real and ascertainable, but not yet capable of being calculated and assessed in terms of numerical value; however, such benefits are more valuable than either the cost of, or the actual assessment levied for, the improvement or debt allocated to the parcel of land.

5.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay

A reasonable estimate of the proportion of special and peculiar benefits received from the improvements is delineated in Table 4 (expressed as ERU factors) in the *Appendix*.

The apportionment of the assessments is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within the District according to reasonable estimates of the special and peculiar benefits derived from the Capital Improvement Program by different land uses.

Accordingly, no acre or parcel of property within the District will be lienied for the payment of any non-ad valorem special assessment more than the determined special benefit peculiar to that property.

5.6 True-Up Mechanism

The Assessment Methodology described herein is based on conceptual information obtained from the Developer prior to construction. As development occurs it is possible that the number of ERUs may change. The mechanism for maintaining the methodology over the changes is referred to as true-up.

This mechanism is to be utilized to ensure that the Assessment on a per ERU basis never exceeds the initially allocated assessment as contemplated in the adopted assessment methodology. Assessment per ERU preliminarily equals \$28,125.27 (\$9,735,000 in Assessment divided by 346.13 ERUs) and may change based on the final bond sizing. If such changes occur, the Methodology is applied to the land based on the number of and type of units of particular land uses within each and every parcel as signified by the number of ERUs.



As the land is platted, the Assessment is assigned to platted parcels based on the figures in Table 5 in the *Appendix*. If as a result of platting and apportionment of the Assessment to the platted parcel of land, the Assessment per ERU for land that remains unplatted within the District remains equal to \$28,125.27, then no true-up adjustment will be necessary.

If as a result of platting and apportionment of the Assessment to the platted land, the Assessment per ERU for land that remain unplatted within the District equals less than \$28,125.27 (either as a result of a larger number of units, different units or both), then the per ERU Assessment for all parcels within the District will be lowered if that state persists at the conclusion of platting of all land within the District.

If, in contrast, a result of platting and apportionment of the Assessment to the platted land, the Assessment per ERU for land that remains unplatted within the District equals more than \$28,125.27 (either as a result of a smaller number of units, different units or both), then the difference in Assessment plus accrued interest will be collected from the owner of the property which platting caused the increase of assessment per ERU to occur, in accordance with a true-up agreement to be entered into between the District and the Developer, which will be binding on assignees.

The owner(s) of the property will be required to immediately remit to the Trustee for redemption a true-up payment equal to the difference between the actual Assessment per ERU and \$28,125.27 multiplied by the actual number of ERUs plus accrued interest to the next succeeding interest payment date on the Bonds, unless such interest payment date occurs within 45 days of such true-up payment, in which case the accrued interest shall be paid to the following interest payment date.

In addition to platting of property within the District, any planned sale of an unplatted land to another builder or developer will cause the District to initiate a true-up test as described above to test whether the amount of the Assessment per ERU for land that remains unplatted remains equal to \$28,125.27. The test will be based upon the development rights as signified by the number of ERUs associated with such parcel that are transferred from seller to



buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Assessment transferred at sale.

5.7 Final Assessment Roll

The Assessment of \$9,735,000 is proposed to be levied over the area described in Exhibit A. Excluding any capitalized interest period, debt service assessments shall be paid in thirty (30) annual principal installments.



6.0 Appendix

Table 1

Boyette Park Community Development District

Development Plan

Unit Type	Number of Units
SF 50'	132
SF 60'	54
Paired Villa 30'	80
TH 18'	73
TH 24'	75
Total Residential	414

Table 2

Boyette Park Community Development District

Capital Improvement Program

Improvement	Cost
Off-Site Road Improvements	\$525,206.10
Storm Water Management	\$3,648,282.53
Wastewater System	\$1,430,613.05
Water Distribution System	\$699,514.25
Landscaping/Hardscaping	\$677,683.00
Soft Costs	\$347,679.31
Total	\$7,328,978.24



Table 3

Boyette Park Community Development District

Preliminary Sources and Uses of Funds

	Amount
Sources	
Bond Proceeds:	
Par Amount	\$9,735,000.00
Total Sources	\$9,735,000.00
Uses	
Project Fund Deposits:	
Project Fund	\$7,328,978.24
Other Fund Deposits:	
Debt Service Reserve Fund	\$745,481.40
Capitalized Interest Fund	\$1,265,550.00
	\$2,011,031.40
Delivery Date Expenses:	
Costs of Issuance	\$394,990.36
Total Uses	\$9,735,000.00



Table 4

Boyette Park

Community Development District

Improvements Benefit Allocation

Unit Type	Number of Units	ERU per Unit	Total ERU
SF 50'	132	1.00	132.00
SF 60'	54	1.10	59.40
Paired Villa 30'	80	0.74	59.20
TH 18'	73	0.61	44.53
TH 24'	75	0.68	51.00
Total			346.13

Table 5

Boyette Park

Community Development District

Improvements Assessment Apportionment

Unit Type	Total Assessment Apportionment	Assessment Apportionment per Unit	Annual Assessment Apportionment per Unit*
SF 50'	\$3,712,535.75	\$28,125.27	\$2,315.87
SF 60'	\$1,670,641.09	\$30,937.80	\$2,547.46
Paired Villa 30'	\$1,665,016.03	\$20,812.70	\$1,713.75
TH 18'	\$1,252,418.31	\$17,156.42	\$1,412.68
TH 24'	\$1,434,388.81	\$19,125.18	\$1,574.79
Total	\$9,735,000.00		

* Included costs of collection and assumes no early payment discount

RESOLUTION 2018-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT RATIFYING THE ACTIONS OF THE DISTRICT MANAGER IN RE-SCHEDULING AND RE-NOTICING THE PUBLIC HEARINGS ON THE DISTRICT RULES OF PROCEDURE, THE DISTRICT'S INTENT TO USE THE UNIFORM METHOD OF COLLECTION, AND THE DISTRICT'S IMPOSITION AND LEVY OF SPECIAL ASSESSMENTS; AMENDING RESOLUTIONS 2017-16, 2017-23 AND 2017-25 TO SET THE PUBLIC HEARINGS THEREON FOR NOVEMBER 6, 2017, AT 1:00 P.M. AT 4107 CRESCENT PARK DRIVE, RIVERVIEW, FLORIDA 33578.

WHEREAS, the Boyette Park Community Development District ("District") was established by Ordinance of Hillsborough County, Florida, pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the District held its organizational meeting on August 21, 2017, and adopted resolutions setting certain public hearings, as set forth herein; and

WHEREAS, the Board adopted Resolution 2017-16, setting the public hearing to consider the adoption of Rules of Procedure for the District and set the hearing thereon for October 2, 2017, and

WHEREAS, the Board adopted Resolution 2017-23, expressing its intent to use the Uniform Method to impose and collect special assessment as authorized by Section 197.3632, Florida Statutes, and set the hearing thereon for October 2, 2017, and

WHEREAS, the Board adopted Resolution 2017-25, setting the public hearing to consider the imposition and levy of special assessments in accordance with Section 170.07, Florida Statutes, and set the hearing thereon for October 2, 2017, and

WHEREAS, due to irregularities in publishing notice as prescribed for in Resolutions 2017-16, 2017-23 and 2017-25, the Board was unable to hold the public hearings on October 2, 2017; and

WHEREAS, the District Manager, at the direction of the Chairman of the Board of Supervisors, rescheduled the date of the public hearings to November 6, 2017, at the same time and location as provided in Resolutions 2017-16, 2017-23 and 2017-25, and caused notice thereof to be provided pursuant to Florida law.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT;

SECTION 1. Resolutions 2017-16, 2017-23 and 2017-25 are hereby amended to reflect the changed date of the public hearings on the use of the Rules of Procedure, the Uniform

Method, and the imposition and levy of special assessments from October 2, 2017 to November 6, 2017.

SECTION 2. The actions of the District Manager in re-scheduling and re-noticing the public hearings are hereby ratified and approved.

ADOPTED this 6th day of November, 2017.

ATTEST:

**BOYETTE PARK COMMUNITY
DEVELOPMENT DISTRICT**

Secretary

By: _____
Its: _____

Tampa Bay Times

Published Daily

STATE OF FLORIDA } ss
COUNTY OF Hillsborough County

Before the undersigned authority personally appeared Jill Harrison who on oath says that he/she is Legal Clerk of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: BPCDD Assessment was published in Tampa Bay Times: 10/13/17, 10/20/17. in said newspaper in the issues of Tampa Tribune Southeast

Affiant further says the said Tampa Bay Times is a newspaper published in Hillsborough County, Florida and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as a second class matter at the post office in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

Jill Harrison
Signature of Affiant

Sworn to and subscribed before me this 10/20/2017.

[Signature]
Signature of Notary Public

Personally known ✓ or produced identification

Type of identification produced _____



BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CONSIDER IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTION 170.07, FLORIDA STATUTES, BY THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF ASSESSMENT ROLL PURSUANT TO SECTION 197.3632(4)(b), FLORIDA STATUTES, BY THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF REGULAR MEETING OF THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT

The Boyette Park Community Development District Board of Supervisors ("Board") will hold public hearings on November 6, 2017 at 1:00 p.m. at the offices of Mattamy Homes, 4107 Crescent Park Drive, Riverview, Florida 33578, to consider the adoption of an assessment roll, the imposition of special assessments to secure proposed bonds on benefited lands within the Boyette Park Community Development District ("District"), a depiction of which lands is shown below, and to provide for the levy, collection and enforcement of the special assessments. The District's Engineer's Report (the "Improvement Plan"). The public hearing is being conducted pursuant to Chapters 170, 190 and 197, Florida Statutes. A description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the office of the District's Records Office located at 2300 Glades Road, Suite 419W, Boca Raton, Florida 33431, (561) 571-0010.

The District is a unit of special-purpose local government responsible for providing infrastructure improvements for lands within the District. The infrastructure improvements ("Improvements") are currently expected to include, but are not limited to, roadway improvements, stormwater management systems, water distribution systems, wastewater systems, any landscaping, landscaping and irrigation system improvements, and other improvements, all as more specifically described in the Improvement Plan, on file and available during normal business hours at the address provided above.

The District intends to impose assessments on benefited lands within the District in the manner set forth in the District's Preliminary Master Assessment Methodology Report, dated August 21, 2017 (the "Assessment Report"), which is on file and available during normal business hours at the address provided above.

The purpose of any such assessment is to secure the bonds issued to fund the Improvements. As described in more detail in the Assessment Report, the District's assessments will be levied against all benefited lands within the District. The Assessment Report identifies maximum assessed amounts for each land use category that is currently expected to be assessed. The method of allocating assessments for the Improvements to be funded by the District will initially be determined on an equal assessment per acre basis, and will be revised on an equivalent residential unit ("ERU") basis at the time that such property is plotted or subject to a site plan.

The annual principal assessment levied against each parcel will be based on repayment over thirty (30) years of the total debt allocated to such parcel. The District expects to collect sufficient revenues to retire no more than \$7,328,978.24 in debt to be assessed by the District, exclusive of fees and costs of collection or enforcement, discounts for early payment and interest. The proposed annual schedule of assessments is as follows:

Unit Type	Total Assessments Apporportionment	Assessment Apporportionment per Unit	Annual Assessment per Unit*
12' SF	\$3,722,838.75	\$28,226.29	\$2,822.63
36' SF	\$2,670,642.08	\$73,907.29	\$7,390.73
Partial 1944 SF	\$1,005,036.03	\$9,042.70	\$1,722.75
70' SF	\$1,262,418.31	\$17,268.47	\$1,412.68
RM 1*	\$1,474,388.83	\$75,128.28	\$7,512.83
Total	\$10,535,283.80		

* Included costs of collection and penalties are only payment a discount

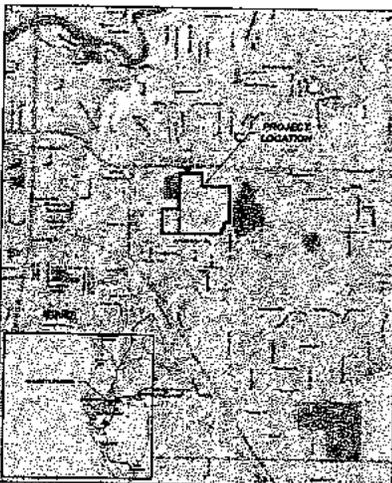
The assessments may be prepaid in whole at any time, or in some installment plan, or may be paid in not more than thirty (30) annual installments subsequent to the issuance of debt to finance the improvements. These annual assessments will be collected on the Hillsborough County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments. All affected property owners have the right to appear at the public hearings and the right to file written objections with the District within twenty (20) days of the publication of this notice.

Also on November 6, 2017 at 1:00 p.m., at the offices of Mattamy Homes, 4107 Crescent Park Drive, Riverview, Florida 33578, the Board will hold a regular public meeting to consider any other business that may lawfully be considered by the District. The Board meeting and hearings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Board meeting and/or the public hearings may be continued in progress to a date and time certain announced at the meeting and/or hearings.

If anyone chooses to appeal any decision of the Board with respect to any matter considered at the meeting or hearings, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which such appeal is to be based.

Any person requiring special accommodations at the meeting or hearings because of a disability or physical impairment should contact the District Office at (561) 571-0010 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 for aid in contacting the District office.

BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT



RESOLUTION 2017-24
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THOSE INFRASTRUCTURE IMPROVEMENTS WHOSE COST IS TO BE DEFRAYED BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE IMPROVEMENTS TO BE DEFRAYED BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHICH SUCH SPECIAL ASSESSMENTS SHALL BE PAID; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAN; ADOPTING A PRELIMINARY ASSESSMENT ROLL PROVIDING FOR PUBLICATION OF THIS RESOLUTION

WHEREAS, the Board of Supervisors (the "Board") of the Boyette Park Community Development District (the "District") hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements (the "Improvements") described in the District's Engineer's Report, dated August 2017, attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, it is in the best interest of the District to pay the cost of Improvements by special assessments pursuant to Chapter 190, Florida Statute (the "Assessments"); and

WHEREAS, the District is empowered by Chapter 190, the Uniform Community Development District Act, Chapter 170, Supplemental and Alternative Method Making Local Municipal Improvements, and Chapter 197, the Uniform Method the Levy, Collection and Enforcement of Non-Ad Valorem Assessments, Florida Statutes to assess, fund, plan, establish, acquire, construct or reconstruct, sale or extend, equip, operate, and maintain the Improvements and to impose, levy or collect the Assessments; and

WHEREAS, the District hereby determines that benefits will accrue to property improved, the amount of those benefits, and that special assessments be made in payment to the Districts provided as set forth in the Preliminary Special Assessment Methodology Report, dated August 21, 2017, attached hereto as Exhibit B and incorporated herein by reference and on file at the offices of Mattamy Homes, 4107 Crescent Park Drive, Riverview, Florida 33578 (the "District Records Office"); and

WHEREAS, the District hereby determines that the Assessments to be levied will not exceed the benefits to the property improved.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT:

- Assessments shall be levied to defray a portion of the cost of the Improvements.
- The nature and general location of, and plans and specifications for the Improvements are described in Exhibit A, which is on file at the District Records Office. Exhibit B is also on file and available for public inspection at the same location.
- The total estimated cost of the Improvements is \$7,328,978.24 (or "Estimated Cost").
- The Assessments will defray approximately 39,735,000, which include the Estimated Cost, plus financing-related costs, capitalized interest and a debt service reserve.
- The manner in which the Assessments shall be apportioned and paid set forth in Exhibit B, including provisions for supplemental assessment resolution.
- The Assessments shall be levied, within the District, on all lots and lands adjoining and contiguous or bounding and abutting upon the Improvement or specially benefited thereby and further designated by the assessment plan heretofore provided for.
- There is on file, at the District Records Office, an assessment plan showing the area to be assessed, with certain plans and applications describing the Improvements and the estimated cost of the Improvements, all of which shall be open to inspection by the public.
 - Commencing with the year in which the Assessments are levied and continued, the Assessments shall be paid in not more than (30) thirty annual installments. The Assessments may be payable at the same time and in the same manner as are ad-valorem taxes and collected pursuant to Chapter 197 Florida Statutes; provided, however, that in the event the uniform non-ad-valorem assessment method of collecting the Assessments is not available to the District in any year or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law.
- The District Manager has caused to be made a preliminary assessment roll, in accordance with the method of assessment described in Exhibit B hereto which shows the lots and lands assessed, the amount of benefits to and the assessment against each lot or parcel of land and the number of annual installments into which the assessment may be divided, which assessment roll is hereby adopted and approved as the District's preliminary assessment roll.

10. The Board shall adopt a subsequent resolution to fix a time and place at which the owners of property to be assessed or any other persons interested therein may appear before the Board and be heard as to the propriety and advisability of the assessments or the making of the Improvements, the cost thereof, the manner of payment thereon, or the amount thereof to be assessed against each property as improved.

11. The District Manager is hereby directed to cause this Resolution to be published twice (once a week for two (2) consecutive weeks) in a newspaper of general circulation within Hillsborough County and to provide such other notice as may be required by law or desired in the best interests of the District.

12. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 21st day of August, 2017.

ATTEST: BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT
/s/Oraig Whitham Secretary/Assistant Secretary /s/Tina Murray Clerk, Board of Supervisors

Exhibit A: Engineer's Report, dated August 2017
Exhibit B: Preliminary Special Assessment Methodology Report, dated August 21, 2017

Boyette Park
Community Development District
2300 Glades Road, Suite 410W • Boca Raton, Florida 33431
Phone: (561) 571-0010 • Fax: (561) 571-0013 • Toll-free: (877) 276-0889

NOTICE TO PROPERTY OWNER

October 2, 2017

Transmitted via U.S. Mail – Certified/Return Receipt

MATTAMY TAMPA/SARASOTA LLC
4107 CRESCENT PARK DR
RIVERVIEW, FL 33578-3030

RE: Boyette Park Community Development District Supplement to Notice of Hearing on Assessments to Property

Folio #s 076681-0000, 076683-0100, 076684-0000, 076684-0100, 076843-0000, 076842-5000, 076844-0000, 076844-0200, 076844-0100

Dear Property Owner:

This letter is intended to supplement that certain letter regarding *Notice of Hearing on Assessments to Property*, dated September 1, 2017 (hereinafter, the “Letter”) that was sent to you by the Boyette Park Community Development District (the “District”). The Letter indicated that the date of the public hearing on the levy, imposition, and collection of the debt service special assessments as described therein would occur on October 2, 2017.

However, please be advised that the public hearing has been rescheduled for **1:00 p.m. on November 6, 2017 at the offices of Mattamy Homes, 4107 Crescent Park Drive, Riverview, Florida 33578.**

Other than as set forth herein, all remaining information set forth in the Letter remains unchanged. Should you have any questions, please do not hesitate to contact me at the District Manager’s Office.

Sincerely,



Craig A. Wrathell
District Manager

Boyette Park

Community Development District

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Fax: (561) 571-0013 • Toll-free: (877) 276-0889

NOTICE TO PROPERTY OWNER

September 1, 2017

Transmitted via U.S. Mail – Certified/Return Receipt

MATTAMY TAMPA/SARASOTA LLC
4107 CRESCENT PARK DR
RIVERVIEW, FL 33578-3030

RE: Boyette Park Community Development District Notice of Hearing on Assessments to Property

Folio #s 076681-0000, 076683-0100, 076684-0000, 076684-0100, 076843-0000, 076842-5000, 076844-0000, 076844-0200, 076844-0100

Dear Property Owner:

You are receiving this notice because Hillsborough County records indicate that you are a property owner within the Boyette Park Community Development District (“District”). The District is a special-purpose unit of local government that was established pursuant to Chapter 190, *Florida Statutes*. The property you own that is the subject of this notice is identified above and in **Exhibit A** attached hereto.

At the August 21, 2017, meeting of the District’s Board of Supervisors, the District approved in substantial form a *Report of District Engineer* (“Capital Improvement Plan”), that describes the nature of the Improvements that may be built or acquired by the District and that benefit lands within the District, including, but not limited to, roadway Improvements, storm water management, water and wastewater facilities, landscaping/irrigation/entry/perimeter buffers, all as more specifically described in the Capital Improvement Plan (“Improvements”). A copy of the Capital Improvement Plan is attached hereto as **Exhibit B**. The District estimates that it will cost approximately \$9,735,000 to finance the Improvements contemplated by the District, exclusive of fees and costs of collection or enforcement, discounts for early payment and the annual interest costs of the debt issued to finance the Improvements. As a property owner of assessable land within the District, the District intends to assess your property, in the manner set forth in the District’s *Preliminary Special Assessment Methodology Report* (“Assessment Report”). For your review, we have enclosed a copy of the Assessment Report as **Exhibit C**, which includes an initial special assessment roll in the form of a legal description of

lands within the District. This Assessment Report was also approved in substantial form at the Board's August 21, 2017, public meeting.

The purpose of any such assessment is to secure the bonds issued to fund the Improvements. As described in more detail in the Assessment Report, the District's assessments will be levied against all assessable lands within the District. The Assessment Report identifies maximum assessment amounts for each land use category that is currently expected to be assessed. The method of allocating assessments for the Improvements to be funded by the District will initially be determined on an equal assessment per acre basis. At the time parcels are platted or otherwise subdivided into assessable units, individual assessments will be assigned to those parcels on an Equivalent Residential Unit ("ERU") basis at the per unit amounts described in Table 5 of the Assessment Report, thereby reducing the assessments encumbering the undeveloped lands by a corresponding amount. Any unassigned amount of assessments encumbering the remaining undeveloped lands will continue to be calculated and levied on an equal assessment per acre basis. Please consult the Assessment Report for more details. The Exhibit A identifies each folio number within the District and assessment per parcel that is currently expected to be assessed.

As the owner of property within the District subject to assessments, the maximum amount to be levied against property that you own and the number of units contained within each parcel is reflected in the preliminary assessment roll attached as Exhibit A, exclusive of fees and costs of collection or enforcement, discounts for early payment and the annual interest costs of the debt issued to finance the Improvements. The total amount to be levied against each parcel is detailed in Exhibit A, and cumulatively in the form of a legal description of lands within the District in the Assessment Report incorporated herein by this reference, as such Assessment Report may be amended at the below referenced hearing. However, the amount of the assessments on each platted lot over thirty (30) years may be higher or lower depending on the actual terms of bonds issued. The total revenue that the District will collect by these assessments for your property is anticipated to be \$9,735,000, exclusive of anticipated fees and costs of collection and enforcement, discounts for early payment, and the annual interest costs of the debt issued to finance the Improvements.

The assessments may appear on your regular tax bill issued by the Hillsborough County Tax Collector. However, the District may in its discretion at any time choose instead to directly collect these assessments. As provided in the Assessment Report, the assessments will constitute a lien against your property that may be prepaid in accordance with Chapter 170, Florida Statutes, or may be paid in not more than thirty (30) annual installments. The failure to pay any assessments collected on the tax roll will cause a tax certificate to be issued against your property within the District which may result in a loss of title. Alternatively, if the assessments are directly collected, the failure to pay such direct bill invoice may result in the District pursuing a foreclosure action, which may result in a loss of title.

In accordance with Chapters 170, 190 and 197, *Florida Statutes*, this letter is to notify you that public hearings for the above-mentioned assessments will be held on **October 2, 2017, at 1 P.M., at the offices of Mattamy Homes, 4107 Crescent Park Drive, Riverview, Florida 33578.** At the hearings, the Board will sit as an equalizing

board to hear and consider testimony from any interested property owners as to the propriety and advisability of making the Improvements, or some phase thereof, as to the cost thereof, as to the manner of payment thereof, and as to the amount thereof to be assessed against each property so improved. All affected property owners have a right to appear at the hearing and to file written objections with the District's Board of Supervisors within twenty (20) days of this notice.

Information concerning the assessments and copies of applicable documents are on file and available during normal business hours at the District Records Office at the District Manager's office, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010. You may appear at the hearings, or submit your comments in advance to the attention of the District Manager at its address above.

Sincerely,

A handwritten signature in blue ink, appearing to read "Craig A. Wrathell", with a long horizontal flourish extending to the right.

Craig A. Wrathell
District Manager

Enclosures:

- Exhibit A: Property Listing and Assessment Roll
- Exhibit B: *Report of District Engineer*, dated August 2017
- Exhibit C: *Preliminary Special Assessment Methodology Report*, dated August 21, 2017

Exhibit A

Owner	Units	Folio #	Assessment
MATTAMY TAMPA/SARASOTA LLC	24.84	076681-0000	\$2,257,233.27
MATTAMY TAMPA/SARASOTA LLC	18.68	076683-0100	\$1,697,468.50
MATTAMY TAMPA/SARASOTA LLC	8.7	076684-0000	\$790,576.87
MATTAMY TAMPA/SARASOTA LLC	1.02	076684-0100	\$92,688.32
MATTAMY TAMPA/SARASOTA LLC	19.6	076843-0000	\$1,781,069.73
MATTAMY TAMPA/SARASOTA LLC	19.62	076842-5000	\$1,782,887.15
MATTAMY TAMPA/SARASOTA LLC	4.67	076844-0000	\$424,367.12
MATTAMY TAMPA/SARASOTA LLC	5	076844-0200	\$454,354.52
MATTAMY TAMPA/SARASOTA LLC	5	076844-0100	\$454,354.52
Total			\$9,735,000.00

Exhibit B

**Boyette Park
Community Development District
Report of District Engineer
August 2017**

Prepared for:

**Boyette Park
Community Development District
Hillsborough County, Florida**

Prepared by:

**Toxey A Hall, P.E.
Clearview Land Design, P.L.
Tampa, Florida**



August 2017

Board of Supervisors
Boyette Park Community Development District

**RE: Boyette Park Community Development District
Preliminary Report of District Engineer**

To Whom It May Concern:

Pursuant to the Board of Supervisor's authorization, Clearview Land Design, P.L. is pleased to submit this Engineer's Report for the proposed Capital Improvement Plan for the Boyette Park Community Development District. This report has been prepared on behalf of the District in connection with the financing for these proposed improvements. A detailed description of the improvements and their corresponding estimates of costs are outlined in the following report.

Thank you for this opportunity to be of professional service.

Sincerely,

CLEARVIEW LAND DESIGN, P.L.

Toxey A. Hall, P.E.

P:\Goolsby\CDD\DRAFTS\2017.08.07 TAHmf.CDD Report of District Engineer.docx

1213 E. 6th Avenue, Tampa, FL 33605 Phone (813) 223-3919 Fax (813) 223-3975

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Exhibits

- A. Vicinity Map**
- B. Boyette Park Boundary Metes & Bounds Description and Map**
- C. Summary of Estimated Project Costs**
- D. Permit and Construction Approval Status**

INTRODUCTION

Boyette Park Community Development District (the "District") is a unit of special-purpose government organized and existing in accordance with Chapter 190, F.S., as amended, created by ordinances enacted by the Board of County Commissioners of Hillsborough County, Florida (the "County"). The District, containing approximately 108 acres is generally located in southern Hillsborough County along the south side of Boyette Road and west of McMullen Road. The County authorized the creation of the District pursuant to Hillsborough County Ordinance 17-14 effective June 14, 2017.

The District is located in Sections 21, 28, Township 30 South, Range 20 East. Exhibit A is a Vicinity Map of the District. The District was formed to provide necessary, public infrastructure so that the lands within the District can be developed as a residential community. Access to the Development (as defined below) will be via two separate entrance roadway connections. The main entrance will be located on McMullen Road approximately 1,500 feet south of the intersection of McMullen and Boyette Road. The second entrance will be located off Boyette Road about 1,700 feet west of the intersection of McMullen and Boyette Road. The lands constituting the District are presently intended for development into a master planned community (the "Development"), known as Boyette Park. Exhibit B provides a Boundary Metes & Bounds Description and Map of the District. The majority of all public infrastructure is wholly contained within the limits of the District. Offsite improvements are required on both Boyette Road and McMullen Road. An eastbound to southbound right turn lane is required for the access point off Boyette Road. The improvements on McMullen Road include both a right and left turn as well as some road widening to accommodate the turn lanes.

PURPOSE AND SCOPE

The District was established for the purpose of financing or acquiring, constructing, maintaining and operating a portion of the infrastructure necessary for community development within the District. The purpose of this report is to provide a description of the infrastructure improvements necessary for progression of the Development and an estimate of the costs. The District will finance, acquire and/or construct, operate, and maintain a portion of the infrastructure improvements that are needed to serve the Development and allocate the costs for the infrastructure improvements among the lands within the District. A portion of these infrastructure improvements will be completed by Mattamy Tampa/Sarasota LLC, the primary developer of the Development (the "Developer"), and will be acquired by the District with proceeds of bonds issued by the District. The Developer will construct the balance of the infrastructure improvements needed for the development that is not financed by the District.

The proposed infrastructure improvements, as outlined herein, are necessary for the functional development of the Development as required by the County.

This Engineer's Report reflects the District's present intentions based on the Developer's development plan. The implementation and completion of the Capital Improvement Plan (CIP) of the District outlined in this report requires final approval by the District's Board of Supervisors, including the award of contracts for the construction and/or acquisition of the improvements comprising the CIP. Cost estimates contained in this report have been prepared based on the best available information, including bid documents and pay requests where available. These estimates may not reflect final engineering design. Actual costs will vary based upon final plans, design, planning, approvals from regulatory authorities, inflation, etc. Nevertheless, all costs contained herein, may be reasonably expected to adequately fund the improvements described, and contingency costs as included are reasonable.

LAND USE

As stated, the lands within the District encompass approximately 108 acres. The District is planned to ultimately include a mixture of single-family, townhome, and villa residential units with an overall lot count of 414 units. The table below illustrates the current land use plan in acreage. Such information is subject to change.

Proposed Land Use	Approximate Acres	Units
Residential Units	41	414
Surface Water Management Areas	24	N/A
Right of way	8	N/A
Other	35	N/A
TOTAL	108	414

GOVERNMENTAL ACTIONS

On September 16, 2015, the County approved the project as Planned Development ("PD") Hillsborough County Rezoning Number RZ-PD 15-0694. On May 19, 2017, the County certified the most recent site plan (17-0490 RV) which allows for a maximum of 424 dwelling units.

The Development is not a DRI. The lands and entitlements within the zoning parcel, but outside the District are owned by an entity unrelated to Mattamy Tampa/Sarasota, LLC.

It is our opinion that there are no technical reasons existing at this time which would prohibit the implementation of the plans for the CIP as presented herein and that permits normally obtained by site development engineers, not heretofore issued and which are necessary to effect the improvements described herein, will be obtained during the

ordinary course of development. The permit status for the public improvements is summarized in Exhibit D included with this report.

CAPITAL IMPROVEMENT PLAN

The District's CIP includes infrastructure improvements that will provide special benefit to all assessable land within the District. Said improvements include earthwork, offsite roadway improvements, stormwater management facilities including those associated with such roadway improvements, on-site water and wastewater facilities, landscaping and sidewalk improvements all within public rights-of-way or on District owned lands and associated professional fees. The estimated total cost of the CIP is \$7,328,978. Refer to Exhibit C for a summary of the costs by infrastructure category for the CIP.

The current plan of development of the CIP is to be constructed in 4 phases (see table below), and ultimately it is expected that once completed it will support the construction of 414 residential dwelling units.

Construction Phasing	Total No. of Units	Estimated Completion Date
Boyette Park Phases 1A-1D	159	December 2017
Boyette Park Phases 1E & 2A	105	April 2019
Boyette Park Phases 2B & 2C	58	April 2020
Boyette Park Phases 3 & 4	92	April 2021
Total Number of Units	414	

ROADWAYS

Primary vehicular access to the District is to be provided from McMullen Road south of Boyette Road with a secondary entrance off Boyette Road. Boyette Park Drive, the main entrance to the District from McMullen Road, will be a divided 4-lane collector with street lighting, sidewalks and landscaping. The other access entrance to the District off Boyette Road will be a divided 4-lane road that will transition to divided 2-lane residential street. Internal roads will be undivided 2-lane residential streets with sidewalks and street lighting. The offsite roadway improvements on McMullen Road and Boyette Road will comply with the roadway design criteria of Hillsborough County. The internal roadway design will comply with Hillsborough County transportation design criteria. The District will fund and construct the offsite improvements and the access improvements within the District or in the alternative acquire much completed improvements from the Developer. Hillsborough County will own, operate, and maintain the improvements on McMullen Road and Boyette Road as well as the access connection to Boyette Road. The Boyette Park Homeowners Association will own, operate and maintain the internal roads within the District which will not be district funded.

STORMWATER MANAGEMENT

The County and the Southwest Florida Water Management District (SWFWMD) regulate the design criterion for the stormwater management system within the District. The District is located within the Alafia River Watershed. The pre-development site runoff and water management conditions have been developed by the County and SWFWMD. The existing, onsite, naturally occurring wetlands have been delineated by SWFWMD.

The stormwater management plan for the District focuses on utilizing newly constructed ponds in the uplands for stormwater treatment in conjunction with the naturally occurring wetlands.

The primary objectives of the stormwater management system for the District are:

1. To provide a stormwater conveyance and storage system, which includes stormwater quality treatment.
2. To adequately protect development within the District from regulatory-defined rainfall events.
3. To maintain wetland hydroperiods.
4. To ensure that adverse stormwater impacts do not occur upstream or downstream as a result of the Development.
5. To satisfactorily accommodate stormwater runoff from adjacent off-site areas that naturally drains through the District. Accommodating existing drainage conditions is a requirement of more than one regulatory agency and is an integral part of the infrastructure improvements constructed with development projects.

The stormwater collection and outfall systems will be a combination of site grading, earthwork, stabilization, curb inlets, pipe culverts, control structures and open waterways. Wetland hydroperiods (normal pool and season high water elevations) will be maintained through proper design and maintenance of the outfall control structures. The District will fund and construct the stormwater management system or in the alternative acquire the completed system from the Developer. Curb inlets and pipe culverts in the HOA right-of-ways will be owned, operated and maintained by the CDD as they are necessary components of the stormwater management system. The District will not finance the cost of the earthwork and site grading with regards to any of the developable lots except to the extent it is necessary to facilitate the stormwater management system.

The two commercial outparcels located off Boyette Road will be provided drainage through a CDD owned and maintained drainage pond. The infrastructure that will serve the commercial parcels will be installed at the Developer's expense. The amount of money the Developer will be spending to benefit the District will far outweigh the cost the District will need to spend on the maintenance caused by the commercial parcels and reflects a contribution of the public infrastructure in lieu of assessment or other allocation of cost to such outparcels.

WASTEWATER COLLECTION

The District is within the County's Valrico Sub Regional Service Area which will provide wastewater treatment service. The District will fund the construction of the wastewater system or in the alternative acquire the completed system from the Developer. When completed, the County will own, operate and maintain the District's internal wastewater systems.

The District onsite wastewater system will consist of gravity collection lines with appurtenant manholes, and a pump station discharging to a force main that will connect to the existing county force main in the Boyette Road right-of-way.

WATER DISTRIBUTION SYSTEM

The District is within the County's South Central Service Area which will provide potable water service. The District will fund the construction of the potable water system or in the alternative acquire the completed system from the Developer. When completed, the County will own, operate and maintain the District's internal potable water systems.

The District's onsite potable water system will consist of distribution lines of varying sizes with appurtenant valves

and backflow prevention equipment connecting to the existing water transmission lines in the McMullen Road and Boyette Road right-of-ways.

LANDSCAPING

Significant landscape features and associated irrigation systems are planned for the public rights of way and District owned lands relating to the CIP. These features may include entry monumentation at the entrances of the District, installation of irrigation wells, irrigation systems, and the perimeter buffer areas. The District will fund, construct, operate and maintain entry monumentation, irrigation systems and landscaping in publicly accessible areas of the District. The District will fund, construct, and maintain perimeter berms. In the alternative, the Developer will construct these improvements and convey the same to the District.

OWNERSHIP AND MAINTENANCE

The ownership and maintenance responsibilities of the proposed infrastructure improvements for the development are set forth below.

<u>Proposed Infrastructure Improvements</u>	<u>Ownership</u>	<u>Maintenance</u>
Internal Roadway Improvements	Boyette Park HOA	Boyette Park HOA
Access Roadway Improvements on McMullen and Boyette	Hillsborough County	Hillsborough County
Stormwater Management System	CDD	CDD
Wastewater Collection System including the on-site Transmission System for Single Family Residences	Hillsborough County	Hillsborough County
Water Distribution System including the Transmission System	Hillsborough County	Hillsborough County
Landscaping and Irrigation Systems within public rights-of-way and district owned lands	CDD	CDD

PROJECT COSTS

The CIP's identifiable total costs associated with the infrastructure improvements are estimated to be \$7,328,978. The infrastructure improvements include: roadways, sewer, water, storm water management systems and landscaping and irrigation as well as hardscape elements. It is understood that the funds available to the District to construct or acquire the improvements comprising the CIP, will be limited. Any such improvements not financed by the District will be constructed and conveyed to the District by the Developer for no consideration.

Exhibit C outlines the anticipated costs associated with the construction of the CIP for the District.

SUMMARY AND CONCLUSION

The infrastructure, as outlined above, is necessary for the functional progression of the Development within the District as required by the County. The planning and design of the infrastructure will be in accordance with current governmental regulatory requirements. The infrastructure will provide its intended function so long as the construction is in substantial compliance with the design and permits. The platting, design and permitting for the public infrastructure are ongoing at this time and there is no reason to believe such permits will not be obtained.

Items of construction in this report are based on preliminary plan quantities for the infrastructure construction as shown on the master plans, conceptual plans, construction drawings and specifications. It is my professional opinion that the estimated infrastructure costs provided herein for the District improvements comprising the CIP are reasonable to complete the construction of the infrastructure described herein and that these infrastructure improvements will provide a special benefit to the assembled land in the District, which special benefit will at least equal the costs of such improvements. All such infrastructure costs are public improvements or community facilities as set forth in Section 190.012(1) and (2) of the Florida Statutes.

The infrastructure total construction cost developed in this report is only an estimate and not a guaranteed maximum price. The estimated cost is based on unit prices currently being experienced for ongoing and similar items of work in the Tampa Bay area and quantities as represented on the master plans. The labor market, future costs of equipment and materials, and the actual construction processes frequently vary and cannot be accurately forecasted. Due to this inherent opportunity for fluctuation in cost, the total final cost may be more or less than this estimate.

The professional services for establishing the opinion of estimated construction cost are consistent with the degree and care and skill exercised by members of the same profession under similar circumstances.

Toxey A. Hall, P.E

District Engineer

FL Registration No.: 37278

EXHIBITS

Exhibit A Vicinity Map of District

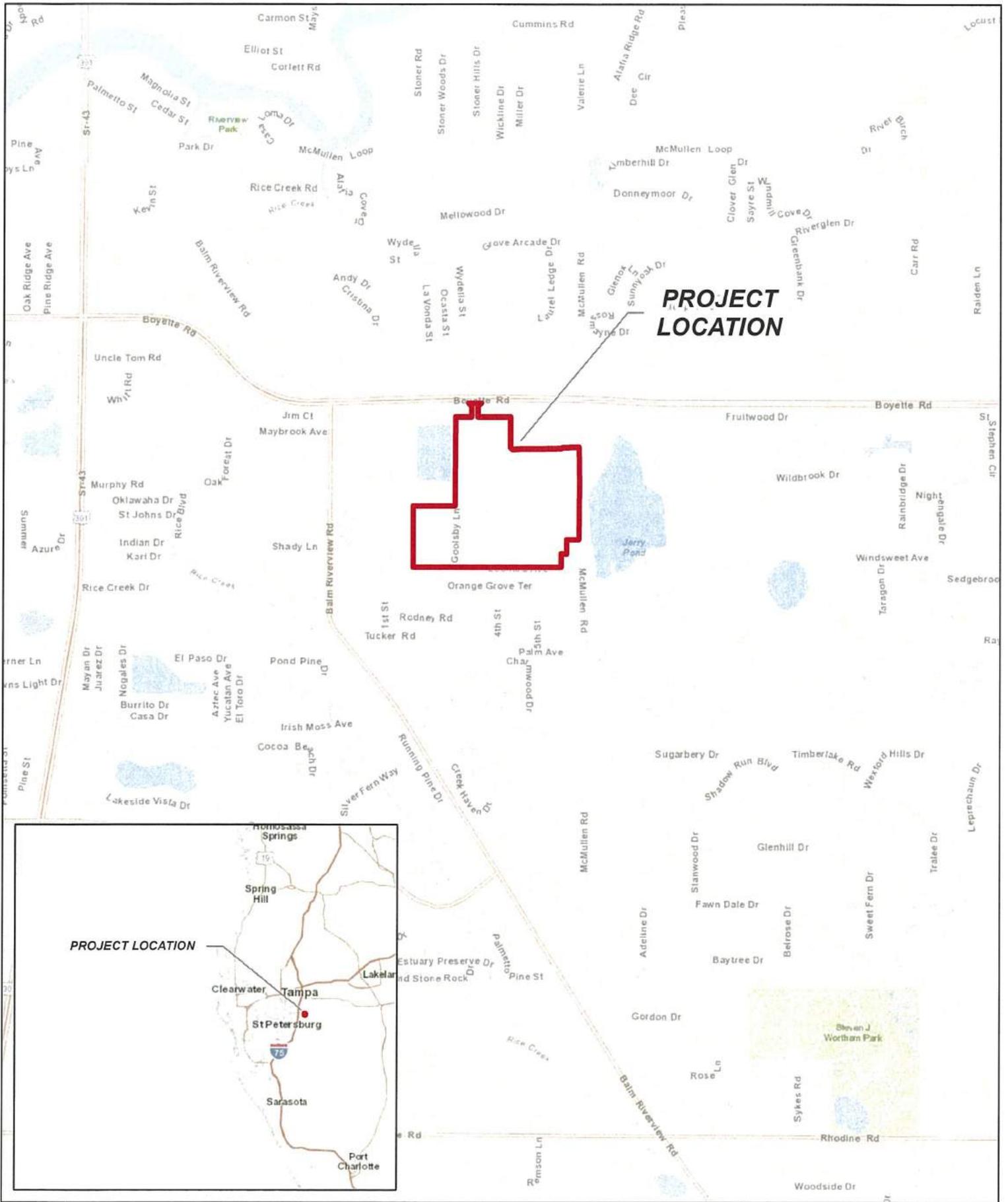
Exhibit B Boundary Metes & Bounds Description of District

Exhibit C Summary of Estimated Project Costs

Exhibit D Permit and Construction Approval Status

EXHIBIT A

VICINITY MAP



PROJECT LOCATION

PROJECT LOCATION

Location Map
 Goolsby Property
 Hillsborough County, Florida



EXHIBIT B

BOYETTE PARK

COMMUNITY DEVELOPMENT DISTRICT

BOUNDARY METES AND

BOUNDS DESCRIPTION SKETCH

EXHIBIT B

DESCRIPTION: Goolsby Property (Prepared by GeoPoint Surveying, Inc.)

A parcel of land lying in Sections 21 and 28, Township 30 South, Range 20 East, Hillsborough County, Florida, and being more particularly described as follows:

COMMENCE at the Northeast Corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 28; thence along the North boundary of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 28 S.89°50'18"W., a distance of 30.00 feet to the West Right-of-Way line of McMullen Loop Road and the POINT OF BEGINNING; thence along said West Right-of-way line, being 30.00 feet West of and parallel to the East boundary of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 28, S.00°09'04"W., a distance of 868.97 feet; thence leaving said West Right-of-Way line, N.89°53'46"W., a distance of 195.83 feet; thence S.00°03'58"W., a distance of 229.12 feet; thence N.89°53'46"W., a distance of 82.79 feet; thence S.00°00'00"E., a distance of 210.00 feet to the North Right-of-Way line of Leonard Avenue; thence along said North Right-of-Way line, being 25.00 feet North of and parallel to the South boundary of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ said Section 28 and 25.00 feet North of and parallel to the South boundary of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ said Section 28, respectively, N.89°52'51"W., a distance of 1022.96 feet; thence S.89°59'12"W., a distance of 1330.82 feet to the West boundary of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 28; thence along said West boundary, N.00°12'04"W., a distance of 971.69 feet to the South boundary of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 28; thence along said South boundary, S.89°55'44"E., a distance of 667.17 feet to the East boundary of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 28; thence along said East boundary, N.00°09'04"W., a distance of 332.14 feet to the North boundary of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 28; thence along the West boundary of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 21, N.00°14'27"E., a distance of 1081.88 feet; thence leaving said boundary along the Southerly and Easterly boundary, respectively, of lands described as, "Less and Except Parcel A" of Official Records Book 23793, Page 1800 of the Public Records of Hillsborough County, Florida the next three (3) consecutive courses; 1) S.89°54'35"E., a distance of 259.69 feet; 2) N.00°03'45"W., a distance of 168.08 feet; 3) N.44°59'33"W, a distance of 70.85 feet to the South Right-of-Way line of Boyette Road; thence along said South Right-of-Way line, S.89°59'08"E., a distance of 198.00 feet; thence leaving said Right-of-Way line, along the lands described as "Less and Except" of Official Records Book 23793, Page 1806 the following three courses; 1) S.44°56'15"W., a distance of 70.85 feet; 2) S.00°03'45"E., a distance of 168.25 feet; 3) S.89°54'35"E., a distance of 522.07 feet to the Westerly boundary of Goolsby Pointe Platted Subdivision - No Improvements, according to the plat thereof, as recorded in Plat Book 87, Page 72 of the Public Records of Hillsborough County, Florida; thence along the Westerly and Southerly boundaries, respectively, the following ten (10) courses, 1) Southwesterly, 7.03 feet along the arc of a non-tangent curve to the left having a radius of 24.00 feet and a central angle of 16°46'52" (chord bearing S.10°33'06"W., 7.00 feet); 2) S.00°15'26"W., a distance of 460.93 feet; 3) Southeasterly, 71.00 feet along the arc of a tangent curve to the left having a radius of 44.00 feet and a central angle of 92°27'16" (chord bearing S.45°58'12"E., 63.54 feet); 4) N.87°48'10"E., a distance of 140.07 feet; 5) N.89°26'14"E., a distance of 296.50 feet; 6) N.89°07'15"E., a distance of 332.52 feet; 7) N.44°49'22"E., a distance

Line

Goolsby Property

108.34 Acres

Interior Fences, Asphalt and
Dirt Driveways not shown

Section 21, Township 30 South, Range 20 East

Section 28, Township 30 South, Range 20 East

EXHIBIT C

**SUMMARY OF
ESTIMATED PROJECT COST**

Summary of Costs

Boyette Park Community Development District

Offsite Roadway Improvements

McMullen Road Improvements	\$ 402,380.75
Boyette Road Turn Lanes	\$ 122,825.35

Stormwater Management System

Ponds/General Conditions	\$ 1,331,043.00
Storm Water Inlets, Piping, Curbs, Etc.	\$ 2,317,239.53

Wastewater System

Gravity Lines and Force main	\$ 1,045,613.05
Pump Station	\$ 385,000.00

Water Distribution System	\$ 699,514.25
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Perimeter Landscaping/Hardscape	\$ 677,683.00
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Soft Costs

Engineering Design	\$ 180,942.10
Landscape Design	\$ 41,750.00
Engineering Construction Inspection	\$ 93,380.00
Soft Cost Contingency and Other	
Professional Fees (10%)	<u>\$ 31,607.21</u>

TOTAL	\$ 7,328,978.24
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EXHIBIT D

**PERMIT AND CONSTRUCTION
APPROVAL STATUS**

EXHIBIT "D"

Boyette Park Community Development District

Approval Date	Agency	Permit No.	Permit Name
11/6/16	Hillsborough County	S.R. No. 16-0098 through 16-0103,16-0245 through 16-0248	Reservation of Capacity – Water, Wastewater
7/12/16	Hillsborough County	Folio # 76681,76683,76684,76844	Phase 1 Preliminary Plat Approval / Phase 1A-1E,2A-2C, 3 & 4
1/6/17	Southwest Florida Water Management District	Permit No. 43042302.001	ERP Individual Construction Permit
06/15/17	Hillsborough County	PI # 3232/Folio # 76681,76683,76684,76844	Phase 1A-1E, 2B, 2C, & 4 Construction Plan Approval

Exhibit C

BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT

Preliminary Special Assessment Methodology Report

August 21, 2017



Provided by:

Wrathell, Hunt and Associates, LLC

2300 Glades Road, Suite 410W

Boca Raton, FL 33431

Phone: 561-571-0010

Fax: 561-571-0013

Website: www.whhassociates.com



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1.0 Introduction

1.1 Purpose

This Preliminary Special Assessment Methodology Report (the "Report") was developed to provide a financing plan and a special assessment methodology for the Boyette Park Community Development District (the "District"), located in unincorporated Hillsborough County, Florida, as related to funding the costs of public infrastructure improvements (the "Capital Improvement Program") contemplated to be provided by the District.

1.2 Scope of the Report

This Report presents the projections for financing the District's Capital Improvement Program described in the Report of District Engineer developed by Clearview Land Design, P.L. (the "District Engineer") dated August, 2017 (the "Engineer's Report"), as well as describes the method for the allocation of special benefits and the apportionment of special assessment debt resulting from the provision and funding of the Capital Improvement Program.

1.3 Special Benefits and General Benefits

Improvements undertaken and funded by the District as part of the Capital Improvement Program create special and peculiar benefits, different in kind and degree than general benefits, for properties within its borders as well as general benefits to the public at large. However, as discussed within this Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits which accrue to property within the District. The District's Capital Improvement Program enables properties within its boundaries to be developed.

There is no doubt that the general public and property owners of property outside the District will benefit from the provision of the Capital Improvement Program. However, these benefits are only incidental since the Capital Improvement Program is designed solely to provide special benefits peculiar to property within the District. Properties outside the District are not directly served by



the Capital Improvement Program and do not depend upon the Capital Improvement Program to obtain or to maintain their development entitlements. This fact alone clearly distinguishes the special benefits which District properties receive compared to those lying outside of the District's boundaries.

The Capital Improvement Program will provide public infrastructure improvements which are all necessary in order to make the lands within the District developable and saleable. The installation of such improvements will cause the value of the developable and saleable lands within the District to increase by more than the sum of the financed cost of the individual components of the Capital Improvement Program. Even though the exact value of the benefits provided by the Capital Improvement Program is hard to estimate at this point, it is nevertheless greater than the costs associated with providing the same.

1.4 Organization of the Report

Section Two describes the development program as proposed by the Developer, as defined below.

Section Three provides a summary of the Capital Improvement Program as determined by the District Engineer.

Section Four discusses the financing program for the District.

Section Five introduces the special assessment methodology for the District.

2.0 Development Program

2.1 Overview

The District will serve the Boyette Park development (the "Development" or "Boyette Park"), a master planned, mixed-use development located in unincorporated Hillsborough County, Florida. The land within the District consists of approximately 108.34 +/- acres and is generally located in Southern Hillsborough



County along the south side of Boyette Road and west of McMullen Road.

2.2 The Development Program

The development of Boyette Park is anticipated to be conducted by Mattamy Tampa/Sarasota, LLC (the "Developer"). Based upon the information provided by the Developer and the Engineer, the current development plan envisions a total of 414 residential units, although land use types and unit numbers may change throughout the development period. Table 1 in the *Appendix* illustrates the development plan for Boyette Park. The development of Boyette Park is planned to be conducted in several phases over a multi-year period.

3.0 The Capital Improvement Program

3.1 Overview

The public infrastructure costs to be funded by the District are described by the District Engineer in the Engineer's Report. Only public infrastructure that may qualify for bond financing by the District under Chapter 190, Florida Statutes and under the Internal Revenue Code of 1986, as amended, was included in these estimates.

3.2 Capital Improvement Program

The Capital Improvement Program needed to serve the Development is projected to consist of improvements which will serve all of the lands in the District. The Capital Improvement Program will consist of offsite roadway improvements, storm water management, water and wastewater facilities, landscaping/irrigation/entry/perimeter buffers. At the time of this writing, the total cost of the Master Infrastructure Improvements is estimated to total approximately \$7,328,978.

According to the District Engineer, these infrastructure improvements will serve and provide benefit to all land uses in the



District. The improvements that are part of the Capital Improvement Program will comprise an interrelated system of improvements, which means all of improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

Table 2 in the *Appendix* illustrates the specific components of the Capital Improvement Program.

4.0 Financing Program

4.1 Overview

As noted above, the District is embarking on a program of capital improvements which will facilitate the development of lands within the District. Generally, construction of public improvements is either funded by the Developer and then acquired by the District or funded directly by the District. The choice of the exact mechanism for providing public infrastructure has not yet been made at the time of this writing, and the District may either acquire the public infrastructure from the Developer or construct it, or even partly acquire it and partly construct it.

Even though the actual financing plan may change to include multiple series of bonds, it is likely that in order to fully fund costs of the Capital Improvement Program as described in *Section 3.2* in two financing transactions, the District would have to issue approximately \$9,735,000 in par amount of special assessment bonds (the "Bonds").

Please note that the purpose of this Report is to allocate the benefit of the Capital Improvement Program to the various land uses in the District and based on such benefit allocation to apportion the maximum debt necessary to fund the Capital Improvement Program. The discussion of the structure and size of the indebtedness is based on various estimates and is subject to change.



4.2 Types of Bonds Proposed

The proposed financing plan for the District provides for the issuance of the Bonds in the approximate principal amount of \$9,735,000 to finance approximately \$7,328,978 in Capital Improvement Program costs. The Bonds as projected under this financing plan would be structured to be amortized in 30 annual installments following a 24-month capitalized interest period. Interest payments on the Bonds would be made every May 1 and November 1, and principal payments on the Bonds would be made either on May 1 or on November 1.

In order to finance the improvement and other costs, the District would need to borrow more funds and incur indebtedness in the total amount of approximately \$9,735,000. The difference is comprised of debt service reserve, capitalized interest, underwriter's discount and costs of issuance. Preliminary sources and uses of funding for the Bonds are presented in Table 3 in the *Appendix*.

Please note that the structure of the Bonds as presented in this Report is preliminary and may change due to changes in the development program, market conditions, timing of infrastructure installation as well as for other reasons. The District maintains complete flexibility as to the structure of the Bonds and reserves the right to modify it as necessary.

5.0 Assessment Methodology

5.1 Overview

The issuance of the Bonds provides the District with funds necessary to construct/acquire the infrastructure improvements which are part of the Capital Improvement Program outlined in *Section 3.2* and described in more detail by the District Engineer in the Engineer's Report. These improvements lead to special and general benefits, with special benefits accruing to the assessable properties within the boundaries of the District and general benefits accruing to areas outside the District but being only incidental in nature. The debt incurred in financing the public infrastructure will be paid off by assessing properties that derive special and peculiar



benefits from the Capital Improvement Program. All properties that receive special benefits from the Capital Improvement Program will be assessed for their fair share of the debt issued in order to finance all or a portion of the Capital Improvement Program.

5.2 Benefit Allocation

The most current development plan envisions the development of 414 residential units, although unit numbers and land use types may change throughout the development period.

According to the District Engineer, these infrastructure improvements will serve and provide benefit to all land uses in the District. The improvements that are part of the Capital Improvement Program will comprise an interrelated system of improvements, which means all of improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

By allowing for the land in the District to be developable, both the improvements that comprise the Capital Improvement Program and their combined benefit will be greater than the sum of their individual benefits. All of the land uses within the District will benefit from each infrastructure improvement category, as the improvements provide basic infrastructure to all land within the District and benefit all land within the District as an integrated system of improvements.

As stated previously, the public infrastructure improvements included in the Capital Improvement Program have a logical connection to the special and peculiar benefits received by the land within the District, as without such improvements, the development of the properties within the District would not be possible. Based upon the connection between the improvements and the special and peculiar benefits to the land within the District, the District can assign or allocate a portion of the District's debt through the imposition of non-ad valorem assessments, to the land receiving such special and peculiar benefits. Even though these special and peculiar benefits are real and ascertainable, the precise amount of the benefit cannot yet be calculated with mathematical certainty. However, such benefit is more valuable than the cost of, or the actual non-ad valorem assessment amount levied on that parcel.



The benefit associated with the Capital Improvement Program of the District is proposed to be allocated to the different product types within the District in proportion to the density of development and intensity of use of the master infrastructure as measured by a standard unit called an Equivalent Residential Unit ("ERU"). Table 4 in the *Appendix* illustrates the ERU weights that are proposed to be assigned to the land uses contemplated to be developed within the District based on the relative density of development and the intensity of use of master infrastructure, the total ERU counts for each land use category, and the share of the benefit received by each land use.

The rationale behind different ERU weights is supported by the fact that generally and on average smaller units or units with a lower intensity of use will use and benefit from the District's improvements less than larger units or units with a higher intensity of use, as for instance, generally and on average smaller units or units with lower intensity of use produce less storm water runoff, may produce fewer vehicular trips, and may need less water/sewer capacity than larger units. Additionally, the value of the larger units or units with a higher intensity of use is likely to appreciate by more in terms of dollars than that of the smaller units or units with a lower intensity of use as a result of the implementation of the Capital Improvement Program. As the exact amount of the benefit and appreciation is not possible to be calculated at this time, the use of ERU measures serves as a reasonable approximation of the relative amount of benefit received from the District's improvements.

Table 5 in the *Appendix* presents the apportionment of the assessment associated with funding the District's Capital Improvement Program (the "Assessment") in accordance with the ERU benefit allocation method presented in Table 4. Table 5 also presents the annual levels of the projected annual debt service assessments per unit.

5.3 Assigning Debt

The Assessment associated with repayment of the Bonds will initially be levied on all of the gross acre land in the District. Consequently, the Assessment will be levied on approximately 108.34 +/- gross acres on an equal pro-rata gross acre basis and



thus the total bonded debt in the amount of \$9,735,000 will be preliminarily levied on approximately 108.34 +/- gross acres at a rate of \$89,856.01 per acre.

As the land is platted, the Assessment will be allocated to each platted parcel on a first platted-first assigned basis based on the planned use for that platted parcel as reflected in Table 5 in the *Appendix*. Such allocation of Assessments to platted parcels will reduce the amount of Assessment levied on unplatted gross acres within the District.

Further, to the extent that any residential land which has not been platted is sold to another developer or builder, the Assessment will be assigned to such parcel at the time of the sale based upon the development rights associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Assessment transferred at sale.

5.4 Lienability Test: Special and Peculiar Benefit to the Property

As first discussed in *Section 1.3*, Special Benefits and General Benefits, improvements undertaken by the District create special and peculiar benefits to certain properties within the District. The District's improvements benefit assessable properties within the District and accrue to all such assessable properties on an ERU basis.

Improvements undertaken by the District can be shown to be creating special and peculiar benefits to the property within the District. The special and peculiar benefits resulting from each improvement include, but are not limited to:

- a. added use of the property;
- b. added enjoyment of the property;
- c. decreased insurance premiums;
- d. increased marketability and value of the property.

The improvements which are part of the Capital Improvement Program make the land in the District developable and saleable and when implemented jointly as parts of the Capital Improvement Program, provide special and peculiar benefits which are greater than the benefits of any single category of improvements. These



special and peculiar benefits are real and ascertainable, but not yet capable of being calculated and assessed in terms of numerical value; however, such benefits are more valuable than either the cost of, or the actual assessment levied for, the improvement or debt allocated to the parcel of land.

5.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay

A reasonable estimate of the proportion of special and peculiar benefits received from the improvements is delineated in Table 4 (expressed as ERU factors) in the *Appendix*.

The apportionment of the assessments is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within the District according to reasonable estimates of the special and peculiar benefits derived from the Capital Improvement Program by different land uses.

Accordingly, no acre or parcel of property within the District will be liened for the payment of any non-ad valorem special assessment more than the determined special benefit peculiar to that property.

5.6 True-Up Mechanism

The Assessment Methodology described herein is based on conceptual information obtained from the Developer prior to construction. As development occurs it is possible that the number of ERUs may change. The mechanism for maintaining the methodology over the changes is referred to as true-up.

This mechanism is to be utilized to ensure that the Assessment on a per ERU basis never exceeds the initially allocated assessment as contemplated in the adopted assessment methodology. Assessment per ERU preliminarily equals \$28,125.27 (\$9,735,000 in Assessment divided by 346.13 ERUs) and may change based on the final bond sizing. If such changes occur, the Methodology is applied to the land based on the number of and type of units of particular land uses within each and every parcel as signified by the number of ERUs.



As the land is platted, the Assessment is assigned to platted parcels based on the figures in Table 5 in the *Appendix*. If as a result of platting and apportionment of the Assessment to the platted parcel of land, the Assessment per ERU for land that remains unplatted within the District remains equal to \$28,125.27, then no true-up adjustment will be necessary.

If as a result of platting and apportionment of the Assessment to the platted land, the Assessment per ERU for land that remain unplatted within the District equals less than \$28,125.27 (either as a result of a larger number of units, different units or both), then the per ERU Assessment for all parcels within the District will be lowered if that state persists at the conclusion of platting of all land within the District.

If, in contrast, a result of platting and apportionment of the Assessment to the platted land, the Assessment per ERU for land that remains unplatted within the District equals more than \$28,125.27 (either as a result of a smaller number of units, different units or both), then the difference in Assessment plus accrued interest will be collected from the owner of the property which platting caused the increase of assessment per ERU to occur, in accordance with a true-up agreement to be entered into between the District and the Developer, which will be binding on assignees.

The owner(s) of the property will be required to immediately remit to the Trustee for redemption a true-up payment equal to the difference between the actual Assessment per ERU and \$28,125.27 multiplied by the actual number of ERUs plus accrued interest to the next succeeding interest payment date on the Bonds, unless such interest payment date occurs within 45 days of such true-up payment, in which case the accrued interest shall be paid to the following interest payment date.

In addition to platting of property within the District, any planned sale of an unplatted land to another builder or developer will cause the District to initiate a true-up test as described above to test whether the amount of the Assessment per ERU for land that remains unplatted remains equal to \$28,125.27. The test will be based upon the development rights as signified by the number of ERUs associated with such parcel that are transferred from seller to



buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Assessment transferred at sale.

5.7 Final Assessment Roll

The Assessment of \$9,735,000 is proposed to be levied over the area described in Exhibit "A". Excluding any capitalized interest period, debt service assessments shall be paid in thirty (30) annual principal installments.



6.0 Appendix

Table 1

Boyette Park

Community Development District

Development Plan

Unit Type	Number of Units
SF 50'	132
SF 60'	54
Paired Villa 30'	80
TH 18'	73
TH 24'	75
Total Residential	414

Table 2

Boyette Park

Community Development District

Capital Improvement Program

Improvement	Cost
Off-Site Road Improvements	\$525,206.10
Storm Water Management	\$3,648,282.53
Wastewater System	\$1,430,613.05
Water Distribution System	\$699,514.25
Landscaping/Hardscaping	\$677,683.00
Soft Costs	\$347,679.31
Total	\$7,328,978.24



Table 3

Boyette Park Community Development District

Preliminary Sources and Uses of Funds

	Amount
Sources	
Bond Proceeds:	
Par Amount	\$9,735,000.00
Total Sources	\$9,735,000.00
Uses	
Project Fund Deposits:	
Project Fund	\$7,328,978.24
Other Fund Deposits:	
Debt Service Reserve Fund	\$745,481.40
Capitalized Interest Fund	\$1,265,550.00
	\$2,011,031.40
Delivery Date Expenses:	
Costs of Issuance	\$394,990.36
Total Uses	\$9,735,000.00



Table 4

Boyette Park

Community Development District

Improvements Benefit Allocation

Unit Type	Number of Units	ERU per Unit	Total ERU
SF 50'	132	1.00	132.00
SF 60'	54	1.10	59.40
Paired Villa 30'	80	0.74	59.20
TH 18'	73	0.61	44.53
TH 24'	75	0.68	51.00
Total			346.13

Table 5

Boyette Park

Community Development District

Improvements Assessment Apportionment

Unit Type	Total Assessment Apportionment	Assessment Apportionment per Unit	Annual Assessment Apportionment per Unit*
SF 50'	\$3,712,535.75	\$28,125.27	\$2,315.87
SF 60'	\$1,670,641.09	\$30,937.80	\$2,547.46
Paired Villa 30'	\$1,665,016.03	\$20,812.70	\$1,713.75
TH 18'	\$1,252,418.31	\$17,156.42	\$1,412.68
TH 24'	\$1,434,388.81	\$19,125.18	\$1,574.79
Total	\$9,735,000.00		

* Included costs of collection and assumes no early payment discount

Exhibit "A"

An Assessment in the amount of \$9,735,000 will be allocated to the following land:

BOYETTE PARK CDD LEGAL DESCRIPTION

A parcel of land lying in Sections 21 and 28, Township 30 South, Range 20 East, Hillsborough County, Florida, and being more particularly described as follows:

COMMENCE at the Northeast Corner of the Northeast/ of the Northeast/ of said Section 28; thence along the North boundary of the Northeast/ of the Northeast/ of said Section 28 S.89°50'18"W., a distance of 30.00 feet to the West Right-of-Way line of McMullen Loop Road and the POINT OF BEGINNING; thence along said West Right-of-way line, being 30.00 feet West of and parallel to the East boundary of the Northeast/ of the Northeast/ of said Section 28, S.00°09'04"W., a distance of 868.97 feet; thence leaving said West Right-of-Way line, N.89°53'46"W., a distance of 195.83 feet; thence S.00°03'58"W., a distance of 229.12 feet; thence N.89°53'46"W., a distance of 82.79 feet; thence S.00°00'00"E., a distance of 210.00 feet to the North Right-of-Way line of Leonard Avenue; thence along said North Right-of-Way line, being 25.00 feet North of and parallel to the South boundary of the Northeast/ of the Northeast/ of said Section 28 and 25.00 feet North of and parallel to the South boundary of the Northwest/ of the Northeast/ of said Section 28, respectively, N.89°52'51"W., a distance of 1022.96 feet; thence S.89°59'12"W., a distance of 1330.82 feet to the West boundary of the Northwest/ of the Northeast/ of said Section 28; thence along said West boundary, N.00°12'04"W., a distance of 971.69 feet to the South boundary of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Northeast/ of said Section 28; thence along said South boundary, S.89°55'44"E., a distance of 667.17 feet to the East boundary of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of said Section 28; thence along said East boundary, N.00°09'04"W., a distance of 332.14 feet to the North boundary of the Northwest/ of the Northeast/ of said Section 28; thence along the West boundary of the East 1/2 of the Southwest 1/4 of the Southeast/ of said Section 21, N.00°14'27"E., a distance of 1081.88 feet; thence leaving said boundary along the Southerly and Easterly boundary, respectively, of lands described as, "Less and Except Parcel A" of Official Records Book 23793, Page 1800 of the Public Records of Hillsborough County, Florida the next three (3) consecutive courses; 1) S.89°54'35"E., a distance of 259.69 feet; 2) N.00°03'45"W., a distance of 168.08 feet; 3) N.44°59'33"W, a distance of 70.85 feet to the South Right-of-Way line of Boyette Road; thence along said South Right-of-Way line, S.89°59'08"E., a distance of 198.00 feet; thence leaving said Right-of-Way line, along the lands described as "Less and Except" of Official Records Book 23793, Page 1806 the following three courses; 1) S.44°56'15"W., a distance of 70.85 feet; 2) S.00°03'45"E., a distance of 168.25 feet; 3) S.89°54'35"E., a distance of 522.07 feet to the Westerly boundary of Goolsby Pointe Platted Subdivision - No Improvements, according to the plat thereof, as recorded in Plat Book 87, Page 72 of the Public Records of Hillsborough County, Florida; thence along the Westerly and Southerly boundaries, respectively, the following ten (10) courses, 1) Southwesterly, 7.03 feet along the arc of a non-tangent curve to the left having a radius of 24.00 feet and a central angle of 16°46'52" (chord bearing S.10°33'06"W., 7.00 feet); 2) S.00°15'26"W., a distance of 460.93 feet; 3) Southeasterly, 71.00 feet along the arc of a tangent curve to the left having a radius of 44.00 feet and a central angle of 92°27'16" (chord bearing S.45°58'12"E., 63.54 feet); 4) N.87°48'10"E., a distance of 140.07 feet; 5) N.89°26'14"E., a distance of 296.50 feet; 6) N.89°07'15"E., a distance of 332.52 feet; 7) N.44°49'22"E., a distance of 18.28 feet; 8) N.89°49'22"E., a distance of 104.59 feet; 9) N.51°55'53"E., a distance of 8.14 feet; 10) N.89°49'22"E., a distance of 150.93 feet to the West Right-of-Way line of said McMullen Loop Road; thence along said West Right-of-Way line, being 30.00 feet West of and parallel to the East boundary of the Southeast/ of the Southeast/ of said Section 21, S.00°10'29"E., a distance of 597.88 feet to the POINT OF BEGINNING.

Containing 108.34 acres, more or less.

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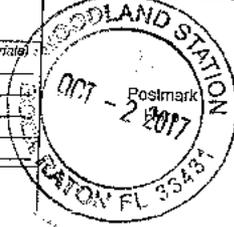
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RESOLUTION 2018-02

A RESOLUTION OF THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING DISTRICT PROJECTS FOR CONSTRUCTION AND/OR ACQUISITION OF INFRASTRUCTURE IMPROVEMENTS; EQUALIZING, APPROVING, CONFIRMING, AND LEVYING SPECIAL ASSESSMENTS ON PROPERTY SPECIALLY BENEFITED BY SUCH PROJECTS TO PAY THE COST THEREOF; PROVIDING FOR THE PAYMENT AND THE COLLECTION OF SUCH SPECIAL ASSESSMENTS BY THE METHODS PROVIDED FOR BY CHAPTERS 170, 190 AND 197, FLORIDA STATUTES; CONFIRMING THE DISTRICT'S INTENTION TO ISSUE SPECIAL ASSESSMENT REVENUE BONDS; MAKING PROVISIONS FOR TRANSFERS OF REAL PROPERTY TO HOMEOWNERS ASSOCIATIONS, PROPERTY OWNERS ASSOCIATION AND/OR GOVERNMENTAL ENTITIES; PROVIDING FOR THE RECORDING OF AN ASSESSMENT NOTICE; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

RECITALS

WHEREAS, Boyette Park Community Development District (the “District”) previously indicated its intention to construct certain types of infrastructure improvements and to finance such infrastructure improvements through the issuance of bonds, which bonds would be repaid by the imposition of special assessments on benefited property within the District; and

WHEREAS, the District Board of Supervisors (the “Board”) noticed and conducted a public hearing pursuant to Chapters 170, 190 and 197, *Florida Statutes*, relating to the imposition, levy, collection and enforcement of such assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT AS FOLLOWS:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to Chapters 170, 190 and 197, *Florida Statutes*, including without limitation, Section 170.08, *Florida Statutes*.

SECTION 2. FINDINGS. The Board hereby finds and determines as follows:

- (a) The District is a local unit of special-purpose government organized and existing under

and pursuant to Chapter 190, *Florida Statutes*, as amended.

(b) The District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct roadway improvements, stormwater management systems, water distribution systems, wastewater systems, entry landscaping, hardscaping and irrigation system improvements, and other infrastructure projects and services necessitated by the development of, and serving lands within, the District.

(c) The District is authorized by Chapter 190, *Florida Statutes*, to levy and impose special assessments to pay all, or any part of, the cost of such infrastructure projects and services and to issue capital improvement revenue bonds payable from such special assessments as provided in Chapters 170, 190 and 197, *Florida Statutes*.

(d) It is necessary to the public health, safety and welfare and in the best interests of the District that: (i) the District provide the Project (the "Project"), the nature and location of which was initially described in Resolution 2017-24 and is shown in the *Engineer's Report*, dated November 2017 (the "Engineer's Report"), and which Project's plans and specifications are on file in the District's records office at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431; (ii) the cost of such Project be assessed against the lands specially benefited by such Project; and (iii) the District issue bonds to provide funds for such purposes pending the receipt of such special assessments.

(e) The provision of said Project, the levying of such Special Assessments (hereinafter defined) and the sale and issuance of such bonds serves a proper, essential, and valid public purpose and is in the best interests of the District, its landowners and residents.

(f) In order to provide funds with which to pay a portion of the costs of the Project which are to be assessed against the benefitted properties, pending the collection of such Special Assessments, it is necessary for the District from time to time to sell and issue its Special Assessment Revenue Bonds, in one or more series (the "Bonds").

(g) By Resolution 2017-24, the Board determined to provide the Project and to defray the costs thereof by making Special Assessments on benefitted property and expressed an intention to issue Bonds, notes or other specific financing mechanisms to provide a portion of the funds needed for the Project prior to the collection of such Special Assessments. Resolution 2017-24 was adopted in compliance with the requirements of Section 170.03, *Florida Statutes*, and prior to the time it was adopted, the requirements of Section 170.04, *Florida Statutes*, had been met.

(h) As directed by Resolution 2017-24, said Resolution 2017-24 was published as required by Section 170.05, *Florida Statutes*, and a copy of the publisher's affidavit of publication is on file with the Secretary of the Board.

(i) As directed by Resolution 2017-24, a preliminary assessment roll was adopted and filed with the Board as required by Section 170.06, *Florida Statutes*.

(j) As required by Section 170.07, *Florida Statutes*, upon completion of the preliminary assessment roll, the Board adopted Resolution 2017-25 fixing the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein may appear before the Board and be heard as to: (i) the propriety and advisability of making the infrastructure improvements constituting the Project, (ii) the cost thereof, (iii) the manner of payment therefore, and (iv) the amount thereof to be assessed against each specially benefited property or parcel and provided for publication of notice of such public hearing and individual mailed notice in accordance with Chapters 170, 190 and 197, *Florida Statutes*.

(k) Notice of such public hearing was given by publication and also by mail as required by Section 170.07, *Florida Statutes*. Affidavits as to such publications and mailings are on file in the office of the Secretary of the Board.

(l) On October 2, 2017, at the time and place specified in Resolution 2017-25, and notice referred to in paragraph (k) above, the Board met as an Equalization Board and heard and considered all complaints and testimony as to the matters described in paragraph (j) above. The Board has made such modifications in the preliminary assessment roll as it deems necessary, just and right in the making of the final assessment roll.

(m) Having considered the estimated costs of the Project, estimates of financing costs and all complaints and evidence presented at such public hearing, the Board of Supervisors of the District further finds and determines:

(i) that the estimated costs of the Project are as specified in the Engineer's Report (attached as **Exhibit A** hereto and incorporated herein by this reference), which Engineer's Report is hereby adopted and approved, and that the amount of such costs is reasonable and proper; and

(ii) it is reasonable, proper, just and right to assess the cost of such Project against the properties within the District specially benefited thereby using the method determined by the Board set forth in the *Master Special Assessment Methodology Report*, dated November 6, 2017 (the "Assessment Report") attached hereto as **Exhibit B** and incorporated herein by this reference, which results in allocation of assessments in the manner set forth in the final assessment roll included therein (the "Special Assessments"); and

(iii) it is hereby declared that the Project will constitute a special benefit to all parcels of real property listed on said final assessment roll and that the benefit, in the case of each such parcel, will be equal to or in excess of the Special Assessments thereon when allocated as set forth in **Exhibit B**; and

(iv) it is in the best interests of the District that the Special Assessments be paid and collected as herein provided.

SECTION 3. AUTHORIZATION OF DISTRICT PROJECT. That certain Project for construction of infrastructure improvements initially described in Resolution 2017-24, and more specifically identified and described in **Exhibit A** attached hereto, is hereby authorized and approved and the proper officers, employees and/or agents of the District are hereby authorized and directed to take such further action as may be necessary or desirable to cause the same to be made.

SECTION 4. ESTIMATED COST OF IMPROVEMENTS. The total estimated costs of the Project and the costs to be paid by Special Assessments on all specially benefited property are set forth in **Exhibits A and B**, respectively, hereto.

SECTION 5. EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF SPECIAL ASSESSMENTS. The Special Assessments on parcels specially benefited by the Project, all as specified in the final assessment roll set forth in **Exhibit B**, attached hereto, are hereby equalized, approved, confirmed and levied. Immediately following the adoption of this Resolution these Special Assessments, as reflected in **Exhibit B**, attached hereto, shall be recorded by the Secretary of the Board of the District in a special book, to be known as the "Improvement Lien Book." The Special Assessment or assessments against each respective parcel shown on such final assessment roll and interest, costs and penalties thereon, as hereafter provided, shall be and shall remain a legal, valid and binding first lien on such parcel until paid and such lien shall be coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims. Prior to the issuance of any bonds, including refunding bonds, the District may, by subsequent resolution, adjust the acreage assigned to particular parcel identification numbers listed on the final assessment roll to reflect accurate apportionment of acreage within the District amongst individual parcel identification numbers. The District may make any other such acreage and boundary adjustments to parcels listed on the final assessment roll as may be necessary in the best interests of the District as determined by the Board by subsequent resolution. Any such adjustment in the assessment roll shall be consistent with the requirements of law. In the event the issuance of bonds, including refunding bonds, by the District would result in a decrease of the Special Assessments, then the District shall by subsequent resolution, adopted within sixty (60) days of the sale of such bonds at a publicly noticed meeting and without the need for further public hearing, evidence such a decrease and amend the final assessment roll as shown in the Improvement Lien Book to reflect such a decrease.

SECTION 6. FINALIZATION OF SPECIAL ASSESSMENTS. When the entire Project has both been constructed or otherwise provided to the satisfaction of the Board, the Board shall adopt a resolution accepting the same and determining the actual costs (including financing costs) thereof, as required by Sections 170.08 and 170.09, *Florida Statutes*. Pursuant to the provisions of Section 170.08, *Florida Statutes*, regarding completion of a project funded by a particular series of bonds, the District shall credit to each Special Assessment the difference, if any, between the Special Assessment as hereby made, approved and confirmed and the actual costs incurred in completing the Project. In making such credits, no credit shall be given for bond financing costs, capitalized interest, funded reserves or bond discounts. Such credits, if any, shall be entered in the Improvement Lien Book. Once the final amount of Special Assessments for the entire Project has been determined, the term "Special Assessment" shall, with respect to each parcel, mean the sum of the

costs of the Project.

SECTION 7. PAYMENT OF SPECIAL ASSESSMENTS AND METHOD OF COLLECTION.

(a) The Special Assessments may be paid in not more than thirty (30) substantially equal consecutive annual installments of principal and interest. The Special Assessments may be paid in full without interest at any time within thirty (30) days after the completion of the Project and the adoption by the Board of a resolution accepting the Project; provided, however, that the Board shall at any time make such adjustments by resolution, at a noticed meeting of the Board, to that payment schedule as may be necessary and in the best interests of the District to account for changes in long and short term debt as actually issued by the District. At any time subsequent to thirty (30) days after the Project has been completed and a resolution accepting the Project has been adopted by the Board, the Special Assessments may be prepaid in full including interest amounts to the next succeeding interest payment date or to the second succeeding interest payment date if such a prepayment is made within forty-five (45) calendar days before an interest payment date. The owner of property subject to Special Assessments may prepay the entire remaining balance of the Special Assessments or a portion of the remaining balance of the Special Assessment at any time if there is also paid, in addition to the prepaid principal balance of the Special Assessment, an amount equal to the interest that would otherwise be due on such prepaid amount on the next succeeding interest payment date, or, if prepaid during the forty-five (45) day period preceding such interest payment date, to the interest payment date following such next succeeding interest payment date. Prepayment of Special Assessments does not entitle the property owner to any discounts for early payment.

(b) The District may elect to use the method of collecting Special Assessments authorized by Sections 197.3632 and 197.3635, *Florida Statutes* (the "Uniform Method"). The District has heretofore taken or will use its best efforts to take as timely required, any necessary actions to comply with the provisions of said Sections 197.3632 and 197.3635, *Florida Statutes*. Such Special Assessments may be subject to all of the collection provisions of Chapter 197, *Florida Statutes*. Notwithstanding the above, in the event the Uniform Method of collecting its special or non-ad valorem assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Special Assessments may be collected as is otherwise permitted by law. The District may, in its sole discretion, collect Special Assessments by directly assessing landowner(s) and enforcing said collection in any manner authorized by law. Such special assessments shall at all times be collected in a manner consistent with applicable trust indenture.

(c) For each year the District uses the Uniform Method, the District shall enter into an agreement with the Tax Collector of Hillsborough County who may notify each owner of a lot or parcel within the District of the amount of the special assessment, including interest thereon, in the manner provided in Section 197.3635, *Florida Statutes*.

SECTION 8. APPLICATION OF TRUE-UP PAYMENTS.

(a) There may be required from time to time certain true-up payments as specified the

Assessment Report and in supplemental assessment methodology reports. As parcels of land or lots are platted, the Special Assessments securing the Bonds shall be allocated as set forth in such reports. In furtherance thereof, at such time as parcels or land or lots are platted, it shall be an express condition of the lien established by this Resolution that any and all initial plats of any portion of the lands within the District, as the District's boundaries may be amended from time to time, shall be presented to the District Manager for review, approval and calculation of the percentage of acres and numbers of units which will be, after the plat, considered to be developed. No further action by the Board of Supervisors shall be required. The District's review shall be limited solely to this function and the enforcement of the lien established by this Resolution. The District Manager shall cause the Special Assessments to be reallocated to the units being platted and the remaining property in accordance with such the Assessment Report and supplemental assessment methodology reports, cause such reallocation to be recorded in the District's Improvement Lien Book, and shall perform the true-up calculations described in **Exhibit B**, which process is incorporated herein as if fully set forth. Any resulting true-up payment shall become due and payable that tax year by the landowner(s) of record of the remaining property, in addition to the regular assessment installment payable with respect to the remaining developable acres.

(b) The District will take all necessary steps to ensure that true-up payments are made in a timely fashion to ensure its debt service obligations are met. The District shall record all true-up payments in its Improvement Lien Book.

(c) The foregoing is based on the District's understanding with Mattamy Tampa/Sarasota LLC, that it intends to develop the unit numbers and types shown in **Exhibit B**, on the net developable acres and is intended to provide a formula to ensure that the appropriate ratio of the Special Assessments to developable acres is maintained if fewer units are developed. However, no action by the District prohibits more than the maximum units shown in **Exhibit B** from being developed. In no event shall the District collect Special Assessments pursuant to this Resolution in excess of the total debt service related to the Project, including all costs of financing and interest. The District recognizes that such events as regulatory requirements and market conditions may affect the timing and scope of the development in the District. If the strict application of the True-Up Methodology to any assessment reallocation pursuant to this paragraph would result in Special Assessments collected in excess of the District's total debt service obligation for the Project, the Board shall by resolution take appropriate action to equitably reallocate the Special Assessments. Further, upon the District's review of the final plat for the developable acres, any unallocated Special Assessments shall become due and payable and must be paid prior to the District's approval of that plat.

(d) The application of the monies received from true-up payments or assessments to the actual debt service obligations of the District, whether long term or short term, shall be set forth in the supplemental assessment resolution adopted for each series of Bonds actually issued. Such subsequent resolution shall be adopted at a noticed meeting of the District, and shall set forth the actual amounts financed, costs of issuance, expected costs of collection, and the total amount of the assessments pledged to that issue, which amount shall be consistent with the lien imposed by this Resolution.

SECTION 9. PROPERTY OWNED BY HOMEOWNERS ASSOCIATIONS, PROPERTY OWNERS ASSOCIATIONS OR GOVERNMENTAL ENTITIES. Property owned by units of local, state, and federal government shall not be subject to the Special Assessments without specific consent thereto. In addition, property owned by a property owners association or homeowners association that is exempt from special assessments under Florida law shall not be subject to the Special Assessments. If at any time, any real property on which Special Assessments are imposed by this Resolution is sold or otherwise transferred to a unit of local, state, or federal government (without consent of such governmental unit to the imposition of Special Assessments thereon), all future unpaid Special Assessments for such tax parcel shall become due and payable immediately prior to such transfer without any further action of the District.

SECTION 10. ASSESSMENT NOTICE. The District's Secretary is hereby directed to record a general Notice of Assessments in the Official Records of Hillsborough County, Florida, which shall be updated from time to time in a manner consistent with changes in the boundaries of the District.

SECTION 11. SEVERABILITY. If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

SECTION 12. CONFLICTS. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

SECTION 13. EFFECTIVE DATE. This Resolution shall become effective upon its adoption.

APPROVED AND ADOPTED THIS 6th DAY OF NOVEMBER, 2017.

**BOYETTE PARK COMMUNITY
DEVELOPMENT DISTRICT**

Secretary

Chair, Board of Supervisors

Exhibit A: *Engineer's Report*, dated November 2017

Exhibit B: *Master Special Assessment Methodology Report*, dated November 6, 2017

Exhibit A

Engineer's Report

Exhibit B

Master Assessment Methodology



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Tampa Bay Times

Oct. 11, 2017

Miscellaneous Notices

**BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT
NOTICE OF THE DISTRICTS INTENT TO USE THE UNIFORM METHOD
OF COLLECTION OF NON-AD VALOREM SPECIAL ASSESSMENTS**

Notice is hereby given that the Boyette Park Community Development District (the District) intends to use the uniform method of collecting non-ad valorem special assessments to be levied by the District pursuant to Section 197.3632, Florida Statutes. The Board of Supervisors of the District will conduct a public hearing on November 6, 2017 at 1:00 p.m. at Mattamy Homes, 4107 Crescent Park Drive, Riverview, Florida 33578.

The purpose of the public hearing is to consider the adoption of a resolution authorizing the District to use the uniform method of collecting non-ad valorem special assessments (the Uniform Method) to be levied by the District on properties located on land included in, or to be added to, the District.

The District may levy non-ad valorem special assessments for the purpose of financing, acquiring, maintaining and/or operating community development facilities, services and improvements within and without the boundaries of the District, to consist of, among other things, roadway improvements, stormwater management system, water distribution system, wastewater system, landscaping, hardscaping and irrigation system improvements, and any other lawful improvements or services of the District.

Owners of the properties to be assessed and other interested parties may appear at the public hearing and be heard regarding the use of the Uniform Method. This hearing is open to the public and will be conducted in accordance with the provisions of Florida law. The public hearing may be continued to a date, time and location to be specified on the record at the hearing. There may be occasions when Supervisors or District Staff may participate by speaker telephone.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the hearing and/or meeting is asked to contact the District Office at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010, at least forty-eight (48) hours before the hearing and/or meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8771 who can aid you in contacting the District Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the hearing is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

Craig Wrathell

District Manager Run Dates: 10/11, 10/18, 10/25, 11/1/2017 (535920)

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RESOLUTION 2018-03

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT EXPRESSING ITS INTENT TO UTILIZE THE UNIFORM METHOD OF LEVYING, COLLECTING, AND ENFORCING NON AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED BY THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH SECTION 197.3632, FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Boyette Park Community Development District (“District”) was established pursuant to the provisions of Chapter 190, Florida Statutes, which authorizes the District to levy certain assessments which include benefit and maintenance assessments and further authorizes the District to levy special assessments pursuant to Chapter 170, Florida Statutes, for the acquisition, construction, or reconstruction of assessable improvements authorized by Chapter 190, Florida Statutes; and

WHEREAS, the above referenced assessments are non-ad valorem in nature and, therefore, may be collected under the provisions of Section 197.3632, Florida Statutes, in which the State of Florida has provided a uniform method for the levying, collecting, and enforcing such non-ad valorem assessments; and

WHEREAS, pursuant to Section 197.3632, Florida Statutes, the District has caused notice of a public hearing to be advertised weekly in a newspaper of general circulation within Hillsborough County for four (4) consecutive weeks prior to such hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The Boyette Park Community Development District upon conducting its public hearing as required by Section 197.3632, Florida Statutes, hereby expresses its intent to use the uniform method of collecting assessments imposed by the District as provided in Chapters 170 and 190, Florida Statutes, each of which are non-ad valorem assessments which may be collected annually pursuant to the provisions of Chapter 190, Florida Statutes, for the purpose of paying principal and interest on any and all of its indebtedness and for the purpose of paying the cost of operating and maintaining its assessable improvements. The legal description of the boundaries of the real property subject to a levy of assessments is attached and made a part of this Resolution as **Exhibit A**. The non-ad valorem assessments and the District’s use of the uniform method of collecting its non-ad valorem assessment(s) may continue in any given year when the Board of Supervisors determines that use of the uniform method for that year is in the best interests of the District.

SECTION 2. The District’s Secretary is authorized to provide the Property Appraiser and Tax Collector of Hillsborough County and the Department of Revenue of the State of Florida with a copy of this Resolution and enter into any agreements with the Property Appraiser and/or Tax Collector necessary to carry out the provisions of this Resolution.

SECTION 3. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 4. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 6th day of November, 2017.

ATTEST:

**BOYETTE PARK COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair, Board of Supervisors

Exhibit A: Legal Description

Exhibit A

BOYETTE PARK CDD LEGAL DESCRIPTION

A parcel of land lying in Sections 21 and 28, Township 30 South, Range 20 East, Hillsborough County, Florida, and being more particularly described as follows:

COMMENCE at the Northeast Corner of the Northeast/ of the Northeast/ of said Section 28; thence along the North boundary of the Northeast/ of the Northeast/ of said Section 28 S.89°50'18"W., a distance of 30.00 feet to the West Right-of-Way line of McMullen Loop Road and the POINT OF BEGINNING; thence along said West Right-of-way line, being 30.00 feet West of and parallel to the East boundary of the Northeast/ of the Northeast/ of said Section 28, S.00°09'04"W., a distance of 868.97 feet; thence leaving said West Right-of-Way line, N.89°53'46"W., a distance of 195.83 feet; thence S.00°03'58"W., a distance of 229.12 feet; thence N.89°53'46"W., a distance of 82.79 feet; thence S.00°00'00"E., a distance of 210.00 feet to the North Right-of-Way line of Leonard Avenue; thence along said North Right-of-Way line, being 25.00 feet North of and parallel to the South boundary of the Northeast/ of the Northeast/ said Section 28 and 25.00 feet North of and parallel to the South boundary of the Northwest/ of the Northeast/ said Section 28, respectively, N.89°52'51"W., a distance of 1022.96 feet; thence S.89°59'12"W., a distance of 1330.82 feet to the West boundary of the Northwest/ of the Northeast/ of said Section 28; thence along said West boundary, N.00°12'04"W., a distance of 971.69 feet to the South boundary of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Northeast/ of said Section 28; thence along said South boundary, S.89°55'44"E., a distance of 667.17 feet to the East boundary of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of said Section 28; thence along said East boundary, N.00°09'04"W., a distance of 332.14 feet to the North boundary of the Northwest/ of the Northeast/ of said Section 28; thence along the West boundary of the East 1/2 of the Southwest 1/4 of the Southeast/ of said Section 21, N.00°14'27"E., a distance of 1081.88 feet; thence leaving said boundary along the Southerly and Easterly boundary, respectively, of lands described as, "Less and Except Parcel A" of Official Records Book 23793, Page 1800 of the Public Records of Hillsborough County, Florida the next three (3) consecutive courses; 1) S.89°54'35"E., a distance of 259.69 feet; 2) N.00°03'45"W., a distance of 168.08 feet; 3) N.44°59'33"W., a distance of 70.85 feet to the South Right-of-Way line of Boyette Road; thence along said South Right-of-Way line, S.89°59'08"E., a distance of 198.00 feet; thence leaving said Right-of-Way line, along the lands described as "Less and Except" of Official Records Book 23793, Page 1806 the following three courses: 1) S.44°56'15"W., a distance of 70.85 feet; 2) S.00°03'45"E., a distance of 168.25 feet; 3) S.89°54'35"E., a distance of 522.07 feet to the Westerly boundary of Goolsby Pointe Platted Subdivision - No Improvements, according to the plat thereof, as recorded in Plat Book 87, Page 72 of the Public Records of Hillsborough County, Florida; thence along the Westerly and Southerly boundaries, respectively, the following ten (10) courses, 1) Southwesterly, 7.03 feet along the arc of a non-tangent curve to the left having a radius of 24.00 feet and a central angle of 16°46'52" (chord bearing S.10°33'06"W., 7.00 feet); 2) S.00°15'26"W., a distance of 460.93 feet; 3) Southeasterly, 71.00 feet along the arc of a tangent curve to the left having a radius of 44.00 feet and a central angle of 92°27'16" (chord bearing S.45°58'12"E., 63.54 feet); 4) N.87°48'10"E., a distance of 140.07 feet; 5) N.89°26'14"E., a distance of 296.50 feet; 6) N.89°07'15"E., a distance of 332.52 feet; 7) N.44°49'22"E., a distance of 18.28 feet; 8) N.89°49'22"E., a distance of 104.59 feet; 9) N.51°55'53"E., a distance of 8.14 feet; 10) N.89°49'22"E., a distance of 150.93 feet to the West Right-of-Way line of said McMullen Loop Road; thence along said West Right-of-Way line, being 30.00 feet West of and parallel to the East boundary of the Southeast/ of the Southeast/ of said Section 21, S.00°10'29"E., a distance of 597.88 feet to the POINT OF BEGINNING.

Containing 108.34 acres, more or less.

Tampa Bay Times
Published Daily

STATE OF FLORIDA } ss
COUNTY OF Hillsborough County

Before the undersigned authority personally appeared Virginia Marshall who on oath says that he/she is Legal Clerk of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: BOYETTE PARK CDD was published in Tampa Bay Times: 10/6/17. in said newspaper in the issues of Baylink Hillsborough

Affiant further says the said Tampa Bay Times is a newspaper published in Hillsborough County, Florida and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as a second class mail matter at the post office in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid not promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

Signature of Affiant

Sworn to and subscribed before me this 10/06/2017.

Signature of Notary Public

Personally known _____ or produced identification

Type of identification produced _____



**NOTICE OF RULE DEVELOPMENT
BY THE BOYETTE PARK
COMMUNITY DEVELOPMENT DISTRICT**

In accord with Chapters 120 and 190, Florida Statutes, the Boyette Park Community Development District (the "District") hereby gives notice of its intention to develop Rules of Procedure to govern the operations of the District.

The Rules of Procedure address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase including procedure under the Consultants Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

The purpose and effect of the Rules of Procedure is to provide for efficient and effective District operations. The legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes (2017). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 119.07, 189.053, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0103, 286.011, 287.017, 287.055 and 287.084, Florida Statutes (2017).

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 or by calling (561) 571-0010.

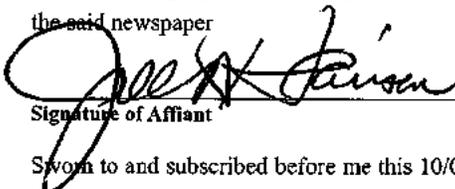
Craig Wrathell, District Manager
(536062) 10/06/2017

Tampa Bay Times
Published Daily

STATE OF FLORIDA }
COUNTY OF Hillsborough County } ss

Before the undersigned authority personally appeared **Jill Harrison** who on oath says that he/she is **Legal Clerk of the Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: BOYETTE PARK CDD** was published in **Tampa Bay Times: 10/7/17**, in said newspaper in the issues of **Baylink Hillsborough**

Affiant further says the said **Tampa Bay Times** is a newspaper published in Hillsborough County, Florida and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as a second class mail matter at the post office in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper


Signature of Affiant

Sworn to and subscribed before me this 10/07/2017.

Signature of Notary Public

Personally known _____ or produced identification

Type of identification produced _____



NOTICE OF RULEMAKING REGARDING THE RULES OF PROCEDURE OF THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT

A public hearing will be conducted by the Board of Supervisors of the Boyette Park Community Development District on November 6, 2017 at 1:00 p.m., at Mattamy Homes, 4107 Crescent Park Drive, Riverview, Florida 33578.

In accord with Chapters 120 and 190, Florida Statutes, the Boyette Park Community Development District (the "District") hereby gives the public notice of its intent to adopt its proposed Rules of Procedure. The purpose and effect of the proposed Rules of Procedure is to provide for efficient and effective District operations. Prior notice of rule development was published in the Tampa Bay Times on October 6, 2017.

The Rules of Procedure may address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase including procedure under the Consultants Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

Specific legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.01(5), 190.01(15) and 190.035, Florida Statutes (2017). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 119.07, 189.053, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 287.017, 287.055 and 287.084, Florida Statutes (2017).

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 or by calling (561) 571-0010.

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing within twenty one (21) days after publication of this notice to the District Manager, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

This public hearing may be continued to a date, time, and place to be specified on the record at the hearing. If anyone chooses to appeal any decision of the Board with respect to any matter considered at a public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to be based. At the hearing, staff or Supervisors may participate in the public hearing by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (561) 571-0010 at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8771 for aid in contacting the District Office.

Boyette Park Community Development District
Craig Wrathell, District Manager
10/7/2017

(535872)

RESOLUTION 2018-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Boyette Park Community Development District (the “District”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated in Hillsborough County, Florida; and

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, the Board of Supervisors finds that it is in the best interests of the District to adopt by resolution the Rules of Procedure attached hereto as **Exhibit A** for immediate use and application; and

WHEREAS, the Board of Supervisors has complied with applicable Florida law concerning rule development and adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The attached Rules of Procedure are hereby adopted pursuant to this resolution as necessary for the conduct of District business. These Rules of Procedure shall stay in full force and effect until such time as the Board of Supervisors may amend these rules in accordance with Chapter 190, *Florida Statutes*.

SECTION 2. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 3. This resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 6th day of November, 2017.

ATTEST:

**BOYETTE PARK
COMMUNITY DEVELOPMENT DISTRICT**

Secretary

Chair, Board of Supervisors

Exhibit A: Rules of Procedure

Exhibit A

Rules of Procedure

**RULES OF PROCEDURE
BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT**

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Rule 1.0 General.

- (1) The Boyette Park Community Development District (the “District”) was created pursuant to the provisions of Chapter 190 of the Florida Statutes, and was established to provide for the ownership, operation, maintenance, and provision of various capital facilities and services within its jurisdiction. The purpose of these rules (the “Rules”) is to describe the general operations of the District.
- (2) Definitions located within any section of these Rules shall be applicable within all other sections, unless specifically stated to the contrary.
- (3) Unless specifically permitted by a written agreement with the District, the District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours.
- (4) A Rule of the District shall be effective upon adoption by affirmative vote of the District Board. After a Rule becomes effective, it may be repealed or amended only through the rulemaking procedures specified in these Rules. Notwithstanding, the District may immediately suspend the application of a Rule if the District determines that the Rule conflicts with Florida law. In the event that a Rule conflicts with Florida law and its application has not been suspended by the District, such Rule should be interpreted in the manner that best effectuates the intent of the Rule while also complying with Florida law. If the intent of the Rule absolutely cannot be effectuated while complying with Florida law, the Rule shall be automatically suspended.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.011(5), 190.011(15), Fla. Stat.

Rule 1.1 Board of Supervisors; Officers and Voting.

- (1) Board of Supervisors. The Board of Supervisors of the District (the “Board”) shall consist of five (5) members. Members of the Board (“Supervisors”) appointed by ordinance or rule or elected by landowners must be citizens of the United States of America and residents of the State of Florida. Supervisors elected by resident electors must be citizens of the United States of America, residents of the State of Florida and of the District, registered to vote with the Supervisor of Elections of the county in which the District is located, and qualified. The Board shall exercise the powers granted to the District under Florida law.
 - (a) Supervisors shall hold office for the term specified by Section 190.006 of the Florida Statutes. If, during the term of office, any Board member(s) vacates their office, the remaining member(s) of the Board shall fill the vacancies by appointment for the remainder of the term(s). If three or more vacancies exist at the same time, a quorum, as defined herein, shall not be required to appoint replacement Board members.
 - (b) Three (3) members of the Board shall constitute a quorum for the purposes of conducting business, exercising powers and all other purposes. A Board member shall be counted toward the quorum if physically present at the meeting, regardless of whether such Board member is prohibited from, or abstains from, participating in discussion or voting on a particular item.
 - (c) Action taken by the Board shall be upon a majority vote of the members present, unless otherwise provided in the Rules or required by law. Subject to Rule 1.3(10), a Board member participating in the Board meeting by teleconference or videoconference shall be entitled to vote and take all other action as though physically present.
 - (d) Unless otherwise provided for by an act of the Board, any one Board member may attend a mediation session on behalf of the Board. Any agreement resulting from such mediation session must be approved pursuant to subsection (1)(c) of this Rule.
- (2) Officers. At the first Board meeting held after each election where the newly elected members take office, the Board shall select a Chairperson, Vice-Chairperson, Secretary, Assistant Secretary, and Treasurer.
 - (a) The Chairperson must be a member of the Board. If the Chairperson resigns from that office or ceases to be a member of the Board, the Board shall select a Chairperson. The Chairperson serves at the pleasure of the Board. The Chairperson shall be authorized to execute resolutions and contracts on the District’s behalf. The Chairperson shall convene and conduct all meetings of the Board. In the event the Chairperson is unable to attend a meeting, the Vice-Chairperson shall convene and conduct the

meeting. The Chairperson or Vice-Chairperson may delegate the responsibility of conducting the meeting to the District's manager ("District Manager") or District Counsel, in whole or in part.

- (b) The Vice-Chairperson shall be a member of the Board and shall have such duties and responsibilities as specifically designated by the Board from time to time. The Vice-Chairperson has the authority to execute resolutions and contracts on the District's behalf in the absence of the Chairperson. If the Vice-Chairperson resigns from office or ceases to be a member of the Board, the Board shall select a Vice-Chairperson. The Vice-Chairperson serves at the pleasure of the Board.
- (c) The Secretary of the Board serves at the pleasure of the Board and need not be a member of the Board. The Secretary shall be responsible for maintaining the minutes of Board meetings and may have other duties assigned by the Board from time to time. An employee of the District Manager may serve as Secretary. The Secretary shall be bonded by a reputable and qualified bonding company in at least the amount of one million dollars (\$1,000,000), or have in place a fidelity bond, employee theft insurance policy, or a comparable product in the amount of one million dollars (\$1,000,000) that names the District as an additional insured.
- (d) The Treasurer need not be a member of the Board but must be a resident of the State of Florida. The Treasurer shall perform duties described in Section 190.007(2) and (3) of the Florida Statutes, as well as those assigned by the Board from time to time. The Treasurer shall serve at the pleasure of the Board. The Treasurer shall either be bonded by a reputable and qualified bonding company in at least the amount of one million dollars (\$1,000,000), or have in place a fidelity bond, employee theft insurance policy, or a comparable product in the amount of one million dollars (\$1,000,000) that names the District as an additional insured.
- (e) In the event that both the Chairperson and Vice-Chairperson are absent from a Board meeting and a quorum is present, the Board may designate one of its members or a member of District staff to convene and conduct the meeting. In such circumstances, any of the Board members present are authorized to execute agreements, resolutions, and other documents approved by the Board at such meeting. In the event that the Chairperson and Vice-Chairperson are both unavailable to execute a document previously approved by the Board, the Secretary or any Assistant Secretary may execute such document.
- (f) The Board may assign additional duties to District officers from time to time, which include, but are not limited to, executing documents on behalf of the District.

- (g) The Chairperson, Vice-Chairperson, and any other person authorized by District Resolution may sign checks and warrants for the District, countersigned by the Treasurer or other persons authorized by the Board.
- (3) Committees. The Board may establish committees of the Board, either on a permanent or temporary basis, to perform specifically designated functions. Committees may include individuals who are not members of the Board. Such functions may include, but are not limited to, review of bids, proposals, and qualifications, contract negotiations, personnel matters, and budget preparation.
- (4) Record Book. The Board shall keep a permanent record book entitled "Record of Proceedings," in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, and corporate acts. The Records of Proceedings shall be located at a District office and shall be available for inspection by the public.
- (5) Meetings. For each fiscal year, the Board shall establish a schedule of regular meetings, which shall be published in a newspaper of general circulation in the county in which the District is located and filed with the local general-purpose governments within whose boundaries the District is located. All meetings of the Board and Committees serving an advisory function shall be open to the public in accord with the provisions of Chapter 286 of the Florida Statutes.
- (6) Voting Conflict of Interest. The Board shall comply with Section 112.3143 of the Florida Statutes, so as to ensure the proper disclosure of conflicts of interest on matters coming before the Board for a vote. For the purposes of this section, "voting conflict of interest" shall be governed by Chapters 112 and 190 of the Florida Statutes, as amended from time to time. Generally, a voting conflict exists when a Board member is called upon to vote on an item which would inure to the Board member's special private gain or loss or the Board member knows would inure to the special private gain or loss of a principal by whom the Board member is retained, the parent organization or subsidiary of a corporate principal, a business associate, or a relative including only a father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law.
 - (a) When a Board member knows the member has a conflict of interest on a matter coming before the Board, the member should notify the Board's Secretary prior to participating in any discussion with the Board on the matter. The member shall publicly announce the conflict of interest at the meeting. This announcement shall appear in the minutes.

If the Board member was elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, the Board member may vote or abstain from voting on the matter at issue. If the Board member was elected by electors residing within the District, the

Board member is prohibited from voting on the matter at issue. In the event that the Board member intends to abstain or is prohibited from voting, such Board member shall not participate in the discussion on the item subject to the vote.

The Board's Secretary shall prepare a Memorandum of Voting Conflict (Form 8B) which shall then be signed by the Board member, filed with the Board's Secretary, and provided for attachment to the minutes of the meeting within fifteen (15) days of the meeting.

- (b) If a Board member inadvertently votes on a matter and later learns he or she has a conflict on the matter, the member shall immediately notify the Board's Secretary. Within fifteen (15) days of the notification, the member shall file the appropriate Memorandum of Voting Conflict, which will be attached to the minutes of the Board meeting during which the vote on the matter occurred. The Memorandum of Voting Conflict shall immediately be provided to other Board members and shall be read publicly at the next meeting held subsequent to the filing of the Memorandum of Voting Conflict. The Board member's vote is unaffected by this filing.
- (c) It is not a conflict of interest for a Board member, the District Manager, or an employee of the District to be a stockholder, officer or employee of a landowner or of an entity affiliated with a landowner.
- (d) In the event that a Board member elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, has a continuing conflict of interest, such Board member is permitted to file a Memorandum of Voting Conflict at any time in which it shall state the nature of the continuing conflict. Only one such continuing Memorandum of Voting Conflict shall be required to be filed for each term the Board member is in office.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 112.3143, 190.006, 190.007, Fla. Stat.

Rule 1.2 District Offices; Public Information and Inspection of Records; Policies; Service Contract Requirements.

- (1) District Offices. Unless otherwise designated by the Board, the official District office shall be the District Manager's office identified by the District Manager. If the District Manager's office is not located within the county in which the District is located, the Board shall designate a local records office within such county which shall at a minimum contain, but not be limited to, the following documents:
- (a) Agenda packages for prior 24 months and next meeting;
 - (b) Official minutes of meetings, including adopted resolutions of the Board;
 - (c) Names and addresses of current Board members and District Manager, unless such addresses are protected from disclosure by law;
 - (d) Adopted engineer's reports;
 - (e) Adopted assessment methodologies/reports;
 - (f) Adopted disclosure of public financing;
 - (g) Limited Offering Memorandum for each financing undertaken by the District;
 - (h) Proceedings, certificates, bonds given by all employees, and any and all corporate acts;
 - (i) District policies and rules;
 - (j) Fiscal year end audits; and
 - (k) Adopted budget for the current fiscal year.

The District Manager shall ensure that each District records office contains the documents required by Florida law.

- (2) Public Records. District public records include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received in connection with the transaction of official business of the District. All District public records not otherwise restricted by law may be copied or inspected at the District Manager's office during regular business hours. Certain District records can also be inspected and copied at the District's local records office during regular business hours. All written public records requests shall be directed to the Secretary who by these

rules is appointed as the District's records custodian. Regardless of the form of the request, any Board member or staff member who receives a public records request shall immediately forward or communicate such request to the Secretary for coordination of a prompt response. The Secretary, after consulting with District Counsel as to the applicability of any exceptions under the public records laws, shall be responsible for responding to the public records request. At no time can the District be required to create records or summaries of records, or prepare opinions regarding District policies, in response to a public records request.

- (3) Service Contracts. Any contract for services, regardless of cost, shall include provisions required by law that require the contractor to comply with public records laws. The District Manager shall be responsible for initially enforcing all contract provisions related to a contractor's duty to comply with public records laws.
- (4) Fees; Copies. Copies of public records shall be made available to the requesting person at a charge of \$0.15 per page for one-sided copies and \$0.20 per page for two-sided copies if not more than 8 ½ by 14 inches. For copies of public records in excess of the sizes listed in this section and for outside duplication services, the charge shall be equal to the actual cost of reproduction. Certified copies of public records shall be made available at a charge of one dollar (\$1.00) per page. If the nature or volume of records requested requires extensive use of information technology resources or extensive clerical or supervisory assistance, the District may charge, in addition to the duplication charge, a special service charge that is based on the cost the District incurs to produce the records requested. This charge may include, but is not limited to, the cost of information technology resource, employee labor, and fees charged to the District by consultants employed in fulfilling the request. In cases where the special service charge is based in whole or in part on the costs incurred by the District due to employee labor, consultant fees, or other forms of labor, those portions of the charge shall be calculated based on the lowest labor cost of an individual who is qualified to perform the labor. For purposes of this Rule, the word "extensive" shall mean that it will take more than 15 minutes to locate, review for confidential information, copy and re-file the requested material. In cases where extensive personnel time is determined by the District to be necessary to safeguard original records being inspected, the special service charge provided for in the section shall apply. If the total fees, including but not limited to special service charges, are anticipated to exceed twenty-five dollars (\$25.00), then, prior to commencing work on the request, the District will inform the person making the public records request of the estimated cost, with the understanding that the final cost may vary from that estimate. If the person making the public records request decides to proceed with the request, payment of the estimated cost is required in advance. After the request has been fulfilled, additional payments or credits may be due.
- (5) Records Retention. The Secretary of the District shall be responsible for retaining the District's records in accordance with applicable Florida law.

- (6) Policies. The Board may adopt policies related to the conduct of its business and the provision of services either by resolution or motion.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 190.006, 119.07, Fla. Stat.

Rule 1.3 Public Meetings, Hearings, and Workshops.

- (1) Notice. Except in emergencies, or as otherwise required by statute or these Rules, at least seven (7) days, but no more than thirty (30) days public notice shall be given of any public meeting, hearing or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and in the county in which the District is located. "General circulation" means a publication that is printed and published at least once a week for the preceding year, offering at least 25% of its words in the English language, qualifies as a periodicals material for postal purposes in the county in which the District is located, is for sale to the public generally, is available to the public generally for the publication of official or other notices, and is customarily containing information of a public character or of interest or of value to the residents or owners of property in the county where published, or of interest or of value to the general public. The annual meeting notice required to be published by Section 189.015 of the Florida Statutes, shall be published in a newspaper not of limited subject matter, which is published at least five days a week, unless the only newspaper in the county is published less than five days a week. Each Notice shall state, as applicable:
- (a) The date, time and place of the meeting, hearing or workshop;
 - (b) A brief description of the nature, subjects, and purposes of the meeting, hearing, or workshop;
 - (c) The District office address for the submission of requests for copies of the agenda, as well as a contact name and telephone number for verbal requests for copies of the agenda; and
 - (d) The following language: "Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (561) 571-0010. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), who can aid you in contacting the District Office."
 - (e) The following language: "A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based."

- (f) The following language: “The meeting [or hearing or workshop] may be continued in progress without additional notice to a time, date, and location stated on the record.”
- (2) Mistake. In the event that a meeting is held under the incorrect assumption that notice required by law and these Rules has been given, the Board at its next properly noticed meeting shall cure such defect by considering the agenda items from the prior meeting individually and anew.
- (3) Agenda. The District Manager, under the guidance of District Counsel and the Chairperson or Vice-Chairperson, shall prepare a notice and an agenda of the meeting/hearing/workshop. The notice and agenda shall be available to the public at least seventy-two (72) hours before the meeting/hearing/workshop except in an emergency. For good cause, the agenda may be changed after it is first made available for distribution. The requirement of good cause shall be liberally construed to allow the District to efficiently conduct business and to avoid the expenses associated with special meetings.

The District may, but is not required to, use the following format in preparing its agenda for its regular meetings:

- Call to order
- Roll call
- Public comment
- Organizational matters
- Review of minutes
- Specific items of old business
- Specific items of new business
- Staff reports
 - (a) District Counsel
 - (b) District Engineer
 - (c) District Manager
 - 1. Financial Report
 - 2. Approval of Expenditures
- Supervisor’s requests and comments
- Public comment
- Adjournment

- (4) Minutes. The Secretary shall be responsible for preparing and keeping the minutes of each meeting of the Board. Minutes shall be corrected and approved by the Board at a subsequent meeting. The Secretary may work with other staff members in preparing draft minutes for the Board’s consideration.
- (5) Special Requests. Persons wishing to receive, by mail, notices or agendas of meetings, may so advise the District Manager or Secretary at the District Office.

Such persons shall furnish a mailing address in writing and shall be required to pre-pay the cost of the copying and postage.

- (6) Emergency Meetings. The Chairperson, or Vice-Chairperson if the Chairperson is unavailable, may convene an emergency meeting of the Board without first having complied with sections (1) and (3) of this Rule, to act on emergency matters that may affect the public health, safety, or welfare. Whenever possible, the District Manager shall make reasonable efforts to provide public notice and notify all Board members of an emergency meeting twenty-four (24) hours in advance. Reasonable efforts may include telephone notification. Notice of the emergency meeting must be provided both before and after the meeting on the District's website, if it has one. Whenever an emergency meeting is called, the District Manager shall be responsible for notifying at least one newspaper of general circulation in the District. After an emergency meeting, the Board shall publish in a newspaper of general circulation in the District, the time, date and place of the emergency meeting, the reasons why an emergency meeting was necessary and a description of the action taken. Actions taken at an emergency meeting may be ratified by the Board at a regularly noticed meeting subsequently held.
- (7) Public Comment. The Board shall set aside a reasonable amount of time at each meeting for public comment and members of the public shall be permitted to provide comment on any proposition before the Board. The portion of the meeting generally reserved for public comment shall be identified in the agenda. Policies governing public comment may be adopted by the Board in accordance with Florida law.
- (8) Budget Hearing. Notice of hearing on the annual budget(s) shall be in accord with Section 190.008 of the Florida Statutes. Once adopted in accord with Section 190.008 of the Florida Statutes, the annual budget(s) may be amended from time to time by action of the Board. Approval of invoices by the Board in excess of the funds allocated to a particular budgeted line item shall serve to amend the budgeted line item.
- (9) Public Hearings. Notice of required public hearings shall contain the information required by applicable Florida law and by these Rules applicable to meeting notices and shall be mailed and published as required by Florida law. The District Manager shall ensure that all such notices, whether mailed or published, contain the information required by Florida law and these Rules and are mailed and published as required by Florida law. Public hearings may be held during Board meetings when the agenda includes such public hearing.
- (10) Participation by Teleconference/Videoconference. District staff may participate in Board meetings by teleconference or videoconference. Board members may also participate in Board meetings by teleconference or videoconference if in the good judgment of the Board extraordinary circumstances exist; provided however,

at least three Board members must be physically present at the meeting location to establish a quorum. Such extraordinary circumstances shall be presumed when a Board member participates by teleconference or videoconference, unless a majority of the Board members physically present determines that extraordinary circumstances do not exist.

- (11) Board Authorization. The District has not adopted Robert's Rules of Order. For each agenda item, there shall be discussion permitted among the Board members during the meeting. Approval or disapproval of resolutions and other proposed Board actions shall be in the form of a motion by one Board member, a second by another Board member, and an affirmative vote by the majority of the Board members present. Any Board member, including the Chairperson, can make or second a motion.
- (12) Continuances. Any meeting or public hearing of the Board may be continued without re-notice or re-advertising provided that:
 - (a) The Board identifies on the record at the original meeting a reasonable need for a continuance;
 - (b) The continuance is to a specified date, time, and location publicly announced at the original meeting; and
 - (c) The public notice for the original meeting states that the meeting may be continued to a date and time and states that the date, time, and location of any continuance shall be publicly announced at the original meeting and posted at the District Office immediately following the original meeting.
- (13) Attorney-Client Sessions. An Attorney-Client Session is permitted when the District's attorneys deem it necessary to meet in private with the Board to discuss pending litigation to which the District is a party before a court or administrative agency or as may be authorized by law. The District's attorneys must request such session at a public meeting. Prior to holding the Attorney-Client Session, the District must give reasonable public notice of the time and date of the session and the names of the persons anticipated to attend the session. The session must commence at an open meeting in which the Chairperson or Vice-Chairperson announces the commencement of the session, the estimated length of the session, and the names of the persons who will be attending the session. The discussion during the session is confined to settlement negotiations or strategy related to litigation expenses or as may be authorized by law. Only the Board, the District's attorneys (including outside counsel), the District Manager, and the court reporter may attend an Attorney-Client Session. During the session, no votes may be taken and no final decisions concerning settlement can be made. Upon the conclusion of the session, the public meeting is reopened and the Chairperson or Vice-Chairperson must announce that the session has concluded. The session must be transcribed by a court-reporter and the transcript of the session filed with

the District Secretary within a reasonable time after the session. The transcript shall not be available for public inspection until after the conclusion of the litigation.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.006, 190.007, 190.008, 286.0105, 286.011, 286.0114, Fla. Stat.

Rule 2.0 Rulemaking Proceedings.

- (1) Commencement of Proceedings. Proceedings held for adoption, amendment, or repeal of a District rule shall be conducted according to these Rules. Rulemaking proceedings shall be deemed to have been initiated upon publication of notice by the District. A “rule” is a District statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedure or practice requirements of the District (“Rule”). Nothing herein shall be construed as requiring the District to consider or adopt rules unless required by Chapter 190 of the Florida Statutes. Policies adopted by the District which do not consist of rates, fees, rentals or other monetary charges may be, but are not required to be, implemented through rulemaking proceedings.
- (2) Notice of Rule Development.
 - (a) Except when the intended action is the repeal of a Rule, the District shall provide notice of the development of a proposed rule by publication of a Notice of Rule Development in a newspaper of general circulation in the District before providing notice of a proposed rule as required by section (3) of this Rule. Consequently, the Notice of Rule Development shall be published at least twenty-nine (29) days prior to the public hearing on the proposed Rule. The Notice of Rule Development shall indicate the subject area to be addressed by rule development, provide a short, plain explanation of the purpose and effect of the proposed rule, cite the specific legal authority for the proposed rule, and include a statement of how a person may promptly obtain, without cost, a copy of any preliminary draft, if available.
 - (b) All rules as drafted shall be consistent with Sections 120.54(1)(g) and 120.54(2)(b) of the Florida Statutes.
- (3) Notice of Proceedings and Proposed Rules.
 - (a) Prior to the adoption, amendment, or repeal of any rule other than an emergency rule, the District shall give notice of its intended action, setting forth a short, plain explanation of the purpose and effect of the proposed action, a reference to the specific rulemaking authority pursuant to which the rule is adopted, and a reference to the section or subsection of the Florida Statutes being implemented, interpreted, or made specific. The notice shall include a summary of the District’s statement of the estimated regulatory costs, if one has been prepared, based on the factors set forth in Section 120.541(2) of the Florida Statutes, and a statement that any person who wishes to provide the District with a lower cost regulatory alternative as provided by Section 120.541(1), must do so in writing within twenty-one (21) days after publication of the notice. The notice shall additionally include a statement that any affected person may request a public hearing

by submitting a written request within twenty-one (21) days after the date of publication of the notice. Except when intended action is the repeal of a rule, the notice shall include a reference to both the date on which and the place where the Notice of Rule Development required by section (2) of this Rule appeared.

- (b) The notice shall be published in a newspaper of general circulation in the District and each county in which the District is located not less than twenty-eight (28) days prior to the intended action. The proposed rule shall be available for inspection and copying by the public at the time of the publication of notice.
 - (c) The notice shall be mailed to all persons named in the proposed rule and to all persons who, at least fourteen (14) days prior to such mailing, have made requests of the District for advance notice of its rulemaking proceedings. Any person may file a written request with the District Manager to receive notice by mail of District proceedings to adopt, amend, or repeal a rule. Such persons must furnish a mailing address and may be required to pay the cost of copying and mailing. Notice will then be mailed to all persons whom, at least fourteen (14) days prior to such mailing, have made requests of the District for advance notice of its proceedings.
- (4) Rule Development Workshops. Whenever requested in writing by any affected person, the District must either conduct a rule development workshop prior to proposing rules for adoption or the Chairperson must explain in writing why a workshop is unnecessary. The District may initiate a rule development workshop but is not required to do so.
- (5) Petitions to Initiate Rulemaking. All Petitions to Initiate Rulemaking proceedings must contain the name, address, and telephone number of the petitioner, the specific action requested, the specific reason for adoption, amendment, or repeal, the date submitted, the text of the proposed rule, and the facts showing that the petitioner is regulated by the District, or has substantial interest in the rulemaking. Not later than sixty (60) calendar days following the date of filing a petition, the Board shall initiate rulemaking proceedings or deny the petition with a written statement of its reasons for the denial. If the petition is directed to an existing policy that the District has not formally adopted as a rule, the District may, in its discretion, notice and hold a public hearing on the petition to consider the comments of the public directed to the policy, its scope and application, and to consider whether the public interest is served adequately by the application of the policy on a case-by-case basis, as contrasted with its formal adoption as a rule. However, this section shall not be construed as requiring the District to adopt a rule to replace a policy.

- (6) Rulemaking Materials. After the publication of the notice referenced in section (3) of this Rule, the Board shall make available for public inspection and shall provide, upon request and payment of the cost of copies, the following materials:
- (a) The text of the proposed rule, or any amendment or repeal of any existing rules;
 - (b) A detailed written statement of the facts and circumstances justifying the proposed rule;
 - (c) A copy of the statement of estimated regulatory costs if required by Section 120.541 of the Florida Statutes; and
 - (d) The published notice.
- (7) Hearing. The District may, or, upon the written request of any affected person received within twenty-one (21) days after the date of publication of the notice described in section (3) of this Rule, shall, provide a public hearing for the presentation of evidence, argument, and oral statements, within the reasonable conditions and limitations imposed by the District to avoid duplication, irrelevant comments, unnecessary delay, or disruption of the proceedings. The District shall publish notice of the public hearing in a newspaper of general circulation within the District either in the text of the notice described in section (3) of this Rule or in a separate publication at least seven (7) days before the scheduled public hearing. The notice shall specify the date, time, and location of the public hearing, and the name, address, and telephone number of the District contact person who can provide information about the public hearing. Written statements may be submitted by any person prior to or at the public hearing. All timely submitted written statements shall be considered by the District and made part of the rulemaking record.
- (8) Emergency Rule Adoption. The Board may adopt an emergency rule if it finds that immediate danger to the public health, safety, or welfare exists which requires immediate action. Prior to the adoption of an emergency rule, the District Manager shall make reasonable efforts to notify a newspaper of general circulation in the District. Notice of emergency rules shall be published as soon as possible in a newspaper of general circulation in the District. The District may use any procedure which is fair under the circumstances in the adoption of an emergency rule as long as it protects the public interest as determined by the District and otherwise complies with these provisions.
- (9) Negotiated Rulemaking. The District may use negotiated rulemaking in developing and adopting rules pursuant to Section 120.54(2)(d) of the Florida Statutes, except that any notices required under Section 120.54(2)(d) of the Florida Statutes, may be published in a newspaper of general circulation in the county in which the District is located.

- (10) Rulemaking Record. In all rulemaking proceedings, the District shall compile and maintain a rulemaking record. The record shall include, if applicable:
- (a) The texts of the proposed rule and the adopted rule;
 - (b) All notices given for a proposed rule;
 - (c) Any statement of estimated regulatory costs for the rule;
 - (d) A written summary of hearings, if any, on the proposed rule;
 - (e) All written comments received by the District and responses to those written comments; and
 - (f) All notices and findings pertaining to an emergency rule.
- (11) Petitions to Challenge Existing Rules.
- (a) Any person substantially affected by a rule may seek an administrative determination of the invalidity of the rule on the ground that the rule is an invalid exercise of the District's authority.
 - (b) The petition seeking an administrative determination must state with particularity the provisions alleged to be invalid with sufficient explanation of the facts or grounds for the alleged invalidity and facts sufficient to show that the person challenging a rule is substantially affected by it.
 - (c) The petition shall be filed with the District. Within 10 days after receiving the petition, the Chairperson shall, if the petition complies with the requirements of subsection (b) of this section, designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer who shall conduct a hearing within 30 days thereafter, unless the petition is withdrawn or a continuance is granted by agreement of the parties. The failure of the District to follow the applicable rulemaking procedures or requirements in this Rule shall be presumed to be material; however, the District may rebut this presumption by showing that the substantial interests of the petitioner and the fairness of the proceedings have not been impaired.
 - (d) Within 30 days after the hearing, the hearing officer shall render a decision and state the reasons therefor in writing.
 - (e) Hearings held under this section shall be de novo in nature. The petitioner has a burden of proving by a preponderance of the evidence that the

existing rule is an invalid exercise of District authority as to the objections raised. The hearing officer may:

- (i) Administer oaths and affirmations;
 - (ii) Rule upon offers of proof and receive relevant evidence;
 - (iii) Regulate the course of the hearing, including any pre-hearing matters;
 - (iv) Enter orders; and
 - (v) Make or receive offers of settlement, stipulation, and adjustment.
- (f) The petitioner and the District shall be adverse parties. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (12) Variations and Waivers. A “variance” means a decision by the District to grant a modification to all or part of the literal requirements of a rule to a person who is subject to the rule. A “waiver” means a decision by the District not to apply all or part of a rule to a person who is subject to the rule. Variations and waivers from District rules may be granted subject to the following:
- (a) Variations and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person, and when application of the rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver. For purposes of this section, "principles of fairness" are violated when the literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule.
 - (b) A person who is subject to regulation by a District Rule may file a petition with the District, requesting a variance or waiver from the District’s Rule. Each petition shall specify:
 - (i) The rule from which a variance or waiver is requested;
 - (ii) The type of action requested;
 - (iii) The specific facts that would justify a waiver or variance for the petitioner; and

- (iv) The reason why the variance or the waiver requested would serve the purposes of the underlying statute.
 - (c) The District shall review the petition and may request only that information needed to clarify the petition or to answer new questions raised by or directly related to the petition. If the petitioner asserts that any request for additional information is not authorized by law or by Rule of the District, the District shall proceed, at the petitioner's written request, to process the petition.
 - (d) The Board shall grant or deny a petition for variance or waiver, and shall announce such disposition at a publicly held meeting of the Board, within sixty (60) days after receipt of the original petition, the last item of timely requested additional material, or the petitioner's written request to finish processing the petition. The District's statement granting or denying the petition shall contain a statement of the relevant facts and reasons supporting the District's action.
- (13) Rates, Fees, Rentals and Other Charges. All rates, fees, rentals, or other charges shall be subject to rulemaking proceedings. Policies adopted by the District which do not consist of rates, fees, rentals or other charges may be, but are not required to be, implemented through rulemaking proceedings.

Specific Authority: §§ 190.011(5), 190.011(15), 190.035, Fla. Stat.
Law Implemented: §§ 190.011(5), 190.035(2), Fla. Stat.

Rule 3.0 Competitive Purchase.

- (1) Purpose and Scope. In order to comply with Sections 190.033(1) through (3), 287.055 and 287.017 of the Florida Statutes, the following provisions shall apply to the purchase of Professional Services, insurance, construction contracts, design-build services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Board Authorization. Except in cases of an Emergency Purchase, a competitive purchase governed by these Rules shall only be undertaken after authorization by the Board.
- (3) Definitions.
 - (a) “Competitive Solicitation” means a formal, advertised procurement process, other than an Invitation to Bid, Request for Proposals, or Invitation to Negotiate, approved by the Board to purchase commodities and/or services which affords vendors fair treatment in the competition for award of a District purchase contract.
 - (b) “Continuing Contract” means a contract for Professional Services entered into in accordance with Section 287.055 of the Florida Statutes, between the District and a firm, whereby the firm provides Professional Services to the District for projects in which the costs do not exceed one million dollars (\$1,000,000), for a study activity when the fee for such Professional Services to the District does not exceed fifty thousand dollars (\$50,000), or for work of a specified nature as outlined in the contract with the District, with no time limitation except that the contract must provide a termination clause (for example, a contract for general District engineering services). Firms providing Professional Services under Continuing Contracts shall not be required to bid against one another.
 - (c) “Contractual Service” means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. Contractual Services do not include auditing services, Maintenance Services, or Professional Services as defined in Section 287.055(2)(a) of the Florida Statutes, and these Rules. Contractual Services also do not include any contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of any facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property entered into pursuant to Chapter 255 of the Florida Statutes, and Rules 3.5 or 3.6.
 - (d) “Design-Build Contract” means a single contract with a Design-Build Firm for the design and construction of a public construction project.

- (e) “Design-Build Firm” means a partnership, corporation or other legal entity that:
 - (i) Is certified under Section 489.119 of the Florida Statutes, to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
 - (ii) Is certified under Section 471.023 of the Florida Statutes, to practice or to offer to practice engineering; certified under Section 481.219 of the Florida Statutes, to practice or to offer to practice architecture; or certified under Section 481.319 of the Florida Statutes, to practice or to offer to practice landscape architecture.
- (f) “Design Criteria Package” means concise, performance-oriented drawings or specifications for a public construction project. The purpose of the Design Criteria Package is to furnish sufficient information to permit Design-Build Firms to prepare a bid or a response to the District’s Request for Proposals, or to permit the District to enter into a negotiated Design-Build Contract. The Design Criteria Package must specify performance-based criteria for the public construction project, including the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal, and parking requirements applicable to the project. Design Criteria Packages shall require firms to submit information regarding the qualifications, availability, and past work of the firms, including the partners and members thereof.
- (g) “Design Criteria Professional” means a firm who holds a current certificate of registration under Chapter 481 of the Florida Statutes, to practice architecture or landscape architecture, or a firm who holds a current certificate as a registered engineer under Chapter 471 of the Florida Statutes, to practice engineering, and who is employed by or under contract to the District to provide professional architect services, landscape architect services, or engineering services in connection with the preparation of the Design Criteria Package.
- (h) “Emergency Purchase” means a purchase necessitated by a sudden unexpected turn of events (for example, acts of God, riot, fires, floods, hurricanes, accidents, or any circumstances or cause beyond the control of the Board in the normal conduct of its business), where the Board finds that the delay incident to competitive purchase would be detrimental to the interests of the District. This includes, but is not limited to, instances

where the time to competitively award the project will jeopardize the funding for the project, will materially increase the cost of the project, or will create an undue hardship on the public health, safety, or welfare.

- (i) “Invitation to Bid” is a written solicitation for sealed bids with the title, date, and hour of the public bid opening designated specifically and defining the commodity or service involved. It includes printed instructions prescribing conditions for bidding, qualification, evaluation criteria, and provides for a manual signature of an authorized representative. It may include one or more bid alternates.
- (j) “Invitation to Negotiate” means a written solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or services.
- (k) “Negotiate” means to conduct legitimate, arm’s length discussions and conferences to reach an agreement on a term or price.
- (l) “Professional Services” means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of Florida, or those services performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper, in connection with the firm's or individual's professional employment or practice.
- (m) “Proposal (or Reply or Response) Most Advantageous to the District” means, as determined in the sole discretion of the Board, the proposal, reply, or response that is:
 - (i) Submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements, who has the integrity and reliability to assure good faith performance;
 - (ii) The most responsive to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation as determined by the Board; and
 - (iii) For a cost to the District deemed by the Board to be reasonable.
- (n) “Purchase” means acquisition by sale, rent, lease, lease/purchase, or installment sale. It does not include transfer, sale, or exchange of goods, supplies, or materials between the District and any federal, state, regional or local governmental entity or political subdivision of the State of Florida.

- (o) “Request for Proposals” or “RFP” is a written solicitation for sealed proposals with the title, date, and hour of the public opening designated and requiring the manual signature of an authorized representative. It may provide general information, applicable laws and rules, statement of work, functional or general specifications, qualifications, proposal instructions, work detail analysis, and evaluation criteria as necessary.

- (p) “Responsive and Responsible Bidder” means an entity or individual that has submitted a bid that conforms in all material respects to the Invitation to Bid and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. “Responsive and Responsible Vendor” means an entity or individual that has submitted a proposal, reply, or response that conforms in all material respects to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. In determining whether an entity or individual is a Responsive and Responsible Bidder (or Vendor), the District may consider, in addition to factors described in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the following:
 - (i) The ability and adequacy of the professional personnel employed by the entity/individual;
 - (ii) The past performance of the entity/individual for the District and in other professional employment;
 - (iii) The willingness of the entity/individual to meet time and budget requirements;
 - (iv) The geographic location of the entity’s/individual’s headquarters or office in relation to the project;
 - (v) The recent, current, and projected workloads of the entity/individual;
 - (vi) The volume of work previously awarded to the entity/individual;
 - (vii) Whether the cost components of the bid or proposal are appropriately balanced; and
 - (viii) Whether the entity/individual is a certified minority business enterprise.

- (q) “Responsive Bid,” “Responsive Proposal,” “Responsive Reply,” and “Responsive Response” all mean a bid, proposal, reply, or response which conforms in all material respects to the specifications and conditions in the Invitation to Bid, Request for Proposals, Invitations to Negotiate, or Competitive Solicitation document and these Rules, and the cost components of which, if any, are appropriately balanced. A bid, proposal, reply or response is not responsive if the person or firm submitting it fails to meet any material requirement relating to the qualifications, financial stability, or licensing of the bidder.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.033, 255.20, 287.055, Fla. Stat.

Rule 3.1 Procedure Under The Consultants' Competitive Negotiations Act.

- (1) Scope. The following procedures are adopted for the selection of firms or individuals to provide Professional Services exceeding the thresholds herein described, for the negotiation of such contracts, and to provide for protest of actions of the Board under this Rule. As used in this Rule, "Project" means that fixed capital outlay study or planning activity when basic construction cost is estimated by the District to exceed the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FIVE, or for a planning study activity when the fee for Professional Services is estimated by the District to exceed the threshold amount provided in Section 287.017 for CATEGORY TWO, as such categories may be amended or adjusted from time to time.

- (2) Qualifying Procedures. In order to be eligible to provide Professional Services to the District, a consultant must, at the time of receipt of the firm's qualification submittal:
 - (a) Hold all required applicable federal licenses in good standing, if any;
 - (b) Hold all required applicable state professional licenses in good standing;
 - (c) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the consultant is a corporation; and
 - (d) Meet any qualification requirements set forth in the District's Request for Qualifications.

Evidence of compliance with this Rule may be submitted with the qualifications, if requested by the District. In addition, evidence of compliance must be submitted any time requested by the District.

- (3) Public Announcement. Except in cases of valid public emergencies as certified by the Board, the District shall announce each occasion when Professional Services are required for a Project or a Continuing Contract by publishing a notice providing a general description of the Project, or the nature of the Continuing Contract, and the method for interested consultants to apply for consideration. The notice shall appear in at least one (1) newspaper of general circulation in the District and in such other places as the District deems appropriate. The notice must allow at least fourteen (14) days for submittal of qualifications from the date of publication. The District may maintain lists of consultants interested in receiving such notices. These consultants are encouraged to submit annually statements of qualifications and performance data. Consultants who provide their name and address to the District Manager for inclusion on the list shall receive notices by mail. The Board has the right to reject any and all qualifications, and such reservation shall be included in the published notice. Consultants not

receiving a contract award shall not be entitled to recover from the District any costs of qualification package preparation or submittal.

(4) Competitive Selection.

- (a) The Board shall review and evaluate the data submitted in response to the notice described in section (3) of this Rule regarding qualifications and performance ability, as well as any statements of qualifications on file. The Board shall conduct discussions with, and may require public presentation by consultants regarding their qualifications, approach to the Project, and ability to furnish the required services. The Board shall then select and list the consultants, in order of preference, deemed to be the most highly capable and qualified to perform the required Professional Services, after considering these and other appropriate criteria:
 - (i) The ability and adequacy of the professional personnel employed by each consultant;
 - (ii) Whether a consultant is a certified minority business enterprise;
 - (iii) Each consultant's past performance;
 - (iv) The willingness of each consultant to meet time and budget requirements;
 - (v) The geographic location of each consultant's headquarters, office and personnel in relation to the project;
 - (vi) The recent, current, and projected workloads of each consultant; and
 - (vii) The volume of work previously awarded to each consultant by the District.
- (b) Nothing in these Rules shall prevent the District from evaluating and eventually selecting a consultant if less than three (3) qualification packages, including packages indicating a desire not to provide Professional Services on a given Project, are received.
- (c) If the selection process is administered by any person or committee other than the full Board, the selection made will be presented to the full Board with a recommendation that competitive negotiations be instituted with the selected firms in order of preference listed.
- (d) Notice of the rankings adopted by the Board, including the rejection of some or all qualification packages, shall be provided in writing to all

consultants by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's ranking decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

(5) Competitive Negotiation.

- (a) After the Board has authorized the beginning of competitive negotiations, the District may begin such negotiations with the firm listed as most qualified to perform the required Professional Services at a rate or amount of compensation which the Board determines is fair, competitive, and reasonable.
- (b) In negotiating a lump-sum or cost-plus-a-fixed-fee professional contract for more than the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR, the firm receiving the award shall be required to execute a truth-in-negotiation certificate stating that "wage rates and other factual unit costs supporting the compensation are accurate, complete and current at the time of contracting." In addition, any professional service contract under which such a certificate is required, shall contain a provision that "the original contract price and any additions thereto, shall be adjusted to exclude any significant sums by which the Board determines the contract price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs."
- (c) Should the District be unable to negotiate a satisfactory agreement with the firm determined to be the most qualified at a price deemed by the District to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the District shall immediately begin negotiations with the second most qualified firm. If a satisfactory agreement with the second firm cannot be reached, those negotiations shall be terminated and negotiations with the third most qualified firm shall be undertaken.
- (d) Should the District be unable to negotiate a satisfactory agreement with one of the top three (3) ranked consultants, additional firms shall be selected by the District, in order of their competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.

- (6) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (7) Continuing Contract. Nothing in this Rule shall prohibit a Continuing Contract between a consultant and the District.
- (8) Emergency Purchase. The District may make an Emergency Purchase without complying with these Rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 190.011(3), 190.033, 287.055, Fla. Stat.

Rule 3.2 Procedure Regarding Auditor Selection.

In order to comply with the requirements of Section 218.391 of the Florida Statutes, the following procedures are outlined for selection of firms or individuals to provide Auditing Services and for the negotiation of such contracts.

(1) Definitions.

- (a) "Auditing Services" means those services within the scope of the practice of a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.
- (b) "Committee" means the audit selection committee appointed by the Board as described in section (2) of this Rule.

(2) Establishment of Audit Committee. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Board shall establish an audit selection committee ("Committee"), the primary purpose of which is to assist the Board in selecting an auditor to conduct the annual financial audit required by Section 218.39 of the Florida Statutes. The Committee should include at least three individuals, some or all of whom may also serve as members of the Board. The establishment and selection of the Committee must be conducted at a publicly noticed and held meeting of the Board.

(3) Establishment of Minimum Qualifications and Evaluation Criteria. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Committee shall meet at a publicly noticed meeting to establish minimum qualifications and factors to use for the evaluation of Auditing Services to be provided by a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.

- (a) Minimum Qualifications. In order to be eligible to submit a proposal, a firm must, at all relevant times including the time of receipt of the proposal by the District:
 - (i) Hold all required applicable federal licenses in good standing, if any;
 - (ii) Hold all required applicable state professional licenses in good standing;
 - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with

Chapter 607 of the Florida Statutes, if the proposer is a corporation; and

- (iv) Meet any pre-qualification requirements established by the Committee and set forth in the RFP or other specifications.

If requested in the RFP or other specifications, evidence of compliance with the minimum qualifications as established by the Committee must be submitted with the proposal.

- (b) Evaluation Criteria. The factors established for the evaluation of Auditing Services by the Committee shall include, but are not limited to:
 - (i) Ability of personnel;
 - (ii) Experience;
 - (iii) Understanding of scope of work;
 - (iv) Ability to furnish the required services; and
 - (v) Such other factors as may be determined by the Committee to be applicable to its particular requirements.

The Committee may also choose to consider compensation as a factor. If the Committee establishes compensation as one of the factors, compensation shall not be the sole or predominant factor used to evaluate proposals.

- (4) Public Announcement. After identifying the factors to be used in evaluating the proposals for Auditing Services as set forth in section (3) of this Rule, the Committee shall publicly announce the opportunity to provide Auditing Services. Such public announcement shall include a brief description of the audit and how interested firms can apply for consideration and obtain the RFP. The notice shall appear in at least one (1) newspaper of general circulation in the District and the county in which the District is located. The public announcement shall allow for at least seven (7) days for the submission of proposals.
- (5) Request for Proposals. The Committee shall provide interested firms with a Request for Proposals (“RFP”). The RFP shall provide information on how proposals are to be evaluated and such other information the Committee determines is necessary for the firm to prepare a proposal. The RFP shall state the time and place for submitting proposals.
- (6) Committee’s Evaluation of Proposals and Recommendation. The Committee shall meet at a publicly held meeting that is publicly noticed for a reasonable time in advance of the meeting to evaluate all qualified proposals and may, as part of

the evaluation, require that each interested firm provide a public presentation where the Committee may conduct discussions with the firm, and where the firm may present information, regarding the firm's qualifications. At the public meeting, the Committee shall rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to subsection (3)(b) of this Rule. If fewer than three firms respond to the RFP or if no firms respond to the RFP, the Committee shall recommend such firm as it deems to be the most highly qualified. Notwithstanding the foregoing, the Committee may recommend that any and all proposals be rejected.

(7) Board Selection of Auditor.

- (a) Where compensation was not selected as a factor used in evaluating the proposals, the Board shall negotiate with the firm ranked first and inquire of that firm as to the basis of compensation. If the Board is unable to negotiate a satisfactory agreement with the first ranked firm at a price deemed by the Board to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the Board shall immediately begin negotiations with the second ranked firm. If a satisfactory agreement with the second ranked firm cannot be reached, those negotiations shall be terminated and negotiations with the third ranked firm shall be undertaken. The Board may reopen formal negotiations with any one of the three top-ranked firms, but it may not negotiate with more than one firm at a time. If the Board is unable to negotiate a satisfactory agreement with any of the selected firms, the Committee shall recommend additional firms in order of the firms' respective competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.
- (b) Where compensation was selected as a factor used in evaluating the proposals, the Board shall select the highest-ranked qualified firm.
- (c) In negotiations with firms under this Rule, the Board may allow the District Manager, District Counsel, or other designee to conduct negotiations on its behalf.
- (d) Notwithstanding the foregoing, the Board may reject any or all proposals. The Board shall not consider any proposal, or enter into any contract for Auditing Services, unless the proposed agreed-upon compensation is reasonable to satisfy the requirements of Section 218.39 of the Florida Statutes, and the needs of the District.

(8) Contract. Any agreement reached under this Rule shall be evidenced by a written contract, which may take the form of an engagement letter signed and executed by

both parties. The written contract shall include all provisions and conditions of the procurement of such services and shall include, at a minimum, the following:

- (a) A provision specifying the services to be provided and fees or other compensation for such services;
 - (b) A provision requiring that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract;
 - (c) A provision setting forth deadlines for the auditor to submit a preliminary draft audit report to the District for review and to submit a final audit report no later than July 1 of the fiscal year that follows the fiscal year for which the audit is being conducted;
 - (d) A provision specifying the contract period, including renewals and conditions under which the contract may be terminated or renewed. No contract shall continue, or allow the contract to be renewed, for a period of more than three years from the date of its execution. A renewal may be done without the use of the auditor selection procedures provided in this Rule, but must be in writing.
 - (e) Provisions required by law that require the auditor to comply with public records laws.
- (9) Notice of Award. Once a negotiated agreement with a firm or individual is reached, or the Board authorizes the execution of an agreement with a firm where compensation was a factor in the evaluation of proposals, notice of the intent to award, including the rejection of some or all proposals, shall be provided in writing to all proposers by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests regarding the award of contracts under this Rule shall be as provided for in Rule 3.11. No proposer shall be entitled to recover any costs of proposal preparation or submittal from the District.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: §§ 119.0701, 218.391, Fla. Stat.

Rule 3.3 Purchase of Insurance.

- (1) Scope. The purchases of life, health, accident, hospitalization, legal expense, or annuity insurance, or all of any kinds of such insurance for the officers and employees of the District, and for health, accident, hospitalization, and legal expenses upon a group insurance plan by the District, shall be governed by this Rule. This Rule does not apply to the purchase of any other type of insurance by the District, including but not limited to liability insurance, property insurance, and directors and officers insurance. Nothing in this Rule shall require the District to purchase insurance.
- (2) Procedure. For a purchase of insurance within the scope of these Rules, the following procedure shall be followed:
 - (a) The Board shall cause to be prepared a Notice of Invitation to Bid.
 - (b) Notice of the Invitation to Bid shall be advertised at least once in a newspaper of general circulation within the District. The notice shall allow at least fourteen (14) days for submittal of bids.
 - (c) The District may maintain a list of persons interested in receiving notices of Invitations to Bid. Persons who provide their name and address to the District Manager for inclusion on the list shall receive notices by mail.
 - (d) Bids shall be opened at the time and place noted in the Invitation to Bid.
 - (e) If only one (1) response to an Invitation is received, the District may proceed with the purchase. If no response to an Invitation to Bid is received, the District may take whatever steps are reasonably necessary in order to proceed with the purchase.
 - (f) The Board has the right to reject any and all bids and such reservations shall be included in all solicitations and advertisements.
 - (g) Simultaneously with the review of the submitted bids, the District may undertake negotiations with those companies that have submitted reasonable and timely bids and, in the opinion of the District, are fully qualified and capable of meeting all services and requirements. Bid responses shall be evaluated in accordance with the specifications and criteria contained in the Invitation to Bid; in addition, the total cost to the District, the cost, if any, to the District officers, employees, or their dependents, the geographic location of the company's headquarters and offices in relation to the District, and the ability of the company to guarantee premium stability may be considered. A contract to purchase insurance shall be awarded to that company whose response to the

Invitation to Bid best meets the overall needs of the District, its officers, employees, and/or dependents.

- (h) Notice of the intent to award, including rejection of some or all bids, shall be provided in writing to all bidders by United States Mail, by hand delivery, or by overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's procurement of insurance under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: § 112.08, Fla. Stat.

Rule 3.4 Pre-qualification

- (1) Scope. In its discretion, the District may undertake a pre-qualification process in accordance with this Rule for vendors to provide construction services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Procedure. When the District seeks to pre-qualify vendors, the following procedures shall apply:
 - (a) The Board shall cause to be prepared a Request for Qualifications.
 - (b) For construction services exceeding the thresholds described in Section 255.20 of the Florida Statutes, the Board must advertise the proposed pre-qualification criteria and procedures and allow at least seven (7) days notice of the public hearing for comments on such pre-qualification criteria and procedures. At such public hearing, potential vendors may object to such pre-qualification criteria and procedures. Following such public hearing, the Board shall formally adopt pre-qualification criteria and procedures prior to the advertisement of the Request for Qualifications for construction services.
 - (c) The Request for Qualifications shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall allow at least seven (7) days for submittal of qualifications for goods, supplies and materials, Contractual Services, maintenance services, and construction services under two hundred fifty thousand dollars (\$250,000). The notice shall allow at least twenty-one (21) days for submittal of qualifications for construction services estimated to cost over two hundred fifty thousand dollars (\$250,000) and thirty (30) days for construction services estimated to cost over five hundred thousand dollars (\$500,000).
 - (d) The District may maintain lists of persons interested in receiving notices of Requests for Qualifications. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any pre-qualification determination or contract awarded in accordance with these Rules and shall not be a basis for a protest of any pre-qualification determination or contract award.
 - (e) If the District has pre-qualified vendors for a particular category of purchase, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies or

responses in response to the applicable Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

- (f) In order to be eligible to submit qualifications, a firm or individual must, at the time of receipt of the qualifications:
 - (i) Hold the required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;
 - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
 - (iv) Meet any special pre-qualification requirements set forth in the Request for Qualifications.

Evidence of compliance with these Rules must be submitted with the qualifications if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the qualifications.

- (g) Qualifications shall be presented to the Board, or a committee appointed by the Board, for evaluation in accordance with the Request for Qualifications and this Rule. Minor variations in the qualifications may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature.
- (h) All vendors determined by the District to meet the pre-qualification requirements shall be pre-qualified. To assure full understanding of the responsiveness to the requirements contained in a Request for Qualifications, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion and revision of qualifications. For construction services, any contractor pre-qualified and considered eligible by the Department of Transportation to bid to perform the type of work the project entails shall be presumed to be qualified to perform the project.
- (i) The Board shall have the right to reject all qualifications if there are not enough to be competitive or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of qualification preparation or submittal from the District.

- (j) Notice of intent to pre-qualify, including rejection of some or all qualifications, shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's pre-qualification decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11; provided however, protests related to the pre-qualification criteria and procedures for construction services shall be resolved in accordance with section (2)(b) of this Rule and Section 255.20(1)(b) of the Florida Statutes.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: §§ 190.033, 255.0525, 255.20, Fla. Stat.

Rule 3.5 Construction Contracts, Not Design-Build.

- (1) Scope. All contracts for the construction or improvement of any building, structure, or other public construction works authorized by Chapter 190 of the Florida Statutes, the costs of which are estimated by the District in accordance with generally accepted cost accounting principles to be in excess of the threshold amount for applicability of Section 255.20 of the Florida Statutes, as that amount may be indexed or amended from time to time, shall be let under the terms of these Rules and the procedures of Section 255.20 of the Florida Statutes, as the same may be amended from time to time. A project shall not be divided solely to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of construction services is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation in the District and in the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least twenty-one (21) days for submittal of sealed bids, proposals, replies, or responses, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than five hundred thousand dollars (\$500,000) must be noticed at least thirty (30) days prior to the date for submittal of bids, proposals, replies, or responses. If the Board has previously pre-qualified contractors pursuant to Rule 3.4 and determined that only the contractors that have been pre-qualified will be permitted to submit bids, proposals, replies, and responses, the Notice of Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation need not be published. Instead, the Notice of Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be sent to the pre-qualified contractors by United States Mail, hand delivery, facsimile, or overnight delivery service.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.

- (d) If the District has pre-qualified providers of construction services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, or responses to Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations.
- (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold the required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;
 - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the bidder is a corporation; and
 - (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects such as safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past 5 years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply, or response, if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting, and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals,

Invitation to Negotiate, or Competitive Solicitation and these Rules. Minor variations in the bids, proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.

- (g) The lowest Responsive Bid submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.
- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No contractor shall be entitled to recover any costs of bid, proposal, response, or reply preparation or submittal from the District.
- (i) The Board may require potential contractors to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
- (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses, shall be provided in writing to all contractors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of construction services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

- (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase construction services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may take whatever steps reasonably necessary in order to proceed with the procurement of construction services, which steps may include a direct purchase of the construction services without further competitive selection processes.
- (3) Sole Source; Government. Construction services that are only available from a single source are exempt from this Rule. Construction services provided by governmental agencies are exempt from this Rule. This Rule shall not apply to the purchase of construction services, which may include goods, supplies, or materials, that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules. A contract for construction services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.
- (4) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (5) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board Meeting.
- (6) Exceptions. This Rule is inapplicable when:
 - (a) The project is undertaken as repair or maintenance of an existing public facility;
 - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
 - (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contractor; or
 - (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 189.053, 190.033, 255.0518, 255.0525, 255.20, 287.055, Fla. Stat.

Rule 3.6 Construction Contracts, Design-Build.

- (1) Scope. The District may utilize Design-Build Contracts for any public construction project for which the Board determines that use of such contract is in the best interest of the District. When letting a Design-Build Contract, the District shall use the following procedure:
- (2) Procedure.
 - (a) The District shall utilize a Design Criteria Professional meeting the requirements of Section 287.055(2)(k) of the Florida Statutes, when developing a Design Criteria Package, evaluating the proposals and qualifications submitted by Design-Build Firms, and determining compliance of the project construction with the Design Criteria Package. The Design Criteria Professional may be an employee of the District, may be the District Engineer selected by the District pursuant to Section 287.055 of the Florida Statutes, or may be retained pursuant to Rule 3.1. The Design Criteria Professional is not eligible to render services under a Design-Build Contract executed pursuant to the Design Criteria Package.
 - (b) A Design Criteria Package for the construction project shall be prepared and sealed by the Design Criteria Professional. If the project utilizes existing plans, the Design Criteria Professional shall create a Design Criteria Package by supplementing the plans with project specific requirements, if any.
 - (c) The Board may either choose to award the Design-Build Contract pursuant to the competitive proposal selection process set forth in Section 287.055(9) of the Florida Statutes, or pursuant to the qualifications based selection process pursuant to Rule 3.1.
 - (i) Qualifications-Based Selection. If the process set forth in Rule 3.1 is utilized, subsequent to competitive negotiations, a guaranteed maximum price and guaranteed completion date shall be established.
 - (ii) Competitive Proposal-Based Selection. If the competitive proposal selection process is utilized, the Board, in consultation with the Design Criteria Professional, shall establish the criteria, standards and procedures for the evaluation of Design-Build Proposals based on price, technical, and design aspects of the project, weighted for the project. After a Design Criteria Package and the standards and procedures for evaluation of proposals have been developed, competitive proposals from qualified firms shall be solicited pursuant to the design criteria by the following procedure:

1. A Request for Proposals shall be advertised at least once in a newspaper of general circulation in the county in which the District is located. The notice shall allow at least twenty-one (21) days for submittal of sealed proposals, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than five hundred thousand dollars (\$500,000) must be noticed at least thirty (30) days prior to the date for submittal of proposals.
2. The District may maintain lists of persons interested in receiving notices of Requests for Proposals. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
3. In order to be eligible to submit a proposal, a firm must, at the time of receipt of the proposals:
 - a. Hold the required applicable state professional licenses in good standing, as defined by Section 287.055(2)(h) of the Florida Statutes;
 - b. Hold all required applicable federal licenses in good standing, if any;
 - c. Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the proposer is a corporation;
 - d. Meet any special pre-qualification requirements set forth in the Request for Proposals and Design Criteria Package.

Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects such as safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past 5 years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

Evidence of compliance with these Rules must be submitted with the proposal if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the proposal.

4. The proposals, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting, and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. In consultation with the Design Criteria Professional, the Board shall evaluate the proposals received based on evaluation criteria and procedures established prior to the solicitation of proposals, including but not limited to qualifications, availability, and past work of the firms and the partners and members thereof. The Board shall then select no fewer than three (3) Design-Build Firms as the most qualified.
5. The Board shall have the right to reject all proposals if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of proposal preparation or submittal from the District.
6. If less than three (3) proposals are received, the District may purchase design-build services or may reject the proposals for lack of competitiveness. If no proposals are received, the District may take whatever steps reasonably necessary in order to proceed with the procurement of design-build services, which steps may include a direct purchase of the design-build services without further competitive selection processes.
7. Notice of the rankings adopted by the Board, including the rejection of some or all proposals, shall be provided in writing to all consultants by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's rankings under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

8. The Board shall negotiate a contract with the firm ranking the highest based on the evaluation standards and shall establish a price which the Board determines is fair, competitive and reasonable. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. The Board shall then undertake negotiations with the second most qualified firm, based on the ranking by the evaluation standards. Failing accord with the second most qualified firm, the Board must terminate negotiations. The Board shall then undertake negotiations with the third most qualified firm. Should the Board be unable to negotiate a satisfactory contract with any of the selected firms, the Board shall select additional firms in order of their rankings based on the evaluation standards and continue negotiations until an agreement is reached or the list of firms is exhausted.
 9. After the Board contracts with a firm, the firm shall bring to the Board for approval, detailed working drawings of the project.
 10. The Design Criteria Professional shall evaluate the compliance of the detailed working drawings and project construction with the Design Criteria Package, and shall provide the Board with a report of the same.
- (3) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
 - (4) Emergency Purchase. The Board may, in case of public emergency, declare an emergency and immediately proceed with negotiations with the best qualified Design-Build Firm available at the time. The fact that an Emergency Purchase has occurred shall be noted in the minutes of the next Board meeting.
 - (5) Exceptions. This Rule is inapplicable when:
 - (a) The project is undertaken as repair or maintenance of an existing public facility;
 - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;

- (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contractor; or
- (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 189.053, 190.033, 255.0518, 255.0525, 255.20, 287.055, Fla. Stat.

Rule 3.7 Payment and Performance Bonds.

- (1) Scope. This Rule shall apply to contracts for the construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or public work, and shall be construed in addition to terms prescribed by any other Rule that may also apply to such contracts.

- (2) Required Bond. Upon entering into a contract for any of the services described in section (1) of this Rule in excess of \$200,000, the Board should require that the contractor, before commencing the work, execute and record a payment and performance bond in an amount equal to the contract price. Notwithstanding the terms of the contract or any other law, the District may not make payment to the contractor until the contractor has provided to the District a certified copy of the recorded bond.

- (3) Discretionary Bond. At the discretion of the Board, upon entering into a contract for any of the services described in section (1) of this Rule for an amount not exceeding \$200,000, the contractor may be exempted from executing a payment and performance bond.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: § 255.05, Fla. Stat.

Rule 3.8 Goods, Supplies, and Materials.

- (1) Purpose and Scope. All purchases of goods, supplies, or materials exceeding the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR, shall be purchased under the terms of this Rule. Contracts for purchases of “goods, supplies, and materials” do not include printing, insurance, advertising, or legal notices. A contract involving goods, supplies, or materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of goods, supplies, or materials is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, or Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
 - (d) If the District has pre-qualified suppliers of goods, supplies, and materials, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, or responses.
 - (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold the required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;

- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
- (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply or response if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

Any firm or individual whose principal place of business is outside the State of Florida must also submit a written opinion of an attorney at law licensed to practice law in that foreign state, as to the preferences, if any or none, granted by the law of that foreign state to business entities whose principal places of business are in that foreign state, in the letting of any or all public contracts. Failure to submit such a written opinion or submission of a false or misleading written opinion may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses shall be publicly opened at the time and place noted on the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, and this Rule. Minor variations in the bids, proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.
- (g) The lowest Responsive Bid, after taking into account the preferences provided for in this subsection, submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be accepted. If the lowest Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which does not grant a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the

lowest Responsible and Responsive Bidder whose principal place of business is in the State of Florida shall be awarded a preference of five (5) percent. If the lowest Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which grants a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the lowest Responsible and Responsive Bidder whose principal place of business is in the State of Florida shall be awarded a preference equal to the preference granted by such foreign state.

To assure full understanding of the responsiveness to the solicitation requirements contained in an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.

- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.
- (i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
- (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of goods, supplies, and materials under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
- (k) If less than three (3) bids, proposals, replies, or responses are received, the District may purchase goods, supplies, or materials, or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may take whatever steps reasonably necessary in order to proceed with the procurement of goods, supplies, and materials, which steps may include a

direct purchase of the goods, supplies, and materials without further competitive selection processes.

- (3) Goods, Supplies, and Materials included in a Construction Contract Awarded Pursuant to Rule 3.5 or 3.6. There may be occasions where the District has undergone the competitive purchase of construction services which contract may include the provision of goods, supplies, or materials. In that instance, the District may approve a change order to the contract and directly purchase the goods, supplies, and materials. Such purchase of goods, supplies, and materials deducted from a competitively purchased construction contract shall be exempt from this Rule.
- (4) Exemption. Goods, supplies, and materials that are only available from a single source are exempt from this Rule. Goods, supplies, and materials provided by governmental agencies are exempt from this Rule. A contract for goods, supplies, or materials is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process. This Rule shall not apply to the purchase of goods, supplies or materials that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules.
- (5) Renewal. Contracts for the purchase of goods, supplies, and/or materials subject to this Rule may be renewed for a period that may not exceed three (3) years or the term of the original contract, whichever period is longer.
- (6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 189.053, 190.033, 287.017, 287.084, Fla. Stat.

Rule 3.9 Maintenance Services.

- (1) Scope. All contracts for maintenance of any District facility or project shall be set under the terms of this Rule if the cost exceeds the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR. A contract involving goods, supplies, and materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of maintenance services is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
 - (d) If the District has pre-qualified suppliers of maintenance services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, and responses.
 - (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold the required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;

- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
- (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply, or response if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses shall be publicly opened at the time and place noted on the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, and these Rules. Minor variations in the bids, proposals, replies, and responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.
- (g) The lowest Responsive Bid submitted in response to an Invitation to Bid by a Responsive and Responsible Bidder shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate or Competitive Solicitation the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, or responses.
- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No Vendor shall be

entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.

- (i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
 - (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's procurement of maintenance services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
 - (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase the maintenance services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may take whatever steps reasonably necessary in order to proceed with the procurement of maintenance services, which steps may include a direct purchase of the maintenance services without further competitive selection processes.
- (3) Exemptions. Maintenance services that are only available from a single source are exempt from this Rule. Maintenance services provided by governmental agencies are exempt from this Rule. A contract for maintenance services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.
 - (4) Renewal. Contracts for the purchase of maintenance services subject to this Rule may be renewed for a period that may not exceed three (3) years or the term of the original contract, whichever period is longer.
 - (5) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
 - (6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), 190.033, Fla. Stat.

Law Implemented: §§ 119.0701, 190.033, 287.017, Fla. Stat.

Rule 3.10 Contractual Services.

- (1) Exemption from Competitive Purchase. Pursuant to Section 190.033(3) of the Florida Statutes, Contractual Services shall not be subject to competitive purchasing requirements. If an agreement is predominantly for Contractual Services, but also includes maintenance services or the purchase of goods and services, the contract shall not be subject to competitive purchasing requirements. Regardless of whether an advertisement or solicitation for Contractual Services is identified as an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, no rights or remedies under these Rules, including but not limited to protest rights, are conferred on persons, firms, or vendors proposing to provide Contractual Services to the District.

- (2) Contracts; Public Records. In accordance with Florida law, each contract for Contractual Services shall include provisions required by law that require the contractor to comply with public records laws.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 190.011(3), 190.033, Fla. Stat.

Rule 3.11 Protests With Respect To Proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9.

The resolution of any protests with respect to proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9 shall be in accordance with this Rule.

(1) Filing.

- (a) With respect to a protest regarding qualifications, specifications, documentation, or other requirements contained in a Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation issued by the District, the notice of protest shall be filed in writing within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after the first advertisement of the Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's intended decision. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.
- (b) Except for those situations covered by subsection (1)(a) of this Rule, any firm or person who is affected adversely by a District's ranking or intended award under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, or 3.9 and desires to contest the District's ranking or intended award, shall file with the District a written notice of protest within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after receipt of the notice of the District's ranking or intended award. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's ranking or intended award. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.
- (c) If disclosed in the District's competitive solicitation documents for a particular purchase under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, or 3.9, the Board may require any person who files a notice of protest to post a protest bond in the amount equal to 1% of the anticipated contract amount

that is the subject of the protest. In the event the protest is successful, the protest bond shall be refunded to the protestor. In the event the protest is unsuccessful, the protest bond shall be applied towards the District's costs, expenses, and attorney's fees associated with hearing and defending the protest. In the event the protest is settled by mutual agreement of the parties, the protest bond shall be distributed as agreed to by the District and protestor.

- (d) The District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours.
- (2) Contract Execution. Upon receipt of a notice of protest which has been timely filed, the District shall not execute the contract under protest until the subject of the protest is resolved. However, if the District sets forth in writing particular facts and circumstances showing that delay incident to protest proceedings will jeopardize the funding for the project, will materially increase the cost of the project, or will create an immediate and serious danger to the public health, safety, or welfare, the contract may be executed.
- (3) Informal Proceeding. If the Board determines a protest does not involve a disputed issue of material fact, the Board may, but is not obligated to, schedule an informal proceeding to consider the protest. Such informal proceeding shall be at a time and place determined by the Board. Notice of such proceeding shall be sent via facsimile, United States Mail, or hand delivery to the protestor and any substantially affected persons or parties not less than three (3) calendar days prior to such informal proceeding. Within thirty (30) calendar days following the informal proceeding, the Board shall issue a written decision setting forth the factual, legal, and policy grounds for its decision.
- (4) Formal Proceeding. If the Board determines a protest involves disputed issues of material fact or if the Board elects not to use the informal proceeding process provided for in section (3) of this Rule, the District shall schedule a formal hearing to resolve the protest. The Chairperson shall designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer to conduct the hearing. The hearing officer may:
 - (a) Administer oaths and affirmations;
 - (b) Rule upon offers of proof and receive relevant evidence;
 - (c) Regulate the course of the hearing, including any pre-hearing matters;
 - (d) Enter orders; and
 - (e) Make or receive offers of settlement, stipulation, and adjustment.

The hearing officer shall, within thirty (30) days after the hearing or receipt of the hearing transcript, whichever is later, file a recommended order which shall include a caption, time and place of hearing, appearances entered at the hearing, statement of the issues, findings of fact and conclusions of law, separately stated, and a recommendation for final District action. The District shall allow each party fifteen (15) days in which to submit written exceptions to the recommended order. The District shall issue a final order within sixty (60) days after the filing of the recommended order.

- (5) Intervenors. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.

- (6) Rejection of all Qualifications, Bids, Proposals, Replies and Responses after Receipt of Notice of Protest. If the Board determines there was a violation of law, defect or an irregularity in the competitive solicitation process, or if the Board determines it is otherwise in the District's best interest, the Board may reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew. If the Board decides to reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew, any pending protests shall automatically terminate.

- (7) Settlement. Nothing herein shall preclude the settlement of any protest under this Rule at any time.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: § 190.033, Fla. Stat.

Rule 4.0 Effective Date.

These Rules shall be effective October 2, 2017, except that no election of officers required by these Rules shall be required until after the next regular election for the Board.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.011(5), 190.011(15), Fla. Stat.

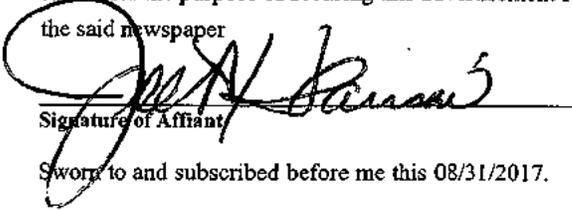
Tampa Bay Times

Published Daily

STATE OF FLORIDA } ss
COUNTY OF Hillsborough County

Before the undersigned authority personally appeared **Jill Harrison** who on oath says that he/she is **Legal Clerk of the Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: BOYETTE PARK CDD** was published in **Tampa Bay Times: 8/31/17**, in said newspaper in the issues of **Baylink Hillsborough**

Affiant further says the said **Tampa Bay Times** is a newspaper published in Hillsborough County, Florida and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as a second class mail matter at the post office in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

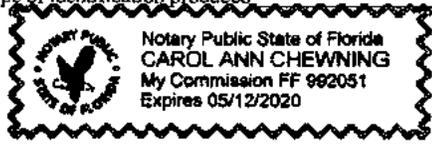

Signature of Affiant

Sworn to and subscribed before me this 08/31/2017.


Signature of Notary Public

Personally known or produced identification

Type of identification produced



REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES FOR THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT

The Boyette Park Community Development District (the "District"), located in Hillsborough County, Florida, announces that professional engineering services will be required on a continuing basis for the District's roadway improvements, stormwater management system, water distribution system, wastewater system, landscaping, hardscaping and irrigation system improvements, and other public improvements authorized by Chapter 190, Florida Statutes. The engineering firm selected will act in the general capacity of District Engineer and will provide District engineering services, as required.

Any firm or individual ("Applicant") desiring to provide professional services to the District must: 1) hold applicable federal, state and local licenses; 2) be authorized to do business in Florida in accordance with Florida law; and 3) furnish a statement ("Qualification Statement") of its qualifications and past experience on U.S. General Service Administration's "Architect-Engineer Qualifications, Standard Form No. 330," with pertinent supporting data. Among other things, Applicants must submit information relating to: a) the ability and adequacy of the Applicant's professional personnel; b) whether the Applicant is a certified minority business enterprise; c) the Applicant's willingness to meet time and budget requirements; d) the Applicant's past experience and performance, including but not limited to past experience as a District Engineer for any community development districts and past experience with Hillsborough County; e) the geographic location of the Applicant's headquarters and offices; f) the current and projected workloads of the Applicant; and g) the volume of work previously awarded to the Applicant by the District. Further, each Applicant must identify the specific individual affiliated with the Applicant who would be handling District meetings, construction services, and other engineering tasks.

The District will review all Applicants and will comply with Florida law, including the Consultant's Competitive Negotiations Act, Chapter 287, Florida Statutes ("CCNA"). All Applicants interested must submit eight (8) copies of Standard Form No. 330 and the Qualification Statement and one (1) electronic copy (CD or flash drive) by 12:00 p.m. on September 15, 2017 to the attention of Craig Wrathell, Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Manager's Office").

The Board shall select and rank the Applicants using the requirements set forth in the CCNA and the evaluation criteria on file with the District Manager, and the highest ranked Applicant will be requested to enter into contract negotiations. If an agreement cannot be reached between the District and the highest ranked Applicant, negotiations will cease and begin with the next highest ranked Applicant, and if these negotiations are unsuccessful, will continue to the third highest ranked Applicant.

The District reserves the right to reject any and all Qualification Statements. Additionally, there is no express or implied obligation for the District to reimburse Applicants for any expenses associated with the preparation and submittal of the Qualification Statements in response to this request.

Any protest regarding the terms of this Notice, or the evaluation criteria on file with the District Manager, must be filed in writing, within seventy-two (72) hours (excluding weekends) after the publication of this Notice. The formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days after the initial notice of protest was filed. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object or protest with respect to aforesaid Notice or evaluation criteria provisions. Any person who files a notice of protest shall provide to the District, simultaneous with the filing of the notice, a protest bond with a responsible surety to be approved by the District and in the amount of Ten Thousand Dollars (\$10,000.00).

Craig Wrathell, District Manager
Run Date(s): 8/31/17

**REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES
FOR THE BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT**

RFQ for Engineering Services

The Boyette Park Community Development District (the “District”), located in Hillsborough County, Florida, announces that professional engineering services will be required on a continuing basis for the District’s roadway improvements, stormwater management system, water distribution system, wastewater system, landscaping, hardscaping and irrigation system improvements, and other public improvements authorized by Chapter 190, *Florida Statutes*. The engineering firm selected will act in the general capacity of District Engineer and will provide District engineering services, as required.

Any firm or individual (“Applicant”) desiring to provide professional services to the District must: 1) hold applicable federal, state and local licenses; 2) be authorized to do business in Florida in accordance with Florida law; and 3) furnish a statement (“Qualification Statement”) of its qualifications and past experience on U.S. General Service Administration’s “Architect-Engineer Qualifications, Standard Form No. 330,” with pertinent supporting data. Among other things, Applicants must submit information relating to: a) the ability and adequacy of the Applicant’s professional personnel; b) whether the Applicant is a certified minority business enterprise; c) the Applicant’s willingness to meet time and budget requirements; d) the Applicant’s past experience and performance, including but not limited to past experience as a District Engineer for any community development districts and past experience with Hillsborough County; e) the geographic location of the Applicant’s headquarters and offices; f) the current and projected workloads of the Applicant; and g) the volume of work previously awarded to the Applicant by the District. Further, each Applicant must identify the specific individual affiliated with the Applicant who would be handling District meetings, construction services, and other engineering tasks.

The District will review all Applicants and will comply with Florida law, including the Consultant’s Competitive Negotiations Act, Chapter 287, *Florida Statutes* (“CCNA”). All Applicants interested must submit eight (8) copies of Standard Form No. 330 and the Qualification Statement by 12:00 p.m. on September 15, 2017 to the attention of Craig Wrathell, Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (“District Manager’s Office”).

The Board shall select and rank the Applicants using the requirements set forth in the CCNA and the evaluation criteria on file with the District Manager, and the highest ranked Applicant will be requested to enter into contract negotiations. If an agreement cannot be reached between the District and the highest ranked Applicant, negotiations will cease and begin with the next highest ranked Applicant, and if these negotiations are unsuccessful, will continue to the third highest ranked Applicant.

The District reserves the right to reject any and all Qualification Statements. Additionally, there is no express or implied obligation for the District to reimburse Applicants for any expenses associated with the preparation and submittal of the Qualification Statements in response to this request.

Any protest regarding the terms of this Notice, or the evaluation criteria on file with the District Manager, must be filed in writing, within seventy-two (72) hours (excluding weekends) after the publication of this Notice. The formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days after the initial notice of protest was filed. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object or protest with respect to aforesaid Notice or evaluation criteria provisions. Any person who files a notice of protest shall provide to the District, simultaneous with the filing of the notice, a protest bond with a responsible surety to be approved by the District and in the amount of Ten Thousand Dollars (\$10,000.00).

BOYETTE PARK COMMUNITY DEVELOPMENT DISTRICT

DISTRICT ENGINEER PROPOSALS

COMPETITIVE SELECTION CRITERIA

- 1) Ability and Adequacy of Professional Personnel** (Weight: 25 Points)

Consider the capabilities and experience of key personnel within the firm including certification, training, and education; affiliations and memberships with professional organizations; etc.
- 2) Consultant's Past Performance** (Weight: 25 Points)

Past performance for other Community Development Districts in other contracts; amount of experience on similar projects; character, integrity, reputation, of respondent; etc.
- 3) Geographic Location** (Weight: 20 Points)

Consider the geographic location of the firm's headquarters, offices and personnel in relation to the project.
- 4) Willingness to Meet Time and Budget Requirements** (Weight: 15 Points)

Consider the consultant's ability and desire to meet time and budget requirements including rates, staffing levels and past performance on previous projects; etc.
- 5) Certified Minority Business Enterprise** (Weight: 5 Points)

Consider whether the firm is a Certified Minority Business Enterprise. Award either all eligible points or none.
- 6) Recent, Current and Projected Workloads** (Weight: 5 Points)

Consider the recent, current and projected workloads of the firm.
- 7) Volume of Work Previously Awarded to Consultant by District** (Weight: 5 Points)

Consider the desire to diversify the firms that receive work from the District; etc.



Boyette Park
Community Development District
September 19, 2017



Clearview
LAND DESIGN, P.L.



September 19, 2017

Mr. Craig Wrathell
District Manager
Boyette Park Community Development District
c/o Wrathell, Hunt and Associates, LLC.
2300 Glades Road, Suite 410 W.
Boca Raton, FL 33431

**Re: Proposal for Engineering Services
Request to RFQ Published 12/21/2016
Boyette Park Community Development District**

Dear Mr. Wrathell:

Clearview Land Design is pleased to present qualifications and credentials to provide professional engineering services for the Boyette Park Community Development District.

Attached please find two (2) copies of Standard Form 330 for your consideration.

We're confident our proposal will reveal the experience of Clearview Land Design's project team. Our team offers extensive experience in large scale master planned communities as well as working with over 20 Community Development Districts. We offer a combined 100+ years of planning, designing, permitting, inspecting and managing large scale master planned communities.

We will provide the ideal combination of technical capabilities, enthusiasm, and dedication necessary to meet the needs of the Community Development District. We have extensive technical background and experience on the Boyette Park Project as our team has been involved with the Boyette Park community planning and technical infrastructure design since the project launch. We are dedicated to the Boyette Park Community Development District and excited about the opportunity to provide engineering services with the District.

In response to the specific information outlined in the request:

- a) The ability and adequacy of Clearview Land Design's professional personnel will be evident through review of our key team members, resumes (SF Form 330 Section E), and highlighted project experience (SF Form 330 Section F).
- b) Our company is not a certified minority enterprise.
- c) We offer a dedicated and qualified staff to respond to time and budget constraints.
- d) Our team has many years of experience in providing CDD engineering services and we are currently serving as District Engineer for various projects in both Hillsborough and Pasco Counties.

1213 E. 6th Avenue Tampa, FL 33605 • Phone: (813) 223-3919 • Fax: (813) 223-3975

- e) Our office, located in Tampa, Florida, offers easy access to the project site and District office. We complete a substantial amount of work in Hillsborough County and our key team members are regularly in Hillsborough County, at both government offices and on site.
- f) Our current workload is steady with the ability to allocate the required staff to be responsive to the Boyette Park CDD.
- g) While our proposed team has been involved with the Boyette Park project on various levels, Clearview Land Design has not previously been awarded work directly with the Boyette Park CDD.

Should you have any questions or need any additional information, please do not hesitate to contact me at (813) 223-3919.

Sincerely,
CLEARVIEW LAND DESIGN P.L.



Toxey A. Hall, P.E.
President

cc: File w/attachments

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ARCHITECT - ENGINEER QUALIFICATIONS

PART 1 - CONTRACT-SPECIFIC QUALIFICATIONS

A. CONTRACT INFORMATION

1. TITLE AND LOCATION *(City and State)*

Boyette Park Community Development District (Hillsborough County, Florida)

2. PUBLIC NOTICE DATE

December 21, 2016

3. SOLICITATION OR PROJECT NUMBER

B. ARCHITECT-ENGINEER POINT OF CONTACT

4. NAME AND TITLE

Toxey A. Hall, President & Project Manager

5. NAME OF FIRM

Clearview Land Design, P.L.

6. TELEPHONE NUMBER

(813) 223-3919

7. FAX NUMBER

(813) 223-3975

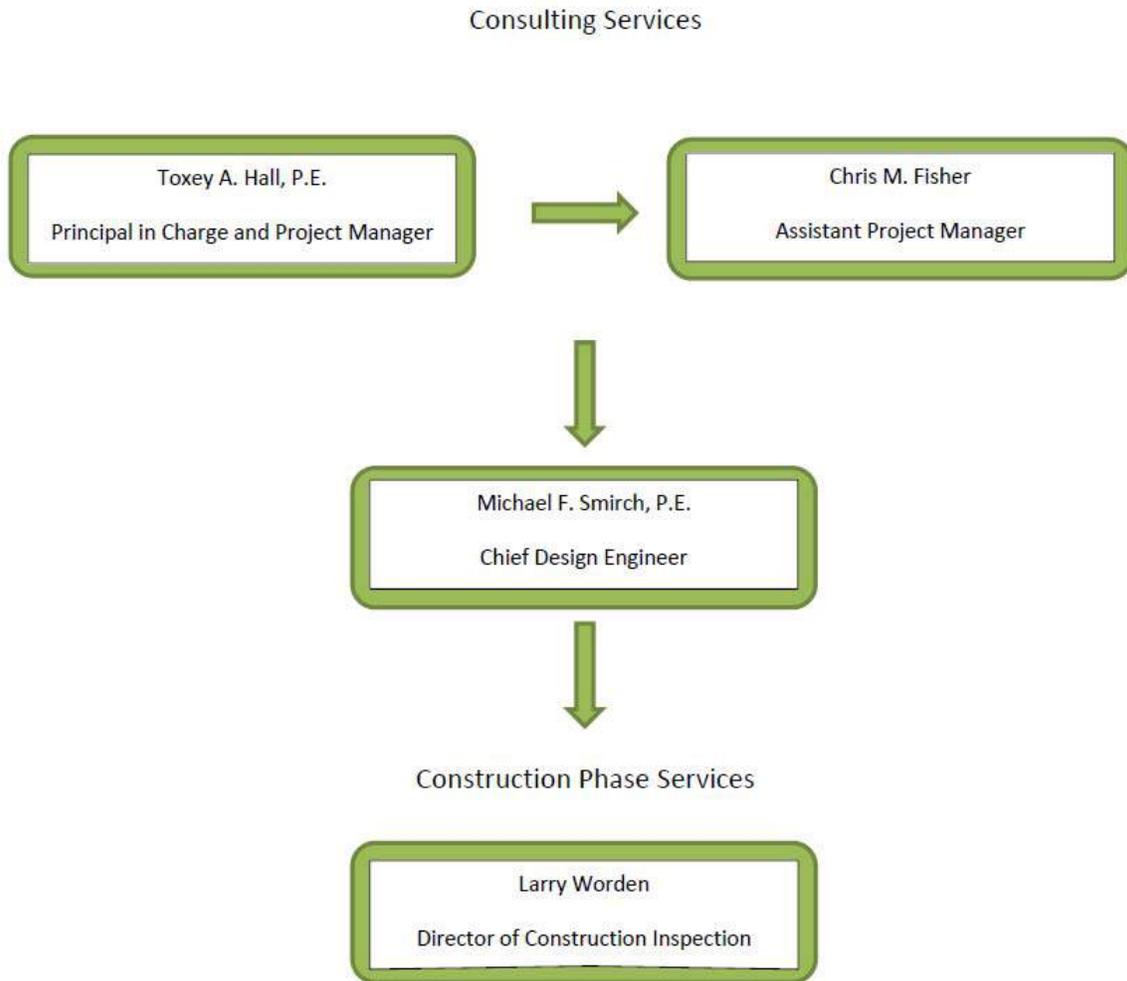
8. E-MAIL ADDRESS

Thall@clearviewland.com

C. PROPOSED TEAM

(Complete this section for the prime contractor and all key subcontractors.)

	<i>(Check)</i>			9. FIRM NAME	10. ADDRESS	11. ROLE IN THIS CONTRACT
	PRIME	J-V PARTNER	SUBCONTRACTOR			
a.	<input checked="" type="checkbox"/>			Clearview Land Design, P.L. <input type="checkbox"/> CHECK IF BRANCH OFFICE	1213 E. 6 th Ave. Tampa, FL 33605	Civil Engineering Firm offering land planning, GIS, landscape architecture, environmental science and construction services
b.				<input type="checkbox"/> CHECK IF BRANCH OFFICE		
c.				<input type="checkbox"/> CHECK IF BRANCH OFFICE		
d.				<input type="checkbox"/> CHECK IF BRANCH OFFICE		
e.				<input type="checkbox"/> CHECK IF BRANCH OFFICE		
f.				<input type="checkbox"/> CHECK IF BRANCH OFFICE		



E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME Toxey Hall, P.E.	13. ROLE IN THIS CONTRACT President Clearview Land Design Assistant Project Manager	14. YEARS EXPERIENCE	
		a. TOTAL 35	b. WITH CURRENT FIRM 7
15. FIRM NAME AND LOCATION <i>(City and State)</i> Clearview Land Design, P.L.			
16. EDUCATION <i>(DEGREE AND SPECIALIZATION)</i> Bachelor of Science, Civil Engineering University of Florida		17. CURRENT PROFESSIONAL REGISTRATION <i>(STATE AND DISCIPLINE)</i> Registered Professional Engineer Number 37278 State of Florida	

18. OTHER PROFESSIONAL QUALIFICATIONS *(Publications, Organizations, Training, Awards, etc.)*
Urban Land Institute; Association of Florida Community Developers; Tampa Bay Builders Association, Life Director-NAHB; American Society of Civil Engineers; Florida Engineering Society; National Society of Professional Engineers

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>
MiraBay, Apollo Beach, Florida	On-Going	On-Going
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm a. Project Manager for this premier master-planned community in Hillsborough County on Tampa Bay. Upon completion, this project will accommodate approximately 1,750 homes and 300,000 square feet of office and retail uses.		
Magnolia Park, Hillsborough County, Florida	On-Going	On-Going
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm b. Provided Design, Engineering and Permitting Services to developer and CDD for 580-acre mixed-use development consisting of 1,200 residential units, 125,000 square feet of commercial development, 60,000 square feet of office/professional and 770,000 square feet of industrial use.		
Georgetown, Tampa, Florida	On-Going	On-Going
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm c. Project Manager for the design phase of this 162-acre, 1,100 unit mixed use redevelopment project in South Tampa. The design included the reconstruction / reclamation of an existing relic canal system and reconstruction of the sea wall system.		
New Tampa Corridor, Hillsborough County, Florida	On-Going	On-Going
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm d. In the City of Tampa, the 25-thousand acre "New Tampa Corridor" consisted of large-scale community development that created a "city within a city". Of the fourteen major projects that coordinated planning and infrastructure in this area, Toxey was project manager for eight of them including Tampa Palms, Hunter's Green, and Highwoods Preserve		
Harbour Island, City of Tampa, Florida	On-Going	On-Going
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm e. Project Manager for 178-ac. 15-phase urban mixed-use project. This dense environment ranged from single family detached to mid-rise condominium projects. Challenges included "surcharging" and other design methods to deal with construction on a spoil island under which was several feet of original bay bottom muck. The entire island was constructed with vertical sea walls and "dockominium" boat slips. A master stormwater pond system (with several pumped stormwater vaults) minimized the stormwater footprint, and a linear "greenway" trail system runs the length of the island.		

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME Michael F. Smirch, P.E.	13. ROLE IN THIS CONTRACT Chief Design Engineer	14. YEARS EXPERIENCE	
		a. TOTAL 19	b. WITH CURRENT FIRM 6
15. FIRM NAME AND LOCATION <i>(City and State)</i> Clearview Land Design, P.L. (Tampa, FL)			
16. EDUCATION <i>(DEGREE AND SPECIALIZATION)</i> Bachelor of Science in Civil Engineering With Honors University of Florida, 1998		17. CURRENT PROFESSIONAL REGISTRATION <i>(STATE AND DISCIPLINE)</i> Registered Professional Engineer Number 59503 State of Florida	
18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i> Member of Florida Engineering Society			

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED	
Oakstead (Pasco County, Florida)	PROFESSIONAL SERVICES 1998	CONSTRUCTION <i>(If applicable)</i> 2007
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm a. Senior Utilities & Drainage Design Engineer for an 852-acre development with 1,184 single-family units. Project activities included master planning, engineering design, ERP permitting and construction phasing within the Anclote River watershed. The project consisted of several phases of residential lots, roadways and associated stormwater management systems involving 40 interconnected wetlands & detention ponds.		
FishHawk Towncenter/Osprey Ridge Drive (Hillsborough County, FL)	PROFESSIONAL SERVICES 2003	CONSTRUCTION <i>(If applicable)</i> 2009
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm b. Senior Drainage Design Engineer for 500 ac. master-planned community included drainage design, construction phasing of 21 wet detention ponds and wetlands treatment facilities. Required the design and construction of more than 700 drainage structures and 10-miles of storm sewer serving over 1,000 residential units.		
WaterGrass (Pasco County, FL)	PROFESSIONAL SERVICES 2006	CONSTRUCTION <i>(If applicable)</i> Present
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm c. Senior Drainage Design Engineer for the easterly region of Watergrass consisting of 508-acres with 869 single-family lots. Project activities included master drainage planning & design of 50 interconnected pond and wetland systems, 500 drainage structures, street & lot grading, engineering design, ERP permitting, and construction phasing within the New River watershed.		
Bexley (Pasco County, FL)	PROFESSIONAL SERVICES 2012 - Present	CONSTRUCTION <i>(If applicable)</i> 2013 - Present
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm d. Chief drainage and utilities design engineer for the 1,800 acre master planned community.		
Westpark Village Towncenter (Hillsborough County, FL)	PROFESSIONAL SERVICES 1999	CONSTRUCTION <i>(If applicable)</i> 2004
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm e. Senior Drainage Design Engineer and Senior Utilities Design Engineer for a 160-acre mixed-use development consisting of 368 single-family units, 693 multi-family units, 50 townhomes, 40,000 square feet of commercial development, passive parks, and a 5,000 square-foot community pool. This project was Hillsborough County's first Neo-Traditional Neighborhood.		

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME Larry H. Worden, Jr.	13. ROLE IN THIS CONTRACT Construction Management / Field Management	14. YEARS EXPERIENCE	
		a. TOTAL 35	b. WITH CURRENT FIRM 7

15. FIRM NAME AND LOCATION *(City and State)*
Clearview Land Design, P.L. (Tampa, FL)

16. EDUCATION <i>(DEGREE AND SPECIALIZATION)</i>	17. CURRENT PROFESSIONAL REGISTRATION <i>(STATE AND DISCIPLINE)</i>

18. OTHER PROFESSIONAL QUALIFICATIONS *(Publications, Organizations, Training, Awards, etc.)*
Florida Stormwater, Erosion, and Sedimentation Control Inspector Training. OSHA Trench Safety Training, Survey Mathematics Course Certificate, FDOT Certifications in Asphalt Level 1 & 2 and Earthwork Inspection Level 1 & 2. FDOT Maintenance of Traffic Intermediate Course.

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>
Avalon Park West (Pasco County, FL)	On-Going	On-Going
a. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm 1680-acre residential development. Property is being developed in six independent phases. The first phase, a 0.75 mile 4 lane collector road was constructed in 2009 but never certified and accepted. Property was reactivated in 2016. Duties included testing/inspections with County Agencies, soils test review, record plan review and final certification submittals. A 67.9-acre residential subdivision phase is currently under construction.		
Northwood (Pasco County, FL)	2016	2016
b. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm A 413-acre 202 Single-Family Lot Residential Development. Duties included Contractor Shop Drawing Review and Processing, Contractor Pay Request Reviews, and Contractor Change Order Reviews, Observation and Reports related to Water Pressure Testing, Lift Station Start-up inspections, Sub-grade Inspections, Road-base Inspections, and Final Inspections, Record Drawing Review and Preparation, Record Submittal Package Preparation for Governmental Agencies.		
Meadow Pointe IV Parcel AA North, Parcel AA South, Parcel EF and Parcel NOP (Pasco County, FL)	On-Going	On-Going
c. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm 4 Projects approximately 125 Single Family Lots each. Duties included Contractor Shop Drawing Review and Processing, Contractor Pay Request Reviews, and Contractor Change Order Reviews, Observation and Reports related to Water Pressure Testing, Lift Station Start-up inspections, Sub-grade Inspections, Road-base Inspections, and Final Inspections, Record Drawing Review and Preparation, Record Submittal Package Preparation for Governmental Agencies.		
Hawks Point Phase 1B-2 Single Family Community Center #1 (Riverview, FL)	2014	2014
d. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm Project included construction of a swimming pool with clubhouse building, a pavilion, a playground, a dog park area, and a vehicular parking lot. Have done 10 similar projects in the past 5 years. I conducted inspections and test required to obtain acceptance of facility.		
Bexley (Pasco County, FL)	On-Going	On-Going
e. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm 2 miles of collector roadways and 343 Residential Lots have been completed to date. 1.1 miles of collector roadways and 139 Residential Lots are under construction. Duties include Observation and Reports related to Water Pressure Testing, Lift Station Start-up inspections, Sub-grade Inspections, Road-base Inspections, and Final Inspections, Record Drawing Review and Preparation, Record Submittal Package Preparation for Agencies.		

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT
(Complete one Section E for each key person.)

12. NAME Tom Deal, RLA	13. ROLE IN THIS CONTRACT Vice President Clearview Land Design Project Manager	14. YEARS EXPERIENCE	
		a. TOTAL 25	b. WITH CURRENT FIRM 5
15. FIRM NAME AND LOCATION (City and State) Clearview Land Design, P.L.			
16. EDUCATION (DEGREE AND SPECIALIZATION) Bachelor of Science, Landscape Architecture Kansas State University		17. CURRENT PROFESSIONAL REGISTRATION (STATE AND DISCIPLINE) American Society of Landscape Architects; REIC, Past President, Current Board Member; NAIOP Board of Directors, Past Member; Past Chairman, Cobbs Landing Past Chairman, Lake Magdalene Manors Design Review Board and HOA	
18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.) Registered Landscape Architect, State of Florida Registered Landscape Architect, State of Kansas			

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
Bexley, Pasco County, Florida	2008-Ongoing	Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm a. Provided project consulting and oversight, for this 7,000 acre Southern Pasco County master planned community. Feasibility, due diligence, and planning helped Client understand project constraints and design parameters. Supervised master planning support, graphic presentations, and provided team review for permitting through Pasco County.		
Georgetown, City of Tampa, Florida	2014-Ongoing	Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm b. Landscape Architect for master planned project. Project included relocation of trees in site where mass grading was necessary to bring site above flood elevations. Various types and sizes of trees were identified through field reconnaissance and relocated to a park area along a scenic corridor. Using leading transplant techniques proven for tree survivability, permitting through City of Tampa was coordinated so that 50% of hardwoods on site could be preserved.		
MiraBay Trail System (WolfBranch Creek), Apollo Beach, Florida	2006	Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm c. Landscape Architect for a 90-acre/3-mile trail project. Landscape services for WolfCreek were initiated with a comprehensive site analysis and coordination with four different governmental agencies. Trail designs were a product of the site analysis design alternatives and coordinated efforts with various agencies. Final design and details were presented and approved, in addition to all permitting.		
Westshore Yacht Club, Tampa, Florida	2006-Ongoing	2008-Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm d. Site planning and rezoning were provided for the entire development, including the onsite recreation center. Westshore Yacht Club features single-family, multi-family, tower design and recreational center designs.		
Panther Trace, Tampa, Florida	2004-2006	2006-2008
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm e. Provided theming and design for a 167-acre community, incorporating three phases and a recreational area. Services included landscape and irrigation design, layout of the recreational area including a +/-4,000 sq. ft. pool with lap lanes, separate adult and child areas, boardwalks, soccer fields, tennis courts and numerous additional amenities.		

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT
(Complete one Section E for each key person.)

12. NAME Hannah McAleer, RLA	13. ROLE IN THIS CONTRACT Senior Landscape Architect, Planning and Landscape Architecture	14. YEARS EXPERIENCE	
		a. TOTAL 12	b. WITH CURRENT FIRM 3
15. FIRM NAME AND LOCATION (City and State) Clearview Land Design, P.L.			
16. EDUCATION (DEGREE AND SPECIALIZATION) Master of Landscape Architecture Auburn University, summa cum laude Bachelor of Science Environmental Design Auburn University,		17. CURRENT PROFESSIONAL REGISTRATION (STATE AND DISCIPLINE) American Society of Landscape Architects, (ASLA); Urban Land Institute (ULI); Women's Leadership Initiative (WLI) Real Estate Investment Council (REIC); Future Leaders in Planning (FLIP) Hillsborough County (Summer 2016)	
18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.) Registered Landscape Architect, State of Florida			

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
Avalon Park West Community Park	2015-Ongoing	N/A
a. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Created master plan and landscape and hardscape plans for a phased park to serve community residents. The park includes a clubhouse with restrooms and flexible meeting and office spaces, a zero entry pool with splash elements, a formal relaxation pool, a playground for interactive and imaginative play, tennis courts, basketball courts, a sand volleyball court, multi-use field for soccer, softball, and baseball, a dog park, and trails that take advantage of views through floodplain mitigation areas and wetlands.	<input checked="" type="checkbox"/>	Check if project performed with current firm
Mitchell Ranch, Pasco County, Florida	2014-Ongoing	N/A
b. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Worked with multi discipline team to land plan an integrated community with a town center at its core and opportunities for a range of housing. Plan incorporates a central linear park with pedestrian access to wetland edges, pond trail loops, and other amenities. Prepared park and pedestrian plans to meet County standards for Green Space Requirements and Mixed-Use Trip Reduction Measures. Role included site planning, zoning involvement and landscape architecture.	<input checked="" type="checkbox"/>	Check if project performed with current firm
Georgetown, City of Tampa, Florida	2014-2015	Ongoing
c. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Permitted and coordinated relocation of trees in site where mass grading was necessary to bring site above flood elevations. Various types and sizes of trees were identified through field reconnaissance and relocated to a park area along a scenic corridor. Using leading transplant techniques proven for tree survivability, 50% of hardwoods on site were preserved through relocation, giving the City of Tampa a recreational asset.	<input checked="" type="checkbox"/>	Check if project performed with current firm
Bexley, Pasco County, Florida	2014-Ongoing	Ongoing
d. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Project consulting and oversight, for 7,000 acre master planned community in Pasco County. Provided plans and graphics for County Board Meetings and created neighborhood plans identifying parks, natural features, proposed trails, and pedestrian connections for Mixed Use Trip Reduction (MUTRM) Master Plan. Identified required easements for wayfinding improvements and assisted team with locating signage.	<input checked="" type="checkbox"/>	Check if project performed with current firm
The Woodlands Trail and Connectivity Master Plan, North Port, Florida	2006-2007	2008-2010
e. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Developed Trail and Connectivity Master Plan for 1,000-acre development through field location of desirable destinations, vistas, linkages, environmental sensitivities, and existing site constraints. The plan considered important linkages to recreation centers, preserve areas, and commercial centers. Interpretive signage emphasized community education and appreciation of the natural environment. Responsible for layout, dimensioning and grading plans to permit improvements through SWFWMD and City.	<input type="checkbox"/>	Check if project performed with current firm

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT
(Complete one Section E for each key person.)

12. NAME Cory Swales	13. ROLE IN THIS CONTRACT Director of GIS Services GIS and Data Management	14. YEARS EXPERIENCE	
		a. TOTAL 14	b. WITH CURRENT FIRM 2
15. FIRM NAME AND LOCATION (City and State) Clearview Land Design, P.L.			
16. EDUCATION (DEGREE AND SPECIALIZATION) Bachelor of Arts, Public Administration University of Central Florida Master of Urban and Regional Planning University of Florida		17. CURRENT PROFESSIONAL REGISTRATION (STATE AND DISCIPLINE) GISCI GIS Professional FLURISA (Florida Urban and Regional Information Systems Association) Tampa Bay GIS Users Group	
18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.) Chairman's Award, The Planning Commission's Community Design Award, Channel District Community Redevelopment Plan, Hillsborough County, Florida)			

19. RELEVANT PROJECTS

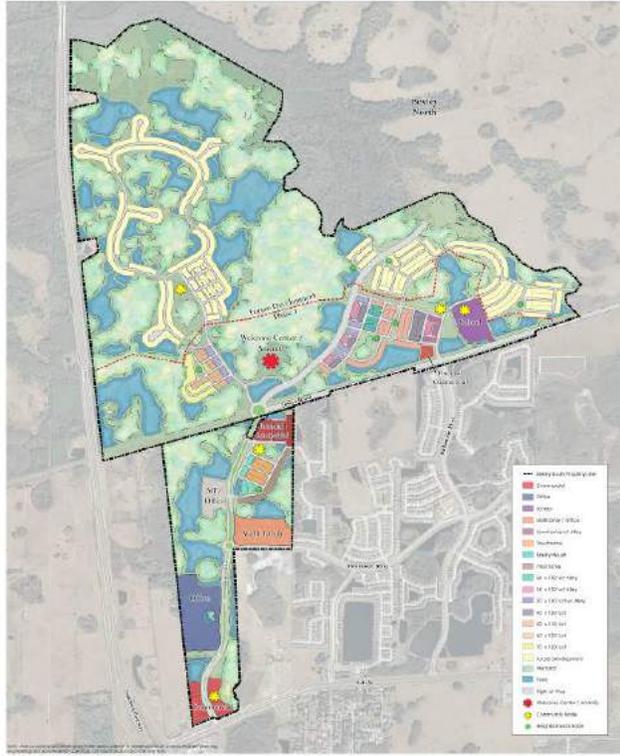
	(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
a.	Schroeder-Manatee Ranch, Inc. - Manatee & Sarasota County, Florida		
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm GIS Analyst for asset management database design project for a Master Planned Unit Development. Responsibilities included design and development of utility data for SMR for use in GIS. Created geodatabases that housed all water, sewer, reclaimed water, and storm water utility as-built data. Converted CAD data into a GIS format for use in project. Assisted in preparing materials and teaching SMR employees how to utilize GIS data within the geodatabases.		
b.	United States Marine Corps Support Facility - Support Project Blount Island, Duvall County, Florida		
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm Tasks included Asset Management for Blount Island's storm water, communications, and electrical utilities, as well as structure & road surveys, slipway sounding analysis, aerial photography, soil reporting / analysis, and ammo loading analysis. Responsibilities also included task management for the electrical utilities mapping, task management for the communications utilities mapping, task management for the Structures & Road Survey, and task management for the Slipway Sounding Analysis, CAD to GIS data conversion, database management, and field verification of survey grade GPS points for all utility features.		
c.	Area Wide Environmental Impact Statement - Central Florida		
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm Responsibilities included data management, site suitability analysis, spatial analysis, data collection, temporal land use analysis, integrated geoprocessing of spatial data, inter-agency cooperation, and the creation of graphics for use in meetings and documents with the Army Corps of Engineers. The size of the project area was 134,888 acres.		
d.	Rural Land Stewardship Assessment Glades, Highlands, & Manatee County, Florida		
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm Design Engineer for the redevelopment of multiple parcels and the construction of a 125,000 square foot free standing Wal-Mart. In addition to the standard redevelopment challenges, services included the assemblage of five parcels with multiple property owners and off-site improvement design.		
e.	ArcGIS Online Website Implementation Clearview Land Design, Tampa, Florida	2014	Ongoing
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm Responsibilities included development, configuration, deployment, and administration of the Company ArcGIS Online website. Utilization of model builder to create tools to standardize content for uploading to site. Data management for multiple data resources including federal, state, and local agencies		

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT (Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)		20. EXAMPLE PROJECT KEY NUMBER 1
21. TITLE AND LOCATION (City and State) Bexley (Pasco County, FL)		22. YEAR COMPLETED PROFESSIONAL SERVICES: 2010 - On-Going CONSTRUCTION (If applicable): On-Going

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Newland Communities	b. POINT OF CONTACT Thomas Panaseny	c. POINT OF CONTACT TELEPHONE NUMBER 813-620-3555
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT



Bexley, the award-winning master planned community is located along State Road 54 near the Suncoast Parkway in Pasco County. Bexley South comprises over 1,700 acres for which Clearview has provided engineering, permitting and inspection services as well as CDD Engineering Services. It is planned for 1,200 single family homes and 520 multi-family units, and over 650,000 square feet of office and retail. Multiple parks and interconnected trails systems link residential and non-residential uses. Additionally, the Clearview team has been involved in community planning, entitlements, mass grading plans, all infrastructure design, and neighborhood grading. The project includes a master planned stormwater system, water distribution system, reclaimed water distribution system and wastewater collections system. The stormwater system with over 50 ponds was a particularly critical component due to the project's location adjacent to the Sandy Branch and Anclote River.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
a.	Clearview Land Design, P.L.	Tampa, FL	Civil Engineering, Land Planning, GIS, Construction Inspection
b.			
c.			
d.			
e.			
f.			

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT
 (Present as many projects as requested by the agency, or 10 projects, if not specified.
 Complete one Section F for each project.)

20. EXAMPLE PROJECT KEY NUMBER

2

21. TITLE AND LOCATION (City and State)

Avalon Park West (Pasco County, FL)

22. YEAR COMPLETED

PROFESSIONAL SERVICES
 2010 - On-Going

CONSTRUCTION (If applicable)
 On-Going

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER

Sitex Development Group

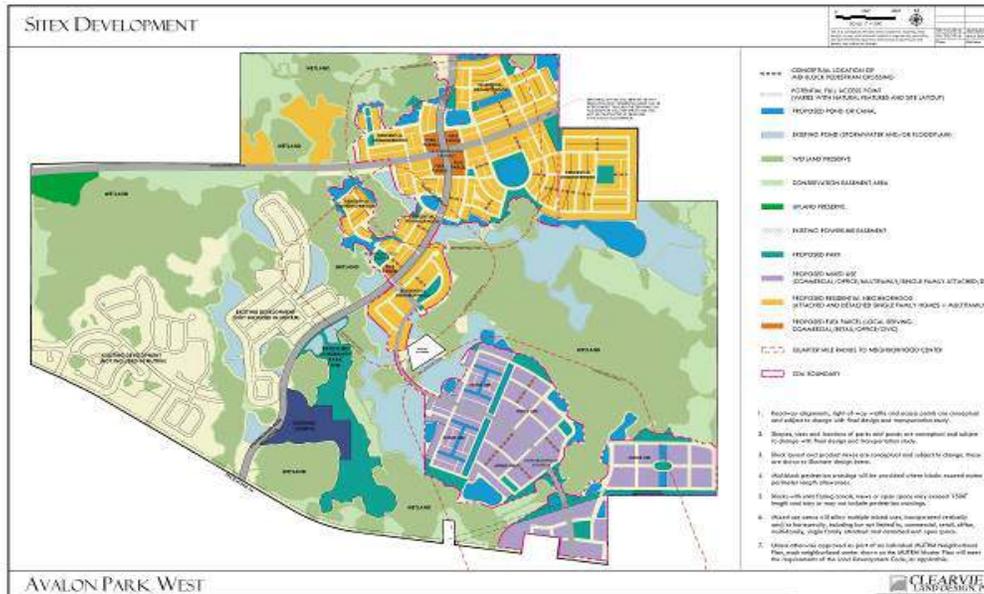
b. POINT OF CONTACT

Ross Halle

c. POINT OF CONTACT TELEPHONE NUMBER

407-658-6565

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT



Located in Wesley Chapel, Avalon Park West is a master planned community with village type mixed-use neighborhoods, schools, a town center, abundant community parks and vast preserved upland and wetland habitat. Clearview Land Design has been involved in land planning, rezoning, stormwater modeling and master planning, landscape architecture, permitting, and construction phase services for the project. The near 1,800 acre project includes over 800 acres of preservation area and 40 acres of parks. The community will be home to 4,800 residential units, including single family attached, single family detached, and multi-family and 680,000 square feet of mixed-use, commercial and office space.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

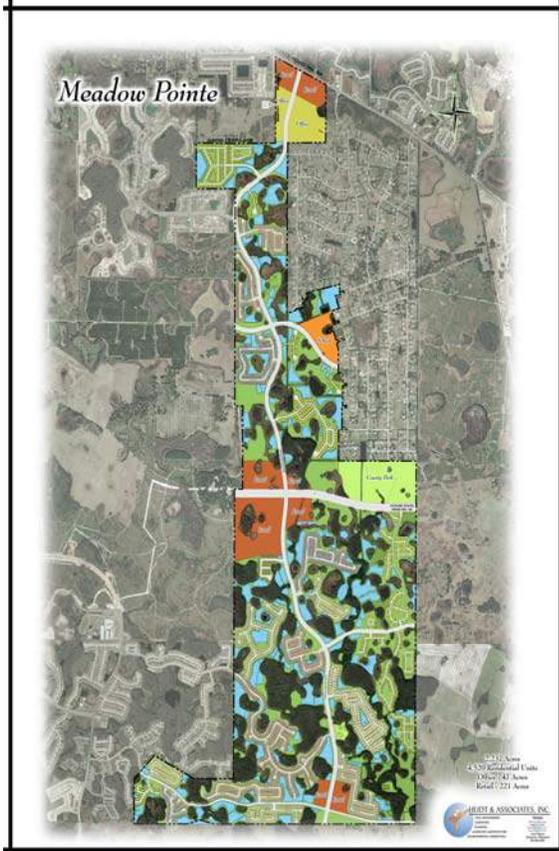
	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
a.	Clearview Land Design, P.L.	Tampa, FL	Civil Engineering, GIS, Land Planning, Landscape Architecture, Construction Inspection
b.			
c.			
d.			
e.			
f.			

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 3
21. TITLE AND LOCATION <i>(City and State)</i> Meadow Pointe (Pasco County, FL)		22. YEAR COMPLETED PROFESSIONAL SERVICES 2009 - Current
		CONSTRUCTION <i>(If applicable)</i> 2009 - Current

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER CalAtlantic Homes	b. POINT OF CONTACT Thomas Spence	c. POINT OF CONTACT TELEPHONE NUMBER 813-288-7687
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT



Meadow Pointe is an award-winning master planned community in southern Pasco County. For the past 20 years, Meadow Pointe has been one of the fastest selling communities in the State of Florida. Covering over 4,000 acres and consisting of over 7,000 residential units along with retail/office, schools, parks and numerous amenity centers, Meadow Pointe has become a favorite community to live, work and play. The Clearview Team's role in this project has included master planning efforts, rezoning actions and entitlement assistance; master infrastructure design and permitting, including drainage and water and sewer utility systems; and neighborhood design, permitting and platting efforts, and construction phase services.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Clearview Land Design, P.L.	(2) FIRM LOCATION <i>(City and State)</i> Tampa, FL	(3) ROLE Civil Engineering, GIS, Land Planning, Construction Inspection
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 4
21. TITLE AND LOCATION <i>(City and State)</i> Arbor Woods (Pasco County, FL)		22. YEAR COMPLETED PROFESSIONAL SERVICES On-Going
		CONSTRUCTION <i>(If applicable)</i> On-Going

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Taylor Morrison	b. POINT OF CONTACT Jeff Deason	c. POINT OF CONTACT TELEPHONE NUMBER 813-448-5024
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT

Arbor Woods is a 220 unit residential community with an elementary school component located in south central Pasco County.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Clearview Land Design, P.L.	(2) FIRM LOCATION <i>(City and State)</i> Tampa, FL	(3) ROLE Civil Engineering, Land Planning, Construction Inspection
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT (Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)		20. EXAMPLE PROJECT KEY NUMBER 5
21. TITLE AND LOCATION (City and State) Magnolia Park (Hillsborough County, FL)		22. YEAR COMPLETED PROFESSIONAL SERVICES: 2009 - On-Going CONSTRUCTION (If applicable): On-Going

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Pulte Homes	b. POINT OF CONTACT Sean Strickler	c. POINT OF CONTACT TELEPHONE NUMBER 813-964-5169
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT

Clearview Land Design offers planning, design, and inspection services for the 580 acre master planned community to both the developer and Magnolia Park CDD. The project has been under construction for approximately ten years and close to build out by Pulte Homes. It consists of 1,200 residential units, 125,000 square feet of commercial, 60,000 square feet of office/professional and 770,000 square feet of industrial use. The project serves numerous areas of Tampa and surrounding regions due to its convenient central location and access to major transportation corridors. It is a first time to second level buyer neighborhood with strategically located passive parks and amenity centers to meet the social and recreational needs of the residents.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
a.	Clearview Land Design, P.L.	Tampa, FL	Civil Engineering, GIS, Land Planning, Landscape Architecture, Construction Inspection
b.			
c.			
d.			
e.			
f.			

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 6
21. TITLE AND LOCATION <i>(City and State)</i> Mira Bay (Hillsborough County, FL)		22. YEAR COMPLETED PROFESSIONAL SERVICES: 2009 - On-Going CONSTRUCTION <i>(If applicable)</i> : On-Going

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Newland Communities	b. POINT OF CONTACT Thomas Panaseny	c. POINT OF CONTACT TELEPHONE NUMBER 813-620-3555
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT



Mirabay is a 720-acre premier master planned community located in Hillsborough County on Tampa Bay. Upon completion, it will accommodate approximately 1,750 homes and 300,000 square feet of office and retail use. This project included master planning, engineering design and permitting and construction phasing. The project consisted of several phases of waterfront residential lots, roadways and associated stormwater management systems. The project included a 3.5 miles canal system and a 135 acre lagoon which conveyed several thousand acres of offsite runoff through a boatlift weir structure to Tampa Bay.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a.	Clearview Land Design, P.L.	Tampa, FL	Civil Engineering, Land Planning, Landscape Architecture, GIS, Construction Inspection
b.			
c.			
d.			
e.			
f.			

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT (Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)		20. EXAMPLE PROJECT KEY NUMBER <p style="text-align: center;">7</p>				
21. TITLE AND LOCATION (City and State) Vista Palms (fka Sunshine Village) (Hillsborough County, FL)		22. YEAR COMPLETED <table border="1"> <tr> <td>PROFESSIONAL SERVICES</td> <td>CONSTRUCTION (If applicable)</td> </tr> <tr> <td>2010 - On-Going</td> <td>On-Going</td> </tr> </table>	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)	2010 - On-Going	On-Going
PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)					
2010 - On-Going	On-Going					

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Lennar	b. POINT OF CONTACT Parker Hiron	c. POINT OF CONTACT TELEPHONE NUMBER 813-574-5658
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT



Sunshine Village is a community located in south Hillsborough County. Clearview Land Design is involved with planning, civil engineering, landscape architecture, permitting, and construction inspection and is CDD Engineer for the +/- 800 acre project that includes over 2,500 residential units, over 150,000 square feet of commercial development, two large amenity centers, and many pocket parks.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Clearview Land Design, P.L.	(2) FIRM LOCATION (City and State) Tampa, FL	(3) ROLE Civil Engineering, GIS, Land Planning, Landscape Architecture, Construction Inspection
b.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 8
21. TITLE AND LOCATION <i>(City and State)</i> Trillium (Pasco County, FL)		22. YEAR COMPLETED PROFESSIONAL SERVICES On-Going
		CONSTRUCTION <i>(If applicable)</i> On-Going

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Pulte Homes	b. POINT OF CONTACT Sean Strickler	c. POINT OF CONTACT TELEPHONE NUMBER 813-964-5169
--	--	---

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT



Northwest of Tampa, Trillium is located in Brooksville, on the outskirts of Land O'Lakes. The single family community has a private resort style community swimming pool with cabana's, a shaded playground and miles of miles of pedestrian oriented sidewalks for leisure and recreation.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Clearview Land Design, P.L.	(2) FIRM LOCATION <i>(City and State)</i> Tampa, FL	(3) ROLE Civil Engineering, GIS, Land Planning, Landscape Architecture, Construction Inspection
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>	20. EXAMPLE PROJECT KEY NUMBER 9
---	--

21. TITLE AND LOCATION <i>(City and State)</i> Tampa Palms (Tampa, FL)	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>
	On-Going	On-Going

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Tampa Palms	b. POINT OF CONTACT Jim Apthorp	c. POINT OF CONTACT TELEPHONE NUMBER (850) 251-5508
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT

Toxey Hall was responsible for designing and managing this large scale mixed-use development project. Tampa Palms is a 6,200-acre project that first began to define the "New Tampa" area. The City sized project included a master planned water distribution system and a master planned sanitary sewer system including approximately 20 pumping stations, including a highly complex dual triplex station with two 12-foot diameter wetwells. The stormwater system included approximately 120 ponds and was a particularly critical component due to the project's location adjacent to Trout Creek and the Hillsborough River. The amenities designed by Toxey and Bill included a golf course, golf course club house, several community "country clubs", multiple internal parks and related buildings, courts, playfields, etc. Of particular interest was the "Canoe Outpost" park on the Hillsborough River. This environmentally sensitive park included a canoe launch, hiking trails, picnic areas, boardwalks and a wildlife viewing area.



Tampa Palms continues to be a standard for Master Planned communities with its many neighborhood parks, interconnected trail system and use of native landscaping. Environmental services included wetland delineations and wetland impact permitting through the Corps of Engineers, DEP, SWFWMD and the Hillsborough County EPC. Mitigation design was performed, permitted and implemented.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
	*Heidt & Associates, Inc.	Tampa, FL	Civil Engineering, Landscape Architecture, Surveying
b.	(1) FIRM NAME *NOTE: The Principals of Clearview Land Design were the previous Owners of Heidt & Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 10				
21. TITLE AND LOCATION <i>(City and State)</i> Oakstead (Pasco County, FL)		22. YEAR COMPLETED <table border="1"> <tr> <td>PROFESSIONAL SERVICES</td> <td>CONSTRUCTION <i>(If applicable)</i></td> </tr> <tr> <td>2007</td> <td>2007</td> </tr> </table>	PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>	2007	2007
PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>					
2007	2007					
23. PROJECT OWNER'S INFORMATION						
a. PROJECT OWNER Devco IV, L.L.C.	b. POINT OF CONTACT	c. POINT OF CONTACT TELEPHONE NUMBER				

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT

Oakstead is an 852-acre master planned community in Pasco County with 1,184 single-family units. The project consisted of several phases of residential lots, roadways and associated stormwater management systems involving 40 interconnected wet detention ponds. The significant drainage design features included two (2) roadway crossings of the primary waterway each of which required the design of four (4) 9'x5' box culverts. The project also included the design, permitting, and construction of 1 mile of Oakstead Boulevard, a 4-lane divided collector roadway. Design, FDOT permitting, and construction within State Road 54 included 8,800 feet of off-site water main and force main and the widening of 1,600-foot interval of existing high-speed rural roadway. Through direct coordination with FDOT and their consultant, the relocation of a future full-median opening and two (2) directional openings was facilitated for the project's access.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT			
a.	(1) FIRM NAME *Heidt & Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Tampa, FL	(3) ROLE Civil Engineering, Surveying, Landscape Architecture
b.	(1) FIRM NAME * NOTE: The Principals of Clearview Land Design were the previous Owners of Heidt & Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

H. ADDITIONAL INFORMATION

30. PROVIDE ANY ADDITIONAL INFORMATION REQUESTED BY THE AGENCY. ATTACH ADDITIONAL SHEETS AS NEEDED.

No additional information required.

I. AUTHORIZED REPRESENTATIVE
The foregoing is a statement of facts.

31. SIGNATURE



32. DATE

9/19/17

33. NAME AND TITLE

Toxey A. Hall, P.E., President

**BOYETTE PARK
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
SEPTEMBER 30, 2017**

**BOYETTE PARK
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2017**

	General Fund	Total Governmental Funds
ASSETS		
Undeposited funds	\$ 10,705	\$ 10,705
Due from Landowner	16,583	16,583
Total assets	\$ 27,288	\$ 27,288
 LIABILITIES AND FUND BALANCES		
Liabilities:		
Accounts payable	\$ 21,788	\$ 21,788
Landowner advance	5,500	5,500
Total liabilities	27,288	27,288
Fund balances:		
Unassigned	-	-
Total fund balances	-	-
Total liabilities, deferred inflows of resources and fund balances	\$ 27,288	\$ 27,288

**BOYETTE PARK
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED SEPTEMBER 30, 2017**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Landowner contribution	\$ 21,788	\$ 21,788	\$ 52,125	42%
Total revenues	<u>21,788</u>	<u>21,788</u>	<u>52,125</u>	42%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording	4,000	8,000	8,000	100%
Legal	4,232	4,232	15,000	28%
Bond validation	330	330	-	N/A
Engineering	6,390	6,390	2,000	320%
Engineer's report	-	-	13,000	0%
Telephone	100	200	200	100%
Postage	-	6	500	1%
Printing & binding	250	500	500	100%
Legal advertising	1,281	2,065	5,500	38%
Annual special district fee	-	-	175	0%
Insurance	-	-	5,500	0%
Contingencies/bank charges	-	65	500	13%
Website maintenance	-	-	1,250	0%
Total professional & administrative	<u>16,583</u>	<u>21,788</u>	<u>52,125</u>	42%
Excess/(deficiency) of revenues over/(under) expenditures	5,205	-	-	
Fund balances - beginning	(5,205)	-	(11,000)	
Fund balances - ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (11,000)</u>	

1 **MINUTES OF MEETING**
2 **BOYETTE PARK**
3 **COMMUNITY DEVELOPMENT DISTRICT**
4

5 A Landowners' Meeting of the Boyette Park Community Development District was held
6 on **Monday, August 21, 2017 at 1:00 p.m.**, at Mattamy Homes, 4107 Crescent Park Drive,
7 Riverview, Florida 33578.
8

9 **Present at the meeting were:**

10 Craig Wrathell District Manager
11 Cindy Cerbone Wrathell, Hunt and Associates, LLC
12 Thomas Griggs Landowners' Proxyholder
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16 **FIRST ORDER OF BUSINESS**

Call to Order/Roll Call

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18 Mr. Wrathell called the meeting to order at 1:00 p.m.
19

20 **SECOND ORDER OF BUSINESS**

Affidavit/Proof of Publication

21 Mr. Wrathell presented the affidavit of publication for today's Landowners' Meeting.
22 He was provided with a filled out proxy prior to today's meeting. Mr. Matt O'Brien,
23 Landowner representative, of 108.34 acres, equating to 109 votes, assigned his votes, via proxy,
24 to Mr. Thomas Griggs.
25
26

27 **THIRD ORDER OF BUSINESS**

**Election of Chair to Conduct
Landowners' Meeting**

28
29 Mr. Griggs agreed to Mr. Wrathell serving as Chair to conduct the Landowners' Meeting.
30
31

32 **FOURTH ORDER OF BUSINESS**

Election of Supervisors [All Seats]

33 Mr. Wrathell stated that five Seats were up for election. Mr. Griggs could cast up to 109
34 votes, per Seat. The terms of the two Seats receiving the highest number of votes would expire
35 in November 2020. The terms of the three remaining Seats would expire in November 2018.
36

37 **A. Nominations**

38 Mr. Griggs nominated the following:

39 Seat 1 Mac McCraw

- 40 Seat 2 Matt O’Brien
- 41 Seat 3 Jacob Egan
- 42 Seat 4 Thomas Griggs
- 43 Seat 5 Tim Murray
- 44 No other nominations were made.

45 **B. Casting of Ballots**

46 **i. Determine Number of Voting Units Represented**

47 There were 109 voting units represented.

48 **ii. Determine Number of Voting Units Assigned by Proxy**

49 Mr. Wrathell stated that there were 109 voting units represented, via proxy. Mr. Griggs
50 cast the following votes:

51	Seat 1	Mac McCraw	109 votes
52	Seat 2	Matt O’Brien	109 votes
53	Seat 3	Jacob Egan	108 votes
54	Seat 4	Thomas Griggs	108 votes
55	Seat 5	Tim Murray	108 votes

56 **C. Ballot Tabulation and Results**

57 Mr. Wrathell announced the following ballot tabulation results and the term for each
58 Seat:

59	Seat 1	Mac McCraw	109 Votes	Term expires November 2020
60	Seat 2	Matt O’Brien	109 Votes	Term expires November 2020
61	Seat 3	Jacob Egan	108 Votes	Term expires November 2018
62	Seat 4	Thomas Griggs	108 Votes	Term expires November 2018
63	Seat 5	Tim Murray	108 Votes	Term expires November 2018

64

65 **FIFTH ORDER OF BUSINESS**

Landowners’ Questions/Comments

66

67 There being no Landowners’ questions or comments, the next item followed.

68

69 **SIXTH ORDER OF BUSINESS**

Adjournment

70

71 There being no further business to discuss, the meeting adjourned at 1:05 p.m.

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Secretary/Assistant Secretary

Chair/Vice Chair

DRAFT

1 **MINUTES OF MEETING**
2 **BOYETTE PARK**
3 **COMMUNITY DEVELOPMENT DISTRICT**
4

5 An Organizational Meeting of the Board of Supervisors of the Boyette Park Community
6 Development District was held on Monday, August 21, 2017 *immediately following the*
7 *Landowners' Meeting and Election scheduled to be held at 1:00 p.m.,* at Mattamy Homes, 4107
8 Crescent Park Drive, Riverview, Florida 33578.
9

10 **Present at the meeting were:**

11		
12	Tim Murray	Chair
13	Matt O'Brien	Vice Chair
14	Thomas Griggs	Assistant Secretary
15	Mac McCraw	Assistant Secretary
16	Jacob Egan	Assistant Secretary

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18
19 **Also present were:**

20		
21	Craig Wrathell	District Manager
22	Cindy Cerbone	Wrathell, Hunt & Associates, LLC
23	Lindsay Whelan	District Counsel
24	Toxey Hall	District Engineer
25	Mike Williams (<i>via telephone</i>)	Bond Counsel, Akerman LLP
26	Camille Evans	Hopping, Green & Sams, P.A.
27	Brett Sealy	MBS Capital Markets, LLC
28	Robbie Cox	MBS Capital Markets, LLC

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31 **FIRST ORDER OF BUSINESS**

Call to Order/Roll Call

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33 Mr. Wrathell called the meeting to order at 1:06 p.m. This was the first Board Meeting of
34 the newly established Boyette Park Community Development District. At that Landowners'
35 Meeting, the following five Board Members were elected:

36	Seat 1	Mac McCraw
37	Seat 2	Matt O'Brien
38	Seat 3	Jacob Egan
39	Seat 4	Thomas Griggs
40	Seat 5	Tim Murray

73 **THIRD ORDER OF BUSINESS** **Administration of Oath of Office to Board**
 74 **of Supervisors (the following to be**
 75 **provided in a separate package)**
 76

77 This item was presented following the First Order of Business.

78
 79 **FOURTH ORDER OF BUSINESS** **Consideration of Resolution 2017-01,**
 80 **Canvassing and Certifying the Results of**
 81 **the Landowners' Election**
 82

83 Mr. Wrathell presented Resolution 2017-01. The results of the Landowners' Election
 84 were as follows:

85	Seat 1	Mac McCraw	109 Votes	Term expires November 2020
86	Seat 2	Matt O'Brien	109 Votes	Term expires November 2020
87	Seat 3	Jacob Egan	108 Votes	Term expires November 2018
88	Seat 4	Thomas Griggs	108 Votes	Term expires November 2018
89	Seat 5	Tim Murray	108 Votes	Term expires November 2018

On MOTION by Mr. Murray and seconded by Mr. Griggs, with all in favor, Resolution 2017-01, Canvassing and Certifying the Results of the Landowners' Election, was adopted.

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 97 **FIFTH ORDER OF BUSINESS** **Consideration of Resolution 2017-02,**
 98 **Electing Officers of the District**
 99

100 Mr. Wrathell presented Resolution 2017-02. This Resolution would elect and designate
 101 the Officers of the District. He briefly explained the responsibilities of each position. Mr.
 102 O'Brien nominated the following slate of officers:

103	Tim Murray	Chair
104	Matt O'Brien	Vice Chair
105	Craig Wrathell	Secretary
106	Craig Wrathell	Treasurer
107	Thomas Griggs	Assistant Secretary
108	Mac McCraw	Assistant Secretary
109	Jacob Egan	Assistant Secretary

110 Cindy Cerbone Assistant Secretary
 111 Jeff Pinder Assistant Secretary

112 No other nominations were made.

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On MOTION by Mr. Murray and seconded by Mr. Egan, with all in favor, Resolution 2017-02, Electing Officers of the District, as nominated, was adopted.

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119 **ORGANIZATIONAL MATTERS**

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121 **SIXTH ORDER OF BUSINESS**

Consideration of the Following Organizational Matters:

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124 **A. Resolution 2017-03, Appointing and Fixing the Compensation of the District**
 125 **Manager; Appointing Methodology Consultant: *Wrathell, Hunt and Associates, LLC***

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127

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Mr. Wrathell presented Resolution 2017-03. He stated that this Resolution would appoint Wrathell, Hunt and Associates, LLC (WHA) as the District Manager and Methodology Consultant. WHA’s standard form of Management Agreement was attached.

130

On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Resolution 2017-03, Appointing and Fixing the Compensation of Wrathell, Hunt and Associates, LLC, as the District Manager; Appointing Methodology Consultant;, was adopted.

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B. Resolution 2017-04, Appointing District Counsel; Authorizing Its Compensation: *Hopping, Green & Sams, PA*

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Mr. Wrathell presented Resolution 2017-04. The proposed Engagement Letter was attached. Ms. Lindsay Whelan made an introduction and briefly gave an overview of the proposed Engagement Letter.

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On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Resolution 2017-04, Appointing Hopping, Green & Sams, PA, as District Counsel and Authorizing Its Compensation, was adopted.

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149 **C. Resolution 2017-05, Appointing Interim District Engineer; Authorizing**
150 **Compensation: *Clearview Land Design, P.L.***

151 Mr. Wrathell presented Resolution 2017-05. The proposed Engagement Letter from
152 Clearview Land Design, P.L. (CLD) to serve as the Interim District Engineer, was attached If the
153 District Engineer’s expenses would exceed \$30,000, per year, the District must undertake the
154 Request for Qualifications (RFQ) process. CLD would be hired on an interim basis. Mr.
155 Wrathell briefly explained the RFQ process.

157 **On MOTION by Mr. Murray and seconded by Mr. O’Brien,**
158 **with all in favor, Resolution 2017-05, Appointing Clearview**
159 **Land Design, P.L., as Interim District Engineer and**
160 **Authorizing Compensation, was adopted.**

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163 **D. Authorization of RFQ for District Engineering Services**

164 Mr. Wrathell stated that the District must go through the RFQ process for District
165 Engineering Services. Ms. Whelan stated, for the record, that she wanted to ensure that the
166 Board was comfortable with the parameters set forth in the evaluation criteria.

168 **On MOTION by Mr. Murray and seconded by Mr. O’Brien,**
169 **with all in favor, authorization of RFQ for District Engineering**
170 **Services, was approved.**

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173 **E. Discussion Regarding Board Member Compensation: 190.006 (8), F.S.**

174 Mr. Wrathell stated that the Board was eligible to receive compensation of \$200, per
175 meeting, with a maximum of \$4,800, per year. The Board elected not to receive compensation.

176 **F. Resolution 2017-06, Appointing Registered Agent; Designating the Office or**
177 **Location of the Registered Office; and Designating the Office or Location as the**
178 **Office of Record**

179 Mr. Wrathell presented Resolution 2017-06.

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181 **On MOTION by Mr. Murray and seconded by Mr. O’Brien,**
182 **with all in favor, Resolution 2017-06, Appointing Jonathan**
183 **Johnson, as the Registered Agent, and the Offices of Hopping**
184 **Green & Sams, P.A., 1119 South Monroe Street, Suite 300,**

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Tallahassee, Florida 32301, as the Office of Record, was adopted.

G. Resolution 2017-07, Designating the Location of the Local Records Office

Mr. Wrathell presented Resolution 2017-07.

On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Resolution 2017-07, Designating Mattamy Homes, 4107 Crescent Park Drive, Riverview, Florida 33578, as the Location of the Local Records Office, was adopted.

H. Resolution 2017-08, Setting Forth the Policy of the District with Regard to the Support and Legal Defense of the Board of Supervisors and District Staff

Mr. Wrathell presented Resolution 2017-08. This Resolution sets forth the policy of the District with regard to the legal defense of the Board of Supervisors and District Staff. This District would be protected by sovereign immunity of \$200,000, per incident, or \$300,000 in the aggregate. \$1 million in coverage was recommended for the General Liability and Public Officers’ Insurance. If an individual Board Member was sued, while performing their District-related duties, the person would be defended, under the District’s policy, unless the person’s actions were inappropriate.

On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Resolution 2017-08, Setting Forth the Policy of the District with Regard to the Support and Legal Defense of the Board of Supervisors and District Staff, was adopted.

I. Authorization to Obtain General Liability and Public Officers’ Insurance

Mr. Wrathell stated that this would authorize obtaining the General Liability and Public Officers’ Insurance in the amount of \$1 million dollars.

On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, authorization to obtain General Liability and Public Officers’ Insurance, in the amount of \$1 million dollars, was adopted.

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J. Resolution 2017-09, Adopting Policies and Procedures Relating to the Public’s Opportunity to be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to be Heard; Addressing Public Decorum; Addressing Exceptions; Providing for Conflicts, Providing for Severability and Providing an Effective Date

Mr. Wrathell presented Resolution 2017-09. This Resolution would set forth the Public Comment procedures, which would be limited to three minutes of speaking time, per public comment. During meetings, public comments would be presented twice; first at the beginning of the meeting and the other near the end of the meeting.

On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Resolution 2017-09, Adopting Policies and Procedures Relating to the Public’s Opportunity to be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to be Heard; Addressing Public Decorum; Addressing Exceptions; Providing for Conflicts, Providing for Severability and Providing an Effective Date, was adopted.

K. Resolution 2017-10, Providing For the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy

Mr. Wrathell presented Resolution 2017-10. Management would serve as the Records Retention Liaison, with regard to public documents, and a member of Management’s staff would serve as the Records Management Liaison Officer.

On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Resolution 2017-10, Providing For the Appointment of Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida, 33432 as Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy, was adopted.

260 **L. Resolution 2017-11, Granting the Chair the Authority to Execute Real and Personal**
 261 **Property Conveyance and Dedication Documents, Plats and Other Documents**
 262 **Related to the Development of the District’s Improvements; Approving the Scope**
 263 **and Terms of Such Authorization**

264 Mr. Wrathell presented Resolution 2017-11. This Resolution would grant authority to the
 265 Chair to work with the District Engineer, District Counsel and Staff and to execute documents in
 266 between Board meetings. The Vice Chair would be added.

On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Resolution 2017-11, Granting the Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization, as amended to add the Vice Chair the same authority, was adopted.

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 278 **M. Resolution 2017-12, Approving Florida Statewide Mutual Aid Agreement**

279 This item was deferred.

280 **N. Resolution 2017-13, Adopting Prompt Payment Policies and Procedures**

281 Mr. Wrathell presented Resolution 2017-13. He briefly explained the prompt payment
 282 policies and procedures regarding invoicing, etc. Prompt payment, was considered to be within
 283 30 days. Page 4, would be changed to reflect that Management preferred to obtain invoices via
 284 mail, rather than invoices via email.

On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Resolution 2017-13, Adopting Prompt Payment Policies and Procedures, as amended, was adopted.

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 291 **O. Resolution 2017-14, Ratifying, Confirming and Approving the Recording of the**
 292 **Notice of Establishment**

293 Mr. Wrathell presented Resolution 2017-14. The Notice of Establishment was already
 294 recorded. This Resolution would ratify that action.

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On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Resolution 2017-14, Ratifying, Confirming and Approving the Recording of the Notice of Establishment, was adopted.

P. Authorization of RFP for Annual Audit Services

- **Designation of Board of Supervisors as Audit Committee**

Mr. Wrathell stated that this would allow for advertisement for a Request for Proposals (RFP) for annual audit services and designate the Board of Supervisors, as the Audit Committee.

On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Authorization of RFP for Annual Audit Services and Designation of Board of Supervisors as Audit Committee, was adopted.

Q. Resolution 2017-15, Adopting Annual Meeting Schedule for Fiscal Year 2017/2018

This item was deferred.

R. Resolution 2017-16, Designating Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure

- i. Rules of Procedure**
- ii. Notices**
 - **Notice of Rule Development**
 - **Notice of Rulemaking**

Mr. Wrathell presented Resolution 2017-16. The Rules of Procedure set forth the general operating procedures of the District. Discussion ensued regarding dates and timing.

On MOTION by Mr. Murray and seconded by Mr. Egan, with all in favor, Resolution 2017-16, To Designate Date, Time and Place of the Public Hearing for Monday, October 2, 2017 at 1:00 p.m., at this location, and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure, was adopted.

333 **S. Resolution 2017-17, Adopting a Policy for Reimbursement of District Travel**
334 **Expenses; and Providing for Severability and an Effective Date**

335 Mr. Wrathell presented Resolution 2017-17.

336

337 **On MOTION by Mr. Murray and seconded by Mr. O’Brien,**
338 **with all in favor, Resolution 2017-17, Adopting a Policy for**
339 **Reimbursement of District Travel Expenses; and Providing for**
340 **Severability and an Effective Date, was adopted.**

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343 **BUDGETARY MATTERS**

344 **SEVENTH ORDER OF BUSINESS**

Consideration of the Following Budgetary
345 **Matters:**

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347 **A. Resolution 2017-18, Approving Fiscal Year 2016/2017 Proposed Annual Budget and**
348 **Setting a Public Hearing Date for Final Adoption**

349 Mr. Wrathell presented Resolution 2017-18. He presented the proposed Fiscal Year 2016/2017
350 annual budget. Mailed Notices would be sent and the Public Hearing would be advertised,
351 accordingly. Invoices related to preparation of the Engineer’s Report should be clearly marked
352 as, “Engineer’s Report for Bonds”, and forwarded to Management’s office; Management would
353 begin tracking those invoices. The same procedure would apply for attending Board Meetings
354 and the invoices should be marked as, “Attended Board Meetings”, and forwarded to
355 Management’s office. Minor changes would be made to the proposed Fiscal Year 2017 budget,
356 prior to the Public Hearing.

357

358 **On MOTION by Mr. Murray and seconded by Mr. O’Brien,**
359 **with all in favor, Resolution 2017-18, Approving Fiscal Year**
360 **2016/2017 Proposed Annual Budget, as amended, and Setting a**
361 **Public Hearing Date for Final Adoption for Monday,**
362 **November 20, 2017 at 1:00 p.m., at this location, was adopted.**

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365 **B. Budget Funding Agreement for Fiscal Year 2016/2017**

366 Mr. Wrathell presented the Fiscal Year 2016/2017 Budget Funding Agreement. This
367 Agreement is in conjunction with the budget. The Board could designate one individual for
368 receiving funding requests; Mr. Griggs, volunteered to be the funding request, point person.

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On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, the Budget Funding Agreement for Fiscal Year 2016/2017, was approved.

C. Resolution 2017-19, Approving Fiscal Year 2017/2018 Proposed Annual Budget and Setting a Public Hearing Date for Final Adoption

Mr. Wrathell presented Resolution 2017-19. The Fiscal Year would commence on October 1, 2017 and run through September 30, 2018. Mr. Wrathell gave an overview of the proposed Fiscal Year 2017/2018 budget and noted that changes would be made, as discussed. “Supervisors” would be removed and “Engineering” would be increased from \$2,000 to \$15,000.

On MOTION by Mr. Murray and seconded by Mr. Griggs, with all in favor, Resolution 2017-17, Approving Fiscal Year 2017/2018 Proposed Annual Budget, as amended, and Setting a Public Hearing Date for Final Adoption for Monday, November 20, 2017 at 1:00 p.m., at this location, was adopted.

D. Resolution 2017-20, Designating a Qualified Public Depository

Mr. Wrathell presented Resolution 2017-20.

On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Resolution 2017-20, Designating SunTrust Bank as the District’s Qualified Public Depository, was approved.

E. Resolution 2017-21, Authorizing District Manager to Establish a Checking Account and to Designate Authorized Signatories for Operating Bank Account(s)

Mr. Wrathell presented Resolution 2017-21.

On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Resolution 2017-21, Authorizing District Manager to Establish a Checking Account and to Designate Authorized Signatories for Operating Bank Account(s), was adopted.

409 **F. Resolution 2017-22, Adopting Alternative Investment Guidelines For Investing**
410 **Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in**
411 **Accordance With Section 218.415(17), Florida Statutes**

412 Mr. Wrathell presented Resolution 2017-22.

413

On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Resolution 2017-22, Adopting Alternative Investment Guidelines For Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance With Section 218.415(17), Florida Statutes, was adopted.

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G. Consideration of Strange Zone, Inc., Quotation #M17-1009 for Establishment of District Website

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Mr. Wrathell presented Strange Zone, Inc., Quotation #M17-1009 for establishment of the District’s website; by Statute, CDDs must have a website.

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On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Strange Zone Inc., Quotation #M107-1009 for establishment of District Website, was approved.

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BOND FINANCING RELATED MATTERS

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EIGHTH ORDER OF BUSINESS

434

Consideration of the Following Bond Financing Related Matters:

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A. Bond Financing Team Funding Agreement

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Mr. Wrathell presented the Bond Team Funding Agreement. Discussion ensued. There would be revisions to the Bond Financing Team Funding Agreement.

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On MOTION by Mr. O’Brien and seconded by Mr. Murray, with all in favor, the Bond Financing Team Funding Agreement, with revisions as described CHANGES NEED TO BE INCLUDED ABOVE, IN ORDER TO USE “AS DESCRIBED”, was adopted.

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B. Engagement of Bond Financing Professionals

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449 i. Underwriter/Investment Banker: *MBS Capital Markets, LLC*

450 Mr. Brett Sealy, of MBS Capital Markets, LLC (MBS) presented the fee schedule for
451 MBS. MBS would only be paid if bonds were issued; the fee would be 2% of the principal
452 amount of the bonds issued.

453
454 **On MOTION by Mr. Murray and seconded by Mr. O’Brien,**
455 **with all in favor, engagement of MBS Capital Markets, LLC,**
456 **as Underwriter/Investment Banker, was approved.**

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459 ii. Bond Counsel: *Ackerman LLP*

460 Mr. Wrathell introduced Bond Counsel, Mr. Mike Williams, of Ackerman LLP.

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462 **On MOTION by Mr. Murray and seconded by Mr. O’Brien,**
463 **with all in favor, Engagement of Ackerman LLP, as Bond**
464 **Counsel, was approved.**

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467 C. Consideration of Fee Schedule for Trustee, Paying Agent and Registrar Services:
468 *U.S. Bank National Association*

469 Mr. Wrathell presented the Trustee Fee Schedule.

470
471 **On MOTION by Mr. Murray and seconded by Mr. O’Brien,**
472 **with all in favor, the U.S. Bank National Association Fee**
473 **Schedule for Trustee, Paying Agent and Registrar Services,**
474 **was approved.**

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477 D. Presentation of Engineer’s Report: *Clearview Land Design, P.L.*

478 Mr. Toxey Hall, presented the Engineer’s Report. Upwards of 414 units were
479 anticipated. The Engineer’s Report outlined the Engineer’s opinions concerning the public
480 infrastructure, under Florida Statutes. The costs of development would be paid for by the
481 District and all property owners would benefit. The Capital Improvement Plan (CIP) anticipated
482 infrastructure of \$7,328,978. Mr. Hall anticipated a few adjustments to the Engineer’s Report
483 but recommended approving it today, in substantial form. Mr. Wrathell inquired if Ms. Whelan
484 recommended approving it, in substantial form. Ms. Whelan stated her understanding that none

485 of the numerical calculations would change and the changes were only textual comments;
486 therefore, she had no concerns about approving it, in substantial form.

487 Ms. Whelan wanted to confirm, for the record, that the costs outlined in the Engineer’s
488 Report were reasonable for the contemplated project. Mr. Hall replied affirmatively.

489 A Board Member inquired if the **off-turn????** lanes were for the paving portion, not the
490 water main, for the off-site improvements. Mr. Hall stated that the off-site improvements were
491 completely off-site and were separated out.

492 *****Mr. O’Brien left the meeting at approximately 2:20 p.m.*****

493
494 **On MOTION by Mr. Murray and seconded by Mr. Eagan,**
495 **with all in favor, the Engineer’s Report by Clearview Land**
496 **Design, P.L., in substantial form, pending final revisions and**
497 **commentary, was approved.**

500 **E. Presentation of Preliminary Special Assessment Methodology Report: Wrathell,**
501 **Hunt & Associates, LLC**

502 *****Mr. O’Brien returned to the meeting at 2:27 p.m.*****

503 Mr. Wrathell presented the Preliminary Special Assessment Methodology Report. From
504 a marketing perspective, he expected the numbers to be lower than what was shown today.
505 Some updating to the Tables would probably occur, prior to the Public Hearing. Ms. Whelan
506 confirmed, for the record, that the property planned to be assessed received a special benefit and
507 that the assessments were fairly and reasonably apportioned, for that land. Mr. Wrathell
508 concurred with the confirmation.

509
510 **On MOTION by Mr. Murray and seconded by Mr. O’Brien,**
511 **with all in favor, the Preliminary Special Assessment**
512 **Methodology Report by Wrathell, Hunt & Associates, LLC, in**
513 **substantial form, was adopted.**

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516 **F. Resolution 2017-23, Designating a Date, Time, and Location of a Public Hearing**
517 **Regarding the District’s Intent to Use the Uniform Method for the Levy, Collection,**
518 **and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section**

519 **197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such**
520 **Hearing; and Providing for an Effective Date**

521 Mr. Wrathell presented Resolution 2017-23.

522

523 **On MOTION by Mr. Murray and seconded by Mr. Egan, with**
524 **all in favor, Resolution 2017-23, Designating Monday, October**
525 **2, 2017 at 1:00 p.m., at this location for a Public Hearing**
526 **Regarding the District’s Intent to Use the Uniform Method for**
527 **the Levy, Collection, and Enforcement of Non-Ad Valorem**
528 **Special Assessments as Authorized by Section 197.3632,**
529 **Florida Statutes; Authorizing the Publication of the Notice of**
530 **Such Hearing; and Providing for an Effective Date, was**
531 **adopted.**

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534 **G. Resolution 2017-24, Declaring Special Assessments; Indicating the Location, Nature**
535 **and Estimated Cost of Those Infrastructure Improvements Whose Cost is To Be**
536 **Defrayed By the Special Assessments; Providing the Portion of the Estimated Cost**
537 **of the Improvements To Be Defrayed by the Special Assessments; Providing the**
538 **Manner in Which Such Special Assessments Shall Be Made; Providing When Such**
539 **Special Assessments Shall Be Paid; Designating Lands Upon Which the Special**
540 **Assessments Shall Be Levied; Providing For an Assessment Plat; Adopting a**
541 **Preliminary Assessment Roll; Providing For Publication of this Resolution**

542 Mr. Wrathell presented Resolution 2017-24.

543 **H. Resolution 2017-25, Setting a Public Hearing for the Purpose of Hearing Public**
544 **Comment on Imposing Special Assessments on Certain Property Within the District**
545 **Generally Described as the Boyette Park Community Development District in**
546 **Accordance with Chapter 170, 190 and 197, Florida Statutes**

547 Mr. Wrathell presented Resolution 2017-25. During the Public Hearing, the Board would
548 sit as the Board of Equalization to consider any adjustments to the assessments and make a final
549 recommendation, after hearing the final public comments.

550

551 **On MOTION by Mr. Murray and seconded by Mr. O’Brien,**
552 **with all in favor, Resolution 2017-25, Setting a Public Hearing**
553 **for Monday, October 2, 2017 at 1:00 p.m., at this location, for**
554 **the Purpose of Hearing Public Comment on Imposing Special**
555 **Assessments on Certain Property Within the District Generally**

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Described as the Boyette Park Community Development District in Accordance with Chapter 170, 190 and 197, Florida Statutes, was adopted.

I. Resolution 2017-26, Authorizing the Issuance of Special Assessment Revenue Bonds in One or More Series, for the Purpose of Financing the Construction and/or Acquisition By The District of the Public Improvements and Community Facilities Permitted By the Provisions of Chapter 190, Florida Statutes and the Ordinance Creating the District; Approving a Form of a Master Trust Indenture; Approving and Appointing a Trustee; Authorizing the Commencement of Validation Proceedings Relating to the Foregoing Bonds; Authorizing and Approving Other Matters Relating to the Foregoing Bonds; and Providing an Effective Date

Mr. Wrathell presented Resolution 2017-26. This Resolution authorized filing for validation of the bonds in a not-to-exceed amount of \$9,375,000.

Mr. Williams gave a brief overview of the steps required, by Florida Statutes, for validating bonds.

On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Resolution 2017-26, Authorizing the Issuance of Special Assessment Revenue Bonds in One or More Series, for the Purpose of Financing the Construction and/or Acquisition By The District of the Public Improvements and Community Facilities Permitted By the Provisions of Chapter 190, Florida Statutes and the Ordinance Creating the District; Approving a Form of a Master Trust Indenture; Approving and Appointing a Trustee; Authorizing the Commencement of Validation Proceedings Relating to the Foregoing Bonds; Authorizing and Approving Other Matters Relating to the Foregoing Bonds; and Providing an Effective Date, was adopted.

▪ Resolution 2017-24, Declaring Special Assessments

This item, previously part of Item 8G, resumed. Ms. Whelan stated that adoption of Resolution 2017-24 was omitted.

On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, Resolution 2017-24, Declaring Special

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Assessments; Indicating the Location, Nature and Estimated Cost of Those Infrastructure Improvements Whose Cost is To Be Defrayed By the Special Assessments; Providing the Portion of the Estimated Cost of the Improvements To Be Defrayed by the Special Assessments; Providing the Manner in Which Such Special Assessments Shall Be Made; Providing When Such Special Assessments Shall Be Paid; Designating Lands Upon Which the Special Assessments Shall Be Levied; Providing For an Assessment Plat; Adopting a Preliminary Assessment Roll; Providing For Publication of this Resolution, was adopted.

CONSTRUCTION RELATED MATTERS

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NINTH ORDER OF BUSINESS

Consideration of the Following Construction Related Matters:

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A. Consideration of Temporary Drainage Easement

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Ms. Whelan presented the Temporary Drainage and Access Easement Agreement. The Developer planned to construct a temporary drain, as part of the infrastructure improvements and a drainage easement, for the stormwater management improvements, was necessary.

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Mr. Wrathell suggested approving the Agreement, in substantial form, and authorizing the Chair to execute it.

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On MOTION by Mr. Murray and seconded by Mr. O’Brien, with all in favor, the Temporary Drainage and Access Easement Agreement, in substantial form, and authorizing the Chair to execute, were approved.

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TENTH ORDER OF BUSINESS

Staff Reports

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A. District Counsel

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B. District Engineer (Interim)

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C. District Manager

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There being no Staff reports, the next item followed.

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ELEVENTH ORDER OF BUSINESS

Board Members’ Comments/Requests

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Ms. Whelan and Mr. Wrathell confirmed Mr. Griggs’ understanding of the Resolution set forth today, authorizing the Chair and Vice Chair to execute documentation, on behalf of the

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635 District, subject to District Counsel’s review. Ms. Whelan clarified that the authorization would
636 extend beyond today’s meeting.

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638 **TWELFTH ORDER OF BUSINESS** **Public Comments**

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640 There being no public comments, the next item followed.

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642 **THIRTEENTH ORDER OF BUSINESS** **Adjournment**

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644 There being nothing further to discuss, the meeting adjourned.

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646 **On MOTION by Mr. Murray and seconded by Mr. O’Brien,**
647 **with all in favor, the meeting adjourned at 2:42 p.m.**

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Secretary/Assistant Secretary

Chair/Vice Chair

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