

**LAKE BERNADETTE
COMMUNITY DEVELOPMENT
DISTRICT**

AUGUST 26, 2025

AGENDA PACKAGE



11555 HERON BAY BLVD, SUITE 201
CORAL SPRINGS, FLORIDA 33076

Lake Bernadette Community Development District

Board of Supervisors

Michael Berman, Chairperson
Robert Van Liew, Vice Chairperson
Bonnie Hazelett, Assistant Secretary
Sharon Callie, Assistant Secretary
James Callaghan, Assistant Secretary

David Wenck, District Manager
Scott Steady, Esquire, District Counsel
Dan Nesselt, Clubhouse Manager
Tonja Stewart, District Engineer

Regular Meeting Agenda

Tuesday, August 26, 2025 – 6:00 p.m.

-
- 1. Roll Call**
 - 2. Public Hearing to Consider Adoption of the Fiscal Year 2026 Budget and Levying Assessments**
 - A. Fiscal Year 2026 Budget
 - B. Consideration of Resolution 2025-03, Adopting the Fiscal Year 2026 Budget
 - C. Consideration of Resolution 2025-04, Levying Assessments
 - 3. Audience Comments Limited to 3 Minutes Per Person**
 - 4. Consent Agenda**
 - A. Approval of the Minutes of July 22, 2025 Meeting
 - B. Acceptance of the Financial Report as of July 2025
 - C. Acceptance of the 2nd Quarter Website Audit
 - D. Ratification of Change of 401A and 457 Plan Trustee to David Wenck
 - 5. Aquatic Report**
 - 6. Attorney's Report**
 - 7. Engineer's Report**
 - 8. District Manager's Report**
 - A. Consideration of Resolution 2025-05, Setting the FY 2026 Meeting Schedule
 - B. Discussion of Rules of Procedure
 - C. Health Dental Vision Coverage
 - 9. Clubhouse Manager's Report**
 - A. 2025 Holiday Lighting Proposal
 - B. Resse Electrical, Inc. Estimate #5950
 - C. Complete I.T Estimate #5159
 - D. Complete I.T. Estimate #5160
 - E. FHP Stats
 - 10. Supervisors' Requests**
 - 11. Adjournment**

**The Next Meeting is scheduled to be held on
Tuesday, September 23, 2025, at 6:00 p.m.**

District Office:

Inframark
11555 Heron Bay Blvd. Suite 201
Coral Springs, Florida, 33076
954-603-0033

Meeting Location:

Lake Bernadette Clubhouse
5410 Golf Links Boulevard
Zephyrhills, Florida 33541
813-788-7690

Second Order of Business

2A.

LAKE BERNADETTE
Community Development District

Annual Operating Budget

Fiscal Year 2026

Approved Proposed Budget

Prepared by:



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LAKE BERNADETTE
Community Development District

Operating Budget
Fiscal Year 2026

Summary of Revenues, Expenditures and Changes in Fund Balances
Fiscal Year 2026 Approved Budget

ACCOUNT DESCRIPTION	ADOPTED BUDGET FY 2025	ACTUAL THRU 07/31/25	PROJECTED AUG- 9/30/2025	TOTAL PROJECTED FY 2025	ANNUAL BUDGET FY 2026
REVENUES					
Interest - Investments	\$ 30,000	\$ 59,233	\$ 12,120	\$ 71,353	\$ 30,000
Room Rentals	1,000	\$ 3,235	\$ 662	\$ 3,897	1,500
Interest - Tax Collector	100	\$ 1,220	\$ -	\$ 1,220	-
Special Assmnts- Tax Collector	784,061	\$ 784,060	\$ 1	\$ 784,061	784,065
Special Assmnts- Discounts	(31,362)	\$ (29,599)	\$ -	\$ (29,599)	(31,363)
Other Miscellaneous Revenues	500	\$ 11,214	\$ -	\$ 11,214	500
Access Cards	50	\$ 23	\$ 27	\$ 50	50
Amenities Revenue	400	\$ 468	\$ -	\$ 468	400
Recreation Membership	500	\$ 1,700	\$ -	\$ 1,700	1,700
	-	\$ -	\$ -	\$ -	-
TOTAL REVENUES	785,249	831,554	12,811	844,365	786,853
EXPENDITURES					
<i>Administrative</i>					
P/R-Board of Supervisors	12,000	10,000	2,000	12,000	12,000
FICA Taxes	918	765	153	918	918
ProfServ-Engineering	12,000	6,022	1,232	7,254	12,000
ProfServ-Legal Services	5,000	1,984	406	2,390	5,000
ProfServ-Mgmt Consulting Serv	64,715	53,929	10,786	64,715	66,667
ProfServ-Property Appraiser	150	265	-	265	150
Auditing Services	4,500	4,450	50	4,500	4,750
Postage and Freight	500	123	377	500	500
Insurance - General Liability	43,000	51,242	24,310	75,552	60,000
Printing and Binding	500	-	500	500	-
Legal Advertising	700	802	-	802	700

Summary of Revenues, Expenditures and Changes in Fund Balances
Fiscal Year 2026 Approved Budget

ACCOUNT DESCRIPTION	ADOPTED BUDGET FY 2025	ACTUAL THRU 07/31/25	PROJECTED AUG- 9/30/2025	TOTAL PROJECTED FY 2025	ANNUAL BUDGET FY 2026
Miscellaneous Services	1,200	1,369	-	1,369	1,200
Misc-Assessmnt Collection Cost	15,681	15,098	583	15,681	15,681
Misc-Taxes	2,500	2,202	298	2,500	2,500
Misc-Web Hosting	1,552	1,619	-	1,619	1,619
Office Supplies	150	-	150	150	150
Annual District Filing Fee	175	-	175	175	175
	-	-	-	-	-
Total Administrative	165,241	149,870	41,020	190,890	184,010
Field					
Payroll-General Staff	120,000	96,430	23,570	120,000	125,000
FICA Taxes	9,180	7,775	1,405	9,180	9,563
Retirement Benefits	7,417	6,422	1,314	7,736	7,640
Life and Health Insurance	34,470	35,290	-	35,290	38,000
Workers' Compensation	4,573	5,709	-	5,709	6,000
Contracts-Janitorial Services	9,700	8,075	1,652	9,727	9,700
Contracts-Security Services	496	2,670	546	3,216	500
Contracts-Landscape	54,772	43,470	8,895	52,365	59,000
Contracts-Pools	23,000	16,250	3,325	19,575	20,400
Contracts-Ponds	20,000	15,480	3,168	18,648	20,000
Contracts-Roving Patrol	15,000	8,305	1,699	10,004	15,000
Travel	600	350	250	600	600
Telephone/Internet	2,500	1,427	292	1,719	1,500
Electricity - General	28,000	15,955	3,265	19,220	25,000
Electricity - Streetlighting	51,000	29,667	6,070	35,737	41,000
Utility - Water	16,000	10,043	2,055	12,098	16,000

Summary of Revenues, Expenditures and Changes in Fund Balances
Fiscal Year 2026 Approved Budget

ACCOUNT DESCRIPTION	ADOPTED BUDGET FY 2025	ACTUAL THRU 07/31/25	PROJECTED AUG- 9/30/2025	TOTAL PROJECTED FY 2025	ANNUAL BUDGET FY 2026
Utility - Gas	5,000	4,918	1,006	5,924	6,000
Utility - Refuse Removal	1,100	769	157	926	1,000
R&M-Air Conditioning	3,000	739	151	890	3,000
R&M-Buildings	3,300	6,472	1,324	7,796	3,300
R&M-Equipment	18,000	21,977	4,497	26,474	18,000
R&M-Other Landscape	25,000	79,945	-	79,945	25,000
R&M-Irrigation	22,000	17,601	3,602	21,203	22,000
R&M-Pest Control	1,600	612	988	1,600	1,600
R&M-Wetland Monitoring	5,000	-	5,000	5,000	-
R&M-Fitness Equipment	10,000	15,308	-	15,308	2,000
R&M-Pressure Washing	10,000	4,080	5,920	10,000	10,000
Road/Sidewalk Maintenance	7,000	15,218	-	15,218	5,000
Miscellaneous Services	7,000	915	6,085	7,000	7,000
Misc-Contingency	10,500	22,960	-	22,960	10,500
Office Supplies	2,000	2,035	-	2,035	1,500
Cleaning Supplies	5,000	3,277	1,723	5,000	5,000
Op Supplies - Uniforms	600	-	600	600	600
Subscriptions and Memberships	4,200	1,304	2,896	4,200	4,200
Reserve	83,000	-	83,000	83,000	82,240
Total Field	620,008	501,448	174,456	675,904	602,843
TOTAL EXPENDITURES	785,249	651,318	215,477	866,795	786,853
Excess (deficiency) of revenues					
Over (under) expenditures	0	180,236	(202,666)	(22,430)	-

Budget Narrative
Fiscal Year 2026

REVENUES

Interest-Investments

The District earns interest on the monthly average collected balance for their operating accounts.

Room Rentals

The District receives fees for clubhouse rentals.

Interest Tax Collector

Interest received from Pasco County Tax Collector.

Special Assessments-Tax Collector

The District will levy a Non-Ad Valorem assessment on all the assessable property within the District in order to pay for the operating expenditures during the Fiscal Year.

Special Assessments-Discounts

Per Section 197.162, Florida Statutes, discounts are allowed for early payment of assessments. The budgeted amount for the fiscal year is calculated at 4% of the anticipated Non-Ad Valorem assessments.

Other Miscellaneous Revenue

Other revenues not included within another budgeted line item.

Access Cards

The District receives fees for pool access cards and keys.

Amenities Revenue

Revenue associated with Clubhouse or pool activities.

Recreation Membership

The District receives fees for non-resident memberships.

Budget Narrative
Fiscal Year 2026

EXPENDITURES

Administrative

P/R-Board of Supervisors

Chapter 190 of the Florida Statutes allows for members of the Board of Supervisors to be compensated \$200 per meeting at which they are in attendance. The amount for the Fiscal Year is based upon supervisors attending all the meetings.

FICA Taxes

Payroll taxes for supervisor salaries are calculated as 7.65% of payroll.

Professional Services-Engineering

The District's engineer provides general engineering services to the District, i.e., attendance and preparation for monthly board meetings when requested, review of invoices, and other specifically requested assignments.

Professional Services-Legal Services

The District's Attorney provides general legal services to the District, i.e., attendance and preparation for monthly Board meetings, review of contracts, review of agreements and resolutions, and other research as directed or requested by the Board of Supervisors and the District Manager.

Professional Services-Management Consulting Services

The District receives Management, Accounting and Administrative services as part of a Management Agreement with Inframark Infrastructure Management Services. The budgeted amount for the fiscal year is based on the contracted fees outlined in Exhibit "A" of the Management Agreement.

Professional Services-Property Appraiser

The Property Appraiser provides the District with a listing of the legal description of each property parcel within the District boundaries, and the names and addresses of the owners of such property. The District reimburses the Property Appraiser for necessary administrative costs incurred to provide this service. Per the Florida Statutes, administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The budgeted amount for property appraiser costs is based on a flat fee of \$150.

Professional Fees

This includes the cost for project management.

Auditing Services

The District is required to conduct an annual audit of its financial records by an Independent Certified Public Accounting Firm. The budgeted amount for the fiscal year is based on contracted fees from an existing engagement letter.

Budget Narrative
Fiscal Year 2026**EXPENDITURES – Administrative (continued)****Postage and Freight**

Actual postage and/or freight used for District mailings including agenda packages, vendor checks and other correspondence.

Insurance

The District's General Liability Coverage, Cyber Liability Coverage, Property Coverage & Public Officials Liability Insurance policy is with Florida Municipal Insurance Trust. They specialize in providing insurance coverage to governmental agencies. The budgeted amount allows for a projected increase in the premium.

Printing and Binding

Copies used in the preparation of agenda packages, required mailings, and other special projects.

Legal Advertising

The District is required to advertise various notices for monthly Board meetings and other public hearings in a newspaper of general circulation.

Miscellaneous Services

This includes Tech labor and other miscellaneous expenses that are not included in another budgeted line item.

Miscellaneous-Assessment Collection Costs

The District reimburses the Tax Collector for her or his necessary administrative costs. Per the Florida Statutes, administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The District also compensates the Tax Collector for the actual cost of collection or 2% on the amount of special assessments collected and remitted, whichever is greater. The budgeted amount for collection costs was based on a maximum of 2% of the anticipated assessment collections.

Miscellaneous-Taxes

This includes stormwater fees.

Miscellaneous-Web Hosting

This includes website maintenance.

Office Supplies

Supplies used in the preparation and binding of agenda packages, required mailings, and other special projects.

Annual District Filing Fee

The District is required to pay an annual fee of \$175 to the Department of Community Affairs.

Budget Narrative
Fiscal Year 2026**Field****Payroll-General Staff**

Payroll for employees utilized in the field for operations and maintenance of District assets.

FICA Taxes

Payroll taxes for employees.

Retirement Plan

Retirement Plan for Dan Nesselt.

Life and Health Insurance

Insurance for Dan Nesselt.

Workers' Compensation

Workers' compensation for employees.

Contracts-Janitorial Services

Expenses incurred for cleaning services for the District.

Contracts-Security Service

Expenses incurred for security services for the District.

Contracts-Landscape

The District currently has a contract with a landscape firm to provide landscaping services for the District

Contracts-Pools

The District will contract with a pool maintenance company to ensure the proper operations and maintenance of the swimming pools.

Contract-Ponds

This District will contract with a company for the repairs and maintenance of the ponds to ensure proper flow and function of the storm water system.

Contracts-Roving Patrol

Expenses incurred for roving patrols for the District

Travel

Reimbursement for mileage of field services personnel.

Budget Narrative
Fiscal Year 2026

EXPENDITURES - Field (continued)

- Telephone/Internet**
Telephone and internet charges incurred by the district.
- Electricity-General**
Electricity usage for District facilities and assets.
- Electricity-Streetlighting**
Streetlighting usage for District facilities and assets.
- Utility-Water**
Water irrigation usage for District facilities and assets.
- Utility-Gas**
Gas usage for District facilities and assets.
- Utility-Refuse Removal**
Refuse removal for District facilities.
- R&M-Air Conditioning**
The District periodically implements needed repairs to ensure maintenance of the air conditioning system.
- R&M-Buildings**
The District periodically implements needed repairs to ensure maintenance of the District buildings.
- R&M-Equipment**
The District periodically implements needed repairs to ensure maintenance of the District equipment.
- R&M-Other Landscape**
The District periodically adds items to enhance the landscape.
- R&M-Irrigation**
The District periodically implements needed repairs to ensure maintenance of the irrigation system.
- R&M-Pest Control**
This includes periodic application of pesticides to District facilities to ensure a pest free, safe and healthy environment.

Budget Narrative
Fiscal Year 2026

EXPENDITURES - Field (continued)

R&M-Wetland Monitoring

Expenses incurred for Wetland Monitoring and for needed maintenance.

R&M-Fitness Equipment

The District periodically implements needed repairs to ensure maintenance of the fitness equipment by Coastal Fitness

R&M-Pressure Washing

Expenses incurred for Pressure cleaning of the district.

Road / Sidewalk Maintenance

Includes all costs associated with maintenance of the roads and sidewalks within the District.

Miscellaneous Services

The District will utilize contingency funds as needed for unforeseen and/or emergency expenditures.

Miscellaneous Contingency

May include costs associated with special events and any other items not budgeted for within another line item.

Office Supplies

The District will provide necessary consumable supplies to operate District facilities.

Cleaning Supplies

The District will provide necessary consumable cleaning supplies to operate District facilities.

Operating Supplies-Uniforms

The District will provide uniforms for clubhouse staff.

Subscriptions and Memberships

Expenses include data plans, Window patches and antivirus software and Google for business email accounts.

Reserve

The District will set aside funds to ensure repair and/or replacement of items within the district

LAKE BERNADETTE

Community Development District

Exhibit "A" Allocation of Fund Balances

AVAILABLE FUNDS

	<u>Amount</u>
Anticipated Fund Balance-Fiscal Year 2026	\$ 1,798,425
Net Change in Fund Balance-Fiscal Year 2026	-
Reserves-Fiscal Year 2026 Additions	82,240
Total Funds Available (Estimated) - 09/30/2026	1,880,665

ALLOCATION OF AVAILABLE FUNDS

Nonspendable Fund Balance

Deposits	835
Subtotal	835

Assigned Fund Balance

Operating Reserve - First Quarter Operating Capital	196,713 ⁽¹⁾
Reserves - (prior years)	107,559
FY 2025 Expenses	-
FY 2025 Budget	83,000
FY 2026 Budget	82,240
	272,799
Reserves - Clubhouse/Cabana (prior years)	35,576 ⁽²⁾
FY 2026 Budget	-
	35,576
Reserves - Court Amenities (prior years)	15,717 ⁽²⁾
FY 2026 Budget	-
	15,717
Reserves - Lake Embank/Drainage (prior years)	92,517 ⁽²⁾
FY 2026 Budget	-
	92,517

LAKE BERNADETTE

Community Development District

Reserves - Roadways (prior years)	44,693	(2)	
FY 2026 Budget	-		44,693
Reserves - Swimming Pools (prior years)	95,347	(2)	
FY 2026 Budget	-		95,347
Subtotal			753,362
Total Allocation of Available Funds			754,197
Total Unassigned (undesignated) Cash			\$ 1,126,468

Notes

- (1) Represents approximately 3 months of operating expenditures
(2) Approved per Board Motion which includes FY 2024 expenses.

LAKE BERNADETTE

Community Development District

Double Eagle Court Road Fund

Summary of Revenues, Expenditures and Changes in Fund Balances

Fiscal Year 2026 Approved Budget

ACCOUNT DESCRIPTION	ADOPTED BUDGET FY 2025	ACTUAL THRU Jul-25	PROJECTED AUG- 9/30/2025	TOTAL PROJECTED FY 2025	ANNUAL BUDGET FY 2026
REVENUES					
Special Assmnts- Tax Collector	\$ 4,116	\$ 4,116	-	4,116	4,116
Special Assmnts- Discounts	(165)	(155)	-	(155)	(165)
TOTAL REVENUES	3,951	3,961	-	3,961	3,951
EXPENDITURES					
<i>Administrative</i>					
Misc-Assessmnt Collection Cost	82	79	-	79	82
<i>Total Administrative</i>	82	79	-	79	82
TOTAL EXPENDITURES	82	79	-	79	82
Excess (deficiency) of revenues					
Over (under) expenditures	3,869	3,882	-	3,882	3,869
OTHER FINANCING SOURCES (USES)					
Contribution to (Use of) Fund Balance	3,869	-	-	-	3,869
TOTAL OTHER SOURCES (USES)	3,869	-	-	-	3,869
Net change in fund balance	3,869	3,882	-	3,882	3,869
FUND BALANCE, BEGINNING	27,295	27,295	-	27,295	31,177
FUND BALANCE, ENDING	\$ 31,164	\$ 31,177	\$ -	\$ 31,177	\$ 35,046

LAKE BERNADETTE

Community Development District

Janine Drive Fund

Summary of Revenues, Expenditures and Changes in Fund Balances Fiscal Year 2026 Approved Budget

ACCOUNT DESCRIPTION	ADOPTED BUDGET FY 2025	ACTUAL THRU Jul-25	PROJECTED AUG- 9/30/2025	TOTAL PROJECTED FY 2025	ANNUAL BUDGET FY 2026
REVENUES					
Special Assmnts- Tax Collector	\$ 1,932	\$ 1,932	\$ -	\$ 1,932	\$ 1,932
Special Assmnts- Discounts	(77)	(72)	-	(72)	(77)
TOTAL REVENUES	1,855	1,860	-	1,860	1,855
EXPENDITURES					
<i>Administrative</i>					
Misc-Assessmnt Collection Cost	39	37	-	37	39
Total Administrative	39	37	-	37	39
TOTAL EXPENDITURES	39	37	-	37	39
Excess (deficiency) of revenues					
Over (under) expenditures	1,816	1,823	-	1,823	1,816
OTHER FINANCING SOURCES (USES)					
Contribution to (Use of) Fund Balance	1,816	-	-	-	1,816
TOTAL OTHER SOURCES (USES)	1,816	-	-	-	1,816
Net change in fund balance	1,816	1,823	-	1,823	1,816
FUND BALANCE, BEGINNING	13,672	11,837	-	11,837	13,660
FUND BALANCE, ENDING	\$ 15,488	\$ 13,660	\$ -	\$ 13,660	\$ 15,476

LAKE BERNADETTE
Community Development District

Supporting Budget Schedules
Fiscal Year 2026

LAKE BERNADETTE

Community Development District

Comparison of Assessment Rates Fiscal Year 2026 vs. Fiscal Year 2025

Product	General Fund 001 (O&M)			General Fund 002 (O&M)			General Fund 003 (O&M)			Total Assessments per Unit			Units
	FY 2026	FY 2025	Percent Change	FY 2026	FY 2025	Percent Change	FY 2026	FY 2025	Percent Change	FY 2026	FY 2025	Percent Change	
Double Eagle Court	\$876.05	\$876.05	0.0%	\$98.00	\$98.00	0%	\$0.00	\$0.00	n/a	\$974.05	\$974.05	0.0%	42
Janine Drive	\$876.05	\$876.05	0.0%	\$0.00	\$0.00	n/a	\$69.00	\$69.00	0%	\$945.05	\$945.05	0.0%	28
All Remaining Neighborhoods	\$876.05	\$876.05	0.0%	\$0.00	\$0.00	n/a	\$0.00	\$0.00	n/a	\$876.05	\$876.05	0.0%	825
													895

2B.

RESOLUTION 2025-03

THE ANNUAL APPROPRIATION RESOLUTION OF THE LAKE BERNADETTE COMMUNITY DEVELOPMENT DISTRICT (THE “DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025, AND ENDING SEPTEMBER 30, 2026

WHEREAS, the District Manager has, prior to June 15, 2025, submitted to the Board of Supervisors (the “Board”) a proposed budget for the next ensuing budget year along with an explanatory and complete financial plan for each fund of the Lake Bernadette Community Development District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, at least sixty (60) days prior to the adoption of the proposed annual budget (the “Proposed Budget”), the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

WHEREAS, the Board set August 26, 2025, as the date for a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, the District Manager posted the Proposed Budget on the District’s website at least two days before the Public Hearing or transmitted the Proposed Budget to the manager or administrator of Pasco County for posting on its website; and

WHEREAS, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the District Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing Fiscal Year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LAKE BERNADETTE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. Budget

- A. That the Board of Supervisors has reviewed the District Manager’s Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

- ## SECTION 2. Appropriations

TOTAL GENERAL FUND	\$
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- A. The Board may authorize an increase or decrease in line item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.
- B. The District Manager or Treasurer may authorize an increase or decrease in line item appropriations within a fund if the total appropriations of the fund do not increase and if the aggregate change in the original appropriation item does not exceed \$10,000 or 10% of the original appropriation.
- C. By resolution, the Board may increase any appropriation item and/or fund to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.

- D. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and Section 189.016, *Florida Statutes*, among other applicable laws.

Introduced, considered favorably, and adopted this 26th of August, 2025.

ATTEST:

**LAKE BERNADETTE
COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/ Assistant Secretary

By: _____

Its: Chairperson/Vice Chairperson

Exhibit A: Fiscal Year 2025/2026 Final Budget

Exhibit A

2C

RESOLUTION 2025-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKE BERNADETTE COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT; IMPOSING SPECIAL ASSESSMENTS; PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS, INCLUDING BUT NOT LIMITED TO PENALTIES AND INTEREST THEREON; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Lake Bernadette Community Development District (the “District”) is a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

WHEREAS, the District is located in the Pasco County, Florida (the “County”); and

WHEREAS, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District’s adopted capital improvement plan and Chapter 190, *Florida Statutes*; and

WHEREAS, the Board of Supervisors (the “Board”) of the District hereby determines to undertake various operations and maintenance activities described in the District’s budget(s) for Fiscal Year 2025-2026 (“Budget”), attached hereto as Exhibit “A” and incorporated by reference herein; and

WHEREAS, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the District’s Budget; and

WHEREAS, the provision of such services, facilities, and operations is a benefit to lands within the District; and

WHEREAS, Chapter 190, *Florida Statutes*, provides that the District may impose special assessments on benefitted lands within the District; and

WHEREAS, Chapter 197, *Florida Statutes*, provides a mechanism pursuant to which such special assessments may be placed on the tax roll and collected by the local tax collector (“Uniform Method”); and

WHEREAS, the District has previously evidenced its intention to utilize this Uniform Method; and

WHEREAS, the District has approved an Agreement with the Property Appraiser and Tax Collector of the County to provide for the collection of the special assessments under the Uniform Method; and

WHEREAS, it is in the best interests of the District to proceed with the imposition of the special assessments for operations and maintenance in the amount set forth in the Budget; and

WHEREAS, it is in the best interests of the District to adopt the assessment roll of the Lake Bernadette Community Development District (the “Assessment Roll”) attached to this Resolution as Exhibit “B” and incorporated as a material part of this Resolution by this reference, and to certify the portion of the Assessment Roll on platted property to the County Tax Collector pursuant to the Uniform Method; and

WHEREAS, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll adopted herein, including that portion certified to the County Tax Collector by this Resolution, as the Property Appraiser updates the property roll for the County, for such time as authorized by Florida law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LAKE BERNADETTE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BENEFIT. The provision of the services, facilities, and operations as described in Exhibit “A” confers a special and peculiar benefit to the lands within the District, which benefit exceeds or equals the costs of the assessments. The allocation of the costs to the specially benefitted lands is shown in Exhibits “A” and “B,” and is hereby found to be fair and reasonable.

SECTION 2. ASSESSMENT IMPOSITION. Pursuant to Chapter 190, *Florida Statutes*, and using the procedures authorized by Florida law for the levy and collection of special assessments, a special assessment for operation and maintenance is hereby imposed and levied on benefitted lands within the District and in accordance with Exhibits “A” and “B.” The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution.

SECTION 3. Collection and Enforcement; Penalties; Interest.

- A. Uniform Method Assessments. The collection of the previously levied debt service assessments and operation and maintenance special assessments on platted lots and developed lands shall be at the same time and in the same manner as County taxes in accordance with the Uniform Method, as set forth in Exhibits “A” and “B.”
- B. Future Collection Methods. The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

SECTION 4. ASSESSMENT ROLL. The District's Assessment Roll, attached to this Resolution as Exhibit “B,” is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to the Lake Bernadette Community Development District.

SECTION 5. ASSESSMENT ROLL AMENDMENT. The District Manager shall keep apprised of all updates made to the County property roll by the Property Appraiser after the date of this Resolution, and shall amend the District's Assessment Roll in accordance with any such updates, for such time as authorized by Florida law, to the County property roll. After any amendment of the Assessment Roll, the District Manager shall file the updates in the District records.

SECTION 6. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect upon the passage and adoption of this Resolution by the Board of Supervisors of the Lake Bernadette Community Development District.

PASSED AND ADOPTED this 26th day of August, 2025.

ATTEST:

**LAKE BERNADETTE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary / Assistant Secretary

By:_____

Its: Chairperson/Vice Chairperson

Exhibit A: FY 2025/2026 Budget
Exhibit B: Assessment Roll

EXHIBIT A:
Fiscal Year 2025/2026 Budget

Exhibit B
Assessment Roll

Assessment Roll is maintained in the District's official records and is available upon request. Certain exempt information may be redacted prior to release in compliance with Chapter 119, FL Statutes.

Fourth Order of Business

4A

**MINUTES OF MEETING
LAKE BERNADETTE
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Lake Bernadette Community Development District was held Tuesday, July 22, 2025 at 6:00 p.m. at the Lake Bernadette Clubhouse, 5410 Golf Links Boulevard, Zephyrhills, Florida 33541.

Present and constituting a quorum were:

Michael Berman	Chairperson
Robert Van Liew	Vice Chairperson
Bonnie Hazelett	Assistant Secretary
Sharon Callie	Assistant Secretary
James Callaghan	Assistant Secretary

Also present was:

David Wenck	District Manager
-------------	------------------

The following is a summary of the discussions and actions taken.

FIRST ORDER OF BUSINESS **Roll Call**

- Mr. Berman called the meeting to order, and a quorum was established.

SECOND ORDER OF BUSINESS **Audience Comments**

- A resident requested an update on the monument repair.

THIRD ORDER OF BUSINESS **Consent Agenda**

- A. Approval of the Minutes of June 24, 2025 Meeting
- B. Acceptance of the Financial Report as of June 2025

On MOTION by Ms. Hazelett seconded by Mr. Van Liew, with all in favor, the Consent Agenda was approved. 5-0

FOURTH ORDER OF BUSINESS **Aquatic Report**

- The report was reviewed. The Board would like to investigate proactive options as opposed to dumping chemicals.
- The Board discussed the ongoing issue with the golf course owned structures and the need for repair.

FIFTH ORDER OF BUSINESS **Attorney's Report**

- There being no report, the next order of business followed.

SIXTH ORDER OF BUSINESS **Engineer's Report**

- There being no report, the next order of business.

SEVENTH ORDER OF BUSINESS

District Manager's Report

A. Discussion of FY 2026 Budget

- The budget was discussed.

B. Presentation of FY 2026 Meeting Schedule

- The meeting schedule was discussed and will be adopted at the next meeting.

EIGHTH ORDER OF BUSINESS

Clubhouse Manager's Report

- Mr. Nesselt Reviewed his Report.

A. Con-Asset Proposal

- There was no motion for this report.
- The Board discussed the Rules and Procedures for rental of the rooms and the need for an increase in the rental and deposit fees. Also, there was discussion regarding the hours for the rental.

B. FHP Stats

- The Board discussed the FHP Stats.

NINTH ORDER OF BUSINESS

New Business

- There being no new business, the next order of business.

TENTH ORDER OF BUSINESS

Supervisor Requests

- There being no Supervisor requests, the next order of business followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

- There being no further business,

On MOTION by Ms. Hazelett seconded by Ms. Callie, with all in favor,
the meeting was adjourned. 5-0

Michael Berman
Chairperson

4B

LAKE BERNADETTE
Community Development District

Financial Report

July 31, 2025

Prepared by:



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LAKE BERNADETTE
Community Development District

Financial Statements

(Unaudited)

July 31, 2025

Balance Sheet

July 31, 2025

ACCOUNT DESCRIPTION	GENERAL FUND	DOUBLE EAGLE COURT ROAD FUND	JANINE DRIVE FUND	TOTAL
<u>ASSETS</u>				
Cash - Checking Account	\$ 325,481	\$ -	\$ -	\$ 325,481
Accounts Receivable - Other	369	-	-	369
Due From Other Funds	-	31,175	15,495	46,670
Investments:				
Money Market Account	1,752,270	-	-	1,752,270
Prepaid Items	5,048	-	-	5,048
Deposits	835	-	-	835
TOTAL ASSETS	\$ 2,084,003	\$ 31,175	\$ 15,495	\$ 2,130,673
<u>LIABILITIES</u>				
Accounts Payable	\$ 24,313	\$ -	\$ -	\$ 24,313
Sales Tax Payable	63	-	-	63
Deposits	2,185	-	-	2,185
Due To Other Funds	46,670	-	-	46,670
TOTAL LIABILITIES	73,231	-	-	73,231
<u>FUND BALANCES</u>				
Nonspendable:				
Prepaid Items	5,048	-	-	5,048
Deposits	835	-	-	835
Assigned to:				
Operating Reserves	191,159	-	-	191,159
Reserves - Clubhouse/Cabana	35,576	-	-	35,576

Balance Sheet

July 31, 2025

ACCOUNT DESCRIPTION	GENERAL FUND	DOUBLE EAGLE COURT ROAD FUND	JANINE DRIVE FUND	TOTAL
Reserves - Court Amenities	15,717	-	-	15,717
Reserves- Lake Embank/Drainage	92,517	-	-	92,517
Reserves - Other	107,559	-	-	107,559
Reserves - Roadways	44,693	-	-	44,693
Reserves - Swimming Pools	95,347	-	-	95,347
Unassigned:	1,422,321	31,175	15,495	1,468,991
TOTAL FUND BALANCES	\$ 2,010,772	\$ 31,175	\$ 15,495	\$ 2,057,442
TOTAL LIABILITIES & FUND BALANCES	\$ 2,084,003	\$ 31,175	\$ 15,495	\$ 2,130,673

Statement of Revenues, Expenditures and Changes in Fund Balances

For the Period Ending July 31, 2025

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE ACTUAL	YTD ACTUAL AS A % OF ADOPTED BUD	JUL-25 BUDGET	JUL-25 ACTUAL	VARIANCE (\$) FAV(UNFAV)
<u>REVENUES</u>						
Interest - Investments	\$ 30,000	\$ 59,233	197.44%	\$ 2,500	\$ 5,931	\$ 3,431
Room Rentals	1,000	3,235	323.50%	83	1,182	1,099
Interest - Tax Collector	100	1,220	1220.00%	8	-	(8)
Special Assmnts- Tax Collector	784,061	784,060	100.00%	-	-	-
Special Assmnts- Discounts	(31,362)	(29,599)	94.38%	-	-	-
Other Miscellaneous Revenues	500	11,214	2242.80%	42	800	758
Access Cards	50	23	46.00%	4	9	5
Amenities Revenue	400	468	117.00%	33	75	42
Recreation Membership	500	1,700	340.00%	42	-	(42)
TOTAL REVENUES	785,249	831,554	105.90%	2,712	7,997	5,285

EXPENDITURES**Administration**

P/R-Board of Supervisors	12,000	10,000	83.33%	1,000	1,000	-
FICA Taxes	918	765	83.33%	77	77	-
ProfServ-Engineering	12,000	6,022	50.18%	1,000	929	71
ProfServ-Legal Services	5,000	1,984	39.68%	417	-	417
ProfServ-Mgmt Consulting	64,715	53,929	83.33%	5,393	5,393	-
ProfServ-Property Appraiser	150	265	176.67%	-	-	-
Auditing Services	4,500	4,450	98.89%	-	4,450	(4,450)
Postage and Freight	500	123	24.60%	42	3	39
Insurance - General Liability	43,000	51,242	119.17%	10,750	-	10,750
Printing and Binding	500	-	0.00%	42	-	42
Legal Advertising	700	802	114.57%	58	802	(744)
Miscellaneous Services	1,200	1,369	114.08%	100	201	(101)

Statement of Revenues, Expenditures and Changes in Fund Balances

For the Period Ending July 31, 2025

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE ACTUAL	YTD ACTUAL AS A % OF ADOPTED BUD	JUL-25 BUDGET	JUL-25 ACTUAL	VARIANCE (\$) FAV(UNFAV)
Misc-Assessment Collection Cost	15,681	15,098	96.28%	-	-	-
Misc-Taxes	2,500	2,202	88.08%	-	-	-
Misc-Web Hosting	1,552	1,619	104.32%	129	-	129
Office Supplies	150	-	0.00%	13	-	13
Annual District Filing Fee	175	-	0.00%	-	-	-
Total Administration	165,241	149,870	90.70%	19,021	12,855	6,166
Field						
Payroll-General Staff	120,000	96,430	80.36%	10,000	10,769	(769)
FICA Taxes	9,180	7,775	84.69%	765	821	(56)
Retirement Benefits	7,417	6,422	86.58%	618	806	(188)
Life and Health Insurance	34,470	35,290	102.38%	2,873	2,536	337
Workers' Compensation	4,573	5,709	124.84%	381	-	381
Contracts-Janitorial Services	9,700	8,075	83.25%	808	850	(42)
Contracts-Security Services	496	2,670	538.31%	41	41	-
Contracts-Landscape	54,772	43,470	79.37%	4,564	4,347	217
Contracts-Pools	23,000	16,250	70.65%	1,917	1,700	217
Contracts-Ponds	20,000	15,480	77.40%	1,667	1,548	119
Contracts-Roving Patrol	15,000	8,305	55.37%	1,250	-	1,250
Travel	600	350	58.33%	50	50	-
Communication - Telephone	2,500	1,427	57.08%	208	107	101
Electricity - General	28,000	15,955	56.98%	2,333	1,753	580
Electricity - Streetlights	51,000	29,667	58.17%	4,250	3,374	876
Utility - Water	16,000	10,043	62.77%	1,333	1,234	99
Utility - Gas	5,000	4,918	98.36%	417	-	417
Utility - Refuse Removal	1,100	769	69.91%	92	80	12
R&M-Air Conditioning	3,000	739	24.63%	250	-	250

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending July 31, 2025

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE ACTUAL	YTD ACTUAL AS A % OF ADOPTED BUD	JUL-25 BUDGET	JUL-25 ACTUAL	VARIANCE (\$) FAV(UNFAV)
R&M-Buildings	3,300	6,472	196.12%	275	173	102
R&M-Equipment	18,000	21,977	122.09%	1,500	6,327	(4,827)
R&M-Other Landscape	25,000	79,945	319.78%	2,083	2,200	(117)
R&M-Irrigation	22,000	17,601	80.00%	1,833	1,964	(131)
R&M-Pest Control	1,600	612	38.25%	133	-	133
R&M-Wetland Monitoring	5,000	-	0.00%	417	-	417
R&M-Fitness Equipment	10,000	15,308	153.08%	833	275	558
R&M-Pressure Washing	10,000	4,080	40.80%	833	350	483
Road/Sidewalk Maintenance	7,000	15,218	217.40%	583	-	583
Miscellaneous Services	7,000	915	13.07%	583	42	541
Misc-Contingency	10,500	22,960	218.67%	875	1,068	(193)
Office Supplies	2,000	2,035	101.75%	167	159	8
Cleaning Supplies	5,000	3,277	65.54%	417	988	(571)
Op Supplies - Uniforms	600	-	0.00%	50	-	50
Subscriptions and Memberships	4,200	1,304	31.05%	350	-	350
Reserve	83,000	-	0.00%	6,917	-	6,917
Total Field	620,008	501,448	80.88%	51,666	43,562	8,104
TOTAL EXPENDITURES	785,249	651,318	82.94%	70,687	56,417	14,270
Excess (deficiency) of revenues						
Over (under) expenditures	-	180,236	0.00%	(67,975)	(48,420)	19,555
Net change in fund balance	\$ -	\$ 180,236	0.00%	\$ (67,975)	\$ (48,420)	\$ 19,555
FUND BALANCE, BEGINNING (OCT 1, 2024)	1,830,536	1,830,536				
FUND BALANCE, ENDING	\$ 1,830,536	\$ 2,010,772				

Statement of Revenues, Expenditures and Changes in Fund Balances

For the Period Ending July 31, 2025

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE ACTUAL	YTD ACTUAL AS A % OF ADOPTED BUD	JUL-25 BUDGET	JUL-25 ACTUAL	VARIANCE (\$) FAV(UNFAV)
REVENUES						
Special Assmnts- Tax Collector	4,116	4,116	100.00%	-	-	-
Special Assmnts- Discounts	(165)	(155)	93.94%	-	-	-
TOTAL REVENUES	3,951	3,961	100.25%	-	-	-
EXPENDITURES						
Administration						
Misc-Assessment Collection Cost	82	79	96.34%	-	-	-
Total Administration	82	79	96.34%	-	-	-
TOTAL EXPENDITURES	82	79	96.34%	-	-	-
Excess (deficiency) of revenues						
Over (under) expenditures	3,869	3,882	100.34%	-	-	-
OTHER FINANCING SOURCES (USES)						
Contribution to (Use of) Fund Balance	3,869	-	0.00%	-	-	-
TOTAL FINANCING SOURCES (USES)	3,869	-	0.00%	-	-	-
Net change in fund balance	\$ 3,869	\$ 3,882	100.34%	\$ -	\$ -	\$ -
FUND BALANCE, BEGINNING (OCT 1, 2024)	27,293	27,293				
FUND BALANCE, ENDING	\$ 31,162	\$ 31,175				

Statement of Revenues, Expenditures and Changes in Fund Balances

For the Period Ending July 31, 2025

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE ACTUAL	YTD ACTUAL AS A % OF ADOPTED BUD	JUL-25 BUDGET	JUL-25 ACTUAL	VARIANCE (\$) FAV(UNFAV)
REVENUES						
Special Assmnts- Tax Collector	1,932	1,932	100.00%	-	-	-
Special Assmnts- Discounts	(77)	(72)	93.51%	-	-	-
TOTAL REVENUES	1,855	1,860	100.27%	-	-	-
EXPENDITURES						
Administration						
Misc-Assessment Collection Cost	39	37	94.87%	-	-	-
Total Administration	39	37	94.87%	-	-	-
TOTAL EXPENDITURES	39	37	94.87%	-	-	-
Excess (deficiency) of revenues						
Over (under) expenditures	1,816	1,823	100.39%	-	-	-
OTHER FINANCING SOURCES (USES)						
Contribution to (Use of) Fund Balance	1,816	-	0.00%	-	-	-
TOTAL FINANCING SOURCES (USES)	1,816	-	0.00%	-	-	-
Net change in fund balance	\$ 1,816	\$ 1,823	100.39%	\$ -	\$ -	\$ -
FUND BALANCE, BEGINNING (OCT 1, 2024)	13,672	13,672				
FUND BALANCE, ENDING	\$ 15,488	\$ 15,495				

Notes to the Financial Statements

July 31, 2025

Governmental Funds

► **Assets**

- **Investments** - General Fund monies (See Cash & Investment Report for further details.) There is a checking & MM account with Bank United.
- **Due From Other Funds** - Monies owed for assessment collections.
- **Deposits** - Progress Energy & Pasco County Utility deposits.

► **Liabilities**

- **Accounts Payable** - Invoices for current month but not paid in current month.
- **Deposits** - Utility & Pool key deposits.

Fund Balance

- **Reserves** - Operating - for 1st Quarter operations of CDD for repairs & maintenance.
- **Reserves** - Clubhouse / Cabana - for repairs and maintenance.
- **Reserves** - Court Amenities - for repairs and maintenance.
- **Reserves** - Lake Embankment / Drainage - for drainage repairs and maintenance.
- **Reserves** - Other - for repair and/or replacement of items within the district.
- **Reserves** - Roadways - for roadway repairs and maintenance.
- **Reserves** - Swimming Pools - for swimming pool repairs and maintenance.

Notes to the Financial Statements

July 31, 2025

Financial Overview / Highlights

Revenues

- ▶ Total General Fund revenues are 105.90% of the Annual Adopted budget and Assessments are at 100% collected.
- ▶ Total General Fund expenditures are at approximately 82.94% of the Annual Adopted budget above the rated 83%.

Variance Analysis

Account Name	Annual Budget	YTD Actual	% of Budget	Explanation
Expenditures				
<u>Administrative</u>				
Insurance - General Liability	\$ 43,000	\$ 51,242	119%	FMIT 4rd installment made in June.
Miscellaneous Services	\$ 1,200	\$ 1,369	114%	Mike Fasano, Pasco County Tax Collector solid waste assessment - \$726; certificate of corrections - \$415; Inframark special accountability program - \$201.
Misc-Taxes	\$ 2,500	\$ 2,202	88%	Mike Fasano, Pasco County Tax Collector non ad valorem assessment.
Misc-Web Hosting	\$ 1,552	\$ 1,619	104%	ADA compliance payment - \$1,553.
Account Name	Annual Budget	YTD Actual	% of Budget	Explanation
<u>Field</u>				
Workers' Compensation	\$ 4,573	\$ 5,709	125%	FMIT 4rd installment made in June.
Utility - Gas	\$ 5,000	\$ 4,918	98%	Bahr's Propane Gas propane gas services.
R&M-Buildings	\$ 3,300	\$ 6,472	196%	Bayshore Tree Services roof repair - \$850; Stan's Lock and Key Service strike plate repair, vertical rod activator, HD door closer, back door repair - \$1,133; Lost Art pool deck repair - \$1,600; other miscellaneous repairs.
R&M-Equipment	\$ 18,000	\$ 21,977	122%	Aqua Triangle 1 Corp chemical delivery, pool pump maintenance, pool gate maintenance - \$7,078; Superior Brick Paver Installations brick paver pool deck repairs - \$2,500; A & K Enterprise of Manatee refinish chairs/lounges - \$1,789; Radarsign sign installation and repair - \$5,915; other miscellaneous repairs.

Notes to the Financial Statements

July 31, 2025

Variance Analysis - continued

Account Name	Annual Budget	YTD Actual	% of Budget	Explanation
<i>Field Continued</i>				
R&M - Other Landscape	\$ 25,000	\$ 79,945	320%	Rainmaker Irrigation disposal of trees and debris, sod/mulch installation - \$46,851; Bayshore Tree Service prune large oak trees, tree removal - \$24,875; Courtesy Cuts Tree Service tree removal - \$6,000; Site Masters of FL placed sod at townhomes - \$2,200.
R&M-Irrigation	\$ 22,000	\$ 17,601	80%	Rainmaker Irrigation irrigation repairs.
R&M-Fitness Equipment	\$ 10,000	\$ 15,308	153%	Coastal Fitness Service fitness equipment.
Road/Sidewalk Maintenance	\$ 7,000	\$ 15,218	217%	Con Asset concrete curbing - \$14,218; other miscellaneous repairs.
Misc-Contingency	\$ 10,500	\$ 22,960	219%	Illuminations Holiday Lighting installing holiday lights - \$4,250; Unleashed Fencing chain link fence repair - \$1,600; Site Masters of FL pond structure repair, remove timber & constructed new railroad tie - \$15,700.
Misc-Office Supplies	\$ 2,000	\$ 2,035	102%	Elan Financial Services CPR-AED and First Aid - \$595; other miscellaneous supplies.

LAKE BERNADETTE
Community Development District

Supporting Schedules

July 31, 2025

Lake Bernadette

Community Development District

Non-Ad Valorem Special Assessments (Pasco County Tax Collector - Monthly Collection Distributions) For the Fiscal Year Ending September 30, 2025

					ALLOCATION		
Date Received	Net Amount Received	Discount / (Penalties) Amount	Collection Costs	Gross Amount Received	General Fund Assessments	Eagle Fund Assessments	Janine Drive Fund Assessments
Assessments Levied FY 2025				\$790,109	\$ 784,061	\$ 4,116	\$ 1,932
Allocation %				100.00%	99.24%	0.52%	0.24%
11/06/24	\$ 6,755	\$ 382	\$ 138	\$ 7,275	\$ 7,220	\$ 38	\$ 17
11/14/24	34,921	1,485	713	37,118	36,836	193	89
11/21/24	37,629	1,600	768	39,997	39,693	208	96
11/27/24	29,197	1,241	596	31,034	30,798	161	74
12/09/24	503,538	21,408	10,276	535,223	531,155	2,783	1,285
12/16/24	66,652	2,773	1,360	70,785	70,247	368	170
01/08/25	15,687	514	320	16,521	16,395	86	40
02/12/25	13,756	314	281	14,351	14,242	75	34
03/11/25	7,199	92	147	7,437	7,381	39	18
04/09/25	16,418	18	335	16,770	16,643	87	40
05/13/25	1,111	-	23	1,134	1,126	6	3
06/11/25	2,722	-	56	2,778	2,757	14	7
06/16/25	9,896	-	202	10,098	10,021	53	24
TOTAL	\$ 745,481	\$ 29,827	\$ 15,215	\$ 790,109	\$ 784,061	\$ 4,116	\$ 1,932
% COLLECTED				100%	100%	100%	100%
TOTAL OUTSTANDING				\$ -	\$ -	\$ -	\$ -

Cash and Investment Report
July 31, 2025

<u>ACCOUNT NAME</u>	<u>BANK NAME</u>	<u>MATURITY</u>	<u>YIELD</u>	<u>BALANCE</u>
GENERAL FUND				
Checking Account - Operating	BankUnited	N/A	0.00%	\$ 325,481
			Subtotal Checking	\$ 325,481
Money Market Account	BankUnited	N/A	4.06%	\$ 1,752,270
			Subtotal MM	\$ 1,752,270
			Grand Total	\$ 2,077,751

LAKE BERNADETTE COMMUNITY DEVELOPMENT DISTRICT

Payment Register by Fund

For the Period from 07/01/2025 to 07/31/2025

(Sorted by Check / ACH No.)

Fund No.	Check / ACH No.	Date	Payee	Invoice No.	Payment Description	Invoice / GL Description	G/L Account #	Amount Paid
GENERAL FUND - 001								
001	100175	07/03/25	AQUA TRIANGLE 1 CORP	0320507	JULY 25 POOL MAINTENANCE	JULY 25 POOL SERVICE	534078-53901	\$1,700.00
001	100176	07/10/25	INFRAMARK LLC	152971	JULY 25 MANAGEMENT SERVICES	JULY 25 ADMINISTRATIVE FEES	531027-51301	\$5,392.92
001	100177	07/15/25	SOLITUDE LAKE MANAGMENT	PSI185015	JULY 25 AQUATICS MAINTENANCE	JULY 25 POND MAINTENANCE	534089-53901	\$1,548.00
001	100178	07/23/25	ERIC ROSINSKI	070925-	7/9/2025 POOL AREA PRESSURE WASHING	R&M-Pressure Washing	546171-53901	\$350.00
001	100179	07/23/25	COASTAL FITNESS SERVICE	T - 34488	FITNESS EQUIPMENT REPAIR	SEVICE GYM EQUIPMENT	546115-53901	\$275.00
001	100180	07/23/25	SHORT & SIMPLE SUPPLIES INC	INV19243	JUNE 25 CLEANING SUPPLIES	JULY 25 CLEANING SUPPLIES	551003-53901	\$220.98
001	100181	07/23/25	YELLOWSTONE LANDSCAPE	956011	7/8/25 IRRIGATION REPAIRS	R&M-Irrigation	546041-53901	\$226.89
001	100181	07/23/25	YELLOWSTONE LANDSCAPE	956010	6/30/25 IRRIGATION REPAIRS	R&M-Irrigation	546041-53901	\$1,737.34
001	100181	07/23/25	YELLOWSTONE LANDSCAPE	949295	JULY 2025 LANDSCAPE MAINT	JULY 25 LANDSCAPE MAINTENANCE	534050-53901	\$4,347.00
001	100182	07/23/25	SITE MASTERS OF FL LLC	071425-2	LAKEVIEW TOWNHOMES RETAINING WALL SOD	R&M-Other Landscape	546036-53901	\$2,200.00
001	100183	07/28/25	UNLEASHED FENCING	1685	PVC FENCE REPAIR	Misc-Contingency	549900-53901	\$175.00
001	100184	07/28/25	INFRAMARK LLC	154314	SPECIAL DISTRICT ACCOUNTABILITY PROGRAM / POSTAGE	SPECIAL DISTRICT ACCOUNTABILITY PROGRAM	531027-51201	\$201.25
001	100184	07/28/25	INFRAMARK LLC	154314	SPECIAL DISTRICT ACCOUNTABILITY PROGRAM / POSTAGE	POSTAGE	541006-51301	\$2.76
001	100185	07/28/25	FLORIDA MUNICIPAL INSURANCE TRUST	072125-	JULY 25 HEALTH AND DENTAL	JULY 25 MEDICAL / DENTAL / LIFE INS	523001-53901	\$2,869.17
001	100186	07/28/25	STANTEC	2420796	GOLF COURSE RESEARCH	ProfServ-Engineering	531013-51501	\$928.75
001	100187	07/28/25	AQUA TRIANGLE 1 CORP	000011510-136	JULY 25 POOL MAINTENANCE	7/20/25 LEGAL ADVERISING	534078-53901	\$1,700.00
001	100188	07/28/25	SECURITY FIRE EQUIPMENT CO.	57884	2025 FIRE EQUIPMENT MAINTENANCE	R&M-Equipment	546022-53901	\$316.00
001	100189	07/28/25	BERGER,TOOMBS,ELAM & FRANK	372715	2024 AUDITING SERVICES	2024 AUDITIUNG SERVICES	532002-51301	\$4,450.00
001	100190	07/28/25	SITE MASTERS OF FL LLC	071625-4	AUGUSTA LINKS OUTFALL CLEARING	7/16/25 STRUCTURE MAINTENANCE	546042-53901	\$500.00
001	300047	07/02/25	AMERITAS ACH	AM-062725-457-ACH	RETIREMENT SERVICES PD 7/3/25	Retirement Benefits	522020-53901	\$300.00
001	300048	07/02/25	AMERITAS ACH	AM-062725-401-ACH	RETIREMENT SERVICES PD 7/3/25	Retirement Benefits	522020-53901	\$177.98
001	300049	07/03/25	ADT SECURITY SVCS - ACH	1146606049	JULY 25 SECURITY SERVICES	SEC SVCS JULY 2025	534037-53901	\$41.30
001	300050	07/07/25	PASCO COUNTY UTILITIES SERVICE	060525 ACH	5/6-6/5/25 WATER/SEWER	Utility - Water	543018-53901	\$1,082.55
001	300051	07/10/25	ELAN FINANCIAL SVCS - ACH	061225-2780	MAY / JUNE PURCHASES	EQUIPMENT	546022-53901	\$101.73
001	300051	07/10/25	ELAN FINANCIAL SVCS - ACH	061225-2780	MAY / JUNE PURCHASES	CLEANING SUPPLIES	551003-53901	\$68.26
001	300051	07/10/25	ELAN FINANCIAL SVCS - ACH	061225-2780	MAY / JUNE PURCHASES	OFFICE SUPPLIES	551002-53901	\$118.78
001	300051	07/10/25	ELAN FINANCIAL SVCS - ACH	061225-2780	MAY / JUNE PURCHASES	TRAVEL	540005-51301	\$50.00
001	300051	07/10/25	ELAN FINANCIAL SVCS - ACH	061225-2780	MAY / JUNE PURCHASES	R/M BUILDING	546012-53901	\$96.99
001	300051	07/10/25	ELAN FINANCIAL SVCS - ACH	061225-2780	MAY / JUNE PURCHASES	SECURITY	534037-53901	\$538.28
001	300052	07/16/25	FRONTIER	062225-23-5	6/22-7/21/25 INTERNET VOICE	BILL PRD 6/22-7/21/25	541003-53901	\$107.13
001	300053	07/16/25	DUKE ENERGY	062525 ACH	5/24-6/24/25 STREET LIGHTS POWER	Electricity - Streetlights	543013-53901	\$3,404.99
001	300054	07/18/25	AMERITAS ACH	AM-071125-457-ACH	7/11/25 RETIREMENT BENIFITS	Retirement Benefits	522020-53901	\$300.00
001	300055	07/18/25	AMERITAS ACH	AM-071125-401-ACH	7/11/25 RETIREMENT BENIFITS	Retirement Benefits	522020-53901	\$177.98
001	300056	07/22/25	DUKE ENERGY	070125 ACH	5/30-6/27 UTILITIES ELECTRICITY	5/30-6/27/25 UTILITIES ELECTRICITY	543006-53901	\$1,753.36
001	300057	07/28/25	WASTE MANAGEMENT OF FLORIDA - ACH	1093555-1568-4	JULY 25 DUMPSTER	Utility - Refuse Removal	543020-53901	\$80.07
001	4315	07/03/25	DAN NESSELT	062725	JUNE CELL PHONE	BILLPRD 5/20-6/19/25	541003-53901	\$44.42
001	4316	07/18/25	SARAH NESSELT	071425-	JULY 25 CLEANING SERVICES	JULY 25 JANITORIAL SVCS	534026-53901	\$850.00
Fund Total								\$38,434.88

Total Checks Paid	\$38,434.88
--------------------------	--------------------

COMPANY CODE	NAME	FILE NUMBER	POSITION ID	PAY DATE	GROSS PAY	TAKE HOME	DIRECT DEPOSIT : CK1- CHECKING	TOTAL HOURS	REGULAR EARNINGS	TOTAL EARNINGS
NK1	Berman, Michael C	001025	NK1001025	07/28/2025	200.00	184.70	184.70	1.00	200.00	200.00
NK1	Callaghan, James G	001043	NK1001043	07/28/2025	200.00	184.70	184.70	1.00	200.00	200.00
NK1	Callie, Sharon K	001050	NK1001050	07/28/2025	200.00	184.70	184.70	1.00	200.00	200.00
NK1	Hazelett, Bonnie K	001045	NK1001045	07/28/2025	200.00	184.70	184.70	1.00	200.00	200.00
NK1	Van Liew, Robert R	001036	NK1001036	07/28/2025	200.00	184.70	184.70	1.00	200.00	200.00
Totals For Company Code NK1:					1,000.00	923.50	923.50	5.00	1,000.00	1,000.00

COMPANY CODE	NAME	FILE NUMBER	POSITION ID	PAY DATE	GROSS PAY	TAKE HOME	DIRECT DEPOSIT : CK1- CHECKING	TOTAL HOURS	REGULAR EARNINGS	ADDITIONAL EARNINGS : HOL-HOLIDAY PAY	ADDITIONAL EARNINGS : VAC-VACATION	TOTAL EARNINGS
U6I	Kiely, William F	001035	U6I001035	07/03/2025	537.60	496.47	496.47	32.00	537.60			537.60
U6I	Kiely, William F	001035	U6I001035	07/18/2025	554.40	511.98	511.98	33.00	554.40			554.40
U6I	Lanser, Denise M	001051	U6I001051	07/03/2025	543.90	502.28	502.28	37.00	543.90			543.90
U6I	Lanser, Denise M	001051	U6I001051	07/18/2025	617.40	566.13	566.13	42.00	617.40			617.40
U6I	Nesselt, Daniel A	001006	U6I001006	07/03/2025	2,966.40	2,163.57	2,163.57	80.00	2,076.48	296.64	593.28	2,966.40
U6I	Nesselt, Daniel A	001006	U6I001006	07/18/2025	2,966.40	2,163.56	2,163.56	80.00	2,966.40			2,966.40
U6I	Pesce, Gregory A	001052	U6I001052	07/03/2025	177.45	163.88	163.88	13.00	177.45			177.45
U6I	Pesce, Gregory A	001052	U6I001052	07/18/2025	286.65	264.73	264.73	21.00	286.65			286.65
U6I	Yates, John S	001047	U6I001047	07/03/2025	330.75	305.45	305.45	21.00	330.75			330.75
U6I	Yates, John S	001047	U6I001047	07/18/2025	189.00	174.55	174.55	12.00	189.00			189.00
U6I	Yates, Martina	001042	U6I001042	07/03/2025	921.38	824.52	824.52	58.50	921.38			921.38
U6I	Yates, Martina	001042	U6I001042	07/18/2025	677.25	623.48	623.48	43.00	677.25			677.25
Totals For Company Code U6I:					10,768.58	8,760.60	8,760.60	472.50	9,878.66	296.64	593.28	10,768.58

4C



Quarterly Compliance Audit Report

Lake Bernadette

Date: July 2025 - 2nd Quarter

Prepared for: Sandra Demarco

Developer: Inframark

Insurance agency:



Preparer:

Susan Morgan - *SchoolStatus Compliance*

ADA Website Accessibility and Florida F.S. 189.069 Requirements

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Compliance Audit Overview

The Community Website Compliance Audit (CWCA) consists of a thorough assessment of Florida Community Development District (CDD) websites to assure that specified district information is available and fully accessible. Florida Statute Chapter 189.069 states that effective October, 2015, every CDD in the state is required to maintain a fully compliant website for reporting certain information and documents for public access.

The CWCA is a reporting system comprised of quarterly audits and an annual summary audit to meet full disclosure as required by Florida law. These audits are designed to assure that CDDs satisfy all compliance requirements stipulated in Chapter 189.069.

Compliance Criteria

The CWCA focuses on the two primary areas – website accessibility as defined by U.S. federal laws, and the 16-point criteria enumerated in [Florida Statute Chapter 189.069](#).



ADA Website Accessibility

Several federal statutes (American Disabilities Act, Sec. 504 and 508 of the Rehabilitation Act of 1973) require public institutions to ensure they are not discriminating against individuals on the basis of a person's disability. Community websites are required to conform to web content accessibility guidelines – [WCAG 2.1](#), which is the international standard established to keep websites barrier-free and the recognized standard for ADA-compliance.



Florida Statute Compliance

Pursuant to F.S. [189.069](#), every CDD is required to maintain a dedicated website to serve as an official reporting mechanism covering, at minimum, 16 criteria. The information required to report and have fully accessible spans: establishment charter or ordinance, fiscal year audit, budget, meeting agendas and minutes and more. For a complete list of statute requirements, see page 3.

Audit Process

The Community Website Compliance Audit covers all CDD web pages and linked PDFs.* Following the [WCAG 2.1](#) levels A, AA, and AAA for web content accessibility, a comprehensive scan encompassing 312 tests is conducted for every page. In addition, a human inspection is conducted to assure factors such as navigation and color contrasts meet web accessibility standards. See page 4 for complete accessibility grading criteria.

In addition to full ADA-compliance, the audit includes a 16-point checklist directly corresponding with the criteria set forth in Florida Statute Chapter 189.069. See page 5 for the complete compliance criteria checklist.

* **NOTE:** Because many CDD websites have links to PDFs that contain information required by law (meeting agendas, minutes, budgets, miscellaneous and ad hoc documents, etc.), audits include an examination of all associated PDFs. **PDF remediation** and ongoing auditing is critical to maintaining compliance.



ADA Website Accessibility

Result: **PASSED**

Accessibility Grading Criteria

Passed	Description
Passed	Website errors* 0 WCAG 2.1 errors appear on website pages causing issues**
Passed	Keyboard navigation The ability to navigate website without using a mouse
Passed	Website accessibility policy A published policy and a vehicle to submit issues and resolve issues
Passed	Color contrast Colors provide enough contrast between elements
Passed	Video captioning Closed-captioning and detailed descriptions
Passed	PDF accessibility Formatting PDFs including embedded images and non-text elements
Passed	Site map Alternate methods of navigating the website

*Errors represent less than 5% of the page count are considered passing

**Error reporting details are available in your Campus Suite Website Accessibility dashboard



Florida F.S. 189.069 Requirements

Result: **PASSED**

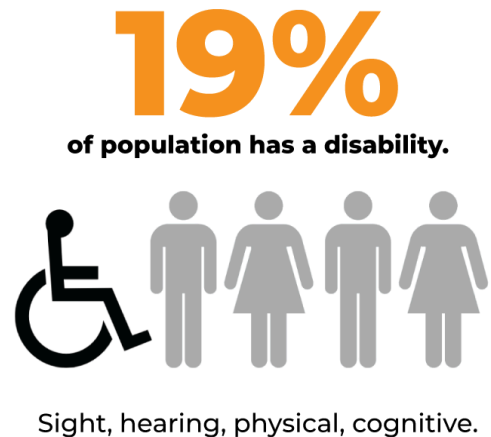
Compliance Criteria

Passed	Description
Passed	Full Name and primary contact specified
Passed	Public Purpose
Passed	Governing body Information
Passed	Fiscal Year
Passed	Full Charter (Ordinance and Establishment) Information
Passed	CDD Complete Contact Information
Passed	District Boundary map
Passed	Listing of taxes, fees, assessments imposed by CDD
Passed	Link to Florida Commission on Ethics
Passed	District Budgets (Last two years)
Passed	Complete Financial Audit Report
Passed	Listing of Board Meetings
Passed	Public Facilities Report, if applicable
Passed	Link to Financial Services
Passed	Meeting Agendas for the past year, and 1 week prior to next

Accessibility overview

Everyone deserves equal access.

With nearly 1-in-5 Americans having some sort of disability – visual, hearing, motor, cognitive – there are literally millions of reasons why websites should be fully accessible and compliant with all state and federal laws. Web accessibility not only keeps board members on the right side of the law, but enables the entire community to access all your web content. The very principles that drive accessible website design are also good for those without disabilities.



The legal and right thing to do

Several federal statutes (American Disabilities Act, Sec. 504 and 508 of the Rehabilitation Act of 1973) require public institutions to ensure they are not discriminating against individuals on the basis of a person's disability. Community websites are required to conform to web content accessibility guidelines, WCAG 2.1, the international standard established to keep websites barrier-free. Plain and simple, any content on your website must be accessible to everyone.



ADA Compliance Categories

Most of the problems that occur on a website fall in one or several of the following categories.



Contrast and colors

Some people have vision disabilities that hinder picking up contrasts, and some are color blind, so there needs to be a distinguishable contrast between text and background colors. This goes for buttons, links, text on images – everything. Consideration to contrast and color choice is also important for extreme lighting conditions.

Contract checker: <http://webaim.org/resources/contrastchecker>



Using semantics to format your HTML pages

When web page codes are clearly described in easy-to-understand terms, it enables broader sharing across all browsers and apps. This ‘friendlier’ language not only helps all the users, but developers who are striving to make content more universal on more devices.



Text alternatives for non-text content

Written replacements for images, audio and video should provide all the same descriptors that the non-text content conveys. Besides helping with searching, clear, concise word choice can make vivid non-text content for the disabled.

Helpful article: <http://webaim.org/techniques/alttext>



Ability to navigate with the keyboard

Not everyone can use a mouse. Blind people with many with motor disabilities have to use a keyboard to make their way around a website. Users need to be able to interact fully with your website by navigating using the tab, arrows and return keys only. A “skip navigation” option is also required. Consider using [WAI-ARIA](#) for improved accessibility, and properly highlight the links as you use the tab key to make sections.

Helpful article: www.nngroup.com/articles/keyboard-accessibility

Helpful article: <http://webaim.org/techniques/skipnav>



Easy to navigate and find information

Finding relevant content via search and easy navigation is a universal need. Alt text, heading structure, page titles, descriptive link text (no ‘click here’ please) are just some ways to help everyone find what they’re searching for. You must also provide multiple ways to navigate such as a search and a site map.

Helpful article: <http://webaim.org/techniques/sitetools/>



Properly formatting tables

Tables are hard for screen readers to decipher. Users need to be able to navigate through a table one cell at a time. In addition to the table itself needing a caption, row and column headers need to be labeled and data correctly associated with the right header.

Helpful article: <http://webaim.org/techniques/tables/data>



Making PDFs accessible

PDF files must be tagged properly to be accessible, and unfortunately many are not. Images and other non-text elements within that PDF also need to be ADA-compliant. Creating anew is one thing; converting old PDFs – called PDF remediation – takes time.

Helpful articles: <http://webaim.org/techniques/acrobat/acrobat>



Making videos accessible

Simply adding a transcript isn't enough. Videos require closed captioning and detailed descriptions (e.g., who's on-screen, where they are, what they're doing, even facial expressions) to be fully accessible and ADA compliant.

Helpful article: <http://webaim.org/techniques/captions>



Making forms accessible

Forms are common tools for gathering info and interacting. From logging in to registration, they can be challenging if not designed to be web-accessible. How it's laid out, use of labels, size of clickable areas and other aspects need to be considered.

Helpful article: <http://webaim.org/techniques/forms>



Alternate versions

Attempts to be fully accessible sometimes fall short, and in those cases, alternate versions of key pages must be created. That is, it is sometimes not feasible (legally, technically) to modify some content. These are the 'exceptions', but still must be accommodated.



Feedback for users

To be fully interactive, your site needs to be able to provide an easy way for users to submit feedback on any website issues. Clarity is key for both any confirmation or error feedback that occurs while engaging the page.



Other related requirements

No flashing

Blinking and flashing are not only bothersome, but can be disorienting and even dangerous for many users. Seizures can even be triggered by flashing, so avoid using any flashing or flickering content.

Timers

Timed connections can create difficulties for the disabled. They may not even know a timer is in effect, it may create stress. In some cases (e.g., purchasing items), a timer is required, but for most school content, avoid using them.

Fly-out menus

Menus that fly out or down when an item is clicked are helpful to dig deeper into the site's content, but they need to be available via keyboard navigation, and not immediately snap back when those using a mouse move from the clickable area.

No pop-ups

Pop-up windows present a range of obstacles for many disabled users, so it's best to avoid using them altogether. If you must, be sure to alert the user that a pop-up is about to be launched.

Web Accessibility Glossary

Assistive technology	Hardware and software for disabled people that enable them to perform tasks they otherwise would not be able to perform (e.g., a screen reader)
WCAG 2.0	Evolving web design guidelines established by the W3C that specify how to accommodate web access for the disabled
504	Section of the Rehabilitation Act of 1973 that protects civil liberties and guarantees certain rights of disabled people
508	An amendment to the Rehabilitation Act that eliminates barriers in information technology for the disabled
ADA	American with Disabilities Act (1990)
Screen reader	Software technology that transforms the on-screen text into an audible voice. Includes tools for navigating/accessing web pages.
Website accessibility	Making your website fully accessible for people of all abilities
W3C	World Wide Web Consortium – the international body that develops standards for using the web

Fifth Order of Business

SOLITUDE

LAKE MANAGEMENT



Lake Bernadette CDD Waterway Inspection Report

Reason for Inspection: Scheduled-recurring

Inspection Date: 2025-08-05

Prepared for:

District Manager
Inframark

Prepared by:

Jason Diogo, Aquatic Biologist

Wesley Chapel Field Office
SOLITUDELAKEMANAGEMENT.COM
888.480.LAKE (5253)

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Site: 13

Comments:

Site looks good

Water flow structure is clear from all vegetation. We will continue to cut back on the weeds as they continue to grow.

Action Required:

Routine maintenance next visit

Target:

Shoreline weeds



July 2025



August 2025

Site: 16

Comments:

Site looks good

The beneficial plants are doing well at this site. No issues to note at this time.

Action Required:

Routine maintenance next visit

Target:

Species non-specific



July 2025



August 2025

Site: 17

Comments:

Site looks good

Site is doing much better with only a few shoreline weeds that will need an herbicide application for control.

Action Required:

Routine maintenance next visit

Target:

Shoreline weeds



July 2025



August 2025

Site: 18

Comments:

Treatment in progress
A follow-up application was made to the algae. We will continue to monitor this site for algae growth.

Action Required:

Routine maintenance next visit

Target:

Surface algae



July 2025



August 2025

Site: 20

Comments:

Treatment in progress
Another submersed weed application was applied to this site.

Action Required:

Routine maintenance next visit

Target:

Submersed vegetation



July 2025



August 2025

Site: 21

Comments:

Site looks good
No issues to note at this time. The culvert is clear from all debris.

Action Required:

Routine maintenance next visit

Target:

Species non-specific



July 2025



August 2025

Site: 22

Comments:

Site looks good

Normal shoreline growth. No weeds and grasses are growing any closer to the shoreline.

Action Required:

Routine maintenance next visit

Target:

Species non-specific



July 2025



August 2025

Site: 30

Comments:

Site looks good

An herbicide application will be needed for shoreline grasses to keep it looking its best.

Action Required:

Routine maintenance next visit

Target:

Species non-specific



July 2025



August 2025

Site: 30A

Comments:

Normal growth observed

Some shoreline grasses will need an herbicide application for best control.

Action Required:

Routine maintenance next visit

Target:

Shoreline weeds



July 2025



August 2025

Site: 32

Comments:

Normal growth observed

A small amount of algaecide will clear away the planktonic algae starting to grow.

Action Required:

Routine maintenance next visit

Target:

Planktonic algae



July 2025



August 2025

Site: 33

Comments:

Site looks good

Water levels have dropped at this site but the planktonic algae has cleared up with no other issues to note at this time.

Action Required:

Routine maintenance next visit

Target:

Species non-specific



July 2025



August 2025

Site: 34

Comments:

Site looks good

Site looks good with no issues to note at this time.

Action Required:

Routine maintenance next visit

Target:

Species non-specific



July 2025



August 2025

Site: 35

Comments:

Site looks good

Site is doing well with no issues to note.

Action Required:

Routine maintenance next visit

Target:

Species non-specific



July 2025



August 2025

Site: 45A

Comments:

Site looks good

The hydrilla is no longer an issues at this time and the beneficial plants are doing well. Water levels are still low.

Action Required:

Routine maintenance next visit

Target:

Species non-specific



July 2025



August 2025

Site: 45B

Comments:

Site looks good

Site is clear from the invasive weed Hydrilla at this time.

Action Required:

Routine maintenance next visit

Target:

Species non-specific



July 2025



August 2025

Site: 46A

Comments:

Site looks good

Normal shoreline growth treated
8/5

Action Required:

Routine maintenance next visit

Target:

Shoreline weeds



July 2025



August 2025

Site: 46B

Comments:

Site looks good

Site looks great with no issues to
note at this time.

Action Required:

Routine maintenance next visit

Target:

Species non-specific



July 2025



August 2025

Site: 47

Comments:

Site looks good

A small amount of planktonic
algae was treated and this site is
doing great.

Action Required:

Routine maintenance next visit

Target:

Species non-specific



July 2025



August 2025

Site: WA-9

Comments:

Treatment in progress
Shoreline grasses currently have a treatment in progress.

Action Required:

Routine maintenance next visit

Target:

Shoreline weeds



July 2025



August 2025

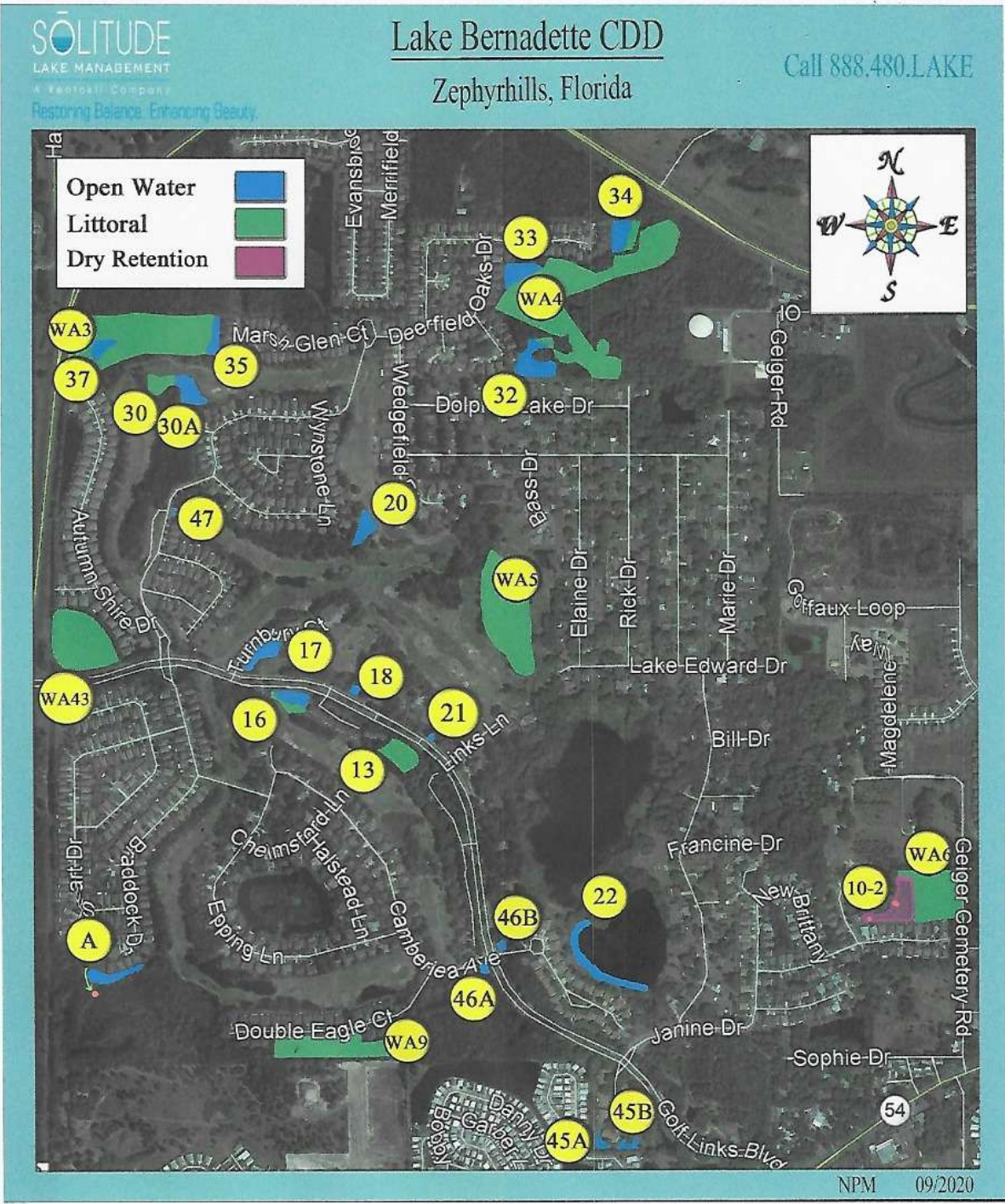
Management Summary

Ponds are filling up nicely with all the rain we’ve been getting, with this rain we also make it a priority to keep drains clear of debris for proper drainage. A lot of normal growth has been seen during these summer months. The planktonic algae that has started growing have had an algaecide application applied to the ponds. Pond 20 has had a follow-up systemic application applied to it for the slender spike rush. This application being performed on this invasive weed does take around one month to fully clear it away. Treatments have been working great, some of the trouble sites that have had follow up treatments have been simply for the longevity of clean water and keeping any algae or submersed weeds at bay.

Feel free to reach out with any questions or concerns.

Thank you for choosing SOLitude Lake Management!

Site	Comments	Target	Action Required
13	Site looks good	Shoreline weeds	Routine maintenance next visit
16	Site looks good	Species non-specific	Routine maintenance next visit
17	Site looks good	Shoreline weeds	Routine maintenance next visit
18	Treatment in progress	Surface algae	Routine maintenance next visit
20	Treatment in progress	Submersed vegetation	Routine maintenance next visit
21	Site looks good	Species non-specific	Routine maintenance next visit
22	Site looks good	Species non-specific	Routine maintenance next visit
30	Site looks good	Species non-specific	Routine maintenance next visit
30A	Normal growth observed	Shoreline weeds	Routine maintenance next visit
32	Normal growth observed	Planktonic algae	Routine maintenance next visit
33	Site looks good	Species non-specific	Routine maintenance next visit
34	Site looks good	Species non-specific	Routine maintenance next visit
35	Site looks good	Species non-specific	Routine maintenance next visit
45A	Site looks good	Species non-specific	Routine maintenance next visit
45B	Site looks good	Species non-specific	Routine maintenance next visit
46A	Site looks good	Shoreline weeds	Routine maintenance next visit
46B	Site looks good	Species non-specific	Routine maintenance next visit
47	Site looks good	Species non-specific	Routine maintenance next visit
WA-9	Treatment in progress	Shoreline weeds	Routine maintenance next visit



Eighth Order of Business

8A

RESOLUTION 2025-05

**A RESOLUTION OF THE LAKE BERNADETTE
COMMUNITY DEVELOPMENT DISTRICT ADOPTING THE
ANNUAL MEETING SCHEDULE FOR FISCAL YEAR
2025/2026**

WHEREAS, the Lake Bernadette Community Development District (the "District") is a local unit of special-purpose government organized and existing in accordance with Chapter 190, Florida Statutes, and situated entirely within Pasco County, Florida; and

WHEREAS, the District is required by Florida law to prepare an annual schedule of its regular public meetings which designates the date, time and location of the District's meetings; and

WHEREAS, the Board has proposed the Fiscal Year 2025/2026 annual meeting schedule as attached in **Exhibit A**;

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF
SUPERVISORS OF THE LAKE BERNADTTE COMMUNITY
DEVELOPMENT DISTRICT**

1. The Fiscal Year 2025/2026 annual public meeting schedule attached hereto and incorporated by reference herein as Exhibit A is hereby approved and will be published and filed in accordance with the requirements of Florida law.

This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 26TH DAY OF AUGUST, 2025.

ATTEST:

**LAKE BERNADETTE COMMUNITY
DEVELOPMENT DISTRICT**

Asst. Secretary

Chair / Vice Chair

EXHIBIT “A”

BOARD OF SUPERVISORS MEETING DATES LAKE BERNDADETTE COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2025/2026

The Board of Supervisors of the Lake Bernadette Community Development District will hold their meetings for Fiscal Year 2026 at 6:00 p.m. in the Lake Bernadette Clubhouse, 5410 Golf Links Boulevard, Zephyrhills, Florida, on the fourth Tuesday unless otherwise indicated below:

October 28, 2025
December 2, 2025(First Tuesday)
January 27, 2026
February 24, 2026
March 24, 2026
April 28, 2026
May 26, 2026 (Budget Approval)
June 23, 2026
July 28, 2026
August 25, 2026 (Budget Adoption)
September 22, 2026

8B

Lake Bernadette Community
Development District

Rules List

Rules of
Procedure

3/27/96

Rules of Procedure

Amend to
Rules of
Procedure

7/31/2000

Amendments to Rules of Procedure

Chapter I

11/6/96

Establishing certain policies and
procedures for the Lake Bernadette
Recreation Center

Amendment I
to Chapter I

10/15/01

Adopting non-resident fee of \$650.00 for
recreational amenities

**RULE OF THE LAKE BERNADETTE COMMUNITY DEVELOPMENT DISTRICT
RELATIVE TO ITS MEMBERSHIP RATES, FEES, CHARGES AND
OPERATING POLICIES FOR DISTRICT CLUBHOUSE, PARKS AND
RECREATIONAL FACILITIES**

1.01 PURPOSE AND EFFECT. The purpose of this Rule is to adopt certain rates, fees, charges, and operating policies for the District clubhouse, parks and recreational facilities; providing an effective date. The effect of this Rule is to broaden responsibility for the District clubhouse, parks and recreational facilities.

1.02 NECESSITY. To adopt uniform and comprehensive rates, fees, charges, and operating policies pertaining to the District clubhouse, parks and recreational facilities within the District.

1.03 SCHEDULE OF RATES, FEES CHARGES. The rates, fees, and charges to be paid for non-resident recreational use of the clubhouse, parks and recreational facilities shall be an Annual Non-Resident Membership Fees of \$650.00. The amount of this fee is intended to be equivalent to the assessments being paid by District residents for similar use of the District clubhouse, parks and recreational facilities.

1.04 EFFECTIVE DATE. This Rule shall become effective upon adoption by the Board of Supervisors.

Specific Authority: 190.035, F.S., 190.011 (5) F.S., 120.54 F.S.
Law Implemented: 190.035, F.S., 190.011 (5) F.S.
History: New

Adopted by Board of Supervisors on: October 16, 2001.

STATEMENT OF ESTIMATED REGULATORY COSTS

LAKE BERNADETTE COMMUNITY DEVELOPMENT DISTRICT PROPOSED RULE ON CHARGES AND OPERATING POLICIES FOR THE DISTRICT CLUBHOUSE, PARKS AND RECREATIONAL FACILITIES

1. Introduction.

This Statement of Estimated Regulatory Costs ("SERC") was prepared pursuant to Chapter 120.54 and 120.541, F.S., to support the rule making action of the Lake Bernadette Community Development District ("District") to set rates, fees, charges and operating policies for the District clubhouse, parks and recreational facilities. The sections below track the S. 120.541 requirements.

2. SERC Factors.

- a. Estimate of individuals and entities required to comply and description of affected individuals.

The rule will apply to individuals, who are non-residents of the District and who would like to use the District's clubhouse, parks and recreational facilities. The District is situated within Pasco County. Many neighboring communities provide recreational facilities for their residents. The District does not anticipate a significant demand from non-residents to use the District's facilities. The District estimates that 20 non-resident families may wish to purchase annual memberships.

- b. Agency cost to implement and administer rule and effect on governmental revenues.

The cost to implement the rule will consist of the cost of legal advertising for the rule making proceedings, which is estimated not to exceed \$500. There may be incidental copying costs for distribution of rule materials to interested persons in an amount not to exceed \$200. The District will spend these costs. There will be no cost to any other state or local governmental entities associated with the implementation of the rule.

The cost to administer the rule will be minimal. The District has administrative and park operations. District staff will administer the membership procedures. There will be some additional maintenance costs for the operation of the park for additional users. There will be no cost to any other state or local governmental entities associated with the administration of the rule.

The creation and operation of parks and recreation facilities are part of the overall development of the community. The successful development

of the community provides construction, maintenance and service jobs, and it creates expanding property values. Local taxing authorities collect ad valorem assessments on the expanding tax base. The anticipated added revenues from the rule should not have any impact on the tax base and on derivative local governmental revenues.

c. Individual and governmental transactional costs caused by the rule.

The non-resident user fee will directly impact those individuals who want to use the District's facilities and who elect to purchase annual memberships at a proposed rate of \$650 per year. The District does not anticipate that there will be any foreseeable transaction costs to other entities, including local governmental entities.

d. Small business, small city and small county impacts.

There is no estimated adverse impact on small businesses as defined by s. 288.703. The District is situated within Pasco County. There is no estimated adverse impact on small cities or small counties as defined by s. 120.52.

**LAKE BERNADETTE
COMMUNITY DEVELOPMENT DISTRICT**

**Rules
of
Procedure**

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LAKE BERNADETTE COMMUNITY DEVELOPMENT DISTRICT GENERAL AND PROCEDURAL RULES

1.1 General.

(1) The Lake Bernadette Community Development District (the "District") was created pursuant to the provisions of Chapter 190, Florida Statutes, 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.

Specific Authority: 190.011, 120.53(4)

Law Implemented: 190.011, 120.53(4)

1.2 Board of Supervisors; Officers and Voting.

(1) Board of Supervisors. The Board of Supervisors of the District (the "Board") shall exercise the powers granted to the District. The Board shall consist of five members. Members of the Board must be residents of Florida and citizens of the United States.

(2) Term of Officers. Board members shall hold office pursuant to Section 190.006, Florida Statutes. If, during the term of office of any Board member(s), one or more vacancies occur, the remaining member(s) of the Board shall fill the vacancies by appointment for the remainder of the unexpired term(s).

(3) Vacancies; Quorum. Three members of the Board physically present in the same location shall constitute a quorum for the purposes of conducting its business and exercising its powers and for all other purposes. However, if three or more vacancies occur at the same time, a quorum is not necessary to fill the vacancies. Action taken by the Board shall be upon a majority vote of the members present, unless otherwise provided in these Rules or required by law. Members of the Board, as well as staff or employees of the District may be present by telephone, provided that quorum is present at the meeting location and that such telephone attendance is accomplished by speaker-so that all present may hear and respond to the comments of the party attending by telephone. Nothing herein shall require the District to permit members of the public to attend a Board meeting by telephone.

(4) Officers. At any Board meeting held after each election where the newly elected members take office, the Board may select a chair, vice chair/treasurer/assistant secretary, and secretary. Such selection may be deferred to subsequent meetings.

(a) The chair must be a member of the Board. If the chair resigns from that office or ceases to be a member of the Board, the Board shall select a chair to serve the remaining portion of the term, after filling the board vacancy. The chair may be authorized to sign checks and warrants for the District, countersigned by the treasurer or other persons authorized by the Board. The chair may convene and conduct all meetings of the Board. In the event the chair is unable to attend a meeting, the vice chair or other member of the Board may convene and conduct the meeting.

(b) The vice chair shall be a member of the Board and shall have such duties and responsibilities as specifically designated by the Board from time to time. If the vice chair resigns from that office or ceases to be a member of the Board, the Board shall select a vice chair to serve the remainder of the term, after filling the Board vacancy.

(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. The District Manager may serve as secretary.

(d) The treasurer need not be a member of the Board but must be a resident of Florida. The treasurer shall perform duties described in Section 190.007(2) and (3), Florida

Statutes, as well as those assigned by the Board from time to time. The treasurer shall serve at the pleasure of the Board.

(5) Committees. The Board may establish committees of the Board by formal motion referencing this rule, 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, contract negotiations, personnel matters, and budget preparation.

(6) Record Book. The Board shall keep a permanent record book entitled "Record of Proceedings of the Lake Bernadette Community Development District," in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, bonds and corporate acts.

(7) Meetings. The Board shall establish a schedule of regular meetings and may also meet upon call of the chair or three Board members. Nothing herein shall prevent the Board from holding other meetings as it deems necessary or from canceling any regularly scheduled meetings. A previously noticed regular meeting may be canceled, provided that notice of cancellation shall be given in substantially the same manner as notice for the meeting or in such other manner as may provide substantially equivalent notice of cancellation. All meetings of the Board shall be open to the public and governed by the provisions of Chapter 286, Florida Statutes.

(8) Voting Conflict of Interest. The Board shall comply with Section 112.3143, Florida Statutes, so as to ensure the proper disclosure of conflicts of interests on matters coming before the Board for a vote. Nothing in this Rule shall prohibit the Board member with a voting conflict of interest from voting on a matter. For the purposes of this section, "voting conflict of interest" shall be governed by Chapters 112 and 190, Florida Statutes, as amended from time to time.

(a) When a Board member knows that he/she 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 of the meeting. The member may then vote. The Board's secretary shall prepare a memorandum of voting conflict which shall then be signed by the Board member that had the conflict.

(b) If a Board member inadvertently votes on a matter and later learns he or she has a conflict thereon, the member shall immediately notify the Board's secretary. Within fifteen days (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 shall immediately be provided to other Board members and shall be read publicly at the next meeting held subsequent to the filing of the written memorandum. The Board member's vote shall be unaffected by this filing.

Specific Authority: 190.011(5), 120.525

Law Implemented: 190.006(1), 190.006(4), 190.006(5), 190.006(6), 190.006(7), 190.006(9), 190.007, 112.3143, 120.525, 112.3143(4)(b)

1.3 Public Information and Inspection of Records.

(1) Public Records. All District public records within the meaning of Chapter 119, Florida Statutes, and not otherwise restricted by law, including the "Record of Proceedings of the Lake Bernadette Community Development District," may be copied or inspected at the offices of the District Manager or at the Offices of Engle Homes/Lake Bernadette, 2901 West Busch Boulevard, Suite 601, Suite 601, Tampa, Florida 33618, during regular business hours.

(2) Copies. Copies of public records shall be made available to the requesting person at a charge of \$.25 per page if not more than 8-1/2 by 14 inches, and for copies in excess of that size at a charge not to exceed the actual cost of reproduction. Certified copies of public records shall be made available at a charge of \$1.00 per page. If the nature or volume of public records requested to be inspected, examined or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance, a special service charge, which shall be reasonable and based on the actual cost incurred, may be charged in addition to the actual cost of duplication.

Specific Authority: 190.011(5)

Law Implemented: 190.006(7), 119.07(1)(a), 119.07(1)(b)

1.4 Meetings and Workshops.

(1) Notice. Except in emergencies, or as otherwise provided in these Rules, at least seven (7) days' public notice shall be given of any meeting or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and shall state:

- (a) The date, time, and place of the meeting or workshop;
- (b) A brief description of the nature, subjects and purposes of the meeting or workshop;
- (c) The address where persons may obtain a copy of the agenda.
- (d) The notice shall state that if a person decides to seek review of any official decision made at the Board meeting, a record of the proceedings will be required and the person intending to appeal will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence necessary for the appeal.
- (e) When a previously noticed meeting is canceled, notice of cancellation shall be given in substantially the same manner as notice for the meeting or in any manner that will give adequate notice of cancellation.

(2) Agenda. The District Manager shall prepare a notice of the meeting or workshop and an agenda. The notice and agenda shall be available to the public in the offices of the District Manager at least seven days before each meeting of the Board. Minutes shall be corrected and approved by the Board at a subsequent meeting.

(3) Receipt of Notice. Persons wishing to receive, by mail, notices or agendas of meetings, may advise the District Manager or secretary at the Board's office. Such persons shall furnish a mailing address in writing and may be required to pay the cost of copying and mailing.

(4) Emergency Meeting. The chair, or the vice-chair if the chair is unavailable, may convene an emergency meeting of the Board without first having complied with Subsections (1), (2), and (3), to act on emergency matters that may affect the public health, safety, or welfare. Whenever possible, the chair shall make reasonable efforts to notify all Board members of an emergency meeting 24 hours in advance. Reasonable efforts may include telephone notification. 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. Whenever an emergency meeting is called, the District Manager shall be responsible for notifying at least one newspaper of general circulation in the District. Actions taken at an emergency meeting may be ratified by the Board at a regularly noticed meeting subsequently held.

(5) Public Comment. The Board shall set aside a reasonable amount of time at each regular meeting for public comment, which time for audience comment shall be identified in the

agenda. Persons wishing to address the Board may be required to notify the secretary of the Board prior to the "audience comment" section on the agenda. In its discretion, the Board may limit the length of time available to any one speaker in the interest of time or fairness to other speakers.

(6) Budget Hearing: Budget Amendment. Notice of hearing on the annual budget(s) shall be in accordance with Section 190.008, Florida Statutes. Once adopted in accordance with Section 190.008, 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. All expenditures in excess of 10% of any line item in the budget must be approved by the Board in advance of incurring such expense; however, in the case of an emergency expenditure affecting the health, safety or welfare of the District, its residents, or landowners, such expenditures must be approved in advance by the chair, or in the absence of the chair, the vice chair.

(7) Continuances. Any meeting of the Board or any item or matter included on the agenda or coming before the Board at a noticed meeting may be continued without re-notice or re-advertising provided that the continuance is to a specified date, time and location publicly announced at the Board meeting where the item or matter came before the Board.

Specific Authority: 190.011(5), 120.525, 120.54(5)

Law Implemented: 190.007(1), 190.008, 120.525, 120.54

1.5 Rulemaking Proceedings.

(1) Commencement of Proceedings. Proceedings held for adoption, amendment, or repeal of a District rule shall be conducted according to the applicable provisions of Chapter 120, Florida Statutes, and these Rules. Rulemaking proceedings shall be deemed to have been initiated upon publication of notice by the District.

(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 proposed rules 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 paragraph (3). 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 a statement of how a person may promptly obtain a copy of any preliminary draft, if available.

(b) All rules should be drafted in accordance with Chapter 120, F.S.

(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 or the Laws of Florida 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), 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 21 days after publication of the notice. The notice must state the procedure for requesting a public hearing on the proposed rule unless one is otherwise scheduled. Except when the intended action is the repeal of a rule, the notice shall include a reference both to the date on which and to the place where the notice of rule development that is required by subsection (2) appeared.

(b) The notice shall be published in a newspaper of general circulation in the District not less than 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. Any person may file a written request with the District Manager or secretary at the Board's office 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 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 District Chair 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 for the initiation of rulemaking proceedings pursuant to Section 120.54(7), Florida Statutes, must contain the name, address, and telephone number of the Petitioner, specific action requested, specific reason for adoption, amendment, or repeal, the date submitted, and shall specify the text of the proposed rule and the facts showing that the Petitioner is regulated by the District or has a substantial interest in the rule or action requested. Petitions to initiate rulemaking shall be filed with the District. The Board shall then act on the petition in accordance with Section 120.54(7), Florida Statutes (1999), except that copies of the petition shall not be sent to the Administrative Procedures Committee, and notice may be given in a newspaper of general circulation in the county in which the District is located.

(6) Rulemaking Materials. After the publication of the notice to initiate rulemaking, the Board shall make available for public inspection and shall provide, upon request and payment of 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; and
- (d) The published notice.

(7) Rulemaking Proceedings - No Hearing. When no hearing is requested and the Board chooses not to initiate a hearing on its own, or if the rule relates exclusively to organization, practice or procedure, the Board may direct the proposed rule be filed with the District Office no less than twenty-eight (28) days following notice. Such direction may be given by the Board either before initiating the rule-adoption process or after the expiration of the twenty-one (21) days during which affected persons may request a hearing.

(8) Rulemaking Proceedings - Hearing. If the proposed rule does not relate exclusively to organization, practice or procedure, the District shall provide (upon request) 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. Any affected person may request a hearing within twenty-one (21) days after the date of publication of the notice of intent to adopt, amend or repeal a rule.

(9) Request for a Public Hearing.

(a) A request for a public hearing shall be in writing and shall specify how the person requesting the public hearing would be affected by the proposed rule. The request shall be submitted to the District within 21 days after notice of intent to adopt, amend, or repeal the rule is published as required by law, in accordance with the procedure for submitting requests for public hearing stated in the notice of intent to adopt, amend, or repeal the rule.

(b) If the notice of intent to adopt, amend, or repeal a rule did not notice a public hearing and the District determines to hold a public hearing, the District shall publish notice of a public hearing in a newspaper of general circulation within the District at least 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.

(c) Written statements may be submitted by any person within a specified period of time prior to or following the public hearing. All timely submitted written statements shall be considered by the District and made a part of the rulemaking record.

(10) 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 practical 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

(11) Negotiated Rulemaking. The District may use negotiated rulemaking in developing and adopting rules pursuant to Section 120.54, Florida Statutes.

(12) Variances and Waivers. Variances and waivers from District rules may be granted subject to the provisions and limitations contained in Section 120.542, Florida Statutes.

Specific Authority: 190.011(5), 190.011(15), 120.54, 190.035

Law Implemented: 120.54, 190.035(2)

1.6 Decisions Determining Substantial Interests.

(1) Conduct of Proceedings. Proceedings may be held by the District in response to a written request submitted by a substantially affected person within fourteen (14) days after written notice or published notice of District action or notice of District intent to render a decision. Notice of both action taken by the District and the District's intent to render a decision shall state the time limit for requesting a hearing and shall reference the District's procedural rules. If a hearing is held, the chair shall designate any member of the Board (including the Chair), District Manager, District General Counsel, or other person to conduct the hearing.

The person conducting the hearing may:

1. Administer oaths and affirmations;
2. Rule upon offers of proof and receive relevant evidence;
3. Regulate the course of the hearing, including any prehearing matters;
4. Enter orders;
5. Make or receive offers of settlement, stipulation, and adjustment.

(a) The person conducting the hearing 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.

(b) The District shall issue a final order within forty-five (45) days:

1. After the hearing is concluded, if conducted by the Board;
2. After a recommended order is submitted to the Board and mailed to all parties, if the hearing is conducted by persons other than the Board; or
3. After the Board has received the written and oral material it has authorized to be submitted, if there has been no hearing.

(2) Eminent Domain. After determining the need to exercise the power of eminent domain pursuant to Subsection 190.11(11), Florida Statutes, the District shall follow those procedures prescribed in Chapters 73 and 74, Florida Statutes. Prior to exercising the power of eminent domain, the District shall:

- (a) Adopt a resolution identifying the property to be taken;

(b) If the property is beyond the boundaries of the District, obtain approval by resolution of the governing body of the county if taking will occur in an unincorporated area, or of the municipality if the taking will occur within the municipality.

Specific Authority: 190.011(5), 190.011(15)

Law Implemented: 190.011(11)

1.7 Procedure Under Consultants' Competitive Negotiations Act.

In order to comply with the requirements of Section 287.055, Florida Statutes (regarding certain types of professional services), the following procedures are outlined for selection of firms or individuals to provide professional services exceeding the thresholds herein described and in the negotiation of such contracts.

(1) Definitions.

(a) "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 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.

(b) "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, 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 from time to time by the State of Florida Department of Management Services to reflect inflation or other measures.

(c) A "continuing contract" is a contract for professional services (of a type described above), entered into in accordance with this rule, between the District and a firm whereby the firm provides professional services for the District for work of a specified nature with no time limitation, except that the contract shall provide a termination clause.

(d) "Emergency purchase" is a purchase necessitated by a sudden unexpected turn of events (e.g., 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 decides the delay incident to competitive bidding would be detrimental to the interests of the District.

(2) Qualifying Procedures. In order to be eligible to submit a bid proposal, a firm must, at the time of receipt of the bid:

(a) Hold all required applicable state professional licenses in good standing.

(b) Hold all required applicable federal licenses in good standing, if any.

(c) If the bidder is a corporation, hold a current and active Florida corporate charter or be authorized to do business in Florida in accordance with Chapter 607, Florida Statutes.

(d) Meet any prequalification requirements set forth in the project or bid specifications. Qualification standards may include but are not limited to, capability and adequacy of personnel, past record, and experience of the bidding entity.

Evidence of compliance with this Rule may be submitted with the bid, if requested by the District.

(3) Public Announcement. Prior to a public announcement that professional services are required for a project, the Board shall identify the project as meeting the threshold requirement. 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 by publishing a notice providing a general description of the project and the method for interested consultants to apply for consideration. The notice shall appear in at least one newspaper of general circulation in the District and in such other places as the District deems appropriate. The District may maintain lists of persons interested in receiving such notices. These persons are encouraged to submit annually statements of qualifications and performance data. Persons who provide their name and address to the District office for inclusion on the list shall receive notices by mail. The Board has the right to reject any and all bids, and such reservation shall be included in the public announcement. Bidders not receiving a contract award shall not be entitled to recover any costs of bid preparation or submittal from the District.

(4) Competitive Selection.

(a) The Board shall review and evaluate the data submitted in response to the notice described above 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 firms regarding their qualifications, and/or public presentation, select and list the firms, 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:

1. The ability and adequacy of the professional personnel employed by each firm.
2. Each firm's past performance for the District in other professional employment settings.
3. The willingness of each firm to meet time and budget requirements.
4. The geographic location of each firm's headquarters or office in relation to the project.
5. The recent, current and projected workloads of each firm.
6. The volume of work previously awarded to each firm.
7. Whether a firm is a certified minority business enterprise.

(b) Nothing in these rules shall prevent the District from evaluating and eventually selecting a firm if less than three responses, including responses indicating a desire not to submit a formal bid on a given project, are received.

(c) If the selection process is administered by any person 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.

(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.

(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, 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 within twenty-one (21) days 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 unless modified by the Board, 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 within twenty-one (21) days (unless modified by the Board to the contrary) 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 any of the selected firms within twenty-one (21) days (unless modified by the Board to the contrary) 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.

(e) Once an agreement with a firm or individual is reached, notice of the award or intent to award, including the 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, and by posting same in the District office for seven (7) days.

(6) Continuing Contract. Nothing in this Rule shall prohibit a continuing contract between a firm or an individual and the District.

(7) 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)

Law Implemented: 190.011(3), 287.055, 190.033

1.8 Purchase of Goods, Supplies or Materials.

(1) Scope. All purchases of goods, supplies or materials exceeding the amount provided in Section 287.017, Florida Statutes, for category four, as such category may be amended from time to time, shall be purchased under the terms of these Rules. Contracts for purchases of "goods, supplies and materials" do not include printing, insurance, advertising or legal notices.

(2) Definitions.

(a) "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 involved. It includes printed instructions prescribing conditions for bidding, evaluation criteria, and provides for a manual signature of an authorized representative.

(b) "Request for Proposal" 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, proposal instructions, work detail analysis and evaluation criteria as necessary.

(c) "Responsive bid/proposal" means a bid or proposal which conforms in all material respects to the specifications and conditions in the invitation to bid or request for proposal and these rules, and the cost components of which are appropriately balanced. A bid/proposal is not responsive if the person or firm submitting the bid fails to meet any requirement relating to the qualifications, financial stability, or licensing of the bidder.

(d) "Lowest responsible bid/proposal" means, in the sole discretion of the Board, the bid or proposal (i) submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements and with the integrity and reliability to assure good faith performance, (ii) is responsive to the invitation to bid or request for proposal as determined by the Board, and (iii) is the lowest cost to the District. Minor variations in the bid may be waived by the Board. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids may not be modified after opening.

(e) "Goods, supplies and materials" do not include printing, insurance, advertising, or legal notices.

(f) "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.

(g) "Emergency purchase" means a purchase necessitated by a sudden unexpected turn of events (e.g. 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 bidding would be detrimental to the interests of the District.

(3) Procedure. When a purchase of goods, supplies or materials is within the scope of this Rule, the following is appropriate:

(a) The Board shall cause to be prepared an Invitation to Bid or Request for Proposal, as appropriate.

(b) The Notice of Invitation to Bid or Request for Proposal shall be advertised at least once in a newspaper of general circulation in the District. The notice shall allow at least seven (7) days for submittal of bids, unless the Board, for good cause, determines a shorter period of time is appropriate.

(c) The District may maintain lists of persons interested in receiving notices of invitations to bid or requests for proposals. Persons who provide their name and address to the District office for inclusion on the list shall receive notices by mail.

(d) Bids or proposals shall be opened at the time and place noted on the Invitation to Bid or Request for Proposal. Bids and proposals shall be evaluated in accordance with the invitation or request and these Rules.

(e) The Lowest Responsive and Responsible Bid or Proposal shall be accepted; however, the Board shall have the right to reject all bids, either because they are too high or because the Board determines it is in the best interests of the District. In the event the bids exceed the amount of funds available to or allocated by the District for this purchase, the bids may be rejected. The Board may require bidders to furnish performance and/or other bonds with a responsible surety to be approved by the Board.

(f) Notice of award or 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, and by posting same in the District office for seven (7) days.

(g) If only one response to an Invitation to Bid or Request for Proposal is received, the District may proceed with the procurement for goods, supplies or materials. If no response to an Invitation to Bid or Request for Proposal is received, the District may take whatever steps are reasonably necessary in order to proceed with the procurement of goods, supplies or materials.

(h) 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)

Law Implemented: 190.033

1.9 Contracts for Construction of Authorized Project.

(1) Scope. All contracts for the construction or improvement of any building, structure or other public construction works authorized by Chapter 190, 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, Florida Statutes, as that amount may be indexed or amended from time to time, shall be let under the terms of these Rules and comply with the bidding procedures of Section 255.20, Florida Statutes, as the same may be amended from time to time. In the event of conflict between these Rules and Section 255.20, Florida Statutes, the later shall control. A project shall not be divided solely to avoid the threshold bidding requirements.

(2) Procedure.

(a) Notice of Invitation to Bid or Request for Proposals shall be advertised at least once in a newspaper of general circulation in the District. The notice shall allow at least twenty-one (21) days for submittal of sealed bids, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than \$500,000 must be noticed at least 30 days prior to the date for submittal of bids.

(b) The District may maintain lists of persons interested in receiving notices of Invitations to Bid or Requests for Proposals. Persons who provide their name and address to the District office for inclusion on the list shall receive notices by mail.

(c) To be eligible to submit a bid or proposal, a firm or individual must, at the time of receipt of its bid or proposal:

1. Hold all required applicable state professional licenses in good standing.
2. Hold all required applicable federal licenses in good standing, if any.
3. If the bidder is a corporation, hold a current and active Florida corporate charter or be authorized to do business in Florida in accordance with Chapter 607, Florida Statutes.
4. Meet any special prequalification requirements set forth in the bid/proposal specifications.

Evidence of compliance with these Rules may be submitted with the bid or proposal, if required by the District.

(d) Bids or proposals shall be opened at the time, date and place noted on the Invitation to Bid or Request for Proposals. Bids and proposals shall be evaluated in accordance with the Invitation or Request and these Rules.

(e) To assist in the determination of the lowest responsive and responsible bidder, the District Representative may invite public presentation by firms regarding their qualifications, approach to the project, and ability to perform the contract in all respects.

(f) In determining the lowest responsive and responsible bidder, the District Representative may consider, in addition to factors described in the Invitation to Bid or Request for Proposal, the following:

1. The ability and adequacy of the professional personnel employed by each bidder or proposer.
2. The past performance of each bidder or proposer for the District and in other professional employment settings.
3. The willingness of each bidder or proposer to meet time and budget requirements.
4. The geographic location of each bidder or proposer's headquarters or office in relation to the project.
5. The recent, current and projected workloads of the bidder or proposer.
6. The volume of work previously awarded to each bidder or proposer.
7. Whether the cost components of each bid or proposal are appropriately balanced.
8. Whether a bidder or proposer is a certified minority business enterprise.

(g) The Lowest Responsive and Responsible Bid/Proposal shall be accepted; however, the Board shall have the right to reject all bids, either because they are too high or because the Board determines it is in the best interests of the District. The Board may require bidders to furnish performance and/or other bonds with a responsible surety to be approved by the Board. If the Board receives fewer than three responses to an Invitation to Bid or Request for Proposal, the Board, may, in its discretion, re-advertise for additional bids without rejecting any submitted bid. In the event the bids exceed the amount of funds available to or allocated by the District for this purchase, the bids may be rejected. Bidders not receiving a contract award shall not be entitled to recover any costs of bid preparation or submittal from the District.

(h) Notice of the award or 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, and by posting the same in the District office for seven (7) days.

Specific Authority: 190.011(5)

Law Implemented: 190.033; 255.0525

1.10 Contracts for Maintenance Services.

(1) Scope. All contracts for maintenance of any District facility or project shall be let under the terms of these Rules if the cost exceeds the amount provided in Sections 287.017, Florida Statutes, for CATEGORY FOUR, as such category may be indexed or amended from time to time by the State of Florida Department of Management Services. The maintenance of these facilities or projects may involve the purchase of contractual services and/or goods, supplies or materials as defined in herein. Where a contract for maintenance of such a facility or project includes goods, supplies or materials and/or contractual services, the District may, in its sole discretion, award the contract according to the Rules in this subsection in lieu of separately bidding for maintenance, goods, supplies or materials, and contractual services. However, a project shall not be divided solely in order to avoid the threshold bidding requirements.

(2) Procedure.

(a) Notice of Invitation to Bid or Request for Proposal shall be advertised at least once in a newspaper of general circulation in the District. The notice shall allow at least seven (7) days for submittal of bids, unless the Board, for good cause, determines a shorter period of time is appropriate.

(b) The District may maintain lists of persons interested in receiving notices of invitations to bid or requests for proposals. Persons who provide their name and address to the District office for inclusion on the list shall receive notices by mail.

(c) In order to be eligible to submit a bid or proposal, a firm or individual must, at the time of receipt of the bids or proposals:

1. Hold the required applicable state professional license in good standing.

2. Hold all required applicable federal licenses in good standing, if any.

3. Hold a current and active Florida corporate charter or be authorized to do business in Florida in accordance with Chapter 607, Florida Statutes if the bidder is a corporation.

4. Meet any special prequalification requirements set forth in the bid proposal specifications.

Evidence of compliance with this Rules may be submitted with the bid, if required by the District.

(d) Bids or proposals shall be opened at the time, date and place noted on the Invitation to Bid or Request for Proposal. Bids and proposals shall be evaluated in accordance with the invitation or request and these Rules.

(e) To assist in the determination of the lowest responsive and responsible bidder, the District Representative may invite public presentation by firms regarding their qualifications, approach to the project, and ability to perform the contract in all respects.

(f) In determining the lowest responsive and responsible bidder, the District Representative may consider, in addition to factors described in the Invitation to Bid or Request for Proposal, the following:

1. The ability and adequacy of the professional personnel employed by each bidder or proposer.
2. The past performance of each bidder or proposer for the District and in other professional employment settings.
3. The willingness of each bidder or proposer to meet time and budget requirements.
4. The geographic location of each bidder or proposer's headquarters or office in relation to the project.
5. The recent, current and projected workloads of the bidder or proposer.
6. The volume of work previously awarded to each bidder or proposer.
7. Whether the cost components of each bid or proposal are appropriately balanced
8. Whether a bidder or proposer is a certified minority business enterprise.

(g) The lowest responsive and responsible bid/proposal shall be accepted; however, the Board shall have the right to reject all bids, either because they are too high or because the Board determines it is in the best interests of the District. The Board may require bidders or proposers to furnish performance and/or other bonds with a responsible surety. If the Board receives fewer than three responses, the Board may, in its discretion, re-advertise for additional bids or proposals without rejecting any submitted bid or proposal. In the event the bids or proposals exceed the amount of funds available to or allocated by the District for this purchase, all bids/proposals may be rejected. Bidders or proposers not receiving a contract award shall not be entitled to recover any costs of bid/proposal preparation or submittal from the District.

(h) Notice of the award or intent to award, including rejection of some or all bids or proposals, shall be provided in writing to all bidders by United States Mail, by hand delivery, or by overnight delivery service, and by posting the same in the District office for seven (7) days.

Specific Authority: 190.011(5)

Law Implemented: 190.033

1.11 Design-Build Contract Competitive Proposal Selection Process

(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) when developing a design criteria package, evaluating the responses or bids 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 or may be retained using Rule 1.7, Procedure under Consultants' Competitive Negotiations Act.

(b) A design criteria package for the construction project shall be developed and sealed by the design criteria professional. The package shall include concise, performance-oriented drawings or specifications of the project, and shall include sufficient information to put interested firms on notice of substantially all of the requirements of the project. 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. All 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.

(c) The Board, in consultation with the design criteria professional, shall establish the standards and procedures for the evaluation of design-build proposals based on price, technical, and design aspects of the project, weighted for the project.

(d) 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 seven (7) days for submittal of proposals, unless the Board, for good cause, determines a shorter period of time is appropriate.

2. The District may maintain qualification information, including: capabilities, adequacy of personnel, past record, experience, whether the firm is a certified minority business enterprise as defined by the Florida Small and Minority Business Assistance Act of 1985, and other factors, on design-build firms. Such firms shall receive a copy of the request for proposals by mail.

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 license in good standing, as defined by 287.055 (2) (h);

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 Florida in accordance with Chapter 607, Florida Statutes, if the bidder is a corporation;

d. Meet any special prequalification requirements set forth in the design criteria package.

Evidence of compliance with these Rules may be submitted with the bid, if required by the District.

(e) The board shall select no fewer than three design-build firms as the most qualified, based on the information submitted in the response to the request for proposals, and in consultation with the design criteria professional, shall evaluate their proposals based on the evaluation standards and procedures established prior to the solicitation of requests for proposal.

(f) 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 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.

(g) After the board contracts with a firm, the firm shall bring to the Board for approval, detailed working drawings of the project.

(h) The design criteria professional shall evaluate the compliance of the project construction with the design criteria package, and shall provide the Board with a report of the same.

(3) 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.

Specific Authority: 190.011(5)

Law Implemented: 190.033; 255.20

1.12 Purchase of Insurance.

(1) Scope. The purchase of life, health, accident, hospitalization, legal expense or annuity insurance, or all or any kind of such insurance for the officers and employees of the District, and for health, accident, hospitalization and legal expense insurance for the dependents of such officers and employees upon a group insurance plan by the District, shall be governed by these Rules. Nothing in this Rules 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 Invitation to Bid shall be advertised at least once in a newspaper of general circulation in the District. The notice shall allow at least seven (7) days for submittal of bids, unless the Board, for good cause, determines a shorter period of time is appropriate.

(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 office for inclusion on the list shall receive notices by mail.

(d) Bids shall be opened at the time and place noted on the Invitation to Bid.

(e) If only one response to an Invitation to Bid 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 which 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 District officers, employees, or their dependents, the geographic location of the company's headquarters and offices in relation to the District, past performance for 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 need of the District, its officers, employees and/or dependents.

(h) Notice of the award or 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, and by posting the same in the District office for seven (7) days.

Specific Authority: 190.011(5)

Law Implemented: 112.08

1.13 Bid Protests Under Consultants' Competitive Negotiations Act.

Notwithstanding any other provision in these Rules, the resolution of any protests regarding the decision to solicit or award a contract for a bid or proposal under Sections 1.7 or 1.11 shall be in accordance with this section.

(1) Notice. The District shall give all bidders written notice of its decision to award or intent to award a contract (including rejection of some or all bids) by United States Mail, by hand delivery, or by overnight delivery service, and by posting same in the District office for seven (7) days. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 1.14 of the Rules of the Lake Bernadette Community Development District shall constitute a waiver of proceedings under those Rules."

(2) Filing. Any person who is affected adversely by the District's decision or intended decision shall file with the District a notice of protest within seventy-two (72) hours after the posting of the final bid tabulation or after receipt of the notice of the District decision or intended decision, and shall file a formal written protest within seven (7) days after the date of filing of the notice of protest. The notice of protest shall identify the procurement by title and number or any other language that will enable the District to identify it, shall state that the person intends to protest the decision, and shall state with particularity the law and facts upon which the protest is based. With respect to a protest of the specifications contained in an Invitation to Bid or in a Request for Proposals, the notice of protest shall be filed in writing within seventy-two (72) hours after the receipt of notice of the project plans and specifications (or intended project plans and specifications) in an Invitation to Bid or Request for Proposals, and the formal written protest shall be filed within seven (7) days after the date when notice of protest is filed. Failure to file a notice of protest (or failure to file a formal written protest) shall constitute a waiver of all further proceedings.

(3) Award Process. Upon receipt of a notice of protest which has been timely filed, the District shall stop the bid solicitation process (or the contract and award process) until the subject of the protest is resolved. However, if the District sets forth in writing particular facts and circumstances which require the continuance of the process without delay in order to avoid an immediate and serious danger to the public health, safety, or welfare, the award process may continue.

(4) Mutual Agreement. The District, on its own initiative or upon the request of a protester, shall provide an opportunity to resolve the protest by mutual agreement between the parties within (7) days (excluding Saturdays, Sundays and legal holidays) upon receipt of a formal written request.

(5) Proceedings. If the subject of a protest is not resolved by mutual agreement, a proceeding shall be conducted in accordance with the procedural guidelines set forth in Section 1.6.

Specific Authority: 120.57(3), 190.011(5)
Law Implemented: 120.57(3), 190.033

1.14 Bid Protests Relating to Any Other Award.

Notwithstanding any other provision in these Rules, the resolution of any protests regarding the decision to solicit or award a contract for a bid or proposal under Sections 1.8, 1.9, 1.10, or 1.11 shall be in accordance with this Section 1.14.

(1) Notice. The District shall give all bidders written notice of its decision to award or intent to award a contract -- including rejection of some or all bids-- by United States Mail, by hand delivery, or by overnight delivery service, and by posting same in the District office for seven (7) days.

(2) Filing. Any person who is affected adversely by the District's decision or intended decision shall file with the District a notice of protest in writing within seventy-two (72) hours after the posting of the final bid tabulation or after receipt of the notice of the District decision or intended decision, and shall file a formal written protest within seven (7) days after the date of filing of the notice of protest. The formal written protest shall state with particularity facts and law upon which the protest is based. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of all further proceedings.

(3) Award Process. Upon receipt of a notice of protest which has been timely filed, the District shall stop the bid solicitation process or the contract and award process until the subject of the protest is resolved. However, if the District sets forth in writing particular facts and circumstances which require the continuance of the process without delay in order to avoid an immediate and serious danger to the public health, safety, or welfare, the award process may continue.

(4) Mutual Agreement. The District, on its own initiative or upon the request of a protester, shall provide an opportunity to resolve the protest by mutual agreement between the parties within five (5) days (excluding Saturdays, Sundays and legal holidays) of receipt of a formal written protest.

(5) Hearing. If the subject of a protest is not resolved by mutual agreement, the District shall hold a proceeding in accordance with the procedural guidelines set forth in Section 1.6.

Specific Authority: 190.011(5)

Law Implemented: 190.033

1.15 Effective Date.

These Rules shall be effective July 31, 2000 except that no election of officers required by these Rules shall be required until after the next regular election for the Board of Supervisors.

**CHAPTER I
OF THE RULES
OF THE
LAKE BERNADETTE
COMMUNITY DEVELOPMENT DISTRICT'S**

RECREATION CENTER POLICIES AND PROCEDURES RULE

1.01 PURPOSE. The purpose of this rule is to establish a recreation fee for the use of the recreation amenities within the District that would be available to the properties within Lake Bernadette that are not within the District; to provide regulations for the collection of said fees, and; providing for an effective date.

Specific Authority: Chapter 190.035; 190.012; 120.54, Florida Statutes

Law Implemented: Chapter 190.035, Florida Statutes

History: New

1.02 NECESSITY. The recreation fee established herein is necessary to fairly apportion the capital and operation and maintenance costs to resident users of the facilities so they are comparable with special assessments levied on the properties within the District for the payment of similar capital and operational and maintenance costs.

Specific Authority: Chapter 190.035; 190.012; 120.54, Florida Statutes

Law Implemented: Chapter 190.035, Florida Statutes

History: New

1.03 DEPOSIT FEE. A recreation fee of \$225.00 per fiscal year (October 1st through September 30th) would be the annual fee. A minimum fee of \$112.50, which is half the annual fee, would be established for a period of less than six months into the year.

Specific Authority: Chapter 190.035; 190.012; 120.54, Florida Statutes

Law Implemented: Chapter 190.035, Florida Statutes

History: New

1.04 ATTORNEY'S FEES. In any action to enforce the provisions of this Rule, the District shall be entitled to recover its costs and attorney's fees, including any fees and costs on appeal.

1.05 EFFECTIVE DATE. This Rule shall become effective upon adoption. This Rule has been adopted by the Board of Supervisors at their board meeting held on November 6, 1996.

Specific Authority: Chapter 190.035; 190.012; 120.54, Florida Statutes

Law Implemented: Chapter 190.035, Florida Statutes

History: New

STATEMENT OF PURPOSE

The Lake Bernadette Community Development District's proposed adoption of Chapter I of Recreation Center Policies and Procedures Rule to establish a recreation fee for the use of the recreation amenities within the District that would be available to the properties within Lake Bernadette that are not within the District; to provide regulations for the collection of said fees, and; providing for an effective date.

ECONOMIC IMPACT STATEMENT
LAKE BERNADETTE
COMMUNITY DEVELOPMENT DISTRICT

PROPOSED CHAPTER I
OF
RECREATION CENTER POLICIES AND PROCEDURES RULE

1.0 Introduction

This Economic Impact Statement was prepared pursuant to Chapter 120.54, F.S. to support the rule making action of the Lake Bernadette Community Development District as it establishes a recreation fee for its Recreation Center.

The sections below track the requirements of Chapter 120.54, F.S. concerning economic impact statements.

2.0 Estimated Costs to the District to Implement the Proposed Rule

- 2.1 The proposed rule will have little if any cost impact on any federal, state or local agency outside of the District. The cost to the District in terms of paper work and similar processing fees is considered to be an insignificant amount when compared to the overall capital and operating costs of the District's Recreation Center.

District costs to enact the proposed rule include:

1. Attorney's Fees
2. Consulting Engineering Fees
3. Advertising costs associated with the adoption of the rule
4. Copying costs for any interested persons requesting the rule, economic impact statement or the notices of the adoption of said rule

2.2 Operations and Maintenance

The direct cost of operating and maintaining the District's Park, Open Space and Recreation system vary from year to year and are estimated in the budget which the adoption of this rule and the establishment of rates, fees, and charges is meant to address.

3.0 Economic Costs and Benefits to all Affected Parties

- 3.1 Factors governing economic impacts through the imposition of rates, fees, and charges.

The rates, fees and charges are a clear form of user fee. Rates, fees and charges are not meant to recover the costs identified under paragraph 2.0 of this economic impact statement. Through the adoption of this rule, the recreation fee established herein is necessary to fairly apportion the capital and operation and maintenance costs to resident users of the facilities so they are comparable with special assessments levied on the properties within the District for the payment of similar capital and operational and maintenance costs. The market place will determine the actual value of the property, but clearly the economic benefit exceeds the costs that are anticipated to be incurred through the adoption of this rule and the establishment of the rates, fees, charges, and operating policies.

3.2 Impacts of Visitors, Citizens of Florida, and Local Residents and Business.

The development of properties within the Lake Bernadette Community Development District will enhance the areas economy. In so doing, visitors, citizens, local residents and business should benefit. The monetary amount of these benefits is difficult to measure but they are real and are believed to be positive.

4.0 Impact on Competition and the Open Market for Employment

- 4.1 The adoption of this rule and the implementation of the rates, fees and charges will have a positive impact on competition and the open market for employment. The utilization of properties within the District for residential, commercial, and community facility activities will stimulate the local economy creating jobs and income.

5.0 Small Business Impacts

- 5.1 There is no estimated adverse impact on small business as defined in the Florida Small and Minority Business Assistance Act of 1985.

6.0 Data and Methodology

- 6.1 The data and methodology used for this impact statement is contained herein.

**LAKE BERNADETTE
COMMUNITY DEVELOPMENT
DISTRICT**

RULES OF PROCEDURE

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CHAPTER A-1: LAKE BERNADETTE COMMUNITY DEVELOPMENT DISTRICT COMMUNITY DEVELOPMENT DISTRICT GENERAL AND PROCEDURAL RULES

A-1.01 General

(1) The Lake Bernadette Community Development District (the "District") was created pursuant to the provisions of Chapter 190, Florida Statutes (1989) 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 is to describe the general operations of the District.

Specific Authority: 190.011, 120.53(1)(a)

Law Implemented 190.011, 120.53(1)(a)

A.1.02 Board of Supervisors; Officers; Voting.

(1) Board of Supervisors. The Board of Supervisors of the District shall exercise the powers granted to the District. The Board shall consist of five members. Members of the Board must be residents of Florida and citizens of the United States.

(2) Term of Officers. Board members shall hold office pursuant to Section 190.006, Florida Statutes. If, during the term of office of any board member(s), one or more vacancies occur, the remaining member(s) of the Board shall fill the vacancies by appointment for the remainder of the unexpired term.

(3) Vacancies: Quorum. Three or more members of the Board shall constitute a quorum for the purposes of conducting its business and exercising its powers and for all other purposes. However, if three or more vacancies occur at the same time, a quorum is not necessary to fill the vacancies. Action taken by the Board shall be upon a vote of a majority of the members present, unless otherwise provided in these rules or required by law.

If a Supervisor misses more than three meetings in a fiscal year unless he has been excused with reasons considered sufficient by the Chairman, then he shall submit his resignation to the Chairman.

(4) 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 and treasurer.

(a) The term of office of the chairperson shall be two years. 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 to serve the remaining portion of the term, after filling the board vacancy. The chairperson shall convene and conduct all meetings of the Board. In the event the chairperson is unable to attend a given meeting, the vice chairperson shall convene and conduct the meeting.

(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 term

of office for the vice chairperson shall be two years, coincident to that of the chairperson. If the vice chairperson resigns from that office or ceases to be a member of the Board, the Board shall select a vice chairperson to serve the remainder of the term, after filling the Board vacancy.

(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. The District Manager may serve as secretary.

(d) The treasurer need not be a member of the Board but must be a resident of Florida. The treasurer shall perform duties described in Section 190.007(2) and (3), Florida Statutes, as well as those assigned by the Board from time to time. The treasurer shall serve at the pleasure of the Board .

(5) Committees. The Board may establish committees of the Board, either on a permanent or temporary basis, to perform specifically-designated functions. Such functions may include, but are not limited to, contract negotiations, personnel matters, and budget preparation.

(6) Record Book. The Board shall keep a permanent record book entitled "Record of Proceedings of the Lake Bernadette Community Development District," in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, bonds given by all employees, and corporate acts.

(7) Meetings. The Board shall establish a schedule of regular meetings and may also meet upon call of the chairperson or three board members. All meetings of the Board shall be open to the public in accordance with the provisions of Chapter 286, Florida Statutes.

(8) Voting Conflict of Interest. The intent of this section is to comply with Section 112.3143, Florida Statutes, and to ensure the proper disclosure of conflicts of interests on matters coming before the Board for a vote. Nothing in this rule shall prohibit the Board member with a voting conflict of interest from voting on a matter. For the purposes of this section, "voting conflict of interest" shall mean any matter coming before the Board of

Supervisors for a vote which would inure to a Board member's special private gain, or which a member knows would inure to the special private gain of a relative, a business associate, any principal by whom a member is retained, or the parent organization or subsidiary of a corporate principal by which a member is retained. However, it shall not be a conflict of interest for a board member to be a stockholder, officer or employee of any landowner.

(a) When a board member knows he has a voting conflict of interest on a matter coming before the Board, he 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. The member may then vote. The Board's secretary shall prepare a memorandum of voting conflict which shall then be signed by the Board member, filed with the Board's secretary, and attached to the minutes of the meeting within 15 days of the meeting.

(b) If a Board member inadvertently votes on a matter in which the member later learns he has a conflict, the member shall immediately notify the Board's secretary. Within 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 shall immediately be provided to other Board members and shall be read publicly at the next meeting held subsequent to the filing of the written memorandum. The Board member's vote is unaffected by this filing.

Specific Authority: 190.001, 120.53(1)(d)

Law Implemented: 190.006(1), 190.006(4), 190.006(5), 190.006(6), 190.006(7), 190.006(9), 190.007, 112.3143, 120.53(1)(d), 112.3143(4)(b)(91-85)

A-1.03 District Manager.

(1) Term of Service. The Board shall employ and fix the compensation of a District Manager. The District Manager shall serve at the pleasure of the Board.

(2) Responsibilities. The District Manager shall have charge and supervision of the works of the District and shall be responsible for preserving and maintaining any improvement or facility constructed or erected pursuant to actions by the Board, for maintaining and operating the equipment owned by the District, and for performing such other duties as may be prescribed by the Board. The District Manager may act as secretary of the Board.

(3) Hiring. The District Manager may hire or otherwise employ and terminate the employment of such other persons, including, without limitation, professional, supervisory, and clerical employees, as may be necessary.

Specific Authority: 190.011

Law Implemented: 190.007(1)

A-1.04 Public Information and Inspection Records.

(1) Public Records. All District public records within the meaning of Chapter 119, Florida Statutes, and not otherwise restricted by law, including the "Record of Proceedings of the Lake Bernadette Community Development District," may be copied or inspected at the District headquarters during regular business hours.

(2) Copies. Copies of public records shall be made available to the requesting person at a charge of \$.15 per page for one-sided copies and \$.20 per page for two-sided copies if not more than 8-1/2 by 14 inches, and for copies in excess of that size at a charge not to exceed the actual cost of reproduction. Certified copies of public records shall be made available at a charge of \$1.00 per page.

Specific Authority: 190.011, 120.53(1)(a)

Law Implemented: 190.06(7), 119.07(1)(a), 119.07(1)(b), 120.53(1)(a)

A-1.05 Meetings and Workshops.

(1) **Notice.** Except in emergencies, or as otherwise provided in these rules, at least seven days public notice shall be given of any meeting or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and shall state:

(a) The date, time, and place of the meeting or workshop;

(b) If final District action will take place at the meeting, the notice shall state that if a person decides to seek review of any official decision made at the Board meeting, a record of the proceedings will be required and the person intending to appeal will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence necessary for the appeal.

(2) **Agenda.** The District Manager, under the supervision of the chairperson or those members calling for a Board meeting, shall prepare a notice of the meeting or workshop and an agenda. The agenda may be changed before or at the meeting or workshop for good cause stated by the presiding officer and recorded in the minutes of the meeting.

(3) **Agenda Format.** The District may use the following format or such other format it deems necessary in preparing its agenda for its regular meeting:

1. Roll Call
2. Review of Minutes
3. Special Advertised Public Hearings
4. Audience Questions and Comments
5. Specific Items of Old Business
6. Committee Reports
 - a. Finance Committee
 - b. Construction Committee
 - c. Other Committees
7. Attorney's Report

8. Manager's Report
9. Supervisor's Requests and Comments
10. Review of Invoices and Funding Requests
11. Specific Items of New Business
12. Adjournment

(4) Minutes. The secretary shall be responsible for keeping the minutes of each meeting of the Board. Minutes shall be corrected and approved by the Board at a subsequent meeting.

(5) Receipt of Notice. Persons wishing to receive, by mail, notices or agendas of meetings, may so advise the District Manager or secretary at the Board's office. Such persons shall furnish a mailing address in writing and may be required to pay the cost of the copying and mailing.

(6) Emergency Meeting. The chairperson or the vice-chairperson if the chairperson is unavailable, may convene an emergency meeting of the Board without first having complied with Subsection (1), (2), (3), and (5), to act on emergency matters that may affect the public health, safety, or welfare. Whenever possible, the chairperson shall make reasonable efforts to notify all Board members of an emergency meeting 24 hours in advance. Reasonable efforts may include telephone notification. 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. Whenever an emergency meeting is called, the District Manager shall be responsible for notifying at least one major newspaper of general circulation in the District. 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 regular meeting for public comment. Such time for audience comment shall be identified in the agenda. Persons wishing to address the Board are required to notify the secretary of the Board

prior to the "audience comment" section on the agenda. In its discretion, the Board may limit the length of any one speaker in the interest of time or fairness to other speakers.

(8) Budget Hearing. Notice of hearing on the annual budget shall be in accordance with Section 190.008, Florida Statutes.

(9) Communications Media Technology. A meeting of the Board may be conducted by or in conjunction with Communications Media Technology (CMT), including teleconferences or video conferences. All evidence, testimony and argument presented shall be afforded equal consideration, regardless of the method of communication.

(10) Continuances. Any meeting of the Board or any item or matter included on the agenda for a meeting may be continued without re-notice or re-advertising provided that the continuance is to a specified date, time and location publicly announced at the Board meeting where the item or matter was included on the agenda.

(a) Definitions.

1. "Access point" means a designated place where a person interested in attending a CMT meeting may go for purposes of attending such meeting.

2. "Attend" means having access to the communications media technology network being used to conduct a meeting, or being used to take evidence, testimony or argument relevant in any issue being considered at a meeting.

3. "CMT meeting" means a meeting that is conducted by means of or in conjunction with communications media technology.

4. "Communications media technology" means the electronic transmission of printed matter, audio, full-motion video, freeze frame video, compressed video, and digital video by any method available.

5. "In conjunction with communications media technology" means that CMT access is being provided to a meeting otherwise being held with the collective, physical presence of the members of the Board in once place.

6. "By means of communication media technology" means that a meeting is being conducted entirely by means of communications media technology and that the members of the Board conducting such meeting may not be collectively, physically together in one place.

(b) Nothing in this rule shall be construed to permit the District to conduct any meeting otherwise subject to the provisions of Section 286.011, Florida Statutes, by means of communications media technology without making provision for the attendance at that meeting or workshop of any member of the public who desires to attend.

(c) The District may not limit the points of access provided to the public to places not normally open to the public. The District shall provide at least one access point in a location which is ordinarily open to the public. Any official action taken at a CMT meeting to which at least one access point is not provided shall be void and of no effect as being violative of the public's right of access.

(d) No meeting shall be conducted entirely by means of communications media technology if the available technology is insufficient to permit all interested persons to attend. If, during the course of a CMT meeting, technical problems develop with the communications network that prevent interested persons from attending, the District shall terminate the meeting until such problems have been corrected.

(e) Notice of a CMT meeting shall be in the same manner as a meeting without CMT. The notice shall plainly state that such a meeting is to be conducted by means of or in conjunction with CMT and identify the type of CMT to be used. The notice shall also describe how interested persons may attend, and include the address or addresses of all access points.

Specific Authority: 190.011(5), 190.011(15), 120.53(1)(d)

Law Implemented: 190.007(1), 190.008, 120.53(1)(d), 286.0105, 120.54(1)

A-1.06 Rulemaking Proceedings.

(1) Commencement of Proceedings. Proceedings held for adoption, amendment, or repeal of a District rule shall be conducted according to the applicable provisions of Chapter 120, Florida Statutes, and these rules. Rulemaking proceedings shall be deemed to have been initiated upon publication of notice by the District.

(2) Notice of Proceedings and Proposed Rules. Except in the case of emergency rules, notice of its intention to adopt, amend, or repeal a rule setting rates, fees, rentals, or other charges pursuant to Section 190.035, Florida Statutes, shall be given by the District by publication in a newspaper of general circulation in the District not less than 10 days prior to the intended action. Upon the publication of notice of its intention to adopt, amend, or repeal a rule, a draft of the proposed rules shall be made available to the public.

(3) Petitions to Initiate Rulemaking. All petitions for the initiation of rulemaking proceedings pursuant to Section 120.54(5), Florida Statutes, must contain the name and address of the Petitioner, specific reason for adoption, amendment, or repeal, specific action requested, the date submitted, and shall specify the text of the proposed rule. The Board shall then act on the petition in accordance with Section 120.54(5), Florida Statutes, and Sections 28-3.011 and 3.013, Florida Administrative Code, except that copies of the petition shall not be sent to the Administrative Procedures Committee.

(4) Rulemaking Materials. After the publication of the notice initiating rulemaking, the Board shall make available for public inspection and shall provide, upon request and payment of cost of copies, the following materials:

- (a) The text of the proposed rule, or any amendment or repeal of any existing rules;
- (b) A written statement justifying the proposed rule;
- (c) A copy of the economic impact statement required by Section 120.54; and
- (d) The published notice.

(5) Rulemaking Proceedings - No Hearing. When no hearing is requested and the Board chooses not to initiate a hearing on its own, or if the rule relates exclusively to organization, practice or procedure, the Board may direct the proposed rule be filed with the District Office no less than 28 days following notice. Such direction may be given by the Board either before initiating the rule-adoption process or after the expiration of the 21 days during which affected persons may request a hearing.

(6) Rulemaking Proceedings - Hearing. If the proposed rule does not relate exclusively to organization, practice or procedure, the District shall provide, upon request, 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. Any affected person may request a hearing within 21 days after the date of publication of the notice. The public hearings shall be conducted according to the procedure in Section 28-3.031, Florida Administrative Code. The Board, any member thereof, or any person designated by the Board, including but not limited to the District Manager or District Counsel, may preside at any hearing.

(7) 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 practical 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 and otherwise complies with applicable statutory provisions.

Specific Authority: 190.011(5), 190.011(15), 120.53(1)

Law Implemented: 120.54

A-1.07 Declaratory Statements.

(1) Definition. A declaratory statement is a means of resolving a controversy or answering questions or doubts concerning the applicability of any statutory provision, rule, or order as it does or may apply to a petitioner in that person's particular circumstances only.

(2) Petitioner. Any substantially affected person may petition the Board for a declaratory statement as to the applicability to the petitioner of any District regulation, order, resolution or statutory provision. The potential impact upon petitioner's interests must be alleged in order for petitioner to show the existence of a controversy, question, or doubt. The petition shall conform to the requirements of Section 28-4.001(2), Florida Administrative Code.

(3) Notice. The District shall give notice of each petition, briefly stating the question presented, in the Florida Administrative Weekly. The notice may take the following form:

NOTICE IS HEREBY GIVEN that pursuant to (relevant statute and rule), the Lake Bernadette Community Development District has received a Petition for Declaratory Statement from (name of Petitioner). Petitioner seeks a Response from the District as to (description of petition). A copy of the Petition may be obtained by (method of contact).

The District shall similarly give notice of the disposition of each petition, briefly explaining the District's response.

(4) Disposition of Petition. The petition may be placed on the agenda of the next Board meeting for which the agenda has not been finalized. The Board, in its discretion, may consider any oral testimony presented at the Board meeting. The Board shall issue an order within 45 days following consideration of the petition. The order shall only be applicable to the petitioner.

Specific Authority: 190.011(5), 190.011(15)

Law Implemented: 120.565

A-1.08 Decisions Determining Substantial Interests.

(1) Conduct of Proceedings. A proceeding may be held by the District upon written request submitted by a substantially affected person within 14 days after written notice of District action or receipt of written notice of intent to render a decision. The notice shall state the time limit for requesting a hearing and shall reference the District's procedural rules. If a hearing is held, the chairperson shall designate him/herself, or any member of the Board, District Manager, District Counsel, or other person to conduct the hearing.

The person conducting the hearing may:

1. Administer oaths and affirmations;
2. Rule upon offers of proof and receive relevant evidence;
3. Regulate the course of the hearing, including any prehearing matters;
4. Enter orders;
5. Make or receive offers of settlement, stipulation, and adjustment.

(c) The person conducting the hearing 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 recommendation for final District action.

(d) The District shall issue a final order within 45 days:

1. After the hearing is concluded, if conducted by the Board;
2. After a recommended order is submitted to the Board and mailed to all parties, if the hearing is conducted by persons other than the Board; or
3. After the Board has received the written and oral material it has authorized to be submitted, if there has been no hearing.

(2) Eminent Domain. After determining the need to exercise the power of eminent domain pursuant to Subsection 190.11(11), Florida Statutes, the District shall follow those

procedures prescribed in Chapters 73 and 74, Florida Statutes. Prior to exercising the power of eminent domain, the District shall:

(a) Adopt a resolution identifying the property to be taken;

(b) If the property is beyond the boundaries of the District, obtain approval by resolution of the governing body of the county if taking will occur in an unincorporated area, or of the municipality if the taking will occur within the municipality.

Specific Authority: 190.011(5), 190.011(15)

Law Implemented: 190.011(11)

A-1.09 Procedure Under Consultants' Competitive Negotiations Act.

In order to comply with the requirements of Section 287.055, Florida Statutes, the following procedures are outlined for selection of firms or individuals to provide professional services exceeding the thresholds herein described and in the negotiation of such contracts.

(1) Definitions. For this section:

(a) "Professional services" means those services within the scope of the practice of architecture, professional engineering, landscape architecture or registered land surveying, as defined by the laws of the state, or those performed by any architect, professional engineer, landscape architect or registered land surveyor, in connection with the firm's or individual's professional employment or practice.

(b) "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, 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.

(c) A "continuing contract" is a contract for professional services entered into in accordance with all the procedures of this rule between the District and a firm or individual, whereby the firm or individual provides professional services to the District for work of a specified nature as outlined in the contract required by the District, with no time limitation, except that the contract shall provide a termination clause.

(d) "Emergency purchase" is a purchase necessitated by a sudden unexpected turn of events (e.g., 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 bidding would be detrimental to the interests of the District.

(e) "District Representative" means the person or group designated by the chairperson to administer the bidding process. The District Representative may be the

chairperson, the Board, any member or committee of the Board, District Counsel, District Manager, or any other person.

(2) Qualifying Procedures. In order to be eligible to submit a bid proposal, a firm or individual must, at the time of receipt of the bid:

- (a) Hold the required applicable state professional license in good standing.
- (b) Hold all required applicable federal licenses in good standing, if any.
- (c) If the bidder is a corporation, hold a current and active Florida corporate charter or be authorized to do business in Florida in accordance with Chapter 607, Florida Statutes.
- (d) Meet any prequalification requirements set forth in the project or bid specifications.

Evidence of compliance with this rule may be submitted with the bid, if requested by the District.

(3) Public Announcement. Prior to a public announcement that professional services are required for a project, the Board shall identify the project as meeting the threshold requirement. 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 by publishing a notice providing a general description of the project and the method for interested consultants to apply for consideration. The notice shall appear in at least one newspaper of general circulation in the District and in such other places as the District deems appropriate. The District may maintain lists of persons interested in receiving such notices. Persons who provide their name and address to the District office for inclusion on the list shall receive notices by mail. The Board has the right to reject any and all bids, and such reservation shall be included in the public announcement. Bidders not receiving a contract award shall not be entitled to recover any costs of bid preparation or submittal from the District.

(4) Competitive Selection.

(a) The District Representative shall review and evaluate the data submitted in response to the notice described in A-1.09(3) with respect to qualifications and performance ability, as well as any statements of qualifications on file. The District Representative shall conduct discussions with, and may require public presentation by no less than three firms regarding their qualifications, approach to the project, and ability to furnish the required service.

(b) The District Representative shall, following the review and/or public presentation, select and list not less than three firms, 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:

1. The ability and adequacy of the professional personnel.
2. Past performance for the District and in other professional employment settings.
3. Willingness to meet time and budget requirements.
4. Geographic location of the firm's headquarters or office in relation to the project.
5. Recent, current and projected workloads of the bidder.
6. Whether the firm is a certified minority business enterprise.
7. Volume of work previously awarded to the bidder.
8. Whether the cost components of the bid response are appropriately balanced.

Nothing in these rules shall prevent the District from evaluating and eventually selecting a consultant in the event that less than three responses, including responses indicating a desire not to submit a formal bid on a given project, are received.

(c) If the selection process is administered by any person 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.

(5) Competitive Negotiations.

(a) After the Board has authorized the beginning of competitive negotiations, the District Representative shall begin such negotiations with the firm listed as most qualified to perform the required professional services, in an attempt to arrive at an agreed upon compensation which is deemed to be fair, competitive and reasonable.

(b) In negotiating a lump-sum or cost-plus-fixed-fee professional contract for more than the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY FOUR, the firm receiving the award shall be required to execute a truth-in-negotiating 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 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." All such contract adjustments shall be made within one year following the end of the contract.

(c) Should the District Representative 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, within 21 days unless modified by the Board, negotiations with that firm shall be terminated and the District representative shall immediately begin negotiations with the second most qualified firm. If a satisfactory agreement with the second firm cannot be reached within 21 days unless modified by the Board, those negotiations shall be terminated and negotiations with the third most qualified firm shall be undertaken.

(d) Should the District Representative be unable to negotiate a satisfactory agreement with any of the selected firms within 21 days unless modified by the Board, 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.

(e) Once an agreement with a firm or individual is reached, notice of the award or intent to award, including the rejection of some or all bids, shall be provided in writing to all bidders by United States Mail or by hand delivery, and by posting same in the District office for 7 days.

(6) Continuing Contract. Nothing in this rule shall prohibit a continuing contract between a firm or an individual and the District.

(7) 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), 287.055(3)(d)

Law Implemented: 190.011(3), 287.055, 190.011(2), 190.033

A-1.10 Procedure for Purchasing Contractual Services

(1) Scope. All purchases for contractual services exceeding the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY FOUR shall be made by competitive invitation to bid to the maximum extent practicable. If state or federal law prescribes with whom the District must contract, or establishes the rate of payment, then these rules shall not apply. A contract involving both goods, supplies and materials and contractual services may, in the discretion of the Board, be treated as a contract for goods, supplies and materials.

(2) Definitions. For this section:

(a) "Contractual services" means the rendering by a consultant of planning and professional services performed by persons required by the state to hold a professional license. Contractual services do not include legal (including attorneys, paralegals, court reporters and expert witnesses including appraisers), artistic, auditing, health, or academic program services, or professional services defined in Section A-1.09(1)(a). Contractual services do not include the extension of an existing contract for services if such extension is provided for in the contract terms.

(b) "Invitation to Bid" is a solicitation for sealed bids with the title, date and hour of the public bid opening designated specifically. It includes a description of the services sought, applicable terms and conditions, evaluation criteria, including but not limited to price, and provides for a manual signature of an authorized representative.

(c) "Request for Proposal" is a 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 provides a statement for services sought, applicable terms and conditions, and evaluation criteria, including but not limited to price.

(d) "Responsive bid/proposal" means a bid or proposal which conforms in all material respects to bid or request for proposal and these rules, and whose cost components are appropriately balanced. A bid/proposal is not responsive if the person or firm submitting the

bid fails to meet any requirement relating to the qualifications, financial stability, or licensing of the bidder.

(e) "Lowest and best bid" means, in the sole discretion of the Board, the bid (i) submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements and with the integrity and reliability to assure good faith performance, (ii) is responsive to the invitation to bid as determined by the Board, and (iii) is the lowest cost to the District. Minor variations in the bid may be waived by the Board. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids may not be modified after opening.

(f) "Proposal most advantageous to the District" means, in the sole discretion of the Board, the proposal (i) submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements and with the integrity and reliability to assure good faith performance, (ii) that is the most responsive to the request for proposal as determined by the Board, and (iii) is for a cost to the District deemed reasonable by the Board. Minor variations in the proposal may be waived by the Board. Mistakes in arithmetic extension of pricing may be corrected by the Board. Proposals may not be modified after opening. To assure full understanding of the responsiveness to the solicitation requirements, discussions may be conducted with qualified offerers. The offerers shall be accorded fair and equal treatment prior to the submittal date with respect to any opportunity for discussion and revision of proposals.

(g) "Emergency purchase" means a purchase necessitated by a sudden unexpected turn of events (e.g., 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 bidding would be detrimental to the interests of the District.

(h) "A continuing contract" is a contract for contractual services entered into in accordance with all the procedures of this rule between the District and a firm or individual,

whereby the firm or individual provides contractual services to the District for work of a specified nature as outlined in the contract required by the District, with no time limitation, except that the contract shall provide a termination clause.

(3) Procedure. When a purchase of contractual services is within the scope of this rule, the following procedure shall be followed:

(a) The Board shall cause to be prepared a notice of invitation to bid or request for proposal, as appropriate.

(b) Notice of invitation to bid or request for proposal shall be advertised at least once in a newspaper of general circulation in the District. The notice shall allow at least seven (7) days for submittal of bids or proposals unless the Board, for good cause, determines a shorter period of time is appropriate.

(c) The District may maintain a list of persons interested in receiving notices of invitations to bid or requests for proposals. Persons who provide their name and address to the District office for inclusion on the list shall receive notices by mail.

(d) Bids shall be opened at the time and place noted on the invitation to bid and request for proposal. Bids and proposals shall be evaluated in accordance with the invitation or request and these rules.

(e) If only one response to an invitation to bid or request for proposal is received, the District may proceed with the procurement for contractual services. If no response to an invitation to bid or request for proposal is received, the District may take whatever steps are reasonably necessary in order to proceed with the procurement of contractual services.

(f) The Board has the right to reject any or all bids or proposals and such reservation shall be included in all solicitations and advertisements. In the event the bids exceed the amount of funds available to or allocated by the District for this purchase, the bids may be rejected. Bidders not receiving a contract award shall not be entitled to recover any costs of bid preparation or submittal from the District.

(g) The lowest and best bid or the proposal most advantageous to the District, as appropriate, shall be accepted. The Board may require bidders to furnish performance and/or other bonds with a responsible surety to be approved by the Board.

(4) Notice. Notice of award or intent to award a contract, including the rejection of some or all bids, shall be provided in writing to all bidders by United States Mail or by hand delivery, and by posting same in the District office for 7 days.

(5) Contract Renewal. Renewal of a contract for contractual services shall be in writing and shall be subject to the same terms and conditions set forth in the initial contract. The costs of any contemplated renewals shall be included in the invitation to bid or request for contracts shall not be renewed for more than two years unless competitively procured. Renewal shall be contingent upon satisfactory performance evaluations by the District.

(6) Contract Manager and Contract Administrator. The Board may designate a representative to function as contract manager, who shall be responsible for enforcing performance of the contract terms and conditions and serve as a liaison with the contractor. The Board may also designate a representative to function as contract administrator, who shall be responsible for maintaining all contract files and financial information. One person may serve as both contract manager and administrator.

(7) Emergency Purchase. The District may make an emergency purchase of contractual services 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.

(8) Continuing Contract. Nothing in this rule shall prohibit a continuing contract between a firm or an individual and the District.

Specific Authority: 190.011(5)

Law Implemented: 190.011(3), 190.033

A-1.11 Purchase of Goods, Supplies or Materials.

(1) Scope. All purchase of goods, supplies or materials exceeding \$10,000 shall be purchased under the terms of these rules. Contracts for purchases of goods, supplies, or materials shall not be divided solely in order to avoid the requirements of these rules.

(2) Definitions.

(a) "Invitation to Bid" is a solicitation for sealed bids with the title, date and hour of the public bid opening designated specifically and defining the commodity involved. It includes printed instructions prescribing conditions for bidding, evaluation criteria, and provides for a manual signature of an authorized representative.

(b) "Request for Proposal" is a 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, proposal instructions, work detail analysis and evaluation criteria as necessary.

(c) "Responsive bid/proposal" means a bid or proposal which conforms in all material respects to the specifications and conditions in the invitation to bid or request for proposal and these rules, and the cost components of which are appropriately balanced. A bid/proposal is not responsive if the person or firm submitting the bid fails to meet any requirement relating to the qualifications, financial stability, or licensing of the bidder.

(d) "Lowest responsible bid/proposal" means, in the sole discretion of the Board, the bid or proposal (i) submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements and with the integrity and reliability to assure good faith performance, (ii) is responsive to the invitation to bid or request for proposal as determined by the Board, and (iii) is the lowest cost to the District. Minor variations in the bid may be waived by the Board. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids may not be modified after opening.

(e) "Goods, supplies and materials" do not include printing, insurance, advertising or legal notices.

(f) "Purchase" means acquisition by 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. It does not include the acquisition by rent, lease, lease/purchase or installment sale.

(g) "Emergency purchase" means a purchase necessitated by a sudden unexpected turn of events (e.g., acts of God, riot, fires, floods, hurricanes, accidents, or any circumstances or cause beyond the control of the Board in the informal conduct of its business), where the Board finds that the delay incident to competitive bidding would be detrimental to the interests of the District.

(3) Procedure. When a purchase of goods, supplies or materials is within the scope of this rule, the following is appropriate:

(a) The Board shall cause to be prepared a notice of invitation to bid or request for proposal, as appropriate.

(b) Notice of invitation to bid or request for proposal shall be advertised at least once in a newspaper of general circulation in the County and in the District. The notice shall allow at least seven days for submittal of bids, unless the Board, for good cause, determines a shorter period of time is appropriate.

(c) The District may maintain lists of persons interested in receiving notices of invitations to bid or requests for proposals. Persons who provide their name and address to the District office for inclusion on the list shall receive notices by mail.

(d) Bids or proposals shall be opened at the time and place noted on the invitation to bid or request for proposal. Bids and proposals shall be evaluated in accordance with the invitation or request and these rules.

(e) The lowest responsive and responsible bid or proposal shall be accepted; however, the Board shall have the right to reject all bids, either because they are too high or

because the Board determines it is in the best interests of the District. In the event the bids exceed the amount of funds available to or allocated by the District for this purchase, the bids may be rejected. The Board may require bidders to furnish performance and/or other bonds with a responsible surety to be approved by the Board. Bidders not receiving a contract award shall not be entitled to recover any costs of bid preparation or submittal from the District.

(f) Notice of award or intent to award, including rejection of some or all bids, shall be provided in writing to all bidders by United States Mail or by hand delivery, and by posting same in the District office for 7 days.

(g) If only one response to an invitation to bid or request for proposal is received, the District may proceed with the procurement for goods, supplies or materials. If no response to an invitation to bid or request for proposal is received, the District may take whatever steps are reasonably necessary in order to proceed with the procurement of goods, supplies or materials.

(h) 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.

(4) Nothing in this section shall preclude the purchase of goods, supplies or materials pursuant to state contract.

Specific Authority: 190.011(5)

Law Implemented: 190.033

A-1.12 Contracts for Construction of Authorized Project

(1) **Scope.** All contracts for the construction of any project authorized by Chapter 190, Florida Statutes, the cost of which is estimated by the District to be in excess of \$10,000 shall be let under the terms of these rules. The construction of these projects may involve the purchase of contractual services and/or goods, supplies or materials as defined in Sections A-1.10 and A-1.11. Where a contract for construction of such a project includes goods, supplies or materials and/or contractual services, the District may, in its sole discretion, award the contract according to the rules in this subsection in lieu of separately bidding for construction, goods, supplies or materials, and contractual services. However, a project shall not be divided solely in order to avoid the threshold bidding requirements.

(2) **Definitions.**

(a) "Invitation to Bid" is a solicitation for sealed bids with the title, date and hour of the public bid opening designated specifically and defining the work involved. It includes printed instructions prescribing all conditions for bidding, evaluation criteria, and provides for a manual signature of an authorized representative.

(b) "Request for Proposal" is a 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, proposal instructions, work detail analysis and evaluation criteria, as necessary.

(c) "Responsive bid/proposal" means a bid or proposal which conforms in all material respects to the specifications and conditions in the invitation to bid or request for proposal and these rules, and the cost components of which are appropriately balanced. A bid/proposal is not responsive if the person or firm submitting the bid fails to meet any requirements relating to the qualifications, financial stability, or licensing of the bidder.

(d) "Lowest responsible bid/proposal" means, in the sole discretion of the Board, the bid (i) submitted by a person or firm capable and qualified in all respects to

perform fully the contract requirements and with the integrity and reliability to assure good faith performance, (ii) is responsive to the invitation to bid or request for proposal as determined by the Board, and (iii) is the lowest cost to the District. Minor variations in the bid may be waived by the Board. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids may not be modified after opening.

(e) "Emergency purchase" means a purchase necessitated by a sudden unexpected turn of events (e.g., 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 bidding would be detrimental to the interests of the District.

(f) "District Representative" means the person or group designated by the chairperson to administer the bidding process. The District Representative may be the chairperson, the Board, any member or committee of the Board, District Counsel, District Manager, or any other person.

(3) Procedure.

(a) Notice of invitation to bid or request for proposal shall be advertised at least once in a newspaper of general circulation in the County and in the District. The notice shall allow at least seven days for submittal of bids, unless the Board, for good cause, determines a shorter period of time is appropriate.

(b) The District may maintain lists of persons interested in receiving notices of invitations to bid or requests for proposals. Persons who provide their name and address to the District office for inclusion on the list shall receive notices by mail.

(c) In order to be eligible to submit a bid or proposal, a firm or individual must, at the time of receipt of the bids or proposals:

(1) Hold the required applicable state professional license in good standing.

(2) Hold all required applicable federal licenses in good standing, if any.

(3) Hold a current and active Florida corporate charter or be authorized to do business in Florida in accordance with Chapter 607, Florida Statutes, if the bidder is a corporation.

(4) Meet any special prequalification requirements set forth in the bid proposal specifications.

Evidence of compliance with this rule may be submitted with the bid, if required by the District.

(d) Bids or proposals shall be opened at the time, date and place noted on the invitation to bid or request for proposal. Bids and proposals shall be evaluated in accordance with the invitation or request and these rules. The District Representative shall evaluate the bids.

(e) To assist in the determination of the lowest responsive and responsible bidder, the District Representative may invite public presentation by firms regarding their qualifications, approach to the project, and ability to perform the contract in all respects.

(f) In determining the lowest responsive and responsible bidder, the District Representative may consider, in addition to factors described in the invitation to bid or request for proposal, the following:

1. The ability and adequacy of the professional personnel.
2. Past performance for the District and in other professional employment settings.
3. Willingness to meet time and budget requirements.
4. Geographic location of the firm headquarters or office in relation to the project.
5. Recent, current and projected workloads of the bidder.
6. Whether the firm is a certified minority business enterprise.

7. Volume of work previously awarded to the bidder.

8. Whether the cost components of the bid response are appropriately balanced.

(g) The lowest responsive and responsible bid/proposal shall be accepted; however, the Board shall have the right to reject all bids, either because they are too high or because the Board determines it is in the best interests of the District. The Board may require bidders to furnish performance and/or other bonds with a responsible surety to be approved by the Board. If the Board receives fewer than three responses to an invitation to bid or request for proposal, the Board, may, in its discretion, readvertise for additional bids without rejecting any submitted bid. In the event the bids exceed the amount of funds available to or allocated by the District for this purchase, the bids may be rejected. Bidders not receiving a contract award shall not be entitled to recover any costs of bid preparation or submittal from the District.

(h) Notice of the award or intent to award, including rejection of some or all bids, shall be provided in writing to all bidders by United States Mail or by hand delivery, and by posting the same in the District office for 7 days.

Specific Authority: 190.011(5)

Law Implemented: 190.033

A-1.13 Contracts for Maintenance Services

(1) Scope. All contracts for maintenance of any District facility or project shall be let under the terms of these rules if the cost exceeds the amount provided in Sections 287.017(1) and (2), Florida Statutes, for CATEGORY TWO. The maintenance of these facilities or projects may involve the purchase of contractual services an/or goods, supplies or materials as defined in Sections A-1.10 and A-1.11. Where a contract for maintenance of such a facility or project includes goods, supplies or materials and/or contractual services, the District may, in its sole discretion, award the contract according to the rules in this subsection in lieu of separately bidding for maintenance, goods, supplies or materials, and contractual services. However, a project shall not be divided solely in order to avoid the threshold bidding requirements.

(2) Definitions.

(a) "Invitation to Bid" is a solicitation for sealed bids with the title, date and hour of the public bid opening designated specifically and defining the work involved. It includes printed instructions prescribing conditions for bidding, evaluation criteria, and provides for a manual signature of an authorized representative.

(b) "Request for Proposal" is a 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, proposal instructions, work detail analysis and evaluation criteria, as necessary.

(c) "Responsive bid/proposal" means a bid or proposal which conforms in all material respects to the specifications and conditions in the invitation to bid or request for proposal and these rules, and the cost components of which are appropriately balanced. A bid/proposal is not responsive if the person or firm submitting the bid fails to meet any requirements relating to the qualifications, financial stability, or licensing of the bidder.

(d) "Lowest responsible bid/proposal" means, in the sole discretion of the Board, the bid or proposal (i) submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements and with the integrity and reliability to assure good faith performance, (ii) is responsive to the invitation to bid or request for proposal as determined by the Board, and (iii) is the lowest cost to the District. Minor variations in the bid or proposal may be waived by the Board. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified after opening.

(e) "Emergency purchase" means a purchase necessitated by a sudden unexpected turn of events (e.g., 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 bidding would be detrimental to the interests of the District.

(f) "District Representative" means the person or group designated by the chairperson to administer the bidding process. The District Representative may be the chairperson, the Board, any member or committee of the Board, District Counsel, District Manager, or any other person.

(3) Procedure.

(a) Notice of invitation to bid or request for proposal shall be advertised at least once in a newspaper of general circulation in the County and in the District. The notice shall allow at least seven days for submittal of bids, unless the Board, for good cause, determines a shorter period of time is appropriate.

(b) The District may maintain lists of persons interested in receiving notices of invitations to bid or requests for proposals. Persons who provide their name and address to the District office for inclusion on the list shall receive notices by mail.

(c) In order to be eligible to submit a bid or proposal, a firm or individual must, at the time of receipt of the bids or proposals:

(1) Hold the required applicable state professional license in good standing.

(2) Hold all required applicable federal licenses in good standing, if any.

(3) Hold a current and active Florida corporate charter or be authorized to do business in Florida in accordance with Chapter 607, Florida Statutes if the bidder is a corporation.

(4) Meet any special prequalification requirements set forth in the bid proposal specifications.

Evidence of compliance with this rule may be submitted with the bid, if required by the District.

(d) Bids or proposals shall be opened at the time, date and place noted on the invitation to bid or request for proposal. Bids and proposals shall be evaluated in accordance with the invitation or request and these rules. The District Representative shall evaluate the bids.

(e) To assist in the determination of the lowest responsive and responsible bidder, the District Representative may invite public presentation by firms regarding their qualifications, approach to the project, and ability to perform the contract in all respects.

(f) In determining the lowest responsive and responsible bidder, the District Representative may consider, in addition to factors described in the invitation to bid or request for proposal, the following:

1. The ability and adequacy of the professional personnel.
2. Past performance for the District and in other professional employment settings.
3. Willingness to meet time and budget requirements.
4. Geographic location of the firm headquarters or office in relation to the project.

5. Recent, current and projected workloads of the bidder.
6. Whether the firm is a certified minority business enterprise.
7. Volume of work previously awarded to the bidder.
8. Whether the cost components of the bid response are appropriately balanced.

(g) The lowest responsive and responsible bid/proposal shall be accepted; however, the Board shall have the right to reject all bids, either because they are too high or because the Board determines it is in the best interests of the District. The Board may require bidders to furnish performance and/or other bonds with a responsible surety to be approved by the Board. If the Board receives fewer than three responses to an invitation to bid or request for proposal, the Board may, in its discretion, readvertise for additional bids without rejecting any submitted bid. In the event the bids exceed the amount of funds available to or allocated by the District for this purchase, the bids may be rejected. Bidders not receiving a contract award shall not be entitled to recover any costs of bid preparation or submittal from the District.

(h) Notice of the award or intent to award, including rejection of some or all bids, shall be provided in writing to all bidders by United States Mail or by hand delivery, and by posting the same in the District office for 7 days.

Specific Authority: 190.011(5)

Law Implemented: 190.033

A-1.14 Bid Protests Under Consultants' Competitive Negotiations Act

Notwithstanding any other provision in these rules, the resolution of any protests regarding the decision to solicit or award a contract for a bid or proposal under Section A-1.09 shall be in accordance with this section.

(1) Notice. The District shall give all bidders written notice of its decision to award or intent to award a contract --including rejection of some or all bids-- by United States Mail or by hand delivery, and by posting same in the District office for 7 days. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes."

(2) Filing. Any person who is affected adversely by the District's decision or intended decision shall file with the District a notice of protest in writing within 72 hours after the posting of the final bid tabulation or after receipt of the notice of the District decision or intended decision, and shall file a formal written protest within 10 days after the date of filing of the notice of protest. With respect to a protest of the specifications contained in an invitation to bid or in a request for proposals, the notice of protest shall be filed in writing within 72 hours after the receipt of notice of the project plans and specifications or intended project plans and specifications in an invitation to bid or request for proposals, and the formal written protest shall be filed within 10 days after the date the of notice of protest is filed. Failure to file a notice of protest or failure to file a formal written protest shall constitute a waiver of all further proceedings. The formal written protest shall state with particularity the facts and law upon which the protest is based and shall conform with the requirements of Section 28-5.201 of the Florida Administrative Code.

(3) Award Process. Upon receipt of a notice of protest which has been timely filed, the District shall stop the bid solicitation process or the contract and award process until the subject of the protest is resolved. However, if the District sets forth in writing particular facts and circumstances which require the continuance of the process without delay in order to

avoid an immediate and serious danger to the public health, safety, or welfare, the award process may continue.

(4) Mutual Agreement. The District, on its own initiative or upon the request of a protester, shall provide an opportunity to resolve the protest by mutual agreement between the parties within (7) days --excluding Saturdays, Sundays and legal holidays-- of receipt of a formal written request.

(5) Informal Proceeding. If the subject of a protest is not resolved by mutual agreement, and if there is no disputed issue of material fact, an informal proceeding shall be conducted in accordance with the procedural guidelines set forth in Section A-1.08.

(6) Formal Proceeding. If the protest is not resolved by mutual agreement, and if there is a disputed issue of material fact, then the District shall refer the protest to the Division of Administrative Hearings (DOAH) for proceedings under Section 120.57(1), Florida Statutes.

Specific Authority: 120.53(5), 190.011(5)

Law Implemented: 120.53(5), 190.033

A-1.15 Bid Protests Relating To Any Other Award

Notwithstanding any other provision in these rules, the resolution of any protests regarding the decision to solicit or award a contract for a bid or proposal under Sections A-1.10, A-1.11, A-1.12, A-1.13 or A-1.14 shall be in accordance with this section.

(1) Notice. The District shall give all bidders written notice of its decision to award or intent to award a contract --including rejection of some or all bids-- by United States Mail or by hand delivery, and by posting same in the District office for seven (7) days.

(2) Filing. Any person who is affected adversely by the District's decision or intended decision shall file with the District a notice of protest in writing within 72 hours after the posting of the final bid tabulation or after receipt of the notice of the District decision or intended decision, and shall file a formal written protest within seven (7) days after the date of filing of the notice of protest. The formal written protest shall state with particularity facts and law upon which the protest is based. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of all further proceedings.

(3) Award Process. Upon receipt of a notice of protest which has been timely filed, the District shall stop the bid solicitation process or the contract and award process until the subject of the protest is resolved. However, if the District sets forth in writing particular facts and circumstances which require the continuance of the process without delay in order to avoid an immediate and serious danger to the public health, safety, or welfare, the award process may continue.

(4) Mutual Agreement. The District, on its own initiative or upon the request of a protester, shall provide an opportunity to resolve the protest by mutual agreement between the parties within five (5) days --excluding Saturdays, Sundays and legal holidays-- of receipt of a formal written protest.

(5) Hearing. If the subject of a protest is not resolved by mutual agreement, the District shall hold a proceeding in accordance with the procedural guidelines set forth in Section A-1.08.

Specific Authority: 190.011(5)
Law Implemented: 190.033

A-1.16 Effective Date

These rules shall be effective March 27, 1996 except that no election of officers required by these rules shall be required until after the next regular election for the Board of Supervisors.

8C

Florida Municipal Insurance Trust
 Lake Bernadette Community Development District
 Rate Quote for Medical and Prescription Drug Benefit Coverage

Current Rates - UnitedHealthcare Choice Plus Plan 3				
10/01/2024-				
Contract Type	Enrollment	09/30/2025	Monthly Premium	Annual Premium
Single	1	\$2,835.56	\$2,835.56	\$34,026.72
EE + Spouse	0	\$6,096.46	\$0.00	\$0.00
EE + Children	0	\$5,245.78	\$0.00	\$0.00
Family	0	\$8,506.67	\$0.00	\$0.00
Total	1		\$2,835.56	\$34,026.72

Renewal Rates - UnitedHealthcare Choice Plus Plan 3				
10/01/2025-				
Contract Type	Enrollment	09/30/2026	Monthly Premium	Annual Premium
Single	1	\$3,002.86	\$3,002.86	\$36,034.30
EE + Spouse	0	\$6,456.15	\$0.00	\$0.00
EE + Children	0	\$5,555.28	\$0.00	\$0.00
Family	0	\$9,008.56	\$0.00	\$0.00
Total	1		\$3,002.86	\$36,034.30

Percent Change	5.90%
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Prescription Drug Copays	
Retail:	\$10/\$35/\$60
Mail Order:	\$25/\$87.50/\$150



This Coverage Agreement shall memorialize the group health plan coverage and required premiums as agreed between Florida Municipal Insurance Trust ("FMIT") and Lake Bernadette Community Development District ("Designated Member"). The effective date of this agreement is 10/01/2025-09/30/2026.

Coverage / Plans

Medical Coverage
UnitedHealthcare, Rx Copays \$10/\$35/\$60; 2.5 for mail order \$25/\$87.50/\$150
Delta Dental PPO 1500-Employer Paid

Premiums

UnitedHealthcare Plan 3		Delta Dental PPO 1500	
Employee	\$3,002.86	Employee	\$33.61
Employee + Spouse	\$6,456.15	Employee + Spouse	\$67.36
Employee + Children	\$5,555.28	Employee + Children	\$71.58
Employee + Family	\$9,008.56	Employee + Family	\$110.27

Other Specified Items

As a condition of the Coverage/Plans provided pursuant to this Coverage Agreement, Designated Member agrees to use UnitedHealthcare Benefit Services for all administration of benefits under the Continuation of Health Coverage requirements of the Consolidated Omnibus Budget Reconciliation Act, more commonly referred to as "COBRA" benefits.

Disclosure (new FMIT groups only)
Dependent SSN for enrollment

Signatures

Representative, Florida Municipal Insurance TrustDate

Representative, Lake Bernadette Community Development DistrictDate

Note: Termination of coverage requires a 45 day written notice.

UnitedHealthcare Dental and Vision Coverage

The FMIT Dental and Vision plans are defined as Employer paid or Voluntary, this is based on employee participation levels which are a key factor in the underwriting formula. Employer paid plans are when the employer pays at least 50% of the cost and has at least 75% of eligible employees covered. Voluntary plans are when the employee pays the premium through payroll deduction. **Please fill out the below statement regarding your cities Dental and/or Vision coverage and return with your signed Coverage Agreement to crochester@flcities.com or**

Health/Benefit Services Department
Florida League of Cities
PO Box 530065
Orlando, Florida 32853-0065

We are electing the following coverages for our employees:

_____ Employer Paid Dental Coverage

_____ Voluntary Dental Coverage

_____ Employer Paid Vision Coverage

_____ Voluntary Vision Coverage

Signature_____

Date_____



NINTH ORDER OF BUSINESS

August 26th 2025

Upcoming Events:

1. Blood drive 9/23 12:30-2:30pm
2. Cdd meeting 6pm
3. July BBQ 6th 12-2pm
4. Book Club 9/18 1pm
5. Bunko 9/6 1:30pm

Upcoming Projects:

1. Duke energy street light replacement starts Nov 10th
2. Pool deck proposals pushed to September meeting
3. New wood caps on columns at Cabana building replaced September
4. New proposal for cameras provided by Reese electric / Complete IT
5. Cabana pool patch on floor area being re-patched by Triangle pools in September
6. Proposal from Yellowstone for cleanup of 10-2 area

Completed projects/ tasks

1. Repaired clubhouse pool shower head after being broken off
2. 5 new renters registered
3. 41 access cards updated
4. 17 access cards replaced
5. Repaired 1 hole in the main deck pvc decking
6. New vending machine in gym with new vendor
7. Installed 3 strong arm closers at clubhouse (Stans locks)
8. New Radar sign installed, refurbished the solar powered sign completed
9. Replaced 2 stenner pumps that failed at cabana pool
10. Replaced two life rings at pools
11. Cleaned ceiling fans throughout clubhouse
12. New pool cleaner from Triangle pools after repetitive issues with pool cleaner
13. 2 gym cables replaced due to fraying (Coastal Fitness)
14. Plumbing issue in men's locker room cleared (Bahrs plumbing)

9A

ILLUMINATIONS HOLIDAY LIGHTING

Proposal

8606 Herons Cove Pl

Tampa, FL 33647

Tim Gay

(813) 334-4827

TO:

Lake Bernadette CDD

2654 Cypress Ridge Boulevard, Suite 101

Wesley Chapel, FL 33544

Attn: Dan Nesselt

(813) 991-1116

JOB DESCRIPTION

Holiday Lighting Proposal for Lake Bernadette CDD

ITEMIZED ESTIMATE: TIME AND MATERIALS**AMOUNT****Entrance - Eiland Blvd**

Install clear, warm white C9s across all levels of entrance sign including monument cap

\$1,500.00

Install 2 x 36" wreaths with lights and bows on entrance and exit side of monument cap column

Sago

Install warm white, LED mini lights in shrubs in front of entrance sign

\$250.00

Shrubs

Install warm white, LED mini lights covering shrubs directly in front of entrance sign

\$1,500.00

Crape Myrtle

Install warm white, LED mini lights on limbs of Crape Myrtle

\$1,000.00

Install spritzers from canopy of Crape Myrtle

Requires 50 percent deposit

TOTAL ESTIMATED JOB COST \$4,250.00

* Price includes rental of materials, labor, installation, service and removal of all materials.

* Assumes adequate power available.

* Remaining balance of project due upon receipt of invoice after installation.

* Removal process begins after New Years Day. It can take up to a week or more for completion. Power can be turned off in the interim.

Tim Gay

PREPARED BY

8/1/2025

DATE

AUTHORIZED SIGNATURE FOR LAKE BERNADETTE CDD

DATE

9B.

Reese Electrical, Inc.

3633 New River Road
Wesley Chapel, FL 33543
EC13001353

Estimate

Date	Estimate #
8/8/2025	5950

Name / Address
Lake Bernadette Community Center 5410 Golf Links Boulevard Zephyrhills, FL 33541

Project	
Description	Total
Job: Clubhouse Supply and Install: 2- 16ft Above Ground Round Poles 70ft - 1in Conduit to IT Room (Playground) With Pull String 170ft - 1in Conduit to IT Room (Tennis Court Area) With Pull String TOTAL	4,930.00
100% Due Upon Completion. Cards are accepted with an additional 3.5% fee, checks are preferred.	Total \$4,930.00

Signature _____

Phone #	Fax #	E-mail
(813) 788-0091		reeseelectric@gmail.com

9C.

2664 Cypress Ridge Blvd | Suite 103
Wesley Chapel, FL. 33544
<https://completeit.io>
(813) 444-4355



Customer Contact Information:

Lake Bernadette CDD
5410 Golf Links Boulevard
Zephyrhills, FL 33541

Estimate # 5159
Estimate Date 05-09-25
Sales Team Member

Total	\$1,325.00
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Item	Description	Unit Cost	Quantity	Line Total
(none)	G5 Turret Ultra	\$250.00	1.0	\$250.00
(none)	Long Distance POE Switch	\$85.00	1.0	\$85.00
Tech Labor- Cameras ACS	Hourly Labor Service Minimum 2-hour Cameras/ACS - CIT will pull CAT6 through conduit (installed by CDD) using commercial pull string (installed by CDD). Labor is only an estimate. - 16ft Pole will be installed by CDD	\$165.00	6.0	\$990.00

THIS IS ONLY AN ESTIMATE

Subtotal	\$1,325.00
Tax (if applicable)	\$0.00
Estimate Total	\$1,325.00

Due to ongoing tariff discussions, final pricing may be subject to change. For any questions, please contact us at info@completeit.io.

For Approval Sign Here: _____

Date: _____

Billing Contact:

- **Name:** _____
- **Email :** _____

9D

2664 Cypress Ridge Blvd | Suite 103
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Customer Contact Information:

Lake Bernadette CDD
5410 Golf Links Boulevard
Zephyrhills, FL 33541

Estimate # 5160
Estimate Date 05-09-25
Sales Team Member

Total	\$910.00
-------	----------

Item	Description	Unit Cost	Quantity	Line Total
(none)	G5 Turret Ultra	\$250.00	1.0	\$250.00
Tech Labor- Cameras ACS	Hourly Labor Service Minimum 2-hour Cameras/ACS - CIT will pull CAT6 through conduit (installed by CDD) using commercial pull string (installed by CDD). Labor is only an estimate. - 16ft Pole will be installed by CDD	\$165.00	4.0	\$660.00

THIS IS ONLY AN ESTIMATE

Subtotal	\$910.00
Tax (if applicable)	\$0.00
Estimate Total	\$910.00

Due to ongoing tariff discussions, final pricing may be subject to change. For any questions, please contact us at info@completeit.io.

For Approval Sign Here: _____

Date: _____

Billing Contact:

- **Name:** _____
- **Email :** _____

9E.

FHP Stats July

16th

Speed 1

Speed warn 3

Susp DL 1

Exp Tag 1

Insurance 1

23rd

Speed 2

Rain most of shift

29th

Speed 4

Speed warn 2