

*Sandmine Road
Community Development District*

Agenda

June 18, 2020

AGENDA

Sandmine Road

Community Development District

219 East Livingston Street, Orlando, Florida 32801

Phone: 407-841-5524 – Fax: 407-839-1526

June 15, 2020

**Board of Supervisors
Sandmine Road
Community Development District**

Dear Board Members:

The special meeting of the Board of Supervisors of **Sandmine Road Community Development District** will be held **Thursday, June 18, 2020 at 2:00 PM via Zoom**; by following this link <https://zoom.us/j/94357816587> or by calling in via (646) 876-9923 and entering the Meeting ID: **943 5781 6587**. Following is the advance agenda for the meeting:

1. Roll Call
2. Public Comment Period
3. Approval of Minutes of the April 16, 2020 Meeting
4. Public Hearings
 - A. Public Hearing on the Rules of Procedure
 - i. Consideration of Resolution 2020-29 Adopting the District's Rules of Procedure
 - B. Public Hearing on the Uniform Collection Method
 - i. Consideration of Resolution 2020-30 Expressing the District's Intent to Utilize the Uniform Method of Collection
 - C. Public Hearing on the Imposition of Special Assessments
 - i. Consideration of Engineer's Report, dated April 16, 2020
 - ii. Consideration of Master Assessment Methodology for Assessment Area One, dated April 16, 2020
 - iii. Consideration of Resolution 2020-31 Levying Assessments
5. Staff Reports
 - A. Attorney
 - B. Engineer
 - C. District Manager's Report
 - i. Balance Sheet and Income Statement
 - ii. Ratification of FY20 Funding Request #2
 - iii. Consideration of FY20 Funding Request #3
6. Other Business
7. Supervisors Requests
8. Adjournment

The second order of business of the Board of Supervisors is the Public Comment Period where the public has an opportunity to be heard on propositions coming before the Board as reflected on the agenda, and any other items.

The third order of business is approval of the minutes of the April 16, 2020 meeting. The minutes are enclosed for your review.

The fourth order of business is public hearings. Section A is the public hearing on the rules of procedure. Section 1 is consideration of Resolution 2020-29 adopting the District's Rules of Procedure. Section B is the public hearing on the uniform collection method. Section 1 is consideration of Resolution 2020-30 Expressing the District's intent to utilize the uniform method of collection. Section C is the public hearing on the imposition of special assessments. Section 1 is consideration of Engineer's Report. A copy of the report is enclosed for your review. Section 2 is consideration of Master Assessment Methodology for Assessment Area One. A copy of the methodology is enclosed for your review. Section 3 is consideration of Resolution 2020-31 levying assessments. A copy of the resolution is enclosed for your review.

The sixth order of business is staff reports. Section C is the District Manager's report. Section 1 includes the balance sheet and income statement for your review. Section 2 is ratification of FY20 funding request #2. Section 3 is the consideration of FY20 funding request #3. A copy of the funding requests and supporting invoices are enclosed for your review.

The balance of the agenda will be discussed at the meeting. In the meantime, if you should have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "G. S. Flint".

George S. Flint
District Manager

CC: Darrin Mossing, GMS

Enclosures

MINUTES

MINUTES OF MEETING
SANDMINE ROAD
COMMUNITY DEVELOPMENT DISTRICT

The Organizational meeting of the Board of Supervisors of the Sandmine Road Community Development District was held Thursday, April 16, 2020 at 2:00 p.m. via Zoom Video Conferencing, pursuant to Executive Orders 20-52, 20-69 and 20-91 (as extended by Executive Order 20-112) issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 1, 2020, and April 29, 2020 respectively, and pursuant to Section 120.54(5)(b)2., *Florida Statutes*.

Present and constituting a quorum were:

Doug Hoffman	Chairman
Wesley Hunt	Vice Chairman
Amy Steiger	Assistant Secretary
Aaron Struckmeyer	Assistant Secretary
Eric Baker	Assistant Secretary

Also present were:

George Flint	District Manager
Tucker Mackie	District Counsel
Emma Gregory	District Counsel
Broc Althafer	Interim District Engineer

FIRST ORDER OF BUSINESS

Introduction

A. Call to Order

Mr. Flint called the meeting to order and called the roll. All five Board Members were present via Zoom teleconference constituting a quorum.

B. Public Comment Period

There were no members of the public present for the meeting. Mr. Flint noted that they are operating under the remote meeting emergency order by the Governor. He noted that they ran a notice in the paper that advised any members of the public on how they could participate if they chose to. He stated that they did not receive any questions or contacts from any members of the public in the Zoom link to participate in this meeting.

C. Oath of Office

Mr. Flint stated he had received the oaths of office from all five Board Members in advance of the meeting.

SECOND ORDER OF BUSINESS

Organizational Matters

A. Confirmation of Notice of Meeting

This meeting was advertised in the newspaper contemplating it would be a remote meeting through Zoom. The notice is included in the agenda package.

B. Information on Community Development Districts and Public Official Responsibilities and Florida Statutes Chapter 190

Mr. Flint stated that everybody on the Board is familiar with Community Development Districts and has likely served as a Board Member at other Districts. Mr. Flint asked Ms. Mackie to go through the Sunshine Law and Public Records. Ms. Mackie reviewed the obligation to comply with Florida Sunshine Law which prohibits conversation with one another about matters that could come before the Board outside of a publicly noticed meeting. They may have conversation with District staff, but not one another. If the Board Members have questions, they are asked to contact Mr. Flint or Ms. Mackie. This would include direct text messages, Facebook, etc. She reminded Board Members to keep documents separate and apart from work-related materials in the case that a public request is received they can comply quickly.

C. Election of Officers

1. Consideration of Resolution 2020-01 Appointing Officers

Mr. Flint stated the Board had been provided with Resolution 2020-01 Electing officers. The Chair and Vice Chair have to be Board Members, the other officers can be Board Members or not, they are not required to be. Typically, the Chair and Vice-Chair would be Board Members and the other three are usually designated as Assistant Secretaries. The District Manager will be Secretary, and the District Accountant is Treasurer. He reminded the Board they could deviate from that if they chose too. The Board chose to do one motion with a slate of officers. Mr. Flint also reminded the Board that another election would be held within 90 days of formation and they could make changes at that time. The officers were as follows: Mr. Hoffman as Chairman, Mr.

Hunt as Vice-Chairman, Mr. Flint as Secretary, Ms. Steiger, Mr. Struckmeyer, and Mr. Baker as Assistant Secretaries, and Mr. Lovera as Treasurer.

On MOTION by Mr. Huffman, seconded by Mr. Hunt, with all in favor, Resolution 2020-01 Appointing Officers, Mr. Hoffman as Chairman, Mr. Hunt as Vice-Chairman, Ms. Steiger, Mr. Struckmeyer and Mr. Baker as Assistant Secretaries, Mr. Flint as Secretary and Mr. Lovera as Treasurer, was approved.

THIRD ORDER OF BUSINESS

Retention of District Staff

A. Consideration of Contract for District Management Services

1. Consideration of Resolution 2020-02 Appointing District Manager

Mr. Flint stated that this is a standard agreement and describes the scope of work and included is the fees listed as Exhibit A. Mr. Flint stated this outlines the fees previously discussed and are consistent with other Districts.

On MOTION by Mr. Hoffman, seconded by Mr. Hunt, with all in favor, Resolution 2020-02 Appointing GMS as the District Manager, was approved.

B. Consideration of Agreement for District Counsel Services

2. Consideration of Resolution 2020-03 Appointing District Counsel

Mr. Flint stated that the engagement letter has been included in the agenda package. Ms. Mackie reviewed the charges for services.

On MOTION by Mr. Hunt, seconded by Mr. Hoffman, with all in favor, Resolution 2020-03 Appointing District Counsel, was approved.

C. Consideration of Resolution 2020-04 Selection of Registered Agent and Office

Mr. Flint stated that the District Agent would be himself and the office in Orlando as the registered office. This is for purposes of primarily official communication from the state, or if litigation was filed it would be sent to the registered agent.

On MOTION by Mr. Hunt, seconded by Mr. Hoffman, with all in favor Resolution 2020-04 Selecting Mr. Flint as the Registered Agent and the GMS-CF, LLC office at 219 East Livingston Street, Orlando, Florida 32801 as the Registered Office, was approved.

D. Consideration of Resolution 2020-05 Appointing Interim District Engineer

Mr. Flint stated this would require the District to issue an RFQ for these services. This is handled by initially appointing an Interim District Engineer. This Resolution names Osceola Engineering as the Interim District Engineer. The resolution is Exhibit A included in the packet.

On MOTION by Mr. Hoffman, seconded by Mr. Hunt, with all in favor, Resolution 2020-05 Appointing Osceola Engineering as the Interim District Engineer, was approved.

E. Consideration of Interim District Engineering Agreement

Mr. Flint stated this agreement included in the agenda packet is for Interim District Engineering services, naming Osceola Engineering as the Interim District Manager. The fee sheet was attached.

On MOTION by Mr. Hoffman, seconded by Mr. Hunt, with all in favor, the Interim District Engineer Agreement with Osceola Engineering, was approved.

F. Request Authorization to Issue RFQ for Engineering Services

Mr. Flint stated this would authorize staff to issue and RFQ.

On MOTION by Mr. Hunt, seconded by Mr. Hoffman, with all in favor, Authorization of Staff to Issue an RFQ for Engineering Services, was approved.

FOURTH ORDER OF BUSINESS

Designation of Meetings and Hearing Dates

A. Consideration of Resolution 2020-06 Designation of Regular Monthly Meeting Date, Time and Location for Fiscal Year 2020

Mr. Flint suggested the third Thursday of the month at 2:00 p.m. for the regular monthly meeting. Mr. Flint stated that initially they would be announced as remote meetings and then down

the road they would announce a location. There would be some adjustments for the future public meetings and the upcoming Landowner meetings especially for the required public notice in regard to location.

On MOTION by Mr. Hoffman, seconded by Mr. Struckmeyer, with all in favor, Resolution 2020-06 Designating the Regular Monthly Board Meetings for the Third Thursday of the Month at 2:00 p.m., was approved.

B. Consideration of Resolution 2020-07 Designation of Landowner's Meeting Date, Time and Location

Mr. Flint suggested the construction trailer/school address for the Landowner Election. Ms. Mackie stated that when they running the advertisement once they get confirmation on that location and the Resolution would state TBD. Mr. Flint suggested the third Thursday May 21st at 2:00 for the date and time. Mr. Flint confirmed that at least three members of the Board needed to be present to make a quorum.

On MOTION by Mr. Hunt, seconded by Mr. Struckmeyer, with all in favor, Resolution 2020-07 Designating the Landowner's Meeting for May 21, 2020 at 2:00 p.m. with the location TBD, was approved.

C. Designation of Date of Public Hearing to Adopt Rules of Procedure in accordance with Section 120.54, Florida Statutes

1. Consideration of Resolution 2020-08 Setting a Public Hearing to Consider the Proposed Rules of the District

Mr. Flint stated the proposed rules and procedures are included in your package. Mr. Flint noted that this required a notice. The recommended date was for the June meeting which would give them 60 days to take care of the notice requirements. This would be June 18, 2020 at 2:00 p.m., which would be the regular monthly meeting. The location will be TBD.

On MOTION by Mr. Struckmeyer, seconded by Mr. Hunt, with all in favor, Resolution 2020-08 Setting a Public Hearing to Adopt the Rules of Procedure for June 18, 2020 at 2:00, with the location TBD, was approved.

D. Designation of Dates of Public Hearing on the Budget for Fiscal Year 2020 & 2021

1. Consideration of Resolution 2020-09 Setting the Public Hearing and Approving the Proposed Budgets for Fiscal Years 2020 & 2021

Mr. Flint asked Counsel about the deadline for the 2021 budget. Ms. Mackie asked about if the 2021 proposed budget was in the materials today. Mr. Flint clarified that both the 2020 and 2021 budgets were in the exhibits so they would make the June 15th deadline. Mr. Flint noted that the budget can change between now and the public hearing to adopt it in its final form. It covers both the current fiscal year, FY 20, which is a prorated budget which will carry through September 30th. The FY 21 budget starts on October 1. This approves the proposed budget and sets a hearing for its final adoption. This contemplates the District would enter into a Developer Funding Agreement. So there is no assessments that would be put in place at this point. The Developer would only be responsible for the actual cost incurred, up to the amount in the budget.

On MOTION by Mr. Hoffman, seconded by Mr. Hunt, with all in favor, Resolution 2020-09 Setting the Public Hearing for July 16, 2020 at 2:00 and Approving the Proposed Budgets for Fiscal Years 2020 & 2021, was approved.

2. Approval of the Fiscal Year 2020 Budget Funding Agreement

Mr. Flint presented Resolution 2020-09 and noted that a copy of the proposed budget was in the agenda package.

On MOTION by Mr. Hoffman, seconded by Mr. Hunt, with all in favor, the Fiscal Year 2020 Budget Funding Agreement, was approved.

E. Resolution 2020-10 Setting Date of Public Hearing Expressing the District's Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad-Valorem Assessments in accordance with Section 197.3632, Florida Statutes

Mr. Flint stated this public hearing would allow the District to use the tax bill to collect the operation maintenance and debt services assessments. He noted that they like to get this done earlier so when bonds are issued this is already taken care of and in place. All the Board is doing

today is setting the public hearing, which needs to be at least 30 days out. Mr. Flint suggested the June meeting for the Public Hearing.

On MOTION by Ms. Steiger, seconded by Mr. Baker, with all in favor, the Resolution 2020-10 Setting Date of Public Hearing for June 18th, 2020 at 2:00 Expressing the District's Intent to Utilize the Uniform method of Levying, Collecting and Enforcing non-Ad-Valorem Assessments in accordance with Section 197.3632, Florida Statutes for June, was approved.

FIFTH ORDER OF BUSINESS

Other Organizational Matters

A. Consideration of Resolution 2020-11 Designating a Qualified Public Depository

Mr. Flint recommended approving SunTrust Bank as the district's public depository.

On MOTION by Mr. Hunt, seconded by Mr. Hoffman, with all in favor, Resolution 2020-11 Designating SunTrust Bank as the District Depository, was approved.

B. Consideration of Resolution 2020-12 Authorization of Bank Account Signatories

Mr. Flint asked that the signatories be George Flint and Mr. Lovera as signers for the District allowing them to sign checks and process invoices.

On MOTION by Mr. Hunt, seconded by Mr. Hoffman, with all in favor, Resolution 2020-12 Authorizing George Flint and Aerial Lovera as Bank Account Signatories, was approved.

C. Consideration of Resolution 2020-13 Relating to Defense of Board Members

Mr. Flint noted that this resolution will allow the District to provide legal support to Board Members and staff outlined in the resolution when acting in their capacity as Board Members.

On MOTION by Mr. Hunt, seconded by Mr. Baker, with all in favor Resolution 2020-13 Relating to Defense of Board Members, was approved.

D. Consideration of Resolution 2020-14 Authorizing District Counsel to Record In the Property Records of Polk County the “Notice of Establishment” in accordance with Chapter 190.0485, Florida Statutes

1. Notice of Establishment

Mr. Flint stated Resolution 2020-14 is in the Board package for review and it authorizes District Counsel to record the notice of establishment in the County.

On MOTION by Mr. Struckmeyer, seconded by Mr. Hunt, with all in favor, Resolution 2020-14 Authorizing District Counsel to Record in the Property Records of Polk County the Notice of Establishment in Accordance with Chapter 190.0485, Florida Statutes, was approved.

E. Consideration of Resolution 2020-15 Adopting Investment Guidelines

Mr. Flint stated the statute requires the Board to adopt an investment policy that outlines the four options if there are excess funds to invest. The District has the option to develop its own policy or default to the Alternative Investment Policy. Mr. Flint recommended the Board adopt the Alternative Investment Guidelines. 1A-D specifies the types of investments that are allowed. It includes any local surplus trust fund, SEC money markets, interest bearing, time deposits or savings accounts. These are very conservative investments the District would be allowed to invest.

On MOTION by Mr. Hoffman, seconded by Mr. Hunt, with all in favor, Resolution 2020-15 Adopting Alternative Investment Guidelines was approved.

F. Consideration of Resolution 2020-16 Authorizing Execution of Public Depositor Report

Mr. Flint stated this resolution would authorize the District Manager or Treasurer to execute and file the public depositor report.

On MOTION by Ms. Hunt, seconded by Mr. Baker, with all in favor, Resolution 2020-16 Authorizing Execution of Public Depositor Report, was approved.

G. Consideration of Resolution 2020-17 Designating a Policy for Public Comment

Mr. Flint stated this outlines a public comment policy, speaking time limits, and how to deal with procedures if they have members of the public present. A few years ago there was some statutory changes that specified the types of procedures the District had to follow in regard to public comment. Primarily, the Board is required to take public comment before they vote on any specific item. This resolution lays out the procedure that the District would follow in regard to its agenda and taking public comment. It also includes a Public Decorum Policy which specifies the rules the public need to follow when providing comment.

On MOTION by Mr. Hunt, seconded by Mr. Baker, with all in favor, Resolution 2020-17 Designating a Policy for Public Comment, was approved.

H. Consideration of Resolution 2020-18 Adopting a Travel and Reimbursement Policy

Mr. Flint stated this is in line with Florida State Statutes on the fees and rates at which they can reimburse. Exhibit 'A' is the Travel Policy. Mr. Flint noted that his does not apply to your consultants.

On MOTION by Ms. Steiger, seconded by Mr. Hoffman, with all in favor, Resolution 2020-18 Adopting a Travel and Reimbursement Policy, was approved.

I. Consideration of Resolution 2020-19 Adopting Prompt Payment Policy

Mr. Flint presented Resolution 2020-19 and noted that it is in line with Florida Statutes to timely pay vendors and contractors that provide services to the District. Ms. Mackie stated that they are required to comply with Florida's policies with respects to prompt payment as it relates to various contracts that the District may undertake. In light of the fact that this District would likely be requiring most of the infrastructure directly from Pulte, it may not relate so much to this District with respect to construction services but would still apply to various agreements.

On MOTION by Mr. Hunt, seconded by Mr. Hoffman, with all in favor, Resolution 2020-19 Adopting Prompt Payment Policy, was approved.

J. Consideration of Resolution 2020-20 Adopting a Records Retention Policy

Mr. Flint stated that Resolution 2020-20 has a memo from District Counsel laying out two options. Option 1 would be to adopt a modified state schedule of Record Retention Policy, or Option 2 would be to keep all records. There are resolutions depending on which Option the Board chooses. Mr. Flint noted that their recommendation for new Districts that the Board adopt Option 2. If they later want to adopt a more specific policy they have that option.

On MOTION by Mr. Hoffman, seconded by Mr. Baker, with all in favor Resolution 2020-20 Adopting Records Retention Policy Option #2, was approved.

K. Consideration of Compensation to Board Members

Mr. Flint stated under Chapter 190 Board Members are entitled to compensation of \$200. We would like to get on the record whether the Board Members accept or reject this compensation. Mr. Hoffman responded for all Board Members they would not take compensation.

L. Resolution 2020-21 Selecting District Records Office Within Polk County

Mr. Flint recommended they defer action on this item, and it can be brought back with a specific location in Polk County.

M. Resolution 2020-22 Designating the Primary Administrative Office and Principal Headquarters of the District

Mr. Flint stated the primary Administrative Office would be his office in Orlando at 219 E. Livingston, Orlando, FL. The Principal Headquarters office will the current office, at 346 E. Central Ave. Winter Haven, FL.

On MOTION by Ms. Hunt, seconded by Mr. Hoffman, with all in favor, Resolution 2020-22 Designating the Primary Administrative Office as 219 E. Livingston, Orlando, FL and the Principal Headquarters of the District as 346 E. Central Ave. Winter Haven, FL, was approved.

N. Consideration of Website Services Agreement

Mr. Flint stated that they now enter into this agreement with third party website developers as a result of recent litigation in the last 24 months regarding ADA compliance of websites. Prior

to that time they developed the websites for the Districts. This agreement would be entered into with VGlobal Tech. He noted that they have a lot of Districts and negotiated a lower fee based on volume.

On MOTION by Mr. Struckmeyer, seconded by Mr. Hoffman, with all in favor, the Website Services Agreement with VGlobalTech, was approved.

O. Authorization to Prepare Public Facilities Report in Accordance with Chapter 189.08 Florida Statutes to Coincide with Special District Filing Date of August 1st in Polk County

Mr. Flint stated Chapter 189 of the Florida Statutes requires the District to prepare a Public Facilities Report and file it with the County. This authorizes staff to prepare that report.

On MOTION by Mr. Hunt, seconded by Mr. Baker, with all in favor, the Public Facilities Report in Accordance with Chapter 189.08 Florida Statutes to Coincide with Special District Filing Date in Polk County, was approved.

P. Consideration of Resolution 2020-23 Authorizing Chairperson to Execute Plates, Permits and Conveyances

Mr. Flint stated that this allows staff to execute so that they do not get held up on executing these documents. They would be brought back on subsequent agenda for ratification by the Board. This gives the Board flexibility to sign those documents.

On MOTION by Mr. Hunt, seconded by Mr. Baker, with all in favor, the Resolution 2020-23 Authorizing Chairperson to Execute Plates, Permits and Conveyances, was approved.

SIXTH ORDER OF BUSINESS

Capital Improvements

A. Appointment of the Financing Team

1. Bond Counsel

Mr. Flint stated that the Engagement Letter is included in the agenda package from Greenberg Traurig (Steve Sanford) to provide Bond Counsel services. His fee is paid out of the Cost of Issuance Account from the proceeds of the bonds. The amount is indicated in the letter.

Mr. Sanford joined the meeting for any questions from the Board. He stated his fee was contingent on a successful bond issue. It does not come out of the General Fund of the issuer.

On MOTION by Mr. Hoffman, seconded by Mr. Hunt, with all in favor, the Agreement with Greenburg Traurig to Serve as Bond Counsel, was approved.

2. Underwriter

Mr. Flint presented the agreement with FMS Bonds for underwriting services. Mr. Flint stated their G17 Disclosure is also included in the agenda package for review. The underwriter gets paid out of an Underwriter's discount which is the indicated percentage associated with their fee.

On MOTION by Mr. Struckmeyer, seconded by Mr. Hunt, with all in favor, the Agreement with FMS Bonds, was approved.

3. Assessment Administrator

Mr. Flint stated this was covered in GMS's management contract, no motion was needed since it was already approved.

4. Trustee

Mr. Flint stated they have an agreement from US Bank to serve as the Trustee. This was in line with what is seen in other districts.

On MOTION by Mr. Hunt, seconded by Mr. Baker, with all in favor, the Proposal from US Bank to serve as the Trustee, was approved.

B. Approval of Bond Financing Team Funding Agreement

Mr. Flint stated Mr. Tucker sent this in advance of the meeting. This is consistent with what you've seen in the past and with other Districts managed by GMS. The only time this would come into play is if the Board goes through the process of issuing bonds and for some reason the District decides not to follow through. Some of the professionals would be paid regardless. The Engineer and Counsel would be compensated regardless.

On MOTION by Mr. Hoffman, seconded by Mr. Hunt, with all in favor, the Bond Financing Team Funding Agreement, was approved.

SEVENTH ORDER OF BUSINESS**Financing Matters****A. Consideration of Master Engineer's Report**

Mr. Flint stated this report was dated April 16, 2020. Ms. Mackie stated the lien over the property was being limited to Phase 1 initially. The report included the Master Engineer's Report for the entirety of the CIP, note that the Master Assessment Methodology Report prepared by Mr. Flint only allocates the Phase 1 costs over the Phase 1 lands. Ms. Mackie stated that they are anxious to start the process with the Public Hearings, and Pulte is moving fast to get lots under contract with homebuyers. In reviewing it, she noted that they will begin the process of clearing the special assessments and setting a Public Hearing at which time the reports will come back before the Board with any changes requested by the Board reflected on that date for final approval.

Mr. Althafer reviewed the report. He explained in the first section of the Engineer's report it give the general overview of the project, where it is located, what the improvements are, the description of the land. The next section is the status of permitting and it list all the required permits for land development for each of the assessment areas or each of the Phases. Next section describes the benefits of the improvements. The next section is a high-level description of the infrastructure improvement. After that is more detail about what the improvements are. They are the storm water management system, that includes retaining wall, curbs, storm water collection and conveyance systems as well as construction of the storm water ponds. Next is the portable water distribution system. That is the underground mains that supply water to the sites, and it has sanitary sewer and collect conveyance system that include the sewer man holes the sewer, and two lift stations that are to be constructed on-site. Next is the reclaimed system, and that is the piping that supplies irrigation water to the project. Next is the off-state roadway improvement. This is construction of Sandmine Road from the current all the way to the end of the county line. Then there are landscape irrigation and hard scape improvements . These are generally along the front of the site adjacent to Sandmine Road. There are professional and inspection fees for the surveyor, engineer, and attorneys. Next is the construction schedule, which gives a general idea of when the project is expected to begin and complete. Next is ownership and maintenance which describes ultimately who is going to be responsible for maintaining the improvements. Next is the estimate of improvement cost, which gives a breakdown of each of the systems that are described by venues

and what the anticipated costs for each of those are. You can see the total for Phase 1 is just over \$8.5 million. The total for Phase 2 is just over \$9.4 million. That is the high-level overview.

B. Consideration of Master Assessment Methodology Report

Mr. Flint stated the Methodology Report is just for what they call Assessment Area 1. Assessment Area 1 corresponds to what Broc was referring to as Phase 1 in his report. They are only proposing to go through the assessment process and put a lien on Assessment Area 1. Mr. Flint referred to the tables attached on page 9 and 10. Table 1 is the Development plan, which shows that there is a mix of townhomes single family 40' and single family 50' units. This totals 306. Table 2 is the capital improvement plan for Phase 1 referred to in the Master Engineer's Report which shows \$8.6 million. Table 3 is the bond sizing, which takes the estimated construction costs and includes a debt service reserve of one year's max single debt. There is the underwriter's discount of 2%, estimated cost of issuance of \$180,000 and then contingency which results in a par amount of \$11.2 million. Table 4 shows the allocation of benefit based on the amount of improvements per product type. Table 5 shows the par debt per product type. Table 6, if they were to fully fund all of the improvements identified for Phase 1 in Broc's report which shows what the per unit on debt service assessment levels would be. Table 7 is the preliminary assessment roll. This is a master methodology and when they go to issue bonds, a supplemental methodology will be prepared. This will tie to target assessment roll that they would actually charge. This master is giving the Board flexibility to fund all improvements.

C. Consideration of Resolution 2020-24 Declaring Special Assessments

Mr. Flint stated 2020-24 declares the District's intent to levy special assessments. They have the Engineer's Report and Master Methodology for Assessment Area 1 attached to this Resolution. The blanks will be filled out in accordance with the amounts.

On MOTION by Mr. Baker, seconded by Mr. Hunt, with all in favor, the Resolution 2020-24 Declaring Special Assessments, was approved.

D. Consideration of Resolution 2020-25 Setting a Public Hearing for Special Assessments

Mr. Flint stated this sets the Public Hearing for the Board to take action in imposing the assessments. This needs to be at least 30 days out. The May meeting is too soon, and the June may be too far out. Mr. Flint asked how close they are wanting the lien in place. It was stated that June would be fine. They are selling units, but they are based on estimated assessments, but they won't be closing any units until August at the soonest. Mr. Flint suggested the June 18th meeting date, and he would insert that into the Resolution. Ms. Mackie stated it should be the location at the construction trailer with the physical address TBD.

On MOTION by Mr. Hoffman, seconded by Mr. Hunt, with all in favor, the Resolution 2020-25 Setting a Public Hearing for Special Assessments for June 18, 2020 at 2:00 p.m. with location TBD, was approved.

E. Consideration of Resolution 2020-26 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings

Mr. Flint stated that Mr. Steve Stanford (Greenburg Traurig) serving as Bond Counsel, would present the Resolution. Mr. Stanford stated that all bonds issued by the CDD that have a maturity of more than 5 years has to be validated by the Circuit Court. In order to complete that process the District has to authorize the bonds they want validated and demonstrate what the purpose is. This is the first Resolution of two principal resolutions that will be used for the issuance of the bonds. This authorizes up to \$25,000 of special assessment bonds to be issued in one or more series. This is for the whole District, I realize that the first issuance will only be for Phase 1 or Assessment area 1, but we don't won't to have to go back into the court for every phase, so we are authorizing an amount that should work for everything that Broc has estimated for in his report. This resolution describes what that public infrastructure will be for the District. It also asks the Board to approve certain documents that would be used in connection with the issuance of the bonds. The first is a master trust indenture that would be between the District and the US Bank as the Trustee. That is the governing body for all series of bonds that the District will issue. It sets forth the rights and remedies of the bond holders, the security for the bond holders, but it doesn't have any specificity. The next documents is supplemental indenture. Every series of bonds will have its own supplemental indenture which would set forth the terms of the bonds, the interest rates, the redemption provisions, and the exhibits are really forms, but it's necessary to get the court in the validation proceeding to bless that. Lastly, this resolution will actually authorize the

validation of the bonds which is a process that will take about 45 days to get the hearing, maybe longer, and then after the bonds are validated there's a 30 day appeal period. The Board can project out when they think they might be ready to issue bonds. Mr. Sandford asked about when they were going to file for validation sooner than getting the assessments all completed or we going to wait. Ms. Mackie suggested they would go ahead and file as quickly as we can. Most likely the soonest we will get a hearing date will be sometime in June.

On MOTION by Ms. Hunt, seconded by Mr. Struckmeyer, with all in favor, Resolution 2020-26 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings, was approved.

F. Consideration of Acquisition Agreement - ADDED

Mr. Flint asked that Ms. Mackie review the Acquisition Agreement. Ms. Mackie stated that Phase 1 improvements are nearing completion if not in May, in June. While this is typically a document that we approve in connection with the actual financing of a District's Construction project, we need to go ahead and consider this agreement now. Basically, this document sets forth the process by which the District will review request for improvements to be acquired by the District. That includes improvements, real property and work product that by your Engineering folks, or surveying folks for landscape architects. It provides for what the District will need in order to process that requisition. We need to do this now, while the District is anticipated to be the owner and operator of some of the improvements described in Broc's report, a good many of them will be conveyed over to other local governments or utilities for operation and maintenance. Before that happens the District needs to own them for 5 minutes or less to be able to spend bond proceeds on them. We need to ensure this agreement is approved and after an approval, I will ask the Board to consider the Acquisition of the Phase 1 improvements in a not to exceed amount so that we can go ahead and approve that and have the Board ratify the executed documents at a later date, later Board meeting.

On MOTION by Mr. Hoffman, seconded by Mr. Struckmeyer, with all in favor, the Acquisition Agreement, was approved.

Following the motion, Ms. Mackie asked the Board to approve the Acquisition of Phase 1 at a not to exceed amount of \$8.6 million.

On MOTION by Mr. Hoffman, seconded by Mr. Baker, with all in favor, the Acquisition Agreement for Phase 1 not to exceed amount of \$8.6 million, was approved.

Ms. Mackie then stated after the motion that some of these improvements will be ready for conveyance and by other entities by mid to the end of May. She stated that they were beginning the process of preparing all of the documentation that will be required as listed out in the Acquisition Agreement. The thought is a call will be scheduled between Broc, Ms. Mackie, George and Amy within the next few days to go over the process to make sure they are getting everything in order and understanding what we will need from Pulte to finalize the Acquisition.

EIGHTH ORDER OF BUSINESS

Other Business

A. Staff Reports

1. Attorney

Ms. Mackie stated she had nothing further.

2. Manager

There being none, the next item following.

B. Supervisors Requests

There being none, the next item followed.

C. Approval of Funding Request No. 1

Mr. Flint asked for approval of Funding Request # 1 which allows them to open the Bank account, buy the insurance, and obtain general liability insurance. This pays for some legal advertising and the agreement with VGlobal Tech for the website. This totals \$15,275. This amount is all the public hearings actually the amount that's in there for advertising is low, and the actual cost will be higher than that.

On MOTION by Mr. Hoffman, seconded by Mr. Baker, with all in favor, the Funding Request No. 1 for \$15, 275 was approved.

NINTH ORDER OF BUSINESS

Adjournment

Mr. Flint adjourned the meeting at 3:11 p.m.

On MOTION by Mr. Hunt, seconded by Mr. Baker, with all in favor, the meeting was adjourned at 3:11p.m.

Secretary/Assistant Secretary

Chairman/Vice Chairman

SECTION IV

SECTION A

SECTION 1

RESOLUTION 2020-29

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

WHEREAS, Sandmine Road Community Development District (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within unincorporated Polk County, Florida; and

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

WHEREAS, to provide for efficient and effective District operations and to maintain compliance with recent changes to Florida law, the Board of Supervisors finds that it is in the best interests of the District to adopt by resolution the Rules of Procedure attached hereto as **Exhibit A** for immediate use and application; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SANDMINE ROAD COMMUNITY DEVELOPMENT DISTRICT:

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

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

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

PASSED AND ADOPTED this 18th day of June, 2020.

ATTEST:

**SANDMINE ROAD COMMUNITY
DEVELOPMENT DISTRICT**

Secretary

Chairperson, Board of Supervisors

Exhibit A: Rules of Procedure

Exhibit A:
RULES OF PROCEDURE
SANDMINE ROAD COMMUNITY DEVELOPMENT DISTRICT
EFFECTIVE AS OF JUNE 18, 2020

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Rule 1.0 General.

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

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

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

Rule 1.1 Board of Supervisors; Officers and Voting.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (3) Service Contracts. Any contract for services, regardless of cost, shall include provisions required by law that require the contractor to comply with public records laws. The District Manager shall be responsible for initially enforcing all contract provisions related to a contractor's duty to comply with public records laws.
- (4) Fees; Copies. Copies of public records shall be made available to the requesting person at a charge of \$0.15 per page for one-sided copies and \$0.20 per page for two-sided copies if not more than 8 ½ by 14 inches. For copies of public records in excess of the sizes listed in this section and for outside duplication services, the charge shall be equal to the actual cost of reproduction. Certified copies of public records shall be made available at a charge of one dollar (\$1.00) per page. If the nature or volume of records requested requires extensive use of information technology resources or extensive clerical or supervisory assistance, the District may charge, in addition to the duplication charge, a special service charge that is based on the cost the District incurs to produce the records requested. This charge may include, but is not limited to, the cost of information technology resource, employee labor, and fees charged to the District by consultants employed in fulfilling the request. In cases where the special service charge is based in whole or in part on the costs incurred by the District due to employee labor, consultant fees, or other forms of labor, those portions of the charge shall be calculated based on the lowest labor cost of the individual(s) who is/are qualified to perform the labor, taking into account the nature or volume of the public records to be inspected or copied. The charge may include the labor costs of supervisory and/or clerical staff whose assistance is required to complete the records request, in accordance with Florida law. For purposes of this Rule, the word "extensive" shall mean that it will take more than 15 minutes to locate, review for confidential information, copy and re-file the requested material. In cases where extensive personnel time is determined by the District to be necessary to safeguard original records being inspected, the special service charge provided for in this section shall apply. If the total fees, including but not limited to special service charges, are anticipated to exceed twenty-five dollars (\$25.00), then, prior to commencing work on the request, the District will inform the person making the public records request of the estimated cost, with the understanding that the final cost may vary from that estimate. If the person making the public records request decides to proceed with the request, payment of the estimated cost is required in advance. Should the person fail to pay the estimate, the District is under no duty to produce the requested records. After the request has been fulfilled, additional payments or credits may be

due. The District is under no duty to produce records in response to future records requests if the person making the request owes the District for past unpaid duplication charges, special service charges, or other required payments or credits.

- (5) Records Retention. The Secretary of the District shall be responsible for retaining the District's records in accordance with applicable Florida law.
- (6) Policies. The Board may adopt policies related to the conduct of its business and the provision of services either by resolution or motion.
- (7) Financial Disclosure Coordination. Unless specifically designated by Board resolution otherwise, the Secretary shall serve as the Financial Disclosure Coordinator ("Coordinator") for the District as required by the Florida Commission on Ethics ("Commission"). The Coordinator shall create, maintain and update a list of the names, e-mail addresses, physical addresses, and names of the agency of, and the office or position held by, all Supervisors and other persons required by Florida law to file a statement of financial interest due to his or her affiliation with the District ("Reporting Individual"). The Coordinator shall provide this list to the Commission by February 1 of each year, which list shall be current as of December 31 of the prior year. Each Supervisor and Reporting Individual shall promptly notify the Coordinator in writing if there are any changes to such person's name, e-mail address, or physical address. Each Supervisor and Reporting Individual shall promptly notify the Commission in the manner prescribed by the Commission if there are any changes to such person's e-mail address.

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

Law Implemented: §§ 112.31446(3), 112.3145(8)(a)1., 119.07, 119.0701, 190.006, Fla. Stat.

Rule 1.3 Public Meetings, Hearings, and Workshops.

- (1) Notice. Except in emergencies, or as otherwise required by statute or these Rules, at least seven (7) days, but no more than thirty (30) days public notice shall be given of any public meeting, hearing or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and in the county in which the District is located. "General circulation" means a publication that is printed and published at least once a week for the preceding year, offering at least 25% of its words in the English language, qualifies as a periodicals material for postal purposes in the county in which the District is located, is for sale to the public generally, is available to the public generally for the publication of official or other notices, and is customarily containing information of a public character or of interest or of value to the residents or owners of property in the county where published, or of interest or of value to the general public. The annual meeting notice required to be published by Section 189.015 of the Florida Statutes, shall be published in a newspaper not of limited subject matter, which is published at least five days a week, unless the only newspaper in the county is published less than five days a week. Each Notice shall state, as applicable:
 - (a) The date, time and place of the meeting, hearing or workshop;
 - (b) A brief description of the nature, subjects, and purposes of the meeting, hearing, or workshop;
 - (c) The District office address for the submission of requests for copies of the agenda, as well as a contact name and telephone number for verbal requests for copies of the agenda; and
 - (d) The following or substantially similar language: "Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (407) 841-5524. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770 or 1 (800) 955-8771, who can aid you in contacting the District Office."
 - (e) The following or substantially similar language: "A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based."

- (f) The following or substantially similar language: “The meeting [or hearing or workshop] may be continued in progress without additional notice to a time, date, and location stated on the record.”
- (2) Mistake. In the event that a meeting is held under the incorrect assumption that notice required by law and these Rules has been given, the Board at its next properly noticed meeting shall cure such defect by considering the agenda items from the prior meeting individually and anew.
- (3) Agenda. The District Manager, under the guidance of District Counsel and the Chairperson or Vice-Chairperson, shall prepare an agenda of the meeting/hearing/workshop. The agenda and any meeting materials available in an electronic format, excluding any confidential and any confidential and exempt information, shall be available to the public at least seven days before the meeting/hearing/workshop, except in an emergency. Meeting materials shall be defined as, and limited to, the agenda, meeting minutes, resolutions, and agreements of the District that District staff deems necessary for Board approval. Inclusion of additional materials for Board consideration other than those defined herein as “meeting materials” shall not convert such materials into “meeting materials.” For good cause, the agenda may be changed after it is first made available for distribution, and additional materials may be added or provided under separate cover at the meeting. The requirement of good cause shall be liberally construed to allow the District to efficiently conduct business and to avoid the expenses associated with special meetings.

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

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

- (4) Minutes. The Secretary shall be responsible for preparing and keeping the minutes of each meeting of the Board. Minutes shall be corrected and approved by the Board at a subsequent meeting. The Secretary may work with other staff members in preparing draft minutes for the Board's consideration.
- (5) Special Requests. Persons wishing to receive, by mail, notices or agendas of meetings, may so advise the District Manager or Secretary at the District Office. Such persons shall furnish a mailing address in writing and shall be required to pre-pay the cost of the copying and postage.
- (6) Emergency Meetings. The Chairperson, or Vice-Chairperson if the Chairperson is unavailable, upon consultation with the District Manager and District Counsel, if available, may convene an emergency meeting of the Board without first having complied with sections (1) and (3) of this Rule, to act on emergency matters that may affect the public health, safety, or welfare. Whenever possible, the District Manager shall make reasonable efforts to provide public notice and notify all Board members of an emergency meeting twenty-four (24) hours in advance. Reasonable efforts may include telephone notification. Notice of the emergency meeting must be provided both before and after the meeting on the District's website, if it has one. Whenever an emergency meeting is called, the District Manager shall be responsible for notifying at least one newspaper of general circulation in the District. After an emergency meeting, the Board shall publish in a newspaper of general circulation in the District, the time, date and place of the emergency meeting, the reasons why an emergency meeting was necessary, and a description of the action taken. Actions taken at an emergency meeting may be ratified by the Board at a regularly noticed meeting subsequently held.
- (7) Public Comment. The Board shall set aside a reasonable amount of time at each meeting for public comment and members of the public shall be permitted to provide comment on any proposition before the Board. The portion of the meeting generally reserved for public comment shall be identified in the agenda. Policies governing public comment may be adopted by the Board in accordance with Florida law.
- (8) Budget Hearing. Notice of hearing on the annual budget(s) shall be in accord with Section 190.008 of the Florida Statutes. Once adopted in accord with Section 190.008 of the Florida Statutes, the annual budget(s) may be amended from time to time by action of the Board. Approval of invoices by the Board in excess of the funds allocated to a particular budgeted line item shall serve to amend the budgeted line item.
- (9) Public Hearings. Notice of required public hearings shall contain the information required by applicable Florida law and by these Rules applicable to meeting notices and shall be mailed and published as required by Florida law. The District Manager shall ensure that all such notices, whether mailed or published, contain the information required by Florida law and these Rules and are mailed and published

as required by Florida law. Public hearings may be held during Board meetings when the agenda includes such public hearing.

- (10) Participation by Teleconference/Videoconference. District staff may participate in Board meetings by teleconference or videoconference. Board members may also participate in Board meetings by teleconference or videoconference if in the good judgment of the Board extraordinary circumstances exist; provided however, at least three Board members must be physically present at the meeting location to establish a quorum. Such extraordinary circumstances shall be presumed when a Board member participates by teleconference or videoconference, unless a majority of the Board members physically present determines that extraordinary circumstances do not exist.
- (11) Board Authorization. The District has not adopted Robert's Rules of Order. For each agenda item, there shall be discussion permitted among the Board members during the meeting. Unless such procedure is waived by the Board, approval or disapproval of resolutions and other proposed Board actions shall be in the form of a motion by one Board member, a second by another Board member, and an affirmative vote by the majority of the Board members present. Any Board member, including the Chairperson, can make or second a motion.
- (12) Continuances. Any meeting or public hearing of the Board may be continued without re-notice or re-advertising provided that:
 - (a) The Board identifies on the record at the original meeting a reasonable need for a continuance;
 - (b) The continuance is to a specified date, time, and location publicly announced at the original meeting; and
 - (c) The public notice for the original meeting states that the meeting may be continued to a date and time and states that the date, time, and location of any continuance shall be publicly announced at the original meeting and posted at the District Office immediately following the original meeting.
- (13) Attorney-Client Sessions. An Attorney-Client Session is permitted when the District's attorneys deem it necessary to meet in private with the Board to discuss pending litigation to which the District is a party before a court or administrative agency or as may be authorized by law. The District's attorney must request such session at a public meeting. Prior to holding the Attorney-Client Session, the District must give reasonable public notice of the time and date of the session and the names of the persons anticipated to attend the session. The session must commence at an open meeting in which the Chairperson or Vice-Chairperson announces the commencement of the session, the estimated length of the session, and the names of the persons who will be attending the session. The discussion during the session is confined to settlement negotiations or strategy related to

litigation expenses or as may be authorized by law. Only the Board, the District's attorneys (including outside counsel), the District Manager, and the court reporter may attend an Attorney-Client Session. During the session, no votes may be taken and no final decisions concerning settlement can be made. Upon the conclusion of the session, the public meeting is reopened, and the Chairperson or Vice-Chairperson must announce that the session has concluded. The session must be transcribed by a court-reporter and the transcript of the session filed with the District Secretary within a reasonable time after the session. The transcript shall not be available for public inspection until after the conclusion of the litigation.

- (14) Security and Firesafety Board Discussions. Portions of a meeting which relate to or would reveal a security or firesafety system plan or portion thereof made confidential and exempt by section 119.071(3)(a), Florida Statutes, are exempt from the public meeting requirements and other requirements of section 286.011, Florida Statutes, and section 24(b), Article 1 of the State Constitution. Should the Board wish to discuss such matters, members of the public shall be required to leave the meeting room during such discussion. Any records of the Board's discussion of such matters, including recordings or minutes, shall be maintained as confidential and exempt records in accordance with Florida law.

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

Law Implemented: §§ 189.069(2)(a)16, 190.006, 190.007, 190.008, 286.0105, 286.011, 286.0113, 286.0114, Fla. Stat.

Rule 1.4 Internal Controls to Prevent Fraud, Waste and Abuse

- (1) Internal Controls. The District shall establish and maintain internal controls designed to:
- (a) Prevent and detect “fraud,” “waste” and “abuse” as those terms are defined in section 11.45(1), Florida Statutes; and
 - (b) Promote and encourage compliance with applicable laws, rules contracts, grant agreements, and best practices; and
 - (c) Support economical and efficient operations; and
 - (d) Ensure reliability of financial records and reports; and
 - (e) Safeguard assets.
- (2) Adoption. The internal controls to prevent fraud, waste and abuse shall be adopted and amended by the District in the same manner as District policies.

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

Law Implemented: § 218.33(3), Fla. Stat.

Rule 2.0 Rulemaking Proceedings.

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

of publication of the notice. Except when intended action is the repeal of a rule, the notice shall include a reference to both the date on which and the place where the Notice of Rule Development required by section (2) of this Rule appeared.

- (b) The notice shall be published in a newspaper of general circulation in the District and each county in which the District is located not less than twenty-eight (28) days prior to the intended action. The proposed rule shall be available for inspection and copying by the public at the time of the publication of notice.
 - (c) The notice shall be mailed to all persons named in the proposed rule and to all persons who, at least fourteen (14) days prior to such mailing, have made requests of the District for advance notice of its rulemaking proceedings. Any person may file a written request with the District Manager to receive notice by mail of District proceedings to adopt, amend, or repeal a rule. Such persons must furnish a mailing address and may be required to pay the cost of copying and mailing.
- (4) Rule Development Workshops. Whenever requested in writing by any affected person, the District must either conduct a rule development workshop prior to proposing rules for adoption or the Chairperson must explain in writing why a workshop is unnecessary. The District may initiate a rule development workshop but is not required to do so.
- (5) Petitions to Initiate Rulemaking. All Petitions to Initiate Rulemaking proceedings must contain the name, address, and telephone number of the petitioner, the specific action requested, the specific reason for adoption, amendment, or repeal, the date submitted, the text of the proposed rule, and the facts showing that the petitioner is regulated by the District or has a substantial interest in the rulemaking. Not later than sixty (60) calendar days following the date of filing a petition, the Board shall initiate rulemaking proceedings or deny the petition with a written statement of its reasons for the denial. If the petition is directed to an existing policy that the District has not formally adopted as a rule, the District may, in its discretion, notice and hold a public hearing on the petition to consider the comments of the public directed to the policy, its scope and application, and to consider whether the public interest is served adequately by the application of the policy on a case-by-case basis, as contrasted with its formal adoption as a rule. However, this section shall not be construed as requiring the District to adopt a rule to replace a policy.
- (6) Rulemaking Materials. After the publication of the notice referenced in section (3) of this Rule, the Board shall make available for public inspection and shall provide, upon request and payment of the cost of copies, the following materials:
 - (a) The text of the proposed rule, or any amendment or repeal of any existing rules;

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

- (c) Any statement of estimated regulatory costs for the rule;
- (d) A written summary of hearings, if any, on the proposed rule;
- (e) All written comments received by the District and responses to those written comments; and
- (f) All notices and findings pertaining to an emergency rule.

(11) Petitions to Challenge Existing Rules.

- (a) Any person substantially affected by a rule may seek an administrative determination of the invalidity of the rule on the ground that the rule is an invalid exercise of the District's authority.
- (b) The petition seeking an administrative determination must state with particularity the provisions alleged to be invalid with sufficient explanation of the facts or grounds for the alleged invalidity and facts sufficient to show that the person challenging a rule is substantially affected by it.
- (c) The petition shall be filed with the District. Within 10 days after receiving the petition, the Chairperson shall, if the petition complies with the requirements of subsection (b) of this section, designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer who shall conduct a hearing within 30 days thereafter, unless the petition is withdrawn or a continuance is granted by agreement of the parties. The failure of the District to follow the applicable rulemaking procedures or requirements in this Rule shall be presumed to be material; however, the District may rebut this presumption by showing that the substantial interests of the petitioner and the fairness of the proceedings have not been impaired.
- (d) Within 30 days after the hearing, the hearing officer shall render a decision and state the reasons therefor in writing.
- (e) Hearings held under this section shall be de novo in nature. The petitioner has a burden of proving by a preponderance of the evidence that the existing rule is an invalid exercise of District authority as to the objections raised. The hearing officer may:
 - (i) Administer oaths and affirmations;
 - (ii) Rule upon offers of proof and receive relevant evidence;

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

the District shall proceed, at the petitioner's written request, to process the petition.

- (d) The Board shall grant or deny a petition for variance or waiver and shall announce such disposition at a publicly held meeting of the Board, within ninety (90) days after receipt of the original petition, the last item of timely requested additional material, or the petitioner's written request to finish processing the petition. The District's statement granting or denying the petition shall contain a statement of the relevant facts and reasons supporting the District's action.

- (13) Rates, Fees, Rentals and Other Charges. All rates, fees, rentals, or other charges shall be subject to rulemaking proceedings. Policies adopted by the District which do not consist of rates, fees, rentals or other charges may be, but are not required to be, implemented through rulemaking proceedings.

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

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

Rule 3.0 Competitive Purchase.

- (1) Purpose and Scope. In order to comply with Sections 190.033(1) through (3), 287.055 and 287.017 of the Florida Statutes, the following provisions shall apply to the purchase of Professional Services, insurance, construction contracts, design-build services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Board Authorization. Except in cases of an Emergency Purchase, a competitive purchase governed by these Rules shall only be undertaken after authorization by the Board.
- (3) Definitions.
 - (a) “Competitive Solicitation” means a formal, advertised procurement process, other than an Invitation to Bid, Request for Proposals, or Invitation to Negotiate, approved by the Board to purchase commodities and/or services which affords vendors fair treatment in the competition for award of a District purchase contract.
 - (b) “Continuing Contract” means a contract for Professional Services entered into in accordance with Section 287.055 of the Florida Statutes, between the District and a firm, whereby the firm provides Professional Services to the District for projects in which the costs do not exceed two million dollars (\$2,000,000), for a study activity when the fee for such Professional Services to the District does not exceed two hundred thousand dollars (\$200,000), or for work of a specified nature as outlined in the contract with the District, with no time limitation except that the contract must provide a termination clause (for example, a contract for general District engineering services). Firms providing Professional Services under Continuing Contracts shall not be required to bid against one another.
 - (c) “Contractual Service” means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. Contractual Services do not include auditing services, Maintenance Services, or Professional Services as defined in Section 287.055(2)(a) of the Florida Statutes, and these Rules. Contractual Services also do not include any contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of any facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property entered into pursuant to Chapter 255 of the Florida Statutes, and Rules 3.5 or 3.6.
 - (d) “Design-Build Contract” means a single contract with a Design-Build Firm for the design and construction of a public construction project.

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

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

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

requiring the manual signature of an authorized representative. It may provide general information, applicable laws and rules, statement of work, functional or general specifications, qualifications, proposal instructions, work detail analysis, and evaluation criteria as necessary.

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

Invitation to Bid, Request for Proposals, Invitations to Negotiate, or Competitive Solicitation document and these Rules, and the cost components of which, if any, are appropriately balanced. A bid, proposal, reply or response is not responsive if the person or firm submitting it fails to meet any material requirement relating to the qualifications, financial stability, or licensing of the bidder.

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

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

Rule 3.1 Procedure Under the Consultants' Competitive Negotiations Act.

- (1) Scope. The following procedures are adopted for the selection of firms or individuals to provide Professional Services exceeding the thresholds herein described, for the negotiation of such contracts, and to provide for protest of actions of the Board under this Rule. As used in this Rule, "Project" means that fixed capital outlay study or planning activity when basic construction cost is estimated by the District to exceed the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FIVE, or for a planning study activity when the fee for Professional Services is estimated by the District to exceed the threshold amount provided in Section 287.017 for CATEGORY TWO, as such categories may be amended or adjusted from time to time.
- (2) Qualifying Procedures. In order to be eligible to provide Professional Services to the District, a consultant must, at the time of receipt of the firm's qualification submittal:
 - (a) Hold all required applicable state professional licenses in good standing;
 - (b) Hold all required applicable federal licenses in good standing, if any;
 - (c) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the consultant is a corporation; and
 - (d) Meet any qualification requirements set forth in the District's Request for Qualifications.

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

- (3) Public Announcement. Except in cases of valid public emergencies as certified by the Board, the District shall announce each occasion when Professional Services are required for a Project or a Continuing Contract by publishing a notice providing a general description of the Project, or the nature of the Continuing Contract, and the method for interested consultants to apply for consideration. The notice shall appear in at least one (1) newspaper of general circulation in the District and in such other places as the District deems appropriate. The notice must allow at least fourteen (14) days for submittal of qualifications from the date of publication. The District may maintain lists of consultants interested in receiving such notices. These consultants are encouraged to submit annually statements of qualifications and performance data. The District shall make reasonable efforts to provide copies of any notices to such consultants, but the failure to do so shall not give such consultants any bid protest or other rights or otherwise disqualify any otherwise valid procurement process. The Board has the right to reject any and all

qualifications, and such reservation shall be included in the published notice. Consultants not receiving a contract award shall not be entitled to recover from the District any costs of qualification package preparation or submittal.

(4) Competitive Selection.

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

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

(5) Competitive Negotiation.

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

(6) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.

- (7) Continuing Contract. Nothing in this Rule shall prohibit a Continuing Contract between a consultant and the District.
- (8) Emergency Purchase. The District may make an Emergency Purchase without complying with these Rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

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

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

Rule 3.2 Procedure Regarding Auditor Selection.

In order to comply with the requirements of Section 218.391 of the Florida Statutes, the following procedures are outlined for selection of firms or individuals to provide Auditing Services and for the negotiation of such contracts. For audits required under Chapter 190 of the Florida Statutes but not meeting the thresholds of Chapter 218 of the Florida Statutes, the District need not follow these procedures but may proceed with the selection of a firm or individual to provide Auditing Services and for the negotiation of such contracts in the manner the Board determines is in the best interests of the District.

(1) Definitions.

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

(2) Establishment of Auditor Selection Committee. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Board shall establish an auditor selection committee ("Committee"), the primary purpose of which is to assist the Board in selecting an auditor to conduct the annual financial audit required by Section 218.39 of the Florida Statutes. The Committee shall include at least three individuals, at least one of which must also be a member of the Board. The establishment and selection of the Committee must be conducted at a publicly noticed and held meeting of the Board. The Chairperson of the Committee must be a member of the Board. An employee, a chief executive officer, or a chief financial officer of the District may not serve as a member of the Committee; provided however such individual may serve the Committee in an advisory capacity.

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

- (a) Minimum Qualifications. In order to be eligible to submit a proposal, a firm must, at all relevant times including the time of receipt of the proposal by the District:

- (i) Hold all required applicable state professional licenses in good standing;
- (ii) Hold all required applicable federal licenses in good standing, if any;
- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the proposer is a corporation; and
- (iv) Meet any pre-qualification requirements established by the Committee and set forth in the RFP or other specifications.

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

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

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

- (4) Public Announcement. After identifying the factors to be used in evaluating the proposals for Auditing Services as set forth in section (3) of this Rule, the Committee shall publicly announce the opportunity to provide Auditing Services. Such public announcement shall include a brief description of the audit and how interested firms can apply for consideration and obtain the RFP. The notice shall appear in at least one (1) newspaper of general circulation in the District and the county in which the District is located. The public announcement shall allow for at least seven (7) days for the submission of proposals.
- (5) Request for Proposals. The Committee shall provide interested firms with a Request for Proposals ("RFP"). The RFP shall provide information on how proposals are to be evaluated and such other information the Committee determines

is necessary for the firm to prepare a proposal. The RFP shall state the time and place for submitting proposals.

- (6) Committee's Evaluation of Proposals and Recommendation. The Committee shall meet at a publicly held meeting that is publicly noticed for a reasonable time in advance of the meeting to evaluate all qualified proposals and may, as part of the evaluation, require that each interested firm provide a public presentation where the Committee may conduct discussions with the firm, and where the firm may present information, regarding the firm's qualifications. At the public meeting, the Committee shall rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to subsection (3)(b) of this Rule. If fewer than three firms respond to the RFP or if no firms respond to the RFP, the Committee shall recommend such firm as it deems to be the most highly qualified. Notwithstanding the foregoing, the Committee may recommend that any and all proposals be rejected.
- (7) Board Selection of Auditor.
 - (a) Where compensation was not selected as a factor used in evaluating the proposals, the Board shall negotiate with the firm ranked first and inquire of that firm as to the basis of compensation. If the Board is unable to negotiate a satisfactory agreement with the first ranked firm at a price deemed by the Board to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the Board shall immediately begin negotiations with the second ranked firm. If a satisfactory agreement with the second ranked firm cannot be reached, those negotiations shall be terminated and negotiations with the third ranked firm shall be undertaken. The Board may reopen formal negotiations with any one of the three top-ranked firms, but it may not negotiate with more than one firm at a time. If the Board is unable to negotiate a satisfactory agreement with any of the selected firms, the Committee shall recommend additional firms in order of the firms' respective competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.
 - (b) Where compensation was selected as a factor used in evaluating the proposals, the Board shall select the highest-ranked qualified firm or document in its public records the reason for not selecting the highest-ranked qualified firm.
 - (c) In negotiations with firms under this Rule, the Board may allow the District Manager, District Counsel, or other designee to conduct negotiations on its behalf.

- (d) Notwithstanding the foregoing, the Board may reject any or all proposals. The Board shall not consider any proposal, or enter into any contract for Auditing Services, unless the proposed agreed-upon compensation is reasonable to satisfy the requirements of Section 218.39 of the Florida Statutes, and the needs of the District.
- (8) Contract. Any agreement reached under this Rule shall be evidenced by a written contract, which may take the form of an engagement letter signed and executed by both parties. The written contract shall include all provisions and conditions of the procurement of such services and shall include, at a minimum, the following:
- (a) A provision specifying the services to be provided and fees or other compensation for such services;
 - (b) A provision requiring that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract;
 - (c) A provision setting forth deadlines for the auditor to submit a preliminary draft audit report to the District for review and to submit a final audit report no later than June 30 of the fiscal year that follows the fiscal year for which the audit is being conducted;
 - (d) A provision specifying the contract period, including renewals, and conditions under which the contract may be terminated or renewed. The maximum contract period including renewals shall be five (5) years. A renewal may be done without the use of the auditor selection procedures provided in this Rule but must be in writing.
 - (e) Provisions required by law that require the auditor to comply with public records laws.
- (9) Notice of Award. Once a negotiated agreement with a firm or individual is reached, or the Board authorizes the execution of an agreement with a firm where compensation was a factor in the evaluation of proposals, notice of the intent to award, including the rejection of some or all proposals, shall be provided in writing to all proposers by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests regarding the award of contracts under this Rule shall be as provided for in Rule 3.11. No proposer shall be entitled to recover any costs of proposal preparation or submittal from the District.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: §§ 119.0701, 218.33, 218.391, Fla. Stat.

Rule 3.3 Purchase of Insurance.

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

shall be awarded to that company whose response to the Invitation to Bid best meets the overall needs of the District, its officers, employees, and/or dependents.

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

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

Law Implemented: § 112.08, Fla. Stat.

Rule 3.4 Pre-qualification

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

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

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

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

shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's pre-qualification decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11; provided however, protests related to the pre-qualification criteria and procedures for construction services shall be resolved in accordance with section (2)(b) of this Rule and Section 255.20(1)(b) of the Florida Statutes.

(3) Suspension, Revocation, or Denial of Qualification

(a) The District, for good cause, may deny, suspend, or revoke a prequalified vendor's pre-qualified status. A suspension, revocation, or denial for good cause shall prohibit the vendor from bidding on any District construction contract for which qualification is required, shall constitute a determination of non-responsibility to bid on any other District construction or maintenance contract, and shall prohibit the vendor from acting as a material supplier or subcontractor on any District contract or project during the period of suspension, revocation, or denial. Good cause shall include the following:

- i. One of the circumstances specified under Section 337.16(2), Fla. Stat., has occurred.
- ii. Affiliated contractors submitted more than one proposal for the same work. In this event the pre-qualified status of all of the affiliated bidders will be revoked, suspended, or denied. All bids of affiliated bidders will be rejected.
- iii. The vendor made or submitted false, deceptive, or fraudulent statements, certifications, or materials in any claim for payment or any information required by any District contract.
- iv. The vendor or its affiliate defaulted on any contract or a contract surety assumed control of financial responsibility for any contract of the vendor.
- v. The vendor's qualification to bid is suspended, revoked, or denied by any other public or semi-public entity, or the vendor has been the subject of a civil enforcement proceeding or settlement involving a public or semi-public entity.
- vi. The vendor failed to comply with contract or warranty requirements or failed to follow District direction in the performance of a contract.
- vii. The vendor failed to timely furnish all contract documents required by the contract specifications, special provisions, or by any state or federal statutes or regulations. If the vendor fails to furnish any of the subject contract documents by the expiration of the period of suspension,

revocation, or denial set forth above, the vendor's pre-qualified status shall remain suspended, revoked, or denied until the documents are furnished.

- viii. The vendor failed to notify the District within 10 days of the vendor, or any of its affiliates, being declared in default or otherwise not completing work on a contract or being suspended from qualification to bid or denied qualification to bid by any other public or semi-public agency.
 - ix. The vendor did not pay its subcontractors or suppliers in a timely manner or in compliance with contract documents.
 - x. The vendor has demonstrated instances of poor or unsatisfactory performance, deficient management resulting in project delay, poor quality workmanship, a history of payment of liquidated damages, untimely completion of projects, uncooperative attitude, contract litigation, inflated claims or defaults.
 - xi. An affiliate of the vendor has previously been determined by the District to be non-responsible, and the specified period of suspension, revocation, denial, or non-responsibility remains in effect.
 - xii. The vendor or affiliate(s) has been convicted of a contract crime.
 - 1. The term "contract crime" means any violation of state or federal antitrust laws with respect to a public contract or any violation of any state or federal law involving fraud, bribery, collusion, conspiracy, or material misrepresentation with respect to a public contract.
 - 2. The term "convicted" or "conviction" means a finding of guilt or a conviction of a contract crime, with or without an adjudication of guilt, in any federal or state trial court of record as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
- (b) A denial, suspension, or revocation shall prohibit the vendor from being a subcontractor on District work during the period of denial, suspension, or revocation, except when a prime contractor's bid has used prices of a subcontractor who becomes disqualified after the bid, but before the request for authorization to sublet is presented.
- (c) The District shall inform the vendor in writing of its intent to deny, suspend, or revoke its pre-qualified status and inform the vendor of its right to a hearing, the procedure which must be followed, and the applicable time limits. If a hearing is requested within 10 days after the receipt of the notice of intent, the

hearing shall be held within 30 days after receipt by the District of the request for the hearing. The decision shall be issued within 15 days after the hearing.

- (d) Such suspension or revocation shall not affect the vendor's obligations under any preexisting contract.
- (e) In the case of contract crimes, the vendor's pre-qualified status under this Rule shall be revoked indefinitely. For all violations of Rule 3.4(3)(a) other than for the vendor's conviction for contract crimes, the revocation, denial, or suspension of a vendor's pre-qualified status under this Rule shall be for a specific period of time based on the seriousness of the deficiency.

Examples of factors affecting the seriousness of a deficiency are:

- i. Impacts on project schedule, cost, or quality of work;
- ii. Unsafe conditions allowed to exist;
- iii. Complaints from the public;
- iv. Delay or interference with the bidding process;
- v. The potential for repetition;
- vi. Integrity of the public contracting process;
- vii. Effect on the health, safety, and welfare of the public.

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

Law Implemented: §§ 190.033, 255.0525, 255.20, Fla. Stat.

Rule 3.5 Construction Contracts, Not Design-Build.

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

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

Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects including but not limited to, reemployment assistance, safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past 5 years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

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

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

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

- (g) The lowest Responsive Bid submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.
- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No contractor shall be entitled to recover any costs of bid, proposal, response, or reply preparation or submittal from the District.
- (i) The Board may require potential contractors to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
- (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses, shall be provided in writing to all contractors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of construction services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
- (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase construction services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may

proceed with the procurement of construction services, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the construction services without further competitive selection processes.

- (3) Sole Source; Government. Construction services that are only available from a single source are exempt from this Rule. Construction services provided by governmental agencies are exempt from this Rule. This Rule shall not apply to the purchase of construction services, which may include goods, supplies, or materials, that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules. A contract for construction services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.
- (4) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (5) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board Meeting.
- (6) Exceptions. This Rule is inapplicable when:
 - (a) The project is undertaken as repair or maintenance of an existing public facility;
 - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
 - (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contract; or
 - (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

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

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

Rule 3.6 Construction Contracts, Design-Build.

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

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

Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects including but not limited to reemployment assistance, safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past 5 years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

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

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

District's rankings under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

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

(5) Exceptions. This Rule is inapplicable when:

- (a) The project is undertaken as repair or maintenance of an existing public facility;
- (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
- (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contractor; or
- (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

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

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

Rule 3.7 Payment and Performance Bonds.

- (1) Scope. This Rule shall apply to contracts for the construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or public work and shall be construed in addition to terms prescribed by any other Rule that may also apply to such contracts.
- (2) Required Bond. Upon entering into a contract for any of the services described in section (1) of this Rule in excess of \$200,000, the Board should require that the contractor, before commencing the work, execute and record a payment and performance bond in an amount equal to the contract price. Notwithstanding the terms of the contract or any other law, the District may not make payment to the contractor until the contractor has provided to the District a certified copy of the recorded bond.
- (3) Discretionary Bond. At the discretion of the Board, upon entering into a contract for any of the services described in section (1) of this Rule for an amount not exceeding \$200,000, the contractor may be exempted from executing a payment and performance bond.

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

Law Implemented: § 255.05, Fla. Stat.

Rule 3.8 Goods, Supplies, and Materials.

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

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

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

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

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

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

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

- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.
 - (i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
 - (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of goods, supplies, and materials under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
 - (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase goods, supplies, or materials, or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of goods, supplies, and materials, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the goods, supplies, and materials without further competitive selection processes.
- (3) Goods, Supplies, and Materials included in a Construction Contract Awarded Pursuant to Rule 3.5 or 3.6. There may be occasions where the District has

undergone the competitive purchase of construction services which contract may include the provision of goods, supplies, or materials. In that instance, the District may approve a change order to the contract and directly purchase the goods, supplies, and materials. Such purchase of goods, supplies, and materials deducted from a competitively purchased construction contract shall be exempt from this Rule.

- (4) Exemption. Goods, supplies, and materials that are only available from a single source are exempt from this Rule. Goods, supplies, and materials provided by governmental agencies are exempt from this Rule. A contract for goods, supplies, or materials is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process. This Rule shall not apply to the purchase of goods, supplies or materials that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules.
- (5) Renewal. Contracts for the purchase of goods, supplies, and/or materials subject to this Rule may be renewed for a maximum period of five (5) years.
- (6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

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

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

Rule 3.9 Maintenance Services.

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

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

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

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

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

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

Specific Authority: §§ 190.011(5), 190.011(15), 190.033, Fla. Stat.
Law Implemented: §§ 119.0701, 190.033, 287.017, Fla. Stat.

Rule 3.10 Contractual Services.

- (1) Exemption from Competitive Purchase. Pursuant to Section 190.033(3) of the Florida Statutes, Contractual Services shall not be subject to competitive purchasing requirements. If an agreement is predominantly for Contractual Services, but also includes maintenance services or the purchase of goods and services, the contract shall not be subject to competitive purchasing requirements. Regardless of whether an advertisement or solicitation for Contractual Services is identified as an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, no rights or remedies under these Rules, including but not limited to protest rights, are conferred on persons, firms, or vendors proposing to provide Contractual Services to the District.
- (2) Contracts: Public Records. In accordance with Florida law, each contract for Contractual Services shall include provisions required by law that require the contractor to comply with public records laws.

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

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

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

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

(1) Filing.

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

3.4, 3.5, 3.6, 3.8, or 3.9, any person who files a notice of protest must post the protest bond. The amount of the protest bond shall be determined by District staff after consultation with the Board and within the limits, if any, imposed by Florida law. In the event the protest is successful, the protest bond shall be refunded to the protestor. In the event the protest is unsuccessful, the protest bond shall be applied towards the District's costs, expenses, and attorney's fees associated with hearing and defending the protest. In the event the protest is settled by mutual agreement of the parties, the protest bond shall be distributed as agreed to by the District and protestor.

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

- (c) Make or receive offers of settlement, stipulation, and adjustment.

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

- (5) Intervenors. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (6) Rejection of all Qualifications, Bids, Proposals, Replies and Responses after Receipt of Notice of Protest. If the Board determines there was a violation of law, defect, or an irregularity in the competitive solicitation process, the Bids, Proposals, Replies, and Responses are too high, or if the Board determines it is otherwise in the District's best interest, the Board may reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew. If the Board decides to reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew, any pending protests shall automatically terminate.
- (7) Settlement. Nothing herein shall preclude the settlement of any protest under this Rule at any time.

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

Law Implemented: § 190.033, Fla. Stat.

Rule 4.0 Effective Date.

These Rules shall be effective June 18, 2020, except that no election of officers required by these Rules shall be required until after the next regular election for the Board.

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

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

SECTION B

SECTION 1

RESOLUTION 2020-30

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

WHEREAS, the Sandmine Road Community Development District (“District”) was established pursuant to the provisions of Chapter 190, *Florida Statutes*, which authorizes the District to levy certain assessments which include benefit and maintenance assessments and further authorizes the District to levy special assessments pursuant to Chapters 170 and 197, *Florida Statutes*, for the acquisition, maintenance, construction, or reconstruction of assessable improvements authorized by Chapter 190, *Florida Statutes*; and

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

WHEREAS, pursuant to Section 197.3632, *Florida Statutes*, the District has caused notice of a public hearing on the District’s intent to use the Uniform Method to be advertised weekly in a newspaper of general circulation within Polk County for four (4) consecutive weeks prior to such hearing; and

WHEREAS, the District has held a public hearing pursuant to Section 197.3632, *Florida Statutes*, where public and landowners were allowed to give testimony regarding the use of the Uniform Method; and

WHEREAS, the District desires to use the Uniform Method for the levy, collection and enforcement of non-ad valorem special assessments authorized by Section 197.3632, *Florida Statutes*, for special assessments, including benefit and maintenance assessments, over all the lands in the District as further described in **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SANDMINE ROAD COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The Sandmine Road Community Development District upon conducting its public hearing as required by Section 197.3632, *Florida Statutes*, hereby expresses its need and intent to use the Uniform Method of collecting assessments imposed by the District as provided in

Chapters 170 and 190, *Florida Statutes*, each of which are non-ad valorem assessments which may be collected annually pursuant to the provisions of Chapter 190, *Florida Statutes*, for the purpose of paying principal and interest on any and all of its indebtedness and for the purpose of paying the cost of operating and maintaining its assessable improvements. The legal description of the boundaries of the real property subject to a levy of assessments is attached and made a part of this Resolution as **Exhibit A**. The non-ad valorem assessments and the District's use of the Uniform Method of collecting its non-ad valorem assessment(s) may continue in any given year when the Board of Supervisors determines that use of the uniform method for that year is in the best interests of the District.

SECTION 2. This Resolution shall become effective upon its passage and the District's Secretary is authorized and directed to provide the Property Appraiser and Tax Collector of Polk County and the Department of Revenue of the State of Florida with a copy of this Resolution.

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

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

PASSED AND ADOPTED this 18th day of June, 2020.

ATTEST:

**SANDMINE ROAD COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: Legal Description of Sandmine Road Community Development District

EXHIBIT A
Legal Description of Sandmine Road Community Development District

PARCEL 1 (NORTH PROPERTY):

THAT PART OF SECTION 13, TOWNSHIP 25 SOUTH, RANGE 26 EAST, POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID SECTION 13; THENCE RUN S89°49'14"W ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 13 FOR A DISTANCE OF 2633.31 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST 1/4; THENCE RUN S00°21'16"W ALONG THE WEST LINE OF SAID NORTHEAST 1/4 FOR A DISTANCE OF 1374.50 FEET TO THE NORTH LINE OF THE SOUTH 1266.00 FEET OF SAID NORTHEAST 1/4; THENCE RUN N89°55'04"E ALONG SAID NORTH LINE FOR A DISTANCE OF 360.01 FEET TO THE EAST LINE OF THE WEST 360.00 FEET OF SAID NORTHEAST 1/4; THENCE RUN S00°21'16"W ALONG SAID EAST LINE FOR A DISTANCE OF 606.02 FEET TO THE NORTH LINE OF THE SOUTH 660.00 FEET OF SAID NORTHEAST 1/4; THENCE RUN S89°55'04"W ALONG SAID NORTH LINE FOR A DISTANCE OF 91.39 FEET TO THE EAST LINE OF THE WEST 268.61 FEET OF SAID NORTHEAST 1/4; THENCE RUN S00°21'16"W ALONG SAID EAST LINE FOR A DISTANCE OF 660.02 FEET TO THE SOUTH LINE OF SAID NORTHEAST 1/4; THENCE RUN N89°55'04"E ALONG SAID SOUTH LINE FOR A DISTANCE OF 2383.69 FEET TO THE EAST LINE OF THE AFORESAID NORTHEAST 1/4 OF SECTION 13; THENCE RUN N00°03'31"W ALONG SAID EAST LINE FOR A DISTANCE OF 2652.58 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT ANY PORTION OF THE PROPERTY LYING WITHIN THE FOLLOWING PROPERTY:

THE SOUTH 40.00 FEET OF THE EAST 356.39 FEET OF THE WEST 565.00 FEET OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 25 SOUTH, RANGE 26 EAST, POLK COUNTY, FLORIDA.

ALSO LESS AND EXCEPT THAT PORTION CONVEYED TO POLK COUNTY BY DEED RECORDED IN O.R. BOOK 9568, PAGE 1486, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 25 SOUTH, RANGE 26 EAST, POLK COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH LINE OF SAID NORTHEAST 1/4 OF SECTION 13 AND THE NORTHERLY PROJECTION OF THE EAST LINE OF SAND MINE PLAZA, AS RECORDED IN PLAT BOOK 154, PAGE 24, PUBLIC RECORDS OF POLK COUNTY, FLORIDA FOR THE POINT OF BEGINNING; THENCE NORTH 89°52'49" EAST, ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 OF SECTION 13, A

DISTANCE OF 1080.00 FEET; THENCE NORTH 00°18'42" EAST, A DISTANCE OF 40.00 FEET TO A POINT ON A LINE 40.00 FEET NORTH OF AND PARALLEL WITH AFORESAID SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 13; THENCE SOUTH 89°52'49" WEST, ALONG SAID LINE BEING 40.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 13, A DISTANCE OF 1080.00 FEET TO THE AFORESAID NORTHERLY PROJECTION OF THE EAST LINE OF SAND MINE PLAZA, AS RECORDED IN PLAT BOOK 154, PAGE 24, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE SOUTH 00°18'42" WEST, ALONG SAID NORTHERLY PROJECTION, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL 2 (SIGNAGE PARCEL):

THAT PART OF SECTION 13, TOWNSHIP 25 SOUTH, RANGE 26 EAST, POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 13; THENCE RUN S89°55'04"W ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 13 FOR A DISTANCE OF 619.73 FEET; THENCE DEPARTING SAID SOUTH LINE RUN N00°04'56"W FOR A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N00°04'56"W FOR A DISTANCE OF 20.00 FEET; THENCE RUN S89°55'04"W FOR A DISTANCE OF 24.29 FEET TO THE EAST RIGHT-OF-WAY LINE OF U. S. HIGHWAY 27; THENCE RUN S19°18'5"E ALONG SAID EAST RIGHT-OF-WAY LINE FOR A DISTANCE OF 7.63 FEET; THENCE RUN S08°00'15"E ALONG SAID EAST RIGHT-OF-WAY LINE FOR A DISTANCE OF 12.92 FEET; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE RUN N89°55'04"E FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING

CONTAINING 150.25 ACRES, MORE OR LESS.

SECTION C

SECTION 1

SANDMINE ROAD COMMUNITY DEVELOPMENT DISTRICT

MASTER ENGINEER'S REPORT INFRASTRUCTURE IMPROVEMENTS

PREPARED FOR

**Sandmine Road Community Development District
Board of Supervisors**
c/o Governmental Management Services- Central Florida, LLC
219 East Livingston Street
Orlando, FL 32801

PREPARED BY



April 16, 2020

**SANDMINE ROAD CDD
ENGINEER'S REPORT
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XIII.	Exhibit 11 – Master Project Cost Summary

 Broc L. Althafer, P.E. Date
 Florida Engineer License No. 72321
 Osceola Engineering, Inc. No. 26265

SANDMINE ROAD CDD MASTER ENGINEER'S REPORT

I. Introduction

a. Location and General Description. Sandmine Road Subdivision is a residential land development project (the "Development") located in eastern Polk County, Florida. The Development contains approximately 150.25 acres and is wholly contained within the limits of the Sandmine Road Community Development District (the "District"). The District is located north of Sandmine Road and east of US Highway 27, all within Section 13, Township 25 South, Range 26 East. The location of the District is graphically shown on **Exhibit 1-Location Map** and the District Boundaries are shown by phase on **Exhibit 2-District Legal Description**, both located within the **Appendix** of this report.

In accordance with the Polk County Comprehensive Plan, the Development is located within an area assigned future land use of Residential – Low Density (RL-1X) with the corresponding zoning designation of Planned Development. The Planned Development, LDPD-2018-47, was approved by the Planning Commission of Polk County, Florida on March 6, 2019. The **PD Concept Plan** is included as **Exhibit 3** in the **Appendix**.

b. District Purpose and Scope. The District has been established for the purpose of financing, acquiring or constructing, maintaining, and/or operating infrastructure necessary to support the development. The purpose of this report is to provide a description of the public infrastructure improvements to be financed, constructed, and/or acquired by the District. Pulte Home Corporation, LLC, the primary developer of the Development (the "Developer") has commenced construction in the Development, including improvements within the boundary of Phase 1, and construction will continue to be on-going. The Developer will construct the balance of the infrastructure needed for the Development that is not financed by the District.

The Sandmine Road Community Development District was established pursuant to Polk County Ordinance No. 20-023 enacted by the Board of County Commissioners on April 7, 2020.

c. Description of Land Use. The lands within the District encompass approximately 150.25 acres. The Development is planned as a 617-unit residential community consisting of detached single family units and attached townhome units to be developed in two (2) phases. The table below illustrates the current land use plan.

<u>Proposed Land Use</u>	<u>Approximate Area</u> (Acres)	<u>Phase 1</u> <u>Units</u>	<u>Phase 2</u> <u>Units</u>
Road Rights of Way	24.59		
25' wide lots	64.68	122	16
40' wide lots		92	149
50' wide lots		92	146
Recreation	4.80		
Buffers, Parks, & Open Space	26.59		
Water Management Ponds	29.59		
Total	150.25	306	311

The PD Concept Plan included as **Exhibit 3** in the **Appendix** provides a pictorial illustration of the above proposed land uses.

II. Status of Permitting

The current plan of development is expected to include 479 single family detached units and 138 townhome units, recreational uses, private roadways, storm water management areas, and open spaces.

The local government regulations governing the Development include: the Polk County Comprehensive Plan; the Polk County Land Development Code; and the Sandmine Road Planned Development (LDPD-2018-47).

State and Federal Agencies administering permit authority include: Southwest Florida Water Management District; Florida Department of Environmental Protection and the United States Army Corps of Engineers. The Florida Department of State Division of Historical Resources also has public comment input required for the SWFWMD permit.

The following permits are required for the Development:

1. Southwest Florida Water Management District (SWFWMD):
Environmental Resource General Construction Permit
2. Polk County
Planned Development Zoning Map Amendment (Level 3)
Site Development Plan Phase 1 (Level 2)
Site Development Plan Phase 2 (Level 2)
3. State of Florida Department of Environmental Protection (FDEP)
Potable Water Supply Distribution System Permit
Domestic Wastewater/Transmission System Permit
National Pollutant Discharge Elimination System N.O.I.
4. Florida Department of State Division of Historical Resources:
Archeological Assessment Sufficiency Approval

As provided herein, this Development is proposed to be developed in two phases. Phase 1 of the Development will consist of 184 single family detached units, 122 townhome units. The Phase 1 project will include offsite roadway infrastructure, water, sewer and re-use utilities, two storm water management ponds, and open spaces on the eastern portion of the District boundary. This area has received all necessary permits and is currently under construction.

Phase 2 of the Development will consist of 295 single family detached units, 16 townhome units. The Phase 2 project will include offsite roadway infrastructure, water, sewer and re-use utilities, and open spaces on the western portion of the District boundary.

Please see **Exhibit 4** in the **Appendix** for a detailed description of the permit status. It is our opinion the necessary permits for the construction of all phases of the Development have been obtained or will be obtained in the near future, and there are no technical reasons existing at this time which would prohibit the implementation of the plans for the Development as presented herein. Furthermore, all permits not yet issued and which are necessary to affect the improvements described herein will be obtained during the ordinary course of constructing the Development.

III. Infrastructure Benefit

The public infrastructure described herein as proposed to be provided by the District provide two types of public benefits. These benefits include:

1. Project wide public benefits
2. Incidental public benefits

The **project-wide public benefits** are provided by public infrastructure improvements that serve all residents in the District. These public infrastructure improvements include: offsite roadway improvements; master storm water management systems; potable water distribution systems; reclaimed water distribution systems; sanitary sewer collection systems; and perimeter landscape and irrigation improvements designed to serve the entire District.

Incidental public benefits include those benefits received by the general public who do not necessarily reside within the District. These benefits occur for two reasons in the case of the District. First, the general public will be using some of the improvements provided by the District. Second, the proposed infrastructure improvements are required under the Development's development orders and approvals, which includes not only the District, but also additional facilities outside the District, which will also benefit from District improvements. These incidental public benefits include improvements identified in **Exhibit 3** in the **Appendix**; master storm water management systems; roadway systems, potable water distribution systems; reclaimed water distribution systems; sanitary sewer collection systems; perimeter landscape and irrigation improvements.

The proposed public infrastructure improvements identified in this Report are intended to provide specific benefit to the assessable real property within the boundaries of the District. As the property is currently unused, the construction and maintenance of the

proposed infrastructure improvements are necessary and will benefit the property for the intended use as a residential subdivision. As noted, the District can construct, acquire, own, and/or operate all or a portion of the proposed public infrastructure discussed herein. As noted earlier, it's anticipated the Developer will construct the master project infrastructure (hereinafter defined) not financed or acquired by the District.

IV. Master Project Infrastructure Improvements

This Report identifies the public infrastructure presently anticipated to be financed, designed, constructed and/or acquired by the District for the benefit of the developable lands within the District (the "Master Project"). The Master Project elements include: the cost of earthwork/grading of public property, construction of retaining walls for stormwater purposes, storm water management and drainage systems, potable water distribution systems, reuse water distribution systems, sewer collection and conveyance systems, landscaping, irrigation, and hardscape improvements, off-site roadways, offsite utility improvements, and contingencies. The estimated costs for engineering design and inspection of these elements, as well as, the cost for professional service fees and permitting fees will also be funded by the District.

The proposed Master Project improvements to serve the Development's needs are listed in the following categories:

1. Storm Water Management System (Phases 1 & 2)
2. Potable Water Distribution Systems (Phases 1 & 2)
3. Reclaimed Water Distribution Systems (Phases 1 & 2)
4. Lift Stations & Sanitary Sewer Systems (Phases 1 & 2)
5. Offsite Roadway Improvements (Phases 1 & 2)
6. Earthwork/Grading Improvements (Phases 1 & 2)
7. Common Area Landscape, Irrigation & Hardscape (Phases 1 & 2)

Detailed descriptions of the above proposed Master Project improvements are provided in the following section. **Exhibit 9** in the **Appendix** shows an estimated cost for the proposed Master Project improvements.

V. Description of the Infrastructure and Construction Schedule

1. **Storm Water Management Systems (Phases 1 & 2).** The storm water management facilities consist of curb & gutters, inlets, manholes, storm pipes, and drainage swales. Retaining walls alter grades to establish drainage basin boundaries, directing runoff toward the collection and conveyance system which discharges into one of three dry retention ponds. Excavation of onsite fill material is required to define the retention pond at appropriate grades to provide adequate stormwater treatment, and to manage the storm water runoff generated by the Development. The stormwater works does not include the transportation or use of fill on any of the private lands. The storm water management system will be owned, operated and maintained by the District.

See **Exhibit 5** in the **Appendix** for a graphical representation of the Storm Water Management Facilities.

2. **Potable Water Distribution Systems (Phases 1 & 2)** Potable water for the Development will be provided by Polk County Utilities. An existing 12 inch water main located on the south side of Sandmine Road will provide domestic and fire flow service to the District. Water Impact Fees are included in the cost of the infrastructure.

When completed, the potable water distribution system will be dedicated by the District to Polk County Utilities for ownership, operation and maintenance. All water system impact fees charged by the Polk County are included in the cost of these systems. See **Exhibit 6** in the **Appendix** for a graphical representation of the water distribution systems for Phases 1 and 2.

3. **Sanitary Sewer Collection & Conveyance Systems (Phases 1 & 2)** Sanitary sewer collection and treatment will be provided by Polk County Utilities. An existing 8 inch force main located on the south side of Sandmine Road will provide wastewater service for the District. The Development will be served by gravity sanitary sewer mains and two (2) sanitary sewer lift stations. Both lift stations are located within the boundary of Phase 1. Sewer Impact Fees are included in the cost of the infrastructure.

When completed, the sanitary sewer system, including both lift stations will be dedicated by the District to Polk County Utilities for ownership, operation and maintenance. All sewer system impact fees charged by Polk County are included in the cost of these systems. See **Exhibit 7** in the **Appendix** for a graphical representation of the sanitary sewer system.

4. **Reclaimed Water Distribution Systems (Phases 1 & 2)** Reclaimed water for the Development will be provided by Polk County Utilities. An existing 16 inch water main located on the north side of Sandmine Road will provide reclaimed irrigation service to the District. The construction costs associated with the Master Project reclaim water main improvements will be distributed between the two development phases, as it serves each phase.

When completed, the reclaimed water distribution system will be dedicated by the District to Polk County Utilities for ownership, operation and maintenance. See **Exhibit 8** in the **Appendix** for a graphical representation of the water distribution systems.

5. **Offsite Roadway Improvements** Offsite roadway improvements are located outside of the boundary of the District. The improvements consist of extension of Sandmine Road from the current terminus west to the Polk County/Osceola County line. The offsite roadway will consist of stabilized subgrade, limerock base material, and asphalt roadway surface, along with curbs, and other elements intended to provide driving surface for vehicles. The construction costs associated with these improvements are intended to benefit all phases of development proportionately, so the associated development costs will be distributed proportionally between the two development phases.

When completed, the roadway segment will be dedicated by the District to Polk County for ownership, operation and maintenance. See **Exhibit 9** in the **Appendix** for a graphical representation of the roadway improvements.

- 6. Landscape, Irrigation & Hardscape (Phases 1 & 2).** The development includes the installation of trees, shrubs and groundcover in Open Space and Recreation tracts.

The landscape, irrigation and hardscape will be turned over to the District for ownership, operation and maintenance. See **Exhibit 10** in the **Appendix** for a graphical representation of the landscape, irrigation and hardscape improvements.

- 7. Professional and Inspection Fees (Phases 1& 2).** Professional services from various consultants are required to design, obtain permits and construct the public infrastructure within the Development. These consultants include but are not limited to: civil engineer; surveyor; environmental scientist; geotechnical engineer; land planner; and land development attorneys. Each agency will charge a plan review fee and an inspection fee for the public infrastructure to insure the public improvements are designed in accordance with the agency's codes and constructed in accordance with the approved plans. The professional service fees and review/inspection fees are included in the District's public infrastructure costs.

- i. Construction Schedule.** As of the date of this report, construction of Phase 1 of the Development is under way. It is estimated the infrastructure for Phase 1 will be completed in approximately 4 months. An estimated schedule follows:

<u>Facility</u>	<u>Construction Schedule</u>
Storm Water Management System (Phase 1)	10/2019 - 06/2020
Storm Water Management System (Phase 2)	06/2020 - 12/2020
Potable Water Distribution System (Phase 1)	10/2019 - 06/2020
Potable Water Distribution System (Phase 2)	06/2020 - 12/2020
Sanitary Sewer System (Phase 1)	10/2019 - 06/2020
Sanitary Sewer System (Phase 2)	06/2020 - 12/2020
Reclaimed Water Distribution System (Phase 1)	10/2019 - 06/2020
Reclaimed Water Distribution System (Phase 2)	06/2020 - 12/2020
Offsite Roadway Improvements (Phase 1)	10/2019 - 06/2020
Landscape, Irrigation & Hardscape (Phase 1)	10/2019 - 06/2020
Landscape, Irrigation & Hardscape (Phase 2)	06/2020 - 12/2020
Professional and Inspection Fees (Phase 1)	10/2019 - 06/2020
Professional and Inspection Fees (Phase 2)	06/2020 - 12/2020

VI. Ownership and Maintenance

After the District has financed and acquired and/or constructed the proposed Master Project improvements, the ultimate ownership and maintenance responsibilities of the proposed infrastructure improvements are set forth below.

<u>Proposed Infrastructure Improvements</u>	<u>Ownership</u>	<u>Operation & Maintenance</u>
Storm Water Management System	CDD ⁽¹⁾	CDD ⁽¹⁾
Potable Water Distribution System	PCU ⁽³⁾	PCU ⁽³⁾
Sanitary Sewer System	PCU ⁽³⁾	PCU ⁽³⁾
Reclaimed Water Distribution System	PCU ⁽³⁾	PCU ⁽³⁾
Offsite Roadway Improvements	PC ⁽²⁾	PC ⁽²⁾
Landscape, Irrigation & hardscape	CDD ⁽¹⁾	CDD ⁽¹⁾

Notes:

- (1) Sandmine Road Community Development District
- (2) Polk County, Florida
- (3) Polk County Utilities

VII. Real Property Interests

Real property interests for the lands within the District needed for construction, operation and maintenance of the District funded facilities will be dedicated by the Developer to the District or other public entity at no cost.

VIII. Estimate of Capital Improvement Costs

Facility Description	Construction Cost
Storm Water Management System (Phase 1)	\$ 3,365,308.37
Storm Water Management System (Phase 2)	\$ 3,842,934.43
Potable Water Distribution System (Phase 1)	\$ 421,202.87
Potable Water Distribution System (Phase 2)	\$ 305,136.35
Sanitary Sewer System (Phase 1)	\$ 871,541.14
Sanitary Sewer System (Phase 2)	\$ 674,512.33
Reclaimed Water Distribution System (Phase 1)	\$ 189,790.67
Reclaimed Water Distribution System (Phase 2)	\$ 211,390.67
Offsite Roadway Improvements (Phase 1)	\$ 98,042.55
Offsite Roadway Improvements (Phase 2)	\$ 118,204.87
Landscape, Irrigation & Hardscape (Phase 1)	\$ 125,000.00
Landscape, Irrigation & Hardscape (Phase 2)	\$ 125,000.00
Professional & Inspection Fees (Phase 1)	\$ 851,974.81
Professional & Inspection Fees (Phase 2)	\$ 972,575.19
Water/Wastewater Impact Fees (Phase 1)	\$ 1,828,804.00
Water/Wastewater Impact Fees (Phase 2)	\$ 2,168,649.00
Construction Contingency (Phase 1)	\$ 827,825.45
Construction Contingency (Phase 2)	\$ 998,066.69
Total (Phases 1 & 2)	\$17,995,959.39
Total Phase 1 Improvements	\$ 8,579,489.86
Total Phase 2 Improvements	\$ 9,416,469.53

Note: Please refer to **Exhibit 11** in Appendix for a detail of the estimated costs above.

IX. Conclusions and Summary Opinion

The public infrastructure improvements as detailed herein are necessary for the functional development of the District. The planning and design of the public infrastructure has been completed in accordance with current governmental regulatory requirements. The public infrastructure will provide the intended function so long as the construction is in substantial compliance with the design and permits. The District intends to fund the acquisition and/or construction of all or portion of the Master Project improvements included in this report through the issuance of special assessment bonds. The costs provided herein are exclusive of certain legal, administrative, financing, operations, and/or maintenance services necessary to finance, construct, acquire and/or operate the Master Project improvements. The Engineer recommends that the District should levy and collect an annual "Operating and Maintenance Assessment" to be determined, assessed and levied by the District's Board of Supervisors upon the assessable real property within the District for the purpose of defraying the cost and expenses of maintaining District-owned improvements. It is my professional opinion that the costs provided herein for the District's proposed Master Project improvements are fair and reasonable to complete the construction of the proposed public infrastructure improvements described herein and that these Master Project improvements represent a system of improvements that will benefit and add value to all developed land in the District as more fully detailed in the assessment methodology report to be prepared by Governmental Management Services-Central Florida, LLC. Such added value shall be at least equal to the costs of such public infrastructure improvements. All such proposed Master Project costs are for accessible public improvements or community facilities as set forth in Chapter 190 of the Florida Statutes.

The estimate of Master Project construction costs is only an estimate and not a guaranteed maximum price. Where necessary, historical costs and information from other professionals or utility consultants and contractors have been used in the preparation of this report. Consultants and contractors who have contributed in providing the cost data included in this report are reputable entities within the area. It is therefore our opinion that the construction of the proposed public infrastructure improvements can be completed at the costs as stated. It is my view the cost to be paid by the District for the Master Project infrastructure will not exceed the greater of the actual cost or fair market value of such improvements. The labor market, future costs of equipment and materials, increased regulatory actions and the actual construction process are all beyond control. Due to this inherent opportunity for fluctuation in cost, the total final cost may be more or less than this estimate.

APPENDIX

EXHIBIT 1 - LOCATION MAP

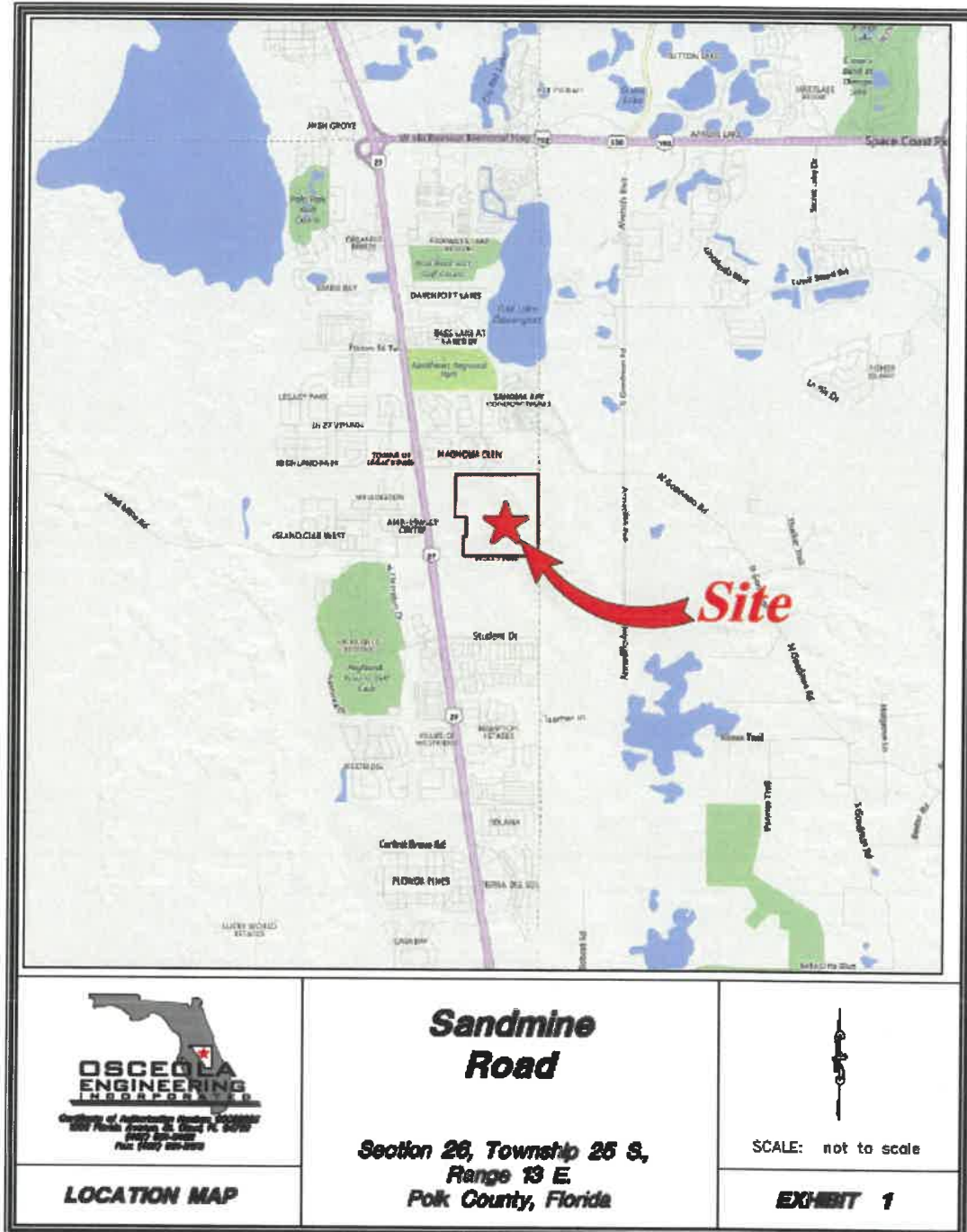


EXHIBIT 2 – DISTRICT LEGAL DESCRIPTION

PARCEL 1 (NORTH PROPERTY):

THAT PART OF SECTION 13, TOWNSHIP 25 SOUTH, RANGE 26 EAST, POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID SECTION 13; THENCE RUN S89°52'14"W ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 13 FOR A DISTANCE OF 2633.31 FEET TO THE NORTHWEST CORNER OF SAID NORTH 1/4; THENCE RUN S00°21'16"W ALONG THE WEST LINE OF SAID NORTH 1/4 FOR A DISTANCE OF 1374.50 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID NORTH 1/4; THENCE RUN N89°55'04"E ALONG SAID NORTH LINE FOR A DISTANCE OF 1266.00 FEET OF SAID NORTH 1/4; THENCE RUN N89°55'04"E ALONG SAID NORTH LINE FOR A DISTANCE OF 606.02 FEET TO THE EAST LINE OF THE WEST 380.00 FEET OF SAID NORTH 1/4; THENCE RUN S00°21'16"W ALONG SAID EAST LINE FOR A DISTANCE OF 606.02 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID NORTH 1/4; THENCE RUN S89°55'04"W ALONG SAID NORTH LINE FOR A DISTANCE OF 91.39 FEET TO THE EAST LINE OF THE WEST 268.61 FEET OF SAID NORTH 1/4; THENCE RUN S00°21'16"W ALONG SAID EAST LINE FOR A DISTANCE OF 660.02 FEET TO THE SOUTH LINE OF THE AFORESAID NORTH 1/4; THENCE RUN N89°55'04"E ALONG SAID SOUTH LINE FOR A DISTANCE OF 2383.69 FEET TO THE EAST LINE OF THE AFORESAID NORTH 1/4 OF SECTION 13; THENCE RUN N00°03'51"W ALONG SAID EAST LINE FOR A DISTANCE OF 2652.58 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT ANY PORTION OF THE PROPERTY LYING WITHIN THE FOLLOWING PROPERTY:

THE SOUTH 40.00 FEET OF THE EAST 356.39 FEET OF THE WEST 565.00 FEET OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 25 SOUTH, RANGE 26 EAST, POLK COUNTY, FLORIDA.

ALSO LESS AND EXCEPT THAT PORTION CONVEYED TO POLK COUNTY BY DEED RECORDED IN O.R. BOOK 9568, PAGE 1486, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 25 SOUTH, RANGE 26 EAST, POLK COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH LINE OF SAID NORTH 1/4 OF SECTION 13 AND THE NORTHERLY PROJECTION OF THE EAST LINE OF SAND MINE PLAZA, AS RECORDED IN PLAT BOOK 154, PAGE 24, PUBLIC RECORDS OF POLK COUNTY, FLORIDA FOR THE POINT OF BEGINNING; THENCE NORTH 89°52'49" EAST, ALONG THE SOUTH LINE OF SAID NORTH 1/4 OF SECTION 13, A DISTANCE OF 1080.00 FEET; THENCE NORTH 00°18'42" EAST, A DISTANCE OF 40.00 FEET TO A POINT ON A LINE 40.00 FEET NORTH OF AND PARALLEL WITH AFORESAID SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 13; THENCE SOUTH 89°52'49" WEST, ALONG SAID LINE BEING 40.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 13, A DISTANCE OF 1080.00 FEET TO THE AFORESAID NORTHERLY PROJECTION OF THE EAST LINE OF SAND MINE PLAZA, AS RECORDED IN PLAT BOOK 154, PAGE 24, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE SOUTH 00°18'42" WEST, ALONG SAID NORTHERLY PROJECTION, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL 2 (SIGNAGE PARCEL):

THAT PART OF SECTION 13, TOWNSHIP 25 SOUTH, RANGE 26 EAST, POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 13; THENCE RUN S89°55'04"W ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 13 FOR A DISTANCE OF 619.73 FEET; THENCE DEPARTING SAID SOUTH LINE RUN N00°04'56"W FOR A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N00°04'56"W FOR A DISTANCE OF 20.00 FEET; THENCE RUN S00°55'04"W FOR A DISTANCE OF 24.29 FEET TO THE EAST RIGHT-OF-WAY LINE OF U. S. HIGHWAY 27; THENCE RUN S19°18'51" E ALONG SAID EAST RIGHT-OF-WAY LINE FOR A DISTANCE OF 7.63 FEET; THENCE RUN S08°00'15" E ALONG SAID EAST RIGHT-OF-WAY LINE FOR A DISTANCE OF 12.92 FEET; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE RUN N89°55'04"E FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 150.25 ACRES, MORE OR LESS.



Sandmine Road Community Development District

District
Description

EXHIBIT 2

EXHIBIT 2A – Phase 1 LEGAL DESCRIPTION

*District
Description*
EXHIBIT 2A

A PARCEL OF LAND COMPRISING A PORTION OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 25 SOUTH, RANGE 28 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF AFORESAID NORTHEAST 1/4 OF SECTION 13, BEING A POINT ON THE WEST LINE OF MAGNOLIA AT WESTSIDE PHASE 1, AS RECORDED IN PLAT BOOK 28, PAGES 167 THROUGH 169 OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA; THENCE RUN SOUTH 07°07'34" EAST ALONG THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 13, THE WEST LINE OF SAID MAGNOLIA AT WESTSIDE PHASE 1 AND THE WEST LINE OF MAGNOLIA AT WESTSIDE PHASE 2 AS RECORDED IN PLAT BOOK 28, PAGES 161 THROUGH 164 OF SAID PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA FOR A DISTANCE OF 2852.62 FEET TO THE SOUTHEAST CORNER OF AFORESAID NORTHEAST 1/4 OF SECTION 13; THENCE RUN SOUTH 89°50'40" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 OF SECTION 13 FOR A DISTANCE OF 1006.53 FEET; THENCE DEPARTING SAID SOUTH LINE RUN NORTH 00°16'35" EAST FOR A DISTANCE OF 40.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAND MINE ROAD ACCORDING TO OFFICIAL RECORDS BOOK 9580, PAGE 1486 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE RUN SOUTH 89°50'40" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE FOR A DISTANCE OF 476.94 FEET; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE RUN NORTH 00°09'20" WEST FOR A DISTANCE OF 1136.00 FEET; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE RUN NORTH 00°09'20" WEST FOR A DISTANCE OF 1136.00 FEET; THENCE RUN NORTH 89°50'40" EAST FOR A DISTANCE OF 265.37 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY WITH A RADIUS OF 103.00 FEET, A CENTRAL ANGLE OF 22°48'21". THE CHORD OF WHICH BEARS SOUTH 78°44'40" EAST FOR A DISTANCE OF 40.76 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 41.03 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 67°19'58" EAST FOR A DISTANCE OF 200.38 FEET; THENCE RUN NORTH 22°40'01" EAST FOR A DISTANCE OF 11.00 FEET; A CENTRAL ANGLE OF 80°00'00". THE CHORD OF WHICH BEARS NORTH 22°40'01" EAST FOR A DISTANCE OF 15.56 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 17.28 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 22°40'01" EAST FOR A DISTANCE OF 14.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 1475.00 FEET, A CENTRAL ANGLE OF 03°41'59". THE CHORD OF WHICH BEARS NORTH 20°48'01" EAST FOR A DISTANCE OF 95.23 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 95.23 FEET TO A NON-TANGENT POINT; THENCE RUN NORTH 67°19'58" WEST NON-RADIAL TO SAID CURVE FOR A DISTANCE OF 265.04 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY WITH A RADIUS OF 643.18 FEET, A CENTRAL ANGLE OF 22°48'21". THE CHORD OF WHICH BEARS NORTH 78°44'40" WEST FOR A DISTANCE OF 255.30 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 256.99 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 89°50'40" WEST FOR A DISTANCE OF 105.18 FEET; THENCE RUN NORTH 00°09'20" WEST FOR A DISTANCE OF 1136.69 FEET TO THE NORTH LINE OF SAID NORTHEAST 1/4 OF SECTION 13 AND THE SOUTH LINE OF VISTA PARK PHASE TWO AS RECORDED IN PLAT BOOK 111, PAGES 14 AND 15 OF SAID PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE RUN NORTH 89°35'03" EAST ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 AND SOUTH LINE OF SAID VISTA PARK PHASE TWO AND THE EASTERLY EXTENSION THEREOF FOR A DISTANCE OF 1468.55 FEET TO THE POINT OF BEGINNING.

CONTAINING: 3,741,796 SQUARE FEET OR 85.9 ACRES OF LAND, MORE OR LESS.

Sandmine Road
Community Development District

EXHIBIT 2B – Phase 2 LEGAL DESCRIPTION

A PARCEL OF LAND COMPRISING A PORTION OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 25 SOUTH, RANGE 26 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF AFORESAID NORTHEAST 1/4 OF SECTION 13; THENCE RUN SOUTH 89°35'03" WEST ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 FOR A DISTANCE OF 1488.55 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH LINE OF SAID NORTHEAST 1/4 AND THE SOUTH LINE OF SAID VISTA PARK PHASE TWO RUN SOUTH 00°09'20" EAST FOR A DISTANCE OF 1130.89 FEET; THENCE RUN NORTH 89°50'40" EAST FOR A DISTANCE OF 105.19 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY WITH A RADIUS OF 645.18 FEET, A CENTRAL ANGLE OF 22°49'21"; THE CHORD OF WHICH BEARS SOUTH 78°44'40" EAST FOR A DISTANCE OF 235.30 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 256.99 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 67°19'59" EAST FOR A DISTANCE OF 285.04 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 1475.00 FEET, A CENTRAL ANGLE OF 03°41'58"; THE CHORD OF WHICH BEARS SOUTH 20°49'01" WEST FOR A DISTANCE OF 85.23 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 85.23 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 22°40'01" WEST FOR A DISTANCE OF 14.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY WITH A RADIUS OF 11.40 FEET, A CENTRAL ANGLE OF 90°00'00"; THE CHORD OF WHICH BEARS SOUTH 67°40'01" WEST FOR A DISTANCE OF 13.56 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 17.28 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 67°19'59" WEST FOR A DISTANCE OF 5.00 FEET; THENCE RUN SOUTH 22°40'01" WEST FOR A DISTANCE OF 50.00 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 50.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 11.00 FEET, A CENTRAL ANGLE OF 80°00'00"; THE CHORD OF WHICH BEARS SOUTH 22°40'01" WEST FOR A DISTANCE OF 15.56 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 17.28 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 22°40'01" WEST FOR A DISTANCE OF 109.40 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 103.00 FEET; THE CHORD OF WHICH BEARS NORTH 78°44'40" WEST FOR A DISTANCE OF 40.76 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 40.76 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 89°50'40" WEST FOR A DISTANCE OF 285.37 FEET; THENCE RUN SOUTH 00°09'20" EAST FOR A DISTANCE OF 1130.89 FEET TO THE POINT OF BEGINNING; THE LINE OF SAID NINE ROAD ACCORDING TO OFFICIAL RECORDS BOOK 8560, PAGE 1486 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE RUN SOUTH 89°50'40" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE FOR A DISTANCE OF 888.20 FEET TO THE EAST RIGHT-OF-WAY LINE OF AN UNNAMED 60.00 FOOT WIDE RIGHT-OF-WAY ACCORDING TO OFFICIAL RECORDS BOOK 8876, PAGE 575 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00°16'38" EAST ALONG SAID EAST RIGHT-OF-WAY LINE FOR A DISTANCE OF 620.02 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 660.00 FEET OF AFORESAID NORTHEAST 1/4 OF SECTION 13; THENCE RUN NORTH 89°50'40" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 81.39 FEET TO A POINT ON THE EAST LINE OF THE WEST 300.00 FEET OF SAID NORTHEAST 1/4 OF SECTION 13; THENCE RUN NORTH 00°16'38" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 608.02 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1296.00 FEET OF SAID NORTHEAST 1/4 OF SECTION 13; THENCE RUN SOUTH 89°50'40" WEST ALONG SAID NORTH LINE FOR A DISTANCE OF 390.01 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST 1/4 OF SECTION 13; THENCE RUN NORTH 00°16'38" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 1374.70 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST 1/4 OF SECTION 13, BEING THE SOUTHWEST CORNER OF MAGNOLIA GLEN PHASE ONE AS RECORDED IN PLAT BOOK 98, PAGES 15 AND 16 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE RUN NORTH 89°35'03" EAST ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 OF SECTION 13, THE SOUTH LINE OF SAID MAGNOLIA GLEN PHASE ONE AND THE SOUTH LINE OF VISTA PARK PHASE TWO AS RECORDED IN PLAT BOOK 111, PAGES 14 AND 15 OF SAID PUBLIC RECORDS OF POLK COUNTY, FLORIDA FOR A DISTANCE OF 1147.28 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2,602.888 SQUARE FEET OR 64.35 ACRES OF LAND, MORE OR LESS.

Sandmine Road
Community Development District

*District
Description*

EXHIBIT 2B

EXHIBIT 3 - PD CONCEPT PLAN

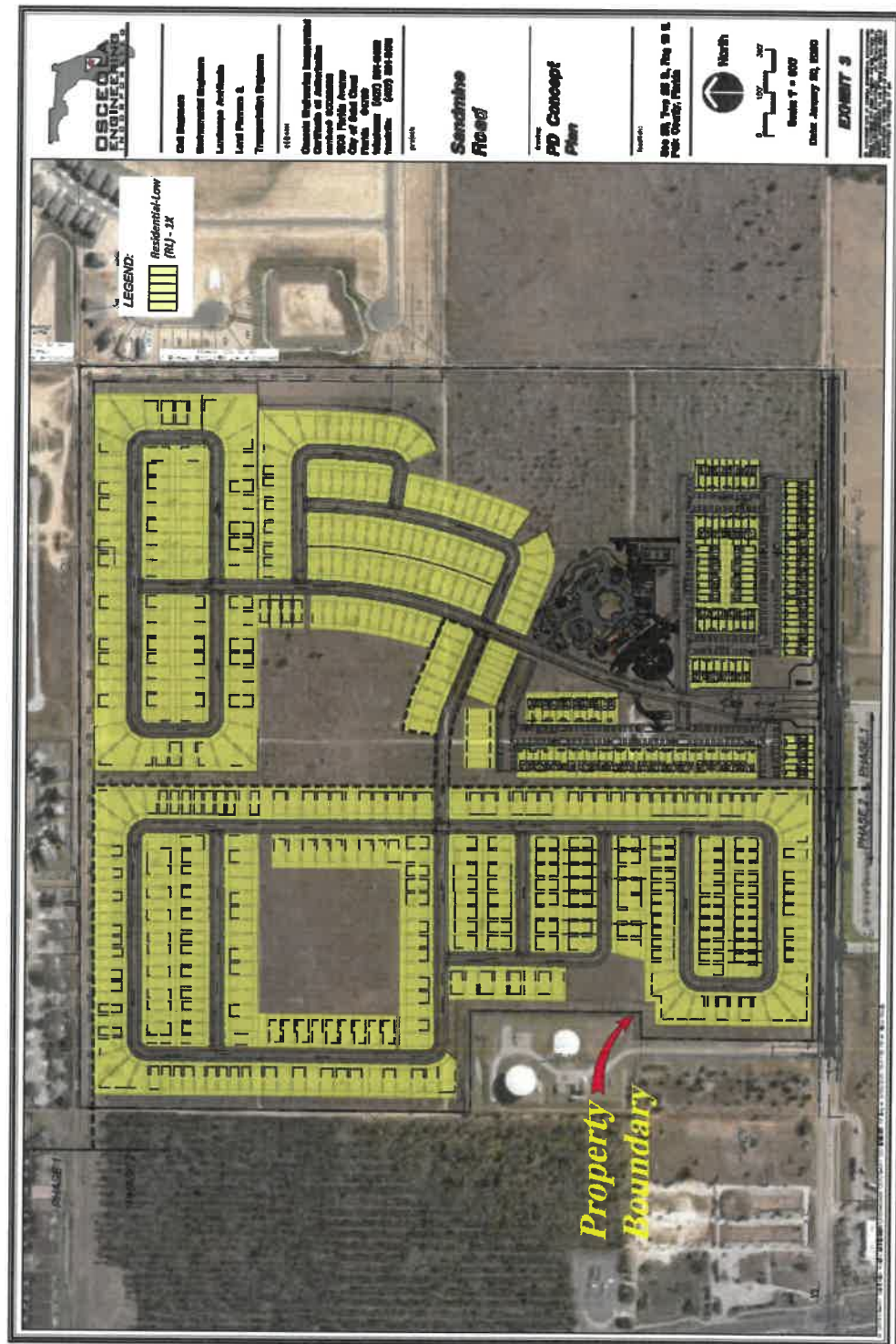


EXHIBIT 4 – DEVELOPMENT PERMIT STATUS



1. Southwest Florida Water Management District (SWFWMD):
Environmental Resource Individual Construction Permit
(Permit No. 43030517.005; October 22, 2019)
2. Polk County
Planned Development (Level 3)
(LDPD-2018-47, March 6, 2029)
Site Development Plan Phase 1 (Level 2)
(LDRES2019-33; October 4, 2019)
Site Development Plan Phase 2 (Level 2)
(LDRES2010-57; TBD)
3. State of Florida Department of Environmental Protection (FDEP)
Potable Water Supply Distribution System Permit
(127239-465; February 14, 2020)
Domestic Wastewater/Transmission System Permit
(CS53-0031276-358-DWC/CM; January 28, 2020)
National Pollutant Discharge Elimination System N.O.I.

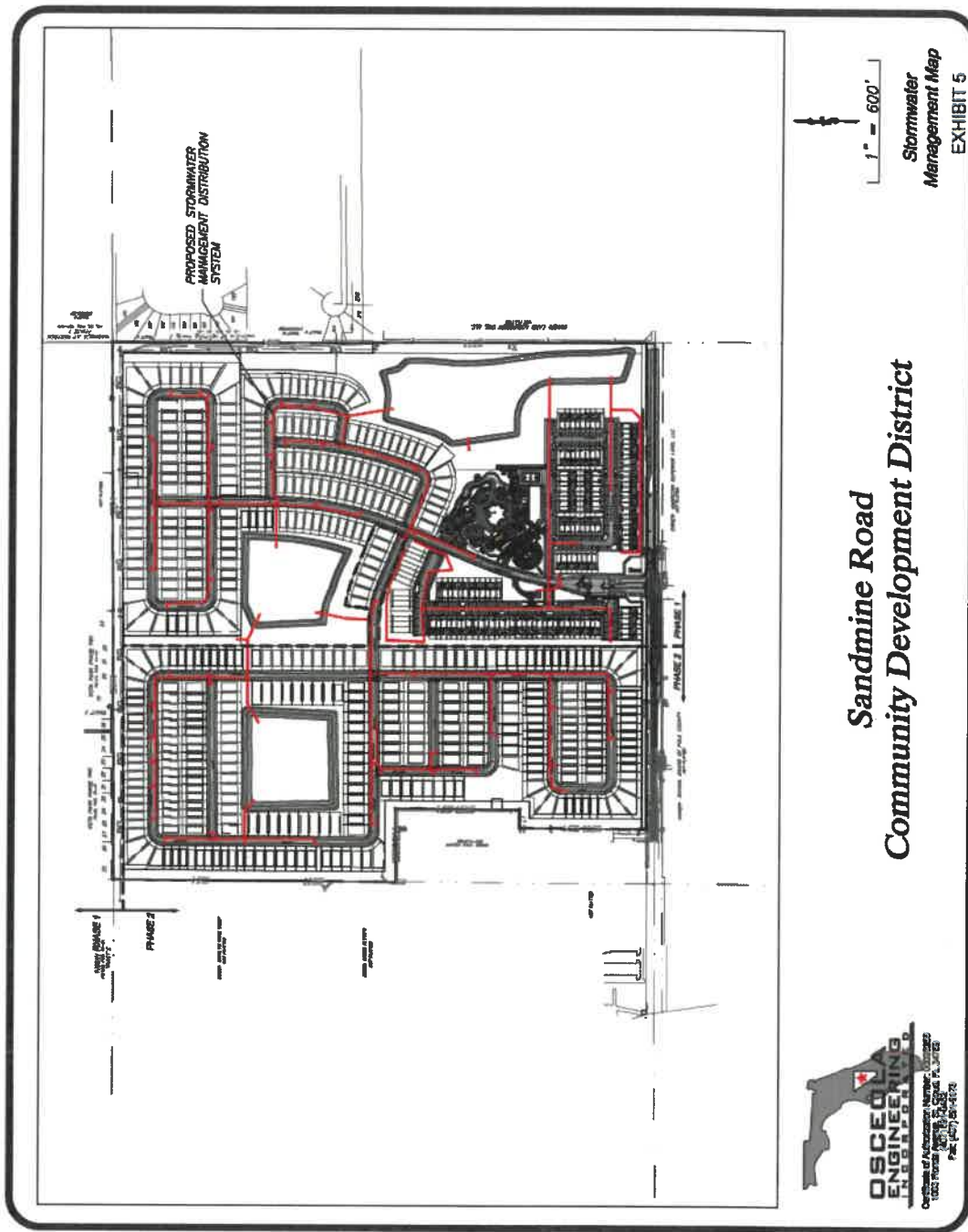


EXHIBIT 6 – WATER DISTRIBUTION EXHIBIT

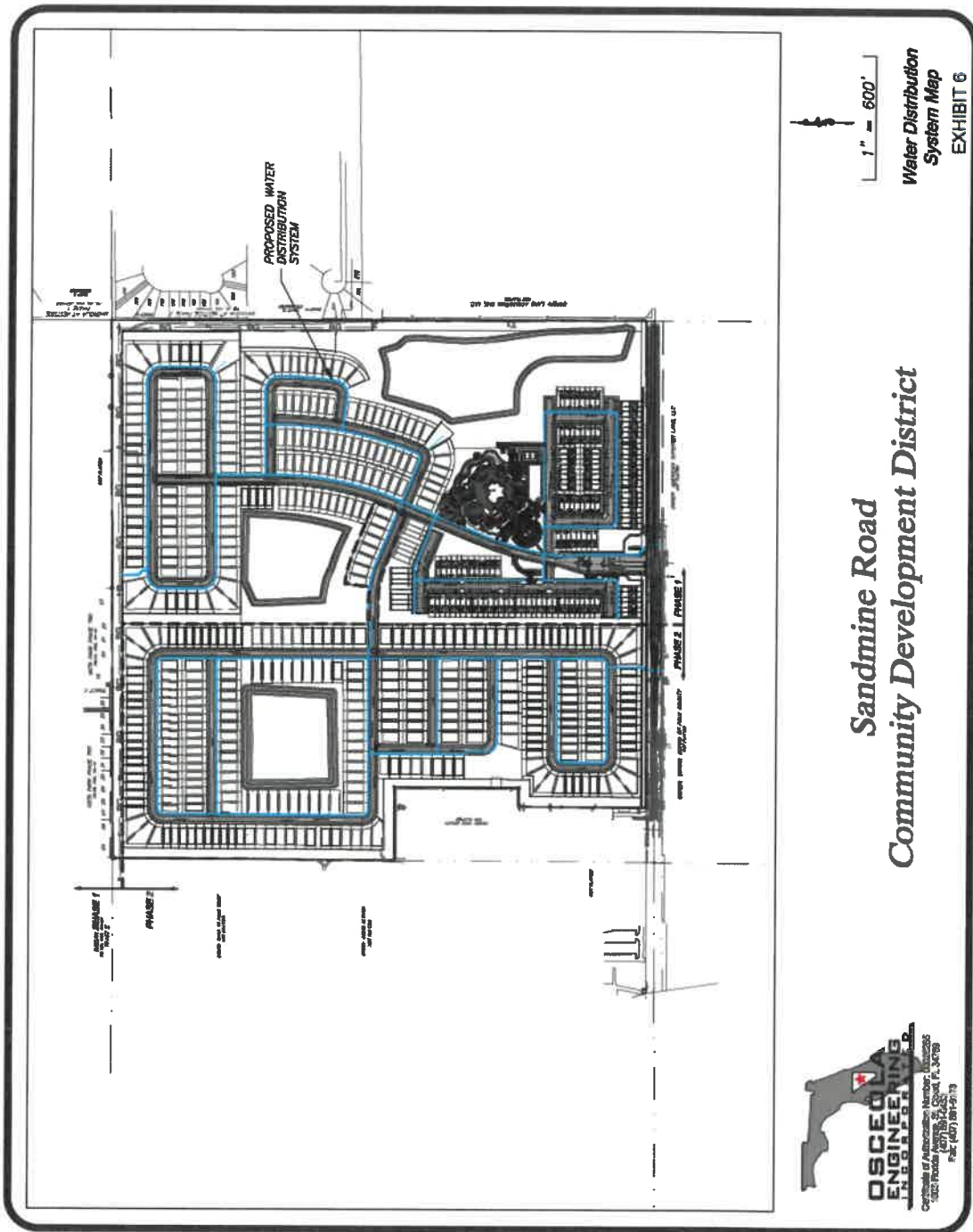


EXHIBIT 7 – SANITARY SEWER EXHIBIT

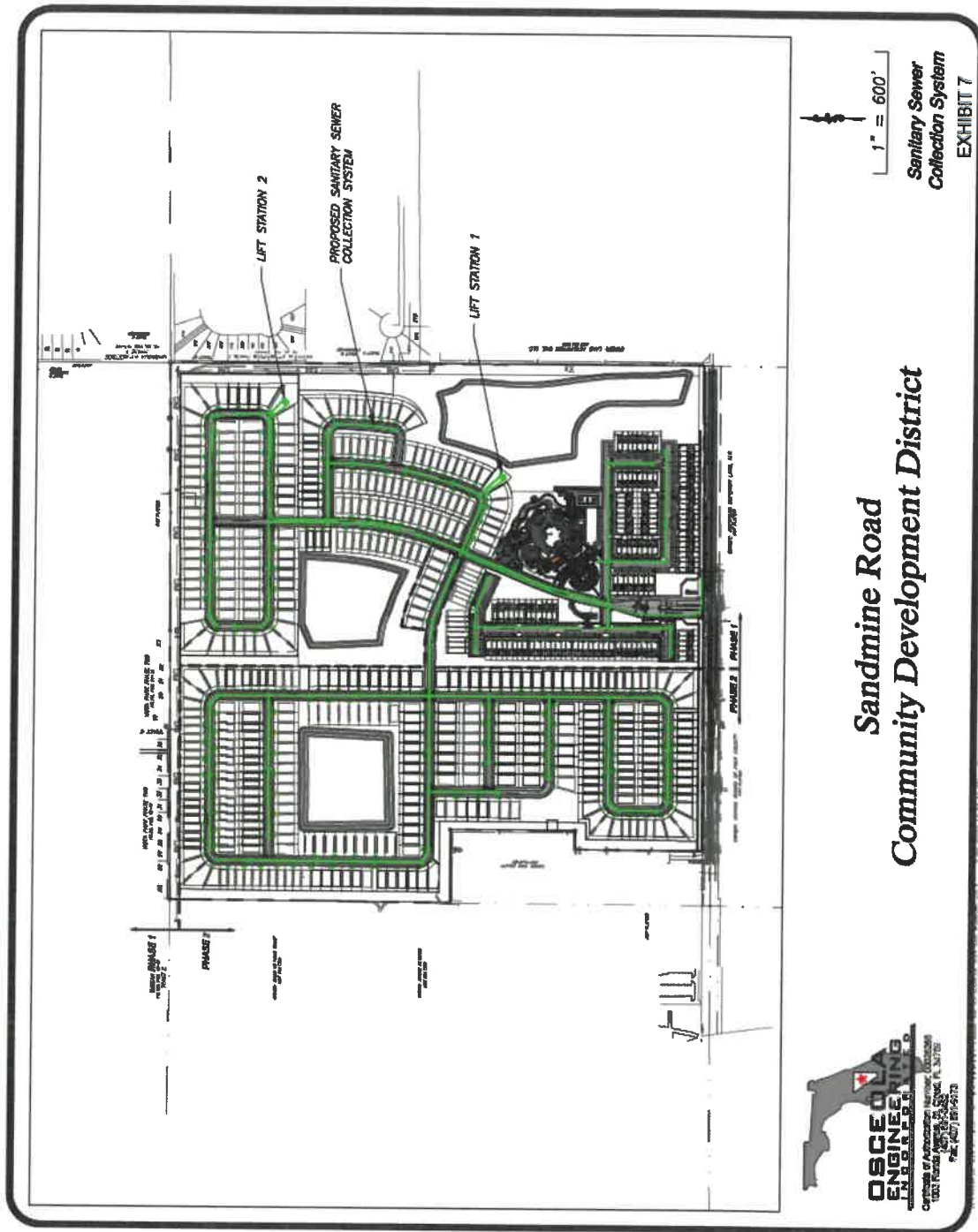


EXHIBIT 8 – RECLAIM DISTRIBUTION EXHIBIT



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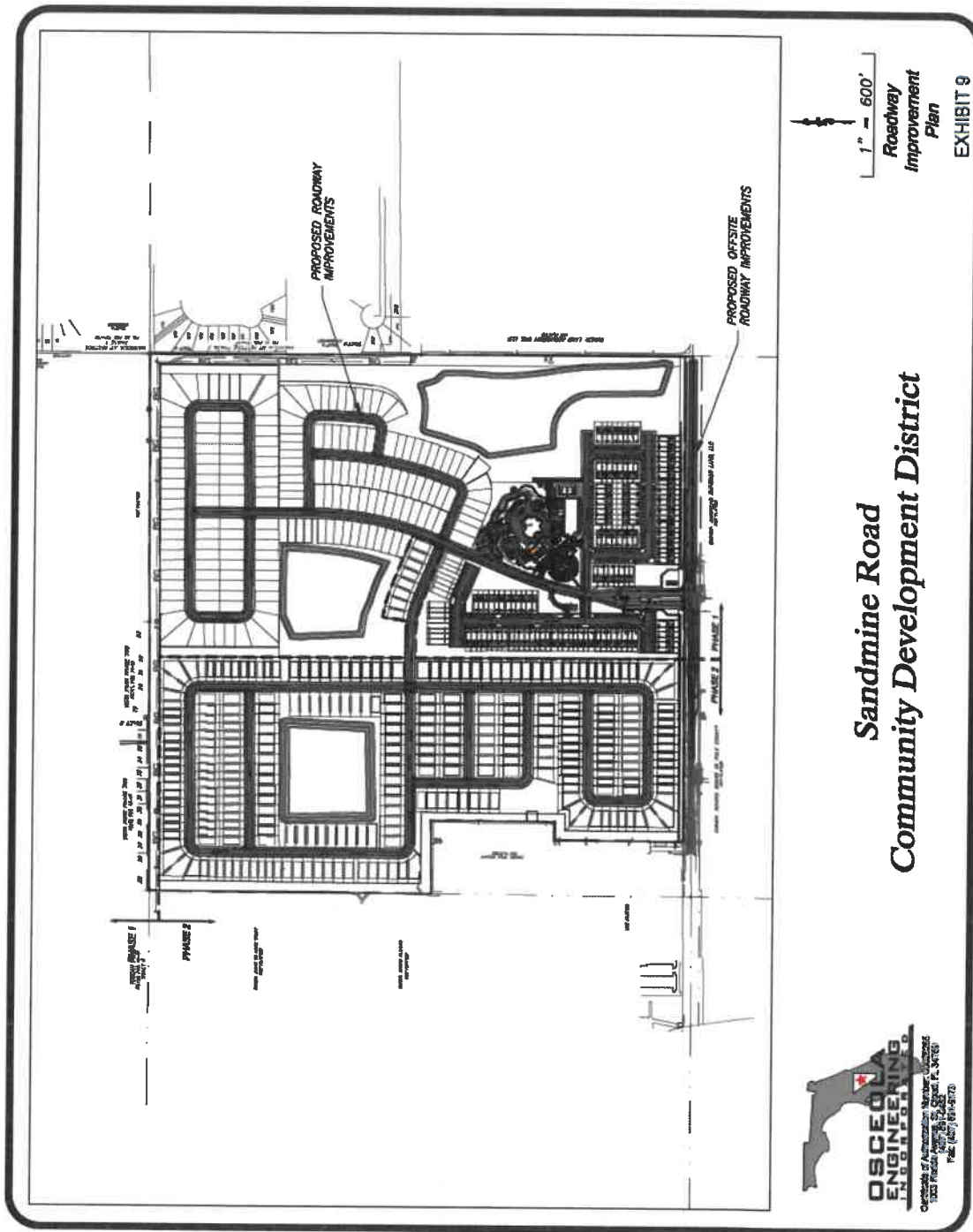


EXHIBIT 10 – LANDSCAPE EXHIBIT

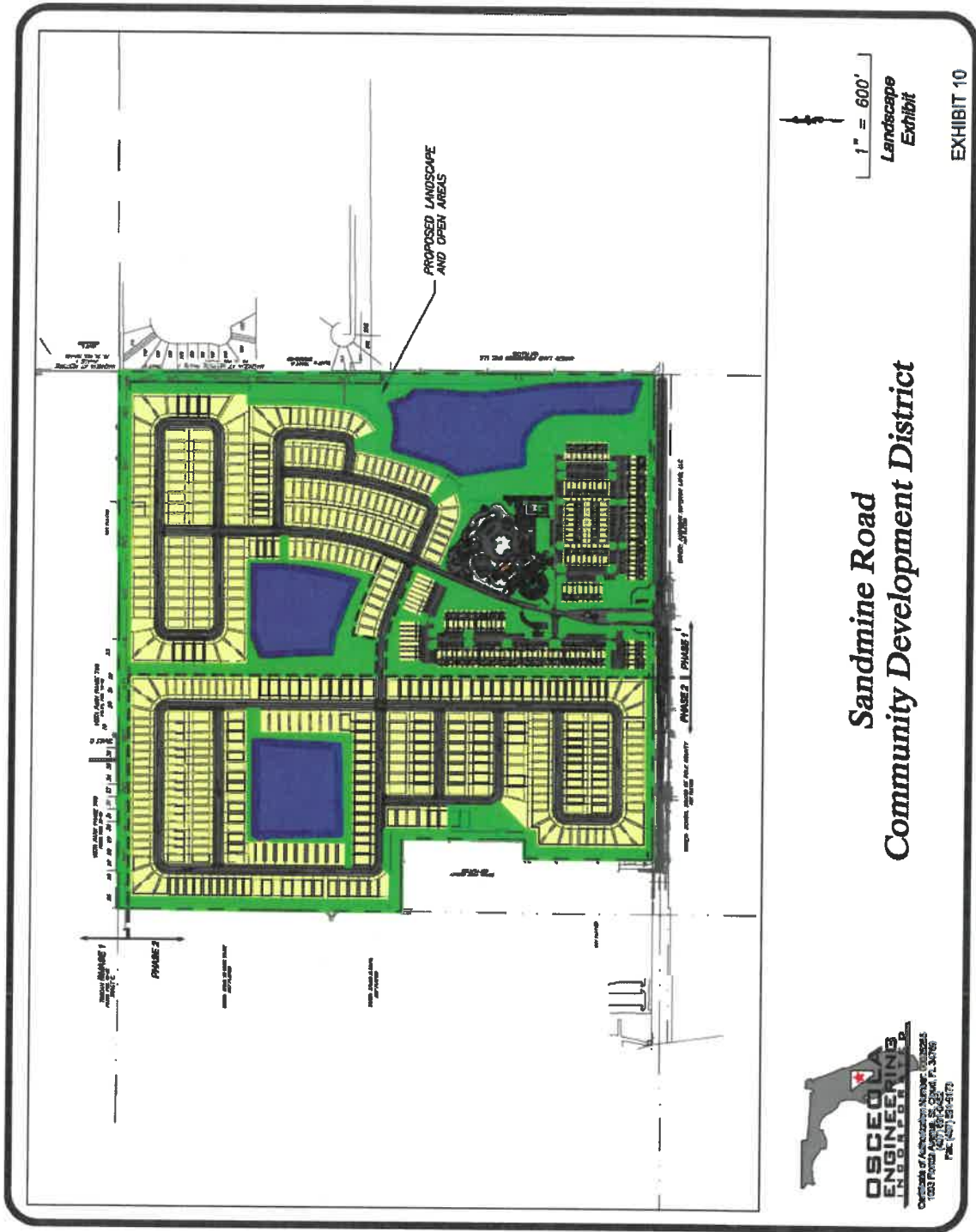


EXHIBIT 11 – MASTER PROJECT COST SUMMARY

	Phase 1	Phase 2	Total
Lot Count	306	311	617
Professional Fees, Permitting Fees, Etc.	\$ 851,974.81	\$ 972,575.19	\$ 1,824,550.00
Stormwater Management System	\$ 3,365,308.37	\$ 3,842,934.43	\$ 7,208,242.80
External Roadway Improvements	\$ 98,042.55	\$ 118,204.87	\$ 216,247.42
Water Distribution System	\$ 421,202.87	\$ 305,136.35	\$ 726,339.22
Sanitary Collection and Conveyance System	\$ 871,541.14	\$ 674,512.33	\$ 1,546,053.46
Reclaim Distribution System	\$ 189,790.67	\$ 211,390.67	\$ 401,181.34
Landscape & Hardscape	\$ 125,000.00	\$ 125,000.00	\$ 250,000.00
Construction Contingency	\$ 827,825.45	\$ 998,066.69	\$ 1,825,892.14
Water/Wastewater Impact Fees	\$ 1,828,804.00	\$ 2,168,649.00	\$ 3,997,453.00
TOTAL CDD COST	\$ 8,579,489.86	\$ 9,416,469.53	\$ 17,995,959.39

SECTION 2

**MASTER
ASSESSMENT METHODOLOGY
FOR ASSESSMENT AREA ONE**

**FOR
SANDMINE ROAD
COMMUNITY DEVELOPMENT DISTRICT**

Date: April 16, 2020

**Prepared by
Governmental Management Services - Central Florida, LLC
219 E. Livingston Street
Orlando, FL 32801**



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GMS-CF, LLC does not represent the Sandmine Road Community Development District as a Municipal Advisor or Securities Broker nor is GMS-CF, LLC registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, GMS-CF, LLC does not provide the Sandmine Road Community Development District with financial advisory services or offer investment advice in any form.

1.0 Introduction

The Sandmine Road Community Development District is a local unit of special-purpose government organized and existing under Chapter 190, Florida Statutes (the "District"), as amended. The District plans to issue approximately \$11,200,000 tax exempt bonds in one or more series (the "Bonds") for the purpose of financing certain infrastructure improvements within an assessment area within the District consisting of phase one of development within the boundaries of the District (herein "Assessment Area One") more specifically described in the Master Engineer's Report dated April 16, 2020 prepared by Osceola Engineering Inc. as may be amended and supplemented from time to time (the "Engineer's Report"). The District anticipates the construction of infrastructure improvements that benefit property owners within the Assessment Area One within the District.

1.1 Purpose

This Master Assessment Methodology Report for Assessment Area One (the "Assessment Report") provides for an assessment methodology for allocating the debt to be incurred by the District to benefiting properties in Assessment Area One within the District. The Assessment Report allocates the debt to properties within Assessment Area One based on the special benefits each receives from the Capital Improvement Plan ("Phase One CIP"). This Assessment Report will be supplemented with one or more supplemental methodology reports to reflect the actual terms and conditions at the time of the issuance of each series of Bonds. This Assessment Report is designed to conform to the requirements of Chapters 190 and 170, Florida Statutes with respect to special assessments and is consistent with our understanding of case law on this subject. Additional master methodology reports will be produced for the other assessment areas within the District.

The District intends to impose non ad valorem special assessments on the benefited lands within Assessment Area One within the District based on this Assessment Report. It is anticipated that all of the proposed special assessments will be collected through the Uniform Method of Collection described in Chapter 197.3632, Florida Statutes or any other legal means available to the District. It is not the intent of this Assessment Report to address any other assessments, if applicable, that may be levied by the District, a homeowner's association, or any other unit of government.

1.2 Background

The District currently includes approximately 150.25 acres in Polk County, Florida and envisions 617 residential units. Assessment Area One includes approximately 85.9 acres and envisions 306 residential units (herein the "Phase One Development Program"). The proposed Phase One Development Program is depicted in Table 1. It is recognized that such land use plan may change, and this report will be modified accordingly.

The improvements contemplated by the District in the Phase One CIP will provide facilities that benefit certain property within the District. The Phase One CIP is delineated in the Engineer's Report. Specifically, the District may construct and/or acquire certain Professional Fees, Permitting Fees, Etc., Stormwater Management System, External Roadway Improvements, Water Distribution System, Sanitary Collection and Conveyance System, Reclaim Distribution System, Landscape & Hardscape, Construction Contingency, and Water/Wastewater Impact fees. The acquisition and construction costs are summarized in Table 2.

The assessment methodology is a four-step process.

1. The District Engineer must first determine the public infrastructure improvements and services that may be provided by the District and the costs to implement the Phase One CIP.
2. The District Engineer determines the assessable acres that benefit from the District's Phase One CIP.
3. A calculation is made to determine the funding amounts necessary to acquire and/or construct the Phase One CIP.
4. This amount is initially divided equally among the benefited properties on a prorated gross acreage basis. Ultimately, as land is platted, this amount will be assigned to each of the benefited properties based on the number of platted units.

1.3 Special Benefits and General Benefits

Improvements undertaken by the District create special and peculiar benefits to assessable property, different in kind and degree than general benefits, for properties within its borders as well as general benefits to the public at large.

However, as discussed within this Assessment Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits, which accrue to property within Assessment Area One within the District. The implementation of the Phase One CIP enables properties within its boundaries to be developed. Without the District's Phase One CIP, there would be no infrastructure to support development of land within the District. Without these improvements, development of the property within Assessment Area One within the District would be prohibited by law.

There is no doubt that the general public and property owners outside of Assessment Area One within the District will benefit from the provision of the District's Phase One CIP. However, these benefits will be incidental to the District's Phase One CIP, which is designed solely to meet the needs of property within Assessment Area One within the District. Properties outside the District boundaries and outside Assessment Area

One do not depend upon the District's Phase One CIP. The property owners within Assessment Area One are therefore receiving special benefits not received by those outside the District's boundaries and outside of Assessment Area One within the District.

1.4 Requirements of a Valid Assessment Methodology

There are two requirements under Florida law for a valid special assessment:

- 1) The properties must receive a special benefit from the improvements being paid for.
- 2) The assessments must be fairly and reasonably allocated to the properties being assessed.

Florida law provides for a wide application of special assessments that meet these two characteristics of special assessments.

1.5 Special Benefits Exceed the Costs Allocated

The special benefits provided to the property owners within Assessment Area One within the District are greater than the costs associated with providing these benefits. The District Engineer estimates that the District's Phase One CIP that is necessary to support full development of property within Assessment Area One will cost approximately \$8,579,490. The District's Underwriter projects that financing costs required to fund the infrastructure improvements, including project costs, the cost of issuance of the Bonds, the funding of debt service reserves and capitalized interest, will be approximately \$11,200,000. Additionally, funding required to complete the Phase One CIP is anticipated to be funded by Developer. Without the Phase One CIP, the property would not be able to be developed and occupied by future residents of the community.

2.0 Assessment Methodology

2.1 Overview

The District is planning to issue approximately \$11,200,000 in Bonds to fund the District's Phase One CIP for Assessment Area One, provide for capitalized interest, a debt service reserve account and cost of issuance. It is the purpose of this Assessment Report to allocate the \$11,200,000 in debt to the properties benefiting from the CIP.

Table 1 identifies the land uses as identified by the Developer and current landowners of the land within the District. The District has a proposed Engineer's Report for the Phase One CIP needed to support the Phase One Development, these construction costs are outlined in Table 2. The improvements needed to support the Phase One

Development within Assessment Area One are described in detail in the Engineer's Report and are estimated to cost \$8,579,490. Based on the estimated costs, the size of the bond issue under current market conditions needed to generate funds to pay for the Project and related costs was determined by the District's Underwriter to total approximately \$11,200,000. Table 3 shows the breakdown of the bond sizing. In table 3, the bond sizing includes the estimated bond sizing for Assessment Area Two in order to determine benefit for the two assessment areas.

2.2 Allocation of Debt

Allocation of debt is a continuous process until the development plan is completed. The Phase One CIP funded by District bonds benefits all developable acres within Assessment Area One of the District.

The initial assessments will be levied on an equal basis to all acres within Assessment Area One of the District. A fair and reasonable methodology allocates the debt incurred by the District proportionately to the properties receiving the special benefits. At this point all of the lands within Assessment Area One of the District are benefiting from the improvements.

Once platting or the recording of declaration of condominium, ("Assigned Properties") has begun, the assessments will be levied to the Assigned Properties based on the benefits they receive. The Unassigned Properties, defined as property that has not been platted, assigned development rights or subjected to a declaration of condominium, will continue to be assessed on a per acre basis ("Unassigned Properties"). Eventually the Assessment Area One Development Plan will be completed and the debt relating to the Bonds will be allocated to the planned approximately 306 residential units within Assessment Area One within the District, which are the beneficiaries of the Phase One CIP, as depicted in Table 5 and Table 6. If there are changes to the Assessment Area One Development Plan, a true up of the assessment will be calculated to determine if a debt reduction or true-up payment from the Developer is required. The process is outlined in Section 3.0

Until all the land within the District has been platted and sold, the assessments on the portion of the land that has not been platted and sold are not fixed and determinable. The reasons for this are (1) until the lands are platted, the number of developable acres within each tract against which the assessments are levied is not determined; (2) the lands are subject to re-plat, which may result in changes in development density and product type; and (3) until the lands are sold it is unclear of the timing of the absorptions. Only after the property has been platted and sold will the developable acreage be determined, the final plat be certain, the developable density known, the product types be confirmed, and the timing of the sales solidified.

The assignment of debt in this Assessment Report sets forth the process by which debt is apportioned. As mentioned herein, this Assessment Report will be supplemented from time to time.

2.3 Allocation of Benefit

The Phase One CIP consists of Professional Fees, Permitting Fees, Etc., Stormwater Management System, External Roadway Improvements, Water Distribution System, Sanitary Collection and Conveyance System, Reclaim Distribution System, Landscape & Hardscape, Construction Contingency, and Water/Wastewater Impact fees. There are three residential product types within the planned development within Assessment Area One as reflected in Table 1. Table 4 shows the allocation of benefit to the particular land uses. It is important to note that the benefit derived from the Phase One CIP on the particular units exceeds the cost that the units will be paying for such benefits.

2.4 Lienability Test: Special and Peculiar Benefit to the Property

Construction and/or acquisition by the District of its proposed Phase One CIP relating to Assessment Area One will provide several types of systems, facilities and services for its residents. These include Professional Fees, Permitting Fees, Etc., Stormwater Management System, External Roadway Improvements, Water Distribution System, Sanitary Collection and Conveyance System, Reclaim Distribution System, Landscape & Hardscape, Construction Contingency, and Water/Wastewater Impact fees. These improvements accrue in differing amounts and are somewhat dependent on the type of land use receiving the special benefits peculiar to those properties, which flow from the logical relationship of the improvements to the properties.

For the provision of Phase One CIP relating to the Assessment Area One Development, the special and peculiar benefits are:

- 1) the added use of the property,
- 2) added enjoyment of the property, and
- 3) the probability of increased marketability and value of the property.

These special and peculiar benefits are real and ascertainable but are not yet capable of being calculated as to value with mathematical certainty. However, each is more valuable than either the cost of, or the actual non-ad valorem special assessment levied for the improvement or the debt as allocated.

2.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay Non-Ad Valorem Assessments

A reasonable estimate of the proportion of special and peculiar benefits received from the public improvements described in the Engineer's Report relating to the Phase One Development is delineated in Table 5 (expressed as Allocation of Par Debt per Product Type).

The determination has been made that the duty to pay the non-ad valorem special assessments is fairly and reasonably apportioned because the special and peculiar benefits to the property derived from the acquisition and/or construction of the District's Phase One CIP relating to the Assessment Area One Development have been apportioned to the property according to reasonable estimates of the special and peculiar benefits provided consistent with the land use categories.

Accordingly, no acre or parcel of property within the boundaries of the District will have a lien for the payment of any non-ad valorem special assessment more than the determined special benefit peculiar to that property and therefore, the debt allocation will not be increased more than the debt allocation set forth in this Assessment Report.

In accordance with the benefit allocation suggested for the product types in Table 4, a total debt per unit and an annual assessment per unit have been calculated for each product type (Table 6). These amounts represent the preliminary anticipated per unit debt allocation assuming all anticipated units are built and sold as planned, and the entire proposed Phase One CIP is developed or acquired and financed by the District.

3.0 True Up Mechanism

Although the District does not process plats, declaration of condominiums, site plans or revisions thereto for the Developer, it does have an important role to play during the course of platting and site planning. Whenever a plat, declaration of condominium or site plan is processed, the District must allocate a portion of its debt to the property according to this Assessment Report outlined herein. In addition, the District must also prevent any buildup of debt on Unassigned Property. Otherwise, the land could be fully conveyed and/or platted without all of the debt being allocated. To preclude this, at the time Unassigned Properties become Assigned Properties, the District will determine the amount of anticipated assessment revenue that remains on the Unassigned Properties, taking into account the proposed plat, or site plan approval. If the total anticipated assessment revenue to be generated from the Assigned and Unassigned Properties is greater than or equal to the maximum annual debt service, then no debt reduction is required. In the case that the revenue generated is less than the required amount then a debt reduction or true-up payment by the landowner in the amount necessary to reduce the par amount of the outstanding bonds to a level

that will be supported by the new net annual debt service assessments will be required.

4.0 Assessment Roll

The District will initially distribute the liens across the property within Assessment Area One within the District boundaries on a gross acreage basis. As Assigned Property becomes known with certainty, the District will refine its allocation of debt from a per acre basis to a per unit basis as shown in Table 6. If the land use plan changes, then the District will update Table 6 to reflect the changes. As a result, the assessment liens are neither fixed nor are they determinable with certainty on any acre of land within Assessment Area One within the District prior to the time final Assigned Properties become known. At this time the debt associated with the District's Phase One CIP will be distributed evenly across the acres of Assessment Area One within the District. As the development process occurs, the debt will be distributed against the Assigned Property in the manner described in this Assessment Report. The current assessment roll is depicted in Table 7.

TABLE 1
SANDMINE ROAD COMMUNITY DEVELOPMENT DISTRICT
DEVELOPMENT PROGRAM
MASTER ASSESSMENT METHODOLOGY FOR ASSESSMENT AREA ONE

Product Types	Assessment Area One (Phase One) - Units	No. of Units *	ERUs per Unit (1)	Total ERUs
Townhouse - 25'	122	122	0.5	61
Single Family - 40'	92	92	0.8	73.6
Single Family - 50'	92	92	1	92
Total Units	306	306		226.6

(1) Benefit is allocated on an ERU basis; based on density of planned development, with Single Family = 1 ERU

* Unit mix is subject to change based on marketing and other factors

TABLE 2
SANDMINE ROAD COMMUNITY DEVELOPMENT DISTRICT
INFRASTRUCTURE COST ESTIMATES
MASTER ASSESSMENT METHODOLOGY FOR ASSESSMENT AREA ONE

Capital Improvement Plan ("Phase One CIP")(1)	Assessment Area One (Phase One)
Professional and Permitting fees, etc.	\$851,975
Stormwater Management Systems	\$3,365,308
External Roadway Improvements	\$98,043
Water Distribution System	\$421,203
Sanitary Collection and Conveyance System	\$871,541
Reclaim Distribution System	\$189,791
Landscape & Hardscape	\$125,000
Construction Contingency	\$827,825
Water/Wastewater Impact Fees	\$1,828,804
Total Improvements	\$8,579,490

(1) A detailed description of these improvements is provided in the Master Engineer's Report dated April 16, 2020

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 3
SANDMINE ROAD COMMUNITY DEVELOPMENT DISTRICT
BOND SIZING
MASTER ASSESSMENT METHODOLOGY FOR ASSESSMENT AREA ONE

Description	Assessment Area One (Phase One)
Construction Funds	\$8,579,490
Debt Service Reserve	\$813,668
Capitalized Interest	\$1,344,000
Underwriters Discount	\$224,000
Cost of Issuance	\$180,000
Contingency	\$58,842
Par Amount*	\$11,200,000

Bond Assumptions:	
Average Coupon	6.00%
Amortization	30 years
Capitalized Interest	24 months
Debt Service Reserve	Max Annual D/S
Underwriters Discount	2%

* Par amount is subject to change based on the actual terms at the sale of the bonds

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 4
SANDMINE ROAD COMMUNITY DEVELOPMENT DISTRICT
ALLOCATION OF BENEFIT
MASTER ASSESSMENT METHODOLOGY FOR ASSESSMENT AREA ONE

Product Types	No. of Units *	ERU Factor	Total ERUs	% of Total ERUs	Total	
					Improvement Costs Per Product Type	Improvement Costs Per Unit
Townhouse - 25'	122	0.5	61	27%	\$ 2,309,571	\$ 18,931
Single Family - 40'	92	0.8	73.6	32%	\$ 2,786,630	\$ 30,289
Single Family - 50'	92	1	92	41%	\$ 3,483,288	\$ 37,862
Totals	306		226.60	100%	\$ 8,579,490	

* Unit mix is subject to change based on marketing and other factors

TABLE 5
SANDMINE ROAD COMMUNITY DEVELOPMENT DISTRICT
ALLOCATION OF TOTAL BENEFIT/PAR DEBT TO EACH PRODUCT TYPE
MASTER ASSESSMENT METHODOLOGY FOR ASSESSMENT AREA ONE

Product Types	No. of Units *	Total Improvements		Allocation of Par Debt		Par Debt Per Unit
		Costs	Per Product Type	Per Product Type	Per Product Type	
Townhouse - 25'	122	\$	2,309,571	\$	3,015,004	\$ 24,713
Single Family - 40'	92	\$	2,786,630	\$	3,637,776	\$ 39,541
Single Family - 50'	92	\$	3,483,288	\$	4,547,220	\$ 49,426
Totals	306	\$	8,579,490	\$	11,200,000	

* Unit mix is subject to change based on marketing and other factors

TABLE 6
SANDMINE ROAD COMMUNITY DEVELOPMENT DISTRICT
PAR DEBT AND ANNUAL ASSESSMENTS FOR EACH PRODUCT TYPE
MASTER ASSESSMENT METHODOLOGY FOR ASSESSMENT AREA ONE

Product Types	No. of Units *	Allocation of		Total Par		Maximum		Net Annual		Gross Annual	
		Par	Debt	Per	Per	Annual	Debt	Debt	Debt	Debt	Debt
Townhouse - 25'	122	\$	3,015,004	\$	24,713	\$	219,037	\$	1,795	\$	1,931
Single Family - 40'	92	\$	3,637,776	\$	39,541	\$	264,281	\$	2,873	\$	3,089
Single Family - 50'	92	\$	4,547,220	\$	49,426	\$	330,351	\$	3,591	\$	3,861
Totals	306	\$	11,200,000			\$	813,668				

(1) This amount includes collection fees and early payment discounts when collected on the County Property Tax Bill

* Unit mix is subject to change based on marketing and other factors

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 7
SANDMINE ROAD COMMUNITY DEVELOPMENT DISTRICT
PRELIMINARY ASSESSMENT ROLL - ASSESSMENT AREA ONE
MASTER ASSESSMENT METHODOLOGY FOR ASSESSMENT AREA ONE

Owner	Property*	Acres	Debt		Net Annual Debt		Gross Annual	
			Allocation	Per Acre	Total Par Debt	Assessment	Debt Assessment	Allocation (1)
					Allocated	Allocation	Allocation	
Pulte Home Corporation	Phase One	85.90	\$	130,384	\$ 11,200,000	\$813,668	\$	874,912
Totals		85.90			\$ 11,200,000	\$	813,668	\$ 874,912

(1) This amount includes 7% to cover collection fees and early payment discounts when collected utilizing the uniform method

Annual Assessment Periods	30
Average Coupon Rate (%)	6.00%
Maximum Annual Debt Service	\$813,668

* - See Metes and Bounds, attached as Exhibit A

Prepared by: Governmental Management Services - Central Florida, LLC

SECTION 3

RESOLUTION 2020- 31

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

RECITALS

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

WHEREAS, the District Board of Supervisors (“**Board**”) noticed and conducted a public hearing on June 18, 2020, pursuant to Chapters 170, 190, and 197, *Florida Statutes*, relating to the imposition, levy, collection and enforcement of such assessments.

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

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

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

(a) The District is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, *Florida Statutes*, as amended.

(b) The District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct stormwater management and drainage systems and related earthwork, potable water distribution systems (including associated connection fees), reclaimed water distribution systems, sanitary sewer collection and conveyance systems (including associated connection fees), landscaping, irrigation and hardscape

improvements, offsite roadway improvements, offsite utility improvements, and other infrastructure projects and services necessitated by the development of, and serving certain lands within Phase 1 of the development, the District (together the “**Area One Project**”), as further described in the *Master Engineer’s Report*, dated April 16, 2020 (the “**Engineer’s Report**”) attached as **Exhibit A** hereto and incorporated herein by this reference.

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

(d) It is necessary to the public health, safety and welfare and in the best interests of the District that (i) the District provide the Area One Project, the nature and location of which was initially described in Resolution 2020-24 and is shown in the Engineer’s Report, and which Area One Project’s plans and specifications are on file at 291 East Livingston Street, Orlando, Florida, 32801 (“**District Records Offices**”); (ii) the cost of such Area One Project be assessed against the lands specially benefited by such Area One Project; and (iii) the District issue bonds to provide funds for such purposes pending the receipt of such special assessments.

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

(f) In order to provide funds with which to pay all or a portion of the costs of the Area One Project which are to be assessed against the benefitted properties, pending the collection of such Assessments, it is necessary for the District from time to time to sell and issue its special assessment revenue bonds, in one or more series (the “**Bonds**”).

(g) By Resolution 2020-24, the Board determined to provide the Area One Project and to defray the costs thereof by making Assessments on benefitted property and expressed an intention to issue Bonds, notes or other specific financing mechanisms to provide a portion of the funds needed for the Area One Project prior to the collection of such Assessments. Resolution 2020-24 was adopted in compliance with the requirements of section 170.03, *Florida Statutes*, and prior to the time it was adopted, the requirements of section 170.04, *Florida Statutes*, had been met.

(h) As directed by Resolution 2020-24, said Resolution 2020-24 was published as required by section 170.05, *Florida Statutes*, and a copy of the publisher’s affidavit of publication is on file with the Secretary of the District.

(i) As directed by Resolution 2020-24, a preliminary assessment roll was adopted and filed with the Board as required by section 170.06, *Florida Statutes*.

(j) As required by section 170.07, *Florida Statutes*, upon completion of the preliminary assessment roll, the Board adopted Resolution 2020-25, fixing the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein may appear before the Board and be heard as to (1) the propriety and advisability of making the

infrastructure improvements, (2) the cost thereof, (3) the manner of payment therefore, and (4) the amount thereof to be assessed against each specially benefited property or parcel and provided for publication of notice of such public hearing and individual mailed notice in accordance with Chapters 170, 190, and 197, *Florida Statutes*.

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

(l) On June 18, 2020, a public hearing and meeting of the Board (“**Public Hearing and Meeting**”) was held in compliance with all legal requirements, including, but not limited to the requirements of Section 286.011, *Florida Statutes*. The COVID-19 public health emergency was still on-going at the time of this hearing, and the Governor of Florida extended the applicability of Executive Orders 20-52, 20-69, and 20-139 as may be amended, supplemented or extended from time to time (“**Executive Order**”), the Public Hearing and Meeting was held via communications media technology as permitted by the Executive Order. The Public Hearing and Meeting was held for the necessary public purpose of considering matters related to the levy and allocation of the Assessments. The public was invited to participate in the Public Hearing and Meeting through remote telephonic or video conferencing communications media technology, and/or by submission of questions and comments to the District Manager in advance of the Public Hearing and Meeting.

(m) At the Public Hearing and Meeting on June 18, 2020, at the time and place specified in paragraph (1) above, the Board met as an Equalization Board, opened and conducted such Public Hearing and Meeting, and heard and considered all complaints and testimony as to the matters described in paragraph (j) above. The Board has made such modifications in the preliminary assessment roll as it deems necessary, just and right in the making of the final assessment roll.

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

(i) that the estimated costs of the Area One Project are as specified in the Engineer’s Report, which Engineer’s Report is hereby adopted and approved, and that the amount of such costs is reasonable and proper; and

(ii) it is reasonable, proper, just and right to assess the cost of such Area One Project against the properties specially benefited thereby using the method determined by the Board set forth in the *Master Assessment Methodology for Assessment Area One* dated April 16, 2020 (the “**Area One Assessment Methodology**,” attached hereto as **Exhibit B** and incorporated herein by this reference), for the Bonds, which results in the special assessments set forth on the final assessment roll included within such Exhibit B (the “**Area One Assessments**”); and

(iii) the Area One Assessment Methodology is hereby approved, adopted and confirmed. The District ratifies its use in connection with the issuance of the Bonds;

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

(v) it is in the best interests of the District that the Area One Assessments be paid and collected as herein provided; and

(vi) it is reasonable, proper, just and right for the District to utilize the true-up mechanisms and calculations contained in the Area One Assessment Methodology in order to ensure that all parcels of real property benefiting from the Area One Project are assessed accordingly and that sufficient assessment receipts are being generated in order to pay the corresponding bond debt-service when due.

SECTION 3. AUTHORIZATION OF DISTRICT AREA ONE PROJECT. That certain Area One Project for construction of infrastructure improvements initially described in Resolution 2020-24, and more specifically identified and described in Exhibit A attached hereto, is hereby authorized and approved and the proper officers, employees and/or agents of the District are hereby authorized and directed to take such further action as may be necessary or desirable to cause the same to be made.

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

SECTION 5. EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF SPECIAL ASSESSMENTS. The Area One Assessments on the parcels specially benefited by the Area One Project, all as specified in the final assessment roll set forth in Exhibit B, attached hereto, are hereby equalized, approved, confirmed and levied. Immediately following the adoption of this Resolution these Area One Assessments, as reflected in Exhibit B, attached hereto, shall be recorded by the Secretary of the Board of the District in a special book, to be known as the "Improvement Lien Book." The Area One Assessment against each respective parcel shown on such final assessment roll and interest, costs and penalties thereon, as hereafter provided, shall be and shall remain a legal, valid and binding first lien on such parcel until paid and such lien shall be coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims. Prior to the issuance of any Bonds, including refunding bonds, the District may, by subsequent resolution, adjust the acreage assigned to particular parcel identification numbers listed on the final assessment roll to reflect accurate apportionment of acreage within the District amongst individual parcel identification numbers. The District may make any other such acreage and boundary adjustments to parcels listed on the final assessment roll as may be necessary in the best interests of the District as determined by the Board by subsequent resolution. Any such adjustment in the assessment roll shall be consistent with the requirements of law. In the event the issuance of Bonds, including refunding bonds, by

the District would result in a decrease of the Area One Assessments, then the District shall by subsequent resolution, adopted within sixty (60) days of the sale of such Bonds at a publicly noticed meeting and without the need for further public hearing, evidence such a decrease and amend the final assessment roll as shown in the Improvement Lien Book to reflect such a decrease.

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

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

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

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

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

SECTION 8. APPLICATION OF TRUE-UP PAYMENTS.

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

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

(c) The foregoing is based on the District's understanding that Pulte Home Company, LLC, the current landowner and developer, intends to develop the unit numbers and types shown in Exhibit B, on the net developable acres and is intended to provide a formula to ensure that the appropriate ratio of the Area One Assessments to gross acres is maintained if fewer units are developed. However, no action by the District prohibits more than the maximum units shown in

Exhibit B from being developed. In no event shall the District collect Area One Assessments pursuant to this Resolution in excess of the total debt service related to the Area One Project, including all costs of financing and interest. The District recognizes that such events as regulatory requirements and market conditions may affect the timing and scope of the development in the District. If the strict application of the true-up methodology, as described in the Area One Assessment Methodology, to any assessment reallocation pursuant to this paragraph would result in Area One Assessments collected in excess of the District's total debt service obligation for the Area One Project, the Board shall by resolution take appropriate action to equitably reallocate the Area One Assessments. Further, upon the District's review of the final plat for the developable acres, any unallocated Area One Assessments shall become due and payable and must be paid prior to the District's approval of that plat.

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

SECTION 9. GOVERNMENT PROPERTY; TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE, AND FEDERAL GOVERNMENT. Property owned by units of local, state, and federal government shall not be subject to the Area One Assessments without specific consent thereto. If at any time, any real property on which Area One Assessments are imposed by this Resolution is sold or otherwise transferred to a unit of local, state, or federal government (without consent of such governmental unit to the imposition of Area One Assessments thereon), all future unpaid Area One Assessments for such tax parcel shall become due and payable immediately prior to such transfer without any further action of the District.

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

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

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

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

[Remainder of Page Intentionally Left Blank.]

PASSED AND ADOPTED THIS 18th DAY OF JUNE, 2020.

**SANDMINE ROAD COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairman, Board of Supervisors

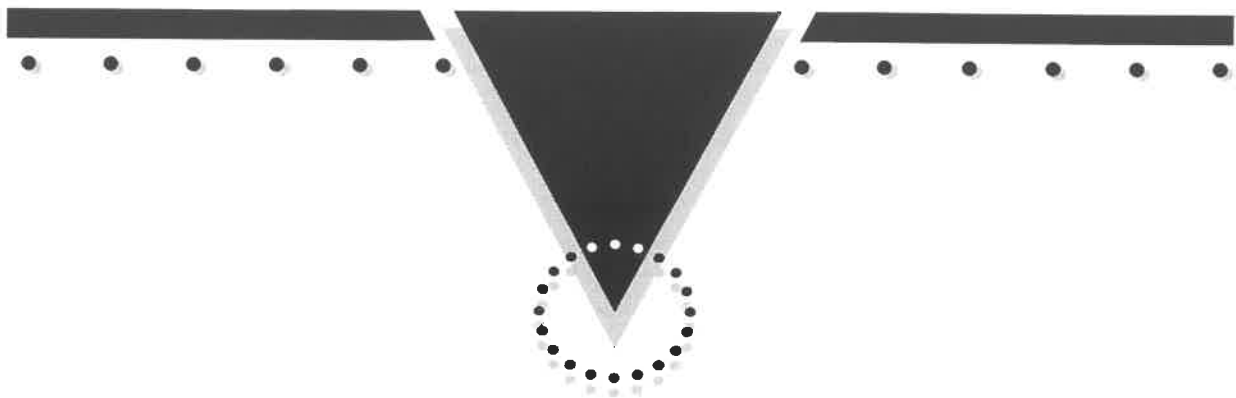
Exhibit A: *Master Engineer's Report*, dated April 16, 2020

Exhibit B: *Master Special Assessment Methodology for Assessment Area One*, dated April 16, 2020

SECTION V

SECTION C

SECTION 1



**Sandmine Road
Community Development District**

Unaudited Financial Reporting

May 31, 2020



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SANDMINE ROAD
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
May 31, 2020

	<u>General Fund</u>
<u>ASSETS:</u>	
CASH	\$19,827
TOTAL ASSETS	<u><u>\$19,827</u></u>
<u>LIABILITIES:</u>	
ACCOUNTS PAYABLE	\$16,366
<u>FUND EQUITY:</u>	
FUND BALANCES:	
UNASSIGNED	\$3,461
TOTAL LIABILITIES & FUND EQUITY	<u><u>\$19,827</u></u>

SANDMINE ROAD

COMMUNITY DEVELOPMENT DISTRICT

GENERAL FUND

Statement of Revenues & Expenditures

For The Period Ending May 31, 2020

REVENUES:

DEVELOPER CONTRIBUTIONS

TOTAL REVENUES

EXPENDITURES:

ADMINISTRATIVE:

SUPERVISORS FEES

FICA EXPENSE

ENGINEERING

ATTORNEY

MANAGEMENT FEES

WEBSITE CREATION

INFORMATION TECHNOLOGY

TELEPHONE

POSTAGE

INSURANCE

PRINTING & BINDING

LEGAL ADVERTISING

OTHER CURRENT CHARGES

OFFICE SUPPLIES

DUES, LICENSE & SUBSCRIPTIONS

TOTAL EXPENDITURES

EXCESS REVENUES (EXPENDITURES)

FUND BALANCE - Beginning

FUND BALANCE - Ending

PROPOSED BUDGET	PRORATED BUDGET THRU 5/31/20	ACTUAL THRU 5/31/20	VARIANCE
\$55,447	\$18,482	\$19,827	\$1,345
\$55,447	\$18,482	\$19,827	\$1,345
\$6,000	\$2,000	\$0	\$2,000
\$459	\$77	\$0	\$77
\$6,000	\$2,000	\$0	\$2,000
\$12,500	\$4,167	\$5,257	(\$1,090)
\$17,500	\$5,833	\$4,375	\$1,458
\$2,775	\$2,775	\$2,775	\$0
\$600	\$200	\$150	\$50
\$150	\$50	\$0	\$50
\$500	\$167	\$1	\$166
\$2,500	\$2,500	\$2,302	\$198
\$500	\$167	\$21	\$145
\$5,000	\$1,667	\$1,380	\$287
\$500	\$167	\$0	\$167
\$313	\$104	\$5	\$99
\$150	\$150	\$100	\$50
\$55,447	\$22,023	\$16,366	\$5,657
\$0		\$3,461	
\$0		\$0	
\$0		\$3,461	

SANDMINE ROAD
Community Development District

	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sept	Total
REVENUES:													
DEVELOPER CONTRIBUTIONS	\$0	\$0	\$0	\$0	\$0	\$0	\$15,275	\$4,552	\$0	\$0	\$0	\$0	\$19,827
TOTAL REVENUES	\$0	\$0	\$0	\$0	\$0	\$0	\$15,275	\$4,552	\$0	\$0	\$0	\$0	\$19,827
EXPENDITURES:													
ADMINISTRATIVE:													
SUPERVISOR FEES	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FICA EXPENSE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
ENGINEERING	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
ATTORNEY	\$0	\$0	\$0	\$0	\$0	\$0	\$5,257	\$0	\$0	\$0	\$0	\$0	\$5,257
MANAGEMENT FEES	\$0	\$0	\$0	\$0	\$0	\$0	\$1,458	\$9,117	\$0	\$0	\$0	\$0	\$9,375
WEBSITE CREATION	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,775	\$0	\$0	\$0	\$0	\$2,775
INFORMATION TECHNOLOGY	\$0	\$0	\$0	\$0	\$0	\$0	\$50	\$100	\$0	\$0	\$0	\$0	\$150
TELEPHONE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
POSTAGE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
INSURANCE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1	\$0	\$0	\$0	\$0	\$1
PRINTING & BINDING	\$0	\$0	\$0	\$0	\$0	\$0	\$2,302	\$0	\$0	\$0	\$0	\$0	\$2,302
LEGAL ADVERTISING	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$21	\$0	\$0	\$0	\$0	\$21
OTHER CURRENT CHARGES	\$0	\$0	\$0	\$0	\$0	\$0	\$950	\$431	\$0	\$0	\$0	\$0	\$1,380
OFFICE SUPPLIES	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
DUES, LICENSES & SUBSCRIPTIONS	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$5	\$0	\$0	\$0	\$0	\$5
	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$100	\$0	\$0	\$0	\$0	\$100
TOTAL EXPENDITURES	\$0	\$0	\$0	\$0	\$0	\$0	\$10,017	\$5,349	\$0	\$0	\$0	\$0	\$16,366
EXCESS REVENUES (EXPENDITURES)	\$0	\$0	\$0	\$0	\$0	\$0	\$5,258	\$1,797	\$0	\$0	\$0	\$0	\$3,461

SANDMINE ROAD
Community Development District
Developer Contributions/Due from Developer

Funding Request #	Prepared Date	Payment Received Date	Check Amount	Total Funding Request	General Fund Portion (20)	Due from Capital	Over and (short) Balance Due
1	4/10/20	5/15/20	\$ 15,275.00	\$ 15,275.00	\$ 15,275.00	\$ -	\$ -
2	5/16/20	5/22/20	\$ 4,552.05	\$ 4,552.05	\$ 4,552.05	\$ -	\$ -
3	6/11/20		\$	\$ 13,244.54	\$ 9,832.54	\$ 3,412.00	\$ 13,244.54
Due from Developer				\$ 33,071.59	\$ 29,659.59	\$ 3,412.00	\$ 13,244.54

Total Developer Contributions FY20

\$ 29,659.59

SECTION 2

Sandmine Road

Community Development District

FY20 Funding Request #2
May 16, 2020

Payee		General Fund	
1	Governmental Management Services-CF, LLC		
	Inv# 1 - Prorated Management Fees - April 2020	\$	1,508.55
	Inv# 2 - Management Fees - May 2020	\$	3,043.50
Total:		\$	4,552.05

Please make check payable to:

Sandmine Road Community Development District
1408 Hamlin Avenue, Unit E
St.Cloud, FL 34771

GMS-Central Florida, LLC
1001 Bradford Way
Kingston, TN 37763

Invoice

Bill To:

Sandmine Road CDD
219 E Livingston St.
Orlando, FL 32801

Invoice #: 1
Invoice Date: 4/22/20
Due Date: 4/22/20
Case:
P.O. Number:

Description	Hours/Qty	Rate	Amount
Management Fees - (April 16, 2020 - April 30, 2020)	15	97.23	1,458.45
Information Technology - (April 16, 2020 - April 30, 2020)	15	3.34	50.10
Total			\$1,508.55
Payments/Credits			\$0.00
Balance Due			\$1,508.55

GMS-Central Florida, LLC
1001 Bradford Way
Kingston, TN 37763

Invoice

Bill To:
Sandmine Road CDD
219 E Livingston St.
Orlando, FL 32801

Invoice #: 2
Invoice Date: 5/1/20
Due Date: 5/1/20
Case:
P.O. Number:

Description	Hours/Qty	Rate	Amount
Management Fees - May 2020		2,916.67	2,916.67
Information Technology - May 2020		100.00	100.00
Office Supplies		5.03	5.03
Postage		0.50	0.50
Copies		21.30	21.30
Total			\$3,043.50
Payments/Credits			\$0.00
Balance Due			\$3,043.50

SECTION 3

Sandmine Road

Community Development District

FY20 Funding Request #3
June 11, 2020

Payee		General Fund	Capital Outlay
1	Department of Economic Opportunity Inv# 74829 - Prorated FY2020 Annual District Fee - May 2020	\$ 100.00	
2	Governmental Management Services-CF, LLC Inv# 3 - Management Fees - June 2020	\$ 4,476.04	
3	Hopping, Green & Sams Inv# 115160 - General Counsel - April 2020 Inv# 115161 - Project Construction - April 2020	\$ 5,256.50	\$ 3,412.00
		\$ 9,832.54	\$ 3,412.00
		Total:	\$ 13,244.54

Please make check payable to:

Sandmine Road Community Development District
1408 Hamlin Avenue, Unit E
St.Cloud, FL 34771

Florida Department of Economic Opportunity, Special District Accountability Program
FY 2019/2020 Special District Fee Invoice and Update Form
Required by Sections 189.064 and 189.018, Florida Statutes, and Chapter 73C-24, Florida Administrative Code

Invoice No.: 74829			Date Invoiced: 05/14/2020
Annual Fee: \$100.00	Late Fee: \$0.00	Received: \$0.00	Total Due, Postmarked by 07/13/2020: \$100.00

STEP 1: Review the following information, make changes directly on the form, and sign and date:

1. Special District's Name, Registered Agent's Name, and Registered Office Address:



Sandmine Road Community Development District
Mr. George S. Flint
Governmental Management Services - Central Florida, LLC
219 East Livingston Street
Orlando, FL 32801

2. Telephone: (407) 841-5524
3. Fax: (407) 839-1526
4. Email: gflint@gmscfl.com
5. Status: Independent
6. Governing Body: Elected
7. Website Address: Not on file - please provide.
8. County(ies): Polk
9. Function(s): Community Development
10. Boundary Map on File: 05/13/2020
11. Creation Document on File: 05/13/2020
12. Date Established: 04/07/2020
13. Creation Method: Local Ordinance
14. Local Governing Authority: Polk County
15. Creation Document(s): County Ordinance 20-023
16. Statutory Authority: Chapter 190, Florida Statutes
17. Authority to Issue Bonds: Yes
18. Revenue Source(s): Assessments
19. Most Recent Update: 05/14/2020

I do hereby certify that the information above (changes noted, if necessary) is accurate and complete as of this date.

Registered Agent's Signature: [Signature] Date 5/18/2020

STEP 2: Pay the annual fee or certify eligibility for the zero fee:

a. **Pay the Annual Fee:** Pay the annual fee online by following the instructions at www.FloridaJobs.org/SpecialDistrictFee or by check payable to the Department of Economic Opportunity.

b. **Or, Certify Eligibility for the Zero Fee:** By initialing each of the following items, I, the above signed registered agent, do hereby certify that to the best of my knowledge and belief, ALL of the following statements contained herein and on any attachments hereto are true, correct, complete, and made in good faith as of this date. I understand that any information I give may be verified.

1. ☐ This special district and its Certified Public Accountant determined the special district is not a component unit of a local general-purpose government.
2. ☐ This special district is in compliance with the reporting requirements of the Department of Financial Services.
3. ☐ This special district reported \$3,000 or less in annual revenues to the Department of Financial Services on its Fiscal Year 2017/2018 Annual Financial Report (If created since then, attach an income statement verifying \$3,000 or less in revenues).

Department Use Only: Approved: _____ Denied: _____ Reason: _____

STEP 3: Make a copy of this form for your records.

STEP 4: Mail this form and payment (if paying by check) to the Department of Economic Opportunity, Bureau of Budget Management, 107 E. Madison Street, MSC 120, Tallahassee, FL 32399-4124. Direct any questions to (850) 717-8430.

GMS-Central Florida, LLC
1001 Bradford Way
Kingston, TN 37763

Invoice

Invoice #: 3
Invoice Date: 6/1/20
Due Date: 6/1/20
Case:
P.O. Number:

Bill To:
Sandmine Road CDD
219 E Livingston St.
Orlando, FL 32801

Description #1101	Hours/Qty	Rate	Amount
Management Fees - June 2020 310.33.34		2,916.67	2,916.67
Information Technology - June 2020 351		100.00	100.00
Office Supplies 51		0.06	0.06
Postage 42		78.85	78.85
Copies 425		0.30	0.30
GHM Ledger Newscheif 48		1,380.16	1,380.16
Total			\$4,476.04
Payments/Credits			\$0.00
Balance Due			\$4,476.04

The Ledger

theledger.com

300 West Lime St., Lakeland FL 33815

Classified Advertising: (863) 802-7355

Fax Number: (863) 802-7814

East Polk bureau: 455 Sixth St. NW, Winter Haven FL 33881

Order:	L060G0J7IN	Pubs:	1,11	Rate:	LA
Phone:	(407)841-5524	Class:	0001	Charges:	\$ 0.00
Account:	768129	Start Date:	04/09/2020	List Price:	\$ 519.16
Name:	N/A,	Stop Date:	04/09/2020	Payments:	\$ 0.00
Caller:	Lauren	Insertions:	2	Balance:	\$ 519.16
Taken By:	L060	Columns:	1	Lines:	109
Schedule:	4/9 1x, 4/9 1x, ..			Taken On:	04/03/2020

PUBLIC MEETING HELD DURING PUBLIC HEALTH EMERGENCY DUE TO COVID-19 NOTICE OF ORGANIZATIONAL MEETING OF THE SANDHURST ROAD COMMUNITY DEVELOPMENT DISTRICT

Notice is hereby given that the Board of Supervisors ("Board") of the Sandhurst Road Community Development District ("District") will hold the organizational meeting of the Board of Supervisors at 2:00 PM on April 16, 2020 to be conducted by the following means of communications media technology, Zoom Video Conferencing, pursuant to Executive Order 20-82 and 20-83 issued by Governor DeSantis on March 9, 2020, and March 20, 2020, respectively, and pursuant to Section 120.54(5)(b)2., Florida Statutes.

The meeting is being held for the necessary public purpose of electing certain District officers, considering the appointment of staff to include but not limited to manager, attorney, engineer and others as deemed appropriate by the Board of Supervisors; considering the services to be provided by the District and the financing plan for same; appointing a team for purposes of issuing special assessment bonds and consider the associated funding agreements; and to conduct other business that may come before the Board. At such time the Board is so authorized and may consider any business that may properly come before it.

While it is necessary to hold the above referenced meeting of the District's Board of Supervisors utilizing communications media technology due to the current COVID-19 public health emergency, the District fully encourages public participation in a safe and efficient manner. Toward that end, anyone wishing to listen and participate in the meeting can do so telephonically at <https://zoom.us/j/700458904>. Additionally, participants are encouraged to submit questions and comments to the District Manager in advance at 407-841-5324 to facilitate the Board's consideration of such questions and comments during the meeting.

A copy of the agenda may be obtained at the office of the District Manager, c/o 219 East Livingston Street, Orlando, Florida 32801 ("District Manager's Office") during normal business hours.

The meeting is open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The meeting may be continued to a date, time, and place to be specified on the record at such meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone.

Any person requiring special accommodations at the meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

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

George S. Flint,
District Manager
Governmental Management Services
- Central Florida, LLC
4-8, 2020 J7IN

Attention:

Fax:

This is a representation of the content of your ad. Your ad may be larger or smaller when printed in the newspaper. If any information is incorrect, please contact your sales representative prior to the deadline of the first insertion. Otherwise your order is accepted as having been approved.

The Ledger

theledger.com

300 West Lime St., Lakeland FL 33815

Classified Advertising: (863) 802-7355

Fax Number: (863) 802-7814

East Polk bureau: 455 Sixth St. NW, Winter Haven FL 33881

Order:	L060G0J84X	Pubs:	1,11	Rate:	LA
Phone:	(407)841-5524	Class:	0001	Charges:	\$ 0.00
Account:	768129	Start Date:	04/30/2020	List Price:	\$ 861.00
Name:	N/A	Stop Date:	05/07/2020	Payments:	\$ 861.00
Caller:	Lauren V	Insertions:	4	Balance:	\$ 0.00
Taken By:	L060	Columns:	1	Lines:	90
Schedule:	4/30 1x, \$5/7 1x, 4/30 1x, \$5/7 1x, . .			Taken On:	04/26/2020

NOTICE OF LANDOWNERS' MEETING AND ELECTION OF THE SANDMINE ROAD COMMUNITY DEVELOPMENT DISTRICT

Notice is hereby given to the public and all landowners within the Sandmine Road Community Development District (the "District"), the location of which is generally described as comprising a parcel or parcels of land containing approximately 150.25 acres, generally located east of U.S. Highway 27, north of Sand Mine Road, and west of Amadillo Avenue, in Polk County, Florida, advising that a meeting of landowners will be held for the purpose of electing five (5) persons to the District Board of Supervisors.

DATE: May 21, 2020
TIME: 2:00 p.m.
PLACE: 1775 Sand Mine Road
Davenport, Florida 33897

Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request by contacting the office of the District Manager, Governmental Management Services Central Florida, LLC, P.O. Box 407-841-5524 ("District Office"). At said meeting each landowner or his or her proxy shall be entitled to nominate persons for the position of Supervisor and cast one vote per acre of land, or fractional portion thereof, owned by him or her and located within the District for each person to be elected to the position of Supervisor. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. Platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner's proxy. At the landowners' meeting the landowners shall select a person to serve as the meeting chair and who shall conduct the meeting.

The landowners' meeting is open to the public and will be conducted in accordance with the provisions of Florida law. The meeting may be continued to a date, time, and place to be specified on the record at such meeting. A copy of the agenda for this meeting may be obtained from the District Office.

Any person requiring special accommodations to participate in these

meetings is asked to contact the District Office at (Ph): 407-841-5524, at least forty-eight (48) hours before the hearing. If you are hearing or speech impaired, please contact the Florida Relay Service at 7-1-1 or (800) 855-8770 for aid in contacting the District Office.

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

George Flint
District Manager
4-30, 5-7, 2020 J84X

4/20 \$430.50

5/20 \$430.50

Attention:

Fax:

This is a representation of the content of your ad. Your ad may be larger or smaller when printed in the newspaper. If any information is incorrect, please contact your sales representative prior to the deadline of the first insertion. Otherwise your order is accepted as having been approved.

Hopping Green & Sams

Attorneys and Counselors

119 S. Monroe Street, Ste. 300
P.O. Box 6526
Tallahassee, FL 32314
850.222.7500

RECEIVED
JUN 17 2020

BY: _____

===== STATEMENT =====

May 10, 2020

Sandmine Road CDD
c/o George Flint
Governmental Management Services - Central Florida,
LLC
219 East Livingston Street
Orlando, FL 32801

Bill Number 115160
Billed through 04/30/2020

4

310 - 513 - 315

General

SMRCDD 00001 TFM

FOR PROFESSIONAL SERVICES RENDERED

04/02/20	EGRE	Prepare resolutions for organizational meeting.	2.50 hrs
04/03/20	TFM	Review organizational meeting agenda.	0.40 hrs
04/06/20	EGRE	Prepare budget funding, and bond financing agreements and 170.03 and 170.07 resolutions for organizational meeting; review draft assessment methodology.	1.50 hrs
04/06/20	EGRE	Prepare interim district engineering agreement.	0.70 hrs
04/08/20	DGW	Follow-up from establishment hearing; conferences with Gregory; assist with preparation of organizational meeting documents.	1.20 hrs
04/08/20	EGRE	Review ordinance establishing District; confer with Mackie regarding organizational documents and revise the same.	1.00 hrs
04/09/20	TFM	Prepare organizational meeting documents; prepare landowner election documents.	2.50 hrs
04/09/20	EGRE	Revise and compile organizational documents; prepare and revise landowner election documents and research whether a landowner meeting can be held virtually.	1.00 hrs
04/10/20	EGRE	Prepare website services agreement; prepare combined notice of budget hearing.	1.00 hrs
04/10/20	DGW	Preparation for organizational meeting; review bond documents.	0.70 hrs
04/13/20	DGW	Organizational meeting preparation.	1.00 hrs
04/13/20	TFM	Prepare agreement for website services.	0.30 hrs
04/13/20	EGRE	Prepare for Board meeting; revise VGlobalTech agreement.	1.00 hrs
04/14/20	TFM	Prepare for organizational meeting; prepare web services agreement.	0.70 hrs

04/15/20	EGRE	Revise budget and landowner resolutions and notices.	1.00 hrs
04/15/20	TFM	Prepare acquisition agreement; prepare for organizational meeting.	1.10 hrs
04/16/20	TFM	Prepare for and attend Board meeting by phone; follow-up from meeting.	2.90 hrs
04/21/20	DGW	Communications with district manager; review and manage executed resolutions.	0.50 hrs
04/23/20	TFM	Confer with Flint regarding landowner meeting location.	0.30 hrs
Total fees for this matter			\$5,256.50

MATTER SUMMARY

Wilbourn, David - Paralegal	3.40 hrs	140 /hr	\$476.00
Gregory, Emma C.	9.70 hrs	235 /hr	\$2,279.50
Mackie, A.Tucker Frazee	8.20 hrs	305 /hr	\$2,501.00

TOTAL FEES	\$5,256.50
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TOTAL CHARGES FOR THIS MATTER	\$5,256.50
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BILLING SUMMARY

Wilbourn, David - Paralegal	3.40 hrs	140 /hr	\$476.00
Gregory, Emma C.	9.70 hrs	235 /hr	\$2,279.50
Mackie, A.Tucker Frazee	8.20 hrs	305 /hr	\$2,501.00

TOTAL FEES	\$5,256.50
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TOTAL CHARGES FOR THIS BILL	\$5,256.50
------------------------------------	-------------------

Please include the bill number with your payment.

Hopping Green & Sams

Attorneys and Counselors

119 S. Monroe Street, Ste. 300
P.O. Box 6526
Tallahassee, FL 32314
850.222.7500

RECEIVED
JUN 11 2020

BY: _____

===== STATEMENT =====

May 10, 2020

Sandmine Road CDD
c/o George Flint
Governmental Management Services - Central Florida,
LLC
219 East Livingston Street
Orlando, FL 32801

Bill Number 115161
Billed through 04/30/2020

Project Construction

SMRCDD 00103 TFM

FOR PROFESSIONAL SERVICES RENDERED

04/01/20	TFM	Confer with Steiger; confer with Vogel; review correspondence from Flint.	0.60 hrs
04/14/20	DGW	Draft acquisition documents for acquisition of Phase 1 improvements and conferences with Mackie regarding same.	2.20 hrs
04/14/20	TFM	Confer with Althafer and Flint and prepare acquisition documents.	0.90 hrs
04/15/20	DGW	Draft acquisition agreement and confer with Mackie regarding same.	0.80 hrs
04/15/20	TFM	Confer with Althafer regarding acquisition of Phase 1 infrastructure and prepare documentation concerning same.	2.10 hrs
04/17/20	DGW	Update acquisition documents.	0.40 hrs
04/17/20	TFM	Confer with Althafer, Flint and Steiger.	0.50 hrs
04/20/20	TFM	Confer with Flint, Althafer and Steiger regarding acquisition of Phase 1 infrastructure.	0.70 hrs
04/20/20	DGW	Conference call to discuss Phase 1 acquisition; assist with preparation of and revisions to acquisition documents.	1.70 hrs
04/21/20	TFM	Participate in conference call regarding acquisition of improvements with Steiger, Althafer and Flint.	1.00 hrs
04/21/20	EGRE	Confer with Mackie and Wilbourn regarding acquisition; prepare acquisition documents, including letters from developer, affidavits of cost paid, acquisition checklists, and certificates of engineer.	3.00 hrs
04/21/20	DGW	Assist with preparation of and revisions to Phase 1 acquisition documents and conferences with Mackie and Gregory regarding same.	1.60 hrs

Total fees for this matter

\$3,412.00

MATTER SUMMARY

Wilbourn, David - Paralegal	6.70 hrs	140 /hr	\$938.00
Gregory, Emma C.	3.00 hrs	235 /hr	\$705.00
Mackie, A.Tucker Frazee	5.80 hrs	305 /hr	\$1,769.00

TOTAL FEES	\$3,412.00
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TOTAL CHARGES FOR THIS MATTER	\$3,412.00
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BILLING SUMMARY

Wilbourn, David - Paralegal	6.70 hrs	140 /hr	\$938.00
Gregory, Emma C.	3.00 hrs	235 /hr	\$705.00
Mackie, A.Tucker Frazee	5.80 hrs	305 /hr	\$1,769.00

TOTAL FEES	\$3,412.00
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TOTAL CHARGES FOR THIS BILL	\$3,412.00
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Please include the bill number with your payment.