

*Lake Lizzie*  
*Community Development District*

*Agenda*

*February 1, 2023*

# AGENDA

*Lake Lizzie*  
*Community Development District*

219 E. Livingston Street, Orlando, FL 32801  
Phone: 407-841-5524 – Fax: 407-839-1526

January 25, 2023

Board of Supervisors  
Lake Lizzie Community  
Development District

Dear Board Members:

The regular meeting of the Board of Supervisors of the Lake Lizzie Community Development District will be held **Wednesday, February 1, 2023, at 12:30 PM at the West Osceola Branch Library, 305 Campus St., Celebration, FL 34747.** Following is the advance agenda for the regular meeting:

**Board of Supervisors Meeting**

1. Roll Call
2. Public Comment Period
3. Organizational Matters
  - A. Consideration of Resolution 2023-27 Ratifying Resetting Landowners Election
  - B. Administration of Oaths of Office to Newly Elected Supervisors
  - C. Consideration of Resolution 2023-28 Canvassing and Certifying the Results of the Landowners' Election
  - D. Election of Officers
  - E. Consideration of Resolution 2023-29 Electing Officers
4. Approval of Minutes of the June 2, 2022, Board of Supervisors Meeting & January 17, 2023, Landowners' Election
5. Consideration of Resolution 2023-30 Ratifying Resetting Master Assessment Public Hearing
6. Consideration of Resolution 2023-31 Ratifying Resetting Uniform Method Public Hearing 31
7. Consideration of Resolution 2023-32 Ratifying Resetting Rules of Procedure Public Hearing
8. Consideration of Resolution 2023-33 Ratifying Resetting FY 2023 Budget Adoption Hearing
9. Public Hearings

- A. Public Hearing on the Imposition of Special Assessments
  - i. Presentation of Affidavit of Publication and Affidavit of Mailing of Notices
  - ii. Presentation of Engineer's Report
  - iii. Presentation of Assessment Methodology
  - iv. Public Comment, Testimony and Board Discussion
  - v. Consideration of Resolution 2023-34 Levying Special Assessments
- B. Public Hearing on the District's Use of the Uniform Method of Levying, Collection, and Enforcement of Non-Ad Valorem Assessments
  - i. Presentation of Affidavit of Publication of Notice
  - ii. Public Comment and Board Discussion
  - iii. Consideration of Resolution 2023-35 Expressing the District's Intent to Utilize the Uniform Method of Collection
- C. Public Hearing on the Adoption of District Rules of Procedure
  - i. Presentation of Affidavit of Publications of Notice of Rule Development and Rulemaking
  - ii. Public Comment and Board Discussion
  - iii. Consideration of Resolution 2023-36 Adopting the Rules of Procedure
- D. Public Hearing on the Adoption of the Fiscal Year 2023 Budget
  - i. Presentation of Affidavit of Publication of Notice
  - ii. Public Comment and Board Discussion
  - iii. Consideration of Resolution 2023-37 Adopting the District's Fiscal Year 2023 Budget and Appropriating Funds
- 10. Ranking of Proposals for District Engineering Services and Authorization to Issue Notice of Intent to Award and Enter Negotiations with Number-One Ranked Firm
- 11. Consideration of Resolution 2023-38 Authorizing the Use of Electronic Signatures
- 12. Staff Reports
  - A. Attorney
  - B. Engineer
  - C. District Manager's Report
- 13. Other Business
- 14. Supervisors Requests and Audience Comments
- 15. Adjournment

# SECTION III

# SECTION A

**RESOLUTION 2023-27**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT RESETTING THE DATE OF THE LANDOWNERS' MEETING AND ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Lake Lizzie 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 Osceola County, Florida; and

**WHEREAS**, previously at a duly noticed public meeting, the District's Board of Supervisors ("Board") announced the date, time and location for the landowners' meeting and election for January 4, 2023, at 12:30 p.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747; and

**WHEREAS**, due to publisher's error, the landowners' meeting and election was unable to be held on January 4, 2023, at such date, time and location; and

**WHEREAS**, the Board now desires to ratify the actions of the District Manager and Chairman, in resetting the date of the landowners' meeting and election to be held on January 17, 2023, at 10:30 a.m., at the same location in order to meet the publication requirements.

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

**SECTION 1.** The landowners' meeting and election is hereby reset to January 17, 2023, at 10:30 a.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747.

**SECTION 2.** The District Manager and Chairman's actions in resetting the landowners' meeting and election and publishing the notice of same in the manner prescribed by Florida law is hereby ratified, confirmed and approved.

**SECTION 3.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

**SECTION 4.** This Resolution shall take effect upon its passage and adoption by the Board.

**PASSED AND ADOPTED** this 1<sup>st</sup> day of February 2023.

ATTEST:

**LAKE LIZZIE COMMUNITY DEVELOPMENT  
DISTRICT**

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George Flint  
Secretary

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Tony Iorio  
Chairman, Board of Supervisors



# SECTION C

## RESOLUTION 2023-28

### A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS' ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES; ACKNOWLEDGING SCRIVNER'S ERROR; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, the Lake Lizzie 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 Osceola County, Florida; and

**WHEREAS**, pursuant to Section 190.006(2), *Florida Statutes*, a landowners' meeting ("**Landowners' Meeting**") is required to be held within 90 days of the District's creation and every two years following the creation of the District for the purpose of electing supervisors of the District; and

**WHEREAS**, such landowners meeting was held on January 17, 2023, at which the below recited persons were duly elected by virtue of the votes cast in his/her favor pursuant to that certain ballot ("**Ballot**") cast by Hanover Tyson, LLC ("**Landowner**"), the majority landowner within the District.; and

**WHEREAS**, the two (2) candidates receiving the highest number of votes will each receive four (4) year terms, and the three (3) candidates receiving the next highest number of votes will each receive two (2) year terms; and

**WHEREAS**, such Ballot contained a scrivener's error ("**Scrivener's Error**") whereby three (3) candidates all received an equal number of the highest votes; and

**WHEREAS**, Landowner acknowledged such Scrivener's Error and agreed it intended to cast the highest number of votes for Anthony Iorio and Douglas Beasley with each receiving four (4) year terms with all remaining candidates receiving the next highest number of votes and each a two (2) year term; and

**WHEREAS**, Jason Lonas also acknowledged such Scrivener's Error and agreed to accept a two (2) year term; and

**WHEREAS**, the Board of Supervisors of the District, by means of this Resolution, desire to canvas the votes, declare and certify the results of said election, and acknowledge the Scrivener's Error.

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

**Section 1.** The following individuals are found, certified, and declared to have been duly elected as Supervisor of and for the District, having been elected by the votes cast in their favor as shown:

<u>Anthony Iorio</u>	Seat 1	Votes <u>73</u>
<u>Douglas Beasley</u>	Seat 2	Votes <u>73</u>
<u>Jason Lonas</u>	Seat 3	Votes <u>73*</u>
<u>Thomas Franklin</u>	Seat 4	Votes <u>72</u>
<u>Duane "Rocky" Owen</u>	Seat 5	Votes <u>72</u>

\*As stated above, pursuant to a Scrivener's Error, Jason Lonas received 73 votes, rather than the 72 votes Landowner intended to cast for Supervisor Lonas.

**Section 2.** In accordance with Section 190.006(2), *Florida Statutes*, and by virtue of the number of votes cast for the Supervisor, an acknowledgement by Landowner, the District, and Supervisor Lonas of the Scrivener's Error, and the Landowner, Direct, and Supervisor Lonas' agreement for him to serve a two (2) year term, the above-named individuals are declared to have been elected for the following term of office:

<u>Anthony Iorio</u>	4 Year Term
<u>Douglas Beasley</u>	4 Year Term
<u>Jason Lonas</u>	2 Year Term
<u>Thomas Franklin</u>	2 Year Term
<u>Duane "Rocky" Owen</u>	2 Year Term

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

**PASSED AND ADOPTED THIS 1<sup>st</sup> DAY OF FEBRUARY 2023.**

**LAKE LIZZIE COMMUNITY DEVELOPMENT  
DISTRICT**

Attest:

\_\_\_\_\_  
Secretary / Assistant Secretary

\_\_\_\_\_  
Chairperson, Board of Supervisors

# SECTION E

**RESOLUTION 2023-28**

**A RESOLUTION ELECTING THE OFFICERS OF THE LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT, OSCEOLA COUNTY, FLORIDA.**

**WHEREAS**, the Lake Lizzie Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

**WHEREAS**, the Board of Supervisors of the District (“Board”) desires to elect the Officers of the District.

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

**SECTION 1.** The following persons are elected to the offices shown:

- Chairperson \_\_\_\_\_
- Vice Chairperson \_\_\_\_\_
- Secretary \_\_\_\_\_
- Assistant Secretary \_\_\_\_\_
- Assistant Secretary \_\_\_\_\_
- Assistant Secretary \_\_\_\_\_
- Assistant Secretary \_\_\_\_\_
- Assistant Secretary \_\_\_\_\_
- Assistant Secretary \_\_\_\_\_
- Treasurer \_\_\_\_\_
- Assistant Treasurer \_\_\_\_\_

**PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2023.**

ATTEST:

LAKE LIZZIE COMMUNITY  
DEVELOPMENT DISTRICT

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chairperson, Board of Supervisors

# MINUTES

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

The Landowners' meeting of the Lake Lizzie Community Development District was held Wednesday, **January 17, 2023** at 10:33 a.m. at the West Osceola Branch Library, 205 Campus Street, Celebration, Florida.

Present were:

Tony Iorio  
Tricia Adams

GMS

**FIRST ORDER OF BUSINESS**

**Determination of Number of Voting Units Represented**

Ms. Adams noted that they had a representative present as an authorized signatory for Hanover Tyson, LLC representing 73 votes.

**SECOND ORDER OF BUSINESS**

**Call to Order**

Ms. Adams called the meeting to order.

**THIRD ORDER OF BUSINESS**

**Election of Chairman for the Purpose of Conducting the Landowners' Meeting**

Ms. Adams was elected as Chairperson to conduct the Landowners' meeting.

**FOURTH ORDER OF BUSINESS**

**Nominations for the Positions of Supervisors (5)**

Ms. Adams asked for any nominations for the position of Supervisor. Anthony Iorio, Doug Beasley, Jason Lonas, Thomas Franklin, and Rocky Owen were nominated.

**FIFTH ORDER OF BUSINESS**

**Casting of Ballots**

Ms. Adams collected the ballots and reported the votes as follows; Anthony Iorio for seat #1 received 73 votes, Doug Beasley for seat #2 received 73 votes, Jason Lonas for seat #3 received

73 votes, Thomas Franklin for seat #4 received 72 votes, Rocky Owen for seat #5 received 72 votes.

**SIXTH ORDER OF BUSINESS**

**Tabulation of Ballots and Announcement  
of Results**

Ms. Adams noted that Anthony Iorio, Doug Beasley, and Jason Lonas would serve four-year terms and Thomas Franklin and Rocky Owen will serve two-year terms.

**SEVENTH ORDER OF BUSINESS**

**Adjournment**

Ms. Adams adjourned the meeting.



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

The Organizational meeting of the Board of Supervisors of the Lake Lizzie Community Development District was held Wednesday, **November 2, 2022** at 12:30 p.m. at the West Osceola Branch Library, 305 Campus Street, Celebration, Florida.

Present and constituting a quorum:

Tony Iorio	Chairman
Doug Beasley	Vice Chairman
Rocky Owen	Assistant Secretary
Tom Franklin <i>joined late</i>	Assistant Secretary

Also present were:

George Flint	District Manager, GMS
Tricia Adams	GMS
Sarah Sandy	District Counsel, Kutak Rock
Shawn Hindle	District Engineer, Hanson & Walters
Cynthia Wilhelm <i>by phone</i>	Nabors & Giblin P.A.
Brett Sealy	MBS Capital

**FIRST ORDER OF BUSINESS**

**Introduction**

**A. Roll Call**

Mr. Flint called the meeting to order and called the roll. Three Board members were present constituting a quorum.

**B. Public Comment Period**

There were no members of the public present for the meeting.

**C. Oath of Office**

Mr. Flint swore in all Supervisors: Mr. Tony Iorio, Mr. Doug Beasley, and Mr. Rocky Owen. He reviewed all forms that needed to be completed.

**SECOND ORDER OF BUSINESS**

**Organizational Matters**

**A. Confirmation of Notice of Meeting**

Mr. Flint confirmed that the meeting had been properly noticed as required by the statutes.

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

Mr. Flint stated that since the Supervisors were on other Boards and were familiar with the Sunshine Law and other legalities they would move on to the next item.

**C. Election of Officers**

**1. Resolution 2023-01 Appointing Officers**

Mr. Flint stated that election of officers is required. Mr. Flint asked that he serve as Secretary, Ms. Jill Burns as Treasurer, and Katie Costa serve as Assistant Treasurer. Mr. Tony Iorio was nominated as Chair, Mr. Doug Beasley as Vice Chair and the other Board of Supervisors as Assistant Secretaries.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Resolution 2023-01 Appointing Officers with Mr. Tony Iorio as Chair, Mr. Doug Beasley as Vice Chair, the other Board of Supervisors as Assistant Secretaries, and Mr. George Flint as Secretary, Ms. Jill Burns as Treasurer, and Katie Costa as Assistant Treasurer, was approved.

**THIRD ORDER OF BUSINESS**

**Retention of District Staff**

*\*Mr. Tom Franklin joined the meeting at this time and was sworn in. All further BOS action includes his participation.*

**A. Consideration of Agreement for District Management Services**

**i. Resolution 2023-02 Appointing District Manager, Financial Disclosure Coordinator, Assessment Consultant, and Designated Investment Representative**

Mr. Flint reported that this resolution would appoint GMS as the District Manager. The agreement is in the agenda packet.

On MOTION by Mr. Iorio, seconded by Mr. Beasley, with all in favor, Resolution 2023-02 Appointing GMS as the District Manager, was approved.

**B. Consideration of Agreement for District Counsel Services**

**i. Consideration of Resolution 2023-03 Appointing District Counsel**

Mr. Flint stated that this resolution will appoint District Counsel, Sarah Sandy, with Kutak Rock. Ms. Sandy noted that this is the same form of agreement that they have with other CDDs with the rate shown. She noted that the rate was \$275-\$285 for Associates and \$170 for Paralegals. She noted that by approving the resolution, that would appoint them as District Counsel and would approve their agreement.

On MOTION by Mr. Beasley, seconded by Mr. Iorio, with all in favor, Resolution 2023-03 Appointing Sarah Sandy with Kutak Rock as District Counsel, was approved.

**C. Consideration of Resolution 2023-04 Selection of Registered Agent and Office**

Mr. Flint stated that it is required by the state to have a registered agent and designate the office of this agent. Mr. Flint noted this would name Sarah Sandy as a registered agent and her office at Kutak Rock in Tallahassee address as the registered office location.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2023-04 Selecting District Counsel, Sarah Sandy, as the Registered Agent and their office as the Registered Office, was approved.

**D. Resolution 2023-05 Appointing Interim District Engineer**

Mr. Flint noted these could be taken together and stated this would appoint Hanson, Walter & Associates, Inc. as the Interim District Engineer.

**E. Consideration of Interim District Engineering Agreement**

Mr. Flint stated that he was provided the rate sheet that was attached to the Interim Engineering Agreement.

**F. Request Authorization to Issue RFQ for Engineering Services**

Mr. Flint asked that they authorize them to issue the RFQ for District Engineering Services.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2023-05 Appointing the Interim District Engineer as Hanson, Walter & Associates, Inc., Approving the District Engineering Agreement, and the Authorization to Allow Staff to Issue RFQ for Engineering Services, was approved.

**FOURTH ORDER OF BUSINESS**

**Designation of Meetings and Hearing Dates**

**A. Consideration of Resolution 2023-06 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2023**

Mr. Flint stated the District is required to develop a meeting schedule. He recommended the first Wednesday of the month at 12:30 p.m. in the same location.

On MOTION by Mr. Franklin, seconded by Mr. Iorio, with all in favor, Resolution 2023-06 Designation of Regular Monthly Meeting Date, Time, and Location for the Remaining of the Fiscal Year 2023 and Fiscal Year 2023 for the 1<sup>st</sup> Wednesday of Each Month at 12:30 p.m. in the Same Location, was approved.

**B. Consideration of Resolution 2023-07 Designation of Landowner’s Meeting Date, Time, and Location**

Mr. Flint recommended that the Landowner meeting be held on January 4, 2023 at 12:30 p.m. at the same location.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2023-07 Designation of Landowner’s Meeting for January 4, 2023 at 12:30 p.m., at same location, was approved.

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

**1. Consideration of Resolution 2023-08 Setting a Public Hearing to Consider the Proposed Rules of the District**

Mr. Flint noted the Rules of Procedure were included in the agenda package. He suggested the public hearing be January 4, 2023 at 12:30 p.m. at the same location.

On MOTION by Mr. Franklin, seconded by Mr. Iorio, with all in favor, Resolution 2023-08 Setting the Public Hearing for, January 4, 2023 at 12:30 p.m. at the Same Location, was approved.

**D. Designation of Dates of Public Hearing on the Budget for Fiscal Year 2023**

**1. Consideration of Resolution 2023-09 Setting the Public Hearing and Approving the Proposed Budget for Fiscal Year 2023**

Mr. Flint noted this was included in the package. He suggested the meeting be set for January 4, 2023 at 12:30 p.m. at the same location.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2023-09 Setting the Public Hearing for January 4, 2023 at 12:30 p.m. at the same location and Approving the Proposed Budget for Fiscal Year 2023 Budgets, was approved.

**2. Approval of the Fiscal Year 2023 Budget Funding Agreement**

Mr. Flint presented the Budget Funding Agreement in the agenda package. He noted that it had to be signed by the Landowner as well. He asked if there were any comments. Hearing none,

On MOTION by Mr. Franklin, seconded by Mr. Iorio, with all in favor, the Fiscal Year 2023 Developer Funding Agreement, was approved.

**E. Resolution 2023-10 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 noted this outlines the District's process to collect assessments using the county tax bill when we are ready to do so. He suggested the public hearing for January 4, 2023 at 12:30 p.m. in the same location.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2023-10 Setting the 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 for January 4, 2023 at 12:30 p.m. in the same location, was approved.

**FIFTH ORDER OF BUSINESS**

**Other Organizational Matters**

**A. Resolution 2023-11 Designating a Qualified Public Depository**

Mr. Flint stated that this would appoint the depository as Truist which is used at all of the Districts.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Resolution 2023-11 Designating Truist Bank as the District Depository, was approved.

**B. Resolution 2023-12 Authorization of Bank Account Signatories**

Mr. Flint asked that the signatories be George Flint, Jill Burns and Katie Costa.

On MOTION by Mr. Owen, seconded by Mr. Franklin, with all in favor, Resolution 2023-12 Authorizing George Flint, Jill Burns and Katie Costa as Bank Account Signatories, was approved.

**C. Consideration of Resolution 2023-13 Relating to Defense of Board Members**

Ms. Sandy noted that this resolution outlines legal support to Board members and staff as outlined in the resolution when acting in their capacity as Board members.

On MOTION by Mr. Franklin, seconded by Mr. Beasley with all in favor, Resolution 2023-13, Relating to Defense of Board Members, was approved.

**D. Consideration of Resolution 2023-14 Approving or Ratifying District Counsel’s Actions in Recording the Property Records of Osceola County, Florida the “Notice of Establishment” in accordance with Chapter 190.0485, Florida Statutes**

**1. Notice of Establishment**

Mr. Flint noted that this is a statutory requirement, and it ratified the District counsel's action and recording the notice of establishment for the District. He explained that was required to be done within 30 days and it was already filed.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2023-14 Ratifying District Counsel's Actions in Recording the Property Records of Osceola County, Florida the Notice of Establishment in Accordance with Chapter 190.0485, Florida Statutes, was ratified.

**E. Consideration of Resolution 2023-15 Adopting Investment Guidelines**

Mr. Flint stated was included in the package and this an alternative investment guideline for investment of public funds that are in excess of the amounts needed to make current operating expenses.

On MOTION by Mr. Franklin, seconded by Mr. Iorio, with all in favor, Resolution 2023-15 Adopting Alternative Investment Guidelines, was approved.

**F. Consideration of Resolution 2023-16 Authorizing Execution of Public Depositor Report**

Mr. Flint reported that this authorizes the District Manager or Treasurer to file the report with the Treasurer of the State of Florida. The Board had no questions.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2023-16 Authorizing Execution of Public Depositor Report, was approved.

**G. Consideration of Resolution 2023-17 Designating a Policy for Public Comment**

Ms. Sandy stated that this resolution sets forth guidelines and rules to govern public comment at public meetings. Florida Statute required that members be given a reasonable opportunity to be heard on any proposition.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2023-17 Designating a Policy for Public Comment, was approved.

**H. Consideration of Resolution 2023-18 Adopting a Travel and Reimbursement Policy**

Mr. Flint stated that the Florida statutes establish travel reimbursement rates, applicable to all public officers, employees, and authorized persons who are authorized to travel on behalf of a public agency, and this adopts those rates. The Board had no questions.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2023-18 Adopting a Travel and Reimbursement Policy, was approved.

**I. Consideration of Resolution 2023-19 Adopting Prompt Payment Policy**

Ms. Sandy noted Florida statutes require timely payment to vendors and contractors and this policy outlines the terms attached as Exhibit ‘A.’

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2023-19 Adopting Prompt Payment Policy, was approved.

**J. Consideration of Resolution 2023-20 Adopting a Records Retention Policy**

Mr. Flint stated that Resolution 2023-20 provides two options for retaining records and they recommend option two allowing to keep all the records and then later ask the Board to amend the policy to allow them to destroy records.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor Resolution 2023-20 Adopting a Records Retention Policy of Option 2, was approved.

**K. Consideration of Compensation to Board Members**

Mr. Flint reviewed the subject of Board compensation of \$200 per meeting. Tony Iorio waived, Rocky Owen accepted, Tom Franklin accepted, and Doug Beasley waived.



**L. Consideration of Resolution 2023-21 Designating the Primary Administrative Office and Principal Headquarters of the District**

Mr. Flint stated the Primary Administrative Office would be GMS's office in Orlando at 219 East Livingston Street.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2023-21 Designating the Primary Administrative Office and Principal Headquarters of the District as GMS's Office in Orlando at 219 East Livingston Street, was approved.

**M. Consideration of Resolution 2023-22 Selecting District Records Office Within Osceola County**

Mr. Flint stated the Primary Administrative Office would be 1408 Hamlin Avenue Unit E St. Cloud, FL 34771 within Osceola County.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2023-22 Selecting 1408 Hamlin Avenue Unit E St. Cloud, FL, 34771 within Osceola County as the District Records Office Within Osceola County, was approved.

**N. Consideration of Website Services Agreement**

Mr. Flint stated this agreement would be with ReAlign Web Design and noted the fee for \$1,750 is a one-time fee.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, the Agreement with ReAlign Web Design for \$1,750, 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 1<sup>st</sup> for Osceola County**

Mr. Flint stated this will authorize staff to prepare a Public Facilities Report to be filed in Osceola County.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Authorization for staff to prepare a Public Facilities Report in Accordance with Chapter 189.08 Florida Statutes to Coincide with Special District Filing in Osceola County, was approved.

**P. Consideration of Resolution 2023-23 Authorizing Chairperson to Execute Plats, Permits and Conveyances**

Mr. Flint stated this will authorize Chairperson to Execute Plats, Permits and Conveyances. Ms. Trucco explained the resolution and noted this would allow the Chair or Vice Chair or other Board members could execute this.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2023-23 Authorizing Chairperson or Vice Chairperson to Execute Plats Permits and Conveyances, was approved.

**Q. Consideration of Interlocal Agreement with Osceola County**

Ms. Sandy stated that as part of Osceola County’s establishment process, they enter into an agreement with the developer requiring that they advise the Board to approve the Interlocal Agreement upon establishment. She noted that this was the draft form of Interlocal Agreements between the District and the county. She further explained that it generally provided that they make certain disclosures and provide certain notices in terms of their budget meetings, etc. She noted that this was something that they, as counsel, had reviewed and approved as part of the establishment process.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, the Interlocal Agreement with Osceola County, was approved.

**SIXTH ORDER OF BUSINESS**

**Capital Improvements**

**A. Appointment of Financing Team**

Mr. Flint noted this appoints a financing team. Ms. Cynthia Wilhelm with Nabors, Giblin & Nickerson, P.A. joined the meeting via phone and will serve as Bond Counsel.

**1. Bond Counsel**

Mr. Flint noted this would be for Cynthia Wilhelm with Nabors, Giblin & Nickerson as Bond Counsel and the agreement is in the packet. Ms. Wilhelm noted that this was their standard agreement that they had with all CDDs. She noted that the main thing that they would want to look at would be the fees. She noted that the fee that they would charge for each bond issuance would be \$45,000 per issue. She explained that the \$45,000 fee would include out of pocket expenses, travel, etc. She noted that if the issue didn't close, they would not get paid no matter how much work they had went through up to the point that it was called off. She noted that she would be happy to answer any questions. Hearing none,

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Appointing Nabors, Giblin & Nickerson, P.A. as Bond Counsel, was approved.

**2. Underwriter**

Mr. Flint noted MBS Bond Specialist would be the investment banker. Mr. Sealy explained the services.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Appointing MBS Capital Markets, was approved.

**3. Assessment Administrator**

Mr. Flint noted this would be with GMS and has been previously approved.

**4. Trustee**

Mr. Flint noted this proposal in the packet is with US Bank, Scott Schuhle.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Appointing the Trustee as US Bank, Scott Schuhle, was approved.

**B. Approval of Financing Team Funding Agreement**

Mr. Flint explained that under the terms of this agreement any funds provided as part of this agreement would be reimbursed under the future bond issuance.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, the Financing Team Funding Agreement, was approved.

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

Ms. Sandy stated that this was part of the process of starting the bond issuance process and the assessment levy process. She noted that they were doing this at the master level, so this would be for the entire public infrastructure improvements that the District would be doing as well as the master lien that the Board would consider levying on the lands within the District in order to repay bonds that would be issued to finance the infrastructure.

Mr. Hindle noted that the report itself defined that the District, boundaries of the District and the boundaries would meet your establishment petition that was approved. He noted that if they made any changes to those boundaries, they had to go back through the Osceola County process to do that. He noted that they were not showing any expansion parcels on this property, so it was just the District boundary in this report. He noted that the purpose of the report was to find the Capital Improvement Projects that were associated with the bond issuance. He referred to the description of the lots, type of lots, and the number of those lots under Table 3-2. He explained that this was changed at the last hour, so he asked that they approved this in substantial form to give the attorneys a chance to look at the final changes and he would issue that afterwards. He noted that it described the road improvements, the stormwater management system consisting of two ponds, the utilities (water, sewer, reclaim), the hardscape/landscape/irrigation/trails, the undergrounding of conduit, the environmental conservation/mitigation, the professional services, and the contingency. He noted that under the facility descriptions on page 7 of the report, it provided a cost estimate for making those improvements. He noted that he certified the report at the end, and it becomes their engineer's report. He added that each year they do an update to that report. Ms. Sandy noted that the total cost listed in Mr. Hindle's report was \$17,598,220. Ms. Sandy asked if the cost estimates that they had in their report, in his professional opinion, was reasonable for a project of this size and scope. Mr. Hindle respond yes. Ms. Sandy asked if there was any reason to believe that the District could not carry out the project at this time. Mr. Hindle responded no. Ms. Sandy noted that in terms of the report that they had in front of them, there may be some items that they needed to update, but the overall cost would not be changing for purposes of starting the master assessment process as well as the improvements that were included within

this report. She added that table 3.2 needed to be updated to reflect two categories of lot types. She explained that the first category was lots that were equal to or above 50' and less than 50' with the first category showing 259 lots and the second category showing 52 lots for 311 total. She noted that would be the main change. Mr. Hindle stated that for Phase 1 it was 141 lots greater than or equal to 50' in width and 52 lots that were less than or equal to. He noted that for Phase 2 it was 118 lots that were greater than or equal to and less than or equal to 50' was zero lots.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, the Master Engineer's Report as Presented By Mr. Hindle, was approved in Substantial Form Subject to Revisions.

### **B. Consideration of Master Assessment Methodology**

Mr. Flint explained that they took Mr. Hindle's engineer's report, and they put together a Master Assessment Methodology, which would allocate the benefit of the improvements that Mr. Hindle had identified across the properties that were contemplated to be within the CDD. He referred to table 1 stating that it reflected the development plan that they had just discussed, and they would modify the description of the product type. He noted that right now it showed single-family 34' at 52 units and they assigned an ERU factor of .75. He also noted the single-family of 50' that they would be actually greater than 50' and assigned 1 ERU. He noted that there was 311 units and 298 ERUs resulting from that. Table 2 relisted the improvements that Mr. Hindle identified, \$17,598,220. Table 3 showed the preliminary bond sizing and was for the purposes of the master assessment process and validations. He noted that they had used some very conservative parameters on the interest rate, capitalized interest, etc. and resulted in a par amount of \$25,250,000, which was the number that Ms. Wilhelm used in her bond resolution for purposes of validation. Table 4 showed the allocation of benefit based on the improvement cost. Table 5 demonstrated the allocation of benefit based on the par debt. He noted that if they were to fund 100% of these improvements at the conservative assumptions in the bond sizing, table 6 would be what the per unit annual assessment would be. He noted that this would be for purposes of setting a ceiling for worst case scenario amount, but they didn't anticipate that they would issue bonds in this amount or see per unit assessments this high. Table 7 will be revised, but right now it referred to the legal description of the District at 72.18 acres. He added that they would revise this to show each of the specific parcels within the boundaries and the respective acreage of each parcel. He

noted that as part of approving this, they would ask that it be approved in substantial form subject to a revision to this preliminary assessment roll. Ms. Sandy asked if it was in his professional opinion that the assessments were reasonably and fairly allocated to the lands specially benefited by them. Mr. Flint responded yes. Ms. Sandy asked if the lands assessed proceed the special benefit that was equal to or in excessive of the special benefits that were levied. Mr. Flint responded yes.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, the Master Assessment Methodology Report, was approved in Substantial Form Subject to Revisions.

### **C. Consideration of Resolution 2023-24 Declaring Special Assessments**

Ms. Sandy stated that the next two resolutions started the assessment process that they were discussing. She noted that the District levied assessments in accordance with Chapters 170, 190, and 197 of the Florida statutes. She noted that this initial resolution declared the District's intent to levy the assessments, provided the total estimated cost of the master project as well as the ceiling of the assessment level that Mr. Flint just discussed. She noted that the amounts needed to be filled in in the resolution. Mr. Flint responded that they were in there, but they needed to be revised. Ms. Sandy stated that the amount for section 4 would be \$17,598,220. She noted for section 5 the amount would be \$25,250,000. She noted that she would be happy to answer any questions that the Board might have. Hearing none,

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2023-24 Declaring Special Assessments, was approved.

### **D. Consideration of Resolution 2023-25 Setting a Public Hearing for Special Assessments**

Mr. Flint stated that this resolution would set the public hearing to actually levy the assessments. He noted that they would recommend them set it for their January 4, 2023 at 12:30 p.m.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2023-25 Setting a Public Hearing for Special Assessments for January 4, 2023 at 12:30 p.m., was approved.

**E. Consideration of Resolution 2023-26 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings**

Ms. Wilhelm stated that this resolution was a bond validation resolution. She stated that it basically authorized the District counsel to go ahead and file the validations. She noted that one of the items that they do in this resolution was they approved the form of the Master Indenture, which was attached as Exhibit B, and appoint US Bank as the Trustee, Registrar, and Paying Agent. She stated that they had to show to the court in the pleadings that they have appointment of Trustee because that was one of the requirements under Chapter 190. She noted that it also approved the Capital Improvement Program, which was shown in the engineer’s report that they reviewed and was attached as Exhibit A. She noted that this resolution authorized District counsel to go ahead and file a complaint and provided that the Chair or any other member of the Board could provide testimony in the proceedings, if needed. She asked for any questions or comments to the resolution. Hearing none,

On MOTION by Mr. Owen, seconded by Mr. Franklin, with all in favor, Resolution 2023-26 Authorizing the Issuance of Bond and Authorizing the Commencement of Validation Proceedings, was approved.

**EIGHTH ORDER OF BUSINESS**

**Other Business**

**A. Staff Reports**

**i. Attorney**

There was nothing further to report.

**ii. Manager**

Mr. Flint had nothing further to report.

**B. Supervisor’s Requests**

There being none, the next item followed.

**C. Approval of Funding Request No. 1**

Mr. Flint noted this request was in the package for review. This is an initial startup cost for ads, public hearings, and insurance. This is for \$16,750.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Funding Request No. 1, was approved.

**NINTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, the meeting was adjourned.

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chairman/Vice Chairman



# SECTION V

**RESOLUTION 2023-30**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT RATIFYING THE ACTIONS OF THE DISTRICT MANAGER AND CHAIRMAN IN RESETTING AND NOTICING THE PUBLIC HEARINGS ON THE LEVY AND IMPOSITION OF SPECIAL ASSESSMENTS; AMENDING RESOLUTION 2023-25 TO SET THE PUBLIC HEARING THEREON; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Lake Lizzie Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, as amended, and

**WHEREAS**, the Board of Supervisors of the District (“Board”) previously adopted Resolution 2023-25, setting the public hearings to consider the levy and imposition of special assessments, and set the hearing thereon for January 4, 2023, at 12:30 p.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747; and

**WHEREAS**, due to publication errors, the District Manager in consultation with the Chairman reset the public hearings to be held on February 1, 2023, at 12:30 p.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747, and has caused mailed and published notices to be provided with the new public hearings’ information, consistent with the requirements of Chapters 170, 190 and 197, *Florida Statutes*; and.

**WHEREAS**, the Board desires to ratify the District Manager and Chairman’s actions in resetting the public hearings and noticing the amended public hearings.

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

**SECTION 1. RATIFICATION OF PUBLIC HEARINGS RESET.** The actions of the District Manager and Chairman in resetting the public hearings, the District Secretary in publishing and mailing the notice of public hearings pursuant to Chapters 170, 190 and 197, *Florida Statutes*, are hereby ratified, confirmed and approved. Resolution 2023-25 is hereby amended to reflect that the public hearings are reset to February 1, 2023, at 12:30 p.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747.

**SECTION 2. RESOLUTION 2023-25 OTHERWISE REMAINS IN FULL FORCE AND EFFECT.** Except as otherwise provided herein, all of the provisions of Resolution 2023-25 continue in full force and effect.

**SECTION 3. SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect upon its passage and adoption by the Board.

**PASSED AND ADOPTED** this 1<sup>st</sup> day of February 2023.

ATTEST:

**LAKE LIZZIE COMMUNITY DEVELOPMENT  
DISTRICT**

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George Flint  
Secretary

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Tony Iorio  
Chairman, Board of Supervisors

# SECTION VI

## RESOLUTION 2023- 31

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT AMENDING RESOLUTION 2023-10 TO RESET THE DATE, TIME AND LOCATION OF THE PUBLIC HEARING REGARDING THE DISTRICT'S INTENT TO USE THE UNIFORM METHOD FOR THE LEVY, COLLECTION, AND ENFORCEMENT OF NON-AD VALOREM SPECIAL ASSESSMENTS AS AUTHORIZED BY SECTION 197.3632, FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Lake Lizzie Community Development District ("District") was established by an ordinance adopted by the County Commission of Osceola County, Florida, for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure improvements; and

**WHEREAS**, on November 2, 2022, at a duly noticed public meeting, the District's Board of Supervisors (the "Board") adopted Resolution 2023-10, setting a public hearing regarding the District's intent to use the uniform method for the levy, collection, and enforcement of non-ad valorem special assessments for January 4, 2023, at 12:30 p.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747; and

**WHEREAS**, due to a publication errors, the District Manager in consultation with the Chairman reset the public hearing to be held on February 1, 2023, at 12:30 p.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747, and has caused published notices to be provided with the new public hearing information, consistent with the requirements of Section 197.3632, *Florida Statutes*; and

**WHEREAS**, the Board of Supervisors desires to ratify, confirm and approve the changed date of the public hearing.

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

**SECTION 1. RATIFICATION OF PUBLIC HEARING RESET.** Resolution 2023-10 is hereby amended to reflect that the public hearing as declared in Resolution 2023-10 is reset to February 1, 2023, at 12:30 p.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747. The actions of the District Manager and Chairman in resetting the public hearing, the District Secretary in publishing the notice of public hearing pursuant to Section 197.3632, *Florida Statutes*, are hereby ratified, confirmed and approved.

**SECTION 2. RESOLUTION 2023-10 OTHERWISE REMAINS IN FULL FORCE AND EFFECT.** Except as otherwise provided herein, all of the provisions of Resolution 2023-10 continue in full force and effect.

**SECTION 3. SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect upon its passage and adoption by the Board of Supervisors of the Lake Lizzie Community Development District.

**PASSED AND ADOPTED** this 1<sup>st</sup> day of February 2023.

ATTEST:

**LAKE LIZZIE COMMUNITY DEVELOPMENT  
DISTRICT**

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George Flint  
Secretary

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Tony Iorio  
Chairman, Board of Supervisors

# SECTION VII

**RESOLUTION 2023-32**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT RATIFYING THE ACTIONS OF THE DISTRICT MANAGER AND CHAIRMAN IN RESETTING AND NOTICING THE PUBLIC HEARING TO ADOPT RULES OF PROCEDURE; AMENDING RESOLUTION 2023-08 TO SET THE PUBLIC HEARING THEREON; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Lake Lizzie Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, as amended, and

**WHEREAS**, the Board of Supervisors of the District (“Board”) previously adopted Resolution 2023-08 setting the public hearing to adopt Rules of Procedure for January 4, 2023, at 12:30 p.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747; and

**WHEREAS**, due to a publication errors, the District Manager in consultation with the Chairman reset the public hearing to be held on February 1, 2023, at 12:30 p.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747, and has caused published notice to be provided in accordance with Section 120.54, *Florida Statutes*; and.

**WHEREAS**, the Board desires to ratify the District Manager and Chairman’s actions in resetting and noticing the public hearing.

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

**SECTION 1. RATIFICATION OF PUBLIC HEARING RESET.** The actions of the District Manager and Chairman in resetting the public hearing on the adoption of Rules of Procedure, and the District Secretary in publishing notice of the public hearing pursuant to Section 120.54, *Florida Statutes*, are hereby ratified. Resolution 2023-08 is hereby amended to reflect that the public hearing is reset to February 1, 2023, at 12:30 p.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747.

**SECTION 2. RESOLUTION 2023-08 OTHERWISE REMAINS IN FULL FORCE AND EFFECT.** Except as otherwise provided herein, all of the provisions of Resolution 2023-08 continue in full force and effect.



**SECTION 3. SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect upon its passage and adoption by the Board.

**PASSED AND ADOPTED** this 1<sup>st</sup> day of February 2023.

ATTEST:

**LAKE LIZZIE COMMUNITY DEVELOPMENT  
DISTRICT**

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George Flint  
Secretary

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Tony Iorio  
Chairman, Board of Supervisors

# SECTION VIII

**RESOLUTION 2023-33**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT AMENDING RESOLUTION 2023-09 TO RESET THE DATE, TIME, AND LOCATION OF THE PUBLIC HEARING REGARDING PROPOSED BUDGET FOR FISCAL YEAR 2022/2023, RATIFYING THE ACTIONS OF THE DISTRICT MANAGER AND CHAIRMAN IN RESETTING SUCH PUBLIC HEARING; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Lake Lizzie Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, as amended, and

**WHEREAS**, the Board of Supervisors of the District (“Board”) previously adopted Resolution 2023-09, approving the proposed budget for Fiscal Year 2022/2023 and setting public hearing on said approved budget, pursuant to Chapter 190, *Florida Statutes*, for January 4, 2023, at 12:30 p.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747; and

**WHEREAS**, due to a publication errors, the District Manager in consultation with the Chairman reset the public hearing to be held on February 1, 2023, at 12:30 p.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747, and has caused published notices to be provided with the new public hearing information, consistent with the requirements of Chapter 190, *Florida Statutes*; and.

**WHEREAS**, the Board desires to ratify the District Manager and Chairman’s actions in resetting and noticing for the amended public hearing date.

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

**SECTION 1. RATIFICATION OF PUBLIC HEARING RESET.** The actions of the District Manager and Chairman in resetting the public hearing, the District Secretary in publishing the notice of public hearing pursuant to Chapter 190, *Florida Statutes*, are hereby ratified, confirmed and approved. Resolution 2023-09 is hereby amended to reflect that the public hearing is reset as provided in this Resolution.

**SECTION 2. RESOLUTION 2023-09 OTHERWISE REMAINS IN FULL FORCE AND EFFECT.** Except as otherwise provided herein, all of the provisions of Resolution 2023-09 continue in full force and effect.

**SECTION 3. SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect upon its passage and adoption by the Board.

**PASSED AND ADOPTED** this 1<sup>st</sup> day of February 2023.

ATTEST:

**LAKE LIZZIE COMMUNITY DEVELOPMENT  
DISTRICT**

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George Flint  
Secretary

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Tony Iorio  
Chairman, Board of Supervisors

# SECTION IX

# SECTION A

# SECTION 1

**Published Daily**  
**OSCEOLA County, Florida**

**Sold To:**

Lake Lizzie CDD - CU80151963  
219 E Livingston St  
Orlando, FL, 32801

**Bill To:**

Lake Lizzie CDD - CU80151963  
219 E Livingston St  
Orlando, FL, 32801

**State Of Florida**  
**County Of OSCEOLA**

Before the undersigned authority personally appeared  
Rose Williams, who on oath says that he or she is a duly authorized representative of the ORLANDO  
SENTINEL, a DAILY newspaper published in OSCEOLA County, Florida; that the attached copy of  
advertisement, being a Legal Notice in:

The matter of 11200-Misc. Legal  
Was published in said newspaper by print in the issues of, or by publication on the newspaper's website, if  
authorized on Jan 09, 2023.

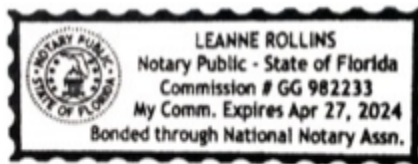
Affiant further says that the newspaper complies with all legal requirements for publication in Chapter 50,  
Florida Statutes.



**Rose Williams**

\_\_\_\_\_  
Signature of Affiant

Sworn to and subscribed before me on this 12 day of January, 2023,  
by above Affiant, who is personally known to me (X) or who has produced identification ( ).



\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Name of Notary, Typed, Printed, or Stamped





# SECTION 2

MASTER ENGINEER'S REPORT  
FOR THE  
LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT

PREPARED FOR:

BOARD OF SUPERVISORS  
LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT

ENGINEER:

HANSON, WALTER & ASSOCIATES, INC.  
8 Broadway, Suite 104  
Kissimmee, Florida 34741

November 2, 2022

# LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT

## ENGINEER'S REPORT

### 1. INTRODUCTION

The purpose of this report is to provide a description of the master capital improvement plan (“CIP”) and estimated costs of the CIP, for the Lake Lizzie Community Development District (“District”).

### 2. GENERAL SITE DESCRIPTION

The District encompasses a development known as Trinity Place (“Trinity Place” or “Development”). Trinity Place is a Low Density Residential (LDR) development established in the Osceola County Comprehensive Plan and all of the development is served by the District. The development is located in unincorporated Osceola County, Florida, lying in Sections 3 and 10, Township 26 South and Range 31 east, as more particularly shown in **Exhibit 2.1** of the attached Appendix. The general location of the development is north of Lake Lizzie Drive and west of Pine Grove Road.

As noted in **Exhibit 2.2**, the District’s boundaries include approximately 72.18 acres of land located in Osceola County, Florida (“County”).

### 3. PROPOSED MASTER CAPITAL IMPROVEMENT PLAN PURPOSE AND SCOPE OF THE REPORT

The purpose of this report is to provide a description of the CIP to be financed, constructed and/or acquired by the District, and to provide an estimated apportionment of the categories of costs for the CIP. A corresponding assessment methodology will be developed by the District’s methodology consultant. The CIP is intended to provide master public infrastructure improvements for the lands within the District, which are planned for 311 residential units.

The proposed site plan for the District is attached to this report as **Exhibit 3.1**, and the plan enumerates the proposed lot count for the District. The following charts show the planned product types and land uses for the District:

**TABLE 3.1**  
**LAND USE SUMMARY**

Type of Use	Total Project Area +/-
Residential*	56.09
Open Space**	16.09
Total Area	72.18
% of Total Area	10%

\* Per the County’s Land Development Code, residential developments are required to provide a minimum of 20% open space which may include wetlands, stormwater ponds, recreation areas or green spaces.

\*\* Open Space represents land areas that will contain recreation and other uses in accordance with the County’s Land Development Code.

**TABLE 3.2  
PRODUCT TYPE SUMMARY**

Type of Use	Phase 1	Phase 2	Total
Single Family 50’ or greater lot width	141	118	259
Single Family less than 50’ lot width	52	0	52
<b>Total</b>	193	118	311

The CIP infrastructure includes the following Master Infrastructure, which is intended to serve all lands in the District:

**Roadway Improvements:**

The CIP includes off-site framework and local road improvements adjacent to the District boundary. Framework roads shall include Multi-Modal roadways, Boulevards and Avenues as defined in the Osceola County Comprehensive Plan Map Series TRN Maps. Pine Grove Road is depicted as a Boulevard in the TRN Map Series and will service the District. The responsibility for improving the framework roads is limited to the ownership limits of the District. Roadways will consist of a half section 2-lane improvement as an interim design that will be expanded in the future by adjacent developments or the County or City to provide a final cross section of a 2-lane divided corridor. The framework road includes the roadway asphalt, base, and subgrade, roadway curb and gutter, inlets, culverts, striping and signage landscaping and sidewalks within rights-of-way. All roads will be designed in accordance with FDOT and County standards.

The District will also have to construct an off-site safety improvement at the intersection of Pine Grove Road (Boulevard Framework Road) and Lake Lizzie Road adding a dedicated left turn lane for north bound to west bound turning movements.

Internal roadways will be financed by the District, and will be dedicated to the County for ownership, operation, and maintenance. Internal Alleys will be funded by the District and retained in ownership and maintenance responsibility.

Impact fee credits may be available in the form of mobility fee credits based upon a negotiated mobility fee agreement with the County. If the property is annexed into the City, the impact fee credits would have to be negotiated with the City in an Annexation Agreement. The County currently provides for credits for all improvements and land dedication that exceeds the specific needs of the project. To the extent the District funds improvements which generate impact fee credits or mobility fee credits, the District shall receive the credits and can then sell or transfer such credits as allowed by law.

### **Stormwater Management System:**

The District is located within the South Florida Water Management District (“**SFWMD**”) Alligator Lake basin. Conveyances to Alligator Lake will be via a County maintained ditch that outfalls via US 192 to Alligator Lake. The existing drainage conditions are depicted in **Exhibit 2.4** of the Appendix.

The stormwater collection and outfall system are a combination of roadway curbs, curb inlets, pipes, control structures and open lakes designed to treat and attenuate stormwater runoff from District lands. The stormwater system within the project discharges to Alligator Lake via an existing ditch system that conveys runoff from the Development across Lake Lizzie Road into an FDOT ditch system that continues along US 192 to Alligator Lake. The stormwater system will be designed consistent with the criteria established by SFWMD and the County for stormwater/floodplain management systems. The District will finance, construct and/or acquire, own, operate and maintain the stormwater system, with the exception that the County will own, operate, and maintain the inlets and storm sewer systems within County rights-of-way. The County and FDOT will be responsible for maintenance of the off-site ditch system.

NOTE: No private earthwork is included in the CIP. Accordingly, the District will not fund any costs of mass grading of lots.

### **Water, Wastewater and Reclaim Utilities:**

The District is within the City of St. Cloud (“**City**”) Joint Planning Area and Tohopekaliga Water Authority (“**Toho**”) Utility Service Area. Tohopekaliga Water Authority will provide potable water, wastewater disposal and reclaimed water services to the development. Capacity for these utilities is available from Tohopekaliga Water Authority. Existing utilities are shown in **Exhibit 2.3** of the Appendix.

A water plant owned and operated by Toho located on Kissimmee Park Road in the City will service the property. Potable Water connections will be made from water mains in Nova Road. A 16” water main currently exists within the Nova Road Right of way. Proposed mains will be extended east through an easement on the School District of Osceola County’s property to the development. The on-site water supply improvements include water mains that will be located within rights-of-way and used for potable water service and fire protection.

Wastewater from the Development will be collected in gravity sewer mains that will be serviced by a lift station just north of the property that will pump the wastewater into a force main that will connect into an existing force main in Nova Road. This force main is serviced by the Southside Wastewater Treatment Plant owned by Toho.

Wastewater improvements for the District will include an onsite 8" diameter gravity collection system, offsite force mains and a shared off-site lift station. The offsite force main connection will be made at Nova Road.

Reclaimed water will be secured from Toho. The Development will be serviced through a connection to the existing main in Nova Road and the extension of the main to the Development through an existing easement on the School Board of Osceola County’s property that is immediately northwest of the Development.

The reclaim water distribution system will be constructed to provide service for irrigation throughout the Development and will consist of varying main sizes dependent on demand.

The water and reclaim distribution and wastewater collection systems for all phases will be completed by the District and then dedicated to Toho for ownership, operation, and maintenance. All mains will be designed and constructed in compliance with the City and the Florida Department of Environmental Protection (“FDEP”) Standards. Note: City utilities have been acquired by Toho as of October 1, 2022.

The project will require extension of existing off-site mains to the site, in addition to creating looped connections of mains on site that will both serve the proposed Development and provide for expansion of the Toho infrastructure to service future developments. Mains or improvements that are increased in size to service the Development above the specific needs of the District will be eligible for impact fee credits via an upsize agreement with Toho. To the extent the District funds improvements which generate impact fee credits, the District shall receive the credits and can sell or transfer such credits as allowed by law. Distribution of the impact fee credits received may be handled pursuant to separate agreements between the District, City and Hanover, Tyson, LLC (“Developer”).

#### **Hardscape, Landscape, and Irrigation:**

The District will finance, construct and/or acquire landscaping, irrigation and hardscaping within District common areas and rights-of-way. Landscaping will consist of sod, shrubs, ground cover, trees and plants. The irrigation system will consist of spray and rotating heads providing irrigation coverage to the landscaped areas. Moreover, hardscaping will consist of entry features, benches, trashcans, accent pavement, etc. Existing vegetation will be utilized wherever possible.

The County has distinct design criteria requirements for planting and irrigation design. Therefore, the Development will at a minimum meet those requirements but, in most cases, exceed the requirements with enhancements for the benefit of the community.

All such landscaping, irrigation and hardscaping will be owned, maintained, and funded by the District. Such infrastructure, to the extent that it is in rights-of-way owned by the County will be maintained pursuant to a right-of-way agreement to be entered into with the County. Individual neighborhood HOA’s may enter into an agreement with the District for the purpose of maintaining entry features, to include but not necessarily be limited to signage, landscape, accent lighting, hardscape, and irrigation.

#### **Street Lights / Undergrounding of Electrical Utility Lines**

The District intends to lease street lights through an agreement with Orlando Utility Commission (OUC) in which case the District would fund the street lights through an annual operations and maintenance assessment. As such, street lights are not included as part of the CIP.

The CIP does however include the undergrounding of electrical utility lines within right-of-way utility easements throughout the Development. Any lines and transformers located in such areas would be owned by OUC and not paid for by the District as part of the CIP.

**Recreational Amenities:**

As part of the CIP, the District may finance, construct or acquire an amenity park within a proposed open space/recreation tract. The District will finance amenities, parks and other common areas for the benefit of the District. These improvements may be funded, owned, and maintained by the District, or alternatively may be funded by the Developer and turned over to a homeowners' association for ownership, operation, and maintenance.

**Professional Services**

The CIP also includes various fees for professional services. These include: (i) engineering, surveying architectural and legal fees, (ii) permitting and plan review costs, and (iii) development/construction management services fees that are required for the design, permitting, construction, acquisition or conveyance of the CIP.

**Off-Site Improvements**

Currently offsite utility improvements are limited to utility main extensions and looping to bring potable water, reclaimed water and wastewater to the development and to provide a looped connection of the water main and reuse main to the Toho water system in Pine Grove Road. The mains would be eligible for impact fee credits for upsizing and the water main extension. To the extent the District funds improvements which generate impact fee credits, the District shall receive the credits and can then sell or transfer such credits as allowed by law.

The only offsite road improvements that are currently contemplated would be a portion of Pine Grove Road and Lake Lizzie Drive. Pine Grove Road off-site improvements are eligible for mobility fee credits by the County. To the extent the District funds improvements which generate mobility fee credits, the District shall receive the credits and then can sell or transfer such credits as allowed by law. In addition, all framework roads that are constructed above and beyond the needs of the development would be eligible for mobility fee credits. This process is a negotiation with staff and will require the preparation of a mobility fee agreement to be approved by the Osceola County Board of County Commissioners.

As noted, the District's CIP functions as a system of improvements benefitting all lands within the District.

All the foregoing improvements are required by applicable development approvals. Note that, except as stated herein, there are no impact fee or similar credits available from the construction of any such improvements.

The following table, Table 3.3, shows who will finance, own and operate/maintain the various improvements of the CIP:



**TABLE 3.3**

<b>Description</b>	<b>Ownership</b>	<b>Capital Financing*</b>	<b>Maintenance Entity</b>
Stormwater Management Facilities	District	District	District
Potable Water System	Toho	District	Toho
Reclaimed Water System	Toho	District	Toho
Lift Stations & Sanitary Sewer System	Toho	District	Toho
Roadway Construction	Osceola County	District	Osceola County
Offsite Roadway Improvements**	Osceola County	District	Osceola County
Offsite Utility Improvements	Toho	District	Toho
Common Area Landscape, Hardscape & Irrigation***	District	District	District or HOA****
* Developer may contribute toward development costs ** Offsite Roadway improvements are to Pine Grove Road and Lake Lizzie Road *** Common Area includes: Parks, recreation, open space, conservation areas, buffers, etc. **** If HOA, pursuant to a maintenance agreement with the District			

**4. PERMITTING/CONSTRUCTION COMMENCEMENT**

All necessary permits for the construction of the CIP have been or will be obtained in the normal course by the Developer or the District prior to commencing construction, and include the following (as needed):

- SFWMD Environmental Resource Permit (Individual)
- SFWMD Consumptive Use Permit
- USACOE SAJ 90
- USFWS
- Osceola County Site Development Plan (SDP)
- FDEP NPDES
- City Utility Construction Permits.
- FDEP Potable Water
- FDEP Wastewater

**5. OPINION OF PROBABLE CONSTRUCTION COSTS**

Table 5.1 shown below presents, among other things, the Opinion of Probable Cost for the CIP. It is our professional opinion that the estimated costs set forth in Table 5.1 are both reasonable and consistent with market pricing for the CIP.

**TABLE 5.1**

<u>Facility Description</u>	<u>CIP Costs</u>
Roadways	\$3,530,000
Stormwater Management	\$3,955,700
Utilities (Water, Sewer, Reclaim)	\$5,320,000
Hardscape/Landscape/Irrigation/Trails	\$ 553,100
Undergrounding of Conduit	\$ 736,000
Environmental Conservation/Mitigation	\$ 428,000
Professional Services	\$ 780,000
Contingency (15%)	<u>\$2,295,420</u>
<b>TOTAL</b>	<b>\$17,598,220</b>

\* The probable costs estimated herein do not include anticipated carrying cost, interest reserves or other anticipated District expenditures that may be incurred.

The CIP will be designed in accordance with current governmental regulations and requirements. The CIP will serve its intended function so long as the construction is in substantial compliance with the design.

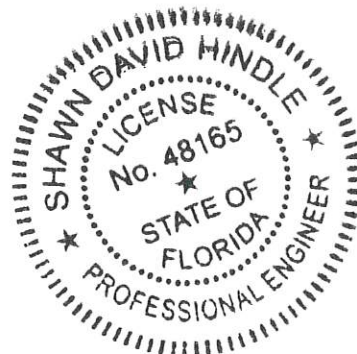
The cost estimates provided are reasonable to complete the required improvements and it is our professional opinion that the infrastructure improvements comprising the CIP will serve as a system of improvements that benefit and add value to all lands within the District. The cost estimates are based on prices currently being experienced in the County and FDOT Basis of Estimates Cost Area 7. Actual costs may vary depending on final engineering and approvals from regulatory agencies as well as other economic factors. It is further our opinion that the improvement plan is feasible, that there are no technical reasons existing at this time that would prevent the implementation of the CIP, and that it is reasonable to assume that all necessary regulatory approvals will be obtained in due course.

In sum, it is our opinion that: (1) the estimated cost of the CIP set forth herein to be paid by the District is not greater than the lesser of the actual cost or fair market value of such infrastructure; (2) that the CIP is feasible; and (3) that the assessable property within the District will receive a special benefit from the CIP that is at least equal to such costs.

Please note that the CIP as presented herein is based on current plans and market conditions which are subject to change. Accordingly, the CIP, as used herein, refers to sufficient public infrastructure of the kinds described herein (i.e., stormwater/floodplain management, sanitary sewer, potable water, etc.) to support the development and sale of the planned 311 residential units in the District, which (subject to true-up determinations) number and type of units may be changed with the development of the site. Stated differently, during development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans, and this report may be supplemented or amended to reflect the same, and the District expressly reserves the right to do so.

  
Shawn Hindle, P.E.  
FL License No. 48165

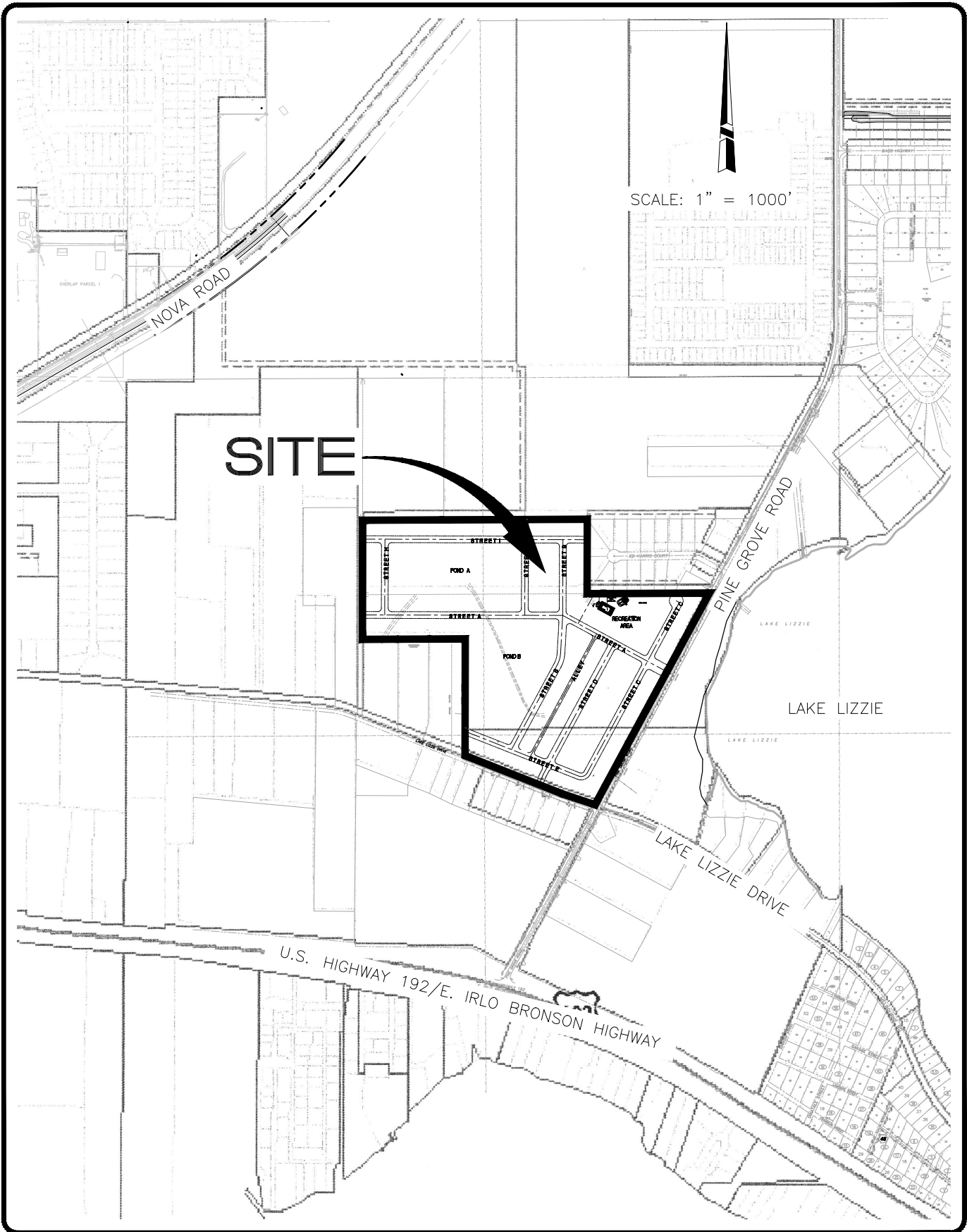
Date November 2, 2022



## APPENDIX

**Appendix  
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<b>Exhibit 2.1</b>	<b>Location Map</b>
<b>Exhibit 2.2</b>	<b>District Boundaries</b>
<b>Exhibit 2.3</b>	<b>Existing Utilities</b>
<b>Exhibit 2.4</b>	<b>Existing Drainage Map</b>
<b>Exhibit 3.1</b>	<b>Proposed Site Plan</b>



I:\5390\ENGINEERING\CADD\PLANS\EXHIBITS\2022 11-02 UPDATED\2.1 s5390\_LOCATION MAP EXHIBIT.dwg \* Nov 22, 2022-10:31am \* plotted by KHaslam



8 BROADWAY AVENUE, SUITE 104, FLORIDA 34741-5481  
 PHONE: (407) 847-9433 FAX: (407) 847-2499  
 ENG. CERT. OF AUTHOR. No. 3265/SUR. CERT. OF AUTHOR. No. 3270  
 ENGINEERING, SURVEYING AND PLANNING



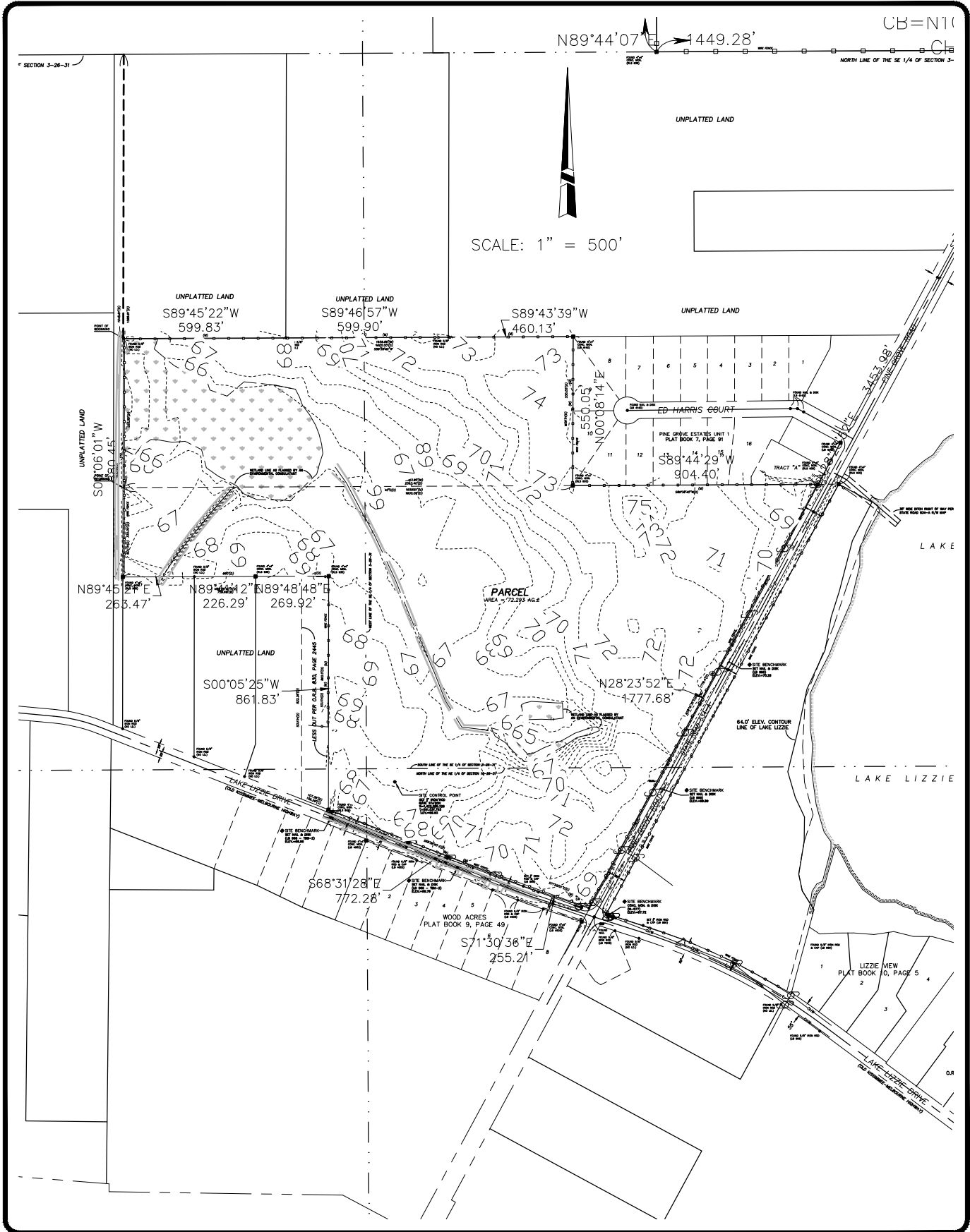
**HANSON, WALTER & ASSOCIATES, INC.**

**LAKE LIZZIE CDD**

**LOCATION MAP**

DATE 11/02/2022

EXHIBIT 2.1



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HANSON, WALTER & ASSOCIATES, INC.

LAKE LIZZIE CDD

DISTRICT BOUNDARIES

DATE 11/02/2022 EXHIBIT 2.2 SHEET 1 OF 2

## LEGAL DESCRIPTION:

PER CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT  
FILE No. 20200389, DATED JULY 29, 2020 AT 5:00PM

### PARCEL:

From the Northwest corner of the Southwest 1/4 of  
Section 3, Township 26 South, Range 31 East, Osceola County, Florida, run  
N89°68'40"E, along the North line of said Southwest 1/4, 1740.00 feet; run thence  
South, parallel to the West line of said Southwest 1/4, 1048.61 feet to the Point of  
Beginning; continue South, 550.00 feet; run thence N89°38'40"E, 1660.00 feet; run thence  
North, parallel to the West line of said Southwest 1/4, 550.00 feet; run thence  
S89°38'40"W, 1660.00 feet to the Point of Beginning.

### TOGETHER WITH:

From the Northwest corner of the Southwest 1/4 of  
Section 3, Township 26 South, Range 31 East, Osceola County, Florida, run  
N89°38'40"E, along the North line of said Southwest 1/4, 1740.0 feet; run thence  
South, parallel to the West line of said Southwest 1/4, 1598.61 feet to the Point of  
Beginning; continue South, 330.0 feet, run thence N89°38'40"E, 660.0 feet; run thence  
South 822.26 feet to a point 25.0 feet off the centerline of Old Kissimmee-Melbourne  
Road; run thence S68°38'10"E, parallel to the centerline of said road, 878.57 feet, run  
thence S71°25'51"E, parallel to said centerline, 255.21 feet; run thence N28°16'35"E along  
the Westerly Right of Way line of State Road 534-A, 1778.4 feet; run thence  
S89°38'40"W, 2563.40 feet to the Point of Beginning, being in  
Sections 3 and 10, Township 26 South, Range 31 East, Osceola County, Florida; LESS  
AND EXCEPT: from the Northwest corner of the Southwest 1/4 of Section 3, run  
N89°38'40"E, along the North line of said Southwest 1/4, 170.0 feet; run thence  
South, parallel to the West line of said Southwest 1/4, 1928.61 feet; run thence  
N89°38'40"E, 660.0 feet to the Point of Beginning; continue N89°38'40"E, 100.0 feet; run  
thence South, 862.0 feet to the North Right of Way line of the Old Kissimmee-Melbourne  
Road; run thence N68°38'10"W, 107.38 feet along said Right of Way; run thence  
North, 822.26 feet to the Point of Beginning.

Total Area is 72.18 AC.



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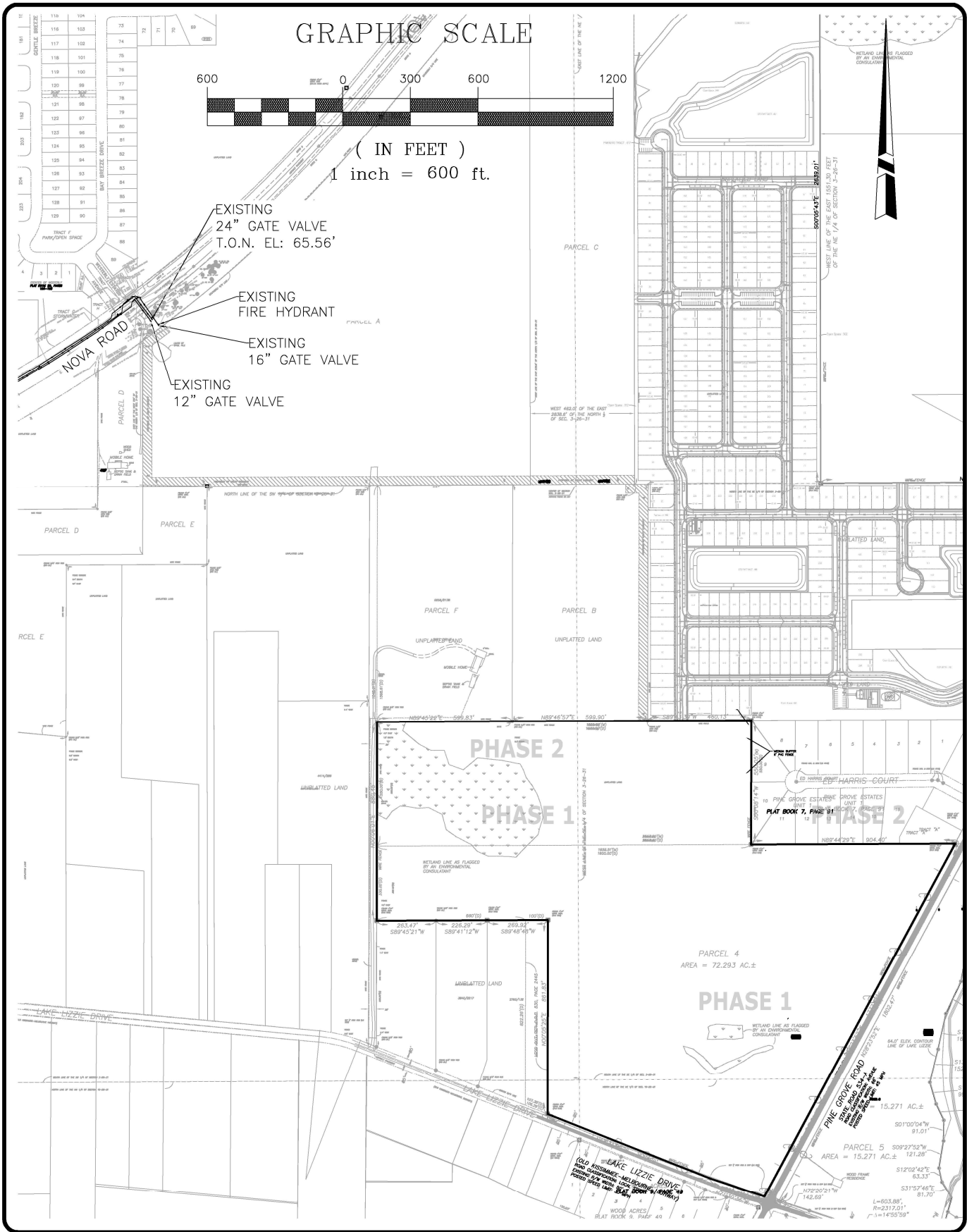


**HANSON, WALTER & ASSOCIATES, INC.**

**LAKE LIZZIE CDD**

**DISTRICT BOUNDARIES**

DATE 11/02/2022 EXHIBIT 2.2 SHEET 2 OF 2



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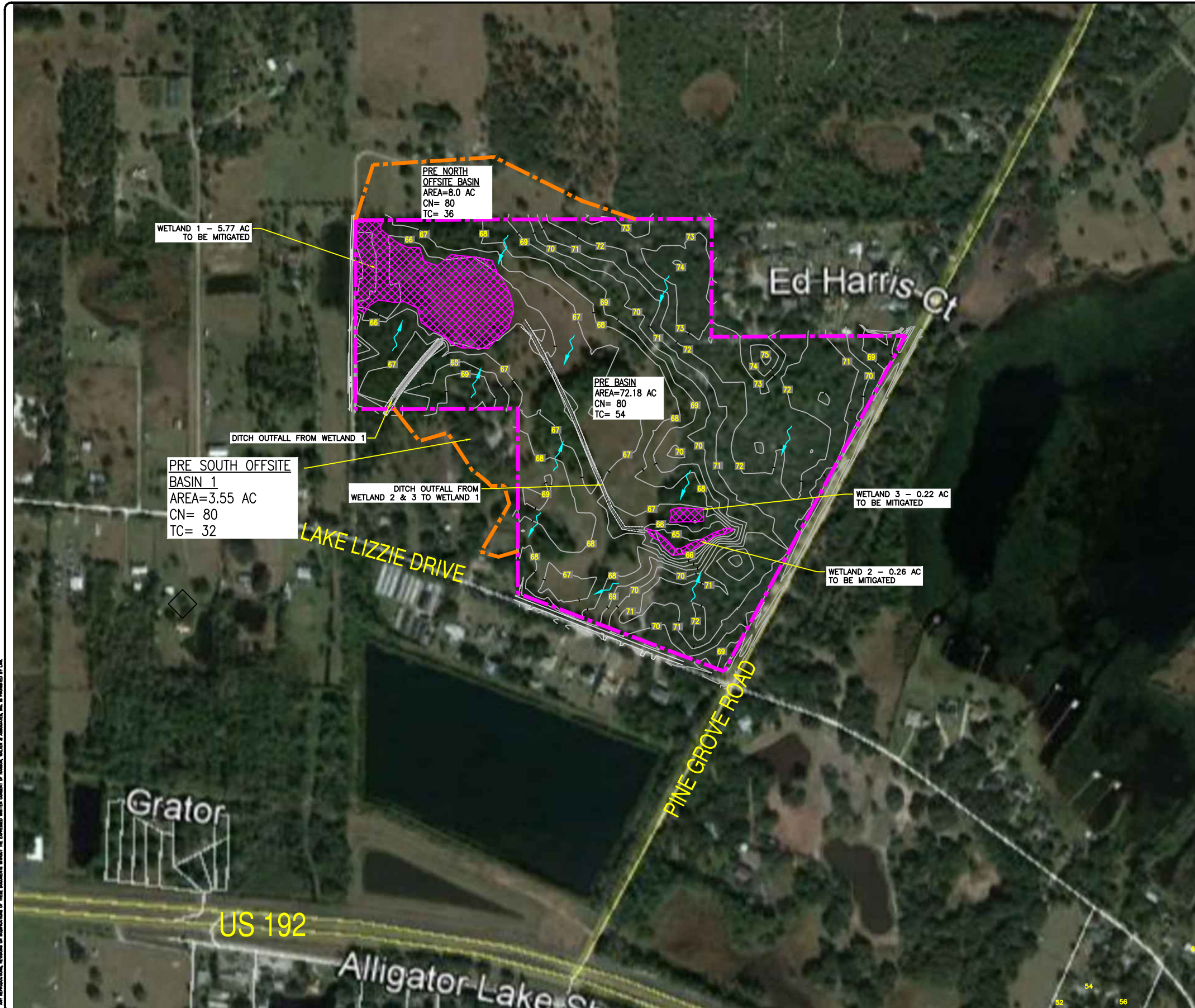
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LAKE LIZZIE CDD

EXISTING UTILITIES

DATE 11/02/2022 EXHIBIT 2.3





- NODES**  
 A = STAGE/AREA  
 V = STAGE/VOLUME  
 T = TIME/STAGE  
 M = MANHOLE
- BASINS**  
 O = OVERLAND FLOW  
 U = SCS UNIT CN  
 S = SBUH CN  
 Y = SCS UNIT GA  
 Z = SBUH GA
- LINKS**  
 P = PIPE  
 W = WEIR  
 C = CHANNEL  
 D = DROP STRUCTURE  
 B = BRIDGE  
 R = RATING CURVE  
 H = BREACH  
 E = PERCOLATION  
 F = FILTER  
 X = EXFIL TRENCH

T: BNDRY
U: PRE BASIN
U: PRE NORTH OFFSITE BASIN
U: PRE SOUTH OFFSITE BASIN

**PRE BASIN INFORMATION**

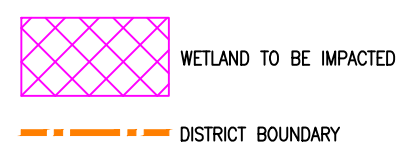
Land Use	Area (ac)		Area (sf)		Percent (%)
Building Roof Area	0.00	or	0	or	0.00
Wet Detention Pond	0.00	or	0	or	0.00
Pervious	65.93	or	2871773	or	91.34
Impervious	0.00	or	0	or	0.00
Wetlands	6.25	or	272387	or	8.66
<b>TOTAL</b>	<b>72.18</b>		<b>3,144,160</b>		<b>100</b>

**PRE NORTH OFFSITE BASIN INFORMATION**

Land Use	Area (ac)		Area (sf)		Percent (%)
Building Roof Area	0.00	or	0	or	0.00
Wet Detention Pond	0.00	or	0	or	0.00
Pervious	8.00	or	348480	or	100.00
Impervious	0.00	or	0	or	0.00
Wetlands	0.00	or	0	or	0.00
<b>TOTAL</b>	<b>8.00</b>		<b>348,480</b>		<b>100</b>

**PRE SOUTH BASIN INFORMATION**

Land Use	Area (ac)		Area (sf)		Percent (%)
Building Roof Area	0.00	or	0	or	0.00
Wet Detention Pond	0.00	or	0	or	0.00
Pervious	3.55	or	154657	or	100.00
Impervious	0.00	or	0	or	0.00
Wetlands	0.00	or	0	or	0.00
<b>TOTAL</b>	<b>3.55</b>		<b>154,657</b>		<b>100</b>



DESIGN	CH	F.B. NO.		SEC.	03
DRAWN	RS	PAGE		TWP.	26 S
CHECKED	RN	SCALE	AS SHOWN	RANGE	31 E
CAD#		DATE	11/02/22		
DATE	BY	REVISIONS			

8 BROADWAY, SUITE 104, KISSIMMEE, FLORIDA 34741-5708  
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**HWA**  
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**Hanson, Walter & Associates, Inc.**

LAKE LIZZIE CDD

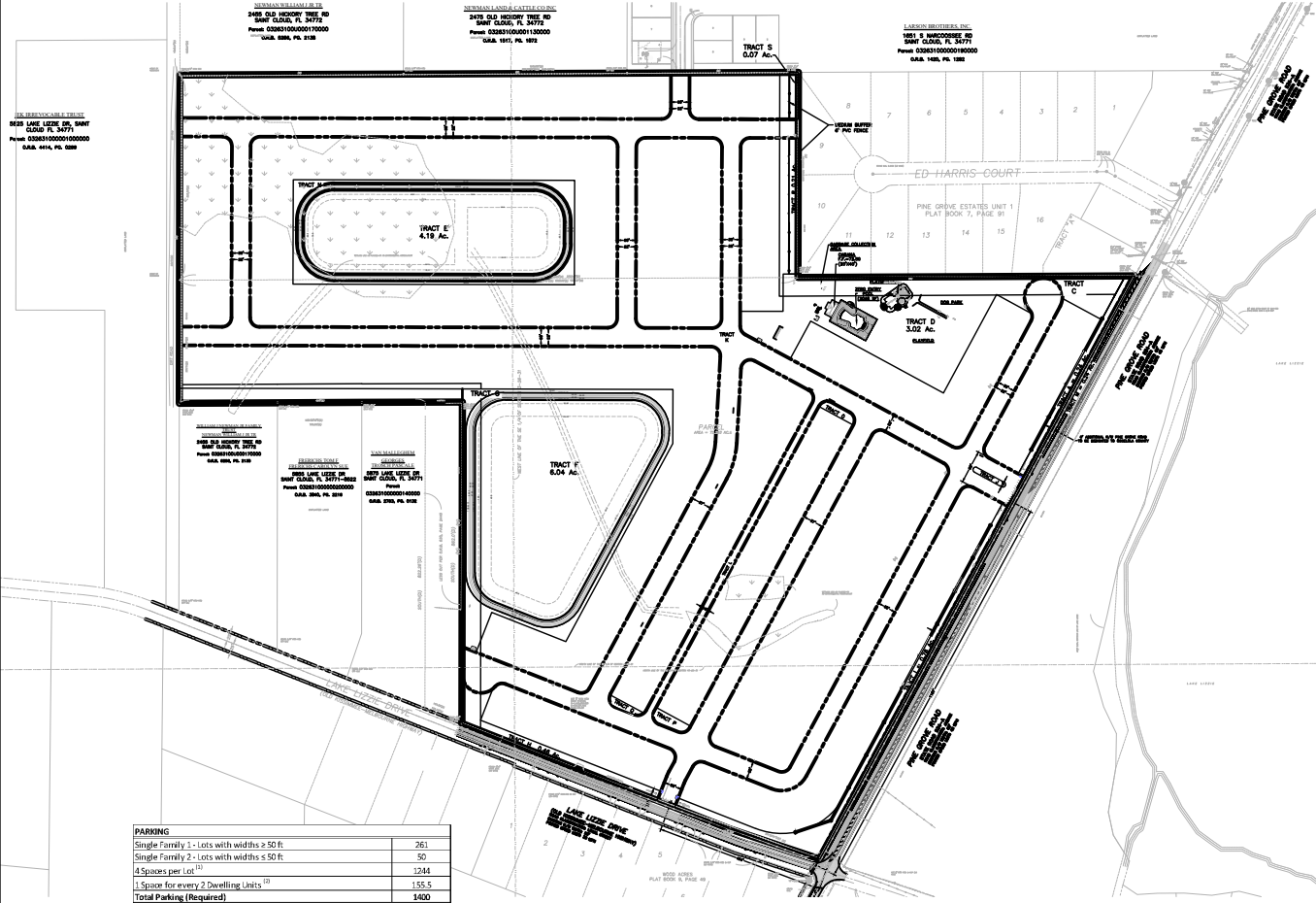
EXISTING DRAINAGE MAP

EXHIBIT 2.4  
 11/02/22  
 JOB No. 5390

**Legend**

- JURISDICTIONAL WETLAND (TO BE MITIGATED)
- EXISTING PAVEMENT FOR LAKE LIZZIE RD. & PINE GROVE RD.
- PROPOSED PAVEMENT FOR INTERNAL ROAD
- PROPOSED CONCRETE
- NUMBER OF PARKING SPACES

TRACT	ACREAGE	PLANNED USE	OWNERSHIP	MAINTENANCE
TRACT A	0.24 AC	OPEN SPACE/LANDSCAPE AREA	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT B	0.32 AC	OPEN SPACE/LANDSCAPE AREA	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT C	3.02 AC	RECREATIONAL AREA	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT D	4.19 AC	OPEN SPACE/WATER MANAGEMENT/LANDSCAPE	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT E	6.04 AC	OPEN SPACE/WATER MANAGEMENT/LANDSCAPE	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT F	1.48 AC	OPEN SPACE/LANDSCAPE AREA	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT G	0.46 AC	OPEN SPACE/LANDSCAPE AREA	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT H	0.46 AC	OPEN SPACE/LANDSCAPE AREA	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT I	0.76 AC	OPEN SPACE/LANDSCAPE AREA	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT J	0.03 AC	OPEN SPACE/LANDSCAPE AREA	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT K	12.41 AC	PUBLIC ROADWAY (STREET A - STREET H)	OSCEOLA COUNTY	OSCEOLA COUNTY
TRACT L	0.46 AC	PRIVATE (ALLEY)	DISTRICT	DISTRICT
TRACT M	0.24 AC	DEDICATED R/W AREA	DISTRICT	DISTRICT
TRACT N	0.68 AC	OPEN SPACE/LANDSCAPE AREA	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT O	0.06 AC	OPEN SPACE/LANDSCAPE AREA	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT P	0.07 AC	OPEN SPACE/LANDSCAPE AREA	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT Q	0.04 AC	OPEN SPACE/LANDSCAPE AREA	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT R	0.21 AC	OPEN SPACE/LANDSCAPE AREA	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.
TRACT S	0.07 AC	OPEN SPACE/LANDSCAPE AREA	DISTRICT	DISTRICT & HOMEOWNERS ASSOC.



PARKING		
Single Family 1 - Lots with widths > 50 ft		261
Single Family 2 - Lots with widths > 50 ft		50
4 Spacers per Lot <sup>(1)</sup>		1244
1 Spacer for every 2 Dwelling Units <sup>(2)</sup>		155.5
<b>Total Parking (Required)</b>		<b>1400</b>
<b>Provided</b>		
Parking per Front Dwelling (246) (2 Car Garage + 2 Car Driveway)		984
Parking per Rear Load Dwelling (53) (2 Car Driveway)		208
Parking per Side Load Dwelling (13) (2 Car Garage + 2 Car Driveway)		52
On-Street Parking and Parking lot		156
<b>Total Parking Provided</b>		<b>1400</b>

1) Parking Requirement based upon IDC 4.7.8  
2) Parking Requirement based upon IDC 4.6.1.B

SITE FABRICATION FOR PHASE 1	Total
Project Area (Total)	77,290
Single Family 1 - Lots with widths > 50 ft	44
Single Family 2 - Lots with widths > 50 ft	57
Lots (Phase 1)	101

RECREATION CALCULATION	Name	Area (sq)	Credit Allocation	Rec. Credit (sq)
TRACT D - Recreation Tract (Includes Cabana and Pool)		4.19	1:1 ratio (Open Credit Area)	4.19
Adjusted Recreation Credit (Building Amenity) (Play Structure)		8,382 sq ft	1 acre for 8,000 of Building Amenity	1.74
Adjusted Recreation Credit (Non-Building Amenity) (Dog Park)		6,000 sq ft	1 acre for 25,000 of Non-Building Amenity	0.24
Adjusted Recreation Credit (Non-Building Amenity)		13,500 sq ft	1 acre for 25,000 of Non-Building Amenity	0.54
TRACT E-F - Stormwater Pond		6.04	20% of pond	1.21
<b>Total Recreation Provided</b>				<b>6.88</b>
Recreation Required per IDC 4.10.2.1 (1 ac per 50 lot)				1.99

SITE FABRICATION FOR PHASE 2	Total
Project Area (Total)	77,290
Single Family 1 - Lots with widths > 50 ft	118
Single Family 2 - Lots with widths > 50 ft	1
Lots (Phase 2)	119

RECREATION CALCULATION	Name	Area (sq)	Credit Allocation	Rec. Credit (sq)
TRACT D - Recreation Tract (Includes Cabana and Pool Area)		4.19	1:1 ratio (Open Credit Area)	4.19
Adjusted Recreation Credit (Building Amenity) (Play Structure)		8,382 sq ft	1 acre for 8,000 of Building Amenity	1.84
Adjusted Recreation Credit (Non-Building Amenity) (Dog Park)		6,000 sq ft	1 acre for 25,000 of Non-Building Amenity	0.24
Adjusted Recreation Credit (Non-Building Amenity)		6,000 sq ft	1 acre for 25,000 of Non-Building Amenity	0
TRACT E-F - Stormwater Pond		4.19	20% of pond	0.84
<b>Total Recreation Provided</b>				<b>6.89</b>
Recreation Required per IDC 4.10.2.1 (1 ac per 50 lot)				1.99

SITELABULATION	Total
Project Area	77,290
Lots	311

RECREATION CALCULATION	Name	Area (sq)	Credit Allocation	Rec. Credit (sq)
TRACT D - Recreation Tract		4.19	1:1 ratio (Open Credit Area)	4.19
Adjusted Recreation Credit (Building Amenity) (Play Structure)		11,780 sq ft	1 acre for 5,000 of Building Amenity	2.36
Adjusted Recreation Credit (Non-Building Amenity) (Dog Park)		6,000 sq ft	1 acre for 25,000 of Non-Building Amenity	0.24
Adjusted Recreation Credit (Non-Building Amenity)		13,500 sq ft	1 acre for 25,000 of Non-Building Amenity	0.54
TRACT E-F - Stormwater Pond		10.23	20% of pond	2.05
<b>Total Recreation Provided</b>				<b>9.09</b>
Recreation Required per IDC 4.10.2.1 (1 ac per 50 lot)				6.72
Additional Area of Recreation Above Requirement (IDC 4.10.2.A.6)			2:1 ratio towards open space	1.79

OPEN SPACE CALCULATION	Name	Area (sq)	Credit Allocation	Rec. Credit (sq)
TRACT A - Open Space/Landscape Area		0.24	1:1 ratio	0.24
TRACT B - Open Space/Landscape Area		0.32	1:1 ratio	0.32
TRACT C - Recreational Area		3.02	1:1 ratio	3.02
TRACT D - Open Space/Water Management/Landscape		4.19	1:1 ratio or OWE (Up to 50% Total Open Space)	2.10
TRACT E - Open Space/Water Management/Landscape		6.04	1:1 ratio or OWE (Up to 50% Total Open Space)	3.02
TRACT F - Open Space/Landscape Area		1.48	1:1 ratio	1.48
TRACT G - Open Space/Landscape Area		0.46	1:1 ratio	0.46
TRACT H - Open Space/Landscape Area		0.46	1:1 ratio	0.46
TRACT I - Open Space/Landscape Area		0.76	1:1 ratio	0.76
TRACT J - Open Space/Landscape Area		0.03	1:1 ratio	0.03
TRACT K - Public Roadway (Street A - Street H)		12.41	1:1 ratio	12.41
TRACT L - Private (Alley)		0.46	1:1 ratio	0.46
TRACT M - Dedicated R/W Area		0.24	1:1 ratio	0.24
TRACT N - Open Space/Landscape Area		0.68	1:1 ratio	0.68
TRACT O - Open Space/Landscape Area		0.06	1:1 ratio	0.06
TRACT P - Open Space/Landscape Area		0.07	1:1 ratio	0.07
TRACT Q - Open Space/Landscape Area		0.04	1:1 ratio	0.04
TRACT R - Open Space/Landscape Area		0.21	1:1 ratio	0.21
TRACT S - Open Space/Landscape Area		0.07	1:1 ratio	0.07
Note: Tract K, L & M are not included in Open Space				
Excess Recreational Space		1.79	2:1 ratio	0.55
<b>Total Open Space Provided</b>				<b>18.09</b>
Open Space Required per IDC 4.10.1 (100% of Project Area)				14.46

**HANSON, WALTER & ASSOCIATES, INC.**  
 8 BROADWAY AVENUE, SUITE 104, FLORIDA 34741-5481  
 PHONE: (407) 847-9433 FAX: (407) 847-2499  
 ENG. CERT. OF AUTHOR. No. 3265/SUR. CERT. OF AUTHOR. No. 3270  
 ENGINEERING, SURVEYING AND PLANNING

**LAKE LIZZIE CDD**  
**PROPOSED SITE PLAN**  
 DATE 11/02/2022 EXHIBIT 3.1

# SECTION 3

**MASTER  
ASSESSMENT METHODOLOGY  
  
FOR  
LAKE LIZZIE  
COMMUNITY DEVELOPMENT DISTRICT**

**Date: November 2, 2022**

**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 Lake Lizzie 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 Lake Lizzie Community Development District with financial advisory services or offer investment advice in any form.**

## **1.0 Introduction**

The Lake Lizzie Community Development District is a local unit of special-purpose government organized and existing under Chapter 190, Florida Statutes, as amended (the “District”). The District plans to issue up to \$25,250,000 of tax exempt bonds in one or more series (the “Bonds”) for the purpose of financing certain infrastructure improvements within the District, more specifically described in the Master Engineer’s Report dated November 2, 2022 prepared by Hanson, Walter & Associates, Inc. as may be amended and supplemented from time to time (the “Engineer’s Report”). The District anticipates the construction of public infrastructure improvements consisting of improvements that benefit property owners within the District.

### **1.1 Purpose**

This Master Assessment Methodology Report (the “Assessment Report”) provides for an assessment methodology for allocating the debt to be incurred by the District to benefiting properties within the District. This Assessment Report allocates the debt to properties based on the special benefits each receives from the District’s capital improvement plan (“CIP”), more specifically described in the Engineer’s Report. 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, 197 and 170, Florida Statutes with respect to special assessments and is consistent with our understanding of case law on this subject.

The District intends to impose non ad valorem special assessments on the benefited lands 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 of collection 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 72.18 acres within unincorporated Osceola County, Florida. The development program currently envisions approximately 311 residential units (herein the “Development”). The proposed Development program is depicted in Table 1. It is recognized that such land use plan may change, and this Assessment Report will be modified accordingly.

The public improvements contemplated by the District in the CIP will provide facilities that benefit certain property within the District. The CIP is delineated in the Engineer's Report. Specifically, the District will construct and/or acquire certain roadways, stormwater management, utilities (water, sewer and reclaim), hardscape/landscape/irrigation/trails, undergrounding of conduit, environmental conservation/mitigation, professional fees and contingency. The CIP estimated 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 that may be provided by the District and the costs to implement the CIP.
2. The District Engineer determines the assessable acres that benefit from the District's CIP.
3. A calculation is made to determine the funding amounts necessary to acquire and/or construct CIP.
4. This amount is initially divided equally among the benefited properties on a prorated gross acreage basis. Ultimately, as land is platted, site planned, or subjected to a declaration of condominiums, this amount will be assigned to each of the benefited properties based on an ERU basis.

### **1.3 Special Benefits and General Benefits**

Improvements undertaken by the District create special and peculiar benefits to the assessable property, different in kind and degree than general benefits, for properties outside 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 the assessable property within the District. The implementation of the CIP enables properties within its boundaries to be developed. Without the District's CIP, there would be no infrastructure to support development of land within the District. Without these improvements, the proposed Development of the property within the District would be prohibited by law.

There is no doubt that the general public and property owners outside the District will benefit from the provision of the District's CIP. However, these benefits will be incidental to the District's CIP, which is designed solely to meet the needs of property within the District. Properties outside the District boundaries do not depend upon the District's CIP. The property owners within the District are therefore receiving special benefits not received by those outside the District's boundaries.

## **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 requirements for valid special assessments.

## **1.5 Special Benefits Exceed the Costs Allocated**

The special benefits provided to the property owners within the District are greater than the costs associated with providing these benefits. The District Engineer estimates that the District's CIP that is necessary to support full development of property will cost approximately \$17,598,220. 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 \$25,250,000. Additionally, funding required to complete the CIP which is not financed with Bonds will be funded by Hanover Tyson, LLC or a related entity (the "Developer"). Without the CIP, the property would not be able to be developed per the Development program and occupied by future residents of the community.

## **2.0 Assessment Methodology**

### **2.1 Overview**

The District is planning to issue up to \$25,250,000 in Bonds, in one or more series to fund the District's CIP, provide for capitalized interest, a debt service reserve account and cost of issuance. It is the purpose of this Assessment Report to allocate the \$25,250,000 in debt to the properties benefiting from the CIP.

Table 1 identifies the proposed land uses as identified by the Developer and current landowners of the land within the District. The District has relied on the Engineer's Report to develop the costs of the CIP needed to support the Development, these construction costs are outlined in Table 2. The improvements needed to support the Development are described in detail in the Engineer's Report and are estimated to cost \$17,598,220. Based on the estimated costs, the size of the Bond issue under current market conditions needed to generate funds to pay for the CIP and related costs was



determined by the District's Underwriter to total approximately \$25,250,000. Table 3 shows the breakdown of the bond sizing.

## **2.2 Allocation of Debt**

Allocation of debt is a continuous process until the Development plan is completed. The CIP funded by District Bonds benefits all developable acres within the District.

The initial assessments will be levied on an equal basis to all acres within 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 the District are benefiting from the improvements.

Once platting, site planning, or the recording of declaration of condominium, ("Assigned Properties") has begun, the assessments will be allocated 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 Development plan will be completed and the debt relating to the Bonds will be allocated to the planned 311 residential units within the District, which are the beneficiaries of the CIP, as depicted in Table 5 and Table 6. If there are changes to the 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

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 CIP consists of roadways, stormwater management, utilities (water, sewer and reclaim), hardscape/landscape/irrigation/trails, undergrounding of conduit, environmental conservation/mitigation, professional fees and contingency. There are two residential product types within the planned Development. The Single Family 50' home has been set as the base unit and has been assigned one equivalent residential unit ("ERU"). Table 4 shows the allocation of the CIP costs and Bond debt to the particular land uses. It is important to note that the benefit derived from the improvements 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 CIP will provide several types of systems, facilities and services for its residents. These include roadways, stormwater management, utilities (water, sewer and reclaim), hardscape/landscape/irrigation/trails, undergrounding of conduit, environmental conservation/mitigation, professional fees and contingency. 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.

Once these determinations are made, they are reviewed in the light of the special benefits peculiar to the property, which flow to the properties as a result of their logical connection from the improvements in fact actually provided.

For the provision of CIP, 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 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 CIP 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 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 adjustment 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 plus accrued interest 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 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 Tables 6 and 7. If the land use plan changes, then the District will update Tables 1, 4, 5 & 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 in the District prior to the time final Assigned Properties become known. At this time the debt associated with the District's CIP will be distributed evenly across the acres 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  
 LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT  
 DEVELOPMENT PROGRAM  
 MASTER ASSESSMENT METHODOLOGY

Product Types	No. of Units *	Totals	ERUs per Unit (1)	Total ERUs
Single Family 34'	52	52	0.75	39
Single Family 50'	259	259	1.00	259
Total Units	311	311		298

(1) Benefit is allocated on an ERU basis; based on density of planned development, with a Single Family 50' unit equal to one ERU.

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

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 2  
 LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT  
 INFRASTRUCTURE COST ESTIMATES  
 MASTER ASSESSMENT METHODOLOGY

Capital Improvement Plan ("CIP") (1)	Total Cost Estimate
Roadways	\$3,530,000
Stormwater Management	\$3,955,700
Utilities (Water, Sewer, Reclaim)	\$5,320,000
Hardscape/Landscape/Irrigation/Trails	\$553,100
Undergrounding of Conduit	\$736,000
Environmental Conservation/Mitigation	\$428,000
Professional Fees	\$780,000
Contingency (15%)	\$2,295,420
	<b>\$17,598,220</b>

(1) A detailed description of these improvements is provided in the Master Engineer's Report dated November 2, 2022

Prepared by: Governmental Management Services - Central Florida, LLC

**TABLE 3**  
**LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT**  
**BOND SIZING**  
**MASTER ASSESSMENT METHODOLOGY**

<b>Description</b>	<b>Total</b>
Construction Funds	\$17,598,220
Debt Service Reserve	\$2,349,527
Capitalized Interest	\$4,292,500
Underwriters Discount	\$500,000
Cost of Issuance	\$505,000
Rounding	\$4,753
<b>Par Amount*</b>	<b>\$25,250,000</b>

Bond Assumptions:

Average Coupon	8.50%
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**  
**LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT**  
**ALLOCATION OF BENEFIT**  
**MASTER ASSESSMENT METHODOLOGY**

Product Types	No. of Units *	ERU Factor	Total ERUs	% of Total ERUs	Total Improvements	
					Costs Per Product Type	Improvement Costs Per Unit
Single Family 34'	52	0.75	39.0	13.09%	\$2,303,123	\$44,291
Single Family 50'	259	1.00	259.0	86.91%	\$15,295,097	\$59,054
Totals	311		298	100.00%	\$17,598,220	

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

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 5  
 LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT  
 ALLOCATION OF TOTAL BENEFIT/PAR DEBT TO EACH PRODUCT TYPE  
 MASTER ASSESSMENT METHODOLOGY

Product Types	No. of Units *	Total Improvements Costs Per Product Type	Allocation of Par Debt Per Product Type	Par Debt Per Unit
Single Family 34'	52	\$2,303,123	\$3,304,530	\$63,549
Single Family 50'	259	\$15,295,097	\$21,945,470	\$84,732
Totals	311	\$17,598,220	\$25,250,000	

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

Prepared by: Governmental Management Services - Central Florida, LLC



**TABLE 6**  
**LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT**  
**PAR DEBT AND ANNUAL ASSESSMENTS FOR EACH PRODUCT TYPE**  
**MASTER ASSESSMENT METHODOLOGY**

Product Types	No. of Units *	Allocation of Par Debt Per Product Type	Total Par Debt Per Unit	Maximum Annual Debt Service	Net Annual Debt Assessment Per Unit	Gross Annual Debt Assessment Per Unit (1)
Single Family 34'	52	\$3,304,530	\$63,549	\$307,488	\$5,913.24	\$6,290.68
Single Family 50'	259	\$21,945,470	\$84,732	\$2,042,039	\$7,884.32	\$8,387.57
Totals	311	\$25,250,000		\$2,349,527		

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

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

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 7  
 LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT  
 PRELIMINARY ASSESSMENT ROLL  
 MASTER ASSESSMENT METHODOLOGY

Owner	Property*	Net Acres	Total Par Debt Allocation Per Acre	Total Par Debt Allocated	Net Annual Debt Assessment Allocation	Gross Annual Debt Assessment Allocation (1)
Hanover Tyson LLC	03-26-31-0000-0012-0000	20.94	\$349,820	\$7,325,229	\$681,616.73	\$725,124
Hanover Tyson LLC	03-26-31-0000-0016-0000	42.14	\$349,820	\$14,741,410	\$1,371,696.70	\$1,459,252
Hanover Tyson LLC	10-26-31-0000-0080-0000	9.10	\$349,820	\$3,183,361	\$296,213.57	\$315,121
Totals		72.18		\$14,741,410	\$2,349,527	\$2,499,497

(1) This amount includes 6% to cover collection fees and early payment discounts when collected utilizing the uniform method.

Annual Assessment Periods	30
Average Coupon Rate (%)	8.50%
Maximum Annual Debt Service	\$2,349,527

\* - See Metes and Bounds, attached as Exhibit A

Prepared by: Governmental Management Services - Central Florida, LLC

Exhibit A

*LEGAL DESCRIPTION:*

PER CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT  
FILE No. 20200389, DATED JULY 29, 2020 AT 5:00PM

**PARCEL:**

From the Northwest corner of the Southwest 1/4 of  
Section 3, Township 26 South, Range 31 East, Osceola County, Florida, run  
N89°68'40"E, along the North line of said Southwest 1/4, 1740.00 feet; run thence  
South, parallel to the West line of said Southwest 1/4, 1048.61 feet to the Point of  
Beginning; continue South, 550.00 feet; run thence N89°38'40"E, 1660.00 feet; run thence  
North, parallel to the West line of said Southwest 1/4, 550.00 feet; run thence  
S89°38'40"W, 1660.00 feet to the Point of Beginning.

**TOGETHER WITH:**

From the Northwest corner of the Southwest 1/4 of  
Section 3, Township 26 South, Range 31 East, Osceola County, Florida, run  
N89°38'40"E, along the North line of said Southwest 1/4, 1740.0 feet; run thence  
South, parallel to the West line of said Southwest 1/4, 1598.61 feet to the Point of  
Beginning; continue South, 330.0 feet, run thence N89°38'40"E, 660.0 feet; run thence  
South 822.26 feet to a point 25.0 feet off the centerline of Old Kissimmee-Melbourne  
Road; run thence S68°38'10"E, parallel to the centerline of said road, 878.57 feet, run  
thence S71°25'51"E, parallel to said centerline, 255.21 feet; run thence N28°16'35"E along  
the Westerly Right of Way line of State Road 534-A, 1778.4 feet; run thence  
S89°38'40"W, 2563.40 feet to the Point of Beginning, being in  
Sections 3 and 10, Township 26 South, Range 31 East, Osceola County, Florida; **LESS  
AND EXCEPT:** from the Northwest corner of the Southwest 1/4 of Section 3, run  
N89°38'40"E, along the North line of said Southwest 1/4, 170.0 feet; run thence  
South, parallel to the West line of said Southwest 1/4, 1928.61 feet; run thence  
N89°38'40"E, 660.0 feet to the Point of Beginning; continue N89°38'40"E, 100.0 feet; run  
thence South, 862.0 feet to the North Right of Way line of the Old Kissimmee-Melbourne  
Road; run thence N68°38'10"W, 107.38 feet along said Right of Way; run thence  
North, 822.26 feet to the Point of Beginning.

Total Area is 72.18 AC.



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ENG. CERT. OF AUTHOR. No. 3265/SUR. CERT. OF AUTHOR. No. 3270  
ENGINEERING, SURVEYING AND PLANNING



**HANSON, WALTER & ASSOCIATES, INC.**

**LAKE LIZZIE CDD**

**LEGAL DESCRIPTION**

DATE 03/24/2022

SHEET 1 OF 2

# SECTION 5

**RESOLUTION 2023- 34**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKE LIZZIE 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 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**, Lake Lizzie 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 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 LAKE LIZZIE 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 certain infrastructure improvements (the “**Improvements**”).

(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 project (the “**Project**”), the nature and location of which was initially described in Resolution 2023-24 and more particularly described in the *Master Engineer’s Report*, dated November 2, 2022 (the “**Engineer’s Report**”) (attached as **Exhibit A** hereto and incorporated herein by this reference), and which Project’s plans and specifications are on file at 219 East Livingston Street, Orlando, Florida 32801 (“**District Manager’s Offices**”); (ii) the cost of such Project be assessed against the lands specially benefited by such Project; and (iii) the District issue bonds to provide funds for such purposes pending the receipt of such special assessments.

(e) The provision of said Project, the levying of such 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 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 bonds, in one or more series (the “**Bonds**”).

(g) By Resolution 2023-24, the Board determined to provide the Project and to defray the costs thereof by making Assessments on benefited property and expressed an intention to issue Bonds, notes or other specific financing mechanisms to provide a portion of the funds needed for the Project prior to the collection of such Assessments. Resolution 2023-24 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 2023-24, said Resolution 2023-24 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 2023-24, 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 2023-25, 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 so improved 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) Due to publisher's error, the notice of such public hearing was not published for the public hearing date, time and place established by Resolution 2023-25, and, in response to same, the Chairman and District Manager reset the public hearing to February 1, 2023, at 12:30 p.m. at the same location in order to meet the statutory publication requirements.

(l) Notice of such reset 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.

(m) Prior to the reset public hearing for such assessments, the Chairman and District Manager's decision to reset the public hearing to allow for proper notice of such public hearing in accordance with Florida law was ratified, confirmed and approved by the Board by Resolution 2023-25.

(n) On February 1, 2023, at the time and place specified in Resolution 2023-25 as amended by Resolution 2023-34, and the notice referred to in paragraph (l) above, the Board met as an Equalization Board, conducted such public hearing, 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.

(o) Having considered the estimated costs of the 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 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 Project against the properties specially benefited thereby using the method determined by the Board set forth in the *Master Assessment Methodology Report*, dated November 2, 2022 (the "**Assessment Report**," 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 "**Assessments**"); and

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

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

(v) it is in the best interests of the District that the 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 Assessment Report in order to ensure that all parcels of real property benefiting from the 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 PROJECT.** That certain Project for construction of infrastructure improvements initially described in Resolution 2023-24, and more specifically identified and described in Exhibit A attached hereto, is hereby authorized and approved and the proper officers, employees and/or agents of the District are hereby authorized and directed to take such further action as may be necessary or desirable to cause the same to be made.

**SECTION 4. ESTIMATED COST OF IMPROVEMENTS.** The total estimated costs of the Project and the costs to be paid by 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 Assessments on the parcels specially benefited by the Project, all as specified in the final assessment roll set forth in Exhibit B, attached hereto, are hereby equalized, approved, confirmed and levied. Immediately following the adoption of this Resolution these 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 Assessment or Assessments against each respective parcel shown on such final assessment roll and interest, costs and penalties thereon, as hereafter provided, shall be and shall remain a legal, valid and binding first lien on such parcel until paid and such lien shall be coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims. Prior to the issuance of any Bonds, including refunding bonds, the District may, by subsequent resolution, adjust the acreage assigned to particular parcel identification numbers listed on the final assessment roll to reflect accurate apportionment of acreage within the District amongst individual parcel identification numbers. The District may



make any other such acreage and boundary adjustments to parcels listed on the final assessment roll as may be necessary in the best interests of the District as determined by the Board by subsequent resolution. Any such adjustment in the assessment roll shall be consistent with the requirements of law. In the event the issuance of Bonds, including refunding bonds, by the District would result in a decrease of the Assessments, then the District shall by subsequent resolution, adopted within sixty (60) days of the sale of such Bonds at a publicly noticed meeting and without the need for further public hearing, evidence such a decrease and amend the final assessment roll as shown in the Improvement Lien Book to reflect such a decrease.

**SECTION 6. FINALIZATION OF SPECIAL ASSESSMENTS.** When the entire Project has both been constructed or otherwise provided to the satisfaction of the Board, the Board shall adopt a resolution accepting the same and determining the actual costs (including financing costs) thereof, as required by sections 170.08 and 170.09, *Florida Statutes*. Pursuant to the provisions of section 170.08, *Florida Statutes*, regarding completion of a project funded by a particular series of bonds, the District shall credit to each Assessment the difference, if any, between the Assessment as hereby made, approved and confirmed and the proportionate part of the actual costs of the 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 Assessments for the entire Project has been determined, the term "Assessment" shall, with respect to each parcel, mean the sum of the costs of the Project.

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

(a) The Assessments may be paid in not more than thirty (30) substantially equal consecutive annual installments of principal and interest. The Assessments may be paid in full without interest at any time within thirty (30) days after the completion of the Project and the adoption by the Board of a resolution accepting the Project as further provided in section 170.09, *Florida Statutes*, unless such option has been waived by the owner of the land subject to the 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. At any time subsequent to thirty (30) days after the Project has been completed and a resolution accepting the Project has been adopted by the Board, the 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. Subject to the provisions of any supplemental assessment resolution, any owner of property subject to Assessments may prepay the entire remaining balance of the 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 Assessments does not entitle the property owner to any discounts for early payment.

(b) The District may elect to use the method of collecting 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 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 Assessments may be collected as is otherwise permitted by law. The District may, in its sole discretion, collect 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 Osceola 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 Assessment Report, 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, site planned, or subjected to a declaration of condominium (all such processes shall be referred to in this Section 8 as ‘plats,’ ‘platted,’ and/or ‘platting’), the Assessments securing the Bonds shall be allocated as set forth in the Assessment Report. 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 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 and approval. The District Manager shall cause the Assessments securing each series of Bonds issued 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. No further action by the Board of Supervisors shall be required. The District’s review and approval shall be limited solely to this function and the enforcement of the lien established by this Resolution. 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 the 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 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 Assessments pursuant to this Resolution in excess of the total debt service related to the Project, including all costs of financing and interest. The District recognizes that such events as regulatory requirements and market conditions may affect the timing and scope of the development in the District. If the strict application of the true-up methodology, as described in the Assessment Report, to any assessment reallocation pursuant to this paragraph would result in Assessments collected in excess of the District's total debt service obligation for the Project, the Board shall by resolution take appropriate action to equitably reallocate the Assessments. Further, upon the District's review of the final plat for the developable acres, any unallocated Assessments shall become due and payable and must be paid prior to the District's approval of that plat.

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

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

**SECTION 10. ASSESSMENT NOTICE.** The District's Secretary is hereby directed to record a general Notice of Assessments in the Official Records of Osceola 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.]**

APPROVED AND ADOPTED THIS 1<sup>st</sup> DAY OF FEBRUARY 2023.

LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT

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Secretary/Assistant Secretary

---

Chair/Vice Chair, Board of Supervisors

**Exhibit A:** *Master Engineer's Report*, dated November 2, 2022

**Exhibit B:** *Master Assessment Methodology Report*, dated November 2, 2022

# SECTION B

# SECTION 1

Published Daily  
ORANGE County, Florida

**Sold To:**

Lake Lizzie CDD - CU80151963  
219 E Livingston St  
Orlando, FL 32801

**Bill To:**

Lake Lizzie CDD - CU80151963  
219 E Livingston St  
Orlando, FL 32801

**State Of Florida  
County Of Orange**

Before the undersigned authority personally appeared  
Rose Williams, who on oath says that he or she is a duly authorized  
representative of the ORLANDO SENTINEL, a DAILY newspaper  
published in ORANGE County, Florida; that the attached copy of  
advertisement, being a Legal Notice in:

The matter of 11200-Misc. Legal  
Was published in said newspaper by print in the issues of, or by publication  
on the newspaper's website, if authorized on Jan 02, 2023; Jan 09, 2023;  
Jan 16, 2023; Jan 23, 2023.

Affiant further says that the newspaper complies with all legal requirements  
for publication in Chapter 50, Florida Statutes.



**Rose Williams**

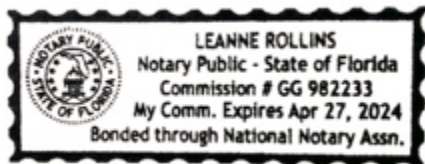
Signature of Affiant

Name of Affiant

Sworn to and subscribed before me on this 24 day of January, 2023,  
by above Affiant, who is personally known to me (X) or who has produced identification ( ).



Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped



**LAKE LIZZIE COMMUNITY DEVELOPMENT  
DISTRICT NOTICE OF THE DISTRICT'S  
INTENT TO USE THE UNIFORM METHOD OF  
COLLECTION OF NON-AD VALOREM SPECIAL  
ASSESSMENTS**

Notice is hereby given that the Lake Lizzie Community Development District (the "District") intends to use the uniform method of collecting non-ad valorem special assessments to be levied by the District pursuant to Section 197.3632, Florida Statutes. The Board of Supervisors of the District will conduct a public hearing on February 1, 2023, at 12:30 p.m. at the West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747.

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

The District may levy non-ad valorem special assessments for the purpose of financing, acquiring, maintaining and/or operating community development facilities, services, and improvements within and without the boundaries of the District, to consist of, among other things, roadway improvements, utility improvements, stormwater management facilities, undergrounding of electrical utilities, conservation/mitigation, landscape and irrigation improvement, and/or any other lawful improvements or services of the District.

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

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the hearing and/or meeting is asked to contact the District Manager's office at 219 East Livingston Street, Orlando, Florida 32801, 407-841-5524, at least forty-eight (48) hours before the hearing and/or meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8771 who can aid you in contacting the District Manager's Office.

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

George Flint  
District Manager  
1/02 1:09 1/16 1/23/2023 7350358

# SECTION 3

## RESOLUTION 2023-35

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKE LIZZIE 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 LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH SECTION 197.3632, FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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

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

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

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

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

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

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

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

**PASSED AND ADOPTED** this 1<sup>st</sup> day of February 2023.

ATTEST:

**LAKE LIZZIE COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chairman, Board of Supervisors

**Exhibit A:** Legal Description

# EXHIBIT A

## LEGAL DESCRIPTION:

PER CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT  
FILE No. 20200389, DATED JULY 29, 2020 AT 5:00PM

### PARCEL:

From the Northwest corner of the Southwest 1/4 of Section 3, Township 26 South, Range 31 East, Osceola County, Florida, run N89°68'40"E, along the North line of said Southwest 1/4, 1740.00 feet; run thence South, parallel to the West line of said Southwest 1/4, 1048.61 feet to the Point of Beginning; continue South, 550.00 feet; run thence N89°38'40"E, 1660.00 feet; run thence North, parallel to the West line of said Southwest 1/4, 550.00 feet; run thence S89°38'40"W, 1660.00 feet to the Point of Beginning.

### TOGETHER WITH:

From the Northwest corner of the Southwest 1/4 of Section 3, Township 26 South, Range 31 East, Osceola County, Florida, run N89°38'40"E, along the North line of said Southwest 1/4, 1740.0 feet; run thence South, parallel to the West line of said Southwest 1/4, 1598.61 feet to the Point of Beginning; continue South, 330.0 feet, run thence N89°38'40"E, 660.0 feet; run thence South 822.26 feet to a point 25.0 feet off the centerline of Old Kissimmee-Melbourne Road; run thence S68°38'10"E, parallel to the centerline of said road, 878.57 feet, run thence S71°25'51"E, parallel to said centerline, 255.21 feet; run thence N28°16'35"E along the Westerly Right of Way line of State Road 534-A, 1778.4 feet; run thence S89°38'40"W, 2563.40 feet to the Point of Beginning, being in Sections 3 and 10, Township 26 South, Range 31 East, Osceola County, Florida; LESS AND EXCEPT: from the Northwest corner of the Southwest 1/4 of Section 3, run N89°38'40"E, along the North line of said Southwest 1/4, 170.0 feet; run thence South, parallel to the West line of said Southwest 1/4, 1928.61 feet; run thence N89°38'40"E, 660.0 feet to the Point of Beginning; continue N89°38'40"E, 100.0 feet; run thence South, 862.0 feet to the North Right of Way line of the Old Kissimmee-Melbourne Road; run thence N68°38'10"W, 107.38 feet along said Right of Way; run thence North, 822.26 feet to the Point of Beginning.

Total Area is 72.18 AC.



8 BROADWAY AVENUE, SUITE 104, FLORIDA 34741-5481  
PHONE: (407) 847-9433 FAX: (407) 847-2499  
ENG. CERT. OF AUTHOR. No. 3265/SUR. CERT. OF AUTHOR. No. 3270  
ENGINEERING, SURVEYING AND PLANNING



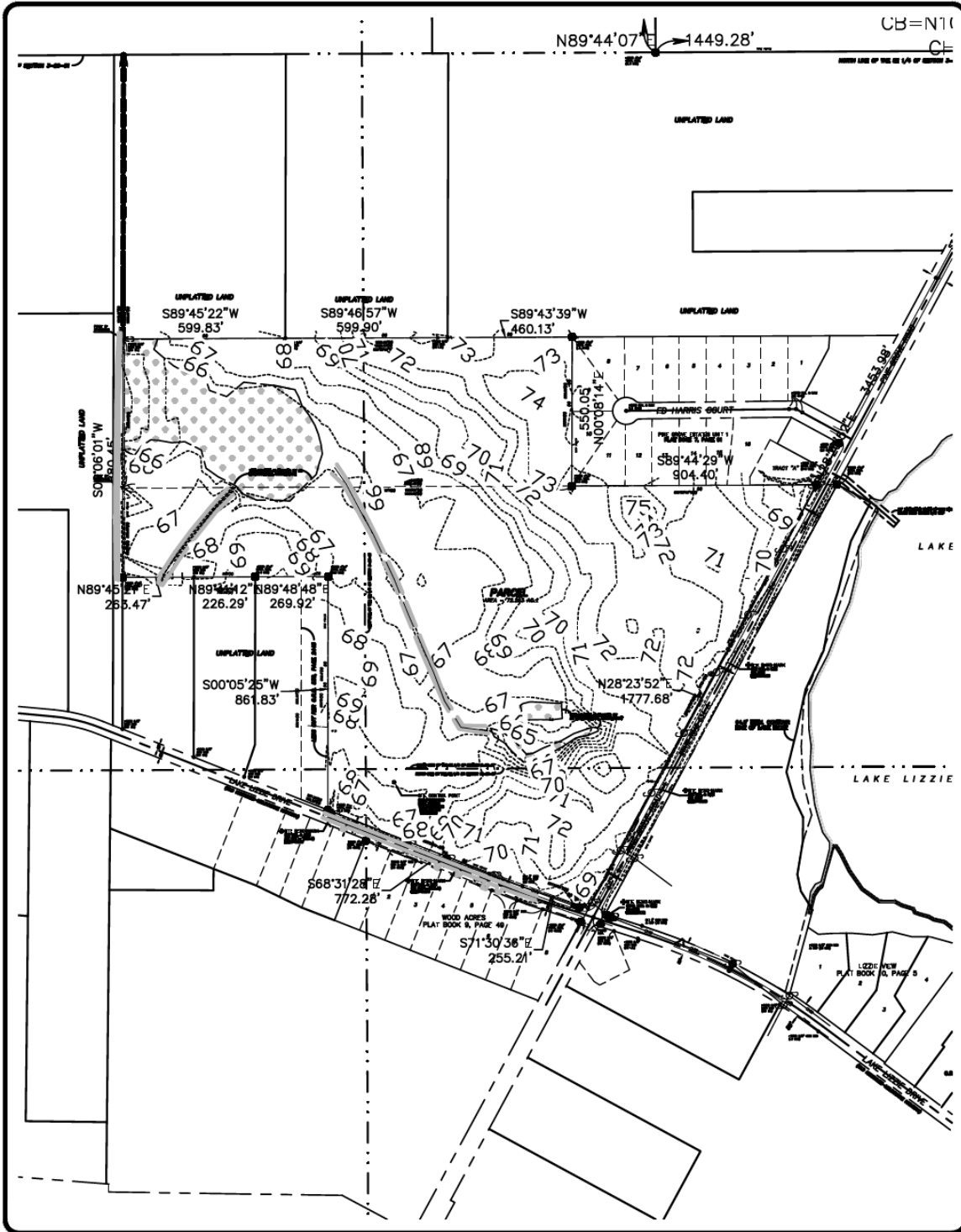
**HANSON, WALTER & ASSOCIATES, INC.**

**LAKE LIZZIE CDD**

**LEGAL DESCRIPTION**

DATE 03/24/2022

SHEET 1 OF 2




 8 BROADWAY AVENUE, SUITE 104, FLORIDA 34741-5481  
 PHONE: (407) 847-9433 FAX: (407) 847-2499  
 ENG. CERT. OF AUTHOR. No. 3265/SUR. CERT. OF AUTHOR. No. 3270  
 ENGINEERING, SURVEYING AND PLANNING



**HANSON, WALTER & ASSOCIATES, INC.**

**LAKE LIZZIE CDD**  
**BOUNDARY SURVEY**  
 DATE 03/24/2024 SHEET 2 OF 2

# SECTION C

# SECTION 1



**Published Daily**  
**OSCEOLA County, Florida**

**Sold To:**

Lake Lizzie CDD - CU80151963  
219 E Livingston St  
Orlando, FL 32801

**Bill To:**

Lake Lizzie CDD - CU80151963  
219 E Livingston St  
Orlando, FL 32801

**State Of Florida**  
**County Of Osceola**

Before the undersigned authority personally appeared  
Rose Williams, who on oath says that he or she is a duly authorized  
representative of the ORLANDO SENTINEL, a DAILY newspaper  
published in OSCEOLA County, Florida; that the attached copy of  
advertisement, being a Legal Notice in:

The matter of 11200-Misc. Legal  
Was published in said newspaper by print in the issues of, or by publication  
on the newspaper's website, if authorized on Dec 30, 2022.

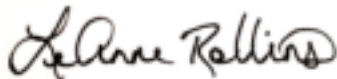
Affiant further says that the newspaper complies with all legal requirements  
for publication in Chapter 50, Florida Statutes.



**Rose Williams**

Signature of Affiant Name of Affiant

Sworn to and subscribed before me on this 31 day of December, 2022,  
by above Affiant, who is personally known to me (X) or who has produced identification ( ).



Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

**NOTICE OF RULE DEVELOPMENT BY THE LAKE  
LIZZIE COMMUNITY DEVELOPMENT DISTRICT**

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

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

The purpose and effect of the Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with Florida law. The legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes. The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 112.3146, 112.3145, 119.07, 119.0701, 189.053, 189.069(2)(a)16, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.0113, 286.0114, 287.017, 287.055 and 287.084, Florida Statutes.

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager, c/o Governmental Management Services - Central Florida, LLC, 219 East Livingston Street, Orlando, Florida 32801, Phone: (407) 841-5524.

George Flint, District Manager  
Lake Lizzie Community Development  
District  
12/30/2022 7349787

7349787

**Published Daily**  
**OSCEOLA County, Florida**

**Sold To:**

Lake Lizzie CDD - CU80151963  
219 E Livingston St  
Orlando, FL 32801

**Bill To:**

Lake Lizzie CDD - CU80151963  
219 E Livingston St  
Orlando, FL 32801

**State Of Florida**  
**County Of Osceola**

Before the undersigned authority personally appeared  
Rose Williams, who on oath says that he or she is a duly authorized  
representative of the ORLANDO SENTINEL, a DAILY newspaper  
published in Osceola County, Florida; that the attached copy of  
advertisement, being a Legal Notice in:

The matter of 11200-Misc. Legal  
Was published in said newspaper by print in the issues of, or by publication  
on the newspaper's website, if authorized on Dec 31, 2022.

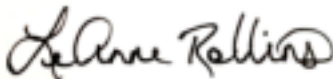
Affiant further says that the newspaper complies with all legal requirements  
for publication in Chapter 50, Florida Statutes.



**Rose Williams**

Signature of Affiant Name of Affiant

Sworn to and subscribed before me on this 1 day of January, 2023,  
by above Affiant, who is personally known to me (X) or who has produced identification ( ).



Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

## **NOTICE OF RULEMAKING REGARDING THE RULES OF PROCEDURE OF THE LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT**

A public hearing will be conducted by the Board of Supervisors ("Board") of the Lake Lizzie Community Development District ("District") on February 1, 2023, at 12:30 p.m. at the West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747.

In accord with Chapters 120 and 190, Florida Statutes, the District hereby gives the public notice of its intent to adopt its proposed Rules of Procedure. The purpose and effect of the proposed Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with recent changes to Florida law. Prior notice of rule development was published in the Orlando Sentinel on December 30, 2022.

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

Specific legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes. The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 112.3146, 112.3145, 119.07, 119.0701, 189.053, 189.069(2)(a)16, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.0113, 286.0114, 287.017, 287.055 and 287.084, Florida Statutes.

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager's Office at Governmental Management Services - Central Florida, LLC, 219 East Livingston Street, Orlando, Florida 32801, 407-841-5524 ("District Manager's Office").

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing within twentyone (21) days after publication of this notice to the District Manager's Office.

This public hearing may be continued to a date, time, and place to be specified on the record at the hearing without additional notice. If anyone chooses to appeal any decision of the Board with respect to any matter considered at a public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to be based. At the hearing, staff or Supervisors may participate in the

public hearing by speaker telephone.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations at this hearing 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 at 1-800-955-8771 or 1800-955-8770 for aid in contacting the District Manager's Office.

Lake Lizzie Community Development District  
George Flint, District Manager  
12/31/2022 7349788

7349788

# SECTION 3

**RESOLUTION 2023-36**

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

**WHEREAS**, Lake Lizzie Community Development District (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; 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 LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT:**

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

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

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

**PASSED AND ADOPTED** this 1<sup>st</sup> day of February 2023.

**ATTEST:**

**LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**Exhibit A:** Rules of Procedure

**RULES OF PROCEDURE  
LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT  
EFFECTIVE AS OF FEBRUARY 1, 2023**

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**Rule 1.0      General.**

- (1) The Lake Lizzie 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) Variations and Waivers. A “variance” means a decision by the District to grant a modification to all or part of the literal requirements of a rule to a person who is subject to the rule. A “waiver” means a decision by the District not to apply all or part of a rule to a person who is subject to the rule. Variations and waivers from District rules may be granted subject to the following:
- (a) Variations and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person, and when application of the rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver. For purposes of this section, "principles of fairness" are violated when the literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule.
  - (b) A person who is subject to regulation by a District Rule may file a petition with the District, requesting a variance or waiver from the District’s Rule. Each petition shall specify:
    - (i) The rule from which a variance or waiver is requested;
    - (ii) The type of action requested;
    - (iii) The specific facts that would justify a waiver or variance for the petitioner; and
    - (iv) The reason why the variance or the waiver requested would serve the purposes of the underlying statute.
  - (c) The District shall review the petition and may request only that information needed to clarify the petition or to answer new questions raised by or directly related to the petition. If the petitioner asserts that any request for additional information is not authorized by law or by Rule of the District,

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

(d) The Board shall grant or deny a petition for variance or waiver and shall announce such disposition at a publicly held meeting of the Board, within 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

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

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

- (5) Intervenors. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (6) Rejection of all Qualifications, Bids, Proposals, Replies and Responses after Receipt of Notice of Protest. If the Board determines there was a violation of law, defect, or an irregularity in the competitive solicitation process, 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 February 1, 2023, 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 D

# SECTION 1



Published Daily  
ORANGE County, Florida

**Sold To:**

Lake Lizzie CDD - CU80151963  
219 E Livingston St  
Orlando, FL 32801

**Bill To:**

Lake Lizzie CDD - CU80151963  
219 E Livingston St  
Orlando, FL 32801

**State Of Florida  
County Of Orange**

Before the undersigned authority personally appeared  
Rose Williams, who on oath says that he or she is a duly authorized  
representative of the ORLANDO SENTINEL, a DAILY newspaper  
published in ORANGE County, Florida; that the attached copy of  
advertisement, being a Legal Notice in:

The matter of 11150-Public Hearing Notice  
Was published in said newspaper by print in the issues of, or by publication  
on the newspaper's website, if authorized on Jan 09, 2023; Jan 16, 2023.

Affiant further says that the newspaper complies with all legal requirements  
for publication in Chapter 50, Florida Statutes.



**Rose Williams**

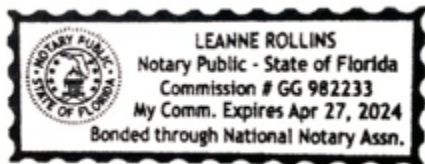
Signature of Affiant

Name of Affiant

Sworn to and subscribed before me on this 17 day of January, 2023,  
by above Affiant, who is personally known to me (X) or who has produced identification ( ).



Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

**LAKE LIZZIE COMMUNITY DEVELOPMENT  
DISTRICT NOTICE OF PUBLIC HEARING  
TO CONSIDER THE ADOPTION OF THE  
FISCAL YEAR 2023 BUDGET AND NOTICE  
OF REGULAR BOARD OF SUPERVISORS'  
MEETING.**

The Board of Supervisors ("Board") of the Lake Lizzie Community Development District ("District") will hold a public hearing on February 1, 2023, at 12:30 p.m. at the West Osceola Branch Library, 305 Campus Street, Celebration, Florida 34747, for the purpose of hearing comments and objections on the adoption of the proposed budget ("Proposed Budget") of the District for the remainder of the fiscal year ending September 30, 2023 ("Fiscal Year 2023"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it. A copy of the agenda and Proposed Budget may be obtained at the offices of the District Manager, 219 East Livingston Street, Orlando, Florida 32801, (407) 841-5524 ("District Manager's Office"), during normal business hours.

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

Any person requiring special accommodations at this 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 public hearing or 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 Flint  
District Manager  
1/09/2023 1/16/2023 7355563

7355563

# SECTION 3

## RESOLUTION 2023-37

### THE ANNUAL APPROPRIATION RESOLUTION OF THE LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE REMAINDER OF THE FISCAL YEAR ENDING SEPTEMBER 30, 2023; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Lake Lizzie Community Development District (“**District**”) was established pursuant Osceola County Ordinance No. 2022-108, which became effective on October 25, 2022; and

**WHEREAS**, the District Manager has submitted to the Board of Supervisors (“**Board**”) of the District a proposed budget (“**Proposed Budget**”) for the remainder of the fiscal year ending September 30, 2023 (“**Fiscal Year 2022/2023**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

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

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

**WHEREAS**, the District Manager posted the Proposed Budget on the District’s website at least two days before the public hearing; and

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

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

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

#### **SECTION 1. BUDGET**

- a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.
- b. The Proposed Budget, attached hereto as **Exhibit “A,”** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes (“Adopted Budget”)*, and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District’s Local Records Office and identified as “The Budget for the Lake Lizzie Community Development District for the Fiscal Year Ending September 30, 2023.”
- d. The Adopted Budget shall be posted by the District Manager on the District’s official website within thirty (30) days after adoption and shall remain on the website for at least 2 years.

**SECTION 2. APPROPRIATIONS**

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2022/2023, the sum of \$ 114,178 to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	\$ <u>114,178</u>
TOTAL ALL FUNDS	\$ <u>114,178</u>

**SECTION 3. BUDGET AMENDMENTS**

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2022/2023 or within 60 days following the end of the Fiscal Year 2022/2023 may amend its Adopted Budget for that fiscal year as follows:

- a. A line-item appropriation for expenditures within a fund may be decreased or increased by motion of the Board recorded in the minutes, and approving the expenditure, if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may approve an expenditure that would increase or decrease a line-item appropriation for expenditures within a fund if the total appropriations of the fund do not increase and if either (i) the aggregate

change in the original appropriation item does not exceed the greater of \$15,000 or 15% of the original appropriation, or (ii) such expenditure is authorized by separate disbursement or spending resolution.

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

The District Manager or Treasurer must ensure that any amendments to the budget under paragraph c. above are posted on the District’s website within 5 days after adoption and remain on the website for at least 2 years.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED THIS 1<sup>st</sup> DAY OF FEBRUARY 2023.**

ATTEST:

**LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary / Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**Exhibit A:** FY 2022/2023 Budget

***Lake Lizzie***  
***Community Development District***

***Proposed Budget***  
***FY2023***



# Table of Contents

**1** General Fund

**2-3** General Fund Narrative



# Lake Lizzie

## Community Development District

### Proposed Budget

### General Fund

Description	Proposed Budget* FY2023
<b><u>Revenues</u></b>	
Developer Contributions	\$ 114,178
<b>Total Revenues</b>	<b>\$ 114,178</b>
<b><u>Expenditures</u></b>	
<i>General &amp; Administrative</i>	
Supervisor Fees	\$ 11,000
FICA Expenditures	\$ 842
Engineering	\$ 13,750
Attorney	\$ 22,917
Management Fees	\$ 34,375
Information Technology	\$ 1,650
Website Maintenance **	\$ 2,850
Telephone	\$ 275
Postage & Delivery	\$ 917
Insurance	\$ 5,000
Printing & Binding	\$ 917
Legal Advertising	\$ 13,750
Other Current Charges	\$ 4,583
Office Supplies	\$ 573
Travel Per Diem	\$ 605
Dues, Licenses & Subscriptions	\$ 175
<b>Total Expenditures</b>	<b>\$ 114,178</b>
<b>Excess Revenues/(Expenditures)</b>	<b>\$ -</b>

\* Budget is prorated from November to September.

\*\*Budget amount includes a one-time website creation fee.

# Lake Lizzie

## Community Development District

### General Fund Narrative

#### **Revenues:**

##### Developer Contributions

The District will enter into a funding agreement with the Developer to fund the General Fund expenditures for the Fiscal Year.

---

#### **Expenditures:**

##### **General & Administrative:**

##### Supervisor Fees

Chapter 190, Florida Statutes, allows for each Board member to receive \$200 per meeting, not to exceed \$4,800 per year paid to each Supervisor for the time devoted to District business and meetings.

##### FICA Expenditures

Represents the Employer's share of Social Security and Medicare taxes withheld from Board of Supervisors checks.

##### Engineering

The District's engineer will be providing general engineering services to the District, e.g. attendance and preparation for monthly board meetings, review invoices and various projects as directed by the Board of Supervisors and the District Manager.

##### Attorney

The District's legal counsel will be providing general legal services to the District, e.g. attendance and preparation for meetings, preparation and review of agreements, resolutions, etc. as directed by the Board of Supervisors and the District Manager.

##### Management Fees

The District receives Management, Accounting and Administrative services as part of a Management Agreement with Governmental Management Services-Central Florida, LLC. The services include but are not limited to, recording and transcription of board meetings, administrative services, budget preparation, all financial reports, annual audits, etc.

##### Information Technology

Represents costs with Governmental Management Services – Central Florida, LLC related to the District's information systems, which include but are not limited to video conferencing services, cloud storage services and servers, security, accounting software, etc.

# Lake Lizzie

## Community Development District

### General Fund Narrative

#### Website Maintenance

Represents the costs with Governmental Management Services – Central Florida, LLC associated with monitoring and maintaining the District’s website created in accordance with Chapter 189, Florida Statutes. These services include site performance assessments, security and firewall maintenance, updates, document uploads, hosting and domain renewals, website backups, etc.

#### Telephone

Telephone and fax machine.

#### Postage & Delivery

The District incurs charges for mailing of Board meeting agenda packages, overnight deliveries, correspondence, etc.

#### Insurance

The District’s general liability and public official’s liability insurance coverages.

#### Printing & Binding

Printing and Binding agenda packages for board meetings, printing of computerized checks, stationary, envelopes, etc.

#### Legal Advertising

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

#### Other Current Charges

Bank charges and any other miscellaneous expenses incurred during the year.

#### Office Supplies

Any supplies that may need to be purchased during the fiscal year, e.g., paper, minute books, file folders, labels, paper clips, etc.

#### Travel Per Diem

The Board of Supervisors can be reimbursed for travel expenditures related to the conducting of District business.

#### Dues, Licenses & Subscriptions

The District is required to pay an annual fee to the Florida Department of Economic Opportunity for \$175. This is the only expense under this category for the District.

# SECTION X



**Lake Lizzie Community  
Development District  
Trinity Place**

**HANSON, WALTER &  
ASSOCIATES, INC.**

**Engineering Services  
for**

**LAKE LIZZIE COMMUNITY  
DEVELOPMENT DISTRICT**



**HANSON, WALTER & ASSOCIATES, INC.**  
PROFESSIONAL ENGINEERING, SURVEYING & PLANNING

January 24, 2023

Attn: George Flint, District Manager  
c/o Governmental Management Services-Central Florida LLC  
219 E. Livingston Street  
Orlando, Florida 32801

RE: Engineering Services –Lake Lizzie CDD

Dear Selection Committee:

*Hanson, Walter & Associates, Inc.* is pleased to submit our Statement of Qualifications to provide Professional Engineering Services to the **Lake Lizzie Community Development District** project. We have provided **quality and comprehensive** Civil Engineering Services to various Central Florida private and public clients, including many residential subdivisions and several **CDDs**, for over 41 years and wish to continue being a part of the area's Growth and Progress as we continuously strive for **Excellence in Client Care**.

Our *HWA Team* offers the Lake Lizzie Community Development District the benefits of:

- **Knowledge and experience** with an **outstanding track record of success** with local projects
- **State-of-the-art expertise** for **efficient** and **cost-effective** services
- **Available manpower** to provide responsive service.
- **Project insight** acquired from previous experience with similar projects, utilized to provide a more timely completion, due to **effective project management**

I will serve as Principal in Charge, with **Mark Vincutonis, P.E.** as Contract Manager. Mark will oversee the contract and manage each assignment to ensure its successful completion. **Craig Zetwo, P.E.** and **Robert Newberry, P.E.** will all assist under Mark's direction. Combined, our management team assigned to this contract has over 140 years of experience in Civil Engineering Design and Permitting to ensure the essential Quality Control. They will be assisted by our other experienced Engineers/Designers, CAD Technicians and Administrative Staff. Our firm information and comprehensive approach to projects is provided under Section H of the attached SF330. **John Hughes, P.S.M.** will direct and manage any Survey work required.

In summary, *Hanson, Walter & Associates, Inc.* is **committed to the Lake Lizzie Community Development District** as we strive to improve the Quality of Life for Your Community. The selection of the *HWA Team* will ensure **successful completion** of the assigned project in a **timely and cost-effective** manner and ensures an **exceptionally comprehensive work product** for the Lake Lizzie Community Development District.

Sincerely,

**HANSON, WALTER & ASSOCIATES, INC.**

**Shawn D. Hindle, P.E.**  
President



# ARCHITECT - ENGINEER QUALIFICATIONS



## PART 1 - CONTRACT-SPECIFIC QUALIFICATIONS

### A. CONTRACT INFORMATION

1. TITLE AND LOCATION <i>(City and State)</i> Lake Lizzie Community Development District	
2. PUBLIC NOTICE DATE 01-06-2023	3. SOLICITATION OR PROJECT NUMBER

### B. ARCHITECT-ENGINEER POINT OF CONTACT

4. NAME AND TITLE Shawn D. Hindle, P.E. / President		
5. NAME OF FIRM Hanson, Walter & Associates, Inc.		
6. TELEPHONE NUMBER 407-847-9433	7. FAX NUMBER 321-442-1045	8. E-MAIL ADDRESS Shindle@hansonwalter.com

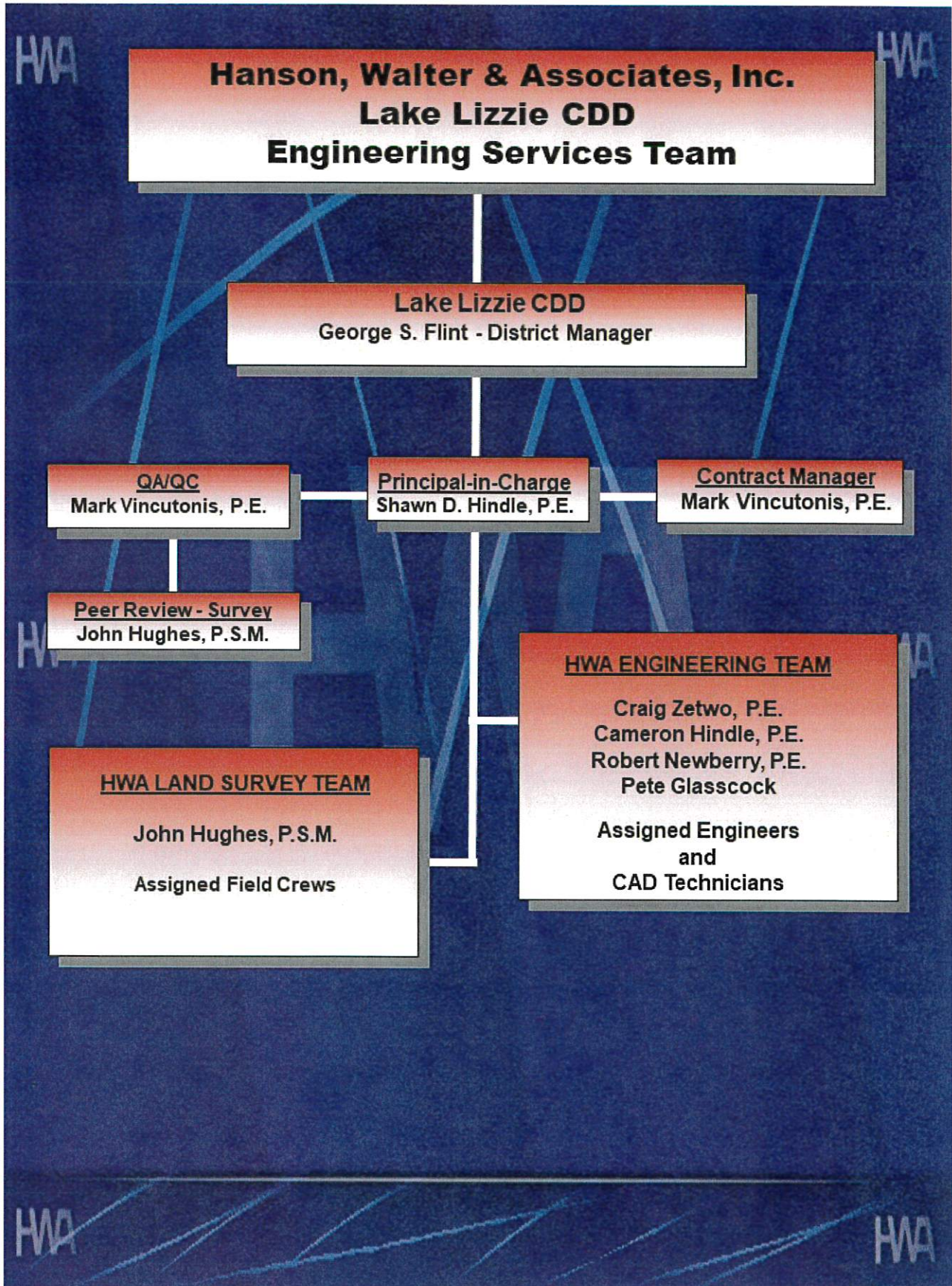
### C. PROPOSED TEAM

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

	<i>(Check)</i>			9. FIRM NAME	10. ADDRESS	11. ROLE IN THIS CONTRACT
	PRIME	J-V PARTNER	SUBCONTRACTOR			
a.	<input checked="" type="checkbox"/>			Hanson, Walter & Associates, Inc.  <input type="checkbox"/> CHECK IF BRANCH OFFICE	8 Broadway, Suite 104 Kissimmee, FL 34741	Civil Engineer (and Land Surveying, if required)
b.				  <input type="checkbox"/> CHECK IF BRANCH OFFICE		
c.				  <input type="checkbox"/> CHECK IF BRANCH OFFICE		
d.				  <input type="checkbox"/> CHECK IF BRANCH OFFICE		
e.				  <input type="checkbox"/> CHECK IF BRANCH OFFICE		
f.				  <input type="checkbox"/> CHECK IF BRANCH OFFICE		

### D. ORGANIZATIONAL CHART OF PROPOSED TEAM

*(Attached)*



**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT**

*(Complete one Section E for each key person.)*

12. NAME <b>Shawn D. Hindle, P.E.</b>		13. ROLE IN THIS CONTRACT <b>Principal in Charge</b>		14. YEARS EXPERIENCE	
				a. TOTAL <b>34</b>	b. WITH CURRENT FIRM <b>30</b>
15. FIRM NAME AND LOCATION <i>(City and State)</i> <b>Hanson, Walter &amp; Associates, Inc., Kissimmee, Florida</b>					
16. EDUCATION <i>(DEGREE AND SPECIALIZATION)</i> <b>BSE/1989/ Engineering North Carolina State University</b>			17. CURRENT PROFESSIONAL REGISTRATION <i>(STATE AND DISCIPLINE)</i> <b>Florida Professional Engineer - 1989 (#48165)</b>		
18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i> <b>Mr. Shawn Hindle brings over 31 years of Civil Engineering experience providing a depth of Services to clients in the public and private sectors. His experience includes serving as Project Manager for projects in civil site design, transportation, drainage including 6 major drainage studies, design/permitting for roadway projects in Central FL.</b>					

**19. RELEVANT PROJECTS**

(1) TITLE AND LOCATION <i>(City and State)</i> <b>Osceola County Continuing Engineering Services- Osceola County, Florida</b>		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES <b>1998</b>	CONSTRUCTION <i>(if applicable)</i> <b>Ongoing</b>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <b>a. Project Manager for Civil Design &amp; Permitting numerous Roadway Widening and Realignment, including Hoagland Blvd Ph 1 &amp; 3, Old Lake Wilson Rd, Kissimmee Park Rd, Neptune Rd, Partin Settlement Rd, Bass Rd, Thacker Ave, Ph 1 &amp; 2 Pleasant Hill Rd; numerous Drainage Studies &amp; Basin Improvements; Shingle Creek Shoaling.</b>		<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION <i>(City and State)</i> <b>City of Kissimmee Continuing Engineering Services- City of Kissimmee, Florida</b>		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES <b>2009</b>	CONSTRUCTION <i>(if applicable)</i> <b>Ongoing</b>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <b>b. Project Manager for Civil Design &amp; Permitting numerous roadway widenings and realignments, including Tohopekaliga Ave, MLK Blvd Ph 3; Drainage Studies: Mill Slough, East &amp; West City Ditch, Columbia Ave, Regional Stormwater Management System, Stormwater Modeling; KPD/KFD Training Facilities.</b>		<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION <i>(City and State)</i> <b>School District of Osceola County Continuing Engineering Services- Osceola County, Florida</b>		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES <b>2012</b>	CONSTRUCTION <i>(if applicable)</i> <b>Ongoing</b>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <b>c. In addition to being the Project Manager for Civil Design &amp; Permitting for Elementary, Middle &amp; High Schools within Osceola and Polk Counties; continuing services for Design of numerous sidewalks (Safe Route to School Project), Traffic Studies, Bus Loop Modifications, etc.</b>		<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION <i>(City and State)</i> <b>Stevens Plantation Community Development District Osceola County, Florida</b>		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES <b>2012</b>	CONSTRUCTION <i>(if applicable)</i> <b>Ongoing</b>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <b>d. District Engineer for a 550± Acres Mixed Use Development within the City Limits of St. Cloud, FL, responsible for the Annual Trust Indenture Report and required site wide inspection of CDD owned &amp; maintained infrastructure to include cost estimates of any repairs or maintenance required, based on ownership maps provided by the Client delineating the infrastructure elements to be inspected.</b>		<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION <i>(City and State)</i> <b>Hoagland Boulevard Phase 3 Widening/Realignment- Osceola County, Florida</b>		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES <b>2016</b>	CONSTRUCTION <i>(if applicable)</i> <b>2021</b>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <b>e. Project Manager of Civil Design and Permitting for proposed roadway to be designed as a four-lane urban typical section. The project includes construction documents and ROW maps, necessary permits for construction of approx. .08 miles of Pleasant Hill Rd for the intersection at US 17-92 to 1,200 ft N of Shingle Creek Bridge.</b>		<input checked="" type="checkbox"/> Check if project performed with current firm	

**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT**

*(Complete one Section E for each key person.)*

12. NAME Mark Vincutonis, P.E.	13. ROLE IN THIS CONTRACT Contract Manager / QA/QC	14. YEARS EXPERIENCE	
		a. TOTAL 28	b. WITH CURRENT FIRM 28
15. FIRM NAME AND LOCATION <i>(City and State)</i> Hanson, Walter & Associates, Inc., Kissimmee, Florida			
16. EDUCATION <i>(DEGREE AND SPECIALIZATION)</i> University of Central Florida - BS in Civil Engineering 1994		17. CURRENT PROFESSIONAL REGISTRATION <i>(STATE AND DISCIPLINE)</i> Florida Professional Engineer (#54646)	
18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i> American Society of Civil Engineers - Osceola Chapter			

**19. RELEVANT PROJECTS**

a.	(1) TITLE AND LOCATION <i>(City and State)</i> Celebration CDD Celebration, Osceola County, FL	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES 2015	CONSTRUCTION <i>(if applicable)</i> Ongoing
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Serves as District Engineer. Improvements have included design, permitting and construction of a New CDD maintenance facility, milling and resurfacing projects, stormwater pond and overflow weir repair projects.		
	<input checked="" type="checkbox"/> Check if project performed with current firm		
b.	(1) TITLE AND LOCATION <i>(City and State)</i> Champions Gate Community Development District	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES 2010	CONSTRUCTION <i>(if applicable)</i> Ongoing
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE District Engineer for a 1,500 Acre Resort Development spanning across Osceola & Polk Counties, located within the Four Corners region of CF. Responsibilities include preparation of the Annual Trust Indenture Report and required site wide inspection of CDD owned & maintained infrastructure to include cost estimates of any repairs or maintenance required, based on ownership maps provided by the Client delineating the infrastructure elements to be inspected.		
	<input checked="" type="checkbox"/> Check if project performed with current firm		
c.	(1) TITLE AND LOCATION <i>(City and State)</i> Remington CDD - Osceola County, Florida	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(if applicable)</i> Ongoing
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Serves as District Engineer. Improvements have included milling and resurfacing projects. Provided daily onsite inspections of the roadway reconstruction activities including logging asphalt quantities and temperatures, and directed the Contractor on field adjustments to better accommodate drainage challenges.		
	<input checked="" type="checkbox"/> Check if project performed with current firm		
d.	(1) TITLE AND LOCATION <i>(City and State)</i> Brighton Lakes Phases 1 & 2 - Osceola County, Florida	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES Ongoing for CDD	CONSTRUCTION <i>(if applicable)</i>
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Project Manager for the civil engineering design & permitting of the infrastructure for Phases 1 & 2 of this 500+/- acre residential development with 750 lots, a clubhouse and pool and satellite recreation areas integrated around several large wetland areas. Also currently serves as District Engineer for the Brighton Lakes CDD.		
	<input checked="" type="checkbox"/> Check if project performed with current firm		
e.	(1) TITLE AND LOCATION <i>(City and State)</i> Cypress Hammock- Osceola County, Florida	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES 2018	CONSTRUCTION <i>(if applicable)</i> 2020
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Project Manager responsible for the Construction Administration services for a 500 lot subdivision, located on 150 acres on Poinciana Blvd in Kissimmee, FL. Services include administration services during the construction phases, weekly onsite construction observation services and monthly progress reports, and preparing certification of construction completion documentation for final approval and acceptance from all agencies of jurisdiction.		
	<input checked="" type="checkbox"/> Check if project performed with current firm		

**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT**

*(Complete one Section E for each key person.)*

12. NAME <b>Craig Zetwo, P.E.</b>		13. ROLE IN THIS CONTRACT <b>Project Engineer</b>		14. YEARS EXPERIENCE	
				a. TOTAL <b>25</b>	b. WITH CURRENT FIRM <b>14</b>
15. FIRM NAME AND LOCATION <i>(City and State)</i> <b>Hanson, Walter &amp; Associates, Inc., Kissimmee, Florida</b>					
16. EDUCATION <i>(DEGREE AND SPECIALIZATION)</i> <b>BSE/ 1998/Civil Engineering University Of Central Florida</b>			17. CURRENT PROFESSIONAL REGISTRATION <i>(STATE AND DISCIPLINE)</i> <b>Florida Professional Engineer - 1998- (#61896)</b>		
18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i> <b>Mr. Craig Zetwo, P.E. has over 22 years of diverse engineering experience, in both the private and public sector. His expertise includes roadway design and traffic engineering as well as stormwater management.</b>					

**19. RELEVANT PROJECTS**

(1) TITLE AND LOCATION <i>(City and State)</i> <b>MLK Blvd. /Thacker Ave. Mast Arm Signal Design - City of Kissimmee, Florida</b>		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES <b>2015</b>	CONSTRUCTION <i>(if applicable)</i> <b>2016</b>
a.	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <b>Project Engineer responsible for the civil engineering design and permitting of the Traffic Signal design for the intersection of MLK Blvd. at Thacker Ave. HWA also provided the civil and engineering design for the mast arm traffic signal.</b>		<input checked="" type="checkbox"/> Check if project performed with current firm
(1) TITLE AND LOCATION <i>(City and State)</i> <b>City of Kissimmee Humana Basin Drainage Analysis - City of Kissimmee, Florida</b>		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES <b>2014</b>	CONSTRUCTION <i>(if applicable)</i> <b>2015</b>
b.	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <b>Project Engineer responsible for providing a detailed floodplain model for the Humana Drainage Basin, with proper FEMA Guidelines for processing FEMA Letter of Map Revision. Flood elevations by the analysis were compared to the existing topographic/contour maps in order to evacuate the extent of flooding in the associated drainage basins per the FEMA guidelines.</b>		<input checked="" type="checkbox"/> Check if project performed with current firm
(1) TITLE AND LOCATION <i>(City and State)</i> <b>Tuscan Isle, Poinciana - Osceola County, Florida</b>		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES <b>2014</b>	CONSTRUCTION <i>(if applicable)</i> <b>2016</b>
c.	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <b>Project Engineer responsible for the Civil Design and Permitting for a Senior Living Center located on 11 +/- acres on Marigold Ave in Poinciana, consisting of 92 /Assisted Living Units and 120 Independent Living Units.</b>		<input checked="" type="checkbox"/> Check if project performed with current firm
(1) TITLE AND LOCATION <i>(City and State)</i> <b>Storey Lake Phases 1, 2, 3 and 3B- Osceola County, Florida</b>		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES <b>2015</b>	CONSTRUCTION <i>(if applicable)</i> <b>2020</b>
d.	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <b>Project Engineer, responsible for the Civil Engineering Design and Permitting services for a 0.225 mile of urban roadway within a 61.47 acre residential development consisting of over 2,000 dwelling units (both resort and primary) in multiple phases. Design services also include a sales center, and amenity center with the development. HWA also provided Post Design and Construction Certification Services including final Inspection.</b>		<input checked="" type="checkbox"/> Check if project performed with current firm
(1) TITLE AND LOCATION <i>(City and State)</i> <b>Creekside @Boggy Creek Subdivision, Boggy Creek Road, Osceola County, Florida</b>		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES <b>2015</b>	CONSTRUCTION <i>(if applicable)</i> <b>2020</b>
e.	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <b>Project Engineer responsible for the Civil Design and Permitting for a 313 lot Single Family Subdivision, to include drainage analysis and LOMR processing.</b>		<input checked="" type="checkbox"/> Check if project performed with current firm

**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT**

*(Complete one Section E for each key person.)*

12. NAME Robert Newberry, P.E.		13. ROLE IN THIS CONTRACT Project Engineer		14. YEARS EXPERIENCE	
				a. TOTAL 21	b. WITH CURRENT FIRM 21
15. FIRM NAME AND LOCATION <i>(City and State)</i> Hanson, Walter & Associates, Inc., Kissimmee, Florida					
16. EDUCATION <i>(DEGREE AND SPECIALIZATION)</i> University of South Florida - BS in Civil Engineering (2003) and Graduate Certificate in Transportation System Analysis (2010)			17. CURRENT PROFESSIONAL REGISTRATION <i>(STATE AND DISCIPLINE)</i> Florida Professional Engineer (#73104)		
18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i>					

**19: RELEVANT PROJECTS**

a.	(1) TITLE AND LOCATION <i>(City and State)</i> Bellalago PUD/DRI - Poinciana, Osceola County, Florida	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(if applicable)</i> Ongoing
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Project Engineer, responsible for the civil engineering design and permitting of the water, wastewater and reuse systems, community roadways and stormwater management system for this 1,312+/- acre, mixed-use (primarily residential) community.		<input checked="" type="checkbox"/> Check if project performed with current firm
b.	(1) TITLE AND LOCATION <i>(City and State)</i> Isles of Bellalago, Poinciana, Osceola County, Florida	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES 2007	CONSTRUCTION <i>(if applicable)</i> 2009
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Project Engineer, responsible for the civil engineering design and permitting of the infrastructure improvements including utility systems, stormwater management system and community roadways, for this 400+/- acre residential community.		<input checked="" type="checkbox"/> Check if project performed with current firm
c.	(1) TITLE AND LOCATION <i>(City and State)</i> Shoppes at Celebration Mixed Use Development, Osceola County,	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES 2013	CONSTRUCTION <i>(if applicable)</i> 2013
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Project Engineer, responsible for the civil engineering design and permitting of the infrastructure improvements including the paving, grading and drainage, and utilities for this 438 unit apartment complex and adjacent commercial development along the U.S. Highway 192 tourist corridor in Osceola County.		<input checked="" type="checkbox"/> Check if project performed with current firm
d.	(1) TITLE AND LOCATION <i>(City and State)</i> Publix at Partin Village - St. Cloud, Osceola County, Florida	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES 2011	CONSTRUCTION <i>(if applicable)</i> 2012
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Project Engineer, responsible for the utility design including potable water modeling and permitting, wastewater design including onsite lift station, and permitting of the utility improvements through FDEP for the build-out of this Publix shopping center.		<input checked="" type="checkbox"/> Check if project performed with current firm
e.	(1) TITLE AND LOCATION <i>(City and State)</i> C.R. 545 (Old Lake Wilson Road) Widening - Osceola County,	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES 2011	CONSTRUCTION <i>(if applicable)</i> 2012
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Project Engineer, responsible for the pond siting and permitting, and drainage infrastructure for the widening of this roadway from 2 lanes to 4 lane divided.		<input checked="" type="checkbox"/> Check if project performed with current firm

**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT**

*(Complete one Section E for each key person.)*

<b>12. NAME</b> John M. Hughes, P.S.M.	<b>13. ROLE IN THIS CONTRACT</b> Survey Principal in Charge	<b>14. YEARS EXPERIENCE</b> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;">a. TOTAL 37</td> <td style="width:50%; text-align: center;">b. WITH CURRENT FIRM 37</td> </tr> </table>		a. TOTAL 37	b. WITH CURRENT FIRM 37
a. TOTAL 37	b. WITH CURRENT FIRM 37				
<b>15. FIRM NAME AND LOCATION (City and State)</b> Hanson, Walter & Associates, Inc., Kissimmee, Florida					
<b>16. EDUCATION (DEGREE AND SPECIALIZATION)</b> Valencia Community College Land Surveying Technology		<b>17. CURRENT PROFESSIONAL REGISTRATION (STATE AND DISCIPLINE)</b> Professional Surveyor & Mapper in the State of Florida (L#6367)			
<b>18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)</b> Florida Society of Professional Surveyors & Mappers					

**19. RELEVANT PROJECTS**

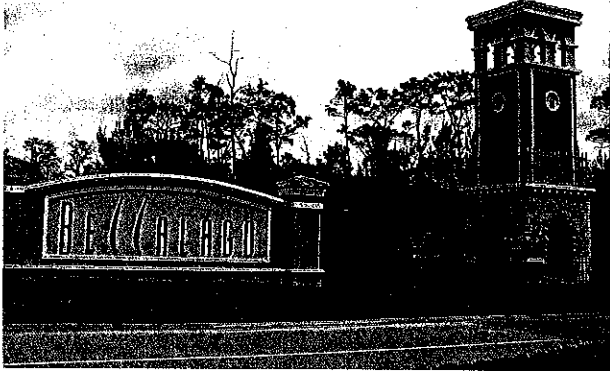
<b>(1) TITLE AND LOCATION (City and State)</b> Bellalago DRI - Poinciana, Osceola County, Florida	<b>(2) YEAR COMPLETED</b> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;">PROFESSIONAL SERVICES Ongoing</td> <td style="width:50%; text-align: center;">CONSTRUCTION (if applicable) Ongoing</td> </tr> </table>		PROFESSIONAL SERVICES Ongoing	CONSTRUCTION (if applicable) Ongoing
PROFESSIONAL SERVICES Ongoing	CONSTRUCTION (if applicable) Ongoing			
<b>(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE</b> a. Surveyor of Record for this 1,312+/- acre multi-phase, mixed-use (primarily residential) development. Services have included boundary, topographic, tree, and wetland jurisdictional line surveys, route surveys, subdivision platting and processing for approval, plat recording, creating legal descriptions and easements, construction layout, and as-built surveying.				
<input checked="" type="checkbox"/> Check if project performed with current firm				

<b>(1) TITLE AND LOCATION (City and State)</b> Westside DRI and CDD - Osceola County, Florida	<b>(2) YEAR COMPLETED</b> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;">PROFESSIONAL SERVICES Ongoing for CDD</td> <td style="width:50%; text-align: center;">CONSTRUCTION (if applicable)</td> </tr> </table>		PROFESSIONAL SERVICES Ongoing for CDD	CONSTRUCTION (if applicable)
PROFESSIONAL SERVICES Ongoing for CDD	CONSTRUCTION (if applicable)			
<b>(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE</b> b. Principal in Charge of Surveying Services for this 1,031+/- acre property. Services have included topographic, tree, and wetland jurisdictional line surveys, route surveys, subdivision platting and recording, creating legal descriptions and easements, construction layout, and as-built surveying. Provided legal descriptions for conservation easements, ponds and other parcels deeded to the CDD.				
<input checked="" type="checkbox"/> Check if project performed with current firm				


<b>(1) TITLE AND LOCATION (City and State)</b> Eagle Lakes - Osceola County, Florida	<b>(2) YEAR COMPLETED</b> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;">PROFESSIONAL SERVICES 2011</td> <td style="width:50%; text-align: center;">CONSTRUCTION (if applicable) 2011</td> </tr> </table>		PROFESSIONAL SERVICES 2011	CONSTRUCTION (if applicable) 2011
PROFESSIONAL SERVICES 2011	CONSTRUCTION (if applicable) 2011			
<b>(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE</b> c. Principal in Charge of Surveying Services for this 365+/- acre, 700 unit, 4 phase single-family residential project. Prepared subdivision platting and processing for approval and plat recording.				
<input checked="" type="checkbox"/> Check if project performed with current firm				


<b>(1) TITLE AND LOCATION (City and State)</b> Poinciana PUD - Osceola & Polk Counties, Florida	<b>(2) YEAR COMPLETED</b> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;">PROFESSIONAL SERVICES Ongoing</td> <td style="width:50%; text-align: center;">CONSTRUCTION (if applicable) Ongoing</td> </tr> </table>		PROFESSIONAL SERVICES Ongoing	CONSTRUCTION (if applicable) Ongoing
PROFESSIONAL SERVICES Ongoing	CONSTRUCTION (if applicable) Ongoing			
<b>(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE</b> d. Principal in Charge of Surveying Services, including but not limited to preparing boundary, topographic and tree surveys, to include wetland jurisdictional lines as necessary, and subdivision re-platting for this 48,000+/- acre development in Osceola and Polk Counties.				
<input checked="" type="checkbox"/> Check if project performed with current firm				

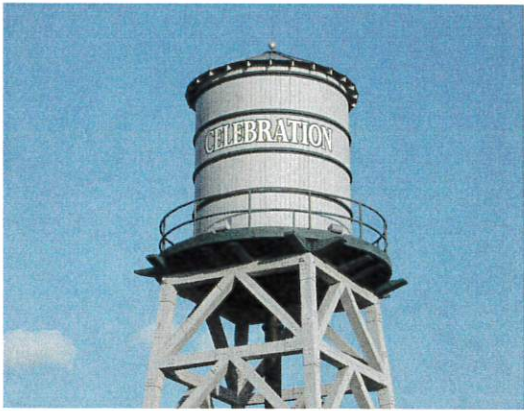
<b>(1) TITLE AND LOCATION (City and State)</b> ChampionsGate DRI, ChampionsGate, Florida	<b>(2) YEAR COMPLETED</b> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;">PROFESSIONAL SERVICES Ongoing</td> <td style="width:50%; text-align: center;">CONSTRUCTION (if applicable)</td> </tr> </table>		PROFESSIONAL SERVICES Ongoing	CONSTRUCTION (if applicable)
PROFESSIONAL SERVICES Ongoing	CONSTRUCTION (if applicable)			
<b>(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE</b> e. Principal in Charge of Surveying Services, providing a boundary, topographic and tree survey and final subdivision platting for a Hampton Inn development parcel in Osceola County and a boundary, topographic and tree survey for a 100 acre, 8 ball field sports complex in Polk County.				
<input checked="" type="checkbox"/> Check if project performed with current firm				


F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 1	
21. TITLE AND LOCATION <i>(City and State)</i> Bellalago Poinciana, Osceola County, Florida		22. YEAR COMPLETED PROFESSIONAL SERVICES: Ongoing CONSTRUCTION <i>(if applicable)</i> : Ongoing	
<b>23. PROJECT OWNER'S INFORMATION</b>			
a. PROJECT OWNER Taylor Morrison	b. POINT OF CONTACT Damon Cascio	c. POINT OF CONTACT TELEPHONE NUMBER 407-636-1574	
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT			
<p><b>Description of the Project:</b> Bellalago is a 1,312+/- acre multi-phase, mixed-use (primarily residential) Development of Regional Impact property with extensive recreational facilities including a series of lakes connecting via a boat lift to Lake Tohopekaliga.</p> <p><b>Nature and Extent of Work:</b> <i>HWA</i> provided Civil Engineering Design and Permitting of all infrastructure improvements, including the community roadways, master water management system, water, wastewater and reuse utility improvements and recreational facilities.</p> <p><i>HWA</i> processed permits through Osceola County, the South Florida Water Management District, the Florida Department of Environmental Protection, and the Florida Department of Transportation, and coordinated with the client's environmental consultant for permitting through the U.S. Army Corps of Engineers, Florida Fish &amp; Wildlife Conservation Commission and the U.S. Fish &amp; Wildlife Service.</p>			
			
<p><i>HWA</i> has also provided Post Design services, including but not limited to construction observation, addressing contractor requests for additional information, review of pay requests, as-built review and close-out certifications.</p> <p><i>HWA</i> is the Surveyor of Record for the property and has prepared boundary, topographic, tree, wetland jurisdictional line surveys as necessary for the design of the project, as well as other survey services.</p>			
<b>25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT</b>			
a.	(1) FIRM NAME Hanson, Walter & Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Kissimmee, Florida	(3) ROLE Civil engineering and land surveying
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE





F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 2	
21. TITLE AND LOCATION <i>(City and State)</i> ChampionsGate and ChampionsGate CDD ChampionsGate, Osceola and Polk Counties, Florida		22. YEAR COMPLETED PROFESSIONAL SERVICES: Ongoing CONSTRUCTION <i>(If applicable)</i> : Ongoing	
23. PROJECT OWNER'S INFORMATION			
a. PROJECT OWNER RIDA Associates / ChampionsGate CDD	b. POINT OF CONTACT Marc Reicher / George Flint- GMS	c. POINT OF CONTACT TELEPHONE NUMBER 407-397-2500 / 407-841-5524	
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT			
<p><b>Description of the Project:</b> ChampionsGate is a 1,000+ acre mixed use Development of Regional Impact property within Osceola and Polk Counties, containing a Omni Hotel, two 18-hole golf courses, residential areas, commercial areas, and office space.</p> <p><b>Nature and Extent of Work:</b> <i>HWA</i> has provided civil engineering design and permitting services for projects within the ChampionsGate development including a regional sports complex in Polk County that contains 8 baseball fields that will serve a nationwide baseball organization; a 55,000 s.f. convention center building in Osceola County adjacent to the existing Omni hotel; and a 150 room Hampton Inn in Osceola County adjacent to I-4. <i>HWA</i> has also provided land surveying services for the development, as needed</p> <p><i>HWA</i> also serves as the ChampionsGate CDD's District Engineer. Projects have included the milling &amp; resurfacing of 2,800 LF of ChampionsGate Blvd which involved preparing</p>		 <p>construction plans for this 4 lane divided roadway from I-4 to the County line including Maintenance of Traffic at the intersection with I-4, as well as paver replacement at crosswalks and intersection emblems. <i>HWA</i> also prepared a project bid manual, assisted with selecting a contractor and provided construction inspection services. <i>HWA</i> has also provided annual sitewide inspections and certification services for the CDD and regularly attends CDD Board meetings.</p>	
25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT			
a.	(1) FIRM NAME Hanson, Walter & Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Kissimmee, Florida	(3) ROLE Civil engineering and land surveying
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

<b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b> (Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)		20. EXAMPLE PROJECT KEY NUMBER 3	
21. TITLE AND LOCATION (City and State) Brighton Lakes PUD and CDD Osceola County, Florida		22. YEAR COMPLETED PROFESSIONAL SERVICES Ongoing for CDD CONSTRUCTION (if applicable)	
<b>23. PROJECT OWNER'S INFORMATION</b>			
a. PROJECT OWNER Engineered Homes / Brighton Lakes CDD	b. POINT OF CONTACT Igor Teplitsky / Kristen Suit -Inframark	c. POINT OF CONTACT TELEPHONE NUMBER 407-678-1661 / 407-566-1935	
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT			
<p><b>Description of the Project:</b>          Brighton Lakes is a 500+/- acre residential development in Osceola County, with approximately 750 lots, a clubhouse and pool and satellite recreation areas integrated around several large wetland areas.</p> <p>In addition to being the original design engineer for both phases of the project, <b>HWA</b> also acts in the capacity of District Engineer for the Brighton Lakes CDD.</p> <p><b>Nature and Extent of Work:</b>  <b>HWA</b> designed and permitted the community's roadway, utility and stormwater infrastructure improvements serving the residential lots, permitting the project through Osceola County, SFWMD and the FDEP. <b>HWA</b> also coordinated with the client's environmental consultant for permitting through ACOE, the Florida Fish &amp; Wildlife Conservation Commission and the U.S. Fish &amp; Wildlife Service.</p> <p><b>HWA</b> has also provided various surveying services including BT&amp;T surveys, as-built surveys, LOMR processing, legal descriptions and platting services.</p>		 <p>Currently, <b>HWA</b> also serves as the CDD District Engineer and provides engineering and surveying support to the CDD Board and CDD Manager as well as attending CDD Board meetings upon request. More recent CDD projects have included annual sitewide inspections of CDD owned facilities, evaluating the guardhouse re-location, installation of speed humps, installation of an entrance feature flag pole, and evaluation of roadway flooding during the hurricanes and October 2011's extreme near 100-year rainfall event.</p>	
<b>25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT</b>			
a.	(1) FIRM NAME Hanson, Walter & Associates, Inc.	(2) FIRM LOCATION (City and State) Kissimmee, Florida	(3) ROLE Civil engineering and land surveying
b.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE

<b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b> <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 4	
21. TITLE AND LOCATION <i>(City and State)</i> Spring Lake @ Celebration and Celebration CDD Celebration, Osceola County, Florida		22. YEAR COMPLETED PROFESSIONAL SERVICES: Ongoing CONSTRUCTION <i>(If applicable)</i> : Ongoing	
<b>23. PROJECT OWNER'S INFORMATION</b>			
a. PROJECT OWNER David Weekley Homes / Celebration CDD	b. POINT OF CONTACT Jeff Barrett / Gary Moyer (Inframark)	c. POINT OF CONTACT TELEPHONE NUMBER 678-812-2051 / 407-566-1935	
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT			
<p><b>Description of the Project:</b>          Spring Lake at Celebration Phases 2 &amp; 3 is a 30 +/- acre residential development in the Town of Celebration, consisting of 101 single family lots and 74 attached multi-family lots, open space mews, rear lot access alley-ways, and stormwater management ponds. In addition to being the design engineer for phases 2 and 3 of this project, <b>HWA</b> also serves in the capacity of District Engineer for the Celebration Community Development District.</p> <p><b>Nature and Extent of Work:</b>  <b>HWA</b> designed and permitted the project's infrastructure including the roadways, alley-ways, stormwater systems, water, sewer and reclaimed water systems, and on-street parking serving the residential lots. In addition, services included permitting the construction plans through Osceola County, FDEP, Reedy Creek Improvement District, The Celebration Company, and the South Florida Water Management District as well as preparing and processing the Final Subdivision Plats through Osceola County.</p>		 <p>For the Celebration CDD, <b>HWA</b> has provided alley-way resurfacing plan preparation, bidding, and construction inspection services, and has also provided coordination and negotiation of the necessary repairs with Osceola County for the public roadways' acceptance years after they were built, but forgotten to be turned over by the original development team. Ongoing services include topographic surveying services, annual inspections, drainage structure and overflow weir repair plans and inspections as well as special requests or projects as directed by the Board.</p>	
<b>25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT</b>			
a.	(1) FIRM NAME Hanson, Walter & Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Kissimmee, Florida	(3) ROLE Civil engineering and land surveying
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
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<b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b> <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 5	
21. TITLE AND LOCATION <i>(City and State)</i> Overoaks Community Development District Kissimmee, Osceola County, Florida		22. YEAR COMPLETED PROFESSIONAL SERVICES Ongoing CONSTRUCTION <i>(If applicable)</i>	
<b>23. PROJECT OWNER'S INFORMATION</b>			
a. PROJECT OWNER Overoaks CDD c/o Inframark	b. POINT OF CONTACT Gary Moyer	c. POINT OF CONTACT TELEPHONE NUMBER 407-566-1935	
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT			
<p><b>Description of the Project:</b>          The Oaks is a 535-lot single-family residential community with an 18-hole golf course. In addition to having provided the civil engineering design and permitting for the project, <b>HWA</b> acts in the capacity of District Engineer for the CDD, providing engineering design, bidding and construction management services for various improvements.</p> <p><b>Nature and Extent of Work:</b>          Improvements have included but are not limited to the following:</p> <ul style="list-style-type: none"> <li>&gt; community roads</li> <li>&gt; stormwater management system</li> <li>&gt; civil engineering improvements for a boat ramp and boat lift</li> </ul> <p><b>HWA</b> provides coordination with the CDD's other consultants, including its geotechnical engineer, environmental consultant, landscape architect, attorney, and management company staff.</p> <p><b>HWA</b> prepared a District Engineer's Report outlining the cost of all improvements.</p>			
<b>25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT</b>			
a.	(1) FIRM NAME Hanson, Walter & Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Kissimmee, Florida	(3) ROLE Civil engineering
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
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<b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b> <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		<b>20. EXAMPLE PROJECT KEY NUMBER</b> 6	
<b>21. TITLE AND LOCATION (City and State)</b> Poinciana PUD Poinciana, Osceola and Polk Counties, Florida		<b>22. YEAR COMPLETED</b> PROFESSIONAL SERVICES: Ongoing CONSTRUCTION (If applicable): Ongoing	
<b>23. PROJECT OWNER'S INFORMATION</b>			
<b>a. PROJECT OWNER</b> Taylor Morrison	<b>b. POINT OF CONTACT</b> Damon Cascio	<b>c. POINT OF CONTACT TELEPHONE NUMBER</b> 407-636-1574	
<b>24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT</b>			
<p><b>Description of the Project:</b>          Poinciana is a 48,000+/- acre mixed-use PUD, including single-family and multi-family developments, commercial and industrial sites, recreational facilities, and public facilities including a K-8 school and a hospital.</p> <p><b>Nature and Extent of Work:</b>  <i>HWA</i> has provided Civil Engineering Services for many of these developments over the past 36 years, with design and permitting through Osceola County, Polk County, South Florida Water Management District, the Florida Department of Environmental Protection, the Florida Department of Transportation, the U.S. Army Corps of Engineers, and the Florida Fish &amp; Wildlife Conservation Commission. A very small sampling of the many projects within Poinciana on which <i>HWA</i> has worked include:</p> <ul style="list-style-type: none"> <li>&gt; Isles of Bellalago (residential)</li> <li>&gt; Solivita Marketplace</li> <li>&gt; Deerwood Park (recreation)</li> <li>&gt; Bellalago Academy</li> <li>&gt; Fieldstone (residential)</li> <li>&gt; The Point (commercial)</li> <li>&gt; Poinciana Industrial Park</li> <li>&gt; Association of Poinciana Villages Maintenance Facility</li> <li>&gt; Crescent Lakes (residential)</li> <li>&gt; Promenade Office Park</li> <li>&gt; Shoppes at Bellalago</li> </ul> <p><i>HWA</i> has also provided Land Surveying Services including boundary, topographic, tree, and wetland jurisdictional line surveys, route surveys, subdivision platting and processing for approval, subdivision plat recording, creating legal descriptions and easements, construction layout, and as-built surveying.</p>			
<b>25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT</b>			
<b>a.</b>	<b>(1) FIRM NAME</b> Hanson, Walter & Associates, Inc.	<b>(2) FIRM LOCATION (City and State)</b> Kissimmee, Florida	<b>(3) ROLE</b> Civil engineering and land surveying
<b>b.</b>	<b>(1) FIRM NAME</b>	<b>(2) FIRM LOCATION (City and State)</b>	<b>(3) ROLE</b>
<b>c.</b>	<b>(1) FIRM NAME</b>	<b>(2) FIRM LOCATION (City and State)</b>	<b>(3) ROLE</b>
<b>d.</b>	<b>(1) FIRM NAME</b>	<b>(2) FIRM LOCATION (City and State)</b>	<b>(3) ROLE</b>
<b>e.</b>	<b>(1) FIRM NAME</b>	<b>(2) FIRM LOCATION (City and State)</b>	<b>(3) ROLE</b>
<b>f.</b>	<b>(1) FIRM NAME</b>	<b>(2) FIRM LOCATION (City and State)</b>	<b>(3) ROLE</b>

<b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b> <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		<b>20. EXAMPLE PROJECT KEY NUMBER</b> 7	
<b>21. TITLE AND LOCATION (City and State)</b> Remington Community Development District Osceola County, Florida		<b>22. YEAR COMPLETED</b> PROFESSIONAL SERVICES: Ongoing CONSTRUCTION (if applicable): Ongoing	
<b>23. PROJECT OWNER'S INFORMATION</b>			
<b>a. PROJECT OWNER</b> Remington CDD	<b>b. POINT OF CONTACT</b> George Flint (Govt. Mgmt. Services)	<b>c. POINT OF CONTACT TELEPHONE NUMBER</b> 407-841-5524	
<b>24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT</b>			
<p><b>Description of the Project:</b>          Remington is a 734+/- Development of Regional Impact property consisting of primarily residential development with an 18-hole golf course. <i>HWA</i> acts in the capacity of District Engineer for the CDD and has provided engineering design, bidding and construction management services for various improvements.</p> <p><b>Nature and Extent of Work:</b>          Improvements for which civil engineering services have been provided include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>&gt; roadway renewal and resurfacing for Remington Blvd. and other streets within several neighborhoods</li> <li>&gt; the addition of a guard shack</li> <li>&gt; stormwater pond reshaping modifications</li> <li>&gt; stormwater pond certifications with SFWMD</li> </ul> <p><i>HWA</i> provides coordination with other consultants, including the CDD's geotechnical consultant, landscape architect, attorney, and management company staff.</p>		 <p><i>HWA</i> prepared a report for the CDD outlining the condition of all roads within the development, and has provided construction inspection services.</p> <p><i>HWA</i> has also provided as-built surveys, as needed, including for Remington Blvd. at the entrance at Lakeshore Blvd. and for the roadways within the Water's Edge neighborhood.</p>	
<b>25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT</b>			
<b>a.</b>	<b>(1) FIRM NAME</b> Hanson, Walter & Associates, Inc.	<b>(2) FIRM LOCATION (City and State)</b> Kissimmee, Florida	<b>(3) ROLE</b> Civil engineering and land surveying
<b>b.</b>	<b>(1) FIRM NAME</b>	<b>(2) FIRM LOCATION (City and State)</b>	<b>(3) ROLE</b>
<b>c.</b>	<b>(1) FIRM NAME</b>	<b>(2) FIRM LOCATION (City and State)</b>	<b>(3) ROLE</b>
<b>d.</b>	<b>(1) FIRM NAME</b>	<b>(2) FIRM LOCATION (City and State)</b>	<b>(3) ROLE</b>
<b>e.</b>	<b>(1) FIRM NAME</b>	<b>(2) FIRM LOCATION (City and State)</b>	<b>(3) ROLE</b>
<b>f.</b>	<b>(1) FIRM NAME</b>	<b>(2) FIRM LOCATION (City and State)</b>	<b>(3) ROLE</b>



## ***Firm Information***

***Hanson, Walter & Associates, Inc.*** has a 41-year history of successfully providing professional civil engineering and land surveying services to private and government clients in Central Florida, including many multi-phase mixed-use developments. ***HWA*** takes great pride as an established and stable consulting firm producing cost effective, timely products and services to both the public and private sectors. ***HWA*** has demonstrated an extensive, successful record of designing, permitting and securing approvals for in excess of ***4,800 projects*** throughout Central Florida, with excellent project management.

We pride ourselves on the high degree of technical competence that we possess and our employees strive to achieve the ultimate degree in ***Excellence in Client Care***. Our staff is comprised of associates who have extensive experience in performing engineering analysis, design and permitting, with innovative solutions. Our unique knowledge of the Central Florida area including the several CDD's we serve as a CDD Engineer for, combined with our comprehensive, diverse experience and the technical qualifications of our Staff will allow the ***HWA*** Team to provide reliable, quality, professional Civil Engineering Services (and Land Surveying Services if required) to the Lake Lizzie Community Development District and to respond professionally, effectively, and efficiently.

***Shawn D. Hindle, P.E.*** will serve as our Principal in Charge for this contract and ***Mark Vincutonis, P.E.*** will serve as Contract Manager. Both have an ***in-depth understanding of the requirements of working for a CDD***, having previously been the Principal in Charge and/or Project Manager for nine (9) and nine (9) CDD District Engineer contracts respectively. They have also served as Principal in Charge and/or Project Manager for Continuing Engineering Services contracts with multiple jurisdictions, for numerous residential subdivisions and for more than 20 county, city and state roadways.

***HWA*** continues to invest in the latest, state-of-the-art equipment technology to facilitate efficiency and accuracy in getting the job done in our Engineering teams, Survey department, and Administrative support staff. All of our engineers, designers and CAD technicians have been trained on AutoCAD Civil 3D.

The ***Hanson, Walter & Associates, Inc.*** Team will provide all necessary resources for each project as assigned and is committed to providing our services to the Lake Lizzie Community Development District with the highest level of integrity and professional excellence. All services will meet or exceed the current accepted standards of practice and all project-related decisions will be based on sound engineering judgment. Our current workload is such that we can start this project immediately. ***We will strive to not just meet, but exceed the District's expectations.***

Copies of ***Hanson, Walter & Associates, Inc.***'s licenses and tax receipts are provided on the following pages. Copies of individual licenses are available upon request.



H. ADDITIONAL INFORMATION

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

**BRUCE VICKERS, TAX COLLECTOR**  
OSCEOLA COUNTY, STATE OF FLORIDA

**EXPIRATION**

SEPTEMBER 30, 2023

**ACCOUNT NO.**

435

**2023**

BUSINESS TYPE:  
9100 ENGINEER (DBPR)

07/19/2022  
Oper: N/A  
Till: Internet  
Paid: 30.00  
Rcpt.#020804

9100-435	
TRANSFER	0.00
ORIGINAL TAX	30.00
AMOUNT	0.00
PENALTY	0.00
COLLECTION COST	0.00
TOTAL	30.00

**BUSINESS:**

Hanson, Walter & Associates, Inc.  
8 Broadway, Ste. 104  
Kissimmee, FL 34741

**Location:**  
CITY OF KISSIMMEE

*Bruce E. Vickers*

BRUCE VICKERS CFC, TAX COLLECTOR  
P.O. BOX 421105, KISSIMMEE FL 34742-2105  
407-742-4000

**BRUCE VICKERS, TAX COLLECTOR**  
OSCEOLA COUNTY, STATE OF FLORIDA

**EXPIRATION**

SEPTEMBER 30, 2023

**ACCOUNT NO.**

435

**2023**

BUSINESS TYPE:  
9240 SUPERVISOR (DBPR)

07/19/2022  
Oper: N/A  
Till: Internet  
Paid: 0.00  
Rcpt.#020804

9240-435	
TRANSFER	0.00
ORIGINAL TAX	0.00
AMOUNT	0.00
PENALTY	0.00
COLLECTION COST	0.00
TOTAL	0.00

**BUSINESS:**

Hanson, Walter & Associates, Inc.  
8 Broadway, Ste. 104  
Kissimmee, FL 34741

**Location:**  
CITY OF KISSIMMEE

*Bruce E. Vickers*

BRUCE VICKERS CFC, TAX COLLECTOR

**BUSINESS TAX RECEIPT**

City of Kissimmee  
Development Services  
101 Church Street  
Suite 120  
Kissimmee, Florida 34741

**BUSINESS NAME:** HANSON WALTER & ASSOCIATES INC      **Business Type(s):** Engineer Office

**DBA:** SHAWN HINDLE

**BUSINESS OWNER:** SHAWN HINDLE

**BUSINESS LOCATION:** 8 BROADWAY  
KISSIMMEE, FL 34741

<b>Business Tax Receipt No:</b> BL-001302-2022
<b>License Year:</b> 2023
<b>Effective Date:</b> 09/15/2022
<b>Expiration Date:</b> 09/30/2023

LATE PENALTIES: AS OF OCTOBER 1 - 10% AS OF NOVEMBER 1 - 15% AS OF DECEMBER 1 - 20% AS OF JANUARY 1 - 25%  
OPERATING A BUSINESS WITHOUT A BUSINESS TAX RECEIPT IS SUBJECT TO CIVIL ACTIONS AND A PENALTY OF UP TO \$250.

## *Project Approach*

The **HWA** Team, led by **Mark Vincutonis, P.E.**, as Contract Manger, has extensive experience working with different private developers and public Community Development Districts and understands the requirements of such work. **HWA** has worked with both during a project's initial construction by the developer and subsequent to the majority of the development being in place, and understands the delicate balance between developer and CDD interests. This experience, an emphasis on identifying potential problems up front and finding effective solutions, and providing leadership in communications between all stakeholders are the elements that have led to **HWA's** success in managing residential development projects with and without CDD involvement.

Although **HWA** is currently the interim CDD manager for the Lake Lizzie Community Development District, we are excited to be able to submit the Request for Qualifications for your consideration. **HWA** has the manpower and resources to be able to provide to meet the needs of the District as **HWA's** current and projected workloads are manageable and running in the **75% to 85%** range with key personnal always available to assist the Contract Manager when needed.

**Project Definition:** The assignment will be approached with an initial Definition of the **Project** including any potential **Problems**, a clear understanding of the **Goals** of the District, review of the project **Schedule** and **Budget** and preparation of a concise **Scope of Services**. Upon completion of the **Project Definition** phase of the assignment, we will gather the appropriate staff and begin the **Discovery Phase** of the project.

**Discovery Phase:** Discovery involves the accurate collection, filtering, and interpretation of all existing data associated with the project area. All projects must be approached on a Macro platform with solutions to challenges and opportunities integrating the external influences on the problem and/or solution. **HWA** and our team members are experienced in data collection and will evaluate both the internal and external influences and constraints utilizing the following conduits of information:

- **Lake Lizzie CDD** – As requested by the CDD manager and in cooperation with the Developer's Engineer. The current approvals and construction status and any problematic concerns. We will provide the necessary inspections of the new construction as part of the infrastructure turnover process for the CDD.
- **Osceola County** – The Public Works Departments will be researched to review all construction plans associated with residential subdivisions, commercial/private properties, roadways, stormwater facilities, or recreational facilities within the project area. Public representatives will also be contacted regarding flooding complaints or other problematic conditions. The County will be contacted for development information regarding any off-site influences on County maintained facilities, including roads and other public works projects.
- **Water Management District** – The water management district will be contacted for available water quality data watershed analysis assignments. Also, lake level and control data will be gathered for use in establishing model boundary conditions, if needed for the project. Available wetlands and other environmental and natural resource data will also be reviewed. The local office will also be contacted and files reviewed for all environmental resource permits issued for residential and commercial developments within the project area.

- **FEMA** – The current County Flood Insurance Study (FIS) will be reviewed along with the applicable Flood Insurance Rate Map (FIRM) panels to serve as a baseline for hydraulic model evaluations.
- **FDOT** – The FDOT will be contacted for roadway plans and reports regarding any roads under their jurisdiction that are affected by the project.
- **USGS / USACOE** – These agencies will be contacted for any water quality or stream flow data and also with regard to any current or future projects in the vicinity which may impact the basin or watershed being evaluated.
- **FFWCC / USFWS** – These agencies will be contacted with regard to the presence of sensitive wildlife and fish.

**Land Surveying:** *HWA's* team of professional and qualified land surveyors have extensive knowledge and experience in the area. If requested by the District, *HWA* can prepare boundary and topographic surveys to be incorporated into the engineering design. Existing survey control would be established in accordance with the state plane coordinate system. Legal descriptions would be prepared as necessary. The data inventory would be translated to GIS for graphical representation. The field inventory would be aided using handheld field GPS/GIS units entering data directly into a format for ready import into the office's GIS system. This semi-automated method of data collection saves time and budget by eliminating one step in the data translation process. More data is able to be collected more quickly and accurately than using traditional techniques. At the appropriate time, construction staking (route, form-board, foundation and final as-built surveys) would occur in a timely manner to align with necessary inspections.

**Preliminary Engineering:** Our team will develop a comprehensive alternative analysis, addressing issues identified in project research and stakeholder interviews. We will consider the full range of options when making our evaluations and document our activities in a Project Analysis Technical Memorandum. We will compare the initial analysis to the goals, schedule and budget of the project to ensure that the most efficient approach to a given assignment is being pursued. We will employ our eminent domain expertise and public project experience, to evaluate the proposed improvements, with a goal of identifying project inhibitors, delays and cost exposure. We will also identify alternative funding sources for specific types of projects and work with the District to define the efforts and schedule required to seek alternative funding sources.

Environmental analysis, preliminary geotechnical investigations, drainage analysis, alternative solutions, etc. will be considered and reported in the preliminary engineering report for each assignment, which will serve as a design guideline for final design. Initial thoughts regarding landscape elements will also be discussed during this phase.

**Final Design:** Through our successful completion of numerous design projects, *HWA* has developed principles of quality work, commitment, delivery and follow up to ensure that our clients and their constituents are delivered a final product that exceeds their expectations. Communication is a key element in minimizing impact to District personnel and resources, and developing a successful project. Therefore, the first order of communication will be the development and implementation of our Schedule of Professional Services and Completion – ***and we will execute all elements of the Scope of Work meeting key milestones within schedule and budget.***

Our final design will remain focused on our project goals, as well as the short and long-term effects of our engineering decisions. We have a proven history of making sound engineering judgments, which meet the needs of the project and protect the interest of the community. Our design decisions will be based upon cost, constructability, maintenance, functionality, and permissibility. Our coordination effort will define permitting issues early in the process, allowing our design efforts to address said issues resulting in a smooth permitting process.

Our proposed team contains multiple engineering professionals to provide the District with the most available and knowledgeable personnel for each project element. We will evaluate the availability of the surveyors, if required, to assure project assignments do not experience delay, and we will commit as many design teams to multiple task authorizations, should the contract so require. Attention to immediate design requirements and long-term maintenance effects of the design decisions will be evaluated for every assignment.

**Permitting:** Our proven permitting record and respect earned through interactions with permitting staff will prove invaluable to the District in maintaining schedules and securing necessary permits.

**Bidding/Estimates/Specifications:** *HWA* and our team have successfully developed bid specifications and procedures to ensure the potential contractors are completely aware of the proper preparation of the bid submittal, in addition to the District being assured that the completed project meets the purpose and goal of the construction documents. Engineering estimates will be prepared from our project database of recent projects bid and constructed in the general vicinity. We recognize the importance of the specifications to protect both the District and Contractor, and will develop the specifications to meet each proposed construction project.

**Post Design Services:** *HWA* will conduct pre-bid and pre-construction conferences, assist in the evaluation of the bid submittals including providing recommendations for award and monitor the progress of the construction to include preparing all certificates of completion. We will review the construction procedures, address any design or permitting inquiries and assist the District in successful bid and construction of the improvements.

*Hanson, Walter & Associates, Inc.* believes that quality control/quality assurance is not the responsibility of just one person. Rather it is the responsibility of the entire team, with established procedures and checks and controls at various stages in the project's life cycle. *HWA* believes there are two essential phases to managing a project and six essential elements to maintaining quality assurance and excellent client service, which we define as our project management plan:

**Project Management:** Managing a project requires proper planning and execution. The planning phase requires a well defined scope, a realistic schedule that can be achieved based upon proper allocation of resources and budget that provides for the resources to meet both the scope and the schedule. Execution begins with the initiation of work, the management of resources, communication and control of the team.

**Project Definition and Planning:** The first step to Quality Assurance is to completely understand the scope of the project at hand. To ensure excellent communication, *HWA* will meet with District staff and all parties involved, to establish the requirements, limits, goals, schedule including any specific deadlines, budget, and other needs for the project. To promote complete information, we research agency files and Public Records and other sources for pertinent information relating to the project. The scope must be balanced to the budget and schedule.

**Clear Assignment of Tasks and Responsibilities:** After an extensive on-location field review of the project site by the Project Manager, we hold Team meetings with *HWA* staff and sub-consultants as necessary, to define the project scope, preferred techniques and to determine the necessary manpower requirements. Each Team member understands his/her responsibility in ensuring we meet client expectations regarding all aspects of the project including quality.

**Meeting or Exceeding Project Established Standards:** To ensure that we meet or exceed established standards if higher, *HWA* maintains the most current equipment and software. We continue to invest in the latest, state-of-the-art equipment technology to facilitate efficiency and accuracy in getting the job done. All *HWA* engineers, designers and CAD technicians have been trained on AutoCAD Civil 3D.

**Tracking and Documentation:** Work is reviewed by a number of different professional staff members. A quality control check list is used at each level of review, first by the Project Engineer, then the Project Manager, and then the person responsible for the project's overall QA/QC, in this case **Mark Vincutonis, P.E.**, who ensures that *HWA*'s quality standards are maintained. In addition to holding individual project meetings with assigned staff, *HWA*'s Management Team holds regular meetings to review all projects, schedules and work assignments, to ensure quality control and effective project management.

To ensure the safe retention of project information, all correspondence and meeting notes, etc. are scanned and maintained in the job file, with daily back-up of all data.

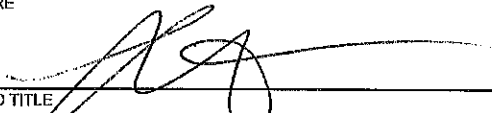
**Quality Staff:** Quality control is not possible without an experienced, technically qualified staff. *HWA*'s staff have developed their Civil Engineering expertise over many years of study, diligence and real world experience. We promote continuing education and sponsor both external and in-house seminars, to ensure that our personnel are current on the latest rules and regulations, techniques, and quality control procedures.

**Mark Vincutonis, P.E.**, who has over 28 years civil engineering experience and a keen eye for detail, will serve as *HWA*'s QA/QC Manager for this contract. **John Hughes, P.S.M.**, who has over 37 years of land surveying experience, will provide peer review where surveying elements are involved. This comprehensive approach to quality assurance and control will ensure that the Lake Lizzie CDD is provided a quality construction package.

I. AUTHORIZED REPRESENTATIVE

The foregoing is a statement of facts.

31. SIGNATURE



32. DATE

01-24-2023

33. NAME AND TITLE

Shawn D. Hindle, P.E. - President

# ARCHITECT-ENGINEER QUALIFICATIONS

1. SOLICITATION NUMBER (If any)

## PART II - GENERAL QUALIFICATIONS

(If a firm has branch offices, complete for each specific branch office seeking work.)

2a. FIRM (OR BRANCH OFFICE) NAME Hanson, Walter & Associates, Inc.			3. YEAR ESTABLISHED 1981	4. DUNS NUMBER 00-139-0038
2b. STREET 8 Broadway, Suite 104			<b>5. OWNERSHIP</b>	
2c. CITY Kissimmee	2d. STATE FL	2e. ZIP 34741	a. TYPE Corporation	
6a. POINT OF CONTACT NAME AND TITLE Shawn D Hindle, P.E. President			b. SMALL BUSINESS STATUS	
6b. TELEPHONE NUMBER 407-847-9433			6c. E-MAIL ADDRESS shindle@hansonwalter.com	
8a. FORMER FIRM NAME(S) (If any)			8b. YR. ESTABLISHED	8c. DUNS NUMBER
N/A			N/A	N/A

### 9. EMPLOYEES BY DISCIPLINE

### 10. PROFILE OF FIRM'S EXPERIENCE AND ANNUAL AVERAGE REVENUE FOR LAST 5 YEARS

a. Function Code	b. Discipline	c. No. of Employees		a. Profile Code	b. Experience	c. Revenue Index Number (see below)
		(1) FIRM	(2) BRANCH			
12	Civil Engineer/Designer	10		C10	Commercial Bldgs: Shopping Centers	1
08	Engineering CADD Tech.	7		C11	Community Facilities	1
16	Construction Manager	1		C15	Construction Management	2
38	Land Surveyor	11		C16	Construction Surveying	2
02	Administration	7		E02	Education Facilities	1
				F03	Fire Protection	
				H07	Highways: Streets, Parking Lots	3
				H09	Hospitals & Medical Facilities	1
				H11	Housing	3
				I01	Industrial Bldgs: Manuf. Plants	1
				L02	Land Surveying	2
				L04	Libraries	1
				R04	Rec. Facilities; Parks & Marinas	1
				S04	Sewage Collection/Treatment Disposal	2
				S10	Survey, Mapping, Flood Plain Studies	1
				S13	Storm Water Handling & Facilities	2
				T04	Topographic Survey & Mapping	1
				W01	Warehouses & Depots	1
				W03	Water Supply/Treatment/Distribution	2
	Other Employees					
<b>Total</b>		<b>36</b>				

### 11. ANNUAL AVERAGE PROFESSIONAL SERVICES REVENUES OF FIRM FOR LAST 3 YEARS

(Insert revenue index number shown at right)

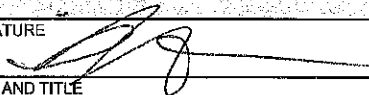
a. Federal Work	
b. Non-Federal Work	6
c. Total Work	6

### PROFESSIONAL SERVICES REVENUE INDEX NUMBER

- |   |   |
|---|---|
| 1. Less than \$100,000                  | 6. \$2 million to less than \$5 million   |
| 2. \$100,000 to less than \$250,000     | 7. \$5 million to less than \$10 million  |
| 3. \$250,000 to less than \$500,000     | 8. \$10 million to less than \$25 million |
| 4. \$500,000 to less than \$1 million   | 9. \$25 million to less than \$50 million |
| 5. \$1 million to less than \$2 million | 10. \$50 million or greater               |

### 12. AUTHORIZED REPRESENTATIVE

The foregoing is a statement of facts.

a. SIGNATURE 	b. DATE 01-24-2023
c. NAME AND TITLE Shawn D. Hindle, P.E. - President	

# SECTION XI

**RESOLUTION 2023-38**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR AND AUTHORIZING THE USE OF ELECTRONIC DOCUMENTS AND SIGNATURES; ADOPTING AND IMPLEMENTING ELECTRONIC DOCUMENT CONTROL PROCESSES AND PROCEDURES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Lake Lizzie Community Development District (the “District”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, and situated within Osceola County, Florida; and

**WHEREAS**, Chapter 190, *Florida Statutes*, authorizes the District to construct, install, operate, and/or maintain systems and facilities for certain basic infrastructure; and

**WHEREAS**, Chapter 190, *Florida Statutes* authorizes the District Board of Supervisors, to enter into various contracts for the purposes set forth therein; and

**WHEREAS**, the District Board of Supervisors finds that it is the interest of the District and its residents to reduce waste, costs, and to enhance services; and

**WHEREAS**, the District Board of Supervisors recognizes that the Florida Legislature, through the passage of the Electronic Signature Act of 1996, codified in Chapter 668, *Florida Statutes* (“Act”), intended to, among other goals, facilitate economic development and efficient delivery of government services by means of reliable electronic messages and foster the development of electronic commerce through the use of electronic signatures to lend authenticity and integrity to writings in any electronic medium; and

**WHEREAS**, the District Board of Supervisors wishes to further these goals through the use of electronic documents and signatures.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LAKE LIZZIE COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. INCORPORATION OF RECITALS.** The recitals so stated are true and correct and by this reference are incorporated into and form a material part of this Resolution.

**SECTION 2. FORCE AND EFFECT OF ELECTRONIC DOCUMENTS AND SIGNATURES.** Unless otherwise provided by law, electronic documents and signatures submitted to and on behalf of the District may be used for all purposes and shall have the same force and effect as printed documents and manual signatures.



**SECTION 3. AUTHORIZING UTILIZATION OF ELECTRONIC SIGNATURES AND DOCUMENTS.** All contractors and personnel associated with the District are hereby authorized and encouraged to utilize electronic documents and signatures when reasonably practicable and as permitted by law. The District Manager is authorized and directed to obtain the provision of electronic document services or platforms offered by nationally recognized third party vendors that increase the efficiency of the District's operations.

**SECTION 4. CONTROLS PROCESSES AND PROCEDURES.** The District Board of Supervisors hereby authorizes and directs the District Manager to create and implement control processes and procedures consistent with Florida Law to ensure adequate integrity, security, confidentiality, and auditability of all transactions conducted using electronic commerce.

**SECTION 5. SEVERABILITY.** If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall take effect upon its passage and shall remain in effect unless rescinded or repealed.

**PASSED AND ADOPTED** this 1<sup>st</sup> day of February 2023.

ATTEST:

**LAKE LIZZIE COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair