

***Horseshoe Creek  
Community Development District***

***Agenda***

***September 18, 2024***

# AGENDA

*Horseshoe Creek*  
*Community Development District*

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

September 11, 2024

Board of Supervisors  
Horseshoe Creek Community  
Development District

Dear Board Members:

The regular meeting and public hearings of the Board of Supervisors of the Horseshoe Creek Community Development District will be held **Wednesday, September 18, 2024, at 1:00 PM the Lake Alfred Public Library, 245 North Seminole Ave., Lake Alfred, FL 33850.** Following is the advance agenda for the regular meeting:

**Board of Supervisors Meeting**

1. Roll Call
2. Public Comment Period
3. Organizational Matters
  - A. Administration of Oaths of Office to Newly Elected Supervisors
  - B. Consideration of Resolution 2024-29 Canvassing and Certifying the Results of the Landowners' Election
  - C. Election of Officers
  - D. Consideration of Resolution 2024-30 Electing Officers
4. Approval of Minutes of the July 17, 2024 Board of Supervisors Meeting and August 21, 2024 Landowners Meeting
5. 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 Master Assessment Methodology
    - iv. Public Comment, Testimony and Board Discussion
    - v. Consideration of Resolution 2024-31 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 2024-32 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 Publication of Notice
    - ii. Public Comment and Board Discussion
    - iii. Consideration of Resolution 2024-33 Adopting the Rules of Procedure
  - D. Public Hearings on the Adoption of the Fiscal Year 2023/2024 and 2024/2025 Budgets
    - i. Presentation of Affidavit of Publication of Notice
    - ii. Public Comment and Board Discussion
    - iii. Consideration of Resolution 2024-34 Adopting the District's Fiscal Year 2023/2024 Budget and Appropriating Funds
    - iv. Consideration of Resolution 2024-35 Adopting the District's Fiscal Year 2024/2025 Budget and Appropriating Funds
- 6. Ranking of Proposals for District Engineering Services and Authorization to Issue Notice of Intent to Award and Enter Negotiations with Number-One Ranked Firm
- 7. Staff Reports
  - A. Attorney
  - B. Engineer
  - C. District Manager's Report
    - i. Adoption of District Goals and Objectives
- 8. Other Business
- 9. Supervisors Requests
- 10. Adjournment



# SECTION III

# SECTION B

**RESOLUTION 2024-29**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Horseshoe Creek 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 the City of Davenport, Florida; and

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

**WHEREAS**, such landowners meeting was held at which the below recited persons were duly elected by virtue of the votes cast in their favor; and

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

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

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

<u>Tony Iorio</u>	Seat 1	Votes <u>400</u>
<u>Doug Beasley</u>	Seat 2	Votes <u>400</u>
<u>Jason Lonas</u>	Seat 3	Votes <u>399</u>
<u>Tom Franklin</u>	Seat 4	Votes <u>399</u>
<u>Rocky Owen</u>	Seat 5	Votes <u>399</u>

2. **TERMS.** In accordance with Section 190.006(2), *Florida Statutes*, and by virtue of the number of votes cast for the Supervisors, the above-named persons are declared to have been elected for the following term of office:

<u>Tony Iorio</u>	4 Year Term
<u>Doug Beasley</u>	4 Year Term
<u>Jason Lonas</u>	2 Year Term
<u>Tom Franklin</u>	2 Year Term
<u>Rocky Owen</u>	2 Year Term

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

**PASSED AND ADOPTED** this 18<sup>th</sup> day of September 2024.

ATTEST:

**HORSESHOE CREEK COMMUNITY  
DEVELOPMENT DISTRICT**

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

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

# SECTION D



# MINUTES

**MINUTES OF MEETING  
HORSESHOE CREEK  
COMMUNITY DEVELOPMENT DISTRICT**

The Organizational meeting of the Board of Supervisors of the Horseshoe Creek Community Development District was held Wednesday, **July 17, 2024**, at 1:00 p.m. at the Lake Alfred Library, 245 N. Seminole Avenue, Lake Alfred, Florida.

Present and constituting a quorum:

Tony Iorio	Chairman
Doug Beasley	Vice Chairman
Rocky Owen	Assistant Secretary
Tom Franklin	Assistant Secretary

Also present were:

George Flint	District Manager, GMS
Michelle Rigoni <i>by phone</i>	District Counsel, Kutak Rock
Kathy Leo <i>by phone</i>	GAI Engineering
Sara Zare <i>by phone</i>	Underwriter, MBS
Cynthia Wilhelm <i>by phone</i>	Bond Counsel, Nabors, Giblin & Nickerson, P.A.

**FIRST ORDER OF BUSINESS**

**Introduction**

**A. Call to Order**

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

**B. Public Comment Period**

Mr. Flint noted there were no members of the public participating in the meeting today.

**C. Oath of Office**

Mr. Flint stated the initial five members of the Board are named in the creating ordinance and those include Mr. Jason Lonas, Mr. Anthony Iorio, Mr. Doug Beasley, Mr. Rocky Owen, and Mr. Tom Franklin. Four of those initial Board members are present at the meeting today. Mr. Flint



administered the oath to the four Board members present, Mr. Tony Iorio, Mr. Doug Beasley, Mr. Rocky Owen, and Mr. Tom Franklin.

**SECOND ORDER OF BUSINESS**

**Organizational Matters**

**A. Confirmation of Notice of Meeting**

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

**C. Election of Officers**

**1. Consideration of Resolution 2024-01 Appointing Officers**

Mr. Flint stated that they need to elect a Chair, Vice Chair and Assistant Secretaries. He noted that they ask the Board to name him, George Flint, as Secretary, Jill Burns in their office as Treasurer, and Katie Costa and Darrin Mossing as Assistant Treasurers. The Board agreed for Mr. Iorio to be Chairman, Mr. Beasley to be Vice Chairman and the other three Supervisors to be Assistant Secretaries.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Resolution 2024-01 Appointing George Flint as Secretary, Jill Burns as Treasurer, Katie Costa and Darrin Mossing as Assistant Treasurers, Mr. Iorio as Chairman, Mr. Beasley as Vice Chairman and Mr. Owen, Mr. Franklin, and Mr. Lonas as Assistant Secretaries, was approved.

**THIRD ORDER OF BUSINESS**

**Retention of District Staff**

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

**1. Consideration of Resolution 2024-02 Appointing District Manager, Financial Disclosure Coordinator, Assessment Consultant, and Designated Investment Representative**

Mr. Flint stated this resolution would appoint GMS as the District Manager, Financial Disclosure Coordinator, Assessment Consultant, and Designated Investment Representative for Horseshoe Creek CDD. He noted that their standard form of agreement is included as well and is consistent with all their other Districts they have done in the past year. He was happy to answer any questions on any of the fees that are listed on Exhibit A.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2024-02 Appointing GMS as District Manager, Financial Disclosure Coordinator, Assessment Consultant, and Designated Investment Representative, was approved.

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

**1. Consideration of Resolution 2024-03 Appointing District Counsel**

Mr. Flint stated this resolution would appoint Kutak Rock, LLP as their District Counsel. Their agreement is included in the agenda packet for review. Ms. Rigoni noted a minor typo on the reimbursement policy. The motion contemplates that correction.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2024-03 Appointing Kutak Rock, LLP as District Counsel, was approved as amended.

**C. Consideration of Agreement for Interim District Engineer**

**1. Consideration of Resolution 2024-04 Appointing Interim District Engineer**

Mr. Flint stated this resolution would name GAI Consultants, Inc. as their Interim District Engineer.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2024-04 Appointing GAI Consultants, Inc. as Interim District Engineer, was approved.

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

Mr. Flint stated engineering services is one of the professionals that has to go through the RFQ process where they will place an ad to solicit qualification statements. Then, they will come back to the Board for review and rankings. The ad that will be placed pending authorization from the Board is included in the agenda packet for review.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Authorization to Issue RFQ for Engineering Services, was approved.

**E. Consideration of Resolution 2024-05 Selection of Registered Agent and Office**

Mr. Flint stated this resolution names Sarah Sandy as the Registered Agent and her office in Tallahassee as the Registered Office.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Resolution 2024-05 Selection of Registered Agent and Office, was approved.

**FOURTH ORDER OF BUSINESS**

**Designation of Meetings and Hearing Dates**

**A. Consideration of Resolution 2024-06 Designation of Regular Monthly Meeting Date, Time, and Location for the Remainder of Fiscal Year 2024 and Fiscal Year 2025**

Mr. Flint noted Exhibit A includes the regular meeting dates for Fiscal Year 2024 and Fiscal Year 2025. The date will be the third Wednesday. The time will be 1:00 p.m. unless otherwise indicated. The location will be at the library. The Board agreed with the dates, time and location as presented in Exhibit A.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Resolution 2024-06 Designation of Regular Monthly Meeting Date, Time, and Location for the Fiscal Year 2024 as Presented in Exhibit A, was approved.

**B. Consideration of Resolution 2024-07 Designation of Landowner’s Meeting Date, Time, and Location**

Mr. Flint proposed September 18, 2024 for the landowners’ meeting date. The Board agreed to the proposed date.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Resolution 2024-07 Designation of Landowner’s Meeting for September 18, 2024, was approved.

Ms. Rigoni noted the September 18, 2024 date needs to be reconsidered because they need to have the landowners’ election within 90 days of establishment. The Board agreed to change the date to August 21, 2024 at 1:00 p.m.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Resolution 2024-07 Designation of Landowner’s Meeting for August 21, 2024, was approved as amended.

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

**1. Consideration of Resolution 2024-08 Setting a Public Hearing to Consider the Proposed Rules of the District**

Mr. Flint stated Resolution 2024-08 was included in their agenda packet for review. He suggested September 18, 2024 at 1:00 p.m. in their current location.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Resolution 2024-08 Setting the Public Hearing for September 18, 2024 at 1:00 p.m. in their current location, was approved.

**D. Designation of Date of Public Hearing on the Budget for Fiscal Year 2024**

**1. Consideration of Resolution 2024-09 Setting the Public Hearing and Approving the Proposed Budget for Fiscal Year 2023/2024**

Mr. Flint presented Resolution 2024-09, which is included in the agenda packet for review. He noted that they need at least 60 days to send this to the city and the county, so the proposed date is September 18, 2024 at 1:00 p.m. in their current location. He was happy to answer any questions.

On MOTION by Mr. Owen, seconded by Mr. Franklin, with all in favor, Resolution 2024-09 Setting the Public Hearing for September 18, 2024 at 1:00 p.m. at the same location and the Proposed Budget for Fiscal Year 2024, was approved.

**2. Consideration of Resolution 2024-10 Setting the Public Hearing and Approving the Proposed Budget for Fiscal Year 2024/2025**

Mr. Flint stated this resolution sets the public hearing to adopt next year's budget. The date, September 18 at 1:00 p.m., was the recommended date and time.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2024-10 Setting the Public Hearing and Approving the Proposed Budget for Fiscal Year 2024/2025, was approved.

**3. Approval of the Budget Funding Agreement for Remainder of Fiscal Year 2023/2024 and for Fiscal Year 2024/2025**

Mr. Flint stated they have a Funding Agreement, which is a combined Funding Agreement for both the current fiscal year and next fiscal year. The form of this agreement has slightly changed. Ms. Rigoni stated this agreement has been provided to the developer to review.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, the Budget Funding Agreement for Remainder of Fiscal Year 2023/2024 and for Fiscal Year 2024/2025, was approved.

**E. Consideration of Resolution 2024-11 Setting Date of Public Hearing Expressing the District’s Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad-Valorem Assessments in accordance with Section 197.3632, Florida Statutes**

Mr. Flint stated this was the hearing they would go through so they can collect their assessments on roll when they are ready to do that. The suggested date is September 18, 2024 at 1:00 p.m. at their current location.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Resolution 2024-11 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 for September 18, 2024 at 1:00 p.m. in the same location, was approved.

**FIFTH ORDER OF BUSINESS**

**Other Organizational Matters**

**A. Consideration of Resolution 2024-12 Designating a Qualified Public Depository**

Mr. Flint stated this resolution was the account they would establish for O&M funds. The suggestion was Truist, which is where they have all the accounts for all the other Districts. He was happy to answer questions.

On MOTION by Mr. Iorio, seconded by Mr. Beasley, with all in favor, Resolution 2024-12 Designating Truist as Qualified Public Depository, was approved.

**B. Consideration of Resolution 2024-13 Authorization of Bank Account Signatories**

Mr. Flint stated this resolution authorizes the Secretary, Treasurer and Assistant Treasurer to be signers on the account. He was happy to answer any questions.

On MOTION by Mr. Iorio, seconded by Mr. Beasley, with all in favor, Resolution 2024-13 Authorization of Bank Account Signatories, was approved.

**C. Consideration of Resolution 2024-14 Relating to Defense of Board Members**

Ms. Sandy explained in detail Resolution 2024-14 to the Board. It was noted that this resolution provides the District’s intent to provide indemnification and legal defense for the Board and District Officers in the event that they are named in a lawsuit in relation to their duty to the District.

On MOTION by Mr. Iorio, seconded by Mr. Beasley, with all in favor, Resolution 2024-14 Relating to Defense of Board Members, was approved.

**D. Consideration of Resolution 2024-15 Approving or Ratifying District Counsel’s Actions in Recording the Property Records of Polk County, Florida the “Notice of Establishment” in accordance with Chapter 190.0485, Florida Statutes**

**1. Notice of Establishment**

Mr. Flint presented Resolution 2024-15 to the Board. He noted this has already been recorded.

On MOTION by Mr. Franklin, seconded by Mr. Beasley, with all in favor, Resolution 2024-15 Approving or Ratifying District Counsel’s Actions in Recording the Property Records of Polk County, Florida the Notice of Establishment in accordance with Chapter 190.0485, Florida Statutes, was ratified.

**E. Consideration of Resolution 2024-16 Adopting Investment Guidelines**

Mr. Flint stated Florida Statutes outlines options that are available through the District to invest funds that they have that are in excess of the amounts that they need for general operating procedures. The options available were listed in the agenda packet for review. It was recommended that the District adopt the Alternative Investment Guidelines under the statutes.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Resolution 2024-16 Adopting Investment Guidelines, was approved.

**F. Consideration of Resolution 2024-17 Authorizing Execution of Public Depositor Report**

Mr. Flint presented Resolution 2024-17 to the Board.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2024-17 Authorizing Execution of Public Depositor Report, was approved.

**G. Consideration of Resolution 2024-18 Designating a Policy for Public Comment**

Mr. Flint stated this resolution outlines policies and procedures that allow members of the public who may attend their meetings to comment on any items that may be coming before the Board.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Resolution 2024-18 Designating a Policy for Public Comment, was approved.

**H. Consideration of Resolution 2024-19 Adopting a Travel and Reimbursement Policy**

Mr. Flint stated Florida Statutes establishes standard travel and reimbursement rates for their Public Officers or employees who are traveling on behalf of a public agency. That policy is attached to the resolution for review.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Resolution 2024-19 Adopting a Travel and Reimbursement Policy, was approved.

**I. Consideration of Resolution 2024-20 Adopting Prompt Payment Policy**

Mr. Flint stated Florida Statutes requires timely payment to vendors and contractors who are providing certain events or services to the District. This policy is consistent with Florida Statutes.

On MOTION by Mr. Iorio, seconded by Mr. Beasley, with all in favor, Resolution 2024-20 Adopting Prompt Payment Policy, was approved.

**J. Consideration of Resolution 2024-21 Adopting a Records Retention Policy**

Mr. Flint stated there are two options and resolutions provided along with a memo from Ms. Sandy’s firm outlining those two options. Their staff recommendation is to go with option two and they can always modify their policy in the future to allow for destruction of records.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor Resolution 2024-21 Adopting a Records Retention Policy Option Two, was approved.

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

Mr. Flint stated Board members are allowed to receive compensation for up to \$200 per meeting. Mr. Owen and Mr. Franklin are accepting compensation. Mr. Iorio and Mr. Beasley declined compensation.

**L. Consideration of Resolution 2024-22 Designating the Primary Administrative Office and Principal Headquarters of the District**

Mr. Flint stated this would name the primary administrative office and Principal headquarters Mr. Flint’s office in Orlando at 219 East Livingston Street, Orlando, Florida 32801.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Resolution 2024-22 Designating the Primary Administrative Office and Principal Headquarters of the District, was approved.

**M. Consideration of Resolution 2024-23 Selecting District Records Office Within Polk County**

Mr. Flint presented Resolution 2024-23 to the Board. The Board is deferring action to a future meeting.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Deferring Action for Resolution 2024-23 Selecting District Records Office Within Polk County to Future Meeting, was approved.



**N. Consideration of Website Services Agreement**

Mr. Flint stated this was from ReAlign Web Design. It’s a one-time fee of \$1,750 and they will create an ADA compliant website for the District.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, the Website Services Agreement, was approved.

**O. Consideration of Resolution 2024-24 Authorizing Chairperson or Vice-Chairperson to Execute Plats, Permits and Conveyances**

Mr. Flint stated that they provide this resolution to authorize the Chairman or Vice Chairman to execute certain real estate documents in between Board meetings including plats, permits and conveyance. This allows them to continue to facilitate the development that is occurring within the District in between Board meetings. She was happy to answer any questions.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2024-24 Authorizing Chairperson or Vice-Chairperson to Execute Plats, Permits and Conveyances, was approved.

**P. Consideration of Resolution 2024-25 Use of Electronic Signatures**

Mr. Flint stated this resolution allows them to use electronic signatures.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2024-25 Use of Electronic Signatures, was approved.

**SIXTH ORDER OF BUSINESS**

**Capital Improvements**

**A. Appointment of Financing Team**

**1. Bond Counsel**

Mr. Flint stated Cynthia Wilhelm with Nabors, Giblin & Nickerson, P.A. (“NGN”) is on the phone. She provided an engagement letter in the agenda packet for review.

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

**2. Underwriter**

Mr. Flint stated they had a proposal and discloser from MBS Capital Markets, LLC. Ms. Sara Zare was available to answer any questions.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Appointing MBS Capital Markets, LLC as the Underwriter, was approved.

**3. Assessment Administrator**

Mr. Flint stated the fees are included in the contract the Board already approved in the GMS contract, which was approved earlier in this meeting.

**4. Trustee**

Mr. Flint presented a proposal from US Bank, which is included in the agenda package for review. He stated that they are required to designate a trustee as part of the bond validation process.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Appointing the Trustee, was approved.

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

Mr. Flint stated this is with TLC Reedy Isle, LLC.

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. Leo provided an update on the Master Engineer’s Report. Ms. Rigoni asked Ms. Leo if the cost estimates were reasonable and proper. Ms. Leo responded that they are. Ms. Rigoni asked is Ms. Leo was aware of any reasons the District can not carry out the improvement program. Ms. Leo responded that she was not.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, the Master Engineer’s Report, was approved.

**B. Consideration of Master Assessment Methodology**

Mr. Flint reviewed the Master Assessment Methodology, which is included in the agenda package for review. Ms. Rigoni asked Mr. Flint if the lands subject to assessments receive special benefits from the Capital Improvement Plan. Mr. Flint responded yes. Ms. Rigoni asked Mr. Flint if those special assessments were reasonably apportioned among those lands. Mr. Flint responded yes. Ms. Rigoni asked if it was reasonable, proper, and just to assess the costs of the Capital Improvement Plan against the lands in the District in accordance with their methodology. Mr. Flint responded yes. Ms. Rigoni asked if the special benefits the lands will receive be equal to or in excess of the amounts levied on the land. Mr. Flint responded yes.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, the Master Assessment Methodology, was approved.

**C. Consideration of Resolution 2024-26 Declaring Special Assessments**

Ms. Rigoni presented Resolution 2024-26 to the Board.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2024-26 Declaring Special Assessments, was approved.

**D. Consideration of Resolution 2024-27 Setting a Public Hearing for Special Assessments**

Ms. Rigoni stated presented Resolution 2024-27 to the Board. The public hearing will be set for September 18, 2024.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2024-27 Setting a Public Hearing for Special Assessments, was approved.

**E. Consideration of Resolution 2024-28 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings**

Mr. Flint stated this is the initial bond resolution that was prepared. Ms. Wilhelm presented Resolution 2024-28 to the Board.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2024-28 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings, was approved.

**EIGHTH ORDER OF BUSINESS**

**Other Business**

**A. Staff Reports**

**i. Attorney**

Ms. Rigoni had nothing further to report to the Board at this time. She was happy to answer any questions.

**ii. Manager**

Mr. Flint had nothing to report to the Board.

**B. Supervisor’s Requests**

There being none, the next item followed.

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

Mr. Flint presented Funding Request No. 1 to the Board.

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

**NINTH ORDER OF BUSINESS**

**Adjournment**

Mr. Flint asked the Board for adjournment.

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

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Secretary/Assistant Secretary

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Chairman/Vice Chairman

**MINUTES OF MEETING  
HORSESHOE CREEK  
COMMUNITY DEVELOPMENT DISTRICT**

The Landowners' meeting of the Board of Supervisors of the Horseshoe Creek Community Development District was held Wednesday, **August 21, 2024** at 1:00 p.m. at the Lake Alfred Public Library, 245 N. Seminole Ave., Lake Alfred, Florida.

Present were:

Tony Iorio

Also present were:

George Flint

Michelle Rigoni

**FIRST ORDER OF BUSINESS**

**Determination of Number of Voting Units  
Represented**

Mr. Flint stated he had been provided a landowner proxy from TLC Reedy Isle, LLC which owns 100% of the land within the CDD signed by a legal representative of that entity naming Anthony Iorio as proxy holder. Mr. Flint called to order the landowner meeting.

**SECOND ORDER OF BUSINESS**

**Call to Order**

Mr. Flint stated that there were no members of the public present.

**THIRD ORDER OF BUSINESS**

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

Mr. Flint asked Mr. Iorio to designate him as Chair for purposes of conducting the landowner meeting. Mr. Iorio stated yes please.

**FOURTH ORDER OF BUSINESS**

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

Mr. Flint stated that all five seats were up for election. Mr. Iorio has provided his official ballot nominating himself Anthony Iorio, Doug Beasley, Jason Lonas, Tom Franklin and Rocky Owen. Mr. Flint asked if there were any additional nominations. Floor was closed to nominations.

**FIFTH ORDER OF BUSINESS**

**Casting of Ballots**

Mr. Flint stated they will close nominations and cast the ballots.

**SIXTH ORDER OF BUSINESS**

**Tabulation of Ballots and Announcement  
of Results**

Mr. Flint stated there are 400 votes for Anothy Iorio, 400 votes for Doug Beasley, 399 votes for Jason Lonas, 399 for Tom Franklin and 399 for Rocky Owen. Mr. Iorio and Mr. Beasley will serve four-year terms and Mr. Lonas, Mr. Owen and Mr. Franklin will serve two-year terms. Mr. Flint noted there are also 15 acres owned by a different entity, and he, Mr. Swain is not present to participate in the meeting.

**SEVENTH ORDER OF BUSINESS**

**Adjournment**

Mr. Flint adjourned the meeting.

# SECTION V



# SECTION A

# SECTION 1

# LOCALiQ

The Gainesville Sun | The Ledger  
Daily Commercial | Ocala StarBanner  
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

## AFFIDAVIT OF PUBLICATION

Brittany Brookes  
Horseshoe Creek CDD  
219 E Livingston ST  
Orlando FL 32801-1508

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of The Ledger-News Chief, published in Polk County, Florida; that the attached copy of advertisement, being a Classified Legal CLEGL, was published on the publicly accessible website of Polk County, Florida, or in a newspaper by print in the issues of, on:

08/27/2024, 09/03/2024

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

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 09/03/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$7134.48	
Tax Amount:	\$0.00	
Payment Cost:	\$7134.48	
Order No:	10499343	# of Copies:
Customer No:	1467507	0
PO #:		

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

KAITLYN FELTY  
 Notary Public  
 State of Wisconsin

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

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

**NOTICE OF REGULAR MEETING OF THE HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors ("Board") of Horseshoe Creek Community Development District ("District") will hold public hearings and a regular meeting at 1:00 p.m. on September 18, 2024 at the Lake Alfred Public Library, 245 N. Seminole Ave., Lake Alfred, FL 33850, to consider the adoption of an assessment roll, the imposition of special assessments to secure proposed bonds on benefited lands within the District, and to provide for the levy, collection, and enforcement of the special assessments. The streets and areas to be improved are geographically depicted below and in the District's Master Engineer's Report, dated July 17, 2024, ("Improvement Plan"). The public hearings are being conducted pursuant to Chapters 170, 190, and 197, Florida Statutes. All persons interested may ascertain the description of the property to be assessed and the amount to be assessed to each piece or parcel of property at the District Manager's office located at 219 East Livingston Street, Orlando, Florida 32801 ("District Manager's Office").

The District is a unit of special-purpose local government responsible for providing infrastructure improvements for lands within the District. The infrastructure improvements are currently expected to include, Onsite Master Utilities System, Master Stormwater Management System, Electrical Service System (underground), Offsite Utilities, Onsite and Offsite Roadway Improvements, Landscaping, Hardscaping & Irrigation, Conservation Mitigation, Professional Consulting Fees, Contingency and other improvements, all as more specifically described in the Improvement Plan ("Improvements"), on file and available during normal business hours at the District Manager's Office.

The District intends to impose assessments on benefited lands within the District in the manner set forth in the District's Master Assessment Methodology, dated July 17, 2024 ("Assessment Report"), which is on file and available during normal business hours at the District Manager's Office.

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

The annual principal assessment levied against each parcel will be based on repayment over thirty (30) years of the total debt allocated to each parcel. The District expects to collect sufficient revenues to retire no more than \$98,070,000 in debt to be assessed by the District, exclusive of fees and costs of collection or enforcement, discounts for early payment, and interest. The proposed schedule of assessments is as follows:

Product Type	ERU (per unit)	Maximum Principal (per unit)	Maximum Annual Installment (per unit)*
Townhomes	0.75	\$58,270.04	\$4,798.11
Single Family 50'	1.00	\$77,694.59	\$6,397.48

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

Also, at 1:00 p.m. on September 18, 2024, at the Lake Alfred Public Library, 245 N. Seminole Ave., Lake Alfred, FL 33850, the Board will hold a regular public meeting to consider any other business that may lawfully be considered by the District. The Board meeting and hearings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Board meeting and/or the public hearings may be continued in progress to a date and time certain announced at the meeting and/or hearings.

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

Any person requiring special accommodations at the meeting or hearings because of a disability or physical impairment should contact the District Manager's Office at (407) 841-5524 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 for aid in contacting the District Manager's Office.

**HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT  
RESOLUTION 2024-26**

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

WHEREAS, the Board of Supervisors (the "Board") of the Horseshoe Creek Community Development District (the "District") hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements (the "Improvements") described in the District's Master Engineer's Report, dated July 17, 2024, attached hereto

as Exhibit A and incorporated herein by reference; and

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

WHEREAS, the District is empowered by Chapter 190, Community Development Districts, Chapter 170, Supplemental and Alternative Method of Making Local Municipal Improvements, and Chapter 197, Tax Collections, Sales and Liens, Florida Statutes, to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain the Improvements and to impose, levy and collect the Assessments; and

WHEREAS, the District hereby determines that benefits will accrue to the property improved, the amount of those benefits, and that special assessments will be made in proportion to the benefits received as set forth in the Master Assessment Methodology, dated July 17, 2024, attached hereto as Exhibit B and incorporated herein by reference and on file at the office of the District Manager, c/o Governmental Management Services - Central Florida, LLC, 219 East Livingston Street, Orlando, Florida 32801 (the "District Records Office"); and

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

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

**SECTION 1.** Recitals stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

**SECTION 2.** Assessments shall be levied to defray a portion of the cost of the Improvements.

**SECTION 3.** The nature and general location of, and plans and specifications for, the Improvements are described in Exhibit A, which is on file at the District Records Office. Exhibit B is also on file and available for public inspection at the same location.

**SECTION 4.** The total estimated cost of the Improvements is \$74,847,774 (the "Estimated Cost").

**SECTION 5.** The Assessments will defray approximately \$98,070,000, which includes the Estimated Cost, plus financing-related costs, capitalized interest, a debt service reserve, and contingency.

**SECTION 6.** The manner in which the Assessments shall be apportioned and paid is set forth in Exhibit B, including provisions for supplemental assessment resolutions.

**SECTION 7.** The Assessments shall be levied, within the District, on all lots and lands adjoining and contiguous or bounding and abutting upon the Improvements or specially benefited thereby and further designated by the assessment plat hereinafter provided for.

**SECTION 8.** There is on file, at the District Records Office, an assessment plat showing the area to be assessed, with certain plans and specifications describing the Improvements and the estimated cost of the Improvements, all of which shall be open to inspection by the public.

**SECTION 9.** Commencing with the year in which the Assessments are levied and confirmed, the Assessments shall be paid in not more than thirty (30) annual installments. The Assessments may be payable at the same time and in the same manner as are ad valorem taxes and collected pursuant to Chapter 197, Florida Statutes; provided, however, that in the event the uniform non-ad valorem assessment method of collecting the Assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law.

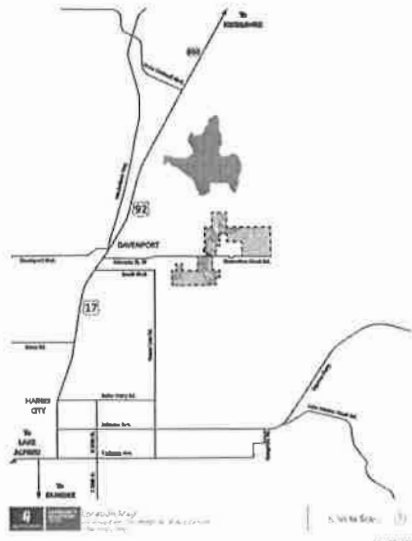
**SECTION 10.** The District Manager has caused to be made a preliminary assessment roll, in accordance with the method of assessment described in Exhibit B hereto, which shows the lots and lands assessed, the amount of benefit to and the assessment against each lot or parcel of land and the number of annual installments into which the assessment may be divided, which assessment roll is hereby adopted and approved as the District's preliminary assessment roll.

**SECTION 11.** The Board shall adopt a subsequent resolution to fix a time and place at which the owners of property to be assessed or any other persons interested therein may appear before the Board and be heard as to the propriety and advisability of the assessments or the making of the Improvements, the cost thereof, the manner of payment thereof, or the amount thereof to be assessed against each property as improved.

**SECTION 12.** The District Manager is hereby directed to cause this Resolution to be published twice (once a week for two (2) consecutive weeks) in a newspaper of general circulation within Polk County, provided that the first publication shall be at least twenty (20) days before and the last publication shall be at least one (1) week prior to the date of the hearing, and to provide such other notice as may be required by law or desired in the best interests of the District.

**SECTION 13.** This Resolution shall become effective upon its passage.

**PASSED AND ADOPTED** this 17th day of July 2024.



# SECTION 2



# Horseshoe Creek Community Development District

Master Engineer's Report  
Davenport, Florida

GAI Project Number: R220245.01

July 17, 2024

Prepared by: GAI Consultants, Inc.  
Orlando Office  
618 E. South Street, Suite 700  
Orlando, Florida 32801

Prepared for: Horseshoe Creek Community  
Development District  
605 Commonwealth Avenue  
Orlando, FL 32803

# Horseshoe Creek Community Development District

## Master Engineer's Report Davenport, Florida

GAI Project Number: R220245.01

July 17, 2024

Prepared for:  
Horseshoe Creek Community Development District

Prepared by:  
GAI Consultants, Inc.  
Orlando Office  
618 E. South Street, Suite 700  
Orlando, Florida 32801

Report Author:

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Kathleen S. Leo  
Vice President

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## 1.0 Introduction

### Description of the Horseshoe Creek Community Development District

The Reedy Isle neighborhood (also referred to as the “Development” or “Community”) comprises an approximately 490.17 acre master planned, residential community located in the City of Davenport, Florida (“City”) as shown on Exhibit A. The Master Developer (“Developer”) is TLC Reedy Isle, LLC, based in Orlando, Florida. The Development is approved as a Planned Unit Development (PUD) subdivision with 1,310 residential units.

Horseshoe Creek Community Development District (herein called the “District” for “CDD”) encompasses the entire 490.17 acres of the Development. The District will finance, construct, acquire, operate and/or maintain certain portions of the public infrastructure to support the Community. The legal description of the District boundaries can be seen in Exhibit E. The District will finance, acquire, and/or construct infrastructure in phases as necessary. Currently, the Development has nine (9) phases which will be supported by the capital infrastructure improvements identified herein (the “Master Project”). The District expects to finance all or a portion of the Master Project from the proceeds of District’s special assessment bonds. Construction of the Horseshoe Creek neighborhood will be in multiple phases. There are two construction packages planned for permitting. Construction Package 1 consists of Phases 1A, 1B, 1C, 2A, 2B and 2C. Construction Package 2 will consist of Phases 3A, 3B and 4. The phasing of those packages is expected to be sequential with construction starting in early 2024. An inventory of the phasing has been presented in Table 1 with the proposed unit mix of the residential units for the Development.

### Purpose of Report

The purpose of this report is to provide a description of the Master Project, which will serve the 490.17 acres of the Community; the capital improvements to be constructed, acquired, and/or financed by the District; and apportionment of the costs of the capital improvements.

**Table 1**  
**Phasing Summary**

Phase	Lot Type	Units
1A	50' lots	93
	Townhome	92
1B	50' lots	90
	Townhome	102
1C	50' lots	133
2A	50' lots	160
2B	50' lots	160
2C	50' lots	27
3A	50' lots	154
3B	50' lots	134
4	50' lots	165
<b>Total Units by Lot Type</b>		
	50' lots	<b>1,116</b>
	Townhome	<b>194</b>
<b>Total Units – Horseshoe Creek CDD</b>		<b>1,310</b>

## **2.0 District Boundary and Properties Served**

### **District Boundary**

Horseshoe Creek Site Plan, Exhibit B, identifies the location and boundary of the properties included within the District. The Master Plan for the District will provide for multiple-type residential land uses and is located in Polk County and the City of Davenport along Horseshoe Creek Road, and east of US 17-92.

### **Description of Properties Served**

The Development is located in the Sections 1, 2, 11, and 12, Township 27, Range 27, and all within the City. The existing property consists of open pasture land. The environmental areas associated with the Development have been reviewed and are to be part of an Open Space/Conservation area within the District. The terrain of the site is somewhat flat with depressional areas with elevations ranging from 80 to 110 NVGD.

## **3.0 Master Project Infrastructure**

### **Summary of the Proposed Master Project Infrastructure**

The Master Project will generally consist of the following project infrastructure and systems to serve the Development:

- On-Site Public Roadway Improvements
- On-Site Water Distribution and Sanitary Sewer Collection Systems
- Off-Site Water Distribution and Sanitary Sewer Collection Systems
- Off-Site Public Roadway Improvements (Horseshoe Creek Road and Finney Road)
- Master Stormwater Management System
- Landscaping
- Irrigation
- Hardscape
- Conservation Mitigation Areas
- Electrical Service System (Underground Differential Cost only)

This infrastructure serves as a system of improvements benefitting all lands within the District. To the extent that the boundary of the District is amended from time or time, the District will consider amendments or supplementals to this report at such time.

Table 2 shows the Master Project facilities, proposed ownership, and maintenance entities for each.

**Table 2**  
**Proposed Facilities**

Facilities/Systems	Proposed Ownership and Maintenance Entity
Sanitary Sewer Collection (On-Site)	City of Davenport
Water Distribution (On-Site)	City of Davenport
Sanitary Sewer Collection (Off-Site)	City of Davenport
Water Distribution (Off-Site)	City of Davenport
Master Stormwater Management System	Horseshoe Creek CDD
Offsite Stormwater Management	Polk County
Electrical Service System	Duke
Conservation Mitigation	Horseshoe Creek CDD
On-Site Master Public Roadway Improvements	Horseshoe Creek CDD
Off-Site Master Public Roadway Improvements	Polk County
Landscaping/Irrigation Wells and Distribution/ Hardscape within Master Public Roads	Horseshoe Creek CDD/HOA

### Master Stormwater Management System

The Master Stormwater Management System provides for the stormwater runoff treatment and will attenuate and provide for the runoff that will be carried out through the use of manmade retention and detention systems as collected in pipes, curbs, and surfaces to convey this runoff. These systems discharge to the ponds within the Development. The City and the Southwest Florida Water Management District (SWFWMD) regulate the design criteria for the District's stormwater management facilities. The Master Stormwater Management System will discharge to the ponds.

The Master Stormwater Management System will also adhere to other requirements of SWFWMD and the City, which requires that all building finished floor elevations be constructed above the anticipated flood elevation for the 100-year, 24-hour storm event. The treatment of stormwater runoff will be provided in accordance with the design guidelines for retention/detention systems as mandated by the SWFWMD and the City. Stormwater runoff will be collected by curbs and stormwater conveyance surfaces with drainage inlets and an underground storm sewer pipe system conveyed to the retention/detention areas. The overall drainage system is shown on the Master Stormwater Plan attached as Exhibit C. The District may finance the cost of stormwater collection and treatment systems, as well as the construction and/or acquisition, and maintenance of said retention and detention areas. Offsite stormwater management will consist of roadside swale drainage system that will ultimately be maintained by Polk County.

**Table 3**  
**Stormwater Master System**

<b>Ponds</b>	<b>Acreage (AC.)</b>
1A	6.12
1B	11.14
1C	8.51
2A	13.76
2B	22.06
2C	2.23
3A	12.03
3B	4.26
4	13.81
<b>TOTAL</b>	<b>93.92</b>

### **Master Public Roadway Systems On and Off-Site**

The on-site roadway improvements associated with the Development may be funded by the District with proposed ownership and maintenance by the CDD. In the future, only upon request and concurrence by the CDD could the City assume maintenance. The roadway improvements consist of a divided main entrance and neighborhood roads consisting of two (2)-lane roads and a minimum of 24-foot pavement sections with curbs and sidewalks within a 50-ft right of way. The internal roadways will be public and may be funded by the District. The roadways will serve the various land uses within the Development. Construction of the roadways pavement will consist of an asphaltic concrete surface, sidewalks, signing and striping, landscaping, and landscaped hardscape features

The Master Project will provide for off-site roadway improvements which include improvements to Horseshoe Creek Road and Finney Road. Horseshoe Creek Road improvements will consist of approximately 1,200 ft of improvements along property fronting the project. These improvements consist of the addition of turnlanes, sidewalk, curbing and unpaved shoulders. Utility extensions are also part of the improvements with water and sewer forcemain. Power poles within the section are to be relocated by others. The project also include a bridge crossing near the eastern project limit of Horseshoe Creek Road. The bridge will be funded by County impact fee credits and not the CDD.

Finney Road improvements include approximately 250 feet of widening the section from 20-ft of roadway to 24-ft with the addition of 6-ft unpaved shoulders on both sides. Sidewalk is being added along the project property.

These improvements on Horseshoe Creek Road and Finney Road will be turned over to the County.

The off-site master public roadway improvements will be designed and constructed in accordance with the applicable County and Florida Department of Transportation (FDOT) standards. Please refer to Exhibit B for the depiction of the roadway systems within and adjacent to the Development.

The on-site and off-site roadway improvements will include utilities that will run within the road right-of-way of the internal roads within the Development and Horseshoe Creek Road, as described in 3.4. The utilities within these roadways (described in 3.4) and any landscaping/hardscaping related to these roadways (described in 3.5) will be developed as part of the improvements to the District. A stormwater drainage facility (as described in 3.2) may also be provided for these improvements within the Master

Stormwater Management System. The District may finance these onsite and off-site roadways and convey such to the County or City, as applicable, upon completion.

## **Water Distribution and Sanitary Sewer Collection**

The Master Project includes utilities within the right-of-way of the internal roads within the Development and off-site along Horseshoe Creek Road. The City will provide potable water and wastewater services for the District. The major trunk lines, collection systems, and transmission mains to serve the District may be constructed or acquired by the District. The overall water distribution systems and sanitary sewer collection lines are shown on the Master Utility Plan Sheets, Exhibits D-1, D-2, and D-3.

The potable water facilities will include both transmission and distribution mains along with necessary valving, fire hydrants, and water services to individual lots and development parcels. It is currently estimated that these water mains of various sizes may be funded by the District.

The wastewater facilities will include gravity collection sewer services, mains, and manholes. The six (6) new lift stations will be located within the District and will service the Development. These new lift stations along with the proposed on-site forcemain will tie into a new forcemain located on Horseshoe Creek Road. It is currently estimated that these gravity collection systems and forcemains may be financed by the District.

The design of the wastewater collection system, reuse water system, and water distribution system for potable water and fire protection is in accordance with the criteria and guidelines of the City and the Florida Department of Environmental Protection (FDEP). Utility extensions within Horseshoe Creek Road will also be included as part of the infrastructure improvements for the Development. All onsite improvements are anticipated to be financed by the CDD and owned and maintained by the City of Davenport Utilities.

## **Landscaping, Irrigation, and Entry Features**

Landscaping, irrigation and entry features may be financed by the District. The irrigation system will tie into the potable water system provided by the City. Landscaping for the roadways will consist of sod, and trees for the on-site roadway improvements within the Community. Monument signs, entrance retaining walls, shrubs, ground cover and trees split rail fence at the site entrances of the Master Project. These items may be funded, owned, and/or maintained by the CDD.

## **Electrical Service Systems (Underground)**

Duke Energy will provide underground electrical service to the Community. The service will include the primary and secondary systems to serve the various land uses. The differential cost of undergrounding electric utilities may be financed by the District.

## **Conservation Areas**

The proposed development of the community will require mitigation of wetland communities for any impacts to the existing wetlands within the District and as part of the approvals for the Master Stormwater Management System. The permitting and approvals will require any mitigation to be secured and payment of the costs of the mitigation, which is anticipated to be funded by the Developer. The remaining conservation area with the Development will be owned and maintained by the District.

## **4.0 Opinion of Probable Construction Costs**

Exhibit F presents a summary of the estimated costs for the Master Project infrastructure described in this report.

Costs in Exhibit F are derived from expected quantities of the infrastructure multiplied by unit costs typical of the industry in Central Florida. Additionally included within these costs are professional

consulting fees associated with the Master Project including planning, land surveying, design and engineering, legal fees, permitting, soil and material testing related to such infrastructure. These services are necessary for the design, permitting, and construction contract management for the Master Project infrastructure. The costs are exclusive of costs necessary to finance, operate, and/or maintain the Master Project infrastructure.

## 5.0 Permitting Status

The District has been approved as a PUD by the City and is in the City utility service area. The construction plans are in the approval process with the City, County, and FDEP. Permits have been submitted to SWFWMD and USACOE. The Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) will be submitted for the projects. The NPDES is the responsibility of the contractor to obtain,

The District Engineer will certify that all permits necessary to complete the Master Project have either been obtained or, in his expert opinion, will be obtained and there is no reason to believe that the necessary permits cannot be obtained for the entire Development.

Construction Packages 1 and 2 have been submitted to the City and Southwest Florida Water Management District. The construction plans for the offsite roadwork on Horseshoe Creek Road and Finney Road are under review with Polk County.

Site construction is expected to begin Fall 2024 for Phases 1A and 2A, and continue through Fall 2025. Home construction will begin upon turnover of the lots. Subsequent phases will follow with the completion of the site construction expected by Fall 2028.

## 6.0 Engineer's Certification

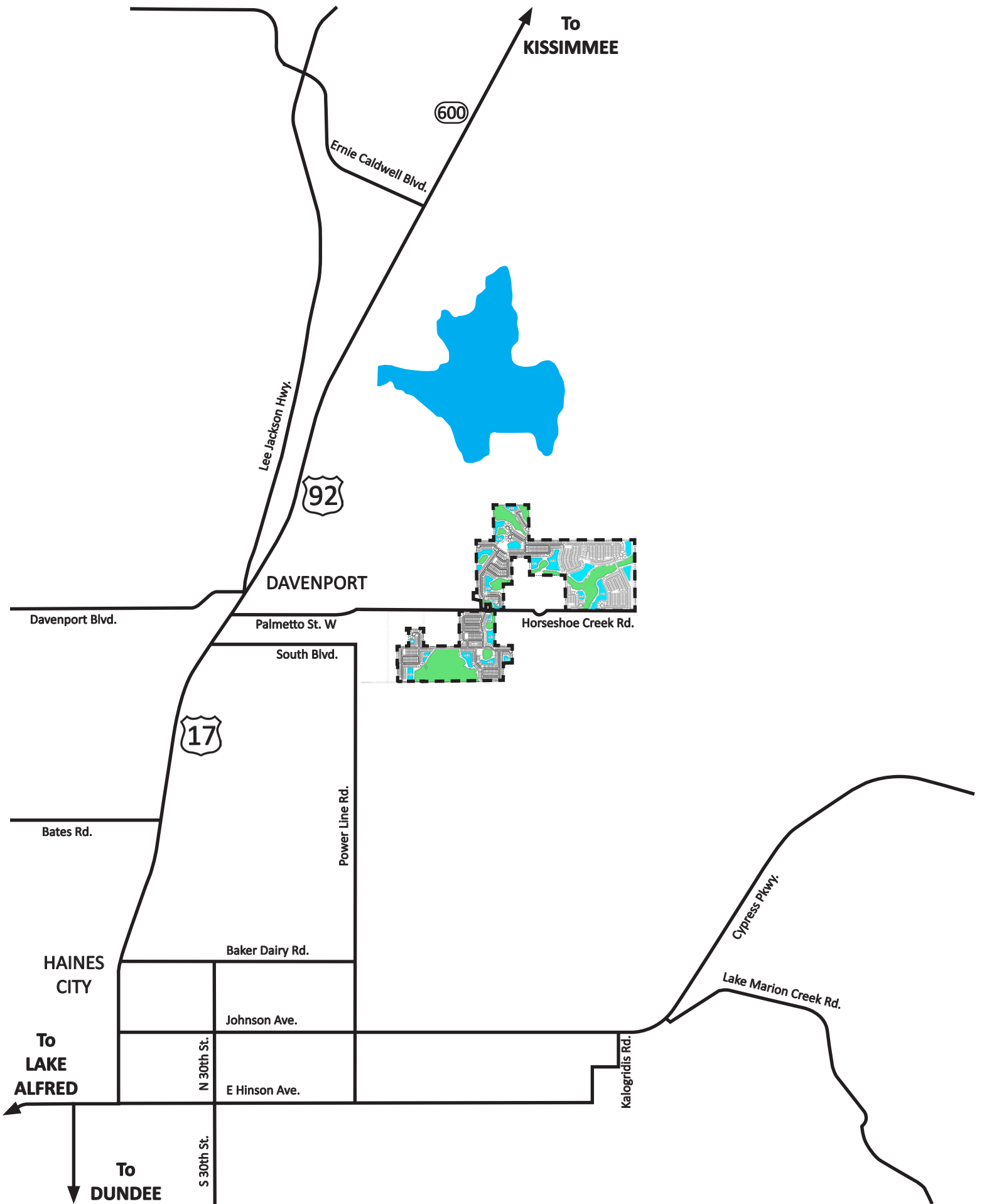
It is our opinion that the costs of the Master Project improvements proposed to represent a system of improvements benefitting all developable property located within the District are fair and reasonable and that the District-funded improvements are assessable improvements within the meaning of Chapter 190, F.S. Such benefits will equal or be greater than the costs of such improvements. We have no reason to believe that the Master Project cannot be constructed at the cost described in this report. We expect all or a portion of the Master Project improvements to be constructed or acquired by the District with bond proceeds, as indicated within this report. We believe that the District will be well served by the improvements discussed in this report.

The Master Project will be owned by the District or other governmental units and such Master Project is intended to be available and will reasonably be available for use by the general public (either by being part of a system of improvements that is available to the general public or is otherwise available to the general public) including nonresidents of the District. All of the Master Project is or will be located on lands owned or to be owned by the District or another governmental entity or on perpetual public easements in favor of the District or other governmental entities. The Master Project, and any cost estimates set forth herein, do not include any earthwork, grading or other improvements on lots or property intended to be privately owned. Regarding any fill generated by construction of the Master Project, and that is not used as part of the Master Project, such fill will only be placed on-site at the expense of the Developer. If the District acquires portions of the Master Project, the District will pay the lesser of the cost of the components of the Master Project or the fair market value.

I hereby certify that the foregoing is a true and correct copy of the Engineer's Report for the Horseshoe Creek Community Development District.

## **EXHIBIT A**

### **Location Map**



**Location Map**  
*Horseshoe Creek Community Development District*  
 Davenport, Florida

Not to Scale

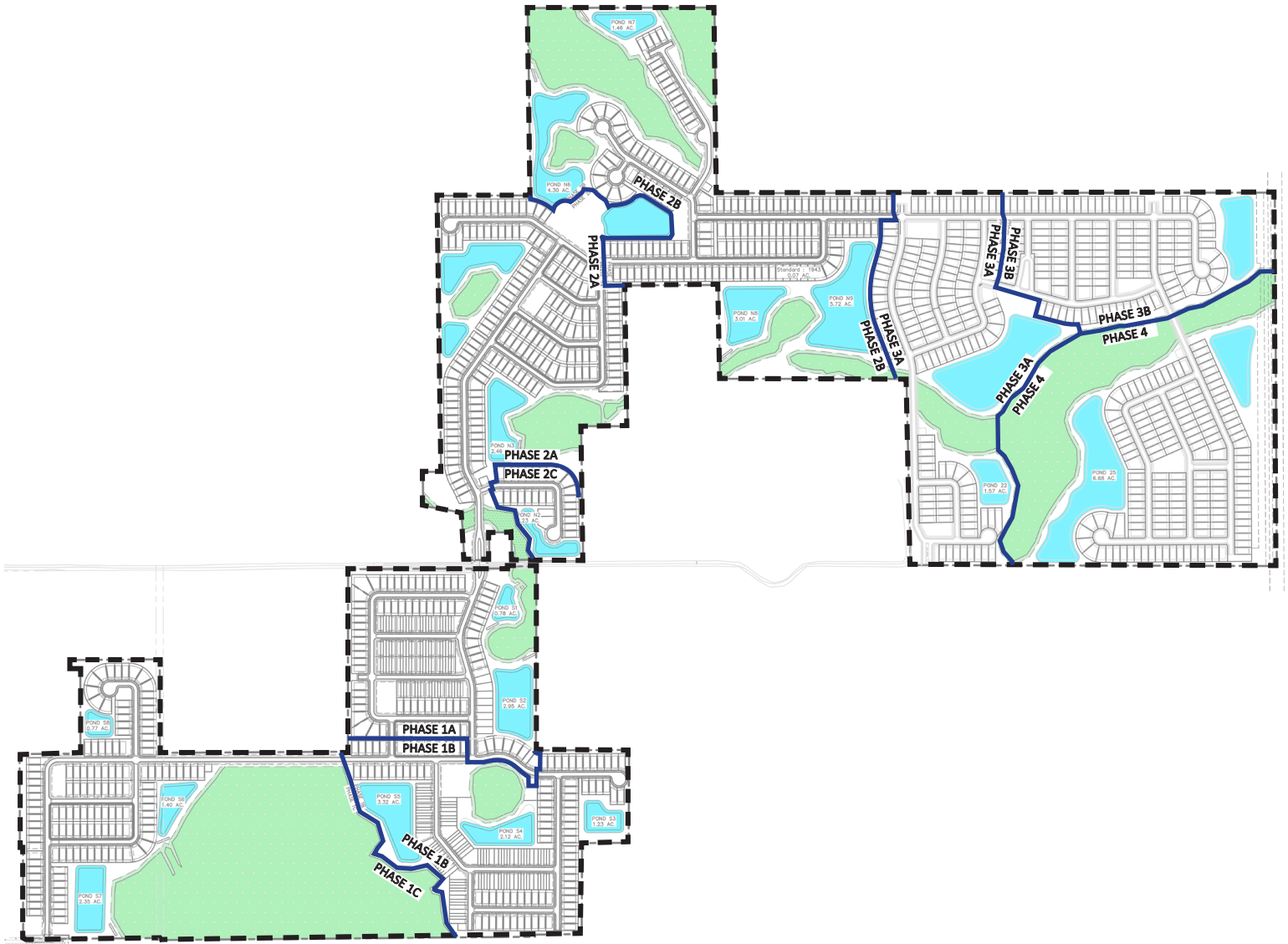


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## **EXHIBIT B**

### **Overall Site Plan**



**LEGEND**

- WETLAND
- CDD BOUNDARY
- PHASE LINE



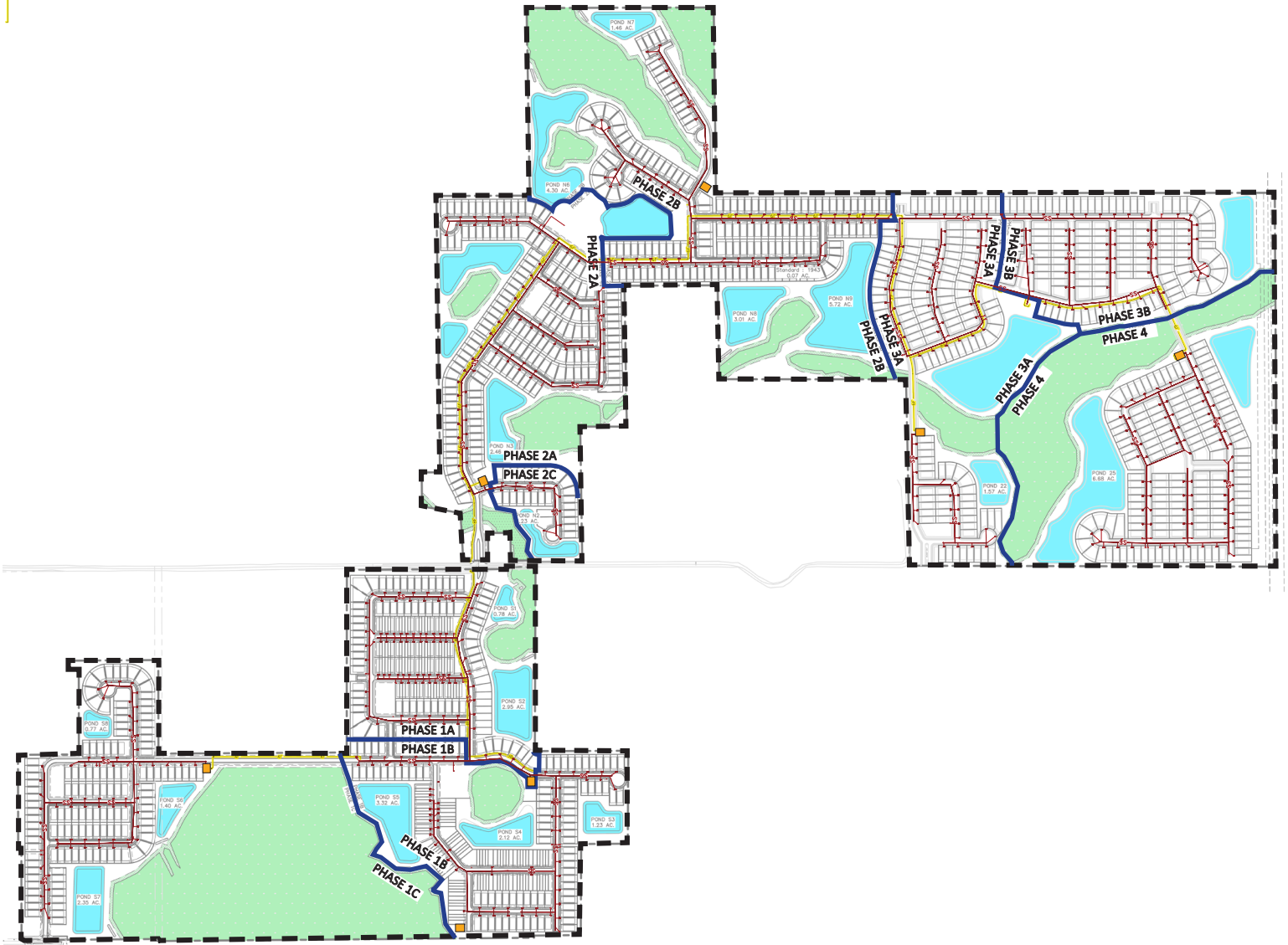
## **EXHIBIT C**

### **Stormwater Masterplan**



## **EXHIBIT D-1**

### **Wastewater Distribution Plan**



**LEGEND**

- WETLAND
- PROPOSED STORMWATER POND
- PROPOSED WASTEWATER LIFT STATION
- PROPOSED GRAVITY SEWER
- FORCE MAIN
- CDD BOUNDARY
- PHASE LINE



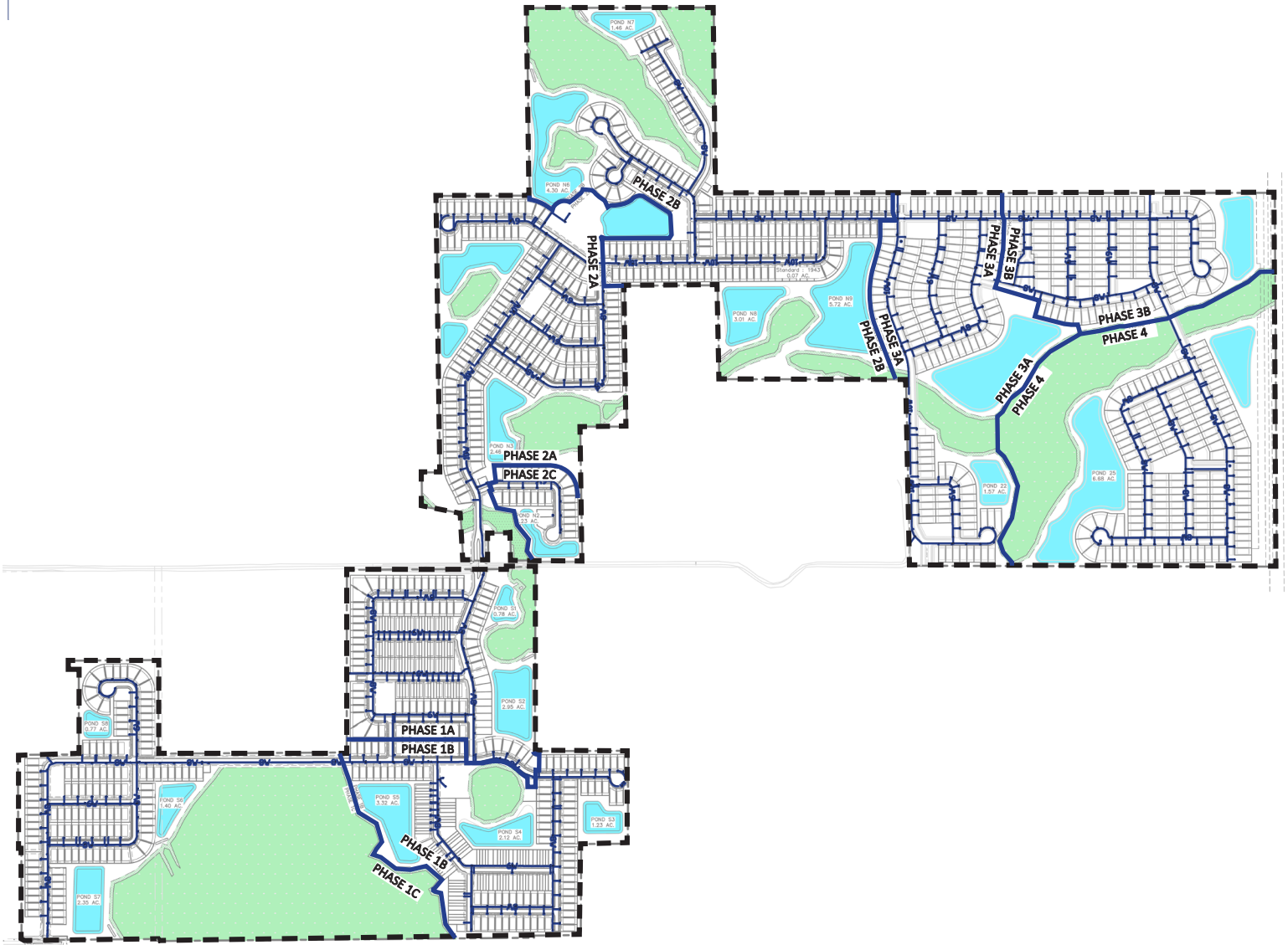
**Wastewater Distribution Plan**  
 Horseshoe Creek Community Development District  
 Davenport, Florida

Not to Scale



## **EXHIBIT D-2**

### **Water Distribution Plan**



**LEGEND**

- WETLAND
- PROPOSED STORMWATER POND
- WM - PROPOSED POTABLE WATER MAIN
- CDD BOUNDARY
- PHASE LINE





## **EXHIBIT E**

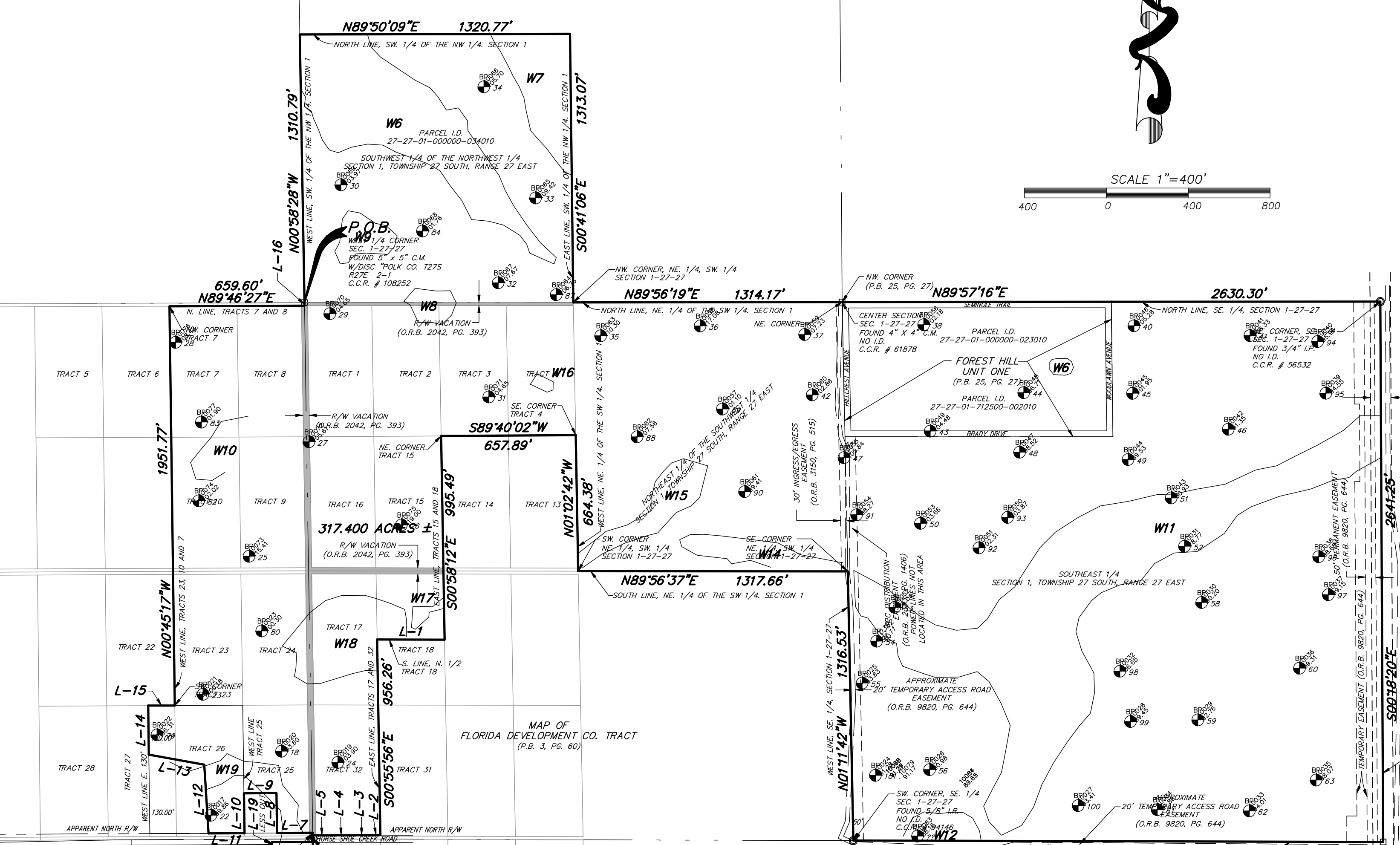
### **Legal Description**

LEGAL DESCRIPTION  
SOUTH PD

A TRACT OF LAND, BEING THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, ALSO THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 27 SOUTH, RANGE 27 EAST, BEING TRACTS 23 THROUGH 26 IN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 27 SOUTH, RANGE 27 EAST, ALSO TRACT 32 OF SECTION 12, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MAP OF FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63 INCLUSIVE, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING LOTS 1 THROUGH 10 OF BLOCK 4, ALSO LOTS 1 THROUGH 10 OF BLOCK 5, TOGETHER WITH ADJACENT RIGHT-OF-WAY, TERRACE PARK SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 12, PAGE 39, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, ALSO TRACT 22, REPLAT OF PRINCE ORANGE MANOR, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 29, PAGE 9, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LESS THE APPARENT RIGHT-OF-WAY OF HORSE SHOE CREEK ROAD, AND LOTS 1 THROUGH 6, AND THE EAST 35 FEET OF LOTS 7 THROUGH 12, BLOCK 18; ALL OF BLOCK 19, LOT 1 LESS THE SOUTH 50 FEET, LOT 2, LESS THE SOUTH 50 FEET OF THE WEST 15 FEET, ALL OF LOTS 3 THROUGH 26, AND THE EAST 35 FEET OF LOT 27, ALL IN BLOCK 20, PRINCE ORANGE MANOR, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 21 PAGE 19, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

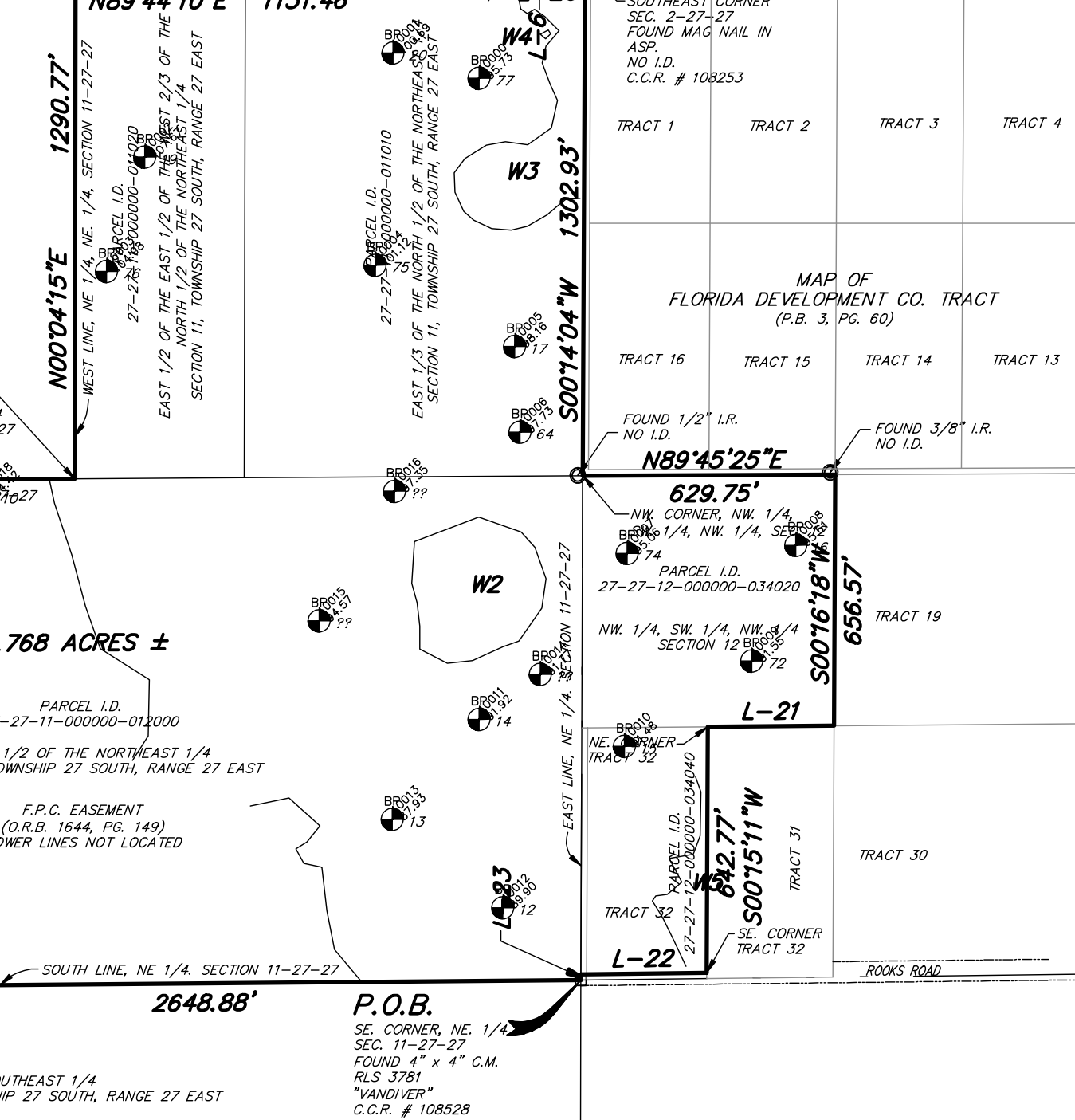
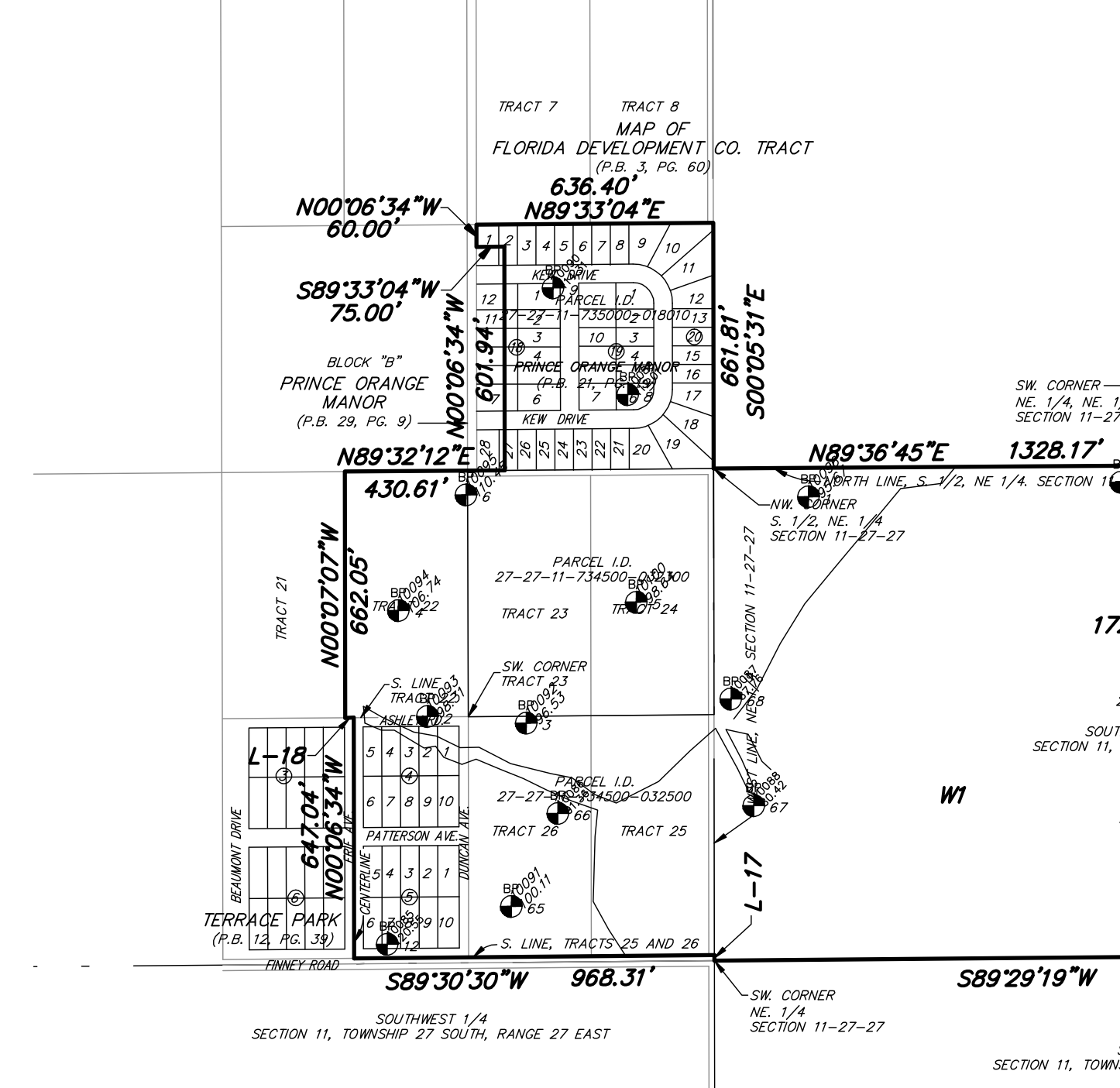
BEGIN AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 11; THENCE RUN SOUTH 89°29'19" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 2648.88 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 11; THENCE RUN NORTH 00°53'51" WEST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 15.00 FEET TO A POINT LYING ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID PLAT OF MAP OF FLORIDA DEVELOPMENT CO. TRACT; THENCE RUN SOUTH 89°50'30" WEST, ALONG THE SOUTH LINE OF SAID TRACT 25 AND TRACT 26 AND THE WESTERLY EXTENSION THEREOF, 968.31 FEET TO A POINT LYING ON THE CENTERLINE OF ERIE AVENUE AS SHOWN ON THE PLAT OF TERRACE PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGE 39 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00°06'34" WEST, ALONG THE CENTERLINE OF ERIE AVENUE 647.04 FEET TO A POINT LYING ON THE SOUTH LINE OF TRACT 22 OF SAID MAP OF FLORIDA DEVELOPMENT CO. TRACT; THENCE RUN ALONG THE SOUTH, WEST, NORTH AND EAST LINES OF SAID TRACT 22, THE FOLLOWING FOUR (4) COURSES: SOUTH 89°51'21" WEST, 22.99 FEET; THENCE RUN NORTH 00°07'07" WEST, 662.05 FEET; THENCE RUN NORTH 89°32'12" EAST, 430.61 FEET; THENCE RUN NORTH 00°06'34" WEST, 601.94 FEET; THENCE RUN SOUTH 89°33'44" WEST, 75.00 FEET TO A POINT LYING ON THE WEST LINE OF LOT 1, BLOCK 20 OF SAID PLAT OF PRINCE ORANGE MANOR; THENCE RUN NORTH 00°06'34" WEST, ALONG SAID WEST LINE OF LOT 1, A DISTANCE OF 60.00 FEET TO A POINT LYING ON THE NORTH LINE OF SAID BLOCK 20, PRINCE ORANGE MANOR; THENCE RUN ALONG THE NORTH AND EAST LINES OF SAID BLOCK 20, THE FOLLOWING TWO (2) COURSES: NORTH 89°33'04" EAST, 636.40 FEET; THENCE RUN SOUTH 00°05'31" EAST, 661.81 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11; THENCE RUN NORTH 89°36'45" EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 1328.17 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 11; THENCE RUN NORTH 00°14'51" EAST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 1290.77 FEET TO A POINT LYING ON THE APPARENT SOUTH RIGHT-OF-WAY LINE OF HORSE SHOE CREEK ROAD; THENCE DEPARTING SAID WEST LINE, RUN ALONG SAID APPARENT SOUTH RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES: NORTH 89°44'10" EAST, 1131.46 FEET; THENCE RUN NORTH 00°15'50" WEST, 15.00 FEET; THENCE RUN NORTH 89°44'10" EAST, 200.50 FEET TO A POINT LYING ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11; THENCE RUN SOUTH 00°14'04" WEST, ALONG SAID EAST LINE, 1302.93 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE RUN ALONG THE NORTH, EAST AND SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, THE FOLLOWING THREE (3) COURSES: NORTH 89°45'25" EAST, 629.75 FEET; THENCE RUN SOUTH 00°16'18" WEST, 656.57 FEET; THENCE RUN SOUTH 89°32'54" WEST, 329.67 FEET TO THE NORTHEAST CORNER OF TRACT 32 OF SAID MAP OF FLORIDA DEVELOPMENT CO. TRACT; THENCE RUN SOUTH 00°15'11" WEST, ALONG THE EAST LINE OF SAID TRACT 32, A DISTANCE OF 642.77 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 32; THENCE RUN NORTH 89°29'19" WEST, ALONG THE SOUTH LINE OF SAID TRACT 32 AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 329.48 FEET TO A POINT LYING ON AFORESAID EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE RUN SOUTH 00°14'04" WEST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND, LIES IN POLK COUNTY, FLORIDA AND CONTAINS 172.768 ACRES MORE OR LESS.



SURVEYOR'S NOTES:

- (1) THIS MAP OF BOUNDARY SURVEY IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER IDENTIFIED BELOW.
- (2) NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD HAVE BEEN PROVIDED TO THIS FIRM.
- (3) BEARINGS SHOWN HEREON ARE ASSUMED RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM 1983 WEST ZONE, BASED ON GPS WITH L-NET CORRECTIONS; THE MONUMENTED EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, BEING SOUTH 00°55'56" EAST.
- (4) THE "LEGAL DESCRIPTION" HEREON IS IN ACCORD WITH THE DESCRIPTION FURNISHED BY THE CLIENT.
- (5) UNLESS OTHERWISE NOTED OR SHOWN HEREON, APPARENT AND/OR UNOBSERVED, ABOVE GROUND PERIMETER IMPROVEMENTS WERE LOCATED. UNDERGROUND IMPROVEMENTS, SUCH AS FOUNDATIONS AND UTILITIES, WERE NOT LOCATED.
- (6) INTERIOR IMPROVEMENTS WERE NOT LOCATED.
- (7) THIS SURVEY IS CERTIFIED TO:
- (8) THE DELINEATION OF LANDS SHOWN HEREON IS AS PER THE CLIENT'S INSTRUCTIONS.
- (9) THE CLASSIFICATION USE OF THE LAND, PURSUANT TO THE STANDARDS OF PRACTICE SET FORTH IN RULE CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE, FLORIDA STATUTES 472.027, IS COMMERCIAL/HIGH RISK. THE MINIMUM RELATIVE DISTANCE ACCURACY OF THIS MAP OF BOUNDARY SURVEY ACHIEVES OR EXCEEDS ONE FOOT IN 10,000 FEET.
- (10) ADJOINING PARCEL OWNER AND RECORDING INFORMATION DELINEATED HEREON WAS OBTAINED FROM THE POLK COUNTY PROPERTY APPRAISER'S PUBLIC ACCESS SYSTEM.
- (11) THE SURVEYED LANDS MAY BE SUBJECT TO JURISDICTIONAL ENTITIES.
- (12) ATTENTION IS DIRECTED TO THE FACT THAT THIS MAP MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
- (13) THE SPECIFIC PURPOSE OF THIS SURVEY IS TO SHOW THE BOUNDARY BASED ON THE CONTROLLING LAND CORNERS.



- LEGEND
- P.O.B.....POINT OF BEGINNING
  - SEC.....SECTION
  - C.C.R.....CERTIFIED CORNER RECORDS
  - I.D.....IDENTIFICATION
  - C.M.....CONCRETE MONUMENT
  - P.B.....PLAT BOOK
  - O.R.B.....OFFICIAL RECORDS BOOK
  - P.G.....PAGE
  - ASP.....ASPHALT
  - R.L.S.....REGISTERED LAND SURVEYOR
  - R.D.....ROAD
  - I.P.....IRON PIPE
  - I.R.....IRON REBAR
  - ⊙.....BLOCK NUMBER

LINE	BEARING	LENGTH
L-1	S89°54'52"E	329.64'
L-2	N89°49'36"W	41.60'
L-3	S89°36'02"W	100.00'
L-4	N89°49'36"W	100.00'
L-5	S89°32'36"W	88.37'
L-6	N02°03'50"W	13.01'
L-7	N89°44'10"W	173.97'
L-8	N00°51'35"W	195.01'
L-9	N89°44'10"W	158.85'
L-10	S00°49'29"E	195.01'
L-11	S89°44'10"W	176.61'
L-12	N03°25'08"W	336.46'
L-13	N29°53'11"W	275.63'
L-14	N00°45'17"W	240.00'
L-15	N89°44'44"E	130.00'
L-16	N00°53'40"W	15.00'
L-17	N00°05'31"W	15.00'
L-18	N89°31'21"W	22.99'
L-19	N00°15'50"W	15.00'
L-20	N89°44'10"E	200.50'
L-21	S89°32'54"W	329.67'
L-22	S89°20'22"W	329.48'
L-23	S00°14'04"W	15.00'

DATE	BY	REVISIONS
8-10-2022	J.L.M.	REVISED MAP OF BOUNDARY SURVEY (ADDED PARCELS; SWAIN, LARSEN AND WHITE)

**PEC SURVEYING AND MAPPING, LLC**  
CERTIFICATE OF AUTHORIZATION NUMBER LB 7808  
2100 Alafaya Trail, Suite 203 • Oviedo, Florida 32765 • 407-542-4967  
WWW.PECONLINE.COM dw@peconline.com

**MAP OF SPECIFIC PURPOSE BOUNDARY SURVEY**  
LOCATED IN  
SECTIONS 1, 2, 11 AND 12, TOWNSHIP 27 SOUTH, RANGE 27 EAST  
**POLK COUNTY, FLORIDA**

JOB NO.:	22-114
DATE:	1-16-2023
DRAWN BY:	J.L.M.
CHECKED BY:	D.A.W
F.B.:	2421
PAGE(S):	11-29

DAVID A. WHITE, P.S.M. FL. REG. NO. 4044

DAVID A. WHITE, P.S.M.  
FLORIDA REGISTRATION NO. 4044  
PEC SURVEYING AND MAPPING, LLC  
CERTIFICATE OF AUTHORIZATION LB #7808  
DATE OF FIELD SURVEY: 01-11-2023  
DATE OF SIGNATURE: 01-16-2023

## **EXHIBIT F**

### **Opinion of Probable Construction Costs**

*64875743v2/208788.010100*

**Horseshoe Creek CDD**

**Opinion of Probable Construction Costs**

<b>Proposed District Facilities and Services</b>	<b>Total</b>	<b>Phase 1A</b>	<b>Phase 1B</b>	<b>Phase 1C</b>	<b>Phase 2A</b>	<b>Phase 2B</b>	<b>Phase 2C</b>	<b>Phase 3A</b>	<b>Phase 3B</b>	<b>Phase 4</b>
1. Master Utilities System (Onsite)										
a. Sanitary Sewer System	\$ 10,694,703	\$ 1,269,424	\$ 1,210,302	\$ 1,290,216	\$ 1,397,993	\$ 1,363,482	\$ 593,482	\$ 1,450,043	\$ 847,508	\$ 1,272,253
b. Water Distribution System	\$ 6,316,502	\$ 730,080	\$ 677,914	\$ 748,426	\$ 843,523	\$ 813,072	\$ 133,661	\$ 889,450	\$ 747,802	\$ 732,576
2. Master Stormwater Management System	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
a. Pond and Roadway Earthwork	\$ 14,288,941	\$ 1,372,770	\$ 1,540,176	\$ 1,261,190	\$ 2,063,587	\$ 2,696,476	\$ 282,880	\$ 1,696,928	\$ 1,052,856	\$ 2,322,078
b. On and Offsite Storm Conveyance System	\$ 7,895,628	\$ 912,600	\$ 847,392	\$ 935,532	\$ 1,054,404	\$ 1,016,340	\$ 167,076	\$ 1,111,812	\$ 934,752	\$ 915,720
3. Electrical Service Systems (Underground)	\$ 6,157,000	\$ 874,200	\$ 944,700	\$ 620,400	\$ 752,000	\$ 752,000	\$ 126,900	\$ 709,700	\$ 629,800	\$ 747,300
4. Off Site Utilities	\$ 859,295	\$ 859,295	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5. On-Site Roadway Improvements	\$ 11,824,806	\$ 1,276,364	\$ 1,146,208	\$ 1,523,179	\$ 1,546,223	\$ 1,526,524	\$ 266,721	\$ 1,933,741	\$ 1,349,846	\$ 1,255,999
6. Off-Site Roadway Improvements	\$ 282,000	\$ 182,000	\$ -	\$ -	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ -
7. Landscaping, Hardscaping & Irrigation	\$ 3,257,627	\$ 589,077	\$ 183,750	\$ 340,570	\$ 715,813	\$ 300,668	\$ 67,375	\$ 291,375	\$ 395,500	\$ 373,500
8. Conservation/Mitigation	\$ 908,690	\$ -	\$ 70,615	\$ 398,750	\$ 57,275	\$ 83,375	\$ -	\$ 158,050	\$ 50,000	\$ 90,625
9. Professional Consulting Fees	\$ 2,599,829	\$ 1,801,879	\$ 108,850	\$ 84,700	\$ 170,400	\$ 94,500	\$ 47,950	\$ 120,750	\$ 85,400	\$ 85,400
10. Contingency (15%)	\$ 9,762,753	\$ 1,480,153	\$ 1,009,486	\$ 1,080,444	\$ 1,305,183	\$ 1,296,965	\$ 252,907	\$ 1,254,277	\$ 914,020	\$ 1,169,318
<b>Total</b>	<b>\$ 74,847,774</b>	<b>\$ 11,347,842</b>	<b>\$ 7,739,393</b>	<b>\$ 8,283,406</b>	<b>\$ 10,006,401</b>	<b>\$ 9,943,402</b>	<b>\$ 1,938,952</b>	<b>\$ 9,616,126</b>	<b>\$ 7,007,484</b>	<b>\$ 8,964,768</b>
Construction Start		6/3/2024	5/30/2025	11/17/2026	6/3/2024	12/4/2024	12/4/2024	11/17/2025	12/11/2026	5/10/2027
Construction Completion		9/5/2025	9/4/2026	2/22/2028	9/5/2025	3/10/2026	12/8/2025	2/19/2027	3/16/2028	8/11/2028
Proposed # of Lots	1,310	185	192	133	160	160	27	154	134	165

# SECTION 3

**MASTER  
ASSESSMENT METHODOLOGY  
  
FOR  
HORSESHOE CREEK  
COMMUNITY DEVELOPMENT DISTRICT**

**Date: July 17, 2024**

**Prepared by**

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



**V.2 7/16/2024**

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**GMS-CF, LLC does not represent the Horseshoe Creek 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 Horseshoe Creek Community Development District with financial advisory services or offer investment advice in any form.**

## **1.0 Introduction**

The Horseshoe Creek Community Development District is a local unit of special-purpose government organized and existing under Chapter 190, Florida Statutes (the “District”), as amended. The District plans to issue up to \$98,070,000 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 July 17, 2024, prepared by GAI Consultants, 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”). 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 490.17 acres entirely within the City of Davenport, Polk County, Florida. The development program currently envisions approximately 1,310 residential lots (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 master utilities system (on-site and off-site sanitary sewer system & water distribution



system), master stormwater management system (pond & roadway earthwork and on & offsite stormwater conveyance system), electrical service systems (underground), off site utilities, on-site roadway improvements, off-site roadway improvements, landscaping, hardscaping, & irrigation, conservation/mitigation, professional consulting fees, and contingency. The estimated CIP 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 subject to a declaration of condominium, this amount will be assigned to each of the benefited properties based on the number of platted units on an ERU basis.

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

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

However, as discussed within this Assessment Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits, which accrue to 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 \$74,847,774. 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 \$98,070,000. Additionally, funding required to complete the CIP which is not financed with Bonds will be funded by TLC Reedy Isle, LLC (hereinafter, the "Developer") or a Developer-affiliated entity. Without the CIP, the property would not be able to be developed per the current 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 \$98,070,000 in Bonds, in one series or more, to fund all or a portion of 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 \$98,070,000 in debt to the properties benefiting from the CIP.

Table 1 identifies the proposed land uses as identified by the Developer. 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 \$74,847,774. 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 \$98,070,000. 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 plan approval, 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 1,310 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 stormwater management master utilities system (on-site and off-site sanitary sewer system & water distribution system), master stormwater management system (pond & roadway earthwork and on & offsite stormwater conveyance system), electrical service systems (underground), off site utilities, on-site roadway improvements, off-site roadway improvements, landscaping, hardscaping, & irrigation, conservation/mitigation, professional consulting fees, and contingency. There are *two* residential product types within the planned Development. The single family 50' lot has been set as the base unit and has been assigned one equivalent residential unit ("ERU"). Table 4 shows the allocation of benefit 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 master utilities system (on-site and off-site sanitary sewer system & water distribution system), master stormwater management system (pond & roadway earthwork and on & offsite stormwater conveyance system), electrical service systems (underground), off site utilities, on-site roadway improvements, off-site roadway improvements, landscaping, hardscaping, & irrigation, conservation/mitigation, professional consulting 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 Table 6. If the land use plan changes, then the District will update Tables 1, 4, 5 and 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  
 HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT  
 DEVELOPMENT PROGRAM  
 MASTER ASSESSMENT METHODOLOGY

Land Use	Total Assessable Units*	ERUs per Unit (1)	Total ERUs
Townhome	191	0.75	143.25
Single Family 50'	1,119	1.00	1,119.00
<b>Total Units</b>	<b>1,310</b>		<b>1,262.25</b>

(1) Benefit is allocated on an ERU basis; based on density of planned development, with a Single Family 50' Lot = 1 ERU

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

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 2  
 HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT  
 CAPITAL IMPROVEMENT PLAN COST ESTIMATES  
 MASTER ASSESSMENT METHODOLOGY

<b>Capital Improvement Plan ("CIP") (1)</b>	<b>Cost Estimate</b>
<b>Master Utilities System (Onsite)</b>	<b>\$17,011,205</b>
Sanitary Sewer System	\$10,694,703
Water Distribution System	\$6,316,502
<b>Master Stormwater Management System</b>	<b>\$22,184,569</b>
Pond and Roadway Earthwork	\$14,288,941
On and Offsite Storm Conveyance System	\$7,895,628
<b>Electrical Service System (Underground)</b>	<b>\$6,157,000</b>
<b>Off Site Utilities</b>	<b>\$859,295</b>
<b>On-Site Roadway Improvements</b>	<b>\$11,824,806</b>
<b>Off-Site Roadway Improvements</b>	<b>\$282,000</b>
<b>Landscaping, Hardscaping &amp; Irrigation</b>	<b>\$3,257,627</b>
<b>Conservation/Mitigation</b>	<b>\$908,690</b>
<b>Professional Consulting Fees</b>	<b>\$2,599,829</b>
<b>Contingency</b>	<b>\$9,762,753</b>
<b>Total Cost Estimate</b>	<b>\$74,847,774</b>

(1) A detailed description of these improvements are provided in the Master Engineer's Report dated July 17, 2024.

**TABLE 3**  
**HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT**  
**BOND SIZING**  
**MASTER ASSESSMENT METHODOLOGY**

<b>Description</b>		<b>Total</b>
Construction Funds	\$	74,847,774
Debt Service Reserve	\$	7,509,950
Capitalized Interest	\$	12,749,100
Underwriters Discount	\$	1,961,400
Cost of Issuance	\$	1,000,000
Rounding	\$	1,776
<b>Par Amount*</b>	<b>\$</b>	<b>98,070,000</b>

Bond Assumptions:

Interest Rate	6.50%
Amortization	30 years
Capitalized Interest	24 Months
Debt Service Reserve	Max Annual
Underwriters Discount	2%

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



TABLE 4  
 HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT  
 ALLOCATION OF IMPROVEMENT COSTS  
 MASTER ASSESSMENT METHODOLOGY

Land Use	No. of Units *	ERU Factor	Total ERUs	% of Total ERUs	Total Improvements Costs Per Product Type	Improvement Costs Per Unit
Townhome	191	0.75	143.25	11.35%	\$ 8,494,310.66	\$ 44,472.83
Single Family 50'	1119	1.00	1,119.00	88.65%	\$ 66,353,463.34	\$ 59,297.11
Totals	1310		1,262.25	100.00%	\$ 74,847,774.00	

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

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 5  
 HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT  
 ALLOCATION OF TOTAL PAR DEBT TO EACH PRODUCT TYPE  
 MASTER ASSESSMENT METHODOLOGY

Land Use	No. of Units *	Total Improvements		Allocation of Par	
		Costs Per Product	Type	Debt Per Product	Type
Townhome	191	\$ 8,494,310.66		\$ 11,129,750.45	\$ 58,270.94
Single Family 50'	1,119	\$ 66,353,463.34		\$ 86,940,249.56	\$ 77,694.59
Totals	1,310	\$ 74,847,774.00		\$ 98,070,000.00	

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

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 6  
 HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT  
 PAR DEBT AND ANNUAL ASSESSMENTS FOR EACH PRODUCT TYPE  
 MASTER ASSESSMENT METHODOLOGY

Land Use	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)
Townhome	191	\$ 11,129,750.45	\$ 58,270.94	\$ 852,287.82	\$ 4,462.24	\$ 4,798.11
Single Family 50'	1,119	\$ 86,940,249.56	\$ 77,694.59	\$ 6,657,661.94	\$ 5,949.65	\$ 6,397.48
Totals	1,310	\$ 98,070,000.00		\$ 7,509,949.76		

(1) This amount includes 7% for collection fees and early payment discounts when collected on the Polk 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**  
**HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT**  
**PRELIMINARY ASSESSMENT ROLL**  
**MASTER ASSESSMENT METHODOLOGY**

Owner	Property*	Acres	Total Par Debt Allocation Per Acre	Total Par Debt Allocated	Net Annual Debt Assessment Allocation	Gross Annual Debt Assessment Allocation (1)
TLC REEDY ISLE LLC	27-27-01-000000-021000	177.917	\$200,074	\$35,596,635	\$2,725,899	\$2,931,075
SWAIN MICHAEL B	27-27-01-000000-023010	6.778	\$200,074	\$1,356,028	\$103,841	\$111,657
SWAIN MICHAEL B	27-27-01-712500-002010	8.924	\$200,074	\$1,785,548	\$136,733	\$147,024
TLC REEDY ISLE LLC	27-27-01-712000-004010	20.092	\$200,074	\$4,019,837	\$307,829	\$330,999
TLC REEDY ISLE LLC	27-27-01-000000-034010	39.985	\$200,074	\$7,999,974	\$612,618	\$658,729
TLC REEDY ISLE LLC	27-27-01-712000-004150	12.796	\$200,074	\$2,560,055	\$196,042	\$210,798
TLC REEDY ISLE LLC	27-27-02-713000-020070	30.085	\$200,074	\$6,019,259	\$460,939	\$495,634
TLC REEDY ISLE LLC	27-27-02-713000-020261	4.638	\$200,074	\$927,989	\$71,063	\$76,412
TLC REEDY ISLE LLC	27-27-02-713000-020252	4.570	\$200,074	\$914,284	\$70,014	\$75,283
TLC REEDY ISLE LLC	27-27-01-712000-004170	10.341	\$200,074	\$2,068,913	\$158,432	\$170,357
TLC REEDY ISLE LLC	27-27-11-000000-011010	29.833	\$200,074	\$5,968,900	\$457,083	\$491,487
TLC REEDY ISLE LLC	27-27-11-000000-011020	10.133	\$200,074	\$2,027,377	\$155,251	\$166,937
TLC REEDY ISLE LLC	27-27-12-000000-034020	10.347	\$200,074	\$2,070,193	\$158,530	\$170,462
TLC REEDY ISLE LLC	27-27-12-000000-034040	5.303	\$200,074	\$1,060,899	\$81,241	\$87,356
TLC REEDY ISLE LLC	27-27-11-000000-012000	80.446	\$200,074	\$16,095,178	\$1,232,528	\$1,325,298
TLC REEDY ISLE LLC	27-27-11-735000-018010	8.758	\$200,074	\$1,752,175	\$134,177	\$144,276
TLC REEDY ISLE LLC	27-27-11-734500-032300	10.095	\$200,074	\$2,019,675	\$154,662	\$166,303
TLC REEDY ISLE LLC	27-27-11-735500-000220	5.338	\$200,074	\$1,068,001	\$81,785	\$87,941
TLC REEDY ISLE LLC	27-27-11-737000-004010	1.960	\$200,074	\$392,131	\$30,028	\$32,289
TLC REEDY ISLE LLC	27-27-11-737000-005010	1.949	\$200,074	\$390,030	\$29,867	\$32,116
TLC REEDY ISLE LLC	27-27-11-734500-032500	9.881	\$200,074	\$1,976,919	\$151,387	\$162,782
<b>Totals</b>		<b>490.168</b>		<b>\$98,070,000</b>	<b>\$7,509,950</b>	<b>\$8,075,215</b>

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

Annual Assessment Periods	30
Projected Bond Rate (%)	6.50%
Maximum Annual Debt Service	\$7,509,950

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



# SECTION 5

**RESOLUTION 2024-31**

**A RESOLUTION OF BOARD OF SUPERVISORS OF THE HORSESHOE CREEK 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**, Horseshoe Creek 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 HORSESHOE CREEK 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 2024-26 and more particularly described in the *Master Engineer’s Report*, dated [July 17], 2024 (the “**Master 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 2024-26, 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 2024-26 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 2024-26, said Resolution 2024-26 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 2024-26, 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 2024-27, 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) Notice of such public hearing was given by publication and also by mail as required by section 170.07, *Florida Statutes*. Affidavits as to such publications and mailings are on file in the office of the Secretary of the District.

(l) On September 18, 2024, at the time and place specified in Resolution 2024-27 and the notice referred to in paragraph (k) 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.

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

(i) that the estimated costs of the Project are as specified in the Master Engineer's Report, which Master 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*, dated [July 17], 2024 (the "**Master 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 Master 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 Master 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 2024-26, 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 Polk County who may notify each owner of a lot or parcel within the District of the amount of the special assessment, including interest thereon, in the manner provided in section 197.3635, *Florida Statutes*.

#### **SECTION 8. APPLICATION OF TRUE-UP PAYMENTS.**

(a) Pursuant to the Master 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 'plating'), the Assessments securing the Bonds shall be allocated as set forth in the Master 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 of plats 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 Polk County, Florida, which shall be updated from time to time in a manner consistent with changes in the boundaries of the District.

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

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

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

**APPROVED AND ADOPTED THIS 18th DAY OF SEPTEMBER 2024.**

**HORSESHOE CREEK COMMUNITY DEVELOPMENT  
DISTRICT**

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

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

**Exhibit A:** *Master Engineer's Report, dated July 17, 2024*

**Exhibit B:** *Master Assessment Methodology, dated July 17, 2024*

# SECTION B

# SECTION 1



# LOCALiQ

The Gainesville Sun | The Ledger  
Daily Commercial | Ocala StarBanner  
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

## AFFIDAVIT OF PUBLICATION

Brittany Brookes  
Horseshoe Creek CDD  
219 E Livingston ST  
Orlando FL 32801-1508

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of The Ledger-News Chief, published in Polk County, Florida; that the attached copy of advertisement, being a Public Notices, was published on the publicly accessible website of Polk County, Florida, or in a newspaper by print in the issues of, on:

08/20/2024, 08/27/2024, 09/03/2024, 09/10/2024

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

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 09/10/2024

Legal Clerk

*Mitchell Kelly*  
*Mitchell Kelly*

Notary, State of WI, County of Brown

*J. J. Kelly*

My commission expires

Publication Cost: \$1707.24  
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KAITLYN FELTY  
Notary Public  
State of Wisconsin

### HORSESHOE CREEK 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 Horseshoe Creek 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 September 18, 2024, at 1:00 p.m. at the Lake Alfred Public Library, 245 N. Seminole Ave., Lake Alfred, FL 33850.

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, 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 Filnt  
District Manager  
8/20, 8/27, 9/3, 9/10/24 10474804

# SECTION 3

## RESOLUTION 2024-32

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

**WHEREAS**, the Horseshoe Creek Community Development District (“District”) was established pursuant to the provisions of Chapter 190, *Florida Statutes* (“Act”), which authorizes the District to levy certain special assessments pursuant to Chapters 170, 190, and 197 *Florida Statutes*, in order to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain District services, facilities, and infrastructure, paying principal and interest on any and all of its indebtedness or for any other purpose permitted by the Act; 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 Polk County for four (4) consecutive weeks prior to such hearing.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HORSESHOE CREEK 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 special assessments imposed by the District as provided in Chapters 170, 190, and 197, *Florida Statutes*, each of which are non-ad valorem assessments which may be collected annually pursuant to the provisions of Chapter 190, *Florida Statutes*, in order to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain District services, facilities, and infrastructure, paying principal and interest on any and all of its indebtedness or for any other purpose permitted by the Act. 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 Polk 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 18th day of September 2024.

ATTEST:

**HORSESHOE CREEK COMMUNITY  
DEVELOPMENT DISTRICT**

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

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

**Exhibit A:** Legal Description

## EXHIBIT A

### LEGAL DESCRIPTION

#### SOUTH PD

A TRACT OF LAND, BEING THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, ALSO THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 27 SOUTH, RANGE 27 EAST, BEING TRACTS 23 THROUGH 26 IN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 27 SOUTH, RANGE 27 EAST, ALSO TRACT 32 OF SECTION 12, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MAP OF FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63 INCLUSIVE, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING LOTS 1 THROUGH 10 OF BLOCK 4, ALSO LOTS 1 THROUGH 10 OF BLOCK 5, TOGETHER WITH ADJACENT RIGHT-OF-WAYS, TERRACE PARK SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 12, PAGE 39, PUBLIC RECORDS OF POLK COUNTY, FLORIDA ALSO TRACT 22, REPLAT OF PRINCE ORANGE MANOR, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 29, PAGE 9, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LESS THE APPARENT RIGHT-OF-WAY OF HORSE SHOE CREEK ROAD, AND LOTS 1 THROUGH 6, AND THE EAST 35 FEET OF LOTS 7 THROUGH 12, BLOCK 18; ALL OF BLOCK 19, LOT 1 LESS THE SOUTH 50 FEET; LOT 2, LESS THE SOUTH 50 FEET OF THE WEST 15 FEET; ALL OF LOTS 3 THROUGH 26, AND THE EAST 35 FEET OF LOT 27, ALL IN BLOCK 20, PRINCE ORANGE MANOR, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 21 PAGE 19, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 11; THENCE RUN SOUTH 89°29'19" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 2648.88 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 11; THENCE RUN NORTH 00°05'31" WEST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 15.00 FEET TO A POINT LYING ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF TRACT 25 OF SAID PLAT OF MAP OF FLORIDA DEVELOPMENT CO. TRACT; THENCE RUN SOUTH 89°30'30" WEST, ALONG THE SOUTH LINE OF SAID TRACT 25 AND TRACT 26 AND THE WESTERLY EXTENSION THEREOF, 968.31 FEET TO A POINT LYING ON THE CENTERLINE OF ERIE AVENUE, AS SHOWN ON THE PLAT OF TERRACE PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGE 39 OF SAID PUBLIC RECORDS, THENCE RUN NORTH 00°06'34" WEST, ALONG THE CENTERLINE OF ERIE AVENUE 647.04 FEET TO A POINT LYING ON THE SOUTH LINE OF TRACT 22 OF SAID MAP OF FLORIDA DEVELOPMENT CO. TRACT; THENCE RUN ALONG THE SOUTH, WEST, NORTH AND EAST LINES OF SAID TRACT 22, THE FOLLOWING FOUR (4) COURSES: SOUTH 89°31'21" WEST, 22.99 FEET; THENCE RUN NORTH 00°07'07" WEST, 662.05 FEET; THENCE RUN NORTH 89°32'12" EAST, 430.61 FEET; THENCE RUN NORTH 00°06'34" WEST, 601.94 FEET; THENCE RUN SOUTH 89°33'44" WEST, 75.00 FEET TO A POINT LYING ON THE WEST LINE OF LOT 1, BLOCK 20 OF SAID PLAT OF PRINCE ORANGE MANOR; THENCE RUN NORTH 00°06'34" WEST, ALONG SAID WEST LINE OF LOT 1, A DISTANCE OF 60.00 FEET TO A POINT LYING ON THE NORTH LINE OF SAID BLOCK 20, PRINCE ORANGE MANOR; THENCE RUN ALONG THE NORTH AND EAST LINES OF SAID BLOCK 20, THE FOLLOWING TWO (2) COURSES: NORTH 89°33'04" EAST, 636.40 FEET; THENCE RUN SOUTH 00°05'31" EAST, 661.81 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11; THENCE RUN NORTH 89°36'45" EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 1328.17 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 11; THENCE RUN NORTH 00°04'15" EAST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 1290.77 FEET TO A POINT LYING ON THE APPARENT SOUTH RIGHT-OF-WAY LINE OF HORSE SHOE CREEK ROAD; THENCE DEPARTING SAID WEST LINE, RUN ALONG SAID APPARENT SOUTH RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES: NORTH 89°44'10" EAST, 1131.46 FEET; THENCE RUN NORTH 00°15'50" WEST, 15.00 FEET; THENCE RUN NORTH 89°44'10" EAST, 200.50 FEET TO A POINT LYING ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11; THENCE RUN SOUTH 00°14'04" WEST, ALONG SAID EAST LINE, 1302.93 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 12; THENCE RUN ALONG THE NORTH, EAST AND SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 12, THE FOLLOWING THREE (3) COURSES: NORTH 89°45'25" EAST, 629.75 FEET; THENCE RUN SOUTH 00°16'18" WEST, 656.57 FEET; THENCE RUN SOUTH 89°32'54" WEST, 329.67 FEET TO THE NORTHEAST CORNER OF TRACT 32 OF SAID MAP OF FLORIDA DEVELOPMENT CO. TRACT; THENCE RUN SOUTH 00°15'11" WEST, ALONG THE EAST LINE OF SAID TRACT 32, A DISTANCE OF 642.77 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 32; THENCE RUN SOUTH 89°20'22" WEST, ALONG THE SOUTH LINE OF SAID TRACT 32 AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 329.48 FEET TO A POINT LYING ON AFORESAID EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE RUN SOUTH 00°14'04" WEST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND, LIES IN POLK COUNTY, FLORIDA AND CONTAINS 172.768 ACRES MORE OR LESS.

**TOGETHER WITH THE FOLLOWING**

LEGAL DESCRIPTION  
NORTH PARCEL PD

A TRACT OF LAND, BEING THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, TRACTS 7, 8, 9, 10, 23, 24 AND A PORTION OF TRACTS 25, 26 AND 27, LYING IN THE SOUTHEAST QUARTER OF THE SECTION 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST, TRACTS 1 THROUGH 4, 15 THROUGH 17, THE NORTH HALF OF TRACT 18 AND PORTION OF TRACT 32, LYING IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 27 SOUTH, RANGE 27 EAST OF MAP OF FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 27 SOUTH, RANGE 27 EAST; THENCE RUN ALONG THE WEST, NORTH AND EAST LINES OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1, THE FOLLOWING THREE (3) COURSES: NORTH 00°58'28" WEST, 1310.79 FEET; THENCE RUN NORTH 89°50'09" EAST, 1320.77 FEET; THENCE RUN SOUTH 00°41'06" EAST, 1313.07 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE RUN NORTH 89°56'19" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 1314.17 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 1, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE PLAT OF FOREST HILLS UNIT ONE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 25, PAGE 27, OF SAID PUBLIC RECORDS; THENCE RUN NORTH 89°57'16" EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 2630.30 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE RUN SOUTH 00°18'20" EAST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2641.25 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE RUN NORTH 89°51'12" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2589.48 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE RUN NORTH 01°11'42" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1316.53 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE RUN NORTH 89°56'37" WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 1317.66 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1; THENCE RUN NORTH 01°02'42" WEST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 664.38 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 4; THENCE RUN SOUTH 89°40'02" WEST, ALONG THE SOUTH LINE OF TRACTS 4 AND 3, A DISTANCE OF 657.89 FEET TO THE NORTHEAST CORNER OF TRACT 15 OF SAID MAP OF FLORIDA DEVELOPMENT CO. TRACT; THENCE RUN SOUTH 00°58'12" EAST, ALONG THE EAST LINE OF TRACTS 15 AND 18, A DISTANCE OF 995.49 FEET TO A POINT LYING ON THE SOUTH LINE OF THE NORTH HALF OF SAID TRACT 18; THENCE DEPARTING SAID EAST LINE, RUN NORTH 89°54'52" WEST, ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID TRACT 18, A DISTANCE OF 329.64 FEET TO A POINT LYING ON THE EAST LINE OF TRACT 17, THENCE RUN SOUTH 00°55'56" EAST, ALONG THE EAST LINE OF TRACTS 17 AND 32 OF SAID MAP OF FLORIDA DEVELOPMENT CO. TRACT, 956.26 FEET TO A POINT LYING ON THE APPARENT NORTH RIGHT OF WAY LINE OF HORSE SHOE CREEK ROAD; THENCE RUN ALONG SAID APPARENT NORTH RIGHT-OF-WAY LINE, THE FOLLOWING SIX (6) COURSES: NORTH 89°49'36" WEST, 41.60 FEET; THENCE RUN SOUTH 89°36'02" WEST, 100.00 FEET; THENCE RUN NORTH 89°49'36" WEST, 100.00 FEET; THENCE RUN SOUTH 88°52'36" WEST, 88.37 FEET; THENCE RUN NORTH 02°03'50" WEST, 13.01 FEET; THENCE RUN SOUTH 89°44'10" WEST, 173.97 FEET TO A POINT LYING ON THE EAST LINE OF THE WEST HALF OF TRACT 25 OF SAID MAP OF FLORIDA DEVELOPMENT CO. TRACT; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE, RUN NORTH 00°51'35" WEST, ALONG SAID EAST LINE, 195.01 FEET; THENCE RUN SOUTH 89°44'10" WEST, 158.85 FEET TO A POINT LYING ON THE WEST LINE OF SAID TRACT 25; THENCE RUN SOUTH 00°49'29" EAST, ALONG SAID WEST LINE OF TRACT 25, A DISTANCE OF 195.01 FEET TO A POINT LYING ON AFORESAID APPARENT NORTH RIGHT-OF-WAY LINE OF HORSE SHOE CREEK ROAD; THENCE RUN SOUTH 89°44'10" WEST, ALONG SAID APPARENT NORTH RIGHT-OF-WAY LINE, 176.61 FEET; THENCE DEPARTING SAID APPARENT NORTH RIGHT-OF-WAY LINE, RUN NORTH 03°25'08" WEST, 336.46 FEET; THENCE RUN NORTH 79°53'11" WEST, 275.63 FEET TO A POINT LYING ON THE WEST LINE OF THE EAST 130.00 FEET OF TRACT 27 OF SAID MAP OF FLORIDA DEVELOPMENT CO. TRACT; THENCE RUN NORTH 00°45'17" WEST, ALONG SAID WEST LINE, 240.00 FEET TO A POINT LYING ON THE NORTH LINE OF SAID TRACT 27; THENCE RUN NORTH 89°44'44" EAST, ALONG SAID NORTH LINE OF TRACT 27, A DISTANCE OF 130.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 23; THENCE RUN NORTH 00°45'17" WEST, ALONG THE WEST LINE OF TRACTS 23, 10 AND 7, A DISTANCE OF 1951.77 FEET TO THE NORTHWEST CORNER OF SAID TRACT 7; THENCE RUN NORTH 89°46'27" EAST, ALONG THE NORTH LINE OF TRACTS 7 AND 8, A DISTANCE OF 659.60 FEET; THENCE RUN NORTH 00°53'40" WEST, 15.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND LIES IN POLK COUNTY, FLORIDA AND CONTAINS 317.400 ACRES MORE OR LESS.

**FOR A TOTAL OF 490.168 ACRES, MORE OR LESS**

# SECTION C

# SECTION 1



# LOCALiQ

The Gainesville Sun | The Ledger  
Daily Commercial | Ocala StarBanner  
News Chief | Herald-Tribune

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## AFFIDAVIT OF PUBLICATION

Brittany Brookes  
Horseshoe Creek CDD  
219 E Livingston ST  
Orlando FL 32801-1508

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of The Ledger-News Chief, published in Polk County, Florida; that the attached copy of advertisement, being a Public Notices, was published on the publicly accessible website of Polk County, Florida, or in a newspaper by print in the issues of, on:

08/13/2024

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

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 08/13/2024

Legal Clerk

*Keegan Alvar*  
*Walter Felty*

Notary, State of WI, County of Brown

*3.7.27*

My commission expires

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## NOTICE OF RULE DEVELOPMENT BY THE HORSESHOE CREEK COMMUNITY

DEVELOPMENT DISTRICT  
In accord with Chapters 120 and 190, Florida Statutes, the Horseshoe Creek 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  
Horseshoe Creek Community Development District  
8/13/24 10455108

KAITLYN FELTY  
Notary Public  
State of Wisconsin

## **AFFIDAVIT OF PUBLICATION**

Brittany Brookes  
Horseshoe Creek CDD  
219 E Livingston ST  
Orlando FL 32801-1508

STATE OF WISCONSIN, COUNTY OF BROWN

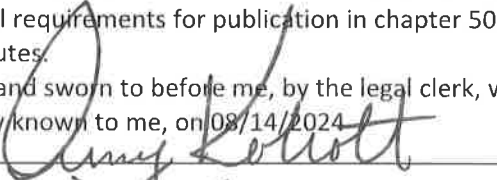
Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of The Ledger-News Chief, published in Polk County, Florida; that the attached copy of advertisement, being a Public Notices, was published on the publicly accessible website of Polk County, Florida, or in a newspaper by print in the issues of, on:

08/14/2024

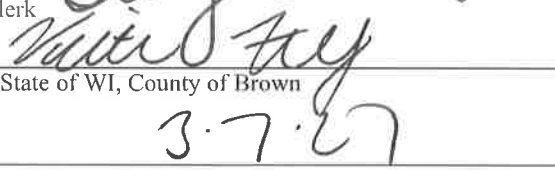
Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 08/14/2024

Legal Clerk



Notary, State of WI, County of Brown

  
3-7-27

My commission expires

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State of Wisconsin

**NOTICE OF RULEMAKING REGARDING THE RULES OF PROCEDURE OF THE HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT**  
A public hearing will be conducted by the Board of Supervisors ("Board") of the Horseshoe Creek Community Development District ("District") on September 18, 2024, at 1:00 p.m. at the Luke Alfred Public Library, 245 N. Sammie Avenue, Luke Alfred, Florida 32828. 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 Lakeland Ledger on August 13, 2024. The Rules of Procedure may address such areas as the Board of Supervisors, officers and voters, district offices, public information and inspection of records, notices, public meetings, hearings and workshops, rulemaking proceedings, competitive purchase including procedures under the Consistent Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contracted services, and protests with respect to proceedings, as well as any other area of the general operation of the District. Specific legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.01(15), 190.01(15) and 190.025, Florida Statutes. The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.02, 112.124, 112.146, 112.3145, 119.07, 119.0201, 189.052, 189.069(2)(a)(1), 190.006, 190.007, 190.008, 190.01(1), 190.01(15), 190.01(15), 190.033, 190.035, 218.33, 218.391, 251.05, 250.051B, 255.0225, 255.26, 256.0105, 256.011, 256.013, 256.014, 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 of 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 120.54(1)(1), Florida Statutes, must do so in writing within twenty one (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 of 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 of 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 1-800-955-8770 for aid in contacting the District Manager's Office. Horseshoe Creek Community Development District  
George Flint, District Manager  
8/14/24, 10453144

# SECTION 3

**RESOLUTION 2024-33**

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

**WHEREAS**, Horseshoe Creek 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 HORSESHOE CREEK 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 18th day of September 2024.

**ATTEST:**

**HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary

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

**Exhibit A:** Rules of Procedure

**EXHIBIT A**  
RULES OF PROCEDURE

**RULES OF PROCEDURE  
HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT**

**EFFECTIVE AS OF SEPTEMBER 18, 2024**

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**Rule 1.0      General.**

- (1) The Horseshoe Creek Community Development District (“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 (“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 (“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:** §§ 50.011, 50.031, 189.015, 189.069(2)(a)15, 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 \_\_\_\_\_, 2024 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

# LOCALiQ

The Gainesville Sun | The Ledger  
Daily Commercial | Ocala StarBanner  
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

## AFFIDAVIT OF PUBLICATION

Brittany Brookes  
Horseshoe Creek CDD  
219 E Livingston ST  
Orlando FL 32801-1508

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of The Ledger-News Chief, published in Polk County, Florida; that the attached copy of advertisement, being a Govt Public Notices, was published on the publicly accessible website of Polk County, Florida, or in a newspaper by print in the issues of, on:

08/27/2024, 09/03/2024

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

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 09/03/2024

Legal Clerk

*[Handwritten signature]*  
\_\_\_\_\_  
*[Handwritten signature]*  
\_\_\_\_\_

Notary, State of WI, County of Brown

*[Handwritten date]*  
3-7-27

My commission expires

Publication Cost: \$680.18  
Tax Amount: \$0.00  
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Order No: 10496850 # of Copies:  
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PO #: budget hearing

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

**KAITLYN FELTY**  
Notary Public  
State of Wisconsin

HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2024/2025 BUDGET; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.

The Board of Supervisors ("Board") of the Horseshoe Creek Community Development District ("District") will hold a public hearing on September 18, 2024, at 1:00 p.m. at the Lake Alfred Public Library, 245 N. Seminole Ave., Lake Alfred, FL 33850, 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, 2024 ("Fiscal Year 2023/2024") and the fiscal year ending September 30, 2025 ("Fiscal Year 2024/2025"). 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.

District Manager  
No.10496850 Aug. 27, Sept. 3, 2024

# SECTION 3

**RESOLUTION 2024-34**

**[REMAINDER OF FY 2024 APPROPRIATION RESOLUTION]**

**THE ANNUAL APPROPRIATION RESOLUTION OF THE HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET(S) FOR THE REMAINDER OF FISCAL YEAR ENDING SEPTEMBER 30, 2024; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Horseshoe Creek Community Development District (“**District**”) was established by Ordinance No. 1274, adopted by the City Commission of the City of Davenport, Florida, which became effective on June 3, 2024; and

**WHEREAS**, for the remainder of the fiscal year ending September 30, 2024 (“**FY 2024**”), the District Manager prepared and submitted to the Board of Supervisors (“**Board**”) of the District proposed budget(s) (“**Proposed Budget**”) 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 general-purpose government(s) 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 on the Proposed Budget 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 in accordance with Section 189.016, *Florida Statutes*; 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.

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

**SECTION 1. BUDGET**

- a. 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.
- b. 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

Horseshoe Creek Community Development District for the Fiscal Year Ending September 30, 2024.”

- c. The Adopted Budget shall be posted by the District Manager on the District’s official website in accordance with Section 189.016, *Florida Statutes* and shall remain on the website for at least two (2) years.

**SECTION 2. APPROPRIATIONS**

There is hereby appropriated out of the revenues of the District, for FY 2024, the sum(s) set forth in **Exhibit A** 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 as set forth in **Exhibit A**.

**SECTION 3. BUDGET AMENDMENTS**

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within FY 2024 or within 60 days following the end of the FY 2024 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 this paragraph c. are posted on the District’s website in accordance with Section 189.016, *Florida Statutes*, and remain on the website for at least two (2) years.

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

**PASSED AND ADOPTED THIS 18TH DAY OF SEPTEMBER 2024.**

ATTEST:

**HORSESHOE CREEK COMMUNITY  
DEVELOPMENT DISTRICT**

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

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

**Exhibit A:** FY 2024 Budget

***Horseshoe Creek***  
***Community Development District***

***Proposed Budget***  
***FY2024 - FY2025***



# Table of Contents

**1** General Fund

**2-3** General Fund Narrative

# Horseshoe Creek

## Community Development District

### Proposed Budget

### General Fund

Description	Proposed Budget FY2024*	Proposed Budget FY2025
<b><u>Revenues</u></b>		
Developer Contributions	\$ 36,801	\$ 124,678
<b>Total Revenues</b>	<b>\$ 36,801</b>	<b>\$ 124,678</b>
<b><u>Expenditures</u></b>		
<i>General &amp; Administrative</i>		
Supervisor Fees	\$ 3,000	\$ 12,000
FICA Expenditures	\$ 230	\$ 918
Engineering	\$ 3,750	\$ 15,000
Attorney	\$ 6,250	\$ 25,000
Management Fees	\$ 10,000	\$ 40,000
Information Technology	\$ 450	\$ 1,800
Website Maintenance **	\$ 2,050	\$ 1,200
Telephone	\$ 75	\$ 300
Postage & Delivery	\$ 250	\$ 1,000
Insurance	\$ 5,000	\$ 5,000
Printing & Binding	\$ 250	\$ 1,000
Legal Advertising	\$ 3,750	\$ 15,000
Contingency	\$ 1,250	\$ 5,000
Office Supplies	\$ 156	\$ 625
Travel Per Diem	\$ 165	\$ 660
Dues, Licenses & Subscriptions	\$ 175	\$ 175
<b>Total Expenditures</b>	<b>\$ 36,801</b>	<b>\$ 124,678</b>
<b>Excess Revenues/(Expenditures)</b>	<b>\$ -</b>	<b>\$ -</b>

\*Budget is prorated from July to September

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



# Horseshoe Creek

## 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.

##### 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.

# Horseshoe Creek Community Development District General Fund Narrative

## 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.

## Copies

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.

## Contingencies

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 4

**RESOLUTION 2024-35**

**[FY 2025 APPROPRIATION RESOLUTION]**

**THE ANNUAL APPROPRIATION RESOLUTION OF THE HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET(S) FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, for the fiscal year beginning October 1, 2024, and ending September 30, 2025 (“**FY 2025**”), the District Manager prepared and submitted to the Board of Supervisors (“**Board**”) of the Horseshoe Creek Community Development District (“**District**”) prior to June 15, 2024, proposed budget(s) (“**Proposed Budget**”) 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 general-purpose government(s) 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 on the Proposed Budget 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 in accordance with Section 189.016, *Florida Statutes*; and

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

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

**SECTION 1. BUDGET**

- a. 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.
- b. 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 Horseshoe Creek Community Development District for the Fiscal Year Ending September 30, 2025.”

- c. The Adopted Budget shall be posted by the District Manager on the District’s official website in accordance with Section 189.016, *Florida Statutes* and shall remain on the website for at least two (2) years.

**SECTION 2. APPROPRIATIONS**

There is hereby appropriated out of the revenues of the District, for FY 2025, the sum(s) set forth in **Exhibit A** 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 as set forth in **Exhibit A**.

**SECTION 3. BUDGET AMENDMENTS**

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within FY 2025 or within 60 days following the end of the FY 2025 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 this paragraph c. are posted on the District’s website in accordance with Section 189.016, *Florida Statutes*, and remain on the website for at least two (2) years.

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

**PASSED AND ADOPTED THIS 18TH DAY OF SEPTEMBER 2024.**

ATTEST:

**HORSESHOE CREEK COMMUNITY  
DEVELOPMENT DISTRICT**

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

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

**Exhibit A:** FY 2025 Budget

***Horseshoe Creek***  
***Community Development District***

***Proposed Budget***  
***FY2024 - FY2025***



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**1** General Fund

**2-3** General Fund Narrative

# Horseshoe Creek

## Community Development District

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### General Fund

Description	Proposed Budget FY2024*	Proposed Budget FY2025
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<b>Excess Revenues/(Expenditures)</b>	<b>\$ -</b>	<b>\$ -</b>

\*Budget is prorated from July to September

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



# Horseshoe Creek

## 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

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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.

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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 VI

Horseshoe Creek Community Development  
District Engineer RFQ Ranking Sheet

	Ability and Adequacy of Personnel 25 Points	Consultant's Past Performance 25 Points	Geographic Location 20 Points	Willingness to Meet Time and Budget Requirements 15 Points	Certified Minority Business Enterprise 5 Points	Recent, Current and Projected Workloads 5 Points	Volume of Work Previously Awarded to Consultant by District 5 Points	Total Score		Ranking
GAI Consultants	25	25	20	15		5	5	95		1

STATEMENT OF QUALIFICATIONS

# ENGINEERING SERVICES

HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT

September 5, 2024



gai consultants®



STATEMENT OF QUALIFICATIONS  
**ENGINEERING SERVICES**  
HORSESHOE CREEK COMMUNITY DEVELOPMENT DISTRICT

September 5, 2024

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**B** Standard Form 330 ..... 7

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- 2) Certified Minority Business Enterprise ..... 31
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- 6) Current and Projected Workloads ..... 34
- 7) Volume of Work Previously Awarded to Consultant by District ..... 34





September 5, 2024

Mr. George S. Flint  
c/o Governmental Management Services-Central Florida, LLC  
219 E. Livingston Street  
Orlando, Florida 32801

**RE: Statement of Qualifications For Engineering Services  
Horseshoe Creek Community Development District**

Dear Mr. Flint and Selection Committee Members:

GAI understands the Horseshoe Creek Community Development District (Horseshoe Creek CDD) is seeking a firm that can be proactive in support of its operations and infrastructure development. As a full-service engineering firm, GAI has the capacity to support the Horseshoe Creek CDD's needs on a continuing basis by providing a full range of services, such as water, sewer, reuse, stormwater, electrical, wetland, roadway, and other improvements. As Project Manager, Kathy Leo, PE, will lead a highly qualified team of GAI staff—all of whom will serve as your advocates. GAI is proud of our 66-plus-year history of serving clients with professional engineering services.

**Uniquely Qualified Team**

GAI has assembled a team with the specific knowledge of the project and experience working with CDDs. This team will provide continuity and efficiency, to make quality of life a priority. The team consists of:

**Kathy Leo, PE, Principal-in-Charge and Project Manager**, will provide support directly to you and the Board of Supervisors, while serving as leader for the GAI team. With 31 years of experience, Kathy has been involved in many capacities with numerous CDDs for over 25 years.

**GAI's Full-Service Technical Specialties** include stormwater management, roadway design, structural engineering, environmental science, landscape architecture, economics, construction inspection, and more. Our team is fully prepared to resolve any issue that may arise.

**Looking to the Future**

As the Horseshoe Creek CDD matures, we will adapt to those needs, and are committed to servicing the needs of the CDD in a timely manner.

The GAI team is fully dedicated to performing the work in accordance with the terms of this Request for Qualifications (RFQ), and looks forward to the opportunity to be a part of the Horseshoe Creek CDD staff. We will be committed resources whenever necessary throughout the duration of this contract. We stand ready to help you find innovative solutions for utility maintenance and management; articulate a vision for success; and anticipate varied requirements of operating, designing, permitting, and constructing facilities.

You have the personal assurance of Project Manager, Kathy Leo, PE, that GAI will serve the Horseshoe Creek CDD with the utmost respect and professionalism, while seamlessly performing the required duties of the District Engineer.

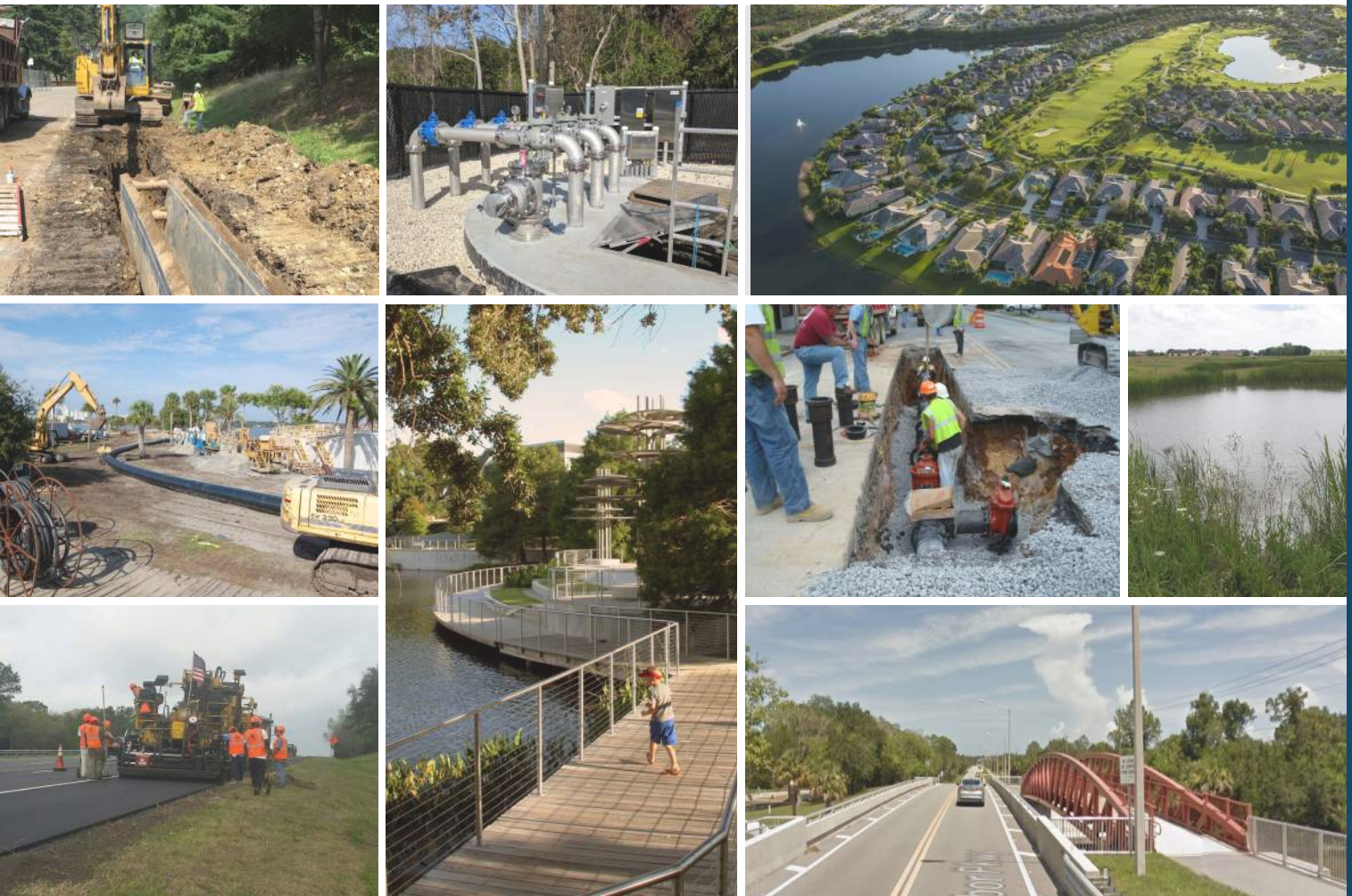
Sincerely,

**GAI Consultants, Inc.**



Kathleen Leo, PE  
Vice President  
321.319.3095 | k.leo@gaiconsultants.com





# A BUSINESS REGISTRATION / FEDERAL, STATE, AND LOCAL LICENSES







**REGISTRATION AND AUTHORIZATION TO DO BUSINESS IN FLORIDA**

GAI Consultants, Inc., is a corporation organized under the laws of the State of Pennsylvania since 1958, and has been licensed to conduct business in the State of Florida since 1974.

*State of Florida  
Department of State*

I certify from the records of this office that G-A-I CONSULTANTS, INC. is a Pennsylvania corporation authorized to transact business in the State of Florida, qualified on December 11, 1974.

The document number of this corporation is 833525.

I further certify that said corporation has paid all fees due this office through December 31, 2024, that its most recent annual report/uniform business report was filed on January 8, 2024, and that its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

*Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capital, this  
the Eighth day of January, 2024*



*[Handwritten Signature]*  
**Secretary of State**

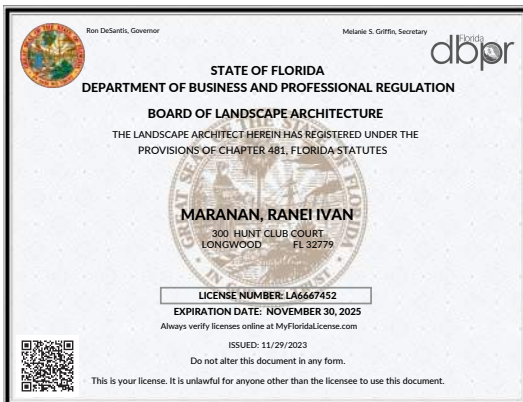
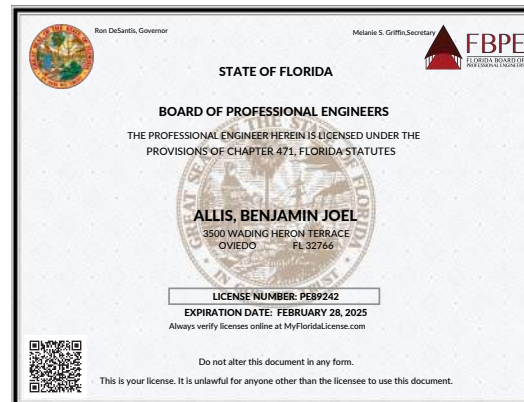
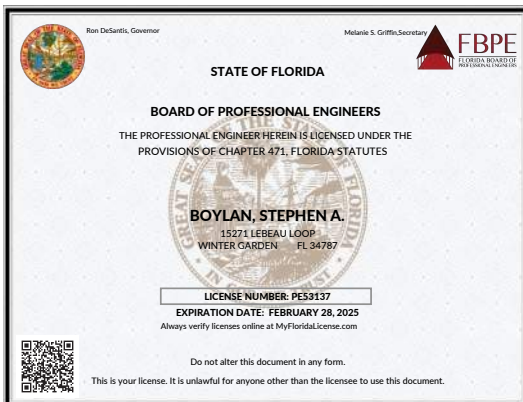
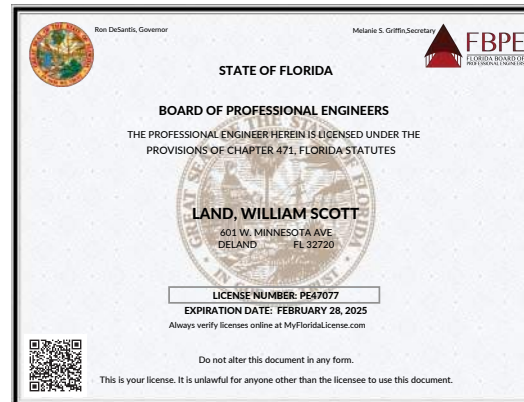
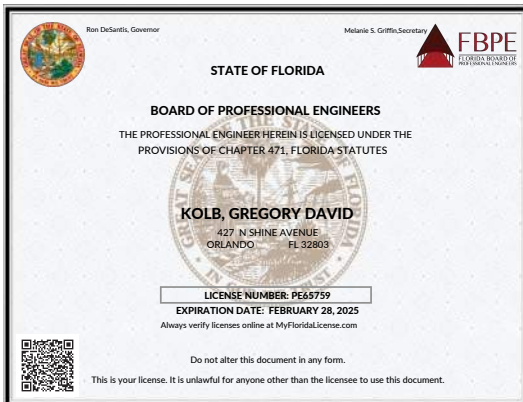
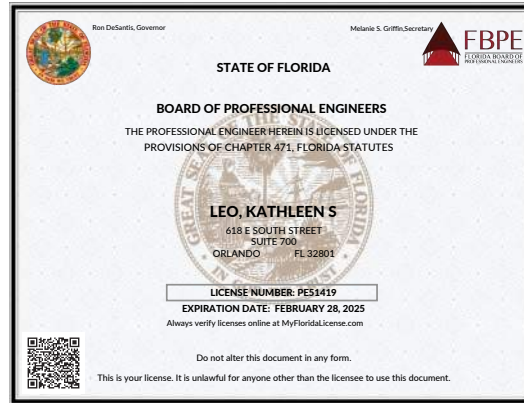
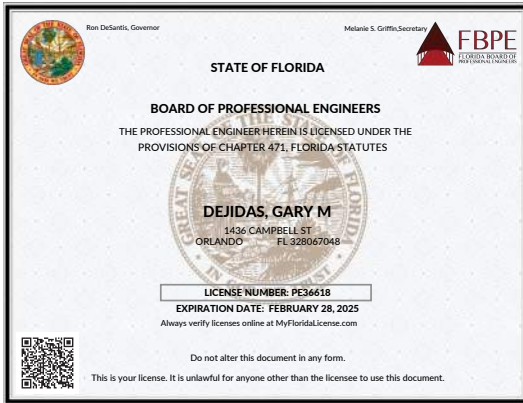
Tracking Number: 7949469093CC

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.


<https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication>

# LICENSES/CERTIFICATIONS

The State of Florida requires every engineering firm to have a Qualifying Engineering license. Gary Dejidas is GAI's Qualifying Engineer. Please see Mr. Dejidas' Professional Engineers License for GAI's proof of proper licensing in Florida.



# LICENSES/CERTIFICATIONS



**Authorized Gopher Tortoise Agent**  
 FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION  
 Division of Habitat and Species Conservation  
 Wildlife Diversity Conservation Section  
 620 South Meridian Street, Mail Station 2A  
 Tallahassee, Florida 32399-1600  
 (850) 921-1031

Permittee Name: Don Silverberg      Permit Number: **GTA-09-00064G**  
 Permittee Address: GAJ Consultants      Effective Date: **January 21, 2021**  
 618 East South Street Suite 700      Expiration Date: **March 31, 2025**  
 ORLANDO, FLORIDA 32801  
 UNITED STATES

15 AUTHORIZED TO:

1. Conduct gopher tortoise surveys
2. Capture gopher tortoises using bucket traps
3. Capture gopher tortoises using hand shovel excavation of gopher tortoise burrows
4. Mark, transport, and release captured gopher tortoises at recipient sites
5. Collect blood samples from gopher tortoises for USTED testing
6. Supervise backhoe excavation of gopher tortoise burrows to capture gopher tortoises

---

Permittee Signature: *Don J. Silverberg*      Date: **21 January 2021**  
Digitally signed by Don J. Silverberg  
 DN: cn=Don J. Silverberg, o=GAJ Consultants, ou=GAJ Consultants, email=don@gaiconsultants.com, c=US

Not valid unless signed. By signature, confirms that all information provided to issue the permit is accurate and complete, and indicates acceptance and understanding of the provisions and conditions listed below. **Any false statements or misrepresentations when applying for this permit may result in felony charges and will result in revocation of this permit.**

Authorized By: Eric Seckinger      Authorized for: Eric Sutton, Executive Director

Authorizing Signature: *Eric Seckinger*      Date: **01/21/2021**  
Wildlife Diversity Conservation Section

16 Authorized To (Continued):  
**This permit is in effect an amendment and supersedes all previous versions. All amended conditions and provisions of the previous permit (changed or new items) are indicated in bold text.**

**PERMIT CONDITIONS AND PROVISIONS:**

1. Authorization to conduct the specified activities in association with the relocation of gopher tortoises in Florida is subject to Rules 68A-9.002 and 68A-27, Florida Administrative Code (F.A.C.), the Gopher Tortoise Permitting Guidelines (April 2000 - revised July 2020) [hereafter, the "Permitting Guidelines"], and subsequent revisions of these guidelines that are in effect at the time the authorized activities are conducted, and subject to the following provisions/conditions.
2. Authorized activities are also predicated and conditioned on the information and assurances provided in the Permittee's **01/07/2021 application**, the assurances of which are herein incorporated by reference.
3. The Permittee shall only take, attempt to take, pursue, hunt, harass, capture, possess, or transport gopher tortoises, or molest, damage or destroy any gopher tortoise burrows when such activity is authorized by a separate permit (e.g., Conservation, 10 or Fewer Burrows, Temporary Exclusion, Recipient Site, Scientific Collecting) issued by the FWC for a specified property that authorizes the Permittee to capture and possess gopher tortoises from or within that property.
4. Gopher tortoise burrow surveys must be conducted in accordance with the Permitting Guidelines, or as amended. Surveys must be conducted no more than 90 days prior to submitting a relocation application.
5. Tortoises shall only be relocated when the low temperature at the recipient site is forecasted by the National Weather Service to be above 50° Fahrenheit for three consecutive days after release (including the day of relocation). This three-day window of milder overnight temperatures is required to allow the relocated tortoises to settle into the recipient site and to reduce the chance of cold-related stress or mortality.
6. Captured gopher tortoises that show signs of disease (i.e., nasal and ocular discharge, emaciation, etc.) shall not

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be relocated off-site to the authorized recipient site and must be reported to the Gopher Tortoise Program (by phone 850-921-1031 or by email to [GTPermits@MyFWC.com](mailto:GTPermits@MyFWC.com)) within 48 hours of capture. At the Permittee's discretion, asymptomatic tortoises may be: relocated on-site, transported to and quarantined at a FWC-licensed wildlife rehabilitation center (if available upon request) or licensed veterinary facility for treatment and subsequent relocation of recovered, non-symptomatic gopher tortoises along with others from the population; transported and donated to a FWC-permitted disease research program; or humanely euthanized by a licensed veterinarian when disease is advanced.

7. Gopher tortoises released at a recipient site shall be released into an enclosure in conformance with the FWC enclosure requirements specified in the Permitting Guidelines, or as amended. Gopher tortoises should be released near existing abandoned burrows or excavated starter burrows at the recipient site.
8. Marking of gopher tortoises must be done for all permits except for 10 or Fewer Burrows permits with on-site relocation. All tortoises must be marked with marginal scutes of tortoises ≥ 130 mm carapace length (CL) drilled or notched, and marginal scutes of juveniles < 130 mm CL notched. Passive Integrated Transponder (PIT) tags may be used as an alternative to drilling or notching the marginal scutes.
9. During transport, gopher tortoises must be held in shaded conditions and in individual containers large enough to allow the tortoise to turn around. Tortoises must not be held more than 72 hours after capture unless otherwise authorized by FWC permit.
10. Supervised backhoe excavation of gopher tortoise burrows shall only take place with at least two people present at each burrow. A backhoe operator and a person on the ground at the burrow is required at all times during backhoe excavation. Backhoes must be equipped with a flat blade on the bucket for digging. Excavation of a burrow should not be started unless it can be fully excavated in the same day. Burrow excavation is not complete until the burrow terminus is reached and all side chambers are found and completely excavated.
11. This permit does not authorize Permittee access to any public or private properties. Permission to access the property must be secured from the appropriate landholders prior to undertaking any work on such properties.
12. This permit is non-transferable and must be readily available for inspection at all times while engaging in the permitted activities. This permit can be suspended, revoked or not renewed for just cause pursuant to 68-1.010, Florida Administrative Code and Chapter 120, Florida Statutes. Criteria for suspension, revocation, or non-renewal of authorized agent permits and registered agents can be found in the Permitting Guidelines, or as amended.
13. Blood samples must be collected in conformance with FWC blood collecting protocol and associated affidavit described in Appendix 6 of the Permitting Guidelines available from [MyFWC.com/GopherTortoise](http://MyFWC.com/GopherTortoise).
14. The activities authorized under this Permit must be carried out by the Permittee or the Assistant(s) that are designated by the Permittee. The Permittee shall revise its list of designated Assistants utilizing the FWC online permitting system prior to that Assistant conducting any gopher tortoise activities authorized under this permit. The FWC reserves the right to deny a Permittee's designation of an individual as its Assistant if rights of the individual to obtain gopher tortoise permits have been suspended or revoked. All activities conducted by Assistants must be under the supervision and responsibility of the Permittee. Assistants must be directly supervised on-site by the Permittee when the Assistant(s) are collecting gopher tortoise blood samples or during backhoe excavation of gopher tortoise burrows. The Permittee shall be fully responsible for activities conducted by Assistants and contracted backhoe operators to the same extent as if they had themselves carried out those activities under this Permit.
15. The Permittee and its Assistant(s) must carry with them either this original permit, or a complete copy, while engaged in the permitted gopher tortoise activities. The Assistant(s) must also be in possession of a copy of the letter of designation from the Permittee.
16. The Permittee, by signing this permit, specifically agrees to allow authorized Commission personnel, upon presentation of credentials as may be required by law, access to sites to inspect the activities authorized under this permit.
17. A request for permit renewal or extension should be submitted at least 45 days prior to the expiration date of this permit.

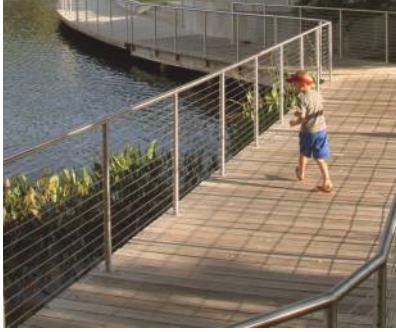
**A person whose substantial interests are affected by FWC's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. A person seeking a hearing on FWC's action shall file a petition for hearing with the agency within 21 days of receipt of written notice of the decision. The petition must contain the information and otherwise comply with section 120.569, Florida Statutes, and the uniform rules of the Florida Division of Administration, chapter 28-106, Florida Administrative Code. If the FWC receives a petition, FWC will notify the Permittee. The attached Explanation of Rights statement provides additional information as to the rights of parties whose substantial interests are or may be affected by this action.**

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# B STANDARD FORM 330





# ARCHITECT-ENGINEER QUALIFICATIONS

## PART I – CONTRACT-SPECIFIC QUALIFICATIONS

### A. CONTRACT INFORMATION

1. TITLE AND LOCATION (City and State)  
Engineering Services for The Horseshoe Creek Community Development District

2. PUBLIC NOTICE DATE

3. SOLICITATION OR PROJECT NUMBER  
N/A

### B. ARCHITECT-ENGINEER POINT OF CONTACT

4. NAME AND TITLE  
Kathy Leo, PE | Vice President

5. NAME OF FIRM  
GAI Consultants, Inc.

6. TELEPHONE NUMBER  
321.319.3095

7. FAX NUMBER  
407.843.1070

8. E-MAIL ADDRESS  
k.leo@gaiconsultants.com

### C. PROPOSED TEAM

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

	(CHECK)			9. FIRM NAME	10. ADDRESS	11. ROLE IN THIS CONTRACT
	PRIME	J-V PARTNER	SUBCON-TRACTOR			
a.	<input checked="" type="checkbox"/>			GAI Consultants, Inc. <input checked="" type="checkbox"/> CHECK IF BRANCH OFFICE	618 E. South Street, Suite 700 Orlando, FL 32801	Civil Engineering Services
b.				<input type="checkbox"/> CHECK IF BRANCH OFFICE		
c.				<input type="checkbox"/> CHECK IF BRANCH OFFICE		
d.				<input type="checkbox"/> CHECK IF BRANCH OFFICE		
e.				<input type="checkbox"/> CHECK IF BRANCH OFFICE		

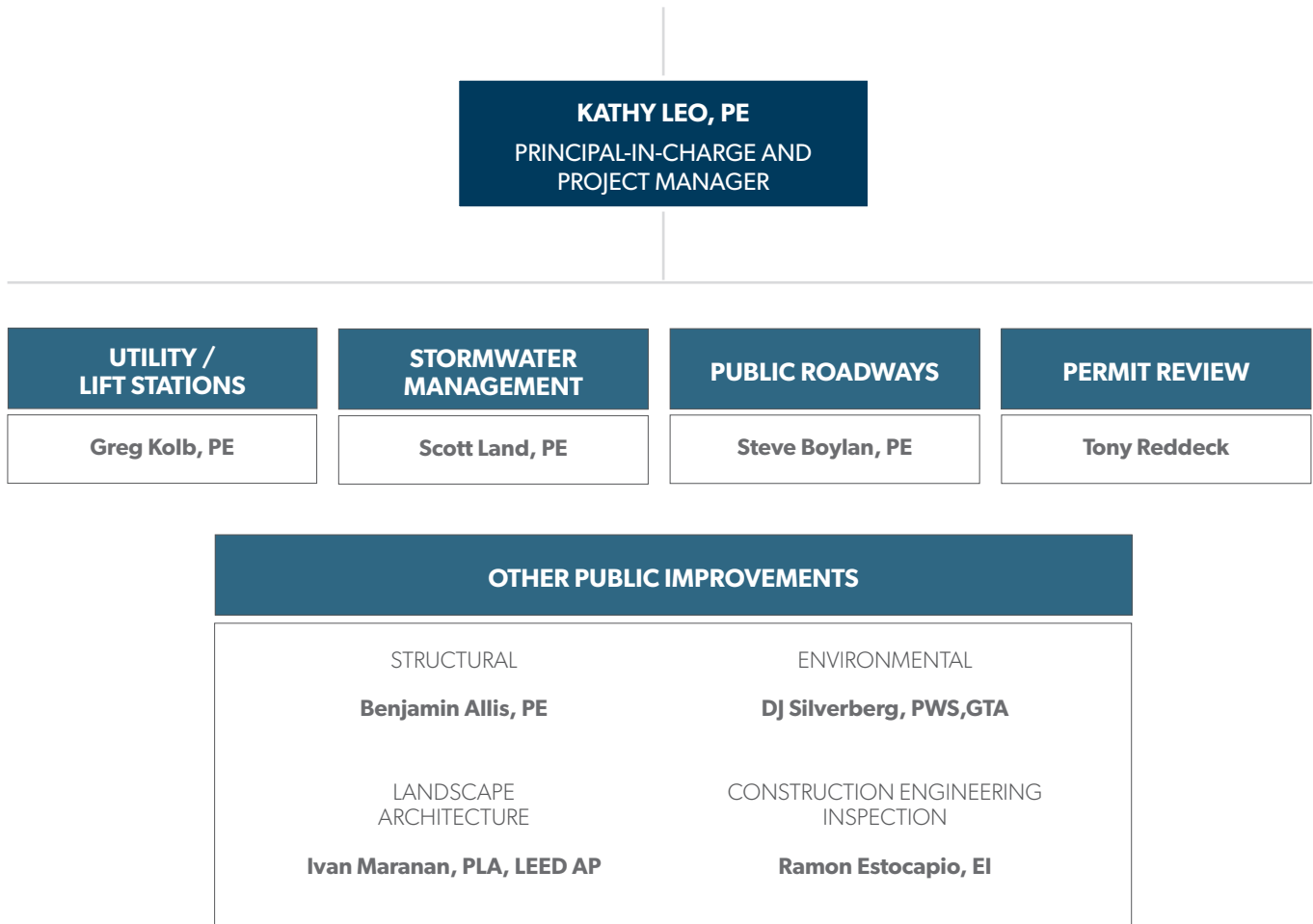
### D. ORGANIZATIONAL CHART OF PROPOSED TEAM

(Attached, see next page)

## ORGANIZATIONAL CHART OF PROPOSED TEAM

# HORSESHOE CREEK

## Community Development District





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

(Complete one Section E for each key person.)

12. NAME <b>Kathy Leo, PE</b>	13. ROLE IN THIS CONTRACT Principal-in-Charge / Project Manager	14. YEARS EXPERIENCE	
		a. TOTAL 31	b. WITH CURRENT FIRM 7

15. FIRM NAME AND LOCATION (City and State)  
GAI Consultants, Orlando, FL

16. EDUCATION (Degree and Specialization)  
MS, Environmental Engineering  
BS, Environmental Engineering

17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline)  
Professional Engineer (PE): FL – 1997, #51419

18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)  
Ms. Leo serves as Vice President within GAI’s Community Infrastructure group. With 31 years of experience, she has a broad range of experience in the private and public markets. Ms. Leo is well versed in project development from conceptual planning to design and construction. She works hand-in-hand with team leaders—enabling successful project implementation, as part of a collaborative team. Ms. Leo has been involved with over a dozen CDDs in Florida during the past 25 years. She understands the process from construction to acceptance of infrastructure by a CDD. She has authored numerous Engineer’s Reports and has worked closely with District Attorneys and District Manager.

**Affiliations:** ASCE, Regional Vice President, 2002; Association of Florida Community Developers; Commercial Real Estate Women’s Network (CREW), Member; East Central Florida Branch, Past-President, 2001; East Central Florida Branch, President, 2000; Florida Engineering Society (FES); Lake County Bicycle and Pedestrian Advisory Committee 2000–2005

**19. RELEVANT PROJECTS**

a. (1) TITLE AND LOCATION (City and State) <b>Poinciana Community Development District (PCDD) Poinciana, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2000–Present	CONSTRUCTION (If applicable) N/A
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE District Engineer for continuing professional engineering services for PCDD, which included providing information, processing construction requisitions, processing and acceptance of utilities and stormwater systems, and budget assistance. As District Engineer, we prepared the engineering reports, which presented information pertinent to the financing of proposed improvements within the PCDD. <b>Work performed with previous firm and continues with GAI.</b>		<input checked="" type="checkbox"/> Check if project performed with current firm

b. (1) TITLE AND LOCATION (City and State) <b>Poinciana West Community Development District (PWCCD) Poinciana, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2006–Present	CONSTRUCTION (If applicable) N/A
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE District Engineer for continuing professional engineering services for PWCCD, which included providing information, processing construction requisitions, processing and acceptance of utilities and stormwater systems, and budget assistance. As District Engineer, we prepared the engineering reports, which presented information pertinent to the financing of proposed improvements within the PWCCD. <b>Work performed with previous firm and continues with GAI.</b>		<input checked="" type="checkbox"/> Check if project performed with current firm

c. (1) TITLE AND LOCATION (City and State) <b>Enterprise Community Development District (ECDD) Celebration, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2000–Present	CONSTRUCTION (If applicable) N/A
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Project Manager for services including preparing the engineering report that presented information pertinent to the financing of proposed improvements within the districts, and for district engineering services, operations assistance, and maintenance of district facilities. This project involved providing information, maps, graphics, legal descriptions, and sketches in support of the petition filed before the Florida Land and Water Adjudicatory Commission in accordance with Chapter 120, “Administrative Procedures Act” and Chapter 190, “Community Development Districts.” <b>Work performed with previous firm and continues with GAI.</b>		<input checked="" type="checkbox"/> Check if project performed with current firm

d. (1) TITLE AND LOCATION (City and State) <b>Lake Harris Community Development District (LHCDD) Leesburg, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2022–Present	CONSTRUCTION (If applicable) N/A
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE District Engineer for continuing professional engineering services for LHCDD, including internal community roadways, site grading, stormwater collection, potable water, and wastewater collection and transmission systems, and offsite roadway and utility improvements.		<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>Greg Kolb, PE</b>	13. ROLE IN THIS CONTRACT Utility / Lift Stations	14. YEARS EXPERIENCE	
		a. TOTAL 24	b. WITH CURRENT FIRM 2

15. FIRM NAME AND LOCATION (City and State)  
GAI Consultants, Orlando, FL

16. EDUCATION (Degree and Specialization)  
MS, Civil Engineering  
BS, Civil Engineering

17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline)  
Professional Engineer (PE): FL-2007, #65759

18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)  
Mr. Kolb is the Manager of GAI's Florida Water Division. He manages projects in water supply, treatment, and distribution; wastewater collection, treatment, and effluent disposal; and reclaimed water management. Mr. Kolb has held increasingly challenging roles on various types of water projects—ultimately overseeing tasks such as master planning, studies, permitting, public involvement, preliminary design, final design, and construction phase services. Prior to moving to Orlando, Mr. Kolb served as a Resident Engineer in the Atlanta area, where he managed water and wastewater treatment construction projects ranging in value from \$1.7 million to \$55 million. In recent years, he has served in Program Manager and District Engineer roles providing utility management services to Central Florida clients; presently, Mr. Kolb continues to deliver Engineer-of-Record (EOR) and project management responsibilities for unique and challenging water and wastewater projects.  
**Affiliations:** Director-at-Large, Florida Water Environment Association (FWEA), 2016–2020; Water Environment Association; Water Environment Association; Engineers Without Borders, Professional Mentor for USF Student Chapter

#### 19. RELEVANT PROJECTS

a. (1) TITLE AND LOCATION (City and State) <b>Enterprise Community Development District (ECDD) Celebration, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION (If applicable) Ongoing
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm District Engineer. Contract responsibilities include oversight of the contracted Operations & Maintenance (O&M) services for the district's water, wastewater, and reuse water service areas as well as utility management duties including various engineering analysis, reports, and CIP planning activities. Recently, Mr. Kolb has been involved with technical review of new development infrastructure plans, including proposed lift stations, pipeline crossings over wetlands, as well as potable water and reuse in-line booster pump stations.	

b. (1) TITLE AND LOCATION (City and State) <b>Potable and Reuse Booster Pump Station, ECDD Celebration, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION (If applicable) 2024
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm District Engineer. As part of the master planning for Celebration's water and reclaimed water service area expansion to the south, the need for new in-line potable water and reclaimed water booster pump stations was identified to provide supplementary pressure during peak demand conditions. The potable water pump station is equipped with four horizontal centrifugal pumps with a total installed capacity of 4,000-gpm, and connects to a 16-inch diameter transmission main. The reclaimed water pump station includes two horizontal centrifugal pumps with a total installed capacity of 1,800-gpm. GAI served as the owner's representative and project manager during the hydraulic evaluation, design, and FDEP permitting, and is currently providing project management and construction inspection services.	

c. (1) TITLE AND LOCATION (City and State) <b>Buckman WRF Trunk Sewer Collapse Emergency Repair Design-Build, JEA Jacksonville, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2019	CONSTRUCTION (If applicable) 2020
	(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm Engineering Manager/Engineer-of-Record. This \$5.2 million project involved the design-build construction of emergency repairs to an existing 42-inch trunk gravity sewer and adjacent manholes just outside of the JEA Buckman Water Reclamation Facility (WRF) western property line. Field investigation, engineering, design, and construction services were performed on an emergency basis. The project involved a wide range of disciplines and trades, including sewer bypass pumping; demolition of the existing failed trunk sewer system; establishment of a gravity creek bypass system; removal of the existing 84-inch Bigelow Creek culvert pipe under Buckman Street; and construction of the replacement 60-linear-foot (lf), 42-inch trunk sewer system, two new sewer manholes, a new 5-ft by 8-ft stormwater box culvert system across Buckman Street, a new inlet headwall and transition structure, backfill and compaction, a new 8-inch sludge pipeline segment, and roadway restoration. Additional services included field inspection and oversight, construction phase engineering services, coordination of specialized field testing and investigation services, well point dewatering and produced groundwater management, and monitoring and maintenance of the pedestrian MOT at the east side of the project site. The new 42-inch gravity sewer system was in place and returned to service in May 2020, approximately 6 months after the initial system failure.	



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

(Complete one Section E for each key person.)

12. NAME <b>Scott Land, PE</b>	13. ROLE IN THIS CONTRACT Stormwater Management	14. YEARS EXPERIENCE	
		a. TOTAL	b. WITH CURRENT FIRM
		36	7

15. FIRM NAME AND LOCATION (City and State)  
GAI Consultants, Orlando, FL

16. EDUCATION (Degree and Specialization)  
BS, Civil Engineering

17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline)  
Professional Engineer (PE): FL – 1993, #47077

18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)  
Mr. Land specializes in project management and planning for residential, industrial, and commercial development. He is a versatile leader with diversified management expertise supervising personnel, conducting design reviews, establishing schedules, and maintaining budgets. Mr. Land’s experience includes effective management of civil site development, site hydrology and drainage, underground utilities, roadway systems design, grading, erosion control management, and permitting. Results-driven, Mr. Land has served municipalities with the highest level of excellence, approachability, ethics, and project deadline timeliness. He is a proven construction management services leader with extensive experience in complex projects and environments requiring creativity, open mindedness, and detail orientation; as well as a team builder and professional mentor with communication expertise facilitating strong individual performance and top-caliber teams for overall project success.

**19. RELEVANT PROJECTS**

(1) TITLE AND LOCATION (City and State) <b>Clay County Board of County Commissioners Green Cove Springs, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	2014	2014
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm		
<p>a. As Deputy Director Public Works – Technical Services, planned, directed, and coordinated, through subordinate level supervisory and managerial personnel, the Public Works Engineering Department work plan; assigned projects and programmatic areas of responsibility; reviewed and evaluated work methods and procedures; and met with management staff to identify and resolve problems. Represented the Public Works Engineering Department to other City departments, elected officials, and outside agencies; coordinated Public Works Engineering Department activities with those of other departments, outside agencies, and organizations. Directed the Engineering Department, which was responsible for pro-viding development engineering services, overseeing the County’s Capital Improvement Program (CIP) by designing and managing the construction of various capital projects, providing inspection services for private and public works projects. Supervised Development Engineering Services, which included new development services, permitting, plans review, and communication with developers and their engineering consultants. Provided technical review for the procurement of continuing contracts for engineering services in the area of drainage, traffic, and construction engineering inspection.</p>		
(1) TITLE AND LOCATION (City and State) <b>Lake Harris CDD, Eagletail Landing Residential Community, Hanover Land Company, LLC   Leesburg, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	Ongoing	Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm		
<p>b. Design Leader responsible for providing site/civil engineering design services for Eagletail Landing, a new planned residential community with approximately 542 homes, located on CR 48 in Leesburg, Florida. GAI’s design for the project will provide the necessary infrastructure to service the residences and community, which includes offsite roadway improvements to CR 48 and Number 2 road, internal roadways, site grading, stormwater collection, potable water, and wastewater collection and transmission systems based on regulations set forth by Lake County, City of Leesburg, Florida Department of Environmental Protection (FDEP), and South Johns River Water Management District (SJRWMD). GAI’s scope of engineering services consists of civil engineering, environmental engineering, final engineering, permitting, bidding assistance, and pre-construction, and construction phase services.</p>		
(1) TITLE AND LOCATION (City and State) <b>County Road 33 CDD, Banning Ranch and Battaglia Residential Community, Hanover Land Company, LLC   Leesburg, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	Ongoing	Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm		
<p>c. Design Leader responsible for providing site/civil engineering design services for Banning Ranch, a 160-plus-acre planned residential community with approximately 243 homes located along the westerly right-of-way of CR 33 in Leesburg, Florida. GAI’s design for the project will provide the necessary infrastructure to service the residences as well as two commercial parcels, and will include offsite water, sewer, and reuse improvements along CR 33 and Manor Oaks Court; on-site internal roadways, site grading, stormwater collection, potable water, and wastewater collection and transmission systems; and offsite roadway improvements to CR 33 at the project entrances. The offsite utility improvements will cross Florida’s Turnpike right-of-way, and will require a utility permit from the FDOT; additional permitting through the SJRWMD, the City of Leesburg, Lake County, and FDEP will be required.</p>		



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

(Complete one Section E for each key person.)

12. NAME <b>Steve Boylan, PE</b>	13. ROLE IN THIS CONTRACT Public Roadways	14. YEARS EXPERIENCE	
		a. TOTAL	b. WITH CURRENT FIRM
		31	12

15. FIRM NAME AND LOCATION (City and State)  
GAI Consultants, Orlando, FL

16. EDUCATION (Degree and Specialization)  
BS, Aersospace Engineering

17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline)  
Professional Engineer (PE): FL – 1998, #53137; NC – 2020, #51363

18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)  
Mr. Boylan has 31 years of experience in design and project management, specializing in the design of major limited access and arterial roadway reconstruction, roadway rehabilitation, and elements of traffic design. He has managed projects throughout Florida ranging from small, meaningful safety improvements to high-density, high-impact urban reconstruction projects. Mr. Boylan is widely experienced in the coordination that large projects require, including specific experience in managing design-build projects, working with utilities, community stakeholders, and the public. He carries intimate knowledge of American Association of State Highway and Transportation (AASHTO), FDOT, and criteria that govern work on the public roadway system. **Certifications:** Roadside Design Guide Training, FDOT Specifications Training **Affiliations:** American Society of Highway Engineers, National Society of Professional Engineers, Florida Engineering Society, and American Mensa.

#### 19. RELEVANT PROJECTS

(1) TITLE AND LOCATION (City and State) <b>Continuing Services Contract for Roadway Design Various Counties, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	Ongoing	Ongoing

a. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE  Check if project performed with current firm  
Project Oversight for a 5-year, \$5 million continuing services contract with FDOT District Five beginning in 2019 through 2024. The purpose of this agreement is to prepare a set of contract documents, including plans, specifications, supporting engineering analysis, calculations, and other technical documents in accordance with FDOT policy, procedures and requirements on a task work order-driven basis—focusing on efficient delivery of “mid-range” task work order-driven projects that enact targeted improvements to safety and operations.

(1) TITLE AND LOCATION (City and State) <b>US 27 from Barry Road to US 192, FDOT Districts One and Five Polk and Lake Counties, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	2013–2016	2013–2016

b. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE  Check if project performed with current firm  
Project Manager preparing design plans for this 4.45-mile design-build project to widen US 27 from 4 to 6 lanes, which includes ramp widening and reconstruction as well as improvements to US 192. The project includes the widening of a 179 ft by 8-1/2 ft, two-span bridge that will utilize hammerhead piers and Fib’s supported on driven pile foundations.

(1) TITLE AND LOCATION (City and State) <b>Neptune Road Widening Osceola County, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	2022	Ongoing

c. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE  Check if project performed with current firm  
Project Oversight for the widening of Neptune Road from Partin Settlement Road to US 192. Neptune Road is an important thoroughway connecting St. Cloud and downtown Kissimmee; this 3.9-mile improvement project completed the corridor while addressing capacity and safety issues.

(1) TITLE AND LOCATION (City and State) <b>US 231 Widening, FDOT District Three Bay County, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	Ongoing	Ongoing

d. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE  Check if project performed with current firm  
Project Manager for the widening of US 231 from four to six lanes, outside of Panama City. This widening will be accomplished using a suburban typical section and introducing two new interchanges to improve safety and operations. Close coordination with an adjacent railroad, major distribution centers, and numerous utilities are critical to the success of this project, as this portion of road also serves as a primary evacuation route.



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

(Complete one Section E for each key person.)

12. NAME <b>Tony Reddeck</b>	13. ROLE IN THIS CONTRACT Permit Review	14. YEARS EXPERIENCE	
		a. TOTAL	b. WITH CURRENT FIRM
		28	6

15. FIRM NAME AND LOCATION (City and State)  
GAI Consultants, Orlando, FL

16. EDUCATION (Degree and Specialization)  
BS, Civil Engineering/Environmental Engineering  
BS, Finance

17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline)

18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)  
Mr. Reddeck brings more than 28 years of broad experience managing commercial and residential projects, including feasibility studies, design, cost analysis, permitting, and construction administration. He has demonstrated ability in managing large-scale projects with an emphasis on ensuring timely completions within the project budget. When working with prospective clients, Mr. Reddeck prepares a comprehensive scope of services that specifically meets their needs for a successful project.

**19. RELEVANT PROJECTS**

(1) TITLE AND LOCATION (City and State) <b>Lake Harris CDD, Eagletail Landing Residential Community, Hanover Land Company, LLC   Leesburg, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	Ongoing	Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE a. Project Manager responsible for providing site/civil engineering design services for Eagletail Landing, a new planned residential community with approximately 542 homes, located on CR 48 in Leesburg, Florida. GAI's design for the project will provide the necessary infrastructure to service the residences and community, which includes offsite roadway improvements to CR 48 and Number 2 road, internal roadways, site grading, stormwater collection, potable water, and wastewater collection and transmission systems based on regulations set forth by Lake County, City of Leesburg, Florida Department of Environmental Protection (FDEP), and South Johns River Water Management District (SJRWMD). GAI's scope of engineering services consists of civil engineering, environmental engineering, final engineering, permitting, bidding assistance, and pre-construction, and construction phase services.	<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION (City and State) <b>County Road 33 CDD, Banning Ranch and Battaglia Residential Community, Hanover Land Company, LLC   Leesburg, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	Ongoing	Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE b. Project Manager responsible for providing site/civil engineering design services for Banning Ranch, a 160-plus-acre planned residential community with approximately 243 homes located along the westerly right-of-way of CR 33 in Leesburg, Florida. GAI's design for the project will provide the necessary infrastructure to service the residences as well as two commercial parcels, and will include offsite water, sewer, and reuse improvements along CR 33 and Manor Oaks Court; on-site internal roadways, site grading, stormwater collection, potable water, and wastewater collection and transmission systems; and offsite roadway improvements to CR 33 at the project entrances. The offsite utility improvements will cross Florida's Turnpike right-of-way, and will require a utility permit from the FDOT; additional permitting through the SJRWMD, the City of Leesburg, Lake County, and FDEP will be required.	<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION (City and State) <b>Dewey Robbins CDD, Hodges Reserve Residential Community, Hanover Land Company, LLC   Leesburg, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	Ongoing	Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE c. Project Manager responsible for providing site/civil engineering design services for Hodges Reserve, an approximately 149-acre planned residential community acres located on Dewey Robbins Road just east of the major US 27 thoroughfare in Leesburg, Florida. GAI's design for the project will provide the necessary infrastructure to service the residences, and will include offsite water and sewer improvements along Dewey Robbins Road west to US 27; on-site internal roadways, site grading, stormwater collection, potable water, and wastewater collection and transmission systems; and offsite roadway improvements to Dewey Robbins Road at each of the project entrances. Permitting through the SJRWMD, the City of Leesburg, Lake County, and FDEP will be required.	<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION (City and State) <b>Whitemarsh Residential Community, PH 2 &amp; 3, Hanover Land Company, LLC   Leesburg, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	Ongoing	Ongoing
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE d. Project Manager responsible for providing site/civil engineering design services for Whitemarsh, an approximately 158-acre, mixed-use residential community located west of the intersection of US 27 and Great Egret Drive in Leesburg, Florida. GAI's design for the project will provide the necessary infrastructure to service the residences and several commercial facilities, and will include development of the community's water and sanitary sewer system, which will connect to the City's existing 12" watermain and 6" forcemain, immediately offsite on the busy US 27 thoroughfare. GAI's design includes the community's internal roadways, site grading, stormwater collection, potable water, and wastewater collection and transmission systems. Permitting through the City of Leesburg, the SJRWMD, and FDEP will be required.	<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>Benjamin Allis, PE</b>	13. ROLE IN THIS CONTRACT Structural	14. YEARS EXPERIENCE	
		a. TOTAL	b. WITH CURRENT FIRM
		26	12

15. FIRM NAME AND LOCATION (City and State)  
GAI Consultants, Orlando, FL

16. EDUCATION (Degree and Specialization) MBA, Business Administration; MS, Civil Engineering; BS, Civil Engineering	17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline) Professional Engineer (PE): FL – 2020, #89242; PA – 2005, #PE059779; DC – 2009, #PE905466; WV – 2010, #018543; VA – 2012, #0402050086
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18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)

Mr. Allis specializes in the design, construction engineering, and project management of structural projects. He has provided services for an array of transportation clients including departments of transportation, toll authorities, private authorities, and contractors. He specializes in the design and analysis of bridges and other transportation-related structures, including both new construction and rehabilitation projects.

Mr. Allis has worked on conventional design-bid-build and design-build projects including both roadway and rail bridges that involved superstructure and substructure component designs comprising steel, concrete, timber, and masonry structural components. He has performed the tasks necessary for TS&L submissions, foundation submissions, final design submissions, and construction engineering, including design calculations, structural detailing, load rating analyses, cost estimating, project scheduling, specification development, report writing, and construction submission reviews.

**19. RELEVANT PROJECTS**

a. (1) TITLE AND LOCATION (City and State) <b>Citrus Park Retaining Wall Cost Savings Initiative, Prince Contracting, Hillsborough County, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	2020	N/A
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm		
Project Manager for the value engineering design to improve constructability and cost of a proposed retaining wall as part of the extension of Citrus Park Drive Extension from Countryway Boulevard to Sheldon Road in Hillsborough, County, Florida.		

b. (1) TITLE AND LOCATION (City and State) <b>Lot 14 Enhanced Walkway, University of Northern Florida, City of Jacksonville, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	2020	2022
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm		
Structure Lead for the design and construction of a new timber boardwalk pedestrian bridge to improve safety and student mobility on the UNF campus. Innovative design and permitting was implemented to allow crossing of an existing stormwater pond to provide a clear line of sight and improve safety of students and faculty.		

c. (1) TITLE AND LOCATION (City and State) <b>I-95 at I-10 Operational Improvements Design-Build, FDOT District Two, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	Ongoing	N/A
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm		
Quality Manager and Structure Oversight for the design-build project. Responsibilities include completion of independent QA reviews for all structural deliverables.		

d. (1) TITLE AND LOCATION (City and State) <b>I-275 (SR 93) from South of Gandy Boulevard to North of 4th Street North, Archer Western Contractors, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	Ongoing	N/A
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm		
Project Engineer for construction engineering, including the QC checking of the Bridge 28 Demolition Plan and the development of beam bracing schemes for multiple bridges. Construction engineer for the bracing designs and construction observation and certification for numerous bridges.		



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

(Complete one Section E for each key person.)

12. NAME <b>DJ Silverberg, PWS, GTA</b>	13. ROLE IN THIS CONTRACT Environmental	14. YEARS EXPERIENCE	
		a. TOTAL	b. WITH CURRENT FIRM
		37	29

15. FIRM NAME AND LOCATION (City and State)  
GAI Consultants, Orlando, FL

16. EDUCATION (Degree and Specialization)  
MS, Biological Sciences (Ecology)  
BS, Biological Sciences (Marine)

17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline)  
Professional Wetland Scientist (PWS); Environmental Professionals of Florida: Registered Environmental Professional (REP); Authorized Gopher Tortoise Agent, Florida Fish & Wildlife Conservation Commission (GTA)

18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)  
Mr. Silverberg, a Professional Wetland Scientist since 1995, has been conducting ecological consulting studies since 1987. He has conducted preliminary land use assessments, wetland delineations, and listed species evaluations for more than 600 sites throughout Florida; and wetland jurisdictional delineations for local, state, and federal regulatory programs. Permit applications for all levels of the U.S. Army Corps of Engineers (USACE) Permit Program, the Florida Department of Environmental Protection (FDEP), and various Florida Water Management District Environmental Resource Permit (ERP) programs. Mr. Silverberg specializes in client and regulatory agency interaction, technical writing, wetland delineation, plant identification, and project management. He has also identified and mapped plant communities, including seagrasses, through photo interpretation and field investigation.

**19. RELEVANT PROJECTS**

(1) TITLE AND LOCATION (City and State) <b>Eustis Master Stormwater Plan Eustis, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	2012	2012
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE a. Ecological Project Manager. Provided ecological consulting services to the City of Eustis for a regional stormwater management facility. Conducted field studies, including qualitative and quantitative wildlife surveys, vegetation community inventories, wetland delineations, and permitting support for a construction level Environmental Resource Permit (ERP) and a Section 404 Federal Dredge and Fill Permit. Coordinated with the Florida Fish and Wildlife Conservation Commission and the US Fish and Wildlife Service regarding bald eagles, prepared a bald eagle management plan, and designed and negotiated a compensatory wetland mitigation plan with the SJRWMD and the USACE.		<input type="checkbox"/> Check if project performed with current firm

(1) TITLE AND LOCATION (City and State) <b>City of DeBary General Engineering Services DeBary, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	2014	N/A
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE b. Ecological Project Manager. Provided ecological consulting services to the City of DeBary for a series of Capital Improvement Program (CIP) projects. Conducted field studies, including qualitative and quantitative wildlife surveys, vegetation community inventories, wetland delineations, and permitting support for Environmental Resource Permit (ERP) and Section 404 Federal Dredge and Fill Permit applications. Prepared wetland mitigation plans. Coordinated with the FFWCC and the USFWS regarding listed species issues.		<input checked="" type="checkbox"/> Check if project performed with current firm

(1) TITLE AND LOCATION (City and State) <b>Victory Pointe Park Clermont, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	2016	N/A
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE c. Provided ecological consulting services to the City of Clermont for a regional storm water management facility. Conducted field studies, including qualitative and quantitative wildlife surveys, vegetation community inventories, wetland delineations, and permitting support for a construction level Environmental Resource Permit (ERP) and a Section 404 Federal Dredge and Fill Permit. Coordinated with the Florida Fish and Wildlife Conservation Commission and the US Fish and Wildlife Service regarding RTE species, and designed and negotiated a compensatory wetland mitigation plan with the SJRWMD and the USACE.		<input checked="" type="checkbox"/> Check if project performed with current firm

(1) TITLE AND LOCATION (City and State) <b>Wekiva Parkway Segments 3A, 3B, and 5, FDOT Lake County, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	2021	N/A
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE d. Ecological Project Manager. Provided ecological consulting services to the design teams for three segments of the Wekiva Parkway, including several miles of new roadway corridor. Tasks included qualitative and quantitative surveys for listed plant and animal species such as gopher tortoise (Gopherus polyphemus) and sand skink (Neoseps reynoldsi), wetland delineation, Environmental Resource Permit and Federal Dredge and Fill Permit applications, and regulatory agency coordination.		<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>Ivan Maranan, PLA, LEED AP</b>	13. ROLE IN THIS CONTRACT Landscape Architecture	14. YEARS EXPERIENCE	
		a. TOTAL 17	b. WITH CURRENT FIRM 5

15. FIRM NAME AND LOCATION (City and State)  
GAI Consultants, Orlando, FL

16. EDUCATION (Degree and Specialization)      17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline)  
BLA, Landscape Architecture      Professional Landscape Architect (PLA): FL – 2019, #LA6667452

18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)  
Mr. Maranan has more than 17 years of experience providing site design and landscape architecture services. His areas of specialty include theme/entertainment design, resort design, institutional/healing environments, multifamily design, 3D modeling and printing, rapid prototyping, digital graphics, and construction documents.  
**Certifications:** Leadership in Energy and Environmental Design Accredited Professional Building Design and Construction (LEED AP BD+C), U.S. Green Building Council (USGBC)

**19. RELEVANT PROJECTS**

(1) TITLE AND LOCATION (City and State) <b>Ocoee Master Stormwater System/Unity Park Ocoee, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2023	CONSTRUCTION (If applicable) 2023
a. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Landscape Architect for the development of the hardscape and landscape packages for both design development and construction documentation phases. The site design focused on improving water quality by utilizing detention areas and filtration areas while creating a usable space that allows for both active and passive recreation.	<input checked="" type="checkbox"/> Check if project performed with current firm	

(1) TITLE AND LOCATION (City and State) <b>Miller Electric: Parking Lot Improvements Jacksonville, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2021	CONSTRUCTION (If applicable) N/A
b. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Project Manager and Lead Designer for the renovation and reconfiguration for the main office of Miller Electric Company. The main objective for this project was to develop a concept that provided solutions in drainage, conflicts logistics, vehicular, and pedestrian circulation. The concept utilized rain gardens for drainage/filtration, dedicated route for logistics and large service vehicle storage, and improvements to the vehicular entry arrival sequence.	<input checked="" type="checkbox"/> Check if project performed with current firm	

(1) TITLE AND LOCATION (City and State) <b>Seminole State College: "L" Building Courtyard Sanford, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2019	CONSTRUCTION (If applicable) 2019
c. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Project Manager and Lead Designer for the 1.2-acre renovation to the "L" Building on the main campus of Seminole State College. Located in one of the busiest areas of the campus, the objective of the project was to create a vibrant space in this underdeveloped area to enhance the student experience on campus. The design was driven by the architecture and student activity. The plan calls for wide shaded walkways, collaborative study areas, overhead shade structure, and an activity area that includes billiards, ping-pong, dart boards, and televisions. A future phase of the project will include food service in an indoor/outdoor environment. The concept creates a space that projects the interior space outward and establishes a multiuse exterior space to improve on-campus student life.	<input type="checkbox"/> Check if project performed with current firm	

(1) TITLE AND LOCATION (City and State) <b>Cross Prairie Residential Community, BTI Partners Osceola County, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2021	CONSTRUCTION (If applicable) 2023
d. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Landscape Architect. GAI provided landscape architecture design for a 1,400-acre residential development. Services for this project were broken down into (2) parts: the main roadway right-of-way (Cross Prairie Parkway); and the adjacent residential parcel (ED-4). The landscape architecture package for Cross Prairie Parkway included hardscape and landscape elements that make up the linear green spaces within the project limits. The hardscape consisted of pedestrian pathways, benches, trash receptacles, bicycle repair stations and pet waste stations along the roadway. Additionally, GAI's scope also included branding and signage that included a custom monument sign and ID markers. For the landscape, the focus was on use of Florida Native material and improvement of water quality with the implementation of ponds and bioswales. Code minimum landscape was the focus of ED4. The landscape material was also native and reflected the palette used along the roadway. Construction observation was provided for both the roadway and residential portions of this project.	<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>Ramon Estocapio, EI</b>	13. ROLE IN THIS CONTRACT Construction Engineering Inspection	14. YEARS EXPERIENCE	
		a. TOTAL	b. WITH CURRENT FIRM
		24	4

15. FIRM NAME AND LOCATION (City and State)  
GAI Consultants, Orlando, FL

16. EDUCATION (Degree and Specialization) MS, Environmental Science; MS, Environmental Studies; BS, Environmental and Sanitary Engineering; BS, Civil Engineering	17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline) Engineer-in-Training (EIT): California Professional Engineer (PE): Philippines
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18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)  
Mr. Estocapio has over 24 years' experience in construction and civil engineering related work; 12 years' experience as a Project Administrator/Project Engineer for civil engineering, environmental, and communications projects. He has 10 years' experience in FDOT projects focusing on Intelligent Transportation Systems (ITS) and ITS on-site installation and Construction Management.  
**Certifications:** TIN: E232735702120; Florida Department of Transportation (FDOT) Construction Training Qualification Program (CTQP), Final Estimates Levels 1+2; IMSA, Traffic Signal Inspector, Traffic Signal Technician Levels 1+2, Fiber Optics Levels 1+2; 40-Hr HAZWOPER; Intermediate (MOT)

**19. RELEVANT PROJECTS**

a. (1) TITLE AND LOCATION (City and State) <b>SR 405 at Sisson Road, FDOT District Five Brevard County, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	2020	2020
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Senior ITS Inspector. Project consisted of milling and resurfacing, base work, shoulder treatment, drainage improvements, traffic signals, signing and pavement markings, ITS work, and other incidental work at the intersection of SR 405 (Columbia Blvd.). Responsible for monitoring contractor's construction operations, and providing MOT inspections for day and night time construction operations.	<input checked="" type="checkbox"/> Check if project performed with current firm	

b. (1) TITLE AND LOCATION (City and State) <b>SR 507 (Babcock St) from Palm Bay Rd to NASA Blvd, FDOT District Five Brevard County, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	2021	2021
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Senior ITS Inspector. Improvements consisted of the construction and integration of the Intelligent Transportation System (ITS) along SR 507 from Palm Bay Rd to Nasa Blvd via fiber optic cable. The project includes installation of fiber optic cable and communication equipment for integration and upgrades to existing integrate existing ITS backbone along the project limits. Responsible for monitoring contractor's construction operations, and providingMOT inspections for day and night time construction operations.	<input checked="" type="checkbox"/> Check if project performed with current firm	

c. (1) TITLE AND LOCATION (City and State) <b>SR 500 (US 192) New Haven Ave from Dairy Rd to US 1, FDOT District Five Brevard County, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	2021	2021
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Senior ITS Inspector. Improvements consisted of the construction and integration of the Intelligent Transportation System (ITS) along SR 500 and the New Haven Avenue Corridor via fiber optic cable. The project includes installation of fiber optic cable and communication equipment along the project limits at a distance of approximately 2.10 miles. Responsible for monitoring contractor's construction operations, and providing MOT inspections for day and night time construction operations.	<input checked="" type="checkbox"/> Check if project performed with current firm	

d. (1) TITLE AND LOCATION (City and State) <b>Celebration Boulevard Extension, Enterprise Community Development District, Osceola County, Florida</b>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
	2020	2020
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Resident Project Representative/Project Engineer. GAI provided construction inspection services for the installation of utilities related to an approximately 1-mile extension of Celebration Boulevard from Celebration High School to the main entrance of the new Island Village development. The scope of work included installation of a 1,400 LF 16-inch water main, 32" and 24" HDPE directional bores to accommodate bridge crossing, 2,100 LF 8-inch force main, 1,350 LF 8-inch reuse main, lift station and associated connections/details. Mr. Estocapio served as the Project Administrator responsible for field operations, field inspections, and coordination between the engineer and contractor.	<input checked="" type="checkbox"/> Check if project performed with current firm	





**F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT**

*(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)*

20. EXAMPLE PROJECT KEY NUMBER

**1**

21. TITLE AND LOCATION <i>(City and State)</i>	22. YEAR COMPLETED	
<b>Poinciana Community Development District (PCDD) Poinciana, Florida</b>	PROFESSIONAL SERVICES 2000-Ongoing	CONSTRUCTION <i>(If applicable)</i> N/A

**23. PROJECT OWNER'S INFORMATION**

a. PROJECT OWNER Poinciana CDD	b. POINT OF CONTACT NAME Tricia Adams, District Manager	c. POINT OF CONTACT TELEPHONE NUMBER 407.841.5524
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

While at a previous firm, Kathy Leo provided continuing professional engineering services for the Poinciana Community Development District (PCDD). These services include providing information, processing construction requisitions, processing and acceptance of utilities and stormwater systems, and budget assistance. She prepared numerous engineering reports, which presented information pertinent to the financing of proposed improvements within the PCDD.

GAI continues to hold the contract with the PCDD for engineering services.



**25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT**

a. (1) FIRM NAME GAI Consultants + Individual Experience	(2) FIRM LOCATION <i>(City and State)</i> Orlando, FL	(3) ROLE Civil Engineering
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**F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT**

*(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)*

20. EXAMPLE PROJECT KEY NUMBER

**2**

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

**Poinciana West Community Development District (PWCCD) Poinciana, Florida**

22. YEAR COMPLETED

PROFESSIONAL SERVICES

2006-Ongoing

CONSTRUCTION *(If applicable)*

N/A

**23. PROJECT OWNER'S INFORMATION**

a. PROJECT OWNER

Pocinciana West CDD

b. POINT OF CONTACT NAME

Tricia Adams, District Manager

c. POINT OF CONTACT TELEPHONE NUMBER

407.841.5524

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

While at a previous firm, Kathy Leo provided continuing professional engineering services for the Poinciana West Community Development District (PWCCD). These services include providing information, processing construction requisitions, processing and acceptance of utilities and stormwater systems, and budget assistance. She prepared the engineering report, which presented information pertinent to the financing of proposed improvements within the PWCCD.

GAI continues to hold the contract with the PCDD for engineering services.



**25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT**

	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a.	GAI Consultants + Individual Experience	Orlando, FL	Civil Engineering



**F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT**

*(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)*

20. EXAMPLE PROJECT KEY NUMBER

**3**

21. TITLE AND LOCATION <i>(City and State)</i>	22. YEAR COMPLETED	
<b>Enterprise Community Development District (ECDD) Celebration, Florida</b>	PROFESSIONAL SERVICES 2000-Ongoing	CONSTRUCTION <i>(if applicable)</i> N/A

**23. PROJECT OWNER'S INFORMATION**

a. PROJECT OWNER Enterprise CDD	b. POINT OF CONTACT NAME Brenda Burgess, District Manager	c. POINT OF CONTACT TELEPHONE NUMBER 407.566.1935
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

Under a continuing services contract with a previous firm, Ms. Leo worked on engineering site development projects for the Enterprise Community Development District (ECDD), which owns and maintains the utility system servicing Celebration, Florida and its commercial corridors. Ms. Leo's responsibilities included preparing the annual engineering report that presents information pertinent to condition of utilities within the ECDD; and overseeing several engineering functions, including updates to the Board of Supervisors, utility acquisition, operations and maintenance support, and design of capital projects.

GAI continues to support the ECDD's operations and infrastructure development in the capacity of District Engineer via a continuing services contract obtained in 2018. Contract responsibilities continue with operations and maintenance support, plans, and permit review. GAI's other projects for the ECDD under this contract have included the following:

**Plan Reviews:** GAI provided plan reviews including Celebration Boulevard plans and permits submitted by a developer in order to evaluate proposed utility improvements in the interest of the ECDD. This roadway was approximately 1 mile long and included bridge crossing the over the Reedy Creek.

**Celebration Lift Station Upgrades:** GAI provided design and permitting services for proposed upgrades to Lift Station 2 related to the addition of 4 multi-family buildings that would discharge to the lift station. It was determined that Lift Station 2 pumps would need to be upgraded, and the 4-inch forcemain replaced with 6-inch forcemain. GAI's project responsibilities included route and utility survey for approximately 1,250 feet of pipeline; lift station analysis and design; construction plans; permitting; coordination with the ECDD and Osceola County; and construction administration services.

**Celebration Boulevard Extension and Island Village Utility Construction Inspection:** GAI provided construction inspection services for the installation of utilities related to an approximately 1-mile extension of Celebration Boulevard from Celebration High School to the main entrance of the new Island Village development. The scope of work included installation of a 16-inch watermain, 8-inch forcemain, 8-inch reuse main, and associated connections/details.

**Celebration Island Village In-line Potable and Reuse Booster Pump Stations:** As part of the master planning for Celebration's water and reclaimed water service area expansion to the south for the Celebration Island Village development, the need for new in-line potable water and reclaimed water booster pump stations was identified to provide supplementary pressure during peak demand conditions. GAI served as the owner's representative and project manager during the schematic design and hydraulic evaluation, design development, final design, and FDEP permitting, and currently is providing project management and construction inspection/oversight services.

GAI continues to hold the contract with the ECDD for engineering services.



**25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT**

a.	(1) FIRM NAME GAI Consultants + Individual Experience	(2) FIRM LOCATION <i>(City and State)</i> Orlando, FL	(3) ROLE Civil Engineering
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**F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT**

*(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)*

20. EXAMPLE PROJECT KEY NUMBER

**4**

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

**Urban Orlando Community Development District  
Orlando, Florida**

22. YEAR COMPLETED

PROFESSIONAL SERVICES

2008-2016

CONSTRUCTION *(if applicable)*

N/A

**23. PROJECT OWNER'S INFORMATION**

a. PROJECT OWNER

Urban Orlando CDD

b. POINT OF CONTACT NAME

Gary Moyer, District Manager

c. POINT OF CONTACT TELEPHONE NUMBER

407.566.1935

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

**Individual Experience of Kathleen Leo, PE**

Kathy Leo, as District Engineer, supported the CDD for many years. In this capacity, she was responsible for the acquisition of District facilities while the community was under construction as infrastructure was conveyed from the developer to the CDD. In later years as the CDD became more of an operational entity, she supported the District staff with preparation of the annual budgets and preparation for monthly board meetings. The CDD owns and maintains several parks and alleyways. Support was provided to the field maintenance team for engineering issues and a unique pavement management system for long-term maintenance budgeting was implemented to save the district. In the 2004 hurricane season, Ms. Leo worked with the CDD to seek nearly \$2M in funding from the Federal Emergency Management Agency for disaster work with the CDD. A series of appeals was required, but funding was ultimately secured.



**25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT**

	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a.	Individual experience with previous Firm	Orlando, FL	Civil Engineering



**F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT**

*(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)*

20. EXAMPLE PROJECT KEY NUMBER

**5**

21. TITLE AND LOCATION <i>(City and State)</i>	22. YEAR COMPLETED	
<b>Lake Harris Community Development District Leesburg, Florida</b>	PROFESSIONAL SERVICES 2022-Ongoing	CONSTRUCTION <i>(if applicable)</i> N/A

**23. PROJECT OWNER'S INFORMATION**

a. PROJECT OWNER Lake Harris Community Development District	b. POINT OF CONTACT NAME George Flint, Vice President Government Management Services	c. POINT OF CONTACT TELEPHONE NUMBER 407.841.5524
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

The Lake Harris Community Development District (Lake Harris CDD) was established for planning, acquiring, operating, and maintaining community-wide improvements in the Eagletail Residential Community with approximately 542 homes, located on CR 48 in Leesburg, Florida. Prior to the formation of the Lake Harris CDD, Hanover Land Company contracted with GAI to provide site/civil engineering design services for the infrastructure necessary to service the residences in this community. GAI services as the Lake Harris CDD Engineer for the project consists of internal community roadways, site grading, stormwater collection, potable water, and wastewater collection and transmission systems, and offsite roadway and utility improvements.



**25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT**

a. (1) FIRM NAME GAI Consultants	(2) FIRM LOCATION <i>(City and State)</i> Orlando, FL	(3) ROLE Civil Engineering
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**F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT**

*(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)*

20. EXAMPLE PROJECT KEY NUMBER

**6**

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

**Lake Harris Community Development District  
Egletail Residential Community | Leesburg, Florida**

22. YEAR COMPLETED

PROFESSIONAL SERVICES

Ongoing

CONSTRUCTION *(If applicable)*

Ongoing

**23. PROJECT OWNER'S INFORMATION**

a. PROJECT OWNER

Hanover Land Company, LLC

b. POINT OF CONTACT NAME

Tony Iorio, Vice President of  
Land Development

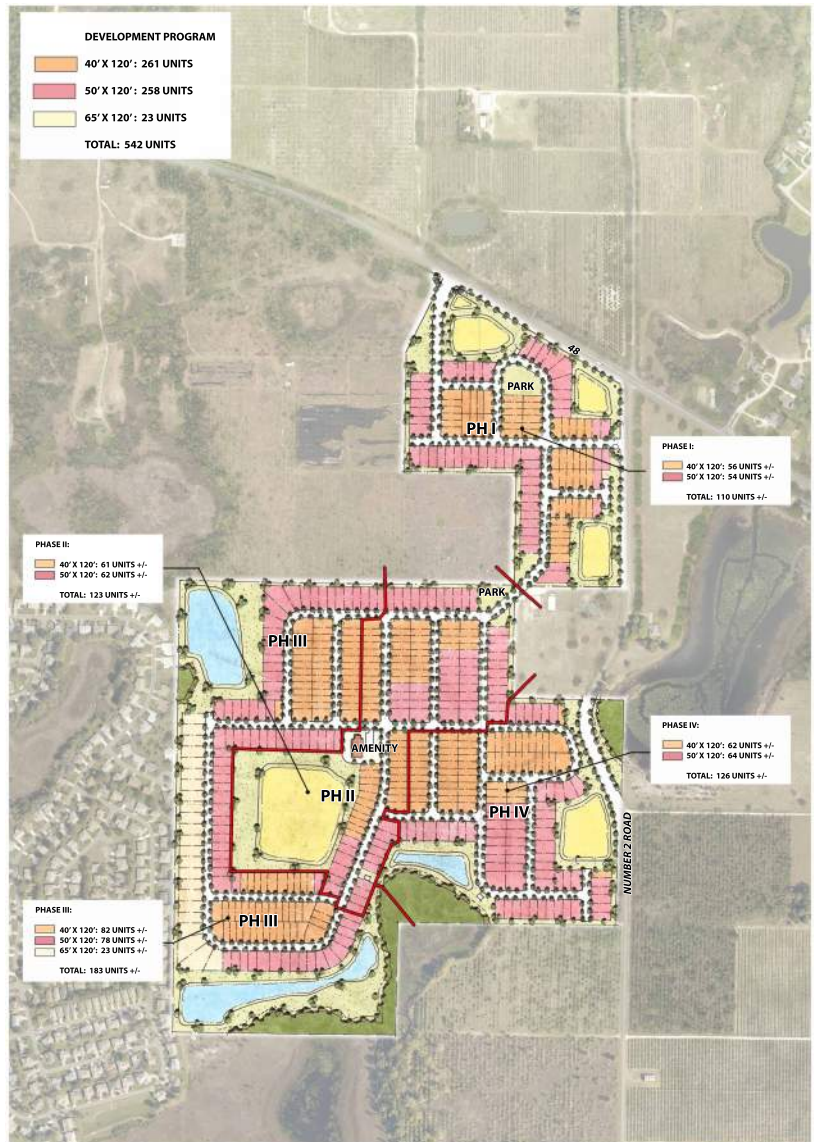
c. POINT OF CONTACT TELEPHONE NUMBER

407.988.1408

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

Egletail Landing is a new, planned residential community with approximately 542 homes, located on CR 48 in Leesburg, Florida. GAI was contracted to provide site/civil engineering design services for the infrastructure necessary to service the residences; the design included internal community roadways, site grading, stormwater collection, potable water, and wastewater collection and transmission systems. GAI's design also incorporated offsite roadway improvements to CR 48 and Number 2 Road, including approximately 1.4 miles of force main and water main extensions. The scope of engineering services included geotechnical investigation; site layout and grading plans; utility coordination; permitting through the City of Leesburg, Lake County, SJRWMD, and FDEP; preliminary and final engineering plans; MOT; and construction administration.

GAI also provided landscape architecture services, which encompassed all design stages from concept to construction documentation, and included features such as street trees, common and recreation areas, an amenity center, and buffer plantings that complied with the City of Leesburg Land Development Code. Hardscape features included entry/wall signs, specialty paving, small shade structures, playground equipment, walls, site furnishings, fences, and walkways.



**EAGLETAIL LANDINGS: PHASING PLAN** May 14, 2021

**25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT**

(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a. GAI Consultants	Orlando, FL	Site/Civil Engineering, Landscape Architecture





**F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT**

*(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)*

20. EXAMPLE PROJECT KEY NUMBER

**7**

21. TITLE AND LOCATION <i>(City and State)</i>		22. YEAR COMPLETED	
<b>County Road 33 Community Development District Banning Ranch and Battaglia Residential Community   Leesburg, Florida</b>		PROFESSIONAL SERVICES	CONSTRUCTION <i>(if applicable)</i>
		Ongoing	Ongoing

**23. PROJECT OWNER'S INFORMATION**

a. PROJECT OWNER	b. POINT OF CONTACT NAME	c. POINT OF CONTACT TELEPHONE NUMBER
Hanover Land Company, LLC	Tony Iorio, Vice President of Land Development	407.988.1408

**24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)***

Banning Ranch is a new, 160-plus-acre planned residential community with approximately 243 homes located along the westerly right-of-way of CR 33 in Leesburg, Florida. GAI was contracted to provide site/civil engineering design services for the infrastructure necessary to service the residences and two adjacent commercial parcels; the design included internal community roadways, site grading, stormwater collection, potable water, and wastewater collection and transmission systems.

GAI's design also incorporated offsite improvements, including 9,800 lf of 12" force main, 10" water main, and 16" reuse main extensions along CR 33 and Manor Oaks Court; as well as roadway enhancements on CR 33 at the community's entrances.

The project required extensive utility coordination, and permitting through FDOT, as the project area is located within Florida's Turnpike right-of-way; additional permitting was required through the St. Johns River Water Management District (SJRWMD), the City of Leesburg, Lake County, and Florida Department of Environmental Protection (FDEP).

Other GAI-provided services included geotechnical investigation; site layout and grading plans; preliminary and final engineering plans; sanitary lift station design; MOT; and construction administration.

GAI continues involvement in the project as the CDD District Engineer.



**25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT**

a.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
	GAI Consultants	Orlando, FL	Site/Civil Engineering, Geotechnical, Construction Administration



**F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT**

*(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)*

20. EXAMPLE PROJECT KEY NUMBER

**8**

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

**Reedy Isle Residential Community  
Davenport, Florida**

22. YEAR COMPLETED

PROFESSIONAL SERVICES

Ongoing

CONSTRUCTION *(if applicable)*

Ongoing

**23. PROJECT OWNER'S INFORMATION**

a. PROJECT OWNER

Hanover Land Company, LLC

b. POINT OF CONTACT NAME

Tony Iorio, Vice President of  
Land Development

c. POINT OF CONTACT TELEPHONE NUMBER

407.988.1408

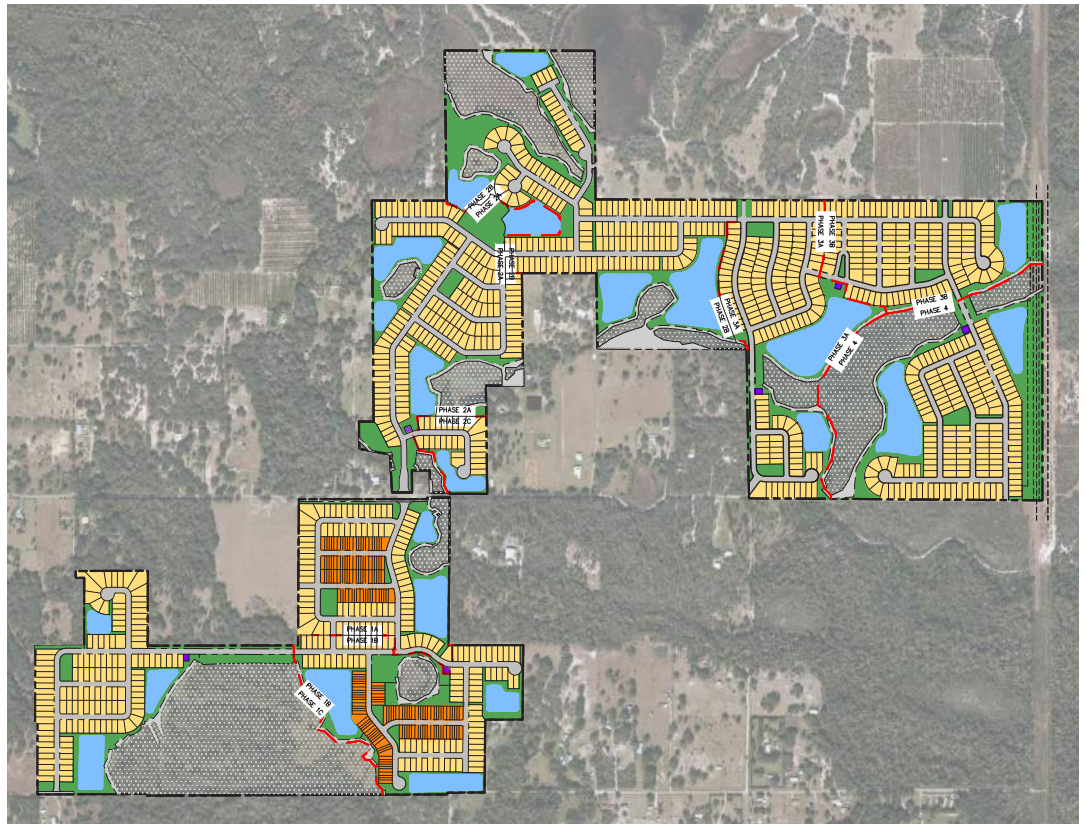
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

The Reedy Isle neighborhood is a new, 490-plus-acre planned residential community with approximately 1,310 homes located in Polk County and the City of Davenport along Horseshoe Creek Road, east of US 17-19. GAI was contracted to provide site/civil engineering design services including internal community roadways, site grading, stormwater collection, potable water, and wastewater collection and transmission systems.

GAI's design also incorporated offsite improvements on Horseshoe Creek Road and Finney Road. These improvements consist of a bridge crossing, turn lanes, sidewalks, curbing and shoulders.

The project required permitting through the South Florida Water Management District (SFWMD), the City of Davenport, Polk County, and Florida Department of Environmental Protection (FDEP). Other GAI-provided services included site layout and construction administration.

GAI continues involvement in the project as the interim CDD District Engineer.



**25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT**

(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a. GAI Consultants	Orlando, FL	Site/Civil Engineering, Construction Administration





**F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT**

*(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)*

20. EXAMPLE PROJECT KEY NUMBER

**9**

21. TITLE AND LOCATION <i>(City and State)</i>		22. YEAR COMPLETED	
<b>Dewey Robbins Community Development District Hodges Reserve Residential Community   Leesburg, Florida</b>		PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>
		Ongoing	Ongoing

**23. PROJECT OWNER'S INFORMATION**

a. PROJECT OWNER	b. POINT OF CONTACT NAME	c. POINT OF CONTACT TELEPHONE NUMBER
Hanover Land Company, LLC	Tony Iorio, Vice President of Land Development	407.988.1408

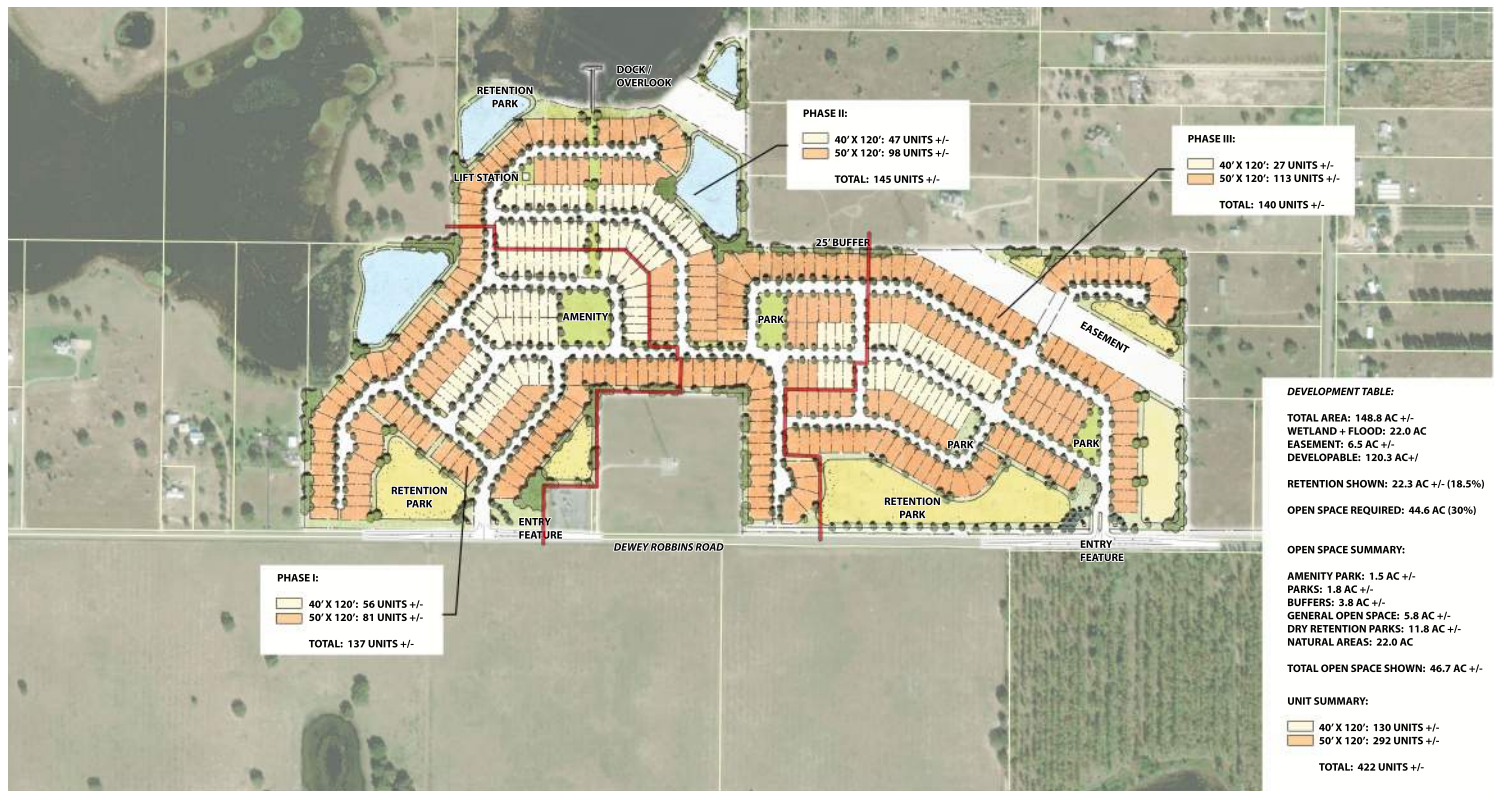
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

Hodges Reserve is a new, approximately 149-acre planned residential community located on Dewey Robbins Road just east of the major US 27 thoroughfare in Leesburg, Florida. GAI was contracted to provide site/civil engineering design services for the infrastructure necessary to service the residences; the design included internal community roadways, site grading, stormwater collection, potable water, and wastewater collection and transmission systems.

GAI's design also incorporated offsite roadway improvements along US 27 and at Dewey Robbins Road, including over 1.5 miles of 8" force main and 12" water main extensions; as well as upgrades at each of the community's entrances.

GAI's scope of services included geotechnical investigation; site layout and grading plans; utility coordination; permitting through the City of Leesburg, Lake County, SJRWMD, FDOT, and FDEP; preliminary and final engineering plans; sanitary lift station design; MOT; and construction administration.

GAI continues involvement in the project as the CDD District Engineer.



**25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT**

(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a. GAI Consultants	Orlando, FL	Site/Civil Engineering, Geotechnical, Construction Administration



**F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT**

*(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)*

20. EXAMPLE PROJECT KEY NUMBER

**10**

21. TITLE AND LOCATION <i>(City and State)</i>	22. YEAR COMPLETED	
<b>Whitemarsh Residential Community, Phases 2 &amp; 3 Leesburg, Florida</b>	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(if applicable)</i> Ongoing

**23. PROJECT OWNER'S INFORMATION**

a. PROJECT OWNER Hanover Land Company, LLC	b. POINT OF CONTACT NAME Tony Iorio, Vice President of Land Development	c. POINT OF CONTACT TELEPHONE NUMBER 407.988.1408
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

Whitemarsh is a new planned, approximately 158-acre, mixed-use residential community located west of the intersection of US 27 and Great Egret Drive in Leesburg, Florida. Whitemarsh will comprise 249 single-family homes and 48 townhomes, along with several commercial facilities. GAI was contracted to provide site/civil engineering design services for Phase 1 development of the community's water and sanitary sewer system, which will connect to the City's existing 12" watermain and 6" forcemain, immediately offsite on the busy US 27 thoroughfare. GAI's design includes the community's internal roadways, site grading, stormwater collection, potable water, and wastewater collection and transmission systems.

GAI's scope of services include master utility analysis; site layout and grading plans; stormwater and floodplain design; permitting through the City of Leesburg, the SJRWMD, and FDEP; preliminary and final engineering plans; sanitary lift station design; and construction administration.



**25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT**

a.	(1) FIRM NAME GAI Consultants	(2) FIRM LOCATION <i>(City and State)</i> Orlando, FL	(3) ROLE Site/Civil Engineering, Construction Administration
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**G. KEY PERSONNEL PARTICIPATION IN EXAMPLE PROJECTS**

26. NAMES OF KEY PERSONNEL (From Section E, Block 12)	27. ROLE IN THIS CONTRACT (From Section E, Block 13)	28. EXAMPLE PROJECTS LISTED IN SECTION F (Fill in "Example Projects Key" section below before completing table. Place "X" under project key number for participation in same or similar role.)									
		1	2	3	4	5	6	7	8	9	10
<b>Name</b>	<b>Role</b>										
Kathy Leo, PE	Principal-in-Charge and Project Manager	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Greg Kolb, PE	Utility / Lift Stations			✓				✓	✓	✓	
Scott Land, PE	Stormwater Management			✓		✓	✓	✓	✓	✓	✓
Steve Boylan, PE	Public Roadways						✓		✓		
Tony Reddeck	Permit Review	✓	✓			✓	✓	✓	✓	✓	✓
Benjamin Allis, PE	Structural								✓		
DJ Silverberg, PWS, GTA	Environmental										
Ivan Maranan, PLA, LEED AP	Landscape Architecture										
Ramon Estocapio, EI	Construction Engineering Inspection			✓							

**29. EXAMPLE PROJECTS KEY**

NUMBER	TITLE OF EXAMPLE PROJECT (From Section F)	NUMBER	TITLE OF EXAMPLE PROJECT (From Section F)
<b>1</b>	Poinciana Community Development District (PCDD) Poinciana, Florida	<b>6</b>	LHCDD, Eagletail Landing Residential Community Leesburg, Florida
<b>2</b>	Poinciana West Community Development District (PCDD), Poinciana, Florida	<b>7</b>	County Road 33 Community Development District (CR33CDD), Banning Ranch and Battaglia Residential Community   Leesburg, Florida
<b>3</b>	Enterprise Community Development Districts (ECDD), Celebration, Florida	<b>8</b>	Reedy Isle Residential Community Davenport, Florida
<b>4</b>	Urban Orlando Community Development District (CDD), Orlando, Florida	<b>9</b>	Dewey Robbins Community Development District (DRCDD), Hodges Reserve Residential Community Leesburg, Florida
<b>5</b>	Lake Harris Community Development District (LHCDD), Leesburg, Florida	<b>10</b>	Whitemarsh Residential Community, Ph 2 & 3 Leesburg, Florida

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**H. ADDITIONAL INFORMATION**

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

**See Section 3 – Additional Information.**

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**I. AUTHORIZED REPRESENTATIVE**

*The foregoing is a statement of facts.*

31. SIGNATURE



32. DATE

May 3, 2024

33. NAME AND TITLE

Kathleen Leo, PE, Vice 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 <b>GAI Consultants, Inc. (Orlando Office, since 1982)</b>			3. YEAR ESTABLISHED <b>1958</b>	4. UNIQUE ENTITY IDENTIFIER <b>JJL1D9QV6V47</b>
2b. STREET <b>618 E. South Street, Suite 700</b>			5. OWNERSHIP	
2c. CITY <b>Orlando</b>	2d. STATE <b>FL</b>	2e. ZIP CODE <b>32801</b>	a. TYPE <b>Corporation</b>	
6a. POINT OF CONTACT NAME AND TITLE <b>Lawrence S. Gendzier, Esq., MBA, Corporate Counsel/Assistant Vice President</b>			b. SMALL BUSINESS STATUS <b>N/A</b>	
6b. TELEPHONE NUMBER <b>407.423.8398</b>		6c. E-MAIL ADDRESS <b>l.gendzier@gaiconsultants.com</b>		7. NAME OF FIRM (If Block 2a is a Branch Office) <b>GAI Consultants, Inc.</b>

8a. FORMER FIRM NAMES (If any)	8b. YEAR ESTABLISHED	8c. UNIQUE ENTITY IDENTIFIER
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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			
05	Archaeologist	41		B02	Bridges	7
07	Biologist	19	1	C10	Commercial Building (low rise); Shopping Centers	3
08	CADD Technician	57	9	C15	Construction Management	7
12	Civil Engineer	145	24	D02	Dams (Earth; Rock); Dikes; Levees	3
15	Construction Inspector	51	5	E01	Ecological & Archeological Investigations	5
16	Construction Manager	6		E09	Environmental Impact Studies, Assessments or Statements	6
19	Ecologist	6	1	E10	Environmental And Natural Resource Mapping	5
20	Economist	2	2	E11	Environmental Planning	5
21	Electrical Engineer	38	3	H07	Highways; Streets; Airfield Paving; Parking Lots	8
23	Environmental Engineer	20	2	H11	Housing (Residential, Multi-Family; Apartments, Condominiums)	6
24	Environmental Scientist	80	2	I03	Industrial Waste Treatment	6
27	Foundation/Geotechnical Engineer	9		L02	Land Surveying	4
29	Geographic Information System Specialist	22	1	L03	Landscape Architecture	5
30	Geologist	15		N03	Nuclear Facilities; Nuclear Shielding	6
38	Land Surveyor	16	2	P04	Pipelines (Cross-Country – Liquid & Gas)	8
39	Landscape Architect	11	8	P05	Planning (Community, Regional, Areawide and State)	5
42	Mechanical Engineer	15	1	P06	Planning (Site, Installation, and Project)	5
43	Mining Engineer	10		P12	Power Generation, Transmission, Distribution	9
47	Planner: Urban/Regional	16	11	R04	Recreation Facilities (Parks, Marinas, Etc.)	5
48	Project Manager	31	6	S05	Soils & Geologic Studies; Foundations	4
57	Structural Engineer	13	5	S09	Structural Design; Special Structures	4
58	Technician/Analyst	123	11	S13	Storm Water Handling & Facilities	3
60	Transportation Engineer	14	2	T02	Testing & Inspection Services	5
62	Water Resources Engineer	5	1	T03	Traffic & Transportation Engineering	6
	Other Employees	138	35	T04	Topographic Surveying and Mapping	7
				W02	Water Resources; Hydrology; Ground Water	4
				W03	Water Supply; Treatment and Distribution	6
	<b>Total</b>	<b>902</b>	<b>132</b>			

11. ANNUAL AVERAGE PROFESSIONAL SERVICES REVENUES OF FIRM FOR LAST 3 YEARS (Insert revenue index number shown at right)		PROFESSIONAL SERVICES REVENUE INDEX NUMBER			
a. Federal Work	5	1. Less than \$100,000	6. \$2 million to less than \$5 million	7. \$5 million to less than \$10 million	8. \$10 million to less than \$25 million
b. Non-Federal Work	10	2. \$100,00 to less than \$250,000	9. \$25 million to less than \$50 million	10. \$50 million or greater	
c. Total Work	10	3. \$250,000 to less than \$500,000			
		4. \$500,000 to less than \$1 million			
		5. \$1 million to less than \$2 million			

12. AUTHORIZED REPRESENTATIVE The foregoing is a statement of facts.	
a. SIGNATURE 	b. DATE <b>December 01, 2023</b>
c. NAME AND TITLE <b>Anthony F. Morrocco, PE, PLS, MBA, President</b>	



# C ADDITIONAL INFORMATION





## 1) ABILITY AND ADEQUACY OF PROFESSIONAL PERSONNEL

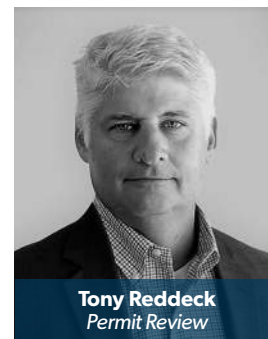
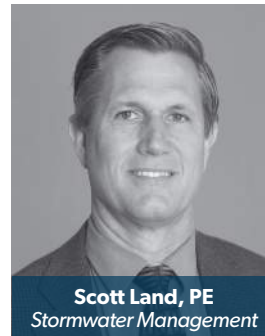
We have established deep trusting relationships by performing on several long-term continuing contracts similar to this request. GAI has learned through working as an extension of staff for numerous municipalities that communication is essential to gaining consensus and project buy-in, resulting in cost-savings and schedule adherence for the clients.

GAI has a team of respected professionals with an excellent history in producing results for this effort.

## KEY PERSONNEL

GAI's team consists of:

- Kathy Leo, PE, Principal-in-Charge and Project Manager**, will provide support directly to you, the Board of Supervisors, and leadership for the GAI team. She has been involved in many capacities with numerous CDDs for over 25 years.
- Greg Kolb, PE** will lead Utility / Lift Stations and maintain the highest level of service for the community. He has over 24 years of experience in water supply, treatment, and distribution and has served in Program Manager and District Engineer roles providing utility management services to Central Florida clients.
- Scott Land, PE** will lead Stormwater Management for the team. He has over 36 years of experience in effective management of civil site development, site hydrology and drainage, underground utilities, roadway systems design, grading, erosion control management, and permitting.
- Steve Boylan, PE** will lead Public Roadways for the team. He has over 31 years of experience in design and project management, specializing in the design of major limited access and arterial roadway reconstruction, roadway rehabilitation, and elements of traffic design.
- Tony Reddeck** will lead Permit Review for the team. He has more than 28 years of broad experience managing commercial and residential projects, including feasibility studies, design, cost analysis, permitting, and construction administration.



## 2) CERTIFIED MINORITY BUSINESS ENTERPRISE

GAI is not a certified minority business enterprise. However, GAI works in partnership with our clients to support their Disadvantaged Business Enterprise (DBE) programs. We advocate for minority and woman-owned business participation in our projects, and maintain strong relationships with a large number of DBE professional service firms. These firms complement our services by providing auxiliary resources, specialty services, and assistance in a variety of engineering, environmental, geotechnical, electrical, and public relations disciplines, ultimately allowing us to better serve our clients.

### 3) WILLINGNESS TO MEET TIME AND BUDGET REQUIREMENTS

Time is money! GAI understands that the ability to achieve successful projects is based on factors such as cost control, work quality, and schedule adherence. A project only meets a schedule if the work to be completed is carefully scoped, planned, budgeted, scheduled, and controlled. We will work with the Horseshoe Creek CDD to ensure tasks are completed in an efficient and timely manner.

GAI proposes holding a workshop with the Horseshoe Creek CDD staff and the District Manager at the inception of the contract to develop new ways to run the various functions of the Horseshoe Creek CDD—as well as ensure that the GAI team will work most efficiently within the allocated budget.

### 4) CONSULTANT’S PAST EXPERIENCE AND PERFORMANCE

The GAI team prides itself on our ability to listen and work together as one team with our clients. We will connect all project aspects to creatively think and communicate with a holistic approach to the Horseshoe Creek CDD. As shown in this proposal, GAI has the capabilities to provide multi-discipline professional services to support the engineering and planning projects that Horseshoe Creek CDD requires. As Principal-in-Charge and Project Manager, Kathy Leo will be the point of initial contact, receiving tasks and direction from the Horseshoe Creek CDD, and keeping the Horseshoe Creek CDD continuously informed of the project’s progress. She will be supported by our team whose history of working experience will ensure seamless coordination as the project progresses.

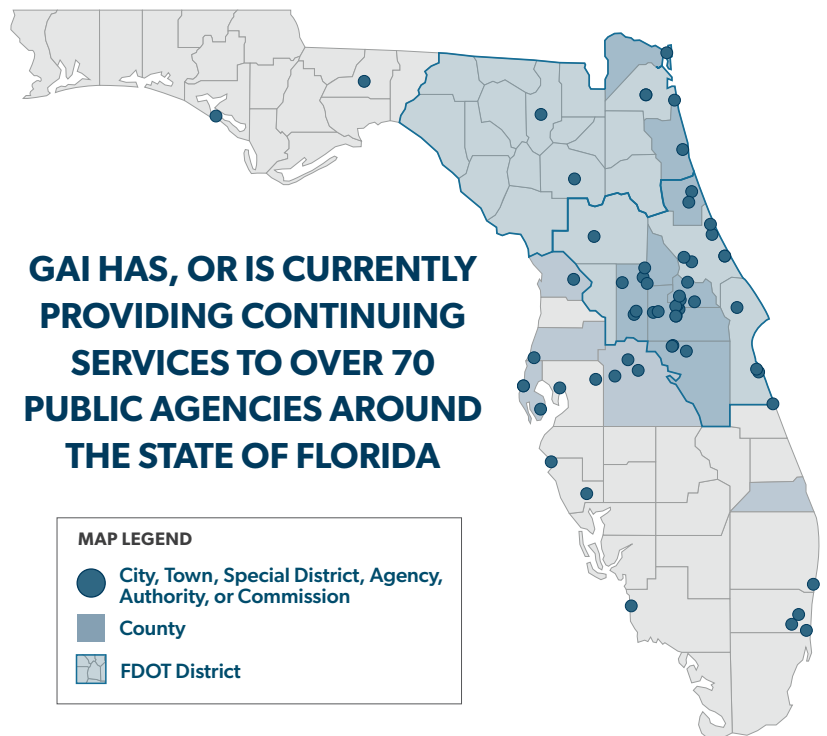
#### Experience With Community Development Districts as District Engineer

Ms. Leo has been District Engineer for 10 CDDs throughout Florida from creation of the CDD to turnover. She is currently under contract with the Dewey Robbins CDD (DRCDD), County Road 33 CDD (CR33CDD), Lake Harris CDD (LHCDD), Poinciana CDD (PCDD), Poinciana West CDD (PWCCD), and Enterprise CDD (ECDD) as District Engineer.

Additionally, she has held the previous contracts providing services to include providing information, processing construction requisitions, processing and acceptance of utilities and stormwater systems, budget assistance, and prepared the engineering report, which presented information pertinent to the financing of proposed improvements within the PWCCD. Ms. Leo also assisted in the original procedures of the PWCCD and is well versed on all procedures and regulations pertaining to CDD.

#### Experience With Polk County

GAI has broad experience in Polk County in both public and private sectors in the County. On the public side, GAI is part of a team providing Professional Engineering Services for Parks and Natural Resources to Polk County. On the private side, **GAI recently designed and permitted the Reedy Isle project, which is the residential project that comprises the Horseshoe Creek Community Development District.**



THIS MAP AND THE TABLE ON THE FOLLOWING PAGE SHOW GAI’S CONTINUING SERVICES CONTRACTS AROUND THE STATE OF FLORIDA.



OUR LONGSTANDING HISTORY OF CONTINUING SERVICES CLIENTS IS EVIDENCE THAT WE UNDERSTAND HOW TO SERVE AS AN EXTENSION OF STAFF, PROVIDE EFFICIENT, MEANINGFUL VALUE, AND COLLABORATE TO MAINTAIN LONG-TERM WORKING RELATIONSHIPS.

### GAI Continuing Services Contracts

Continuing Services Contracts	Year Started	Contract Period
<b>CITIES AND TOWNS</b>		
1 Winter Park	2001	Current/Ongoing
2 Jacksonville	2002	Current/Ongoing
3 Kissimmee	2002	Current/Ongoing
4 New Smyrna Beach	2002	Current/Ongoing
5 Orlando	2003	Current/Ongoing
6 Palm Coast	2003	Current/Ongoing
7 Maitland	2004	Current/Ongoing
8 North Miami Beach	2004	Current/Ongoing
9 Oviedo	2004	Current/Ongoing
10 Leesburg	2005	Current/Ongoing
11 Miramar	2005	Current/Ongoing
12 Casselberry	2006	Current/Ongoing
13 Bunnell	2007	Current/Ongoing
14 Jacksonville Beach	2007	Current/Ongoing
15 Tampa	2007	Current/Ongoing
16 Winter Garden	2004	2016
17 Plant City	2007	2017
18 Polk City	2010	Current/Ongoing
19 Eustis	2011	Current/Ongoing
20 Lakeland	2011	Current/Ongoing
21 Panama City	2012	Current/Ongoing
22 Sarasota	2012	Current/Ongoing
23 Inverness	2013	Current/Ongoing
24 Sanford	2013	Current/Ongoing
25 Clermont	2014	Current/Ongoing
26 Clearwater Public Works	2012	Current/Ongoing
27 Eatonville	2012	Current/Ongoing
28 St. Petersburg	2014	Current/Ongoing
29 Umatilla	2017	2026
30 Minneola	2017	2022
31 St. Augustine	2017	2022
32 Daytona Beach	2017	2022
33 Ormond Beach	2017	Current/Ongoing
34 Fernandina Beach	2018	2023
35 Naples	2019	2024
36 New Smyrna Beach	2019	Current/Ongoing
37 Ocoee	2015	Current/Ongoing

Continuing Services Contracts	Year Started	Contract Period
<b>CITIES AND TOWNS (cont'd)</b>		
38 Titusville	2013	2017
39 North Port	2013	2016
40 St. Cloud	2016	Current/Ongoing
41 Lake Alfred	2017	2020
42 Sebastian	2018	2021
43 Lake Helen	2015	2018
44 Melbourne	2017	2020
45 Deerfield Beach	2017	Current/Ongoing
46 Longwood	2017	Current/Ongoing
47 Tallahassee	2015	2017
48 Mount Dora	2018	2020
49 Clearwater	2018	Current/Ongoing
<b>COUNTIES</b>		
50 Nassau County	2012	Current/Ongoing
51 Lake County	2014	2020
52 Martin County	2017	Ongoing
53 Osceola County	2014	Current/Ongoing
54 Seminole County	2014	Current/Ongoing
55 Orange County	2017	2020
56 Pasco County	2017	2022
57 Polk County	2016	Current/Ongoing
58 Flagler County	2018	2025
59 Citrus County	2018	2021
60 Pinellas County	2021	Current/Ongoing
<b>SPECIAL DISTRICTS, AGENCIES, AUTHORITIES &amp; COMMISSIONS</b>		
61 Orlando Utilities Commission	1997	Current/Ongoing
62 FDOT District Five	1999	Current/Ongoing
63 JEA (Jacksonville Electric Authority)	2003	Current/Ongoing
64 Tindall Hammock Irrigation & Soil Conservation District	2008	2022
65 Bay Laurel Center Community Development District	2009	Current/Ongoing
66 Florida Governmental Utility Authority (FGUA)	2009	Current/Ongoing
67 Nassau Amelia Utilities (NAU)	2012	Current/Ongoing
68 Gainesville Community Redevelopment Agency	2014	Current/Ongoing
69 FDOT District Two	2014	Current/Ongoing
70 Kissimmee Community Redevelopment Agency	2012	2015
71 Melbourne Airport Authority	2017	2025

## 5) GEOGRAPHIC LOCATION

Established in 1958 in Pittsburgh, Pennsylvania, and still headquartered there today, we currently serve our clients from 32 office locations throughout the Eastern, Midwestern, and Southern United States. GAI has been serving clients in Florida since 1982.

GAI offices are strategically located to meet the needs of our clients. GAI's Orlando office will serve as the primary location through which all professional engineering services will be coordinated. GAI's Chairman and Chief Executive Officer, Gary Dejidas, PE, is located in our Orlando office. We have additional Florida offices to provide support to the Horseshoe Creek CDD, including Tampa, Jacksonville, and Palm Beach Gardens. All staff proposed are located in the Orlando office.

### GAI Florida Offices

**Primary Office for this Assignment:**  
**GAI – ORLANDO**  
 618 E. South Street  
 Suite 700  
 Orlando, FL 32801  
 407.423.8398




**GAI – TAMPA**  
 2 Urban Center  
 4890 West Kennedy Blvd  
 Suite 810  
 Tampa, FL 33609  
 T 813.605.7064

**GAI – PALM BEACH GARDENS**  
 4400 PGA Boulevard  
 Suite 601  
 Palm Beach Gardens, FL 33410  
 T 561.345.6129

**GAI – JACKSONVILLE**  
 12574 Flagler Center Blvd  
 Suite 202  
 Jacksonville, FL 32258  
 T 904.363.1110

## 6) CURRENT AND PROJECTED WORKLOADS

GAI is a national firm and has the ability to leverage resources on a broad basis to serve the Horseshoe Creek CDD. Project team lead, Kathy Leo, PE, has availability to lead and support the needs of the District. Staff reflected on the organization chart (*see page 8*) have varying levels of availability depending upon project schedules. As this is an on-call contract, what is required and when can vary widely. As specific task needs arise, we will make sure that the Horseshoe Creek CDD has the right people for the tasks.

## 7) VOLUME OF WORK PREVIOUSLY AWARDED TO CONSULTANT BY DISTRICT

GAI has not been awarded any work from the Horseshoe Creek CDD. GAI was contracted by Hanover Land Company, LLC to support the Horseshoe Creek CDD formation.



gai consultants®

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**GAI Consultants, Inc.**

618 E. South Street, Suite 700  
Orlando, FL 32801  
407.423.8398

**[gaiconsultants.com](http://gaiconsultants.com)**

# SECTION VII

# SECTION C

# SECTION 1

# Horseshoe Creek Community Development District Performance Measures/Standards & Annual Reporting Form

October 1, 2024 – September 30, 2025

## **1. Community Communication and Engagement**

### **Goal 1.1: Public Meetings Compliance**

**Objective:** Hold at least three regular Board of Supervisor meetings per year to conduct CDD related business and discuss community needs.

**Measurement:** Number of public board meetings held annually as evidenced by meeting minutes and legal advertisements.

**Standard:** A minimum of three board meetings were held during the Fiscal Year.

**Achieved:** Yes  No

### **Goal 1.2: Notice of Meetings Compliance**

**Objective:** Provide public notice of meetings in accordance with Florida Statutes, using at least two communication methods.

**Measurement:** Timeliness and method of meeting notices as evidenced by posting to CDD website, publishing in local newspaper and via electronic communication.

**Standard:** 100% of meetings were advertised per Florida statute on at least two mediums (i.e., newspaper, CDD website, electronic communications).

**Achieved:** Yes  No

### **Goal 1.3: Access to Records Compliance**

**Objective:** Ensure that meeting minutes and other public records are readily available and easily accessible to the public by completing monthly CDD website checks.

**Measurement:** Monthly website reviews will be completed to ensure meeting minutes and other public records are up to date as evidenced by District Management's records.

**Standard:** 100% of monthly website checks were completed by District Management.

**Achieved:** Yes  No

## **2. Financial Transparency and Accountability**

### **Goal 2.1: Annual Budget Preparation**

**Objective:** Prepare and approve the annual proposed budget by June 15 and final budget was adopted by September 30 each year.

**Measurement:** Proposed budget was approved by the Board before June 15 and final budget was adopted by September 30 as evidenced by meeting minutes and budget documents listed on CDD website and/or within district records.

**Standard:** 100% of budget approval & adoption were completed by the statutory deadlines and posted to the CDD website.

**Achieved:** Yes  No

### **Goal 2.2: Financial Reports**

**Objective:** Publish to the CDD website the most recent versions of the following documents: Annual audit, current fiscal year budget with any amendments, and most recent financials within the latest agenda package.

**Measurement:** Annual audit, previous years' budgets, and financials are accessible to the public as evidenced by corresponding documents on the CDD's website.

**Standard:** CDD website contains 100% of the following information: Most recent annual audit, most recent adopted/amended fiscal year budget, and most recent agenda package with updated financials.

**Achieved:** Yes  No

### **Goal 2.3: Annual Financial Audit**

**Objective:** Conduct an annual independent financial audit per statutory requirements and publish the results to the CDD website for public inspection, and transmit to the State of Florida.

**Measurement:** Timeliness of audit completion and publication as evidenced by meeting minutes showing board approval and annual audit is available on the CDD's website and transmitted to the State of Florida.

**Standard:** Audit was completed by an independent auditing firm per statutory requirements and results were posted to the CDD website and transmitted to the State of Florida.

**Achieved:** Yes  No



Chair/Vice Chair: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Horseshoe Creek Community Development  
District

Date: \_\_\_\_\_

District Manager: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Horseshoe Creek Community Development  
District

Date: \_\_\_\_\_