

PARKLANDS

WEST

COMMUNITY DEVELOPMENT

DISTRICT

July 9, 2026

BOARD OF SUPERVISORS

REGULAR MEETING

AGENDA

PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT

AGENDA
LETTER

Parklands West Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W●Boca Raton, Florida 33431
Phone: (561) 571-0010●Fax: (561) 571-0013●Toll-Free: (877) 276-0889
<https://palmiracdds.net/>

July 2, 2026

Board of Supervisors
Parklands West Community Development District

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

Dear Board Members:

The Board of Supervisors of the Parklands West Community Development District will hold a Regular Meeting on July 9, 2026 at 1:00 p.m., at the Renaissance Center, 28191 Matteotti View, Media Room, Bonita Springs, Florida 34135. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Update: Superior Waterway Services, Inc. Treatment Report
4. Discussion/Consideration/Update: Apex Companies, LLC
 - Lake Bank Observation and Restoration Report for the 13 Lakes
 - Lake Bank Presentation and Repair Options
5. Consideration of Resolution 2026-06, to Designate Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date
 - A. Amended Rules of Procedure
6. Continued Discussion: Fiscal Year 2026/2027 Proposed Budget
7. Acceptance of Unaudited Financial Statements as of May 31, 2026
8. Approval of May 14, 2026 Regular Meeting Minutes
9. Other Business
10. Staff Reports
 - A. District Counsel: *Coleman, Yovanovich & Koester, P.A.*

- B. District Engineer: *Apex Companies, LLC*
- C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - 593 Registered Voters in District as of April 15, 2026
 - NEXT MEETING DATE: September 10, 2026 at 1:15 PM [Adoption of FY2027 Budget]

○ QUORUM CHECK

SEAT 1	JAMES LUKAS	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 2	FRANK PERCUOCO	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 3	ROBERT WYANT	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 4	BILL DARDY	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 5	DAVID LEVIN	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO

11. Audience Comments/Supervisors' Requests

12. Adjournment

If you have any questions, please contact me directly at 239-464-7114.

Sincerely,



Chesley E. Adams, Jr.
 District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE:

CALL IN NUMBER: 1-888-354-0094

PARTICIPANT CODE: 229 774 8903

PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT

3

PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT

4

PARKLANDS WEST COMMUNITY DEVELOPMENT DISTRICT

13 LAKES

LAKE BANK OBSERVATION AND RESTORATION REPORT

(UPDATED)



Prepared for

PARKLANDS WEST COMMUNITY DEVELOPMENT DISTRICT

c/o Wrathell, Hunt & Associates, LLC
Chesley “Chuck” Adams – Director of Operations
9220 Bonita Beach Road, Suite 214
Bonita Springs, FL 34135

Prepared By:



**2122 Johnson Street
Fort Myers, Florida 33901
(239) 334-0046
EB 642**

July 9, 2026

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Appendix 1 – Existing Condition Pictures – January 2026

Appendix 2 - Lake Bank Repair Quantities 2026

Appendix 3 – Lake Bank Restoration Options and Opinion of Probable Costs

ATTACHMENTS

Exhibit A – Map Set

Exhibit B – Drain Connection Detail

1.0 PURPOSE OF STUDY

The following summary has been developed to assist the Parklands West Community Development District (PWCDD) in determining an appropriate course of action regarding rehabilitation of the existing thirteen (13) lakes within the community. This report incorporates both the initial January 2026 general observation and the expanded May–June 2026 detailed evaluation performed by Johnson Engineering, LLC (JE). The initial January 2026 observation, performed as a general baseline review, documented visible erosion, washouts, and drop-offs which established the first set of mapped conditions for all lakes.

To build upon that baseline, a more detailed and measurement driven evaluation was conducted in May and June 2026, including slope cross-sections, verification of previously identified erosion, and expanded documentation of washouts and drop-offs.

The purpose of this report is to provide the information necessary to evaluate lake bank rehabilitation needs and present recommendations based on current field-verified conditions.

2.0 BACKGROUND

The lakes located within the Parklands West Community function as stormwater management features that provide treatment and attenuation of stormwater runoff. The lakes are surrounded by residential lots, golf course, and landscape areas.

3.0 SITE OBSERVATIONS

A general site observation of the lake banks was initially conducted by a Johnson Engineering technician in January 2026 to document baseline conditions. The photographs from this assessment are provided in **Appendix 1**, “Existing Condition Pictures – January 2026”.

To expand upon the January assessment and provide a more detailed evaluation, the engineer conducted the first portion of a follow-up site observation in late May and early June 2026. This effort focused on verifying previously identified areas, collecting slope measurements, and documenting the extent and severity of erosion. A Johnson Engineering technician completed the remaining field observations in mid-June to ensure full coverage of all lake segments and to confirm conditions noted during the earlier visits.

During this follow-up review, areas of the lake banks exhibiting washouts and drop-offs requiring restoration were identified and mapped. These locations are shown on the aerial map set included as **Exhibit A**, “Map Set,” Sheets 1 through 12.

In total, two hundred three (203) washouts were observed along the thirteen (13) lakes, and five (5) of the lakes contained multiple drop-offs requiring repair. **Appendix 2**, “Lake Bank Repair Quantities 2026,” summarizes the findings by lake number, identifies the type of restoration required, and provides estimated repair quantities.

3.1 Lake Banks

When evaluating lake banks, it’s important to observe the location, potential causes, erosion type, and severity to determine repair priorities. Severity is typically evaluated based on the South Florida Water Management District (SFWMD) compliance criteria, where a greater than nine (9) inch vertical displacement or drop-off in the bank is considered a safety hazard to residents, guests, and maintenance personnel.

Location is the first factor considered when prioritizing lake bank repairs. Areas adjacent to residential lots and recreational areas where the lake is easily accessible to residents or guests receive greater attention than similar areas that are not easily accessed. However, the safety of maintenance personnel should also be considered. For example, erosion with a higher severity ranking in an area not easily accessible to residents but frequented by mowing crews may be prioritized over less severe erosion located adjacent to residential areas.

Potential causes and erosion types are also considered, as they influence the appropriate repair method for each location. For instance, pool overflow damage may receive higher priority if it is determined to be an illicit discharge into the lake.

During the site observation, areas of lake banks erosion were identified and evaluated for erosion cause, erosion type, and level of severity as follows:

Location Rankings:

- Adjacent to residential units and recreational areas.
- Adjacent to preserves or perimeter walls.

- Other areas.

Potential Causes:

- Wind and wave action.
- Surface run-off concentrated at a point on the bank.
- Improperly installed pipe or grate.
- Lake bank slope is greater than 4:1.
- Other factors.

Erosion Categories:

- Vertical displacement/Bank drop-off (parallel to shoreline).
- Vertical displacement/Bank gully/washout (perpendicular to shoreline).
- Bank washout from pipe, inlet, or sprinkler discharge.
- Eroded swales in bank.
- Other erosion types.

Severity rankings:

- Immediate attention.
- SFWMD compliance.
- Hazardous to residents and maintenance personnel.
- Probable future problem.

3.1.1 Wind and Wave Action

The most common type of lake bank erosion is caused by wind and wave action. This type of erosion typically creates a vertical displacement, or drop-off, that runs parallel to the shoreline at the elevation where the lake water level remains for the longest period of time, usually near or below the control elevation of the stormwater management system

(SWMS). These drop-offs can create a safety hazard to foot traffic and maintenance equipment.

During the “rainy season”, typically from June through October, lake water levels remain elevated for extended periods of time above the control elevation. The sod typically installed on the lake banks cannot survive prolonged submergence for more than one or two weeks and will only slowly reestablish after the water level recedes.

Once the prolonged high-water levels subside after the rainy season, exposed sections of lake bank become vulnerable to erosion. Wind generated waves can then erode the bare lake bank creating the vertical displacement and drop-off conditions discussed above.

3.1.2 Concentrated Flow

The second most common type of lake bank erosion occurs where stormwater runoff becomes concentrated along a narrow path on the bank. This concentrated flow eventually creates a vertical displacement, similar to wind and wave action but perpendicular to the shoreline and typically concentrated in one location. Creating a gully or washout type of erosion.

These gullies or washouts frequently occur between residential buildings where roof drains, pool drains, or lot run-offs are concentrated before discharging to the lake. This concentrated runoff is frequently caused by roof gutter downspouts, pool overflow discharges, or drainage swales between homes.

These conditions can form large gullies that are a safety hazard to foot traffic and maintenance equipment. These gullies can also destabilize the bank and allow further erosion to occur laterally along the lake bank. The sod on the lake bank can disguise the severity of the erosion. As the sod can survive with adequate irrigation, even though the soil underneath has eroded down the bank and into the lake. This can often pose a greater risk for residents, guests, and maintenance personnel, than a visible gully or washout.

3.1.3 Lake Bank Slope Steeper Than 4:1

Out of the thirteen (13) lakes observed, five (5) lake bank areas exhibited drop-offs measuring nine (9) inches or greater. A total of one hundred eight (108) slope cross-sections were collected to document the range of existing lake bank conditions. The

findings indicate that a majority of the thirteen (13) lakes contain areas where the bank slopes exceed the allowable maximum slope of 4:1.

4.0 RESTORATION AND ESTIMATE OF PROBABLE COSTS

As stated earlier, **Appendix 2**, “Lake Bank Repair Quantities 2026”, provides location by lake number, type of restoration necessary, and estimated quantities.

4.1 Lake Banks

The site observation identified multiple locations of lake bank erosion that need restoration. The type and cause of the erosion determine the type of restoration required. Various restoration options are available, varying in appearance and cost, but will achieve the same objective.

Restoration options and estimates of probable costs per linear foot are provided in **Appendix 3**, “Lake Bank Restoration Options and Opinion of Probable Costs”.

4.1.1 Wind and Wave Action

Restoration of lake banks due to wind and wave action is required at this time. Evidence of erosion severe enough to create hazards to foot traffic, landscape maintenance personnel, and equipment due to vertical displacement and bank washouts, and gullies perpendicular to the shoreline.

4.1.2 Concentrated Flow

When addressing erosion due to concentrated flow, the restoration effort should extend up the bank to the source of the runoff. Typically, a storm pipe is installed from the source of the flow, and it discharges to a flared end section in the lake. An inlet box may be installed to receive concentrated overland flow, or a junction box may be used to receive multiple pipe discharges. See **Exhibit B**, “Drain Connection Detail” for various options to tie in these point sources of concentrated flow.

Riprap is another option often used to restore isolated gullies or washouts. However, it is not recommended in lawn areas because it does not provide a natural appearance and can interfere with routine mowing and landscape maintenance. Other options include biodegradable erosion mats or open cell systems that allow grass to grow through and over

them. These systems protect the underlying soil while maintaining a natural, fully vegetated appearance when covered with sod.

5.0 CONCLUSIONS AND RECOMMENDATIONS

Based on the combined January and May–June 2026 site observations performed by JE, the conditions reviewed and discussed appear to be maintenance-related erosion issues typical of aging stormwater systems but now documented in greater detail. The expanded evaluation identified two hundred three (203) washouts and multiple drop-offs requiring restoration. Communication with property owners is recommended to provide detailed information about the project and increase awareness of lake bank safety and maintenance needs.

5.1 Point Source Repairs

Prior to the commencement of any lake bank restoration work, point source and washout repairs must be made to properly reinstall the drainage pipe discharges along the lake banks, see attached **Exhibit B**, “Drain Connection Detail”. While a total of two hundred three (203) washouts were identified for repair, it is anticipated that there are more buried stormwater drainpipes that are in poor condition and may need to be replaced.

5.2 Lake Banks

Based on the site observation, many areas need attention and restoration efforts to stabilize the lake banks. The lake banks are subject to environmental conditions and will need routine inspection and maintenance.

5.3 Lake Littorals

Once restoration of the lake banks are complete, it is recommended to reestablish the littoral planting zones in accordance with the approved development order permit plans and create a long-term littoral maintenance plan. This will decrease future erosion due to wind and wave action, assist with nutrient uptake, and enhance habitat and aesthetics. It is important to note that lake littoral plants, which grow in the shallow areas near the shore of a lake, serve several important ecological purposes including:

- **Habitat and Biodiversity:** Littoral plants provide habitat for fish, insects, amphibians, and birds. The vegetation offers shelter and breeding grounds, contributing to overall biodiversity.

- **Water Quality Improvement:** Littoral plants help improve water quality by filtering pollutants and nutrients. Their roots can trap sediments and reduce erosion, while absorbing excess nutrients like nitrogen and phosphorus, helping prevent algal blooms.
- **Erosion Control:** The root systems of littoral plants help stabilize the shoreline, reducing erosion caused by waves and currents. This is crucial for maintaining the slope and integrity of the lake's edge.
- **Oxygen Production:** Through the process of photosynthesis, littoral plants release oxygen into the water, which is vital for the survival of aquatic organisms.
- **Food Source:** Littoral plants are a primary food source for fish, insects, and waterfowl. The plants themselves or the organisms that live among them become part of the food chain.

5.4 Lake Bank Restoration Plan

Due to the cost associated with restoration of the thirteen (13) lakes, it is recommended that the CDD establish a lake bank restoration plan. There are several options to address lake bank erosion. Prices can range from \$115 to \$250 per linear foot depending on the type of repair that is chosen. These are identified in more detail in **Appendix 3**, "Lake Bank Restoration Options and Opinion of Probable Costs".

Other ideas incorporate mini vegetation islands at the top of the lake bank. However, one concern related to vegetation planting of any kind is the water level elevation change during the dry season. Many plants will not survive without supplemental irrigation during the dry season. One possible solution is to evaluate whether existing irrigation heads can be turned or replaced to provide water to the proposed vegetation.

- SFWMD considers lake bank restoration a maintenance activity and does not require modification to the SFWMD Environmental Resource Permit (ERP). It is likely that littoral plantings will be required as part of the lake bank restoration plan to comply with the conditions of the original Development Order permit plans.

APPENDIX 1

PARKLANDS WEST COMMUNITY DEVELOPMENT DISTRICT

13 LAKES

EXISTING CONDITIONS PICTURES - JANUARY 2026

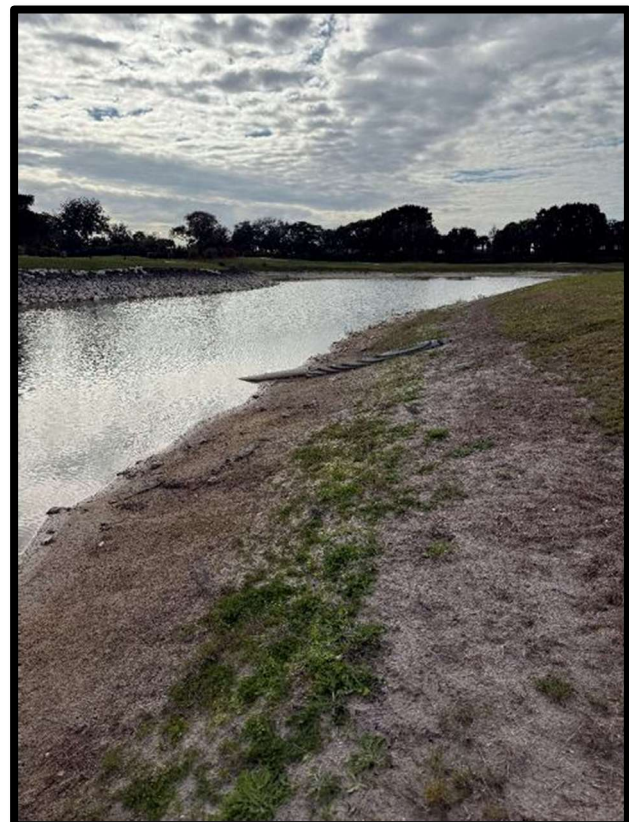
Lake 1 – Priority: 1

- 31 Washouts
- No drop-offs
- < 20% littoral coverage



Lake 2 – Priority: 8

- 12 Washouts
- No drop-offs
- No littoral coverage



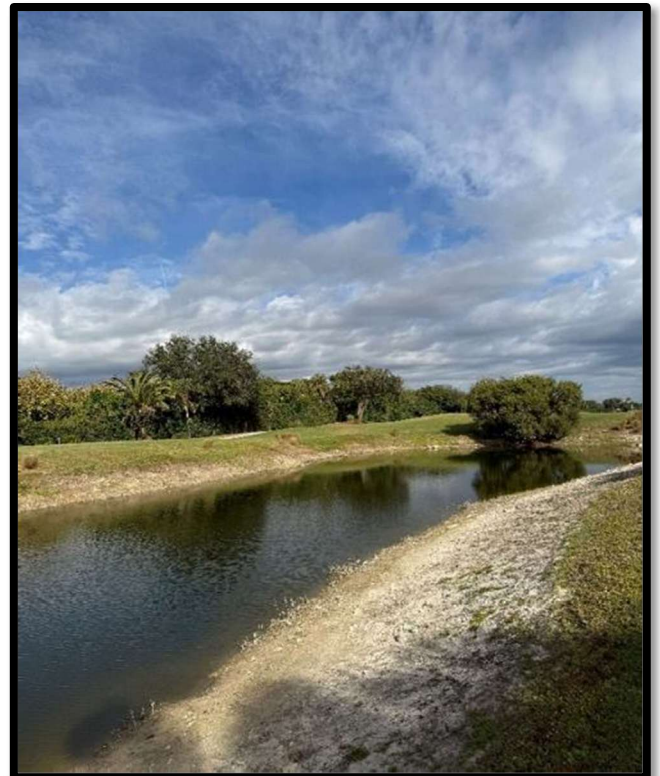
Lake 3 – Priority: 13

- 0 Washouts
- No drop-offs
- No littoral coverage
- Fully Armored with Riprap



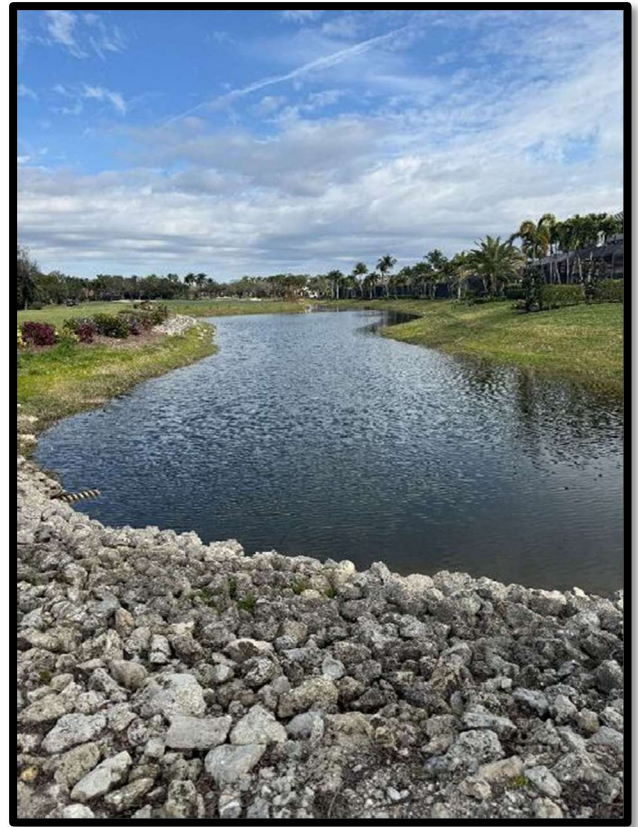
Lake 4 – Priority: 11

- 4 Washouts
- No drop-offs
- No littoral coverage



Lake 5 – Priority: 4

- 25 Washouts
- No drop-offs
- No littoral coverage



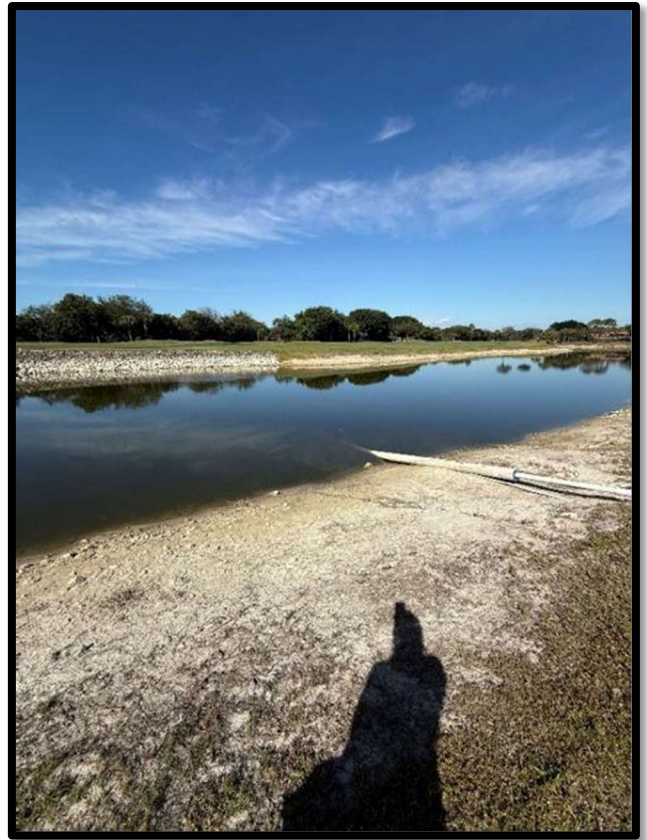
Lake 6 – Priority: 3

- 26 Washouts
- 187 Linear feet of 9 - 18-inch drop-offs
- No littoral coverage



Lake 7 – Priority: 7

- 16 Washouts
- 50 Linear feet of 9-inch drop-offs
- No littoral coverage



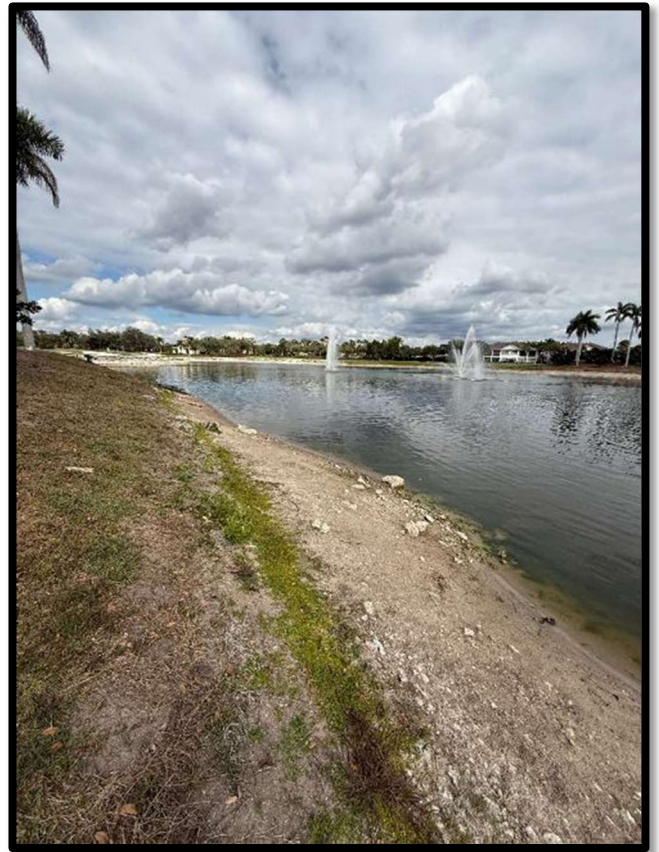
Lake 8 – Priority: 5

- 19 Washouts
- 179 Linear feet of 9 - 24-inch drop-offs
- No littoral coverage



Lake 9 – Priority: 12

- 3 Washouts
- No drop-offs
- No littoral coverage



Lake 10 – Priority: 6

- 15 Washouts
- 325 Linear feet of 9 - 24-inch drop-offs
- No littoral coverage



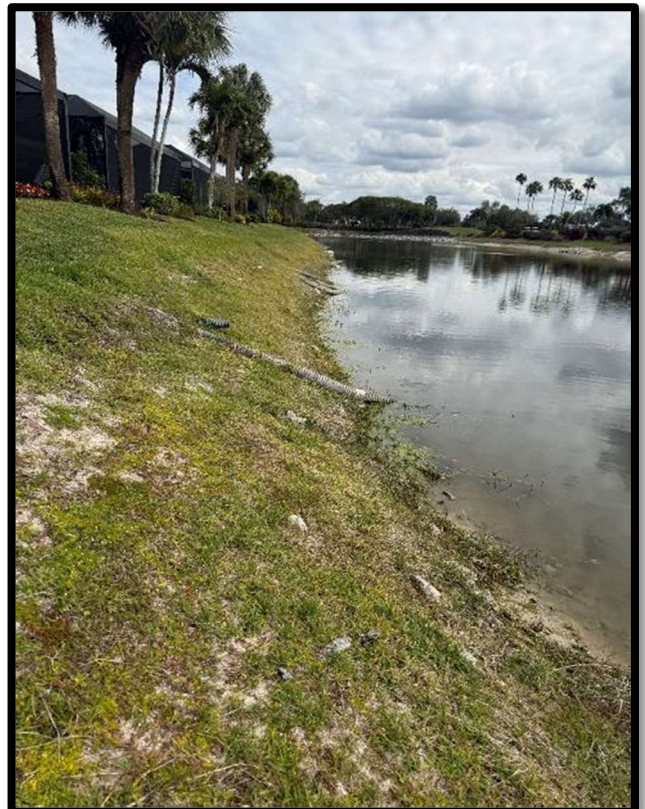
Lake 11 – Priority: 9

- 16 Washouts
- 162 Linear feet of 12 - 18-inch drop-offs
- No littoral coverage



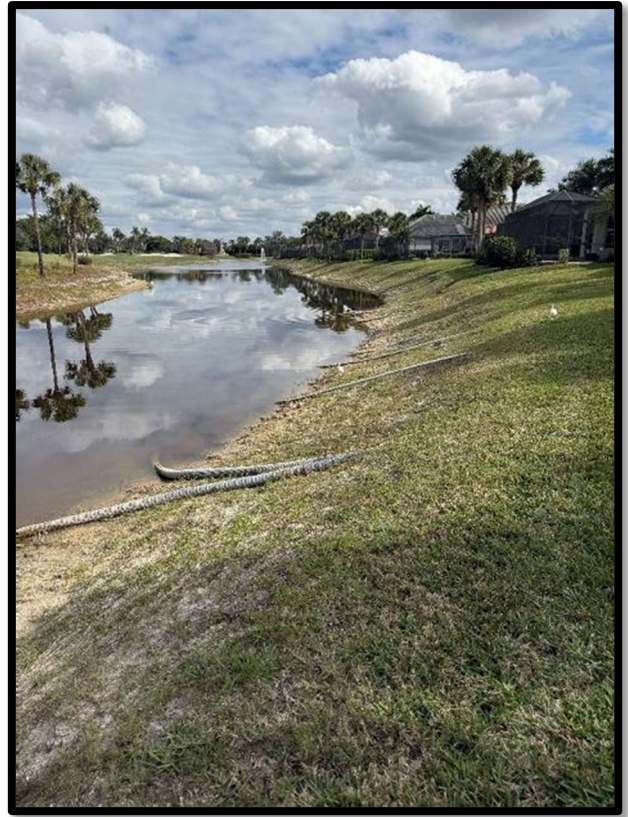
Lake 12 – Priority: 10

- 8 Washouts
- No drop-offs
- No littoral coverage
- Steep Slope



Lake 13 – Priority: 2

- 28 Washouts
- No drop-offs
- No littoral coverage
- Steep Slope



APPENDIX 2

PARKLANDS WEST COMMUNITY DEVELOPMENT DISTRICT

13 LAKES

LAKE BANK REPAIR QUANTITIES 2026

May – June 2026 Observation

Name	Washouts	Drop-Offs	Littorals	Priority
Lake 1	31	0	< 20%	1
Lake 2	12	0	0	8
Lake 3	0	0	0	13
Lake 4	4	0	0	11
Lake 5	25	0	0	4
Lake 6	26	9-18" : 187 LF	0	3
Lake 7	16	9" : 50 LF	0	7
Lake 8	19	9-18" : 100 LF 18-24" : 79 LF	0	5
Lake 9	3	0	0	12
Lake 10	15	9-18" : 154 LF 18-24" : 171 LF	0	6
Lake 11	6	12-18" : 162 LF	0	9
Lake 12	8	0	0	10
Lake 13	28	0	0	2
TOTAL	203	903 LF		

January 2026 Observation

Name	Washouts	Drop-Offs	Littorals	Priority
Lake 1	18	0	< 20%	8
Lake 2	10	0	0	9
Lake 3	0	0	0	13
Lake 4	1	0	0	12
Lake 5	19	0	0	6
Lake 6	19	9-18" : < 5%	0	3
Lake 7	15	9" : < 10%	0	5
Lake 8	18	18-24" : 10-20%	0	1
Lake 9	3	0	0	11
Lake 10	11	9-12" : 10% 18-26" : 10%	0	2
Lake 11	6	12-18" : < 10%	0	7
Lake 12	8	0	0	10
Lake 13	28	0	0	4
TOTAL	156			

APPENDIX 3

PARKLANDS WEST COMMUNITY DEVELOPMENT DISTRICT

13 LAKES

LAKE BANK RESTORATION OPTIONS

AND

OPINION OF PROBABLE COSTS

Lake Bank Restoration Options and Opinion of Probable Costs

Restoration Method	Description	Erosion Resistance See Note 3	Special Considerations See Note 1, 2 and 3	Opinion of Probable Cost \$/Linear Foot
Rip Rap	Rock 6" to 12" in diameter with filter fabric 8' to 15' wide.	Good	Not a natural appearance and limited by SFWMD	\$160 to \$250
Stone/Block Retaining Wall	Stone blocks, multilayer, with filter fabric	Good	Not a natural appearance and limited acceptance by SFWMD	Not Applicable
Grassy Paver and GeoBlock	Open at top and bottom HDPE cells	Fair, possible undercutting by wave action	Natural yard appearance or alternate plantings	\$115
GeoWeb	Flexible web which can extend into lake bottom	Good	Natural yard appearance or alternate plantings	\$200 to \$250
GeoTube	Polyester fabric tube filled with sand or organic matter, with or without a footer	Good	Natural yard appearance or alternate plantings	\$150 to \$180
Turf Stone Paver	Open center pavers	Fair, possible undercutting by wave action	Partial sod/turf or alternate plantings	\$120 to \$180
Articulated Concrete Mat	Concrete logs with copolymer rope	Good	Natural yard appearance or alternate plantings	\$160 to \$200
Erosion Control Blankets	Coir mats or polypropylene	Fair, possible undercutting by wave action	Natural yard appearance	\$115
50% Rip Rap, 50% Matting/Plants	Rip Rap bottom 6'-8', Coco mat upper 6'-8'	Fair, possible undercutting by wave action	Natural yard appearance or alternate plantings	\$160 to \$200

Note 1 SFWMD Permit Design Criteria limits the amount of bulkhead, rip rap/rock, and steeper than 3.5 to 1 bank slopes. Altering existing 4:1 grassy bank to bulkhead or rip rap/rock requires a Modification to the existing Permit. Lee County may also have criteria that limit the amount of shoreline that can receive bulkhead or rip rap/ rock.

Note 2 SFWMD requires a permit modification if lake bank maintenance leaves a steeper than 9" step/rise at the normal water line.

Note 3 Adding GeoWeb 4' to 6' into lake bottom will change the rating from Fair to Good while increasing the cost 50-80%.

Note 4 Stone/Block Retaining Wall and GeoTube prices are \$/Linear Foot.

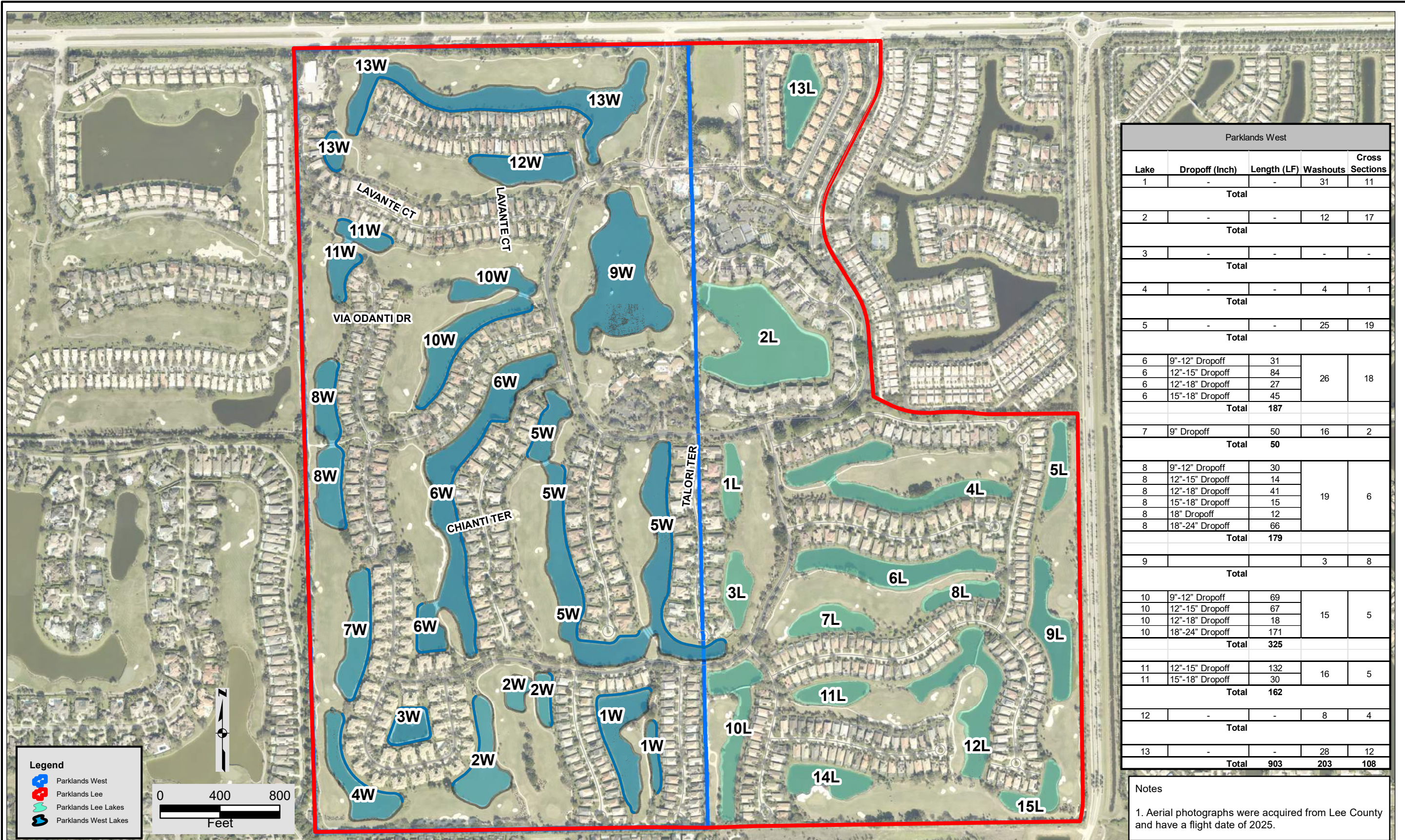
Alternate Plantings – Seasonally-slightly submerged:

Spartina/Cord Grass
Swamp Fern
Leather Fern
Rhexia (Marsh Pink)

EXHIBIT A

MAP SET

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Parklands West				
Lake	Dropoff (Inch)	Length (LF)	Washouts	Cross Sections
1	-	-	31	11
Total				
2	-	-	12	17
Total				
3	-	-	-	-
Total				
4	-	-	4	1
Total				
5	-	-	25	19
Total				
6	9"-12" Dropoff	31	26	18
6	12"-15" Dropoff	84		
6	12"-18" Dropoff	27		
6	15"-18" Dropoff	45		
		Total		
7	9" Dropoff	50	16	2
Total 50				
8	9"-12" Dropoff	30	19	6
8	12"-15" Dropoff	14		
8	12"-18" Dropoff	41		
8	15"-18" Dropoff	15		
8	18" Dropoff	12		
8	18"-24" Dropoff	66		
		Total		
9	-	-	3	8
Total				
10	9"-12" Dropoff	69	15	5
10	12"-15" Dropoff	67		
10	12"-18" Dropoff	18		
10	18"-24" Dropoff	171		
		Total		
11	12"-15" Dropoff	132	16	5
11	15"-18" Dropoff	30		
Total 162				
12	-	-	8	4
Total				
13	-	-	28	12
Total 903 203 108				

Notes
 1. Aerial photographs were acquired from Lee County and have a flight date of 2025.

Legend

- Parklands West
- Parklands Lee
- Parklands Lee Lakes
- Parklands West Lakes

0 400 800
 Feet

Parklands CDD
 Parklands West (Palмира)
 Lee County, Florida

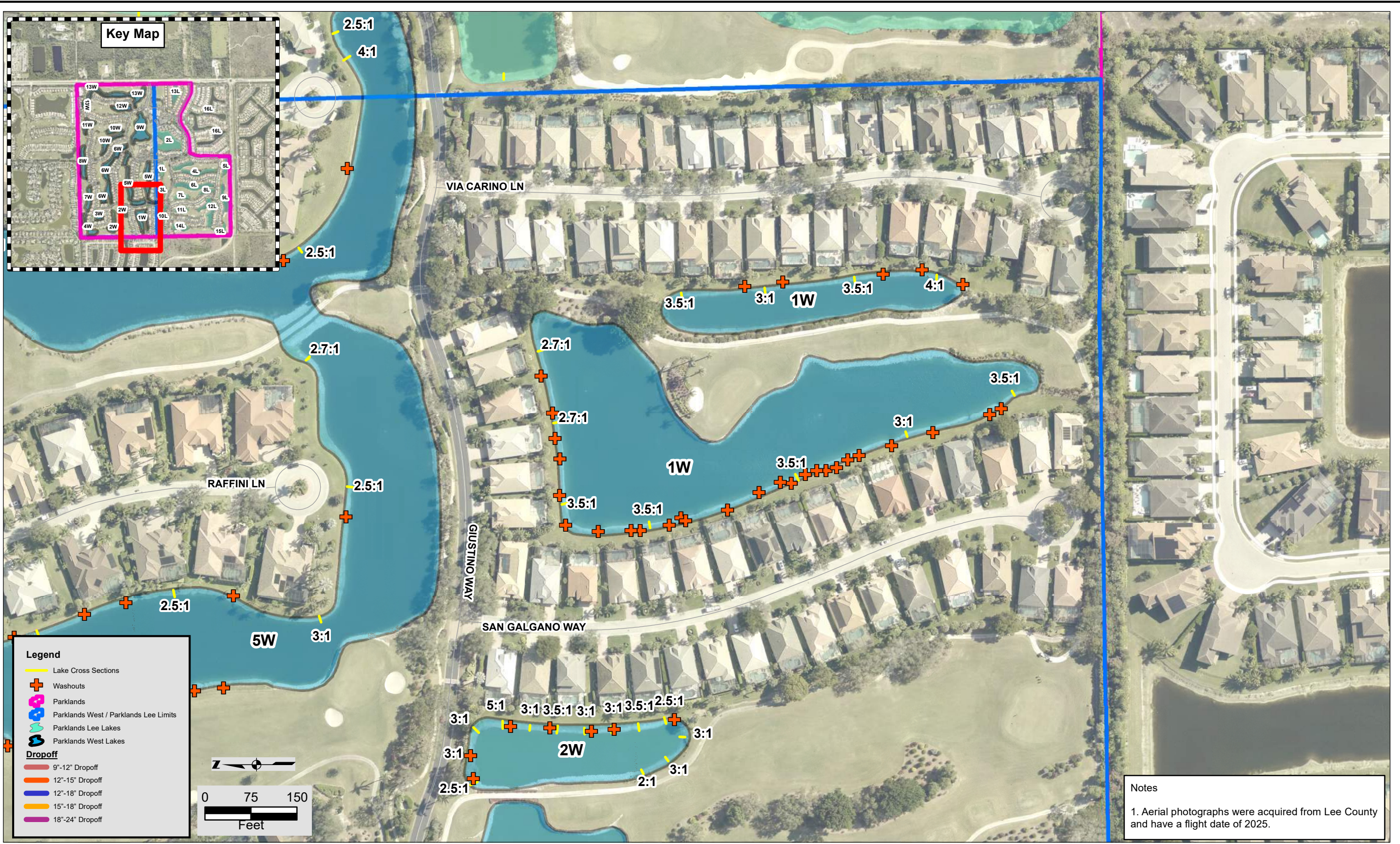


JOHNSON ENGINEERING, LLC
 2122 JOHNSON STREET
 FORT MYERS, FLORIDA 33901
 PHONE (239) 334-0046
 E.B. #642 & L.B. #642

Lake Bank Repairs
 Key Sheet

DATE June 2026	PROJECT NO. 20236020	FILE NO. -	SCALE As Shown	SHEET 1
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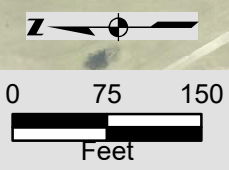


Legend

- Lake Cross Sections
- + Washouts
- + Parklands
- + Parklands West / Parklands Lee Limits
- + Parklands Lee Lakes
- + Parklands West Lakes

Dropoff

- 9"-12" Dropoff
- 12"-15" Dropoff
- 15"-18" Dropoff
- 18"-24" Dropoff



Notes

1. Aerial photographs were acquired from Lee County and have a flight date of 2025.

Parklands CDD
 Parklands West (Palмира)
 Lee County, Florida



JOHNSON ENGINEERING, LLC
 2122 JOHNSON STREET
 FORT MYERS, FLORIDA 33901
 PHONE (239) 334-0046
 E.B. #642 & L.B. #642

Lake Bank Repairs
 Lake 1W

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
June 2026	20236020	-	As Shown	2

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Notes
 1. Aerial photographs were acquired from Lee County and have a flight date of 2025.

Parklands CDD
 Parklands West (Palмира)
 Lee County, Florida



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 2122 JOHNSON STREET
 FORT MYERS, FLORIDA 33901
 PHONE (239) 334-0046
 E.B. #642 & L.B. #642

Lake Bank Repairs
 Lake 2W

DATE June 2026	PROJECT NO. 20236020	FILE NO. -	SCALE As Shown	SHEET 3
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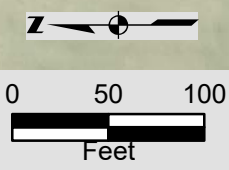


Legend

- Lake Cross Sections
- Washouts
- Parklands
- Parklands West / Parklands Lee Limits
- Parklands Lee Lakes
- Parklands West Lakes

Dropoff

- 9"-12" Dropoff
- 12"-15" Dropoff
- 15"-18" Dropoff
- 18"-24" Dropoff



Notes

1. Aerial photographs were acquired from Lee County and have a flight date of 2025.

Parklands CDD
Parklands West (Palмира)
Lee County, Florida

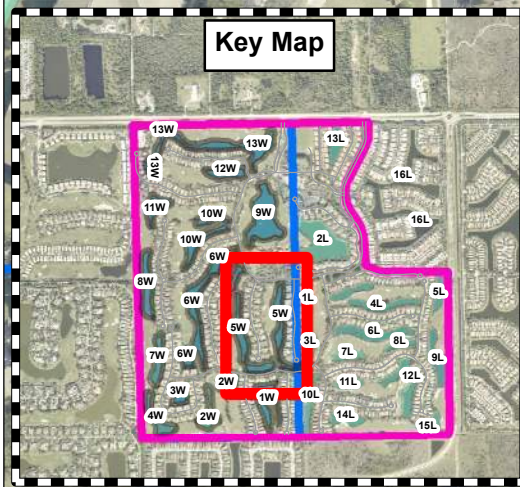


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FORT MYERS, FLORIDA 33901
PHONE (239) 334-0046
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Lake Bank Repairs
Lakes 3W and 4W

DATE June 2026	PROJECT NO. 20236020	FILE NO. -	SCALE As Shown	SHEET 4
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Legend

- Lake Cross Sections
- + Washouts
- Parklands
- Parklands West / Parklands Lee Limits
- Parklands Lee Lakes
- Parklands West Lakes

Dropoff

- 9"-12" Dropoff
- 12"-15" Dropoff
- 12"-18" Dropoff
- 15"-18" Dropoff
- 18"-24" Dropoff

Notes

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Parklands CDD
Parklands West (Palмира)
Lee County, Florida



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Lake Bank Repairs
Lake 5W

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
June 2026	20236020	-	As Shown	5

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Parklands CDD
Parklands West (Palмира)
Lee County, Florida

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Lake Bank Repairs
Lakes 6W

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
June 2026	20236020	-	As Shown	12

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Legend

- Lake Cross Sections
- + Washouts
- + Parklands
- + Parklands West / Parklands Lee Limits
- + Parklands Lee Lakes
- + Parklands West Lakes

Dropoff

- 9"-12" Dropoff
- 12"-15" Dropoff
- 12"-18" Dropoff
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Notes

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Parklands CDD
Parklands West (Palмира)
Lee County, Florida



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Lake Bank Repairs
Lake 7W

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
June 2026	20236020	-	As Shown	7

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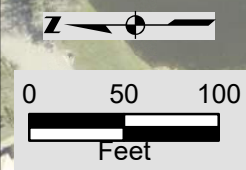


Legend

- Lake Cross Sections
- + Washouts
- + Parklands
- + Parklands West / Parklands Lee Limits
- + Parklands Lee Lakes
- + Parklands West Lakes

Dropoff

- 9"-12" Dropoff
- 12"-15" Dropoff
- 12"-18" Dropoff
- 15"-18" Dropoff
- 18"-24" Dropoff



Notes

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Parklands CDD
Parklands West (Palмира)
Lee County, Florida

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Lake Bank Repairs
Lake 8W

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
June 2026	20236020	-	As Shown	8

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Notes
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Parklands CDD
 Parklands West (Palмира)
 Lee County, Florida

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Lake Bank Repairs
 Lake 9W

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
June 2026	20236020	-	As Shown	9

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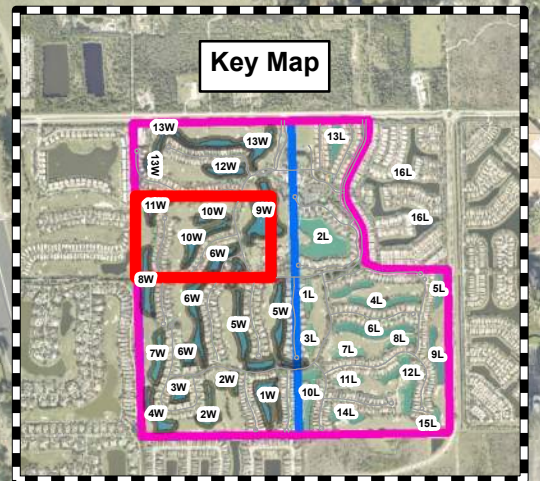
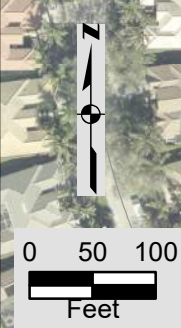


Legend

- Lake Cross Sections
- + Washouts
- Parklands
- Parklands West / Parklands Lee Limits
- Parklands Lee Lakes
- Parklands West Lakes

Dropoff

- 9"-12" Dropoff
- 12"-15" Dropoff
- 12"-18" Dropoff
- 15"-18" Dropoff
- 18"-24" Dropoff



Notes

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Parklands CDD
Parklands West (Palмира)
Lee County, Florida



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Lake Bank Repairs
Lake 10W

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
June 2026	20236020	-	As Shown	10

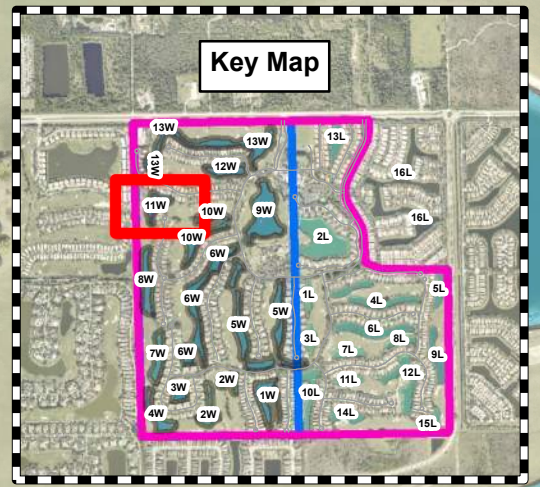
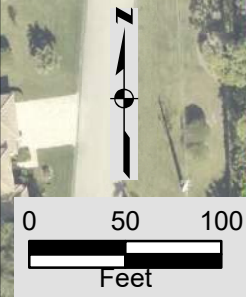


Legend

- Lake Cross Sections
- + Washouts
- Parklands
- Parklands West / Parklands Lee Limits
- Parklands Lee Lakes
- Parklands West Lakes

Dropoff

- 9"-12" Dropoff
- 12"-15" Dropoff
- 12"-18" Dropoff
- 15"-18" Dropoff
- 18"-24" Dropoff



Notes

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Parklands CDD
Parklands West (Palмира)
Lee County, Florida



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Lake Bank Repairs
Lake 11W

DATE June 2026	PROJECT NO. 20236020	FILE NO. -	SCALE As Shown	SHEET 11
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Parklands CDD
Parklands West (Palмира)
Lee County, Florida

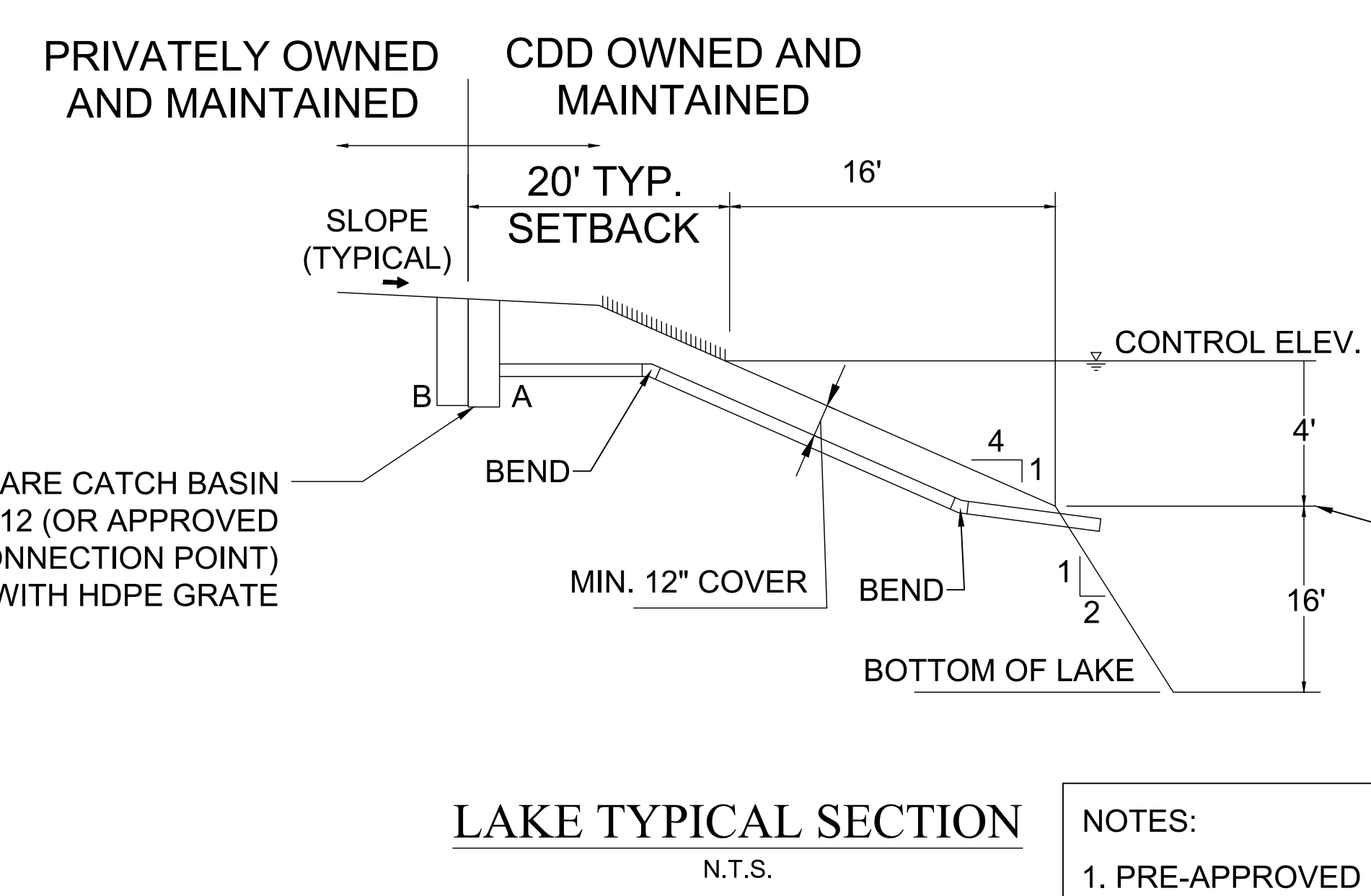
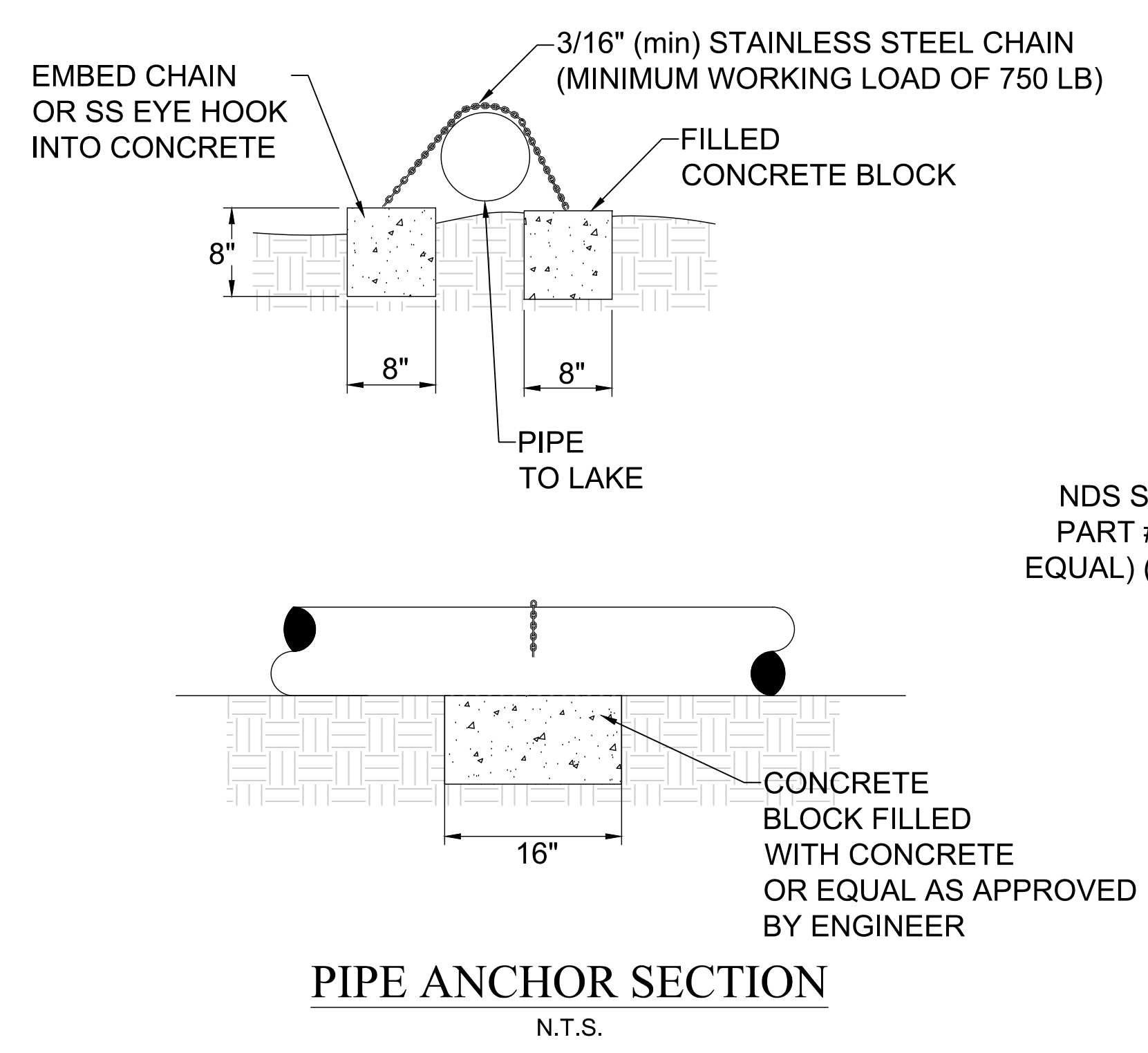
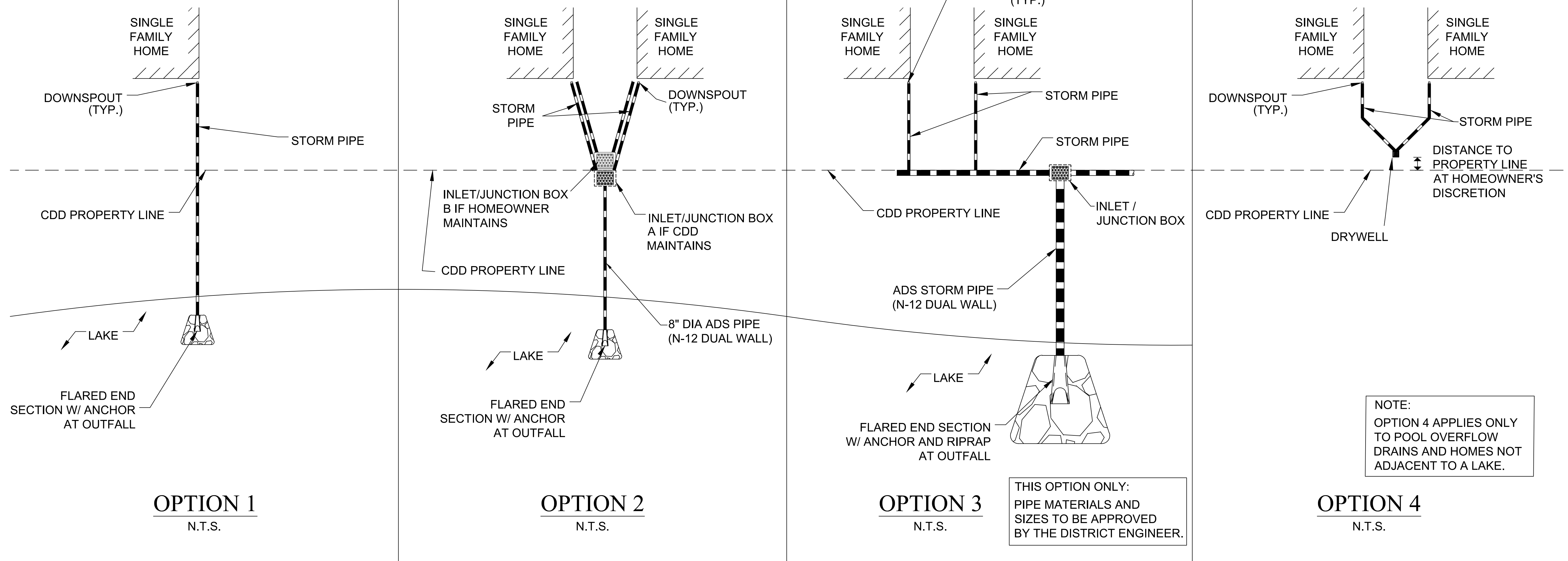
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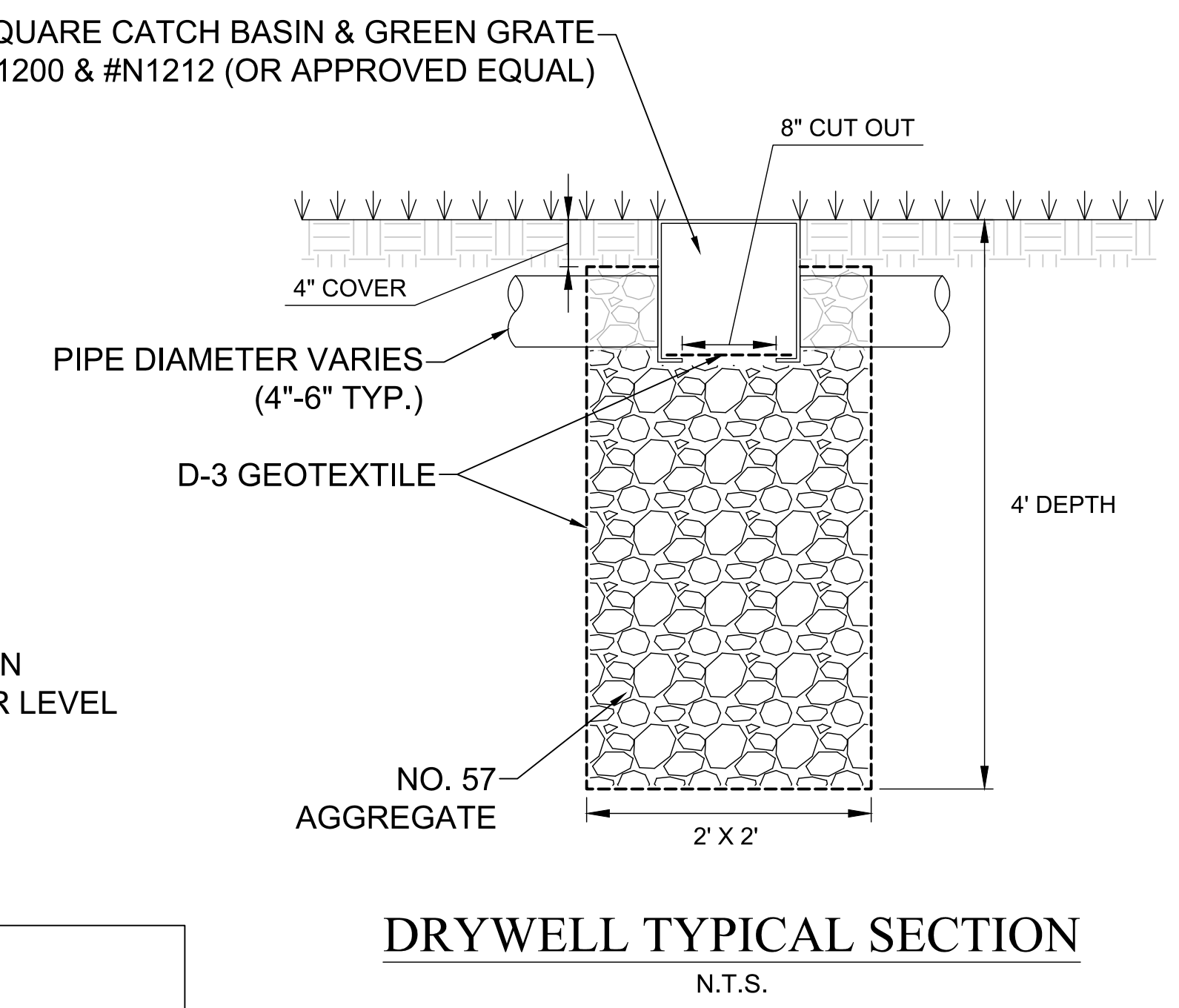
Lake Bank Repairs
Lakes 12W and 13W

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
June 2026	20236020	-	As Shown	12

EXHIBIT B
DRAIN CONNECTION DETAIL



- NOTES:**
1. PRE-APPROVED PIPE MATERIALS: POLYETHYLENE, POLYPROPYLENE, REINFORCED CONCRETE, AND PVC (SCH. 40).
 2. ALL HARDWARE SHALL BE STAINLESS STEEL.



- NOTE:**
1. INSTALL TYPE D-3 GEOTEXTILE IN ACCORDANCE WITH SPECIFICATION 514
 2. CATCH BASIN PLUG (N1206) WILL BE INSTALL ON UNUSED OUTLETS

STORMWATER MANAGEMENT
CONNECTION DETAILS

NO.	DATE	DESCRIPTION

DATE: SEPTEMBER 2025
PROJECT NO. 20-46-26
FILE NO. AS SHOWN
SCALE: AS SHOWN

DRAIN CONNECTION EXHIBIT A

SHEET NUMBER
A

Updated Lake Bank Presentation

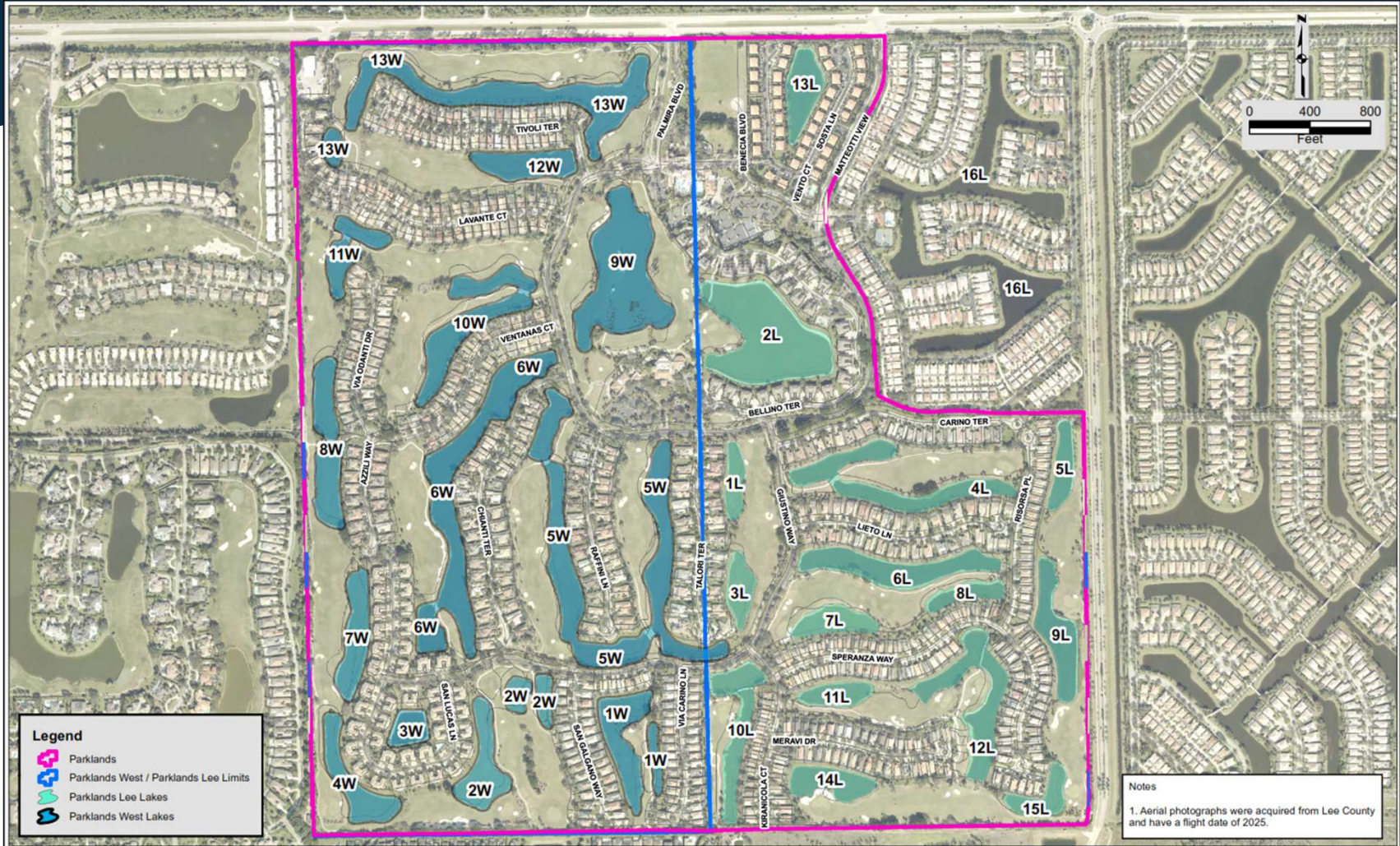
Parklands Lee & West Community Development District

Christian Mumme, PE – Project Engineer
Mark Zordan, PMP – Project Manager
July 9, 2026



Purpose

Provide an updated overview of lake bank erosion based on the original January–February 2026 observation, expanded with the detailed May–June 2026 field evaluation, including updated washout counts, slope conditions, and other areas requiring repair.



Parklands Lee and
Parklands West (Palмира)
Lee County, Florida

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Parklands Lakes

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
April 2026	20236020	-	As Shown	1

Pictures of Parklands Lee Lakes

Lake 4



Lake 5



Lake 9



Lake 14



Pictures of Parklands West Lakes

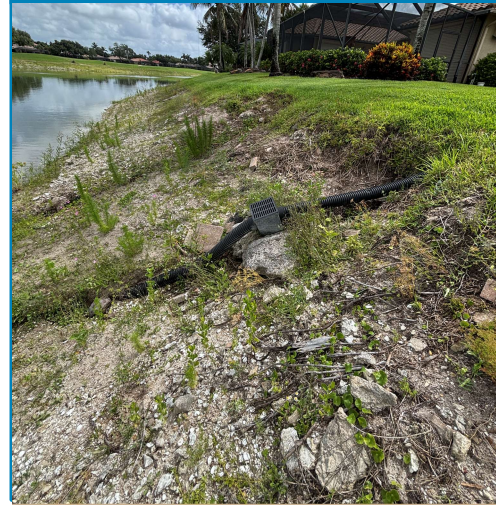
Lake 6



Lake 6



Lake 10



Lake 10



Potential Erosion Causes

Wind & wave action eroding the toe of slope.

Concentrated point-flow from roof drains & other sources cutting channels into the bank.

Lake bank slope is steeper than 4:1.

Systemwide Findings

Washouts are widespread across both systems.

Drop-offs indicate slope instability in several lakes.

Littoral plants are largely absent. Approximately 182,000 plants were planted from 2011 – 2021.

Several lakes show recurring or severe erosion patterns.

Parklands Lee

Washouts are widespread, showing high counts (149), indicating significant shoreline destabilization across the system.

Drop-offs vary in severity & extent, affecting approximately 1405 linear feet of the total shoreline.

Littoral plants are largely absent.

Name	Perimeter (Linear Feet)	Washouts	Drop-Offs	Littorals	Priority
Lake 1	1,160	7	0	0	12
Lake 2	3,054	6	12-15" : 55 LF	0	9
Lake 3	1,133	1	0	50%	15
Lake 4	4,286	27	12-15" : 32 LF	0	1
Lake 5	1,381	11	9-12" : 75 LF	0	5
Lake 6	2,915	9	9-18" : 251 LF	0	7
Lake 7	1,364	7	0	0	11
Lake 8	1,273	5	0	0	13
Lake 9	2,266	8	9-12" : 48 LF	0	8
Lake 10	2,741	15	0	0	4
Lake 11	1,148	8	0	0	10
Lake 12	3,367	18	15-24" : 118 LF	0	2
Lake 13	1,498	17	12-18" : 253 LF 18-24" : 241 LF	0	3
Lake 14	1,578	9	9-12" : 45 LF 18-24" : 287 LF	0	6
Lake 15	1,381	1	0	0	14

Parklands West

Washouts are widespread, showing high counts (203), indicating significant shoreline destabilization across the system.

Drop-offs vary in severity & extent, affecting approximately 903 linear feet of the total shoreline.

Littoral plants are largely absent.

Name	Perimeter (Linear Feet)	Washouts	Drop-Offs	Littorals	Priority
Lake 1	3,346	31	0	< 20%	1
Lake 2	3,739	12	0	0	8
Lake 3	895	0	0	0	13
Lake 4	2,117	4	0	0	11
Lake 5	8,892	25	0	0	4
Lake 6	6,030	26	9-18" : 187 LF	0	3
Lake 7	2,001	16	9" : 50 LF	0	7
Lake 8	2,594	19	9-18" : 100 LF 18-24" : 79 LF	0	5
Lake 9	3,455	3	0	0	12
Lake 10	3,601	15	9-18" : 154 LF 18-24" : 171 LF	0	6
Lake 11	1,942	6	12-18" : 162 LF	0	9
Lake 12	1,663	8	0	0	10
Lake 13	6,967	28	0	0	2

Priority Lakes

Parklands Lee:

- Lake 4
- Lake 10
- Lake 12
- Lake 13

Name	Perimeter (Linear Feet)	Washouts	Drop-Offs	Littorals	Priority
Lake 4	4,286	27	12-15" : 32 LF	0	1
Lake 10	2,741	15	0	0	4
Lake 12	3,367	18	15-24" : 118 LF	0	2
Lake 13	1,498	17	12-18" : 253 LF 18-24" : 241 LF	0	3

Parklands West:

- Lake 1
- Lake 5
- Lake 6
- Lake 13

Name	Perimeter (Linear Feet)	Washouts	Drop-Offs	Littorals	Priority
Lake 1	3,346	31	0	< 20%	1
Lake 5	8,892	25	0	0	4
Lake 6	6,030	26	9-18" : 187 LF	0	3
Lake 13	6,967	28	0	0	2

Stone

\$200-\$250/LF



Stone Lake Bank Cover

- Uses No. 4 stone to provide immediate, high-strength stabilization
- Ideal for steep or repeatedly failing sections
- Low-maintenance, long-service-life solution
- Allows water to pass through while holding soil in place

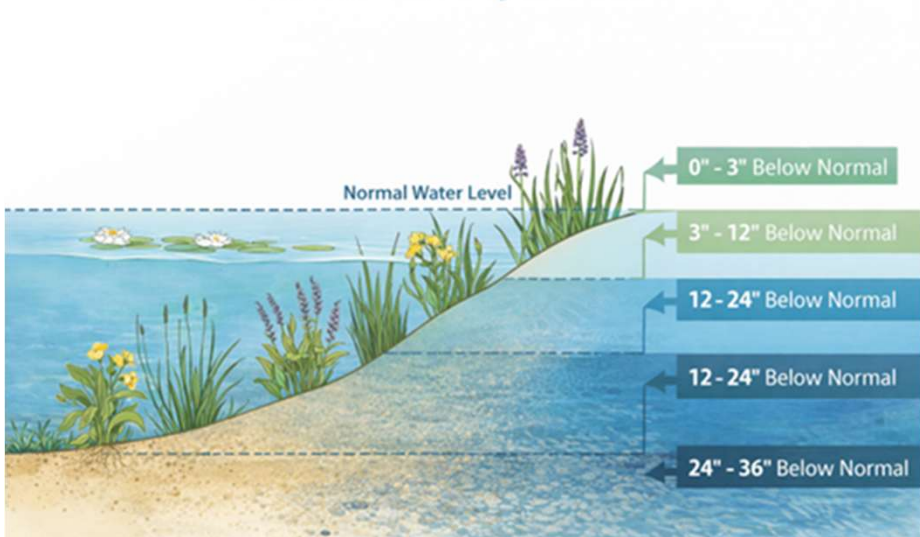
Littoral Requirements

Four native species

Planted Littoral Shelf

Proper maintenance practices, including long-term maintenance

Littoral Zone Depth Bands



0" - 3" BELOW NORMAL WATER LEVEL		3" - 12" BELOW NORMAL WATER LEVEL	
COMMON NAME	SCIENTIFIC NAME	COMMON NAME	SCIENTIFIC NAME
Maidencane	<i>Panicum hemitomon</i>	Arrowhead	<i>Sagittaria lancifolia</i>
Softrush	<i>Juncus effesus</i>	Bulrush	<i>Scirpus</i> spp.
Swamp Lily	<i>Crinum americanum</i>	Spikerush	<i>Eleocharis</i> spp.
Golden Canna*	<i>Canna flaccida</i>	Sand Cordgrass*	<i>Spartina bakeri</i>
		Blueflag Iris	<i>Iris virginicus</i>

12" - 24" BELOW NORMAL WATER LEVEL		24" - 36" BELOW NORMAL WATER LEVEL	
COMMON NAME	SCIENTIFIC NAME	COMMON NAME	SCIENTIFIC NAME
Spikerush	<i>Eleocharis</i> spp.	Fragrant Water Lily	<i>Nymphaea odorata</i>
Pickerelweed	<i>Pontederia cordata</i>		
Bulrush	<i>Scirpus</i> spp.		
Salt Jointgrass*	<i>Paspalum vaginatum</i>		

Path Forward Decisions

Budget

Phasing

- All
- Priority
- Location

Access

- Material Storage
- Equipment Storage
- Work Area

Recommended Approach

Prioritize washout repairs, drop-offs, slope requirements, and littoral requirements (bring to compliance)

Select material based on severity, access, & long-term maintenance

Phase repairs over multiple fiscal years

Estimated Pricing For All Lakes In Parklands Lee

Cost Estimate for Parklands Lee Lake Bank Restoration				
Item	Unit	Estimated Quantity (Drop-Offs)	Estimated Total (Stone/RipRap)	Priority
Lake 1 Lake Bank Repair	LF	0	\$0	12
Lake 2 Lake Bank Repair	LF	55	\$13,750	9
Lake 3 Lake Bank Repair	LF	0	\$0	15
Lake 4 Lake Bank Repair	LF	32	\$8,000	1
Lake 5 Lake Bank Repair	LF	75	\$18,750	5
Lake 6 Lake Bank Repair	LF	251	\$62,750	7
Lake 7 Lake Bank Repair	LF	0	\$0	11
Lake 8 Lake Bank Repair	LF	0	\$0	13
Lake 9 Lake Bank Repair	LF	48	\$12,000	8
Lake 10 Lake Bank Repair	LF	0	\$0	4
Lake 11 Lake Bank Repair	LF	0	\$0	10
Lake 12 Lake Bank Repair	LF	118	\$29,500	2
Lake 13 Lake Bank Repair	LF	494	\$123,500	3
Lake 14 Lake Bank Repair	LF	332	\$83,000	6
Lake 15 Lake Bank Repair	LF	0	\$0	14
Total		1405	\$351,250	

Cost Estimate for Parklands Lee Lake Bank Restoration				
Item	Unit	Estimated Quantity (Washouts)	Estimated Total	Priority
Lake 1 Lake Bank Repair	EA	7	\$10,500	12
Lake 2 Lake Bank Repair	EA	6	\$9,000	9
Lake 3 Lake Bank Repair	EA	1	\$1,500	15
Lake 4 Lake Bank Repair	EA	27	\$40,500	1
Lake 5 Lake Bank Repair	EA	11	\$16,500	5
Lake 6 Lake Bank Repair	EA	9	\$13,500	7
Lake 7 Lake Bank Repair	EA	7	\$10,500	11
Lake 8 Lake Bank Repair	EA	5	\$7,500	13
Lake 9 Lake Bank Repair	EA	8	\$12,000	8
Lake 10 Lake Bank Repair	EA	15	\$22,500	4
Lake 11 Lake Bank Repair	EA	8	\$12,000	10
Lake 12 Lake Bank Repair	EA	18	\$27,000	2
Lake 13 Lake Bank Repair	EA	17	\$25,500	3
Lake 14 Lake Bank Repair	EA	9	\$13,500	6
Lake 15 Lake Bank Repair	EA	1	\$1,500	14
Total		149	\$223,500	

Estimated Pricing For All Lakes In Parklands West

Cost Estimate for Parklands West Lake Bank Restoration				
Item	Unit	Estimated Quantity (Drop-Offs)	Estimated Total (Stone/RipRap)	Priority
Lake 1 Lake Bank Repair	LF	0	\$0	1
Lake 2 Lake Bank Repair	LF	0	\$0	8
Lake 3 Lake Bank Repair	LF	0	\$0	13
Lake 4 Lake Bank Repair	LF	0	\$0	11
Lake 5 Lake Bank Repair	IF	0	\$0	4
Lake 6 Lake Bank Repair	LF	187	\$46,750	3
Lake 7 Lake Bank Repair	LF	50	\$12,500	7
Lake 8 Lake Bank Repair	LF	179	\$44,750	5
Lake 9 Lake Bank Repair	LF	0	\$0	12
Lake 10 Lake Bank Repair	LF	325	\$81,250	6
Lake 11 Lake Bank Repair	LF	162	\$40,500	9
Lake 12 Lake Bank Repair	LF	0	\$0	10
Lake 13 Lake Bank Repair	LF	0	\$0	2
Total		903	\$225,750	

Cost Estimate for Parklands West Lake Bank Restoration				
Item	Unit	Estimated Quantity (Washouts)	Estimated Total	Priority
Lake 1 Lake Bank Repair	EA	31	\$46,500	1
Lake 2 Lake Bank Repair	EA	12	\$18,000	8
Lake 3 Lake Bank Repair	EA	0	\$0	13
Lake 4 Lake Bank Repair	EA	4	\$6,000	11
Lake 5 Lake Bank Repair	EA	25	\$37,500	4
Lake 6 Lake Bank Repair	EA	26	\$39,000	3
Lake 7 Lake Bank Repair	EA	16	\$24,000	7
Lake 8 Lake Bank Repair	EA	19	\$28,500	5
Lake 9 Lake Bank Repair	EA	3	\$4,500	12
Lake 10 Lake Bank Repair	EA	15	\$22,500	6
Lake 11 Lake Bank Repair	EA	16	\$24,000	9
Lake 12 Lake Bank Repair	EA	8	\$12,000	10
Lake 13 Lake Bank Repair	EA	28	\$42,000	2
Total		203	\$304,500	

Estimated Pricing For High Priority Lakes

Parklands Lee

- Lake 4 - \$48,500
- Lake 10 - \$22,500
- Lake 12 - \$56,500
- Lake 13 - \$149,000
- **Total - \$276,500**

Cost Estimate for Parklands Lee Lake Bank Restoration (Highest Priority)				
Item	Unit	Estimated Quantity (Drop-Offs)	Estimated Total (Stone/RipRap)	Priority
Lake 4 Lake Bank Repair	LF	32	\$8,000	1
Lake 10 Lake Bank Repair	LF	0	\$0	4
Lake 12 Lake Bank Repair	LF	118	\$29,500	2
Lake 13 Lake Bank Repair	LF	494	\$123,500	3
Total		644	\$161,000	

Cost Estimate for Parklands Lee Lake Bank Restoration (Highest Priority)				
Item	Unit	Estimated Quantity (Washouts)	Estimated Total	Priority
Lake 4 Lake Bank Repair	EA	27	\$40,500	1
Lake 10 Lake Bank Repair	EA	15	\$22,500	4
Lake 12 Lake Bank Repair	EA	18	\$27,000	2
Lake 13 Lake Bank Repair	EA	17	\$25,500	3
Total		77	\$115,500	

Estimated Pricing For High Priority Lakes

Parklands West

- Lake 1 - \$46,500
- Lake 5 - \$37,500
- Lake 6 - \$85,750
- Lake 13 - \$42,000
- **Total - \$211,750**

Cost Estimate for Parklands West Lake Bank Restoration (Highest Priority)				
Item	Unit	Estimated Quantity (Drop-Offs)	Estimated Total (Stone/RipRap)	Priority
Lake 1 Lake Bank Repair	LF	0	\$0	1
Lake 5 Lake Bank Repair	LF	0	\$0	4
Lake 6 Lake Bank Repair	LF	187	\$46,750	3
Lake 13 Lake Bank Repair	LF	0	\$0	2
Total		187	\$46,750	

Cost Estimate for Parklands West Lake Bank Restoration (Highest Priority)				
Item	Unit	Estimated Quantity (Washouts)	Estimated Total	Priority
Lake 1 Lake Bank Repair	EA	31	\$46,500	1
Lake 5 Lake Bank Repair	EA	25	\$37,500	4
Lake 6 Lake Bank Repair	EA	26	\$39,000	3
Lake 13 Lake Bank Repair	EA	28	\$42,000	2
Total		110	\$165,000	

PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT

5

RESOLUTION 2026-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE PARKLANDS WEST COMMUNITY DEVELOPMENT DISTRICT TO DESIGNATE DATE, TIME AND PLACE OF PUBLIC HEARING AND AUTHORIZATION TO PUBLISH NOTICE OF SUCH HEARING FOR THE PURPOSE OF ADOPTING RULES OF PROCEDURE; AND PROVIDING AN EFFECTIVE DATE

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

WHEREAS, the Board of Supervisors of the District (the "Board") is authorized by Section 190.011(5), *Florida Statutes*, to adopt rules and orders pursuant to Chapter 120, *Florida Statutes*.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE PARKLANDS WEST COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. A Public Hearing will be held to adopt Rules of Procedure on _____, 2026, at 1:00 p.m., at The Renaissance Center, Media Room, 28191 Matteotti View, Bonita Springs, Florida 34135.

SECTION 2. The District Secretary is directed to publish notice of the hearing in accordance with Section 120.54, *Florida Statutes*.

SECTION 3. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 9th day of July, 2026.

ATTEST:

**PARKLANDS WEST COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT

5A

RULES OF PROCEDURE
PARKLANDS WEST COMMUNITY DEVELOPMENT DISTRICT
RULE NO. 2026-_____
EFFECTIVE AS OF _____, 2026

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Rule 1.0 General. These Rules of Procedure supersede and replace all previously adopted Rules of Procedure.

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

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

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

Rule 1.1 Board of Supervisors; Officers and Voting.

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

contracts on the District's behalf. The Chairperson shall convene and conduct all meetings of the Board. In the event the Chairperson is unable to attend a meeting, the Vice-Chairperson shall convene and conduct the meeting. The Chairperson or Vice-Chairperson may delegate the responsibility of conducting the meeting to the District's manager ("**District Manager**") or District Counsel, in whole or in part.

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

previously approved by the Board, the Secretary or any Assistant Secretary may execute such document.

- (f) The Board may assign additional duties to District officers from time to time, which include, but are not limited to, executing documents on behalf of the District.
 - (g) The Chairperson, Vice-Chairperson, and any other person authorized by District Resolution may sign checks and warrants for the District, countersigned by the Treasurer or other persons authorized by the Board.
- (3) Committees. The Board may establish committees of the Board, either on a permanent or temporary basis, to perform specifically designated functions. Committees may include individuals who are not members of the Board. Such functions may include, but are not limited to, review of bids, proposals, and qualifications, contract negotiations, personnel matters, and budget preparation.
- (4) Record Book. The Board shall keep a permanent record book entitled “**Record of Proceedings**,” in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, and corporate acts. The Records of Proceedings shall be located at a District office and shall be available for inspection by the public.
- (5) Meetings. For each fiscal year, the Board shall establish a schedule of regular meetings, which shall be published in a newspaper of general circulation within the county or counties 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) Votes Required. No Board member who is present at any meeting of the District Board at which an official decision, ruling, or other official act is to be taken or adopted may abstain from voting in regard to any such decision, ruling, or act; and a vote shall be recorded or counted for each such Board member present, except when, with respect to any such member, there is, or appears to be, a possible conflict of interest under the provisions of s. 112.311, s. 112.313, or s. 112.3143 of the Florida Statutes.
- (7) 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, 286.012, 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 authorized or required by statute or these Rules, at least seven (7) 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 within the county or counties in which the District is located. A newspaper is deemed to be a newspaper of "general circulation" in the county in which the District is located if such newspaper has been in existence for two (2) years at the time of publication of the applicable notice (unless no newspaper within the county has been published for such length) and satisfies the criteria of section 50.011(1) of the Florida Statutes, or if such newspaper is a direct successor of a newspaper which has been so published, as such provisions may be amended from time to time by law. The annual meeting notice required to be published by Section 189.015 of the Florida Statutes, shall be published as provide in Chapter 50 of the Florida Statutes, and such notice published consistent therewith shall satisfy the requirement to give at least seven (7) days' public notice as required herein. 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 _____ . 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.”

The date, time, and place of each meeting, hearing, or workshop of the Board shall additionally be posted on the District’s website at least seven (7) days prior to such meeting, hearing, or workshop.

- (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 i) confidential and ii) confidential and exempt information, shall be available to the public at least seven (7) 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 comments
- 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
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 within the county in which the District is located. After an emergency meeting, the Board shall publish in a newspaper of general circulation within the county in which the District is located, 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 or as otherwise provided in the resolution approving

the annual budget(s). Approval of invoices by the Board in excess of the funds allocated to a particular budgeted line item shall serve to amend the budgeted line item.

- (9) Public Hearings. Notice of required public hearings shall contain the information required by applicable Florida law and by these Rules applicable to meeting notices and shall be mailed and published as required by Florida law. The District Manager shall ensure that all such notices, whether mailed or published, contain the information required by Florida law and these Rules and are mailed and published as required by Florida law. Public hearings may be held during Board meetings when the agenda includes such public hearing.
- (10) Participation by Teleconference/Videoconference. District staff may participate in Board meetings by teleconference or videoconference. Board members may also participate in Board meetings by teleconference or videoconference if in the good judgment of the Board extraordinary circumstances exist; provided however, at least three Board members must be physically present at the meeting location to establish a quorum. Such extraordinary circumstances shall be presumed when a Board member participates by teleconference or videoconference, unless a majority of the Board members physically present determines that extraordinary circumstances do not exist.
- (11) Board Authorization. The District has not adopted Robert's Rules of Order. For each agenda item, there shall be discussion permitted among the Board members during the meeting. Unless such procedure is waived by the Board, approval or disapproval of resolutions and other proposed Board actions shall be in the form of a motion by one Board member, a second by another Board member, and an affirmative vote by the majority of the Board members present. Any Board member, including the Chairperson, can make or second a motion.
- (12) Continuances. Any meeting or public hearing of the Board may be continued without re-notice or re-advertising provided that:
 - (a) The Board identifies on the record at the original meeting a reasonable need for a continuance;
 - (b) The continuance is to a specified date, time, and location publicly announced at the original meeting; and
 - (c) The public notice for the original meeting states that the meeting may be continued to a date and time and states that the date, time, and location of any continuance shall be publicly announced at the original meeting and posted at the District Office immediately following the original meeting.

- (13) Attorney-Client Sessions. An Attorney-Client Session is permitted when the District's attorneys deem it necessary to meet in private with the Board to discuss pending litigation to which the District is a party before a court or administrative agency or as may be authorized by law. The District's attorney must request such session at a public meeting. Prior to holding the Attorney-Client Session, the District must give reasonable public notice of the time and date of the session and the names of the persons anticipated to attend the session. The session must commence at an open meeting in which the Chairperson or Vice-Chairperson announces the commencement of the session, the estimated length of the session, and the names of the persons who will be attending the session. The discussion during the session is confined to settlement negotiations or strategy related to litigation expenses or as may be authorized by law. Only the Board, the District's attorneys (including outside counsel), the District Manager, and the court reporter may attend an Attorney-Client Session. During the session, no votes may be taken and no final decisions concerning settlement can be made. Upon the conclusion of the session, the public meeting is reopened, and the Chairperson or Vice-Chairperson must announce that the session has concluded. The session must be transcribed by a court-reporter and the transcript of the session filed with the District Secretary within a reasonable time after the session. The transcript shall not be available for public inspection until after the conclusion of the litigation.
- (14) Security and Firesafety Board Discussions. Portions of a meeting which relate to or would reveal a security or firesafety system plan or portion thereof made confidential and exempt by section 119.071(3)(a), Florida Statutes, are exempt from the public meeting requirements and other requirements of section 286.011, Florida Statutes, and section 24(b), Article 1 of the State Constitution. Should the Board wish to discuss such matters, members of the public shall be required to leave the meeting room during such discussion. Any records of the Board's discussion of such matters, including recordings or minutes, shall be maintained as confidential and exempt records in accordance with Florida law.

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

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

Rule 1.4 Internal Controls to Prevent Fraud, Waste and Abuse

- (1) Internal Controls. The District shall establish and maintain internal controls designed to:
 - (a) Prevent and detect “**fraud**,” “**waste**” and “**abuse**” as those terms are defined in section 11.45(1),
 - (b) Florida Statutes; and
 - (c) Promote and encourage compliance with applicable laws, rules contracts, grant agreements, and best practices; and
 - (d) Support economical and efficient operations; and
 - (e) Ensure reliability of financial records and reports; and
 - (f) 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 a Notice of Rule Development by the District as required by Section 2 of this Rule. 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. 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) Requirements of a Rule. All District rules as drafted shall:
 - (a) Contain only one subject;
 - (b) Include readable language, meaning it avoids i) the use of obscure words and unnecessarily long or complicated constructions, and ii) the use of unnecessary technical or specialized language that is understood only by members of particular trades or professions;
 - (c) Be indefinite such that the rule does not include a provision whereby the rule, or a portion thereof, automatically expires or is repealed on a specific date or at the end of a specified period, unless otherwise expressly authorized by law; and
 - (d) Only incorporate material by reference in compliance with Section 120.54(1)(i) of the Florida Statutes.
- (3) Statement of Estimated Regulatory Costs. Before adopting, amending, or repealing any rule, other than an emergency rule, the District may prepare a statement of estimated regulatory costs (“**SERC**”) based on the factors set forth in Section 120.541(2) of the Florida Statutes. The District shall prepare a SERC for a proposed rule if in accordance with the requirements of Section 120.541(2) of the Florida Statutes if: i) the proposed rule will have an adverse economic impact on small business; or ii) the proposed rule is likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in the state within one (1) year after implementation of the rule.
- (4) 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 (“**Notice of Rule Development**”) setting forth the following:
 - (i) the subject area to be addressed by rule development;
 - (ii) A short, plain explanation of the purpose and effect of the proposed rule;
 - (iii) The grant of rulemaking authority for the proposed rule;
 - (iv) The law being implemented;
 - (v) The proposed rule number; and
 - (vi) If available, either the preliminary text of the proposed rule and any incorporated documents, or a statement of how a person may promptly obtain, without cost, a copy of any preliminary draft of such rule or documents.
- (b) The Notice of Rule Development shall be published in a newspaper of general circulation within the county or counties in which the District is located at least seven (7) days prior to the Notice of Rulemaking required by Section 5 of this Rule, and at least thirty-five (35) days prior to the intended action.

(5) Notice of Rulemaking.

- (a) Prior to the adoption, amendment, or repeal of any rule other than an emergency rule, the District shall provide notice of its intended action (the “**Notice of Rulemaking**”) setting forth the following:
 - (i) A short, plain explanation of the purpose and effect of the proposed rule;
 - (ii) The proposed rule number;
 - (iii) A summary of the proposed rule or amendment;
 - (iv) The full text of the proposed rule or amendment and a summary thereof, unless not required pursuant to 120.81(2)(b) of the Florida Statutes or other Florida law;
 - (v) The grant of rulemaking authority for the proposed rule;

- (vi) The law being implemented or interpreted;
 - (vii) The name, e-mail address, and telephone number of the agency employee who may be contacted regarding the intended action;
 - (viii) A concise 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, that describes the regulatory impact of the rule in readable language;
 - (ix) The District's website where the statement of estimated regulatory costs can be viewed, in its entirety, if one has been prepared;
 - (x) 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;
 - (xi) A statement as to whether, based on the SERC or other information expressly relied upon and described by the District if no statement of regulatory costs is required, the proposed rule is expected to require legislative ratification pursuant to Section 120.541(3) of the Florida Statutes;
 - (x) The date, time, and location of the public hearing on the proposed rule;
 - (xi) The name, address, and telephone number of the District contact person who can provide information about the public hearing; and
 - (xii) A reference to both the date on which and the place where the Notice of Rule Development required by Section 4 of this Rule appeared, except when the intended action is the repeal of a rule.
- (b) The Notice of Rulemaking shall be published in a newspaper of general circulation within the county or counties in which the District is located at least seven (7) days after the Notice of Rule Development required by Section 4 of this Rule, and at least twenty-eight (28) days prior to the intended action. If the Notice of Rulemaking is not published within one-hundred eighty (180) days of the publication of the Notice of Rule Development, then the District's Board shall approve a concise statement at least seven (7) days prior to the conclusion of the one-hundred eighty

(180) day timeframe identifying the reason for the delay, which may be supplemented quarterly until the District has adopted the proposed rule.

- (c) The Notice of Rulemaking shall be mailed or delivered electronically to all persons named in the proposed rule and to all persons who, at least fourteen (14) days before publication of the notice, 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 of the District's rulemaking proceedings. Such persons must furnish a mailing address or e-mail address, and may be required to pay the cost of copying and mailing as applicable.
- (d) As of the date of publication of the Notice of Rulemaking, the Board shall make available for public inspection and shall provide, upon request and payment of the cost of copies, the proposed rule, including all material proposed to be incorporated by reference.

(6) Modification of Rules.

(a) Technical Changes.

- (i) Prior to rule adoption, the District shall publish a notice of correction ("**Notice of Correction**") if any of the information that is required to be included in the Notice of Rulemaking, including technical changes that correct citations or grammatical, typographical or similar errors that do not otherwise affect the substance of the rule, is omitted or is incorrect. A Notice of Correction cannot be used to make substantive changes to the rule text. The Notice of Correction shall be published in a newspaper of general circulation within the county or counties in which the District is located at least seven (7) days prior to the intended action.
- (ii) After rule adoption, a technical change to a rule may be approved at any time by the District. Promptly thereafter, a Notice of Correction shall be published by the District in the manner set forth in Section 6(a)(i) of this Rule.

(b) Substantive Changes.

- (i) Prior to rule adoption, the District may publish a notice of change ("**Notice of Change**") if there is any substantive change, other than a technical change that corrects citations or grammatical, typographical or similar errors that do not otherwise affect the

substance of the rule, to a proposed rule, including any material incorporated by reference, or to a SERC. The Notice of Change shall address a summary of the change and may be published in a newspaper of general circulation within the county or counties in which the District is located at least twenty-one (21) days prior to the intended action or as otherwise permissible . The Notice of Change shall also be sent to those persons set forth in Section 5(C) of this Rule that have made requests of the District for advance notice of its rulemaking proceedings. Any substantive change must be either be:

1. Supported by the record of the public hearing held on the proposed rule;
 2. In response to written materials submitted to the District;
- or
3. In response to an objection with the proposed rule by the District Board.
- (ii) After rule adoption, a substantive change to a rule shall be effectuated by initiating rulemaking as set forth in this Rule.

(7) Withdrawal of Proposed Rules.

- (a) Prior to the adoption of a rule, the District may elect to withdraw the proposed rule in whole or in part. After a rule has become effective, the District may only amend or repeal the rule through initiating the rulemaking procedures set forth in this Rule.
- (b) Prior to the adoption of a rule, the District shall withdraw the proposed rule if the District has either failed to adopt such rule within one-hundred eighty (180) days of the publication of the Notice of Rule Development required by Section 4 of this Rule or to approve a concise statement at least seven (7) days prior to the conclusion of the one-hundred eighty (180) day timeframe identifying the reason for the delay, which may be supplemented quarterly until the District has adopted the proposed rule.
- (c) In the event of a withdrawal of a proposed rule, the District shall publish a notice (“**Notice of Rule Withdrawal**”) in a newspaper of general circulation within the county or counties in which the District is located, and shall provide notice to those persons set forth in Section 5(c) of this Rule that have made requests of the District for advance notice of its rulemaking proceedings.

- (d) Within fifteen (15) days after the end of each calendar quarter, the District shall compile and post on its website a list of each failure to publish a Notice of Rulemaking within the timeframe prescribed by Section 5(b) of this Rule, which list shall include the information set forth in Section 120.54(3)(d)(7) of the Florida Statutes. The District is only required to provide such posting in any calendar quarter(s) in which there is an actual failure to timely publish a Notice of Rulemaking, if any.

(8) Rule Development Workshops.

- (a) Whenever requested in writing by any affected person, the District must conduct a rule development workshop prior to proposing rules for adoption for the purposes of rule development or information gathering for the preparation of the SERC, unless the Chairperson explains in writing why a workshop is unnecessary. The District may initiate a rule development workshop, but is not required to do so.
- (b) If a workshop is held, the District must ensure that the person(s) responsible for preparing the rule and the SERC, if applicable, are available to explain the District's proposed rule and to respond to questions or comments regarding the rule being developed.
- (c) The notice of any workshop shall be published in a newspaper of general circulation within the county or counties in which the District is located at least fourteen (14) days prior to the workshop setting forth the following:
 - (i) The place, date, and time of the workshop;
 - (ii) The subject area that will be addressed; and
 - (iii) The District Manager's contact information.

(9) Petitions to Initiate Rulemaking.

- (a) 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. District staff shall forward a copy of the petition to the District's Board within seven (7) days of its receipt.

- (b) If the petition is directed to an adopted rule, within thirty (30) days following the date of filing a petition, the District shall either i) initiate rulemaking proceedings, ii) otherwise comply with the requested action, or iii) deny the petition with a written statement of its reasons for the denial.
- (c) If the petition is directed to an unadopted rule, within thirty (30) days following the date of filing a petition, the District shall either i) initiate rulemaking, or ii) set a public hearing to consider whether the public interest is served adequately by the application of the proposed rule on a case-by-case basis, as contrasted with its formal adoption as a rule.
 - (i) If the District elects to hold a public hearing, notice of the public hearing (“**Notice of Rulemaking Petition Public Hearing**”) shall be published in a newspaper of general circulation within the county or counties in which the District is located. The public hearing shall be held by the District within thirty (30) days after publication of the Notice of Rulemaking Petition Public Hearing.
 - (ii) Not later than thirty (30) days following the date of the public hearing held pursuant to Section 9(c)(i) of this Rule, the District shall either i) initiate rulemaking proceedings, ii) otherwise comply with the requested action, or iii) deny the petition with a written statement of its reasons for the denial.
 - 1. If the District decides to initiate rulemaking it shall proceed with the rulemaking process as set forth in this Rule.
 - 2. If the District decides to not initiate rulemaking or otherwise comply with the requested action, the District shall publish a statement of its reasons for not initiating rulemaking or otherwise complying with the requested action and of any changes it will make in the scope or application of the unadopted rule (the “**Notice of Denial of Rulemaking Petition**”). The Notice of Denial of Rulemaking Petition shall be published in a newspaper of general circulation within the county or counties in which the District is located.
- (d) Nothing in this Rule shall be construed as requiring the District to adopt, amend, or repeal a rule as initiated by petition.

(10) Public Hearing.

- (a) 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 of Rulemaking, 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. When a public hearing is held, the District shall ensure that staff is available to explain the proposed rule and to respond to questions or comments regarding the proposed rule. 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.
- (b) The District shall publish notice of the public hearing (“**Notice of Public Hearing**”) in a newspaper of general circulation within the county or counties in which the District is located, either in the text of the Notice of Rulemaking or in a separate publication at least seven (7) days before the scheduled public hearing. The Notice of Public Hearing shall include the following information:
 - (i) The date, time, and location of the public hearing; and
 - (ii) The name, address, and telephone number of the District contact person who can provide information about the public hearing.

(11) Emergency Rule Adoption.

- (a) 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 or if the Legislature authorizes the District to adopt emergency rules. 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.
- (b) At the time or prior to the adoption of an emergency rule, the District shall post on its website a notice regarding its adoption of the emergency rule (the “**Notice of Emergency Rule**”) which includes the specific facts and reasons for finding an immediate danger to the public health, safety, or welfare and its reasons for concluding that procedure used is fair under the circumstances. The Notice of Emergency Rule shall thereafter be promptly published in a newspaper of general circulation within the county or counties in which the District is located, and shall include the following information:

- (i) The full text of the rule(s); and
 - (ii) The District’s findings of immediate danger, necessity, and procedural fairness or a citation to the grant of emergency rulemaking authority.
- (c) An emergency rule shall be effective immediately upon adoption by the District, or on a date less than twenty (20) days thereafter if specified in the emergency rule if the District finds that a later effective date is necessary because of immediate danger to the public health, safety, or welfare. An emergency rule may not be effective for a period of more than ninety (90) days after adoption and may not be renewable, unless the District has initiated rulemaking to adopt rules addressing the subject of the emergency rule and either i) a challenge to the proposed rules has been filed and remains pending or ii) the proposed rules are awaiting ratification by the Legislature, if applicable. Nothing in this paragraph prohibits the District from adopting a rule identical to the emergency rule through the non-emergency rulemaking procedures set forth in this Rule.
 - (i) If an emergency rule is being renewed in accordance with Section 11(d) of this Rule, notice of the renewal of the emergency rule (the “**Notice of Renewal of Emergency Rule**”) shall be published before the expiration of the existing emergency rule. The Notice of Renewal of Emergency Rule shall be published in a newspaper of general circulation within the county or counties in which the District is located and shall include the specific facts and reasons for such renewal.
 - (ii) For emergency rules with an effective period of longer than ninety (90) days which are intended to replace an existing rule, the Rulemaking Record for the existing rule, as required by Section 13 of this Rule, shall specifically identify the emergency rule that is intended to supersede the existing rule as well as the date that the emergency rule was adopted by the District.
- (d) The District may supersede an emergency rule in effect through the adoption of another emergency rule before the superseded rule expires. The District shall post on its website and publish a Notice of Emergency Rule, in accordance with Section 11(b) of this Rule, identifying the reason for adopting the superseding rule. The superseding rule shall not be in effect longer than the duration of the effective period of the superseded rule.

- (e) The District may make technical changes to an emergency rule within the first seven (7) days after the rule is adopted, and such changes shall be published in a Notice of Correction as set forth in Section 6(a) of this Rule.
 - (f) The District may repeal an emergency rule before it expires by publishing a notice (“**Notice of Repeal of Emergency Rule**”) in a newspaper of general circulation within the county or counties in which the District is located. The Notice of Repeal of Emergency Rule shall include the following information:
 - (i) The full text of the emergency rule and a summary thereof;
 - (ii) The rule number; and
 - (iii) A short and plain explanation as to why the conditions specified in the Notice of Emergency Rule no longer require the emergency rule.
- (12) 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 within the county or counties in which the District is located.
- (13) Rulemaking Record. In all rulemaking proceedings, the District shall compile and maintain a rulemaking record (“**Rulemaking Record**”) which shall be on file with the District at least twenty-one (21) days prior to the proposed adoption date of the rule. The Rulemaking Record shall include, as applicable:
- (a) A copy of the rule;
 - (b) Any material incorporated by reference in the rule;
 - (c) A detailed written statement of the facts and circumstances justifying the proposed rule;
 - (d) Any SERC for the rule, if required by Section 120.54(3)(b)1. of the Florida Statutes or otherwise prepared, and any information created or used by the District in determining whether a SERC is required;
 - (e) A statement of the extent to which the proposed rule relates to federal standards on rules on the same subject;

- (f) The Notice of Rule Development, Notice of Rulemaking, and notice(s) of any workshops held pursuant to Section 8 of this Rule; and
- (g) If an emergency rule is intended to supersede an existing rule, the emergency rule number and the date that the emergency rule was adopted by the District.

(14) Petitions to Challenge Rules.

- (a) Any person substantially affected by a proposed or existing 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.
 - (i) A petition alleging the invalidity of a proposed rule shall be filed within twenty-one (21) days after the date of publication of Notice of Rulemaking, within ten (10) days after the final public hearing is held on the proposed rule; within twenty (20) days after the SERC or revised SERC has been prepared and made available as provided in Section 120.541(1)(d) of the Florida Statutes, if applicable; or within twenty (20) days after the date of publication of the Notice of Rule Withdrawal required by Section 7(c) of this Rule.
 - (ii) A petition alleging the invalidity of an existing rule may be filed at any time during which the rule is in effect.
- (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 proposed or existing rule is substantially affected by it. A person who is not substantially affected by the proposed rule as initially noticed, but who is substantially affected by the rule as a result of a change, may challenge any provision of the resulting proposed rule.
- (c) The petition shall be filed with the District. Within ten (10) days after receiving the petition, or seven (7) days if the challenge relates to an emergency rule, 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 thirty (30) days thereafter, or fourteen (14) days if the challenge relates to an emergency rule, 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) At the hearing, 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.
- (e) Hearings held under this section shall be de novo in nature. For proposed rules, the petitioner has the burden to prove by a preponderance of the evidence that it would be substantially affected by the proposed rule, and the District has the burden to prove by a preponderance of the evidence that the proposed rule is not an invalid exercise of delegated legislative authority as to the objections raised. For existing rules, 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. During the hearing, 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) Within thirty (30) days after the hearing, or fourteen (14) days of the challenge relate to an emergency rule, the hearing officer shall render a decision and state the reasons therefor in writing. The hearing officer's order shall be considered final agency action. The hearing officer may declare all or part of a proposed or existing rule invalid. For a proposed rule, the proposed rule or provision thereof declared invalid shall not be adopted unless the decision of the hearing officer is reversed on appeal. In the event part of a proposed rule is declared invalid, the District may, in its sole discretion, withdraw the proposed rule in its entirety. For an existing rule, the rule or part thereof declared invalid shall become void when the time for filing an appeal expires. In the event that a proposed or existing rule has been declared invalid in whole or part, the District shall promptly publish notice of such occurrence published in a newspaper of

general circulation within the county or counties in which the District is located.

- (15) 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. The District shall maintain a record of the type and disposition of each petition filed.

- (16) Rates, Fees, Rentals and Other Charges. All rates, fees, rentals, or other charges shall be subject to rulemaking proceedings.

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

Law Implemented: §§ 120.54, 120.542, 120.56, 120.81(2)(b), 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 within the county or counties in which the District is located 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 proposers by e-mail (with a delivery and read receipt), United States Mail, hand delivery, or overnight delivery service. The District may alternatively post the notice of intent to award on its website at the conclusion of the Board meeting where the proposals were evaluated if so provided for in the Request for Qualifications. 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. “**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. 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) Establishment of Auditor Selection Committee. Prior to a public announcement under section (3) 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.

- (2) Establishment of Minimum Qualifications and Evaluation Criteria. Prior to a public announcement under section (3) 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.

- (3) Public Announcement. After identifying the factors to be used in evaluating the proposals for Auditing Services as set forth in section (2) 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 within the county or counties in which the District is located. The public announcement shall allow for at least seven (7) days for the submission of proposals.
- (4) 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, which may be submitted either electronically or via hard copy as determined by the District and provided for in

the RFP. For the avoidance of doubt, the Proposals shall not be required to be publicly opened at the date, time, and place provided for in the RFP relative to the submission of Proposals.

- (5) 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 (2)(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.

- (6) 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.
- (7) 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 eight (8) 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.
- (8) 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 e-mail (with a delivery and read receipt), United States Mail, hand delivery, or overnight delivery service. The District may alternatively post the notice of intent to award on its website at the conclusion of the Board meeting where the proposals were evaluated if so provided for in the RFP. 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 county or counties in which the District is located. 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 proposers by e-mail (with a delivery and read receipt), United States Mail, hand delivery, or overnight delivery service. The District may alternatively post the notice of intent to award on its website at the conclusion of the Board meeting where the proposals were evaluated if so provided for in the Invitation to Bid. 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 county or counties in which the project 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 e-mail, United States Mail, hand delivery, 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) 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.
- (k) Notice of intent to pre-qualify, including rejection of some or all qualifications, shall be provided in writing to all proposers by e-mail (with a delivery and read receipt), United States Mail, hand delivery, or overnight delivery service. The District may alternatively post the notice of intent to award on its website at the conclusion of the Board meeting where the proposals were evaluated if so provided for in the Request for Qualifications. 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.

(2) 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 within the county or counties 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 e-mail (with a delivery and read receipt), United States Mail, hand delivery, 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 e-mail, United States Mail, hand delivery, or 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) 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.

- (k) 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.
 - (l) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses, shall be provided in writing to all proposers by e-mail (with a delivery and read receipt), United States Mail, hand delivery, or overnight delivery service. The District may alternatively post the notice of intent to award on its website at the conclusion of the Board meeting where the proposals were evaluated if so provided for in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. 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.
- (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 within the county in which the project 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 e-mail, United States Mail, hand delivery, 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 proposers by e-mail (with a delivery and read receipt), United States Mail, hand delivery, or overnight delivery service. The District may alternatively post the notice of intent to award on its website at the conclusion of the Board meeting where the proposals were evaluated if so provided for in the Design Criteria Package. 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 shall require that the contractor, before commencing the work, execute and record a payment and performance bond, or other acceptable surety, 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 or counties 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 e-mail, United States Mail, hand delivery, 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 proposers by e-mail (with a delivery and read receipt), United States Mail, hand delivery, or overnight delivery service. The District may alternatively post the notice of intent to award on its website at the conclusion of the Board meeting where the proposals were evaluated if so provided for in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. 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 contract period including renewals of eight (8) 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 county or counties 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 e-mail, United States Mail, hand delivery, 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 proposers by e-mail (with a delivery and read receipt), United States Mail, hand delivery, or overnight delivery service. The District may alternatively post the notice of intent to award on its website at the conclusion of the Board meeting where the proposals were evaluated if so provided for in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. 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 contract period including renewals of eight (8) 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 or after posting on the District's website if so provided for in 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 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 and form 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 e-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 e-mail (with a delivery and read receipt), 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) 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.
- (6) Judicial Review. A party who is adversely affected by final District action is entitled to judicial review. Judicial review shall be sought in the county where the District is located. All proceedings shall be instituted by filing a notice of appeal or petition for review in accordance with the Florida Rules of Appellate Procedure within thirty (30) calendar days after the rendition of the decision being appealed. The filing of an appeal does not itself stay enforcement of the final District decision. Judicial review of any District action shall be confined to the record transmitted. The record for judicial review shall be compiled in accordance with the Florida Rules of Appellate Procedure. Failure to file a notice of appeal or petition for review within the time prescribed herein shall constitute a waiver of judicial review proceedings.
- (7) Intervenors. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.

- (8) 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: §§ 120.69(2)(a), 190.033, Fla. Stat.

Rule 4.0 Effective Date.

These Rules shall be effective _____, 2026, 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.

PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT

6

**PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2027
PROPOSED BUDGET**

**PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT
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**PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2027**

	Fiscal Year 2026				Proposed Budget FY 2027
	Adopted Budget FY 2026	Actual through 3/31/2026	Projected through 9/30/2026	Total Actual & Projected	
REVENUES					
Assessment levy: on-roll - gross	\$ 195,549				\$ 346,951
Allowable discounts (4%)	(7,822)				(13,878)
Assessment levy: on-roll - net	187,727	\$ 183,460	\$ 4,267	\$ 187,727	333,073
Interest and miscellaneous	-	19	20	39	-
Total revenues	187,727	183,479	4,287	187,766	333,073
EXPENDITURES					
Professional & administrative fees					
Supervisors	4,306	1,077	3,229	4,306	4,306
Management/recording	59,497	29,748	29,749	59,497	59,497
Legal	5,000	1,424	1,500	2,924	3,000
Engineering	5,000	9,825	5,000	14,825	10,000
Audit	7,100	-	7,100	7,100	7,100
Accounting services	4,797	2,399	2,398	4,797	4,797
Assessment roll preparation	12,500	6,250	6,250	12,500	12,500
Arbitrage rebate calculation	1,200	-	1,200	1,200	1,200
Dissemination agent	1,000	500	500	1,000	1,000
Trustee	4,500	4,246	254	4,500	4,500
Telephone	500	250	250	500	500
Postage	500	148	352	500	500
Printing & binding	1,035	417	618	1,035	1,035
Legal advertising	750	138	612	750	750
Website hosting & maintenance	705	-	705	705	705
Website ADA compliance	210	-	210	210	210
Annual district filing fee	175	175	-	175	175
Insurance	8,279	8,296	-	8,296	9,125
Contingencies	1,000	926	74	1,000	1,000
Total professional & admin fees	118,054	65,819	60,001	125,820	121,900
Water management					
Contractual services	46,428	8,769	37,659	46,428	46,428
Electricity	1,500	913	587	1,500	1,500
Capital Outlay-Lake Bank Repair Note	-	-	-	-	162,000
Total water management services	47,928	9,682	38,246	47,928	209,928
Other fees and charges					
Tax collector	747	885	(138)	747	747
Property appraiser	498	481	17	498	498
Total other fees and charges	1,245	1,366	(121)	1,245	1,245
Total expenditures	167,227	76,867	98,126	174,993	333,073
Net change in fund balances	-	106,612	(93,839)	12,773	-
Fund balance - beginning (unaudited)	102,087	83,871	190,483	83,871	96,644
Fund balance - ending (projected)	\$ 102,087	\$ 190,483	\$ 96,644	\$ 96,644	\$ 96,644

**PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional services

Supervisors	\$ 4,306
<p>Statutorily set at \$200 (plus applicable taxes) for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year. The District anticipates four meetings during the fiscal year.</p>	
Management/recording	59,497
<p>Wrathell, Hunt and Associates, LLC specializes in managing community development district's in the State of Florida by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all governmental requirements of the District, develop financing programs, administer the issuance of tax exempt bond financings, and finally operate and maintain the assets of the community.</p>	
Legal	3,000
<p>Provides on-going general counsel and legal representation. As such, he is confronted with issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts. He provides service as a "local government lawyer," realizing that this type of local government is very limited in its scope – providing infrastructure and services to development.</p>	
Engineering	10,000
<p>Johnson Engineering, Inc., provides a broad array of engineering, consulting and construction services to the District, which assist in crafting solutions with sustainability for the long-term interests of the community - recognizing the needs of government, the environment and maintenance of the District's facilities. In 2020, the CDD hired a consultant to create a GIS program and anticipate continued management/updating that will be cost shared with the Lee CDD based upon the number of units within each CDD.</p>	
Audit	7,100
<p>Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.</p>	
Accounting services	4,797
<p>Preparation of all financial work related to the District's governmental funds (including preparation of monthly financials statements and annual budgets).</p>	
Assessment roll preparation	12,500
<p>The District has a contract with Wrathell, Hunt and Associates, LLC., to prepare the annual</p>	
Arbitrage rebate calculation	1,200
<p>To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.</p>	
Dissemination agent	1,000
<p>The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities & Exchange Act of 1934.</p>	
Trustee	4,500
<p>Annual fees paid to U.S. Bank for services provided as trustee, paying agent and registrar.</p>	
Telephone	500
<p>Telephone and fax machine.</p>	
Postage	500
<p>Mailing of agenda packages, overnight deliveries, correspondence, etc.</p>	
Printing & binding	1,035
<p>Letterhead, envelopes, copies, etc.</p>	

**PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES (continued)

Legal advertising	750
The District advertises for monthly meetings, special meetings, public hearings, bidding, etc.	
Website hosting & maintenance	705
Website ADA compliance	210
Annual district filing fee	175
Annual fee paid to the Department of Economic Opportunity.	
Insurance	9,125
The District carries public officials and general liability insurance with policies written by Preferred Governmental Insurance Trust. The limit of liability is set at \$1,000,000 (general aggregate \$2,000,000) and public officials liability is set at \$1,000,000.	
Contingencies	1,000
Bank charges, automated AP routing and other miscellaneous expenses incurred during the year.	

Water management

Contractual services	46,428
The District hires a qualified/licensed contractor for the routine maintenance of the lake system to insure compliance with the SFWMD issued permit. The Lake maintenance expense has been increased over previous years to include exposed lake bank mowing which is provided by agreement by the golf course. The District also operates and maintains the aeration systems, lake banks and aquascaping. These costs are shared with Parklands Lee CDD (based upon the number of units).	

	<u>Total</u>	<u>Parklands Lee (521 Units)</u>	<u>Parklands West (498 Units)</u>
Lake Maintenance	40,000	20,451	19,549
Aeration	10,000	5,113	4,887
Aquascaping	15,000	7,669	7,331
Lake Banks (mowing)	30,000	15,339	14,661
Total	95,000	48,572	46,428

Electricity	1,500
Capital Outlay-Lake Bank Repair Note	162,000
It is anticipated that the District will repair lake bank erosion and washouts during the Fiscal Year. The cost is intended to cover the annual repayment obligation on an anticipated 700K project over 5 years.	

Other fees and charges

Tax collector	747
The tax collector's fees are \$1.50 per parcel.	
Property appraiser	498
The property appraiser's fees are \$1.00 per parcel.	

Total expenditures	\$ 333,073
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**PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2022 BONDS
FISCAL YEAR 2027**

	Fiscal Year 2026				Proposed Budget FY 2027
	Adopted Budget FY 2026	Actual through 3/31/2026	Projected through 9/30/2026	Total Actual & Projected	
REVENUES					
Assessment levy: on-roll - gross	\$658,416				\$ 658,416
Allowable discounts (4%)	(26,337)				(26,337)
Assessment levy: on-roll - net	632,079	\$ 614,696	\$ 17,383	\$ 632,079	632,079
Assessment levy: off-roll, direct bill	33,385	32,049	1,336	33,385	33,385
Interest	-	4,793	-	4,793	-
Total revenues	<u>665,464</u>	<u>651,538</u>	<u>18,719</u>	<u>670,257</u>	<u>665,464</u>
EXPENDITURES					
Debt service					
Principal	494,000	-	494,000	494,000	514,000
Interest	157,621	81,361	76,260	157,621	137,013
Total expenditures	<u>651,621</u>	<u>81,361</u>	<u>570,260</u>	<u>651,621</u>	<u>651,013</u>
Excess/(deficiency) of revenues over/(under) expenditures	13,843	570,177	(551,541)	18,636	14,451
Fund balance:					
Net change in fund balances	13,843	570,177	(551,541)	18,636	14,451
Beginning fund balance (unaudited)	235,507	246,742	816,919	246,742	265,378
Ending fund balance (projected)	<u>\$ 249,350</u>	<u>\$ 816,919</u>	<u>\$ 265,378</u>	<u>\$ 265,378</u>	<u>279,829</u>
Use of fund balance					
Debt service reserve account balance (required)					-
Interest expense - November 1, 2027 and February 1, 2028					(60,546)
Projected fund balance excess/(deficiency) - as of September 30, 2027					<u>\$ 219,283</u>

Parklands West
 Community Development District
 Series 2022
 \$5,197,000

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
11/01/2025			40,680.50	40,680.50
02/01/2026			40,680.50	40,680.50
05/01/2026	494,000.00	4.130%	40,680.50	534,680.50
08/01/2026			35,579.95	35,579.95
11/01/2026			35,579.95	35,579.95
02/01/2027			35,579.95	35,579.95
05/01/2027	514,000.00	4.130%	35,579.95	549,579.95
08/01/2027			30,272.90	30,272.90
11/01/2027			30,272.90	30,272.90
02/01/2028			30,272.90	30,272.90
05/01/2028	536,000.00	4.130%	30,272.90	566,272.90
08/01/2028			24,738.70	24,738.70
11/01/2028			24,738.70	24,738.70
02/01/2029			24,738.70	24,738.70
05/01/2029	558,000.00	4.130%	24,738.70	582,738.70
08/01/2029			18,977.35	18,977.35
11/01/2029			18,977.35	18,977.35
02/01/2030			18,977.35	18,977.35
05/01/2030	581,000.00	4.130%	18,977.35	599,977.35
08/01/2030			12,978.53	12,978.53
11/01/2030			12,978.53	12,978.53
02/01/2031			12,978.53	12,978.53
05/01/2031	605,000.00	4.130%	12,978.53	617,978.53
08/01/2031			6,731.90	6,731.90
11/01/2031			6,731.90	6,731.90
02/01/2032			6,731.90	6,731.90
05/01/2032	652,000.00	4.130%	6,731.90	658,731.90
Total	\$3,446,000.00		\$481,537.37	\$3,927,537.37

**PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT
Projected Fiscal Year 2027 Assessments- Preliminary**

**Lee County
6 years remaining**

Fiscal year 2026-2027

Neighborhood	Bond Designation	Debt Service Assessment	O & M Assessment	Total Assessment	Outstanding Principal after 2026-2027 tax payment
La Tremiti	SF 50'	\$ 716.09	\$ 696.69	\$ 1,412.78	\$ 3,028.84
Caravella	SF 55'	741.53	696.69	1,438.22	3,136.48
Villa D'Este	SF 60'	755.82	696.69	1,452.51	3,196.91
Villa Tuscany	SF 65'	858.19	696.69	1,554.88	3,629.88
Villa Tuscany	SF 75'	935.45	696.69	1,632.14	3,956.71
Favista	SF 85'	1,307.39	696.69	2,004.08	5,529.88
Avieto	SF 100'	2,236.65	696.69	2,933.34	9,460.39
Siena	SF 125'	2,644.53	696.69	3,341.22	11,185.59
Enclave	4 Plex Coach	597.65	696.69	1,294.34	2,527.88
Commercial		33,384.51	-	33,384.51	147,090.50
Golf Club		244,105.70	12,540.42	256,646.12	1,032,496.78

Fiscal Year 2025-2026

La Tremiti		\$ 716.09	\$ 392.67	\$ 1,108.76	\$ 3,559.81
Caravella		741.53	\$ 392.67	1,134.20	3,686.33
Villa D'Este		755.82	\$ 392.67	1,148.49	3,757.35
Villa Tuscany		858.19	\$ 392.67	1,250.86	4,266.23
Villa Tuscany		935.45	\$ 392.67	1,328.12	4,650.34
Favista		1,307.39	\$ 392.67	1,700.06	6,499.31
Avieto		2,236.65	\$ 392.67	2,629.32	11,118.86
Siena		2,644.53	\$ 392.67	3,037.20	13,146.50
Enclave		597.65	\$ 392.67	990.32	2,971.04
Commercial		33,384.51	-	33,384.51	172,876.50
Golf Club		244,105.70	7,068.06	251,173.76	1,213,500.78

PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED
FINANCIAL
STATEMENTS

**PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
MAY 31, 2026**

**PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
MAY 31, 2026**

	Major Funds		Total Governmental Funds
	General	Debt Service Series 2022	
ASSETS			
Cash	\$ 168,287	\$ -	\$ 168,287
Investments			
Revenue account	-	299,117	299,117
Interest account	-	4	4
Sinking account	-	45	45
Total assets	\$ 168,287	\$ 299,166	\$ 467,453
LIABILITIES & FUND BALANCES			
Liabilities:			
Due to other	\$ -	\$ -	\$ -
Total liabilities	-	-	-
Fund balances:			
Restricted for:			
Debt service	-	299,166	299,166
Unassigned	168,287	-	168,287
Total fund balances	168,287	299,166	467,453
Total liabilities and fund balances	\$ 168,287	\$ 299,166	\$ 467,453

**PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED MAY 31, 2026**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ 271	\$ 187,178	\$ 187,727	100%
Interest & miscellaneous	2	22	-	N/A
Misc. income	-	6,000	-	N/A
Total revenues	<u>273</u>	<u>193,200</u>	<u>187,727</u>	103%
EXPENDITURES				
Administrative				
Supervisors	1,077	2,153	4,306	50%
Management/recording	4,958	39,665	59,497	67%
Legal	473	1,898	5,000	38%
Engineering fees	5,527	16,602	5,000	332%
Audit	7,200	7,200	7,100	101%
Accounting services	400	3,198	4,797	67%
Assessment roll preparation	1,042	8,333	12,500	67%
Arbitrage rebate calculation	-	-	1,200	0%
Dissemination agent fees	83	667	1,000	67%
Trustee fees	-	4,246	4,500	94%
Telephone	41	333	500	67%
Postage	11	159	500	32%
Printing & binding	86	690	1,035	67%
Legal advertising	-	138	750	18%
Website hosting & maintenance	-	-	705	0%
Website ADA compliance	-	-	210	0%
Annual district filing fee	-	175	175	100%
Insurance	-	8,296	8,279	100%
Contingencies	157	1,241	1,000	124%
Total administrative	<u>21,055</u>	<u>94,994</u>	<u>118,054</u>	80%
Water management services				
Other contractual	1,222	11,213	46,428	24%
Electricity	152	1,211	1,500	81%
Total water management services	<u>1,374</u>	<u>12,424</u>	<u>47,928</u>	26%
Other fees and charges				
Tax collector	-	885	747	118%
Property appraiser	-	481	498	97%
Total other fees and charges	<u>-</u>	<u>1,366</u>	<u>1,245</u>	110%
Total expenditures	<u>22,429</u>	<u>108,784</u>	<u>167,227</u>	65%
Excess/(deficiency) of revenues over/(under) expenditures	(22,156)	84,416	20,500	
Fund balance - beginning	190,443	83,871	102,087	
Fund balance - ending	<u>\$ 168,287</u>	<u>\$ 168,287</u>	<u>\$ 122,587</u>	

**PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2022
FOR THE PERIOD ENDED MAY 31, 2026**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Assessment levy: on-roll	\$ 913	\$ 627,212	\$ 632,079	99%
Assessment levy: off-roll, direct bill	-	32,049	33,385	96%
Interest	2,217	9,205	-	N/A
Total revenues	<u>3,130</u>	<u>668,466</u>	<u>665,464</u>	100%
EXPENDITURES				
Principal	494,000	494,000	494,000	100%
Interest	40,682	122,042	157,621	77%
Total expenditures	<u>534,682</u>	<u>616,042</u>	<u>651,621</u>	95%
Excess/(deficiency) of revenues over/(under) expenditures	(531,552)	52,424	13,843	
Fund balance - beginning	830,718	246,742	235,507	
Fund balance - ending	<u>\$ 299,166</u>	<u>\$ 299,166</u>	<u>\$ 249,350</u>	

PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT

**MINUTES OF MEETING
PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT**

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The Board of Supervisors of the Parklands West Community Development District held a Regular Meeting on May 14, 2026 at 1:00 p.m., at the Renaissance Center, 28191 Matteotti View, Media Room, Bonita Springs, Florida 34135.

Present:

Frank Percuoco	Chair
Robert Wyant	Vice Chair
James Lukas	Assistant Secretary
David Levin	Assistant Secretary
William Dardy	Assistant Secretary

Also present:

Chuck Adams (via telephone)	District Manager
Shane Willis	Operations Manager
Meagan Magaldi (via telephone)	District Counsel
Mark Zordan	District Engineer
Christian Mumme	Apex Companies, LLC (Apex)
Andy Nott	Superior Waterway Services, Inc. (Superior)
Ben Steets (via telephone)	Grau & Associates
David Williams	Resident and Golf Club Board Member
Tammy Feeney	Resident
Brian Fineran	Resident
Elliott Erickson	Parklands Lee CDD Board Member
Thomas Clemens	Parklands Lee CDD Board Member
Robert Schwartz	Parklands Lee CDD Board Member
Russell Rupp	Parklands Lee CDD Board Member

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Willis called the meeting to order at 1:00 p.m.

All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments

41

42 No members of the public spoke.

43

44 **THIRD ORDER OF BUSINESS**45 **Presentation of Audited Annual Financial**
46 **Report for the Fiscal Year Ended**
47 **September 30, 2025, Prepared by Grau &**
48 **Associates**49 Mr. Steets presented the Audited Financial Report for the Fiscal Year Ended September
50 30, 2025 and reviewed the pertinent information. There were no findings, recommendations,
51 deficiencies on internal control or instances of non-compliance; it was a clean audit.52 Mr. Willis stated that separate audits are performed for the Parklands West CDD and
53 the Parklands Lee CDD. The Parklands Lee CDD's Audited Annual Financial Report will be
54 presented at its next meeting.55 **A. Consideration of Resolution 2026-02, Hereby Accepting the Audited Financial Report**
56 **for the Fiscal Year Ended September 30, 2025**57 Mr. Steets stated that, although the version of the Audit included in the agenda is final,
58 the version with the signed Management Letter is not included in the agenda and will be
59 forwarded to the Board Members. Mr. Adams stated the Audit will be submitted in advance of
60 the statutory deadline. A copy of the Audit will also be submitted to Wells Fargo.

61 Approval of this item occurred following the Eighth Order of Business.

62

63 **FOURTH ORDER OF BUSINESS**64 **Update: Superior Waterway Services, Inc.**
65 **Treatment Report**66 The Superior Waterways Lake Treatment Report for February 2026 was included for
67 informational purposes. Mr. Nott stated technicians continue spot treating the lake banks. No
68 major issues were observed; water levels remain low.69 In response to the question regarding the use of green indicator dye, Mr. Nott stated
70 that, in the water, copper and algaecide generally appears blue. When multiple technicians are
71 spraying on the lake bank, an all-natural indicator dye is utilized to mark areas that have been
72 sprayed and to identify overlapping.

73

74 **FIFTH ORDER OF BUSINESS**75 **Discussion/Consideration/ Update: Apex**
76 **Companies, LLC**

77

78 Mr. Willis noted that Mr. Zordan is the CDD's Senior Engineer, and Christian Mumme is
79 the CDD's recently assigned District Engineer.

79 • **Lake Bank Observation and Restoration Report for the 13 Lakes**

80 Mr. Mumme displayed a PowerPoint and presented the Lake Bank Observation and
81 Restoration Report for the 13 Lakes and a map of the lakes. He discussed the portions of the
82 Report pertaining to the Parklands West CDD, including potential causes of erosion such as
83 wind and wave action and flow from roof drains. Systemwide findings in the Parklands West
84 CDD include approximately 156 washouts at 13 lakes, drop-offs, and absence of littorals. Lakes
85 6, 8, 10 and 13 are prioritized for repairs.

86 • **Lake Bank Presentation and Repair Options**

87 Mr. Mumme presented and discussed Geotube, GeoSox, and hardened shoreline repair
88 options, such as stone and riprap. It was noted that a permit modification would likely be
89 needed for the hardened shoreline options.

90 Discussion ensued regarding the pros and cons of each repair option; littoral plantings
91 and the recommended approach, which includes prioritizing high-impact lakes to bring lakes
92 into compliance; selecting material based on severity, access and long-term maintenance; and
93 phasing repairs over multiple years.

94 Mr. Mumme discussed estimated pricing. The total costs to repair all dropoffs and
95 washouts range up to \$560,000 with GeoTube/GeoSox for hardened shoreline, to \$630,000
96 with stone/riprap for a hardened shoreline.

97 Discussion ensued regarding the use of heavy equipment, the scope of work, longevity
98 of each manner of repair option, Staff recommendations for #3 stone, and the need for ongoing
99 maintenance and environmentally safe cleaning of hardened shorelines.

100 Mr. Mumme stated the South Florida Water Management District (SFWMD) will allow
101 work to be done in phases, provided the Board has a plan for bringing the lakes into
102 compliance.

103 Discussion ensued regarding financing the entire project with a short-term note to be
104 paid on an annual basis, soft costs such as permit revisions, and Engineering costs.

105 Given the \$630,000 estimated cost for all lakes to be repaired with a hardened
106 shoreline, Mr. Adams suggested a \$700,000 loan and noted that amounts not used can be
107 returned to pay down the outstanding principal.

108 Discussion ensued regarding the CDD's responsibility to ensure that all washouts and
109 repairs are performed; homeowner responsibility for certain repairs; utilization of a Special
110 Revenue Fund separate from the General Fund, which is an Operations Fund; and how Sorrento
111 and The Club would contribute.

112 Mr. Adams stated assessments vary between the Parklands West and the Parklands Lee
113 CDDs because some costs are not shared.

114 Discussion ensued regarding the longevity of riprap repairs at Lake 2, lakes which do not
115 currently require lake bank restoration, and the prioritized list of lake repairs.

116 Regarding ongoing maintenance costs, Mr. Nott stated riprap only requires spraying;
117 whereas, GeoSOX maintenance depends on sod installed and how much of the banks will be
118 exposed over time.

119 Mr. Wyant noted the need to consider the homeowners' responsibility to pay for
120 necessary repairs due to washout damage caused above the littoral line that extends into CDD
121 property. Mr. Willis stated the CDD can send letters asking homeowners to make the proper
122 adjustments to their home's downspouts and drainage systems. The CDD can provide the
123 information to homeowners and facilitate recommendations for schematics and repairs and
124 vendors; in other CDDs this has eliminated 80% of the problems. Mr. Mumme stated the Report
125 includes the details regarding these issues, which are a homeowner responsibility.

126 Discussion ensued regarding the Master Covenant requirement for any party modifying
127 the lake bank or CDD area to continuously maintain the modification, the need to address these
128 issues, the CDD's right to correct problems and charge homeowners for the repairs, the need to
129 minimize negativity and inform homeowners of the amounts the CDD will spend to make the
130 repairs, and the possibility of issues recurring if homeowners do not address problems
131 originating from their property.

132 Mr. Willis noted the importance of communicating the cost of repairs already made and
133 the need to make the adjustments suggested to avoid additional expense. He stated letters are
134 typically sent by the HOAs, which have additional enforcement powers.

135 Mr. Percuoco suggested the CDD send a communication. Mr. Willis will work with Mr.
136 Mumme in this regard.

137 • **Public Comments**

138 **This item was an addition to the agenda.**

139 Resident David Williams asked if all lake banks are being addressed and asked for a map
140 that will show the repair locations using small rock. A Board Member stated only lake banks
141 with issues will be addressed; few issues were noted on the golf course side of the lakes. Mr.
142 Mumme stated the Report documents the extent of damages by lake, in linear feet, with cost
143 breakdowns.

144 Discussion ensued regarding the extent and appearance of proposed repairs and the
145 need to communicate the proposed repairs to the property owners. It was suggested that a
146 color-coded map of proposed repairs is needed.

147 Mr. Willis stated the proposed repairs are needed to bring the stormwater system back
148 into compliance; aesthetics are another consideration. The Board can decide to do the entire
149 perimeter; however, the CDD's legal responsibility is to comply with the Environmental
150 Resource Permit (ERP), not aesthetics. He suggested another presentation could show the
151 proposed repairs to each lake with the rock option; a second discussion could address whether
152 to install rock in remaining areas of the lake.

153 Resident Tammy Feeney, of Sorrento, discussed her experience as a Florida Community
154 Manager and asked why riprap is not proposed underneath GeoTubes.

155 Discussion ensued regarding when such remediations might be implemented in certain
156 situations, the ongoing nature of lake bank remediation, methods and considerations during
157 riprap and GeoTextile installation, limitations on the percentages of hardened shoreline repairs,
158 the CDD's obligations, and the need to coordinate with the MHOA and The Club Board
159 regarding aesthetics when communicating with homeowners.

160 Mr. Willis stated the CDD Boards can proceed with the repairs necessary to meet the
161 ERP requirements and noted that doing so can raise aesthetic issues.

162 Resident Brian Fineran voiced his opinion that installing stone is not merely aesthetic,
163 but it is also a preventative measure.

164 Discussion ensued regarding the stabilization of riprap, the Board Members'
165 responsibility to balance fiduciary responsibility and stormwater management, the preference
166 for stone and riprap, and the need for more information related to costs and financing.

167 Mr. Williams commended the Board for working to address the erosion issues on
168 approximately 20% of the lake banks and noted that an aesthetic issue exists in the other 80%
169 of the lake banks if nothing additional is done. He stated his understanding that the CDDs are
170 responsible for the lake banks from the high-water mark down.

171 A Board Member pointed out that aesthetics are out of the CDD's scope of
172 responsibility.

173 Mr. Williams encouraged the Board Members to do more to improve aesthetics, rather
174 than improving 20% of the lake bank and later wish that more had been done.

175 A Board Member agreed with the desire to improve the appearance of the lake banks
176 but the CDD's options are limited to maintaining the CDD's lake banks to properly perform and
177 prevent flooding.

178 Mr. Willis noted the consensus of the Board was to exclude Option 1 and Option 2 and
179 focus on stone and riprap.

180 **On MOTION by Mr. Levin and seconded by Mr. Lukas, with all in favor,**
181 **directing Apex to pursue the small rock repairs option and present proposals at**
182 **the next meeting, was approved.**

183
184 It was noted that Apex will provide a cost per linear foot for the Board's information;
185 however, at this time, only those repairs necessary for the ERP will be considered.

186 This item will be included on the next agenda.

187 • **Staff Gauge Proposal**

188 Mr. Mumme presented the requested proposal for installation of 16 staff gauges in the
189 13 lakes at a total cost of \$56,250. The consensus was that one or two staff gauges might be
190 installed in the future, if necessary.

191 This item was deferred.

192
193 **SIXTH ORDER OF BUSINESS** **Consideration of Resolution 2026-03,**
194 **Approving a Proposed Budget for Fiscal**
195 **Year 2026/2027 and Setting a Public**
196 **Hearing Thereon Pursuant to Florida Law;**
197 **Addressing Transmittal, Posting and**
198 **Publication Requirements; Addressing**
199 **Severability; and Providing an Effective**
200 **Date**

201
202 Mr. Adams presented Resolution 2026-03.

203 Discussion ensued regarding the intention to keep operating costs similar, keeping
204 assessments flat year-over-year, and anticipated lake bank repairs.

205 Based on today’s discussion, Mr. Adams will add a Special Revenue Fund line item that
206 addresses an annual amount to retire a note of approximately \$700,000, which is the worst-
207 case estimate to retire a note for Parklands West CDD’s partial repairs of lake banks.

208 Further information and a Term Sheet will be presented at the next meeting.

209 **On MOTION by Mr. Percuoco, and seconded by Mr. Wyant, with all in favor,**
210 **Resolution 2026-03, Approving a Proposed Budget for Fiscal Year 2026/2027, as**
211 **amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for**
212 **September 10, 2026 at 1:00 p.m., at the Renaissance Center, Media Room,**
213 **28191 Matteotti View, Bonita Springs, Florida 34135; Addressing Transmittal,**
214 **Posting and Publication Requirements; Addressing Severability; and Providing**
215 **an Effective Date, was adopted.**

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218 **SEVENTH ORDER OF BUSINESS** **Consideration of Resolution 2026-04,**
219 **Designating Dates, Times and Locations for**
220 **Regular Meetings of the Board of**
221 **Supervisors of the District for Fiscal Year**
222 **2026/2027 and Providing for an Effective**
223 **Date**

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225 Mr. Percuoco presented Resolution 2026-04.

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On MOTION by Mr. Percuoco, and seconded by Mr. Wyant, with all in favor, Resolution 2026-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2026/2027 and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2026-05, Relating to the Amendment of the Budget for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025; and Providing for an Effective Date

Mr. Adams presented Resolution 2026-05. This Resolution is necessary because total expenditures at the end of Fiscal Year 2025 exceeded the adopted budgeted appropriations. The difference is approximately \$11,279. Adoption of this Resolution alleviates the potential for a finding in the annual audit.

On MOTION by Mr. Percuoco, and seconded by Mr. Lukas, with all in favor, Resolution 2026-05, Relating to the Amendment of the Budget for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025; and Providing for an Effective Date, was adopted.

- **Consideration of Resolution 2026-02, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2025**

This item, previously Item 3A, was considered out of order.

Mr. Adams confirmed receipt of a signed Audit, which was the only outstanding item.

On MOTION by Mr. Percuoco, and seconded by Mr. Dardy, with all in favor, Resolution 2026-02, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2025, was adopted.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2026

The financials were accepted.

TENTH ORDER OF BUSINESS

Approval of January 8, 2026 Regular Meeting Minutes

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On MOTION by Mr. Percuoco and seconded by Mr. Wyant, with all in favor, the January 8, 2026 Regular Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS

Other Business

There was no other business.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Coleman, Yovanovich & Koester, P.A.

Ms. Magaldi stated that, effective October 1, 2026, the CDD’s sovereign immunity cap increases from \$200,000 to \$350,000 per person and from \$300,000 to \$500,000 per incident.

B. District Engineer: Apex Companies, LLC

C. District Manager: Wrathell, Hunt & Associates, LLC

There were no District Engineer or District Manager reports.

- **NEXT MEETING DATE: July 9, 2026 at 1:00 PM**
 - **QUORUM CHECK**

Supervisors Lukas, Percuoco, Wyant and Levin confirmed their in-person attendance at the July 9, 2026 meeting. Supervisor Dardy will attend via telephone.

THIRTEENTH ORDER OF BUSINESS

Audience Requests

Comments/Supervisors’

There were no audience comments or Supervisor requests.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Percuoco, and seconded by Mr. Wyant, with all in favor, the meeting adjourned at 2:29 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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302 _____
Secretary/Assistant Secretary

_____ Chair/Vice Chair

PARKLANDS WEST
COMMUNITY DEVELOPMENT DISTRICT

STAFF
REPORTS

WRATHELL, HUNT & ASSOCIATES LLC.

2300 GLADES RD, #410W
BOCA RATON FL 33431

Lee County FL – Community Development Districts

04/15/2026

NAME OF COMMUNITY DEVELOPMENT DISTRICT	NUMBER OF REGISTERED VOTERS AS OF 04/15/2026
Babcock Ranch	206
Bay Creek	750
Bayside Improvement	2,971
Beach Road Golf Estates	1,327
Brooks I of Bonita Springs	2,180
Brooks II of Bonita Springs	1,503
Coral Bay	355
Duke Farm Stewardship District	0
East Bonita Beach Road	722
Mediterra	435
Parklands Lee	552
Parklands West	593
River Hall	3,370
River Ridge	1,447
Saltleaf CDD	0
Savanna Lakes	441
Stonewater	418
Stoneybrook	1,695
Verandah East	1,097
Verandah West	951
Waterford Landing	1,526
WildBlue	1,031

Send to: Daphne Gillyard gillyardd@whhassociates.com Phone: 561-571-0010

Tammy Lipa – Voice: 239-533-6329

Email: tlipa@lee.vote

PARKLANDS WEST COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2025/2026 MEETING SCHEDULE

LOCATION

The Renaissance Center, 28191 Matteotti View, Bonita Springs, Florida 34135

¹The Renaissance Center, Media Room, 28191 Matteotti View, Bonita Springs, Florida 34135

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
November 13, 2025	Special Meeting <i>Approval of Proposal for Dredging & Geo Tube Installation Services</i>	1:00 PM
January 8, 2026	Regular Meeting	1:00 PM
May 14, 2026¹	Regular Meeting <i>Presentation of FY2027 Proposed Budget</i>	1:00 PM
July 9, 2026¹	Regular Meeting	1:00 PM
September 10, 2026¹	Public Hearing & Regular Meeting <i>Adoption of FY2027 Budget</i>	1:00 PM