

**WILFORD PRESERVE**  
*Community Development District*

*JANUARY 16, 2020*

# *Wilford Preserve*

## *Community Development District*

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475 West Town Place, Suite 114, St. Augustine, Florida 32092

Phone: 904-940-5850 - Fax: 904-940-5899

January 9, 2020

Board of Supervisors  
Wilford Preserve  
Community Development District

Dear Board Members:

The Wilford Preserve Community Development District Meeting is scheduled for **Thursday, January 16, 2020 at 1:30 p.m.** at **Plantation Oaks Amenity Center, 845 Oakleaf Plantation Parkway, Orange Park, Florida 32065**. Following is the advance agenda for the meeting:

- I. Roll Call
- II. Public Comment
- III. Approval of Minutes of the October 17, 2019 Meeting
- IV. Public Hearing for the Purpose of Adopting Amended and Restated Rules of Procedure; Consideration of Resolution 2020-04
- V. Consideration of Nondisclosure Agreement with the Clay County Property Appraiser Regarding Information Exempt from Public Disclosure
- VI. Consideration of Resolution 2020-05, Ratifying Issuance of the Series 2019A Bonds
- VII. Consideration of Amended Disclosure of Public Finance
- VIII. Staff Reports
  - A. District Counsel
  - B. District Engineer
    1. Ratification of Requisition Nos. 72&73 (Series 2018B) and Nos. 1-14 (Series 2019A)
    2. Consideration of Requisition Nos. 15-18 (Series 2019A)
  - C. District Manager
- IX. Financial Reports
  - A. Balance Sheet and Income Statement
  - B. Assessment Receipts Schedule
  - C. Check Register
- X. Supervisors' Requests and Audience Comments
- XI. Next Scheduled Meeting – February 20, 2020 at 1:30 p.m. at the Plantation Oaks Amenity Center
- XII. Adjournment

Enclosed for review and approval under the third order of business is a copy of the minutes from the October 17, 2019 meeting.

The fourth order of business is the public hearing for the purpose of adopting amended and restated rules of procedure. Enclosed for your review and approval is a copy of resolution 2020-04 with the rules of procedure included as an exhibit.

The fifth order of business is consideration of nondisclosure agreement with the Clay County Property Appraiser regarding information exempt from public disclosure. A copy of the agreement is enclosed for your review and approval.

The sixth order of business is consideration of resolution 2020-05, ratifying issuance of the series 2019A bonds. A copy of the resolution is enclosed for your review and approval.

The seventh order of business is consideration of amended disclosure of public finance. A copy of the disclosure document is enclosed for your review and approval.

Copies of the financial reports are enclosed under the ninth order of business.

The balance of the agenda is routine in nature and staff will present their reports.

We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call us at (904) 940-5850.

Sincerely,

*Daniel Laughlin*

Daniel Laughlin  
District Manager  
Wilford Preserve Community  
Development District

## *AGENDA*



*Wilford Preserve  
Community Development District  
Agenda*

Thursday  
January 16, 2020  
1:30 p.m.

Plantation Oaks Amenity Center  
845 Oakleaf Plantation Parkway  
Orange Park, Florida 32065  
**Call In # 1-888-394-8197 Code 343382**

- I. Roll Call
- II. Public Comment
- III. Approval of Minutes of the October 17, 2019 Meeting
- IV. Public Hearing for the Purpose of Adopting Amended and Restated Rules of Procedure;  
Consideration of Resolution 2020-04
- V. Consideration of Nondisclosure Agreement with the Clay County Property Appraiser  
Regarding Information Exempt from Public Disclosure
- VI. Consideration of Resolution 2020-05, Ratifying Issuance of the Series 2019A Bonds
- VII. Consideration of Amended Disclosure of Public Finance
- VIII. Staff Reports
  - A. District Counsel
  - B. District Engineer
    - 1. Ratification of Requisition Nos. 72&73 (Series 2018B) and Nos. 1-14 (Series 2019A)
    - 2. Consideration of Requisition Nos. 15-18 (Series 2019A)
  - C. District Manager
- IX. Financial Reports
  - A. Balance Sheet and Income Statement
  - B. Assessment Receipts Schedule

C. Check Register

X. Supervisors' Requests and Audience Comments

XI. Next Scheduled Meeting – February 20, 2020 at 1:30 p.m. at the Plantation Oaks  
Amenity Center

XII. Adjournment

## *MINUTES*

MINUTES OF MEETING  
WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT

The meeting of the Board of Supervisors of the Wilford Preserve Community Development District was held on Thursday, October 17, 2019 at 1:30 p.m. at the Plantation Oaks Amenity Center, 845 Oakleaf Plantation Parkway, Orange Park, Florida 32065.

Present and constituting a quorum were:

Shannon Ray	Supervisor
Michael MacGrogan	Supervisor
Linda Richardson	Supervisor

Also present were:

Daniel Laughlin	District Manager
Jason Walters	District Counsel
J.J. Edwards	District Engineer
Misty Taylor	Bryant, Miller, Olive

The following is a summary of the discussions and actions taken at the October 17, 2019 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

**FIRST ORDER OF BUSINESS**                      **Call to Order**

Mr. Laughlin called the meeting to order at 1:45 p.m.

**SECOND ORDER OF BUSINESS**                      **Public Comment**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**                      **Approval of Minutes of the September 12, 2019 Meeting**

There were no comments on the minutes.

On MOTION by Ms. Richardson seconded by Ms. Ray with all in favor the minutes of the September 12, 2019 meeting were approved.
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**FOURTH ORDER OF BUSINESS**                      **Consideration of Resolution 2020-01, Designating Officers**

Mr. Laughlin stated we put this resolution on here to add Ernesto Torres from my office as an Assistant Secretary for document signing purposes. We can keep the remaining slate of officers the same.

On MOTION by Ms. Richardson seconded by Ms. Ray with all in favor resolution 2020-01, designating Ernesto Torres as an Assistant Secretary of the District was approved.

#### **FIFTH ORDER OF BUSINESS**

#### **Consideration of Resolution 2020-02, Approving Revised Forms of the Supplemental Trust Indenture and Offering Memorandum**

On MOTION by Ms. Richardson seconded by Ms. Ray with all in favor resolution 2020-02, approving revised forms of the supplemental trust indenture and offering memorandum, was approved.

#### **SIXTH ORDER OF BUSINESS**

#### **Consideration of Resolution 2020-03, Setting a Public Hearing for the Purpose of Adopting Amended and Restated Rules of Procedure**

Mr. Walters stated about every four or five years we like to revise the rules of procedure based on some statutory changes and best practices we've learned over that time. Obviously here we adopted rules of procedure only a couple years ago, but my office did a comprehensive rewrite of the rules of procedure, so you see both the memorandum in there that explains the larger changes and a redline showing a word for word change. Today all we're trying to do is set the hearing. When we do the revisions to the rules of procedure we have to do so at a hearing.

On MOTION by Ms. Ray seconded by Ms. Richardson with all in favor resolution 2020-03, setting a public hearing for January 16, 2020 at 1:30 p.m. for the purpose of adopting amended and restated rules of procedure, was approved.

#### **SEVENTH ORDER OF BUSINESS**

#### **Acceptance of the Engagement Letter with Grau & Associates for the FY19 Audit**

Mr. Laughlin stated Grau is the company that was chosen through the audit RFP process and this is their engagement letter for preparation of the Fiscal Year 2019 audit.

On MOTION by Ms. Richardson seconded by Ms. Ray with all in favor the engagement letter from Grau & Associates for the FY19 audit was accepted.

**EIGHTH ORDER OF BUSINESS****Staff Reports****A. District Counsel**

There being none the next item followed.

**B. District Engineer – Approval of Requisition Nos. 69-71**

A copy of the requisition summary was enclosed in the agenda package.

Mr. Edwards stated we're currently in the process of closing out phase one.

Ms. Ray asked how are we doing with getting water to the community for phase one?

Mr. Edwards stated the as-builts have been reviewed by CCUA. We will have a final walk through and then we will be able to close out and provide water.

On MOTION by Ms. Ray seconded by Ms. Richardson with all in favor requisition numbers 69 through 71 were approved.

**C. District Manager**

There being none, the next item followed.

**NINTH ORDER OF BUSINESS****Consideration of Financial Reports****A. Balance Sheet and Income Statement****B. Funding Request No. 16**

Funding request number 16 in the amount of \$19,524.12 included in the agenda package.

On MOTION by Ms. Richardson seconded by Mr. MacGrogan with all in favor Funding Request number 16 was approved.

**TENTH ORDER OF BUSINESS****Supervisors' Requests and Audience Comments**

There being none, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – November 21,  
2019 at 1:30 p.m. at the Plantation Oaks  
Amenity Center**

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Ms. Ray seconded by Mr. MacGrogan with all in favor the meeting was adjourned.
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\_\_\_\_\_  
Secretary/Assistant Secretary

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

## *FOURTH ORDER OF BUSINESS*



## **RESOLUTION 2020-04**

### **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT ADOPTING AMENDED AND RESTATED RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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

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

**WHEREAS**, the District has previously adopted Rules of Procedure to govern the administration of the District; and

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

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

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT:**

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

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

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

**PASSED AND ADOPTED** this 16<sup>th</sup> day of January, 2020.

**ATTEST:**

**WILFORD PRESERVE COMMUNITY  
DEVELOPMENT DISTRICT**

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Secretary

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Chairman, Board of Supervisors

**Exhibit A:** Amended and Restated Rules of Procedure

**EXHIBIT A:**  
AMENDED AND RESTATED RULES OF PROCEDURE

**AMENDED AND RESTATED  
RULES OF PROCEDURE  
WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT**

**EFFECTIVE AS OF JANUARY 16, 2020**

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**Rule 1.0      General.**

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

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

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

**Rule 1.1      Board of Supervisors; Officers and Voting.**

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

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

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

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



If the Board member was elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, the Board member may vote or abstain from voting on the matter at issue. If the Board member was elected by electors residing within the District, the Board member is prohibited from voting on the matter at issue. In the event that the Board member intends to abstain or is prohibited from voting, such Board member shall not participate in the discussion on the item subject to the vote.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Rule 1.3      Public Meetings, Hearings, and Workshops.**

- (1) Notice. Except in emergencies, or as otherwise required by statute or these Rules, at least seven (7) days, but no more than thirty (30) days public notice shall be given of any public meeting, hearing or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and in the county in which the District is located. "General circulation" means a publication that is printed and published at least once a week for the preceding year, offering at least 25% of its words in the English language, qualifies as a periodicals material for postal purposes in the county in which the District is located, is for sale to the public generally, is available to the public generally for the publication of official or other notices, and is customarily containing information of a public character or of interest or of value to the residents or owners of property in the county where published, or of interest or of value to the general public. The annual meeting notice required to be published by Section 189.015 of the Florida Statutes, shall be published in a newspaper not of limited subject matter, which is published at least five days a week, unless the only newspaper in the county is published less than five days a week. Each Notice shall state, as applicable:
  - (a) The date, time and place of the meeting, hearing or workshop;
  - (b) A brief description of the nature, subjects, and purposes of the meeting, hearing, or workshop;
  - (c) The District office address for the submission of requests for copies of the agenda, as well as a contact name and telephone number for verbal requests for copies of the agenda; and
  - (d) The following or substantially similar language: "Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (904) 940-5850. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770 or 1 (800) 955-8771, who can aid you in contacting the District Office."
  - (e) The following or substantially similar language: "A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based."

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

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

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

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

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

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



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

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

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

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

**Rule 1.4      Internal Controls to Prevent Fraud, Waste and Abuse**

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

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

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

## **Rule 2.0      Rulemaking Proceedings.**

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

by submitting a written request within twenty-one (21) days after the date of publication of the notice. Except when intended action is the repeal of a rule, the notice shall include a reference to both the date on which and the place where the Notice of Rule Development required by section (2) of this Rule appeared.

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

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

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

(11) Petitions to Challenge Existing Rules.

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

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

raised by or directly related to the petition. If the petitioner asserts that any request for additional information is not authorized by law or by Rule of the District, the District shall proceed, at the petitioner's written request, to process the petition.

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

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

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

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



### **Rule 3.0      Competitive Purchase.**

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

- (d) “Design-Build Contract” means a single contract with a Design-Build Firm for the design and construction of a public construction project.
- (e) “Design-Build Firm” means a partnership, corporation or other legal entity that:
  - (i) Is certified under Section 489.119 of the Florida Statutes, to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
  - (ii) Is certified under Section 471.023 of the Florida Statutes, to practice or to offer to practice engineering; certified under Section 481.219 of the Florida Statutes, to practice or to offer to practice architecture; or certified under Section 481.319 of the Florida Statutes, to practice or to offer to practice landscape architecture.
- (f) “Design Criteria Package” means concise, performance-oriented drawings or specifications for a public construction project. The purpose of the Design Criteria Package is to furnish sufficient information to permit Design-Build Firms to prepare a bid or a response to the District’s Request for Proposals, or to permit the District to enter into a negotiated Design-Build Contract. The Design Criteria Package must specify performance-based criteria for the public construction project, including the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal, and parking requirements applicable to the project. Design Criteria Packages shall require firms to submit information regarding the qualifications, availability, and past work of the firms, including the partners and members thereof.
- (g) “Design Criteria Professional” means a firm who holds a current certificate of registration under Chapter 481 of the Florida Statutes, to practice architecture or landscape architecture, or a firm who holds a current certificate as a registered engineer under Chapter 471 of the Florida Statutes, to practice engineering, and who is employed by or under contract to the District to provide professional architect services, landscape architect services, or engineering services in connection with the preparation of the Design Criteria Package.
- (h) “Emergency Purchase” means a purchase necessitated by a sudden unexpected turn of events (for example, acts of God, riot, fires, floods, hurricanes, accidents, or any circumstances or cause beyond the control of the Board in the normal conduct of its business), where the Board finds

that the delay incident to competitive purchase would be detrimental to the interests of the District. This includes, but is not limited to, instances where the time to competitively award the project will jeopardize the funding for the project, will materially increase the cost of the project, or will create an undue hardship on the public health, safety, or welfare.

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

- (o) “Request for Proposals” or “RFP” is a written solicitation for sealed proposals with the title, date, and hour of the public opening designated and requiring the manual signature of an authorized representative. It may provide general information, applicable laws and rules, statement of work, functional or general specifications, qualifications, proposal instructions, work detail analysis, and evaluation criteria as necessary.
- (p) “Responsive and Responsible Bidder” means an entity or individual that has submitted a bid that conforms in all material respects to the Invitation to Bid and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. “Responsive and Responsible Vendor” means an entity or individual that has submitted a proposal, reply, or response that conforms in all material respects to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. In determining whether an entity or individual is a Responsive and Responsible Bidder (or Vendor), the District may consider, in addition to factors described in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the following:
  - (i) The ability and adequacy of the professional personnel employed by the entity/individual;
  - (ii) The past performance of the entity/individual for the District and in other professional employment;
  - (iii) The willingness of the entity/individual to meet time and budget requirements;
  - (iv) The geographic location of the entity’s/individual’s headquarters or office in relation to the project;
  - (v) The recent, current, and projected workloads of the entity/individual;
  - (vi) The volume of work previously awarded to the entity/individual;
  - (vii) Whether the cost components of the bid or proposal are appropriately balanced; and
  - (viii) Whether the entity/individual is a certified minority business enterprise.

- (q) “Responsive Bid,” “Responsive Proposal,” “Responsive Reply,” and “Responsive Response” all mean a bid, proposal, reply, or response which conforms in all material respects to the specifications and conditions in the Invitation to Bid, Request for Proposals, Invitations to Negotiate, or Competitive Solicitation document and these Rules, and the cost components of which, if any, are appropriately balanced. A bid, proposal, reply or response is not responsive if the person or firm submitting it fails to meet any material requirement relating to the qualifications, financial stability, or licensing of the bidder.

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

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

**Rule 3.1      Procedure Under the Consultants' Competitive Negotiations Act.**

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

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

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

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

(4) Competitive Selection.

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

- (d) Notice of the rankings adopted by the Board, including the rejection of some or all qualification packages, shall be provided in writing to all consultants by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's ranking decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

(5) Competitive Negotiation.

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



- (6) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (7) Continuing Contract. Nothing in this Rule shall prohibit a Continuing Contract between a consultant and the District.
- (8) Emergency Purchase. The District may make an Emergency Purchase without complying with these Rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

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

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

### **Rule 3.2      Procedure Regarding Auditor Selection.**

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

(1)    Definitions.

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

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

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

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

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

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

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

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

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

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

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

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

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



### **Rule 3.3      Purchase of Insurance.**

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

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

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

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

**Law Implemented:** § 112.08, Fla. Stat.



### **Rule 3.4      Pre-qualification**

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

responses in response to the applicable Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

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

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

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

(j) Notice of intent to pre-qualify, including rejection of some or all qualifications, shall be provided in writing to all vendors by United States Mail, electronic mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's pre-qualification decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11; provided however, protests related to the pre-qualification criteria and procedures for construction services shall be resolved in accordance with section (2)(b) of this Rule and Section 255.20(1)(b) of the Florida Statutes.

(3) Suspension, Revocation, or Denial of Qualification

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

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

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

- (c) The District shall inform the vendor in writing of its intent to deny, suspend, or revoke its pre-qualified status and inform the vendor of its right to a hearing, the procedure which must be followed, and the applicable time limits. If a hearing is requested within 10 days after the receipt of the notice of intent, the hearing shall be held within 30 days after receipt by the District of the request for the hearing. The decision shall be issued within 15 days after the hearing.
- (d) Such suspension or revocation shall not affect the vendor's obligations under any preexisting contract.
- (e) In the case of contract crimes, the vendor's pre-qualified status under this Rule shall be revoked indefinitely. For all violations of Rule 3.4(3)(a) other than for the vendor's conviction for contract crimes, the revocation, denial, or suspension of a vendor's pre-qualified status under this Rule shall be for a specific period of time based on the seriousness of the deficiency.

Examples of factors affecting the seriousness of a deficiency are:

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

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

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

**Rule 3.5      Construction Contracts, Not Design-Build.**

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

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

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

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

- (f) Bids, proposals, replies, and responses, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. Bids, proposals, replies, and responses shall be evaluated in

accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and these Rules. Minor variations in the bids, proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.

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



- (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase construction services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of construction services, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the construction services without further competitive selection processes.
- (3) Sole Source; Government. Construction services that are only available from a single source are exempt from this Rule. Construction services provided by governmental agencies are exempt from this Rule. This Rule shall not apply to the purchase of construction services, which may include goods, supplies, or materials, that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules. A contract for construction services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.
- (4) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (5) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board Meeting.
- (6) Exceptions. This Rule is inapplicable when:
  - (a) The project is undertaken as repair or maintenance of an existing public facility;
  - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
  - (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contract; or
  - (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

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

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

**Rule 3.6      Construction Contracts, Design-Build.**

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

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

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

be considered ineligible by the District to submit a bid, response, or proposal for a District project.

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

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

Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's rankings under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

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

Design-Build Firm available at the time. The fact that an Emergency Purchase has occurred shall be noted in the minutes of the next Board meeting.

(5) Exceptions. This Rule is inapplicable when:

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

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

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

**Rule 3.7      Payment and Performance Bonds.**

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

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

**Law Implemented:** § 255.05, Fla. Stat.

### **Rule 3.8      Goods, Supplies, and Materials.**

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



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

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

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

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

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

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

- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.
- (i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
- (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of goods, supplies, and materials under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
- (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase goods, supplies, or materials, or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of goods, supplies, and materials, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct

purchase of the goods, supplies, and materials without further competitive selection processes.

- (3) Goods, Supplies, and Materials included in a Construction Contract Awarded Pursuant to Rule 3.5 or 3.6. There may be occasions where the District has undergone the competitive purchase of construction services which contract may include the provision of goods, supplies, or materials. In that instance, the District may approve a change order to the contract and directly purchase the goods, supplies, and materials. Such purchase of goods, supplies, and materials deducted from a competitively purchased construction contract shall be exempt from this Rule.
- (4) Exemption. Goods, supplies, and materials that are only available from a single source are exempt from this Rule. Goods, supplies, and materials provided by governmental agencies are exempt from this Rule. A contract for goods, supplies, or materials is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process. This Rule shall not apply to the purchase of goods, supplies or materials that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules.
- (5) Renewal. Contracts for the purchase of goods, supplies, and/or materials subject to this Rule may be renewed for a maximum period of five (5) years.
- (6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

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

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

**Rule 3.9      Maintenance Services.**

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

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

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

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

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

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

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

**Rule 3.10 Contractual Services.**

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

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

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

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

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

(1)      Filing.

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



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

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

(d) Enter orders; and

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

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

(5) Intervenors. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.

(6) Rejection of all Qualifications, Bids, Proposals, Replies and Responses after Receipt of Notice of Protest. If the Board determines there was a violation of law, defect, or an irregularity in the competitive solicitation process, the Bids, Proposals, Replies, and Responses are too high, or if the Board determines it is otherwise in the District's best interest, the Board may reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew. If the Board decides to reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew, any pending protests shall automatically terminate.

(7) Settlement. Nothing herein shall preclude the settlement of any protest under this Rule at any time.

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

Law Implemented: § 190.033, Fla. Stat.

**Rule 4.0      Effective Date.**

These Rules shall be effective \_\_\_\_\_, 20\_\_, 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.

*FIFTH ORDER OF BUSINESS*



# OFFICE OF THE CLAY COUNTY PROPERTY APPRAISER

**Honorable Roger A. Suggs, CFA, AAS, CCF**  
State-Certified General Real Estate Appraiser RZ2771



November 12, 2019

Wilford Preserve Community Development District  
c/o Government Management Services – North Florida  
Attention: Sheryl Fulks  
475 West Town Place, Suite 114  
St. Augustine, FL 32092

RE: Public Records Exemptions

Dear Ms. Fulks:

Chapter 119, Florida Statutes, provides that any records made or received by any public agency in the course of its official business are available for inspection, unless specifically exempted by law. § 119.071(4), F.S., provides an exemption (upon request) for an extensive list of designated officers and employees, and their families, by removing certain personal, identifying information from the mandatory disclosure of the Florida Public Records Act.

The 2019 Florida Legislature passed Senate Bill 248, which was enacted on July 1, 2019. The bill amends § 119.071(4)(d), F.S., by providing an expanded definition of home addresses as “the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name, lot number, GPS coordinates, and any other descriptive property information that may reveal the home address.” This information is captured and maintained in the property appraiser’s database.

Since the Wilford Preserve Community Development District (and designated employees) has a statutory or substantial policy need for the database information that is otherwise exempt from disclosure, it will be shared. However, the exempt status of the information should remain in effect to protect the safety and privacy of the specified personnel and their families.

Enclosed is an agreement, which demonstrates a tangible acknowledgement of our understanding. Additionally, I have provided PTO 19-03 and Senate Bill 248 for your consideration. If you have any questions or concerns, please contact me at (904) 278-3627 or [rsuggs@ccpao.com](mailto:rsuggs@ccpao.com).

Sincerely,

Roger A. Suggs, CFA, AAS, CCF  
Property Appraiser  
State-Certified General Real Estate Appraiser RZ2771

**Main Office**  
County Administration Building  
477 Houston Street, 2<sup>nd</sup> Floor  
Green Cove Springs, FL 32043  
Telephone: (904) 269/284-6305  
Fax: (904) 284-2923  
[www.ccpao.com](http://www.ccpao.com)

**Orange Park Office**  
Park Central Plaza  
1518 Park Avenue  
Orange Park, FL 32073  
Telephone: (904) 541-5332  
[www.facebook.com/ccpaoofl](https://www.facebook.com/ccpaoofl)

**NONDISCLOSURE AGREEMENT  
FOR INFORMATION EXEMPT FROM PUBLIC DISCLOSURE  
UNDER CHAPTER 119, FLORIDA STATUTES**

**BETWEEN THE CLAY COUNTY PROPERTY APPRAISER  
AND THE WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT**

**THIS NONDISCLOSURE AGREEMENT FOR INFORMATION EXEMPT FROM PUBLIC DISCLOSURE UNDER CHAPTER 119, FLORIDA STATUTES (“Agreement”)** is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2020, by and between the **WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT** (the “District”), an independent special district created pursuant to Chapter 190, Florida Statutes, as amended, whose address is 475 West Town Place, Suite 114, St. Augustine, FL 32092, and the **CLAY COUNTY PROPERTY APPRAISER**, (the “Property Appraiser”) a Constitutional Officer of the State of Florida, whose address is P.O. Box 38, Green Cove Springs, Florida 32043.

**SECTION I  
Findings and Determinations**

The parties find and determine:

1. The Property Appraiser has the statutory responsibility to list and appraise all real and tangible personal property in the county each year for purposes of ad valorem taxation. During the normal course of business, the Property Appraiser acquires, stores, and maintains an abundance of property and ownership information, some of which is exempt from public disclosure; and
2. In order to perform its contractual duties related to the production of non-ad valorem assessments and the delivery of a non-ad valorem tax roll to the Clay County Tax Collector, the District requires certain property and ownership information held by the Property Appraiser for properties within the District’s jurisdictional boundary.

**SECTION II  
Applicable Law and Regulations**

1. Chapter 119, F.S., provides that any records made or received by any public agency in the course of its official business are available for inspection, unless specifically exempted by the Florida Legislature; and
2. § 119.071, F.S., contains multiple exemptions from disclosure under the mandatory access requirement of § 119.07(1), F.S. Under § 119.071(4)(d)3., F.S., an agency that is not the employer of, but is the custodian of records pertaining to, one of the persons enumerated in § 119.071(4)(d),



F.S., is required to maintain such person's exemption if the person or his or her employing agency submits a written request to the custodian; and

3. § 119.071(4)(d), F.S., defines "home addresses" to mean the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the home address; and
4. The Office of the Attorney General of Florida ("Attorney General") released Advisory Legal Opinion 2017-05 on November 22, 2017, that noted a clear distinction is made between public records that are "exempt" from disclosure and records that are "confidential." "If information is made confidential in the statutes, the information is not subject to inspection by the public and may only be released to the persons or organizations designated in the statute.... If records are not confidential but are only exempt from the Public Records Act, the exemption does not prohibit the showing of such information." Based upon this distinction, the Attorney General concluded that when there is a statutory or substantial policy need for information that is otherwise exempt from disclosure under the Public Records Act, the information should be made available to the requesting agency or entity. The Attorney General also noted that there is nothing in Chapter 119, F.S., indicating that an exempt address loses its exempt status by being shared with another agency.

### **SECTION III**

#### **Purpose**

1. The purpose of this Agreement is to facilitate the transfer between the Property Appraiser and the District of data elements maintained by the Property Appraiser that constitute home address as defined and that are exempt under Chapter 119, F.S., for which the Property Appraiser has received a request to withhold such home addresses from disclosure pursuant to § 119.071(4)(d)3., F.S. ("Exempt Home Addresses"); and
2. To ensure that exempt home addresses retain their exempt status, and are withheld from disclosure in accordance with applicable law, once in the District's possession.

### **SECTION IV**

#### **Term**

1. The term of this Agreement shall commence upon execution and shall continue and extend uninterrupted from year-to-year, automatically renewed for successive periods not to exceed one (1) year each; and
2. Either party has the right to terminate this Agreement by giving at least 30 days notice in writing to the other party to expire at the end of the initial or last renewal term.





**SECTION V**  
**Duties and Responsibilities of Property Appraiser**

1. The Property Appraiser agrees to provide the District exempt home addresses in the same manner that it provides other non-exempt property and ownership information; and,
2. The Property Appraiser agrees to clearly identify which properties contain exempt home addresses. This information will be conveyed in the data file(s) using a field named PCCONF. The PCCONF field will contain a "Y" if the parcel has an exempt home address. Otherwise, the PCCONF field will contain a "N".

**SECTION VI**  
**Duties and Responsibilities of the District**

1. The District agrees that exempt home addresses will retain their exempt status once in its possession; and
2. To the extent permitted by applicable law, the Requesting Entity agrees to withhold from public disclosure exempt home addresses or names as outlined pursuant to §§ 119.071(4) and 493, F.S., and as otherwise identified by the Property Appraiser pursuant to Section V, above.

**SECTION VII**  
**Miscellaneous**

1. The parties shall perform all their obligations under this Agreement in accordance with good faith and prudent practice.
2. If either party receives any letter, action, suit or investigation from a non-party to this Agreement regarding the withholding of the exempt home addresses pursuant to this Agreement, the other party shall cooperate and assist the other parties in this agreement in defending claims to such exempt home addresses. The parties agree that neither party shall be entitled to any additional fees and/or compensation for their cooperation and assistance under this paragraph of the Agreement.



3. Each party, as a state agency, political subdivision, or special unit of government as defined by § 190 and 768.28, F.S., shall indemnify each other party and defend and hold it harmless as to any claim, judgment or damage award whatsoever arising out of or related to that indemnifying party's own negligent or wrongful acts or omissions, to the extent permitted by law, and subject to the dollar limitations set forth in § 768.28, F.S. The parties understand that pursuant to § 768.28(19), F.S., no party is entitled to be indemnified or held harmless by another party for its own negligent or wrongful acts or omissions. Nothing herein is intended to serve as a waiver of sovereign immunity by any party to which sovereign immunity may be applicable, and each party claims all of the privileges and immunities and other benefits and protections afforded by § 163.01(9), F.S. The parties to this Agreement do not intend that this Agreement benefit any third party, and nothing herein should be construed as consent by a state agency or political subdivision of the State of Florida to be sued by third parties in any matter arising out of this Agreement.
4. This Agreement constitutes the entire Agreement between the parties with respect to the subject matter contained herein and may not be amended, modified, or rescinded unless otherwise provided in this Agreement, except in writing and signed by all the parties hereto. Should any provision of this Agreement be declared to be invalid, the remaining provisions of this Agreement shall remain in full force and effect, unless such provision found to be invalid alters substantially the benefits or the Agreement for either of the parties or renders the statutory and regulatory obligations unable to be performed. All prior agreements between the parties hereto, addressing the matters set forth herein, are hereby terminated and superseded by this Agreement.
5. This Agreement shall be governed by the laws of the State of Florida.
6. Written notice shall be given to the parties at the following addresses, or such other place or person as each of the parties shall designate by similar notice:

**As to Property Appraiser:**

The Honorable Roger Suggs  
Clay County Property Appraiser  
P.O. Box 38  
Green Cove Springs, FL 32043

**As to the Requesting Entity:**

Wilford Preserve Community Development  
District  
c/o Sheryl Fulks  
475 West Town Place, Suite 114  
St. Augustine, FL 32092



IN WITNESS WHEREOF, the parties have hereunto set, their hands and seals and such of them as are corporations have caused these presents to be signed by their duly authorized officers.

WITNESS

Tracy S. Drake  
Signature

Tracy S. Drake  
Printed Name

**CLAY COUNTY PROPERTY APPRAISER**

By: Roger A. Suggs  
Hon. Roger A. Suggs

Date: 11/12/2019

WITNESS

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

**WILFORD PRESERVE COMMUNITY  
DEVELOPMENT DISTRICT**

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

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



To: Property Appraisers, Tax Collectors, Clerks of the Court, Boards of  
County Commissioners, Taxing Authorities, and Interested Parties  
From: Property Tax Oversight Program  
Date: July 1, 2019  
Bulletin: PTO 19-03

**FLORIDA DEPARTMENT OF REVENUE  
PROPERTY TAX INFORMATIONAL BULLETIN**

**Agency personnel information exemptions from inspection or copying of  
public records**

The 2019 Legislature enacted [chapter 2019-12](#), Laws of Florida, (SB 248) effective July 1, 2019. Section 1 of the law amends section 119.071(4)(d), Florida Statutes, regarding agency personnel information that is exempt from public disclosure, to define the term “home addresses” for purposes of public records exemptions for personal identifying and location information of agency personnel and their family members.

The new law provides:

**119.071 General exemptions from inspection or copying of public records.—**

**(4) AGENCY PERSONNEL INFORMATION.—**

**(d)1. For purposes of this paragraph, the term:**

**a. “Home addresses” means the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the home address.**

Property appraisers and custodians of public records must redact that portion of the records where the exemption applies. Property appraisers indicate a record is exempt from public disclosure by placing a confidentiality code in their CAMA systems and on the tax roll, as s. 193.114(2)(u), F.S., requires.

For more information, please see [PTO Bulletin 07-17](#) on the Department's Revenue Law Library, which also addresses amendments to s. 119.071(4), F.S.

The Department of Revenue has provided this bulletin for your general information. Please distribute to your staff who may be affected by the changes in the law. If you have questions about its contents, please send them to [DORPTO@floridarevenue.com](mailto:DORPTO@floridarevenue.com).





## CHAPTER 2019-12

### Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 248

An act relating to public records; amending s. 119.071, F.S.; expanding exemptions from public records requirements for agency personnel information by defining the term “home addresses” for purposes of public records exemptions for personal identifying and location information of certain agency personnel and their family members; exempting personal identifying and location information of active or former civilian personnel employed by a law enforcement agency, and of spouses and children of such personnel, from public records requirements; authorizing certain persons to request the release of exempt information in a specified manner; requiring a custodial agency to release such information upon receipt of such a request; providing for retroactive application; providing for legislative review and repeal of the exemptions; providing statements of public necessity; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (d) of subsection (4) of section 119.071, Florida Statutes, is amended to read:

119.071 General exemptions from inspection or copying of public records.—

(4) AGENCY PERSONNEL INFORMATION.—

(d)1. For purposes of this paragraph, the term:

a. “Home addresses” means the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the home address.

b. “Telephone numbers” includes home telephone numbers, personal cellular telephone numbers, personal pager telephone numbers, and telephone numbers associated with personal communications devices.

2.a. The home addresses, telephone numbers, dates of birth, and photographs of active or former sworn ~~or civilian~~ law enforcement personnel or of active or former civilian personnel employed by a law enforcement agency, including correctional and correctional probation officers, personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the

Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.~~

b. The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Department of Financial Services whose duties include the investigation of fraud, theft, workers' compensation coverage requirements and compliance, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2021, unless reviewed and saved from repeal through reenactment by the Legislature.~~

c. The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Office of Financial Regulation's Bureau of Financial Investigations whose duties include the investigation of fraud, theft, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.~~

d. The home addresses, telephone numbers, dates of birth, and photographs of current or former firefighters certified in compliance with s. 633.408; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such firefighters; and the names and locations of schools and day care facilities attended by the children of such firefighters are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15, and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.~~

e. The home addresses, dates of birth, and telephone numbers of current or former justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former justices and judges; and the names and locations of schools and day care facilities attended by the children of current or former justices and judges are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.~~

f. The home addresses, telephone numbers, dates of birth, and photographs of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; and the names and locations of schools and day care facilities attended by the children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

g. The home addresses, dates of birth, and telephone numbers of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; and the names and locations of schools and day care facilities attended by the children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.~~

h. The home addresses, telephone numbers, dates of birth, and photographs of current or former human resource, labor relations, or employee relations directors, assistant directors, managers, or assistant managers of any local government agency or water management district whose duties include hiring and firing employees, labor contract negotiation, administration, or other personnel-related duties; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

i. The home addresses, telephone numbers, dates of birth, and photographs of current or former code enforcement officers; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

j. The home addresses, telephone numbers, places of employment, dates of birth, and photographs of current or former guardians ad litem, as defined in s. 39.820; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such persons; and the names and locations of schools and day care facilities attended by the children of such persons are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.~~

k. The home addresses, telephone numbers, dates of birth, and photographs of current or former juvenile probation officers, juvenile probation supervisors, detention superintendents, assistant detention superintendents, juvenile justice detention officers I and II, juvenile justice detention officer supervisors, juvenile justice residential officers, juvenile justice residential officer supervisors I and II, juvenile justice counselors, juvenile justice counselor supervisors, human services counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice; the names, home addresses, telephone numbers, dates of birth, and places of employment of spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

l. The home addresses, telephone numbers, dates of birth, and photographs of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; and the names and locations of schools and day care facilities attended by the children of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

m. The home addresses, telephone numbers, dates of birth, and photographs of current or former investigators or inspectors of the Department of Business and Professional Regulation; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and



children of such current or former investigators and inspectors; and the names and locations of schools and day care facilities attended by the children of such current or former investigators and inspectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.~~

n. The home addresses, telephone numbers, and dates of birth of county tax collectors; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such tax collectors; and the names and locations of schools and day care facilities attended by the children of such tax collectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.~~

o. The home addresses, telephone numbers, dates of birth, and photographs of current or former personnel of the Department of Health whose duties include, or result in, the determination or adjudication of eligibility for social security disability benefits, the investigation or prosecution of complaints filed against health care practitioners, or the inspection of health care practitioners or health care facilities licensed by the Department of Health; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2019, unless reviewed and saved from repeal through reenactment by the Legislature.~~

p. The home addresses, telephone numbers, dates of birth, and photographs of current or former impaired practitioner consultants who are retained by an agency or current or former employees of an impaired practitioner consultant whose duties result in a determination of a person's skill and safety to practice a licensed profession; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such consultants or their employees; and the names and locations of schools and day care facilities attended by the children of such consultants or employees are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2020, unless reviewed and saved from repeal through reenactment by the Legislature.~~

q. The home addresses, telephone numbers, dates of birth, and photographs of current or former emergency medical technicians or paramedics

certified under chapter 401; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such emergency medical technicians or paramedics; and the names and locations of schools and day care facilities attended by the children of such emergency medical technicians or paramedics are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2021, unless reviewed and saved from repeal through reenactment by the Legislature.~~

r. The home addresses, telephone numbers, dates of birth, and photographs of current or former personnel employed in an agency's office of inspector general or internal audit department whose duties include auditing or investigating waste, fraud, abuse, theft, exploitation, or other activities that could lead to criminal prosecution or administrative discipline; the names, home addresses, telephone numbers, dates of birth, and places of employment of spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2021, unless reviewed and saved from repeal through reenactment by the Legislature.~~

s. The home addresses, telephone numbers, dates of birth, and photographs of current or former directors, managers, supervisors, nurses, and clinical employees of an addiction treatment facility; the home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. For purposes of this sub-subparagraph, the term "addiction treatment facility" means a county government, or agency thereof, that is licensed pursuant to s. 397.401 and provides substance abuse prevention, intervention, or clinical treatment, including any licensed service component described in s. 397.311(26). ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2023, unless reviewed and saved from repeal through reenactment by the Legislature.~~

t. The home addresses, telephone numbers, dates of birth, and photographs of current or former directors, managers, supervisors, and clinical employees of a child advocacy center that meets the standards of s. 39.3035(1) and fulfills the screening requirement of s. 39.3035(2), and the members of a child protection team as described in s. 39.303 whose duties include supporting the investigation of child abuse or sexual abuse, child abandonment, child neglect, and child exploitation or to provide services as part of a multidisciplinary case review team; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel and members; and the names and

locations of schools and day care facilities attended by the children of such personnel and members are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2023, unless reviewed and saved from repeal through reenactment by the Legislature.~~

3. An agency that is the custodian of the information specified in subparagraph 2. and that is not the employer of the officer, employee, justice, judge, or other person specified in subparagraph 2. shall maintain the exempt status of that information only if the officer, employee, justice, judge, other person, or employing agency of the designated employee submits a written request for maintenance of the exemption to the custodial agency.

4. An officer, an employee, a justice, a judge, or other person specified in subparagraph 2. may submit a written request for the release of his or her exempt information to the custodial agency. The written request must be notarized and must specify the information to be released and the party that is authorized to receive the information. Upon receipt of the written request, the custodial agency shall release the specified information to the party authorized to receive such information.

5. The exemptions in this paragraph apply to information held by an agency before, on, or after the effective date of the exemption.

6. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2024, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. (1) The Legislature finds that it is a public necessity to define the term "home addresses" for purposes of the public records exemptions for agency personnel information under s. 119.071(4)(d), Florida Statutes. The public records exemptions for agency personnel information protect identifying and location information of numerous types of personnel, including, but not limited to, current or former law enforcement officers, investigative personnel, state attorneys and prosecutors, public defenders, guardians ad litem, Supreme Court justices, various judges, and the spouses and children of such personnel. The Legislature has previously recognized that such personnel and their family members are at a heightened risk of physical and emotional harm from disgruntled individuals who have contentious reactions to actions taken by such personnel, or whose business or professional practices have come under scrutiny of such personnel, and, as a result, has enacted various public records exemptions. While home addresses of such personnel and their family members are already exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution, the current exemptions do not provide protection for various forms of descriptive property information that may be used on its own, or in conjunction with other information, to reveal the home addresses that otherwise should be



protected from public disclosure. Therefore, the Legislature finds that it is a public necessity to specifically define the term "home addresses" so that the safety and privacy of various personnel and their family members are not compromised.

(2) The Legislature further finds that it is a public necessity that the home addresses, telephone numbers, dates of birth, and photographs of active or former civilian personnel employed by a law enforcement agency; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel be exempt from public records requirements. Existing law already provides that the identifying and location information of active or former civilian law enforcement personnel and their spouses and children are exempt from public records requirements. The amendment made by this act further specifies that any active or former civilian personnel employed by a law enforcement agency and their spouses and children are entitled to the protections of the public records exemption. The civilian personnel of law enforcement agencies perform a variety of important duties that ensure public safety and welfare and encourage safe and secure communities. As a result of such duties, these civilian personnel often come into close contact with individuals who not only may be a threat to those personnel, but who might also seek to take revenge against them by harming their spouses and children. The Legislature finds that modifying the public records exemption to apply to all active or former civilian personnel employed by a law enforcement agency and their spouses and children will serve the public interest by further ensuring the safety of such personnel.

Section 3. This act shall take effect July 1, 2019.

Approved by the Governor April 26, 2019.

Filed in Office Secretary of State April 26, 2019.

## *SIXTH ORDER OF BUSINESS*

Page 1 of 6  
**RESOLUTION 2020-05**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT RATIFYING, CONFIRMING, AND APPROVING THE ISSUANCE OF WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT SPECIAL ASSESSMENT BONDS, SERIES 2019A; RATIFYING, CONFIRMING, AND APPROVING THE ACTIONS OF THE CHAIRMAN, VICE CHAIRMAN, TREASURER, SECRETARY, ASSISTANT SECRETARIES, AND ALL DISTRICT STAFF REGARDING THE ISSUANCE OF THE WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT SPECIAL ASSESSMENT BONDS, SERIES 2019A; AND DETERMINING SUCH ACTIONS AS BEING IN ACCORDANCE WITH THE AUTHORIZATION GRANTED BY THE BOARD; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Wilford Preserve 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 District previously adopted resolutions authorizing the issuance of \$7,985,000 Wilford Preserve Community Development District Special Assessment Bonds, Series 2019A (the “Series 2019A Bonds”); and

**WHEREAS**, the District has closed on the issuance of the Series 2019A Bonds; and

**WHEREAS**, as prerequisites to the issuance of the Series 2019A Bonds, the Chairman, Secretary, and District Staff including the District Manager, District Financial Advisor, District Engineer and District Counsel were required to execute and deliver various documents (the “Closing Documents”); and

**WHEREAS**, the District desires to ratify, confirm, and approve all actions of the District Chairman, Secretary, and District Staff in closing of the Series 2019AB Bonds.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WILFORD PRESERVE COMMUNITY DEVELOPMNT DISTRICT:**

**SECTION 1.** The issuance of the Series 2019A Bonds is in the best interests of the District.

**SECTION 2.** The issuance of the Series 2019A Bonds, the adoption of resolutions relating to such bonds, and all actions taken in the furtherance of the issuance on such bonds, are

hereby declared and affirmed as being in the best interests of the District and are hereby ratified, approved, and confirmed.

**SECTION 3.** The actions of the Chairman, Secretary, and all District Staff in finalizing the closing and issuance of the Series 2019A Bonds, including the execution and delivery of the Closing Documents as listed on **Exhibit A** attached hereto, and all documents and certifications to effectuate the issuance of the Series 2019A Bonds, are determined to be in accordance with the prior authorizations of the Board and are hereby ratified, approved, and confirmed in all respects.

**SECTION 4.** If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 5.** This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

**PASSED AND ADOPTED** this 16<sup>th</sup> day of January, 2020.

ATTEST:

**WILFORD PRESERVE COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

**Exhibit A:** Closing Documents List

Page 3 of 6  
**Exhibit A**

**WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT  
(Clay County, Florida)**

**\$7,985,000  
SPECIAL ASSESSMENT BONDS, SERIES 2019A**

**CLOSING TRANSCRIPT**

The Pre-Closing will be held by mail and in the offices of Bryant Miller Olive P.A., Citrus Center, 255 South Orange Avenue, Suite 1350, Orlando, Florida 32801 on or before October 31, 2019, and the Closing will be held by telephone and wire transfer on November 1, 2019.

**LIST OF CLOSING DOCUMENTS**

			<b><u>Tab No.</u></b>
<b>I.</b>	<b><u>BASIC DOCUMENTS</u></b>		
1.1	Master Trust Indenture, dated as of July 1, 2018, between the District and U.S. Bank National Association (the "Trustee")		1
1.2	Second Supplemental Trust Indenture, dated as of November 1, 2019, between the District and the Trustee		2
1.3	Bond Purchase Contract, together with disclosure statement of Underwriter pursuant to Section 218.385(6) Florida Statutes		3
1.4	DTC Blanket Issuer Letter of Representations		4
1.5	a. Preliminary Limited Offering Memorandum b. 15c2-12 Certificate		5
1.6	a. Limited Offering Memorandum b. Supplement to Limited Offering Memorandum		6
1.7	Continuing Disclosure Agreement		7
1.8	Certificate of Dissemination Agent		8
1.9	Agreement Regarding the Completion of Certain Improvements (Series 2019A Bonds)		9
1.10	True-Up Agreement (Series 2019A Bonds)		10
1.11	Agreement Regarding the Acquisition of Certain Work Product, Improvements and Real Property (Series 2019A Bonds)		11
1.12	Collateral Assignment and Assumption of Development Rights Agreement (Series 2019A Bonds)		12

	<u>Tab No.</u>
<b>II. <u>DOCUMENTS TO BE DELIVERED BY THE DISTRICT</u></b>	
2.1 Copy of Ordinance No. 2017-9 enacted by the Board of County Commissioners of Clay County, Florida enacted on February 28, 2017, effective on March 3, 2017, establishing the District	13
2.2 Certified copies of the following Bond Resolutions:	14
a. Resolution No. 2018-05 adopted on March 5, 2018, authorizing the issuance, sale and delivery of not to exceed \$22,000,000 of Bonds by the District	
b. Resolution No. 2019-02 adopted June 5, 2019, authorizing the sale of the Series 2019A Bonds	
c. Resolution No. 2020-02 adopted October 17, 2019, authorizing the distribution and use of a Supplement to Limited Offering Memorandum and delivery of the Second Supplemental Trust Indenture	
2.3 Certified copies of the following Assessment Resolutions:	15
a. Resolution No. 2018-03 adopted March 5, 2018, declaring special assessments, authorizing the preparation of a preliminary assessment roll and providing for certain details of the assessments	
b. Resolution No. 2018-04 adopted March 5, 2018, establishing a public hearing to consider imposition of special assessments	
c. Resolution No. 2018-09 adopted April 12, 2018, equalizing, approving and confirming special assessments, providing for the payment and collection of special assessments	
d. Resolution No. 2019-06 adopted September 12, 2019, supplementing Resolution No. 2018-09	
2.4 Validation Proceedings	16
a. Final Judgment	
b. Certificate of No Appeal	
2.5 Certificate as to Public Meetings and No Conflict of Interest	17
2.6 General and Closing Certificate of the District	18
2.7 Arbitrage Certificate, including Certificate of Underwriter and Rebate Covenants attached thereto	19
2.8 IRS Form 8038-G	20
2.9 Request and Authorization for Authentication and Delivery of the Series 2019A Bonds	21
2.10 Bank Qualified Certificate	22
2.11 Specimen Series 2019A Bonds	23
2.12 Notice of Special Assessments and Government Lien of Record	24

**III. DOCUMENTS TO BE DELIVERED BY THE TRUSTEE**

- |     |   |    |
|-----|---|----|
| 3.1 | Certificate of Trustee, Paying Agent and Bond Registrar as to Certain Matters   | 25 |
| 3.2 | Certificate of the Trustee as to Delivery of Series 2019A Bonds and Receipt and Application of Proceeds of Series 2019A Bonds | 26 |

**IV. DOCUMENTS TO BE DELIVERED BY THE UNDERWRITER**

- |     |  |    |
|-----|--|----|
| 4.1 | Delivery Instructions of Underwriter as to Series 2019A Bonds      | 27 |
| 4.2 | Underwriter's Certificate as to compliance with Section 189.051(2) | 28 |

**V. DOCUMENTS TO BE DELIVERED BY THE DEVELOPER**

- |     |   |    |
|-----|---|----|
| 5.1 | Certificate of the Developer  | 29 |
| 5.2 | Declaration of Consent to Jurisdiction of Wilford Preserve Community Development District and to Imposition of Special Assessments executed by DFC Wilford, LLC | 30 |

**VI. DOCUMENTS TO BE DELIVERED BY THE DISTRICT ENGINEER**

- |     |  |    |
|-----|--|----|
| 6.1 | a. Engineering Report dated February 23, 2018<br>b. Second Amended and Restated Second Supplemental Engineering Report dated August 15, 2019 | 31 |
| 6.2 | Certificate of Engineer  | 32 |

**VII. DOCUMENTS TO BE DELIVERED BY DISTRICT MANAGER AND METHODOLOGY CONSULTANT**

- |     |  |    |
|-----|--|----|
| 7.1 | a. Wilford Preserve Community Development District Master Special Assessment Methodology Report dated March 5, 2018<br>b. Wilford Preserve Community Development District Supplemental Special Assessment Methodology Report for the Special Assessment Revenue Bonds Series 2019A Final Numbers dated August 23, 2019 | 33 |
| 7.2 | Certificate of District Manager and Methodology Consultant   | 34 |

**VIII. OPINIONS OF COUNSEL**

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| 8.4 | Opinion of GrayRobinson, P.A., Counsel to the Underwriter      | 38 |

		<b><u>Tab No.</u></b>
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## *SEVENTH ORDER OF BUSINESS*

Upon recording, this instrument should be returned to:

(This space reserved for Clerk)

Wilford Preserve Community Development District  
c/o Governmental Management Services, LLC  
14785 St. Augustine Road, Suite 4  
Jacksonville, Florida 32258

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**AMENDED AND RESTATED DISCLOSURE OF PUBLIC FINANCING AND  
MAINTENANCE OF IMPROVEMENTS TO REAL PROPERTY UNDERTAKEN BY  
THE WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT**

**Board of Supervisors<sup>1</sup>**

**Wilford Preserve Community Development District**

Batey McGraw  
Chairman

Linda Richardson  
Assistant Secretary

Jordan Beall  
Vice Chairman

Shannon Ray  
Assistant Secretary

Michael MacGrogan  
Assistant Secretary

Governmental Management Services, LLC  
District Manager  
475 West Town Place, Suite 111  
St. Augustine, Florida 32092

District records are on file at the offices of Governmental Management Services, LLC and are available for public inspection upon request during normal business hours.

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<sup>1</sup> This list reflects the composition of the Board of Supervisors as of January 1, 2020. For a current list of Board Members, please contact the District Manager's office.

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# **WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT**

## **INTRODUCTION**

The Wilford Preserve Community Development District (“District”) is a local unit of special-purpose government created pursuant to and existing under the provisions of Chapter 190, Florida Statutes. Under Florida law, community development districts are required to take affirmative steps to provide for the full disclosure of information relating to the public financing and maintenance of improvements to real property undertaken by such districts. Unlike city and county governments, the District has only certain limited powers and responsibilities. These powers and responsibilities include, for example, construction and/or acquisition of roadways, utilities, stormwater management, landscape, entry features, recreation, conservation and mitigation, and other related public infrastructure. Additionally, it is anticipated that the District will be responsible for the maintenance of the stormwater management, landscape, entry features and recreation improvements.

**DISCLOSURE OF PUBLIC FINANCING AND MAINTENANCE  
OF IMPROVEMENTS TO REAL PROPERTY UNDERTAKEN BY  
THE WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT**

Under Florida law, community development districts are required to take affirmative steps to provide for the full disclosure of information relating to the public financing and maintenance of improvements to real property undertaken by such districts. The law specifically provides that this information shall be made available to all persons currently residing within the District and to all prospective District residents. The following information describing the Wilford Preserve Community Development District and the assessments, fees and charges that may be levied within the District to pay for certain community infrastructure is provided to fulfill this statutory requirement.

**What is the District and how is it governed?**

The District is an independent special taxing district, created pursuant to and existing under the provisions of Chapter 190, Florida Statutes (the “Act”), and established by Ordinance 2017-9 enacted by the Board of County Commissioners of Clay County, Florida, effective as of March 3, 2017. The District encompasses approximately 256 acres located entirely within the boundaries of Clay County, Florida. As a local unit of special-purpose government, the District provides an alternative means for planning, financing, constructing, operating and maintaining various public improvements and community facilities within its jurisdiction.

The District is governed by a five-member Board of Supervisors (the “Board”), the members of which must be residents of the State and citizens of the United States. Board members were elected on an at-large basis by the owners of property within the District, each landowner being entitled to one vote for each acre of land with fractions thereof rounded upward to the nearest whole number. Elections are then held every two years in November. Commencing when both (i) six years after the initial appointment of Supervisors have passed and (ii) the District has attained a minimum of two hundred and fifty (250) qualified electors, Supervisors whose terms are expiring will begin to be elected by qualified electors of the District. A “qualified elector” in this instance is any person at least eighteen (18) years of age who is a citizen of the United States, a legal resident of Florida and of the District, and who is also registered with the Supervisor of Elections to vote in Clay County. Notwithstanding the foregoing, if at any time the Board proposes to exercise its ad valorem taxing power, it shall, prior to the exercise of such power, call an election at which all members of the Board shall be elected by qualified electors of the District.

Board meetings are noticed in a local newspaper and conducted in a public forum in which public participation is permitted. Consistent with Florida’s public records laws, the records of the District are available for public inspection during normal business hours. Elected members of the Board are similarly bound by the State’s open meetings law and are generally subject to the same disclosure requirements as other elected officials under the State’s ethics laws.

**What infrastructure improvements does the District provide  
and how are the improvements paid for?**

The District is comprised of approximately 256 acres located entirely within Clay County, Florida. The legal description of the lands encompassed within the District is attached hereto as **Exhibit A**. The public infrastructure necessary to support the District's development program includes, but is not limited to: stormwater management, wetlands mitigation, wastewater collection, potable water distribution, reuse water distribution, roadways and sidewalks, recreation areas, hardscape, entry features, landscape and buffering improvements. These infrastructure improvements are more fully detailed below.

To plan the infrastructure improvements necessary for the District, the District adopted an *Engineering Report* dated February 23, 2018, which details all of the improvements contemplated for the completion of the infrastructure of the District, which was supplemented by the *Supplemental Engineering Report* dated June 20, 2018 and the *Second Amended and Restated Second Supplemental Engineering Report* dated August 15, 2019 (the "Capital Improvement Plan"). Copies of the Capital Improvement Plan are available for review at the District's office.

These public infrastructure improvements have been or will be funded by the District's sale of bonds. On June 13, 2018, the Circuit Court of the State of Florida, in and for Clay County, Florida, entered a Final Judgment validating the District's ability to issue an aggregate principal amount not to exceed \$22,000,000 in Special Assessment Bonds for the funding of the Capital Improvement Plan.

On July 23, 2018, the District issued a series of special assessment bonds for the purposes of financing a portion of the costs of the construction and acquisition of the Capital Improvement Plan. On that date, the District issued its Wilford Preserve Community Development District Special Assessment Bonds, Series 2018B, in the amount of \$6,230,000 (the "Series 2018B Bonds").

On November 1, 2019, the District issued a series of special assessment bonds for the purposes of financing a portion of the costs of the construction and acquisition of the Capital Improvement Plan. On that date, the District issued its Wilford Preserve Community Development District Special Assessment Bonds, Series 201A, in the amount of \$7,985,000 (the "Series 2019A Bonds").

### **Stormwater Management System**

The stormwater management plans for the District focus on utilizing newly constructed ponds, in upland areas, for stormwater treatment in conjunction with the naturally occurring wetlands. The naturally occurring wetlands and pond system account for approximately 50% of the District's land area. The District's objectives for the stormwater management system are: 1) to provide stormwater quality treatment, storage and conveyance, 2) to adequately protect development within the District from regulatory-defined rainfall events, 3) to maintain wetland

hydro periods, 4) to ensure that adverse stormwater impacts do not occur upstream or downstream as a result of the development, 5) to satisfactorily accommodate stormwater runoff from adjacent off-site areas, which naturally drain through the District, and 6) to preserve the function of the floodplain storage during the 100-year storm event. The stormwater collection and overflow systems will be a combination of curb inlets, pipe culverts, control structures and open waterways. Wetland hydro periods (normal pool and season high water elevations) will be maintained through proper design and maintenance of the overflow control structures. The St. Johns River Water Management District (SJRWMD) regulates the design criteria for the District's stormwater management system. The District is located in the Black Creek drainage basin.

### **Wetlands Mitigation**

Wetland impacts within the District currently require 95.49 acres of wetlands and uplands to be preserved via conservation easement as set forth in the application for the SJRWMD permit for the development. Final approval of the wetlands mitigation plan by the SJRWMD and the US Army Corps of Engineers may require modification of the mitigation plan.

### **Wastewater Collection System**

The District's on-site sanitary sewer system will consist of 8" gravity sewer lines with appurtenant manholes and one (1) pump station. The pump station located at the southeast side of the District will also accommodate the entire District flows. The District will install approximately 3,500 feet of 12" force main in the Cheswick Oak Avenue right-of-way to the existing Clay County Utility Authority (CCUA) force main lying in the Cheswick Oak Avenue right-of-way and approximately 3,000 feet of 6" force main within the roads of the District to the existing CCUA force main lying in the White Heron Trail right-of-way within the Spencer's Plantation development to the north. Upon completion of construction and certification, all of the wastewater collection system will be dedicated for operation and maintenance to CCUA.

### **Potable Water Distribution System**

The District lies within the unincorporated area in Clay County and the CCUA provides the potable water service. The District is served by a connection with the existing CCUA water main in the Cheswick Oak Avenue right-of-way and White Heron Trail right-of-way with water supplied by the Clay Water Treatment Facility. The water distribution systems will consist of 12", 8", 6" and 4" water mains with appurtenant valves and fire hydrants. Upon completion of construction and certification, all of the potable water distribution system will be dedicated for operation and maintenance to CCUA.

### **Reuse Water Distribution System**

The District lies within the unincorporated area in Clay County and the CCUA provides the potable water service. The District is served by a connection with the existing CCUA water main in the Cheswick Oak Avenue right-of-way and White Heron Trail right-of-way with water supplied by the Clay Water Treatment Facility. The water distribution systems will consist of

12", 8", 6" and 4" water mains with appurtenant valves and fire hydrants. Upon completion of construction and certification, all of the reuse water distribution system will be dedicated for operation and maintenance to CCUA.

### **Roadways and Sidewalks**

All internal roadways, including sidewalks, street trees and irrigation systems, will be owned and maintained by the District. This includes all roadways from the vehicular access to the District from White Heron Lane within the Spencer's Plantation development to the secondary access from Cheswick Oak Avenue. The second vehicular access is from Argyle Forrest Boulevard, consisting of the extension of Cheswick Oak Avenue, a two-lane unloaded roadway between the District and Argyle Forrest Boulevard. The Cheswick Oak Avenue extension will be irrigated and landscaped with underground electric streetlights and sidewalks. The irrigation, landscaping and roadway and sidewalks for Cheswick Oaks Avenue extension will be owned and maintained by Clay County.

### **Recreation**

Multiple recreation areas totaling 8.05 acres are located throughout the District. The main recreation area plan consists of a parking area, a clubhouse, a swimming pool facility, a playground, dog park and an open play field. The balance of the recreation areas will include additional playgrounds, picnic tables and open play fields. All recreation areas will be owned and maintained by the District.

### **Entrance Features, Landscaping and Buffering**

The District will include entrance signs on one or both sides of Firethorn Road entering the District from Cheswick Oak Avenue to the west. In addition, minor entrance features may be erected at access points to the neighborhoods, including the entrance connection at White Heron Lane.

### **Assessments, Fees and Charges**

The costs of acquisition or construction of a portion of these infrastructure improvements have been financed by the District through the sale of the Series 2018B Bonds and the Series 2019A Bonds. The annual debt service payments, including interest due thereon, are payable solely from and secured by the levy of non-ad valorem or special assessments against lands within the District which benefit from the construction, acquisition, establishment and operation of the District's improvements. The annual debt service obligations of the District which must be defrayed by annual assessments upon each parcel of land or platted lot will depend upon the type of property purchased. The current maximum annual debt service assessment levels for property within the District for the Series 2018B Bonds (the "Series 2018B Debt Service Assessments") and the Series 2019A Bonds (the "Series 2019A Debt Service Assessments") may be obtained from the District Manager. Interested persons are encouraged to contact the District Manager for information regarding special assessments on a particular lot or parcel of lands. A



copy of the District's assessment methodology and assessment roll are available for review at the District's office.

The Series 2018B Debt Service Assessments and the Series 2019A Debt Service Assessments exclude any operations and maintenance assessments ("O&M Assessments") which may be determined and calculated annually by the District's Board of Supervisors and are levied against benefitted lands in the District.

A detailed description of all costs and allocations which result in the formulation of the Series 2018B Debt Service Assessments, the Series 2019A Debt Service Assessments, and the O&M Assessments is available for public inspection upon request.

The Capital Improvement Plan and financing plan of the District infrastructure as presented herein reflect the District's current intentions, and the District expressly reserves the right in its sole discretion to change those plans at any time. Additionally, the District may undertake the construction, reconstruction, acquisition, or installation of future improvements and facilities, which may be financed by bonds, notes, or other methods authorized by Chapter 190, Florida Statutes.

### **Method of Collection**

The District's Series 2018B Debt Service Assessments, Series 2019A Debt Service Assessments, and/or O&M Assessments may appear on that portion of the annual real estate tax notice entitled "non-ad valorem assessments," and to the extent that it is, will be collected by the Clay County Tax Collector in the same manner as county ad valorem taxes. Each property owner must pay both ad valorem and non-ad valorem assessments at the same time. Property owners will, however, be entitled to the same discounts as provided for ad valorem taxes. As with any tax notice, if all taxes and assessments due are not paid within the prescribed time limit, the tax collector is required to sell tax certificates which, if not timely redeemed, may result in the loss of title to the property. The District may also elect to collect the assessment directly.

This description of the District's operation, services and financing structure is intended to provide assistance to landowners and purchasers concerning the important role that the District plays in providing infrastructure improvements essential to the use and development of this community. If you have any questions or would simply like additional information about the District, please write to the District Manager at: Wilford Preserve Community Development District, 475 West Town Place, Suite 111, St. Augustine, Florida 32092 or call (904) 940-5850.

The information provided herein is a good faith effort to accurately and fully disclose information regarding the public financing and maintenance of improvements to real property undertaken by the District and should only be relied upon as such. The information contained herein is, and can only be, a status summary of the District's public financing and maintenance activities and is subject to supplementation and clarification from the actual documents and other sources from which this information is derived. In addition, the information contained herein may be subject to change over time, in the due course of the District's activities and in

accordance with Florida law. Prospective and current residents and other members of the public should seek confirmation and/or additional information from the District Manager's office with regard to any questions or points of interest raised by the information presented herein.

**IN WITNESS WHEREOF**, this Amended and Restated Disclosure of Public Financing and Maintenance of Improvements to Real Property Undertaken has been executed as of the \_\_\_\_\_ day of \_\_\_\_\_, 2020, and recorded in the Official Records of Clay County, Florida.

**WILFORD PRESERVE COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
By: Batey McGraw, Chairman

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

**STATE OF FLORIDA**  
**COUNTY OF \_\_\_\_\_**

Affirmed and subscribed before me by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_ day of \_\_\_\_\_, 2020 by Batey McGraw, as Chairman of the Board of Supervisors of the Wilford Preserve Community Development District, who is personally known to me or who has produced \_\_\_\_\_ as identification.

[Notary Seal]

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public, State of Florida  
Commission No.: \_\_\_\_\_

## EXHIBIT A

### Appendix A [District's External Boundaries]

A parcel of land consisting of a portion of Section 3, 4, 9, 10 and 11, Township 4 South Range 25 East, Clay County, Florida, said parcel being more particularly described as follows:

Commence at the most southerly corner of Tract "C", Spencer's Plantation Unit One, according to plat thereof recorded in Plat Book 45, pages 13 through 20 of the public records of said county; thence South 05 degrees 09 minutes 12 seconds East, 251.88 feet to the point of beginning; thence South 98 degrees 47 minutes 50 seconds East, 964.95 feet; thence South 04 degrees 03 minutes 07 seconds East, 876.02 feet; thence South 17 degrees 40 minutes 28 seconds West, 1562.09 feet; thence South 60 degrees 34 minutes 06 seconds West, 1475.42 feet; thence North 71 degrees 39 minutes 13 seconds West, 2471.21 feet; thence North 89 degrees 31 minutes 41 seconds West, 402.10 feet; thence North 41 degrees 04 minutes 47 seconds West, 158.71 feet; thence North 89 degrees 31 minutes 02 seconds West, 1121.27 feet to the east line of a 100 foot wide Clay Electric Cooperative Easement as per Official Records Book 118, page 998 of said public records; thence on said east line, North 00 degrees 13 minutes 37 seconds West, 100.01 feet; thence South 89 degrees 31 minutes 02 seconds East, 1084.08 feet; thence North 30 degrees 53 minutes 12 seconds East, 1286.69 feet; thence North 34 degrees 12 minutes 47 seconds East, 549.59 feet; thence North 23 degrees 36 minutes 45 seconds East, 506.58 feet; thence North 46 degrees 47 minutes 25 seconds East, 285.31 feet; thence South 90 degrees 00 minutes 00 seconds East, 640.00 feet to the southwesterly line of Spencer's Plantation Unit Two, according to plat thereof recorded in Plat Book 47, pages 43 through 48 of said public records; thence on said southwesterly line, South 33 degrees 58 minutes 12 seconds East, 377.99 feet to a southeasterly line thereof; thence on said southeasterly line, North 66 degrees 03 minutes 51 seconds East, 1560.63 feet to the point of beginning; being 256.0 acres, more or less, in area.

*EIGHTH ORDER OF BUSINESS*

*B.*

## 10605.1 Requisition Tracker

Requisition #	Payee	Amount	Reference	Date Completed	Date ALL SIGNED
Req. 72	T&W	\$11,917.64	T&W invoice #17 (INVOICE #3459)	10/23/19	11/4/19
Req. 73	Jr. Davis Construction, Inc.	\$54,078.75	Jr Davis Pay Request #13	10/28/19	11/22/19
Total		<u>\$65,996.39</u>			

## 10605.1 Requisition Tracker 2019A Bonds

Requisition #	Payee	Amount	Reference	Date Completed	Date ALL SIGNED
Req. 1	Jr. Davis Construction	\$ 176,054.20	Pay App 13	10/29/19	11/13/19
Req. 2	Jr. Davis Construction	\$ 289,332.67	Pay App 14	10/29/19	11/13/19
Req. 3	Jr. Davis Construction	\$ 76,183.65	Pay App 15	11/5/19	11/13/19
Req. 4	Eisman & Russo, Inc	\$ 8,345.04	Invoice 2233-17	11/12/19	11/13/19
Req. 5	Mack Industries, Inc	\$ 29,243.00	Invoice 2	11/12/19	11/13/19
Req. 6	Hopping Green & Sams	\$ 240.00	\$110,921.00	11/14/19	11/22/19
Req. 7	Taylor & White, Inc	\$ 9,145.95	Invoice 3486	11/14/19	11/22/19
Req. 8	Mack Industries, Inc	\$ 19,328.00	Inv. 108889/108959	11/18/19	11/22/19
Req. 9	Mack Industries, Inc	\$ 17,405.00	Inv. 109396/109422	11/25/19	12/2/19
Req. 10	Jr. Davis Construction	\$ 28,637.37	Pay App 16	12/2/19	12/17/19
Req. 11	Eisman & Russo, Inc	\$ 9,361.44	Invoice 2233-18	12/9/19	12/17/19
Req. 12	Ferguson Waterworks	\$ 78,057.40	Inv. 1731578/1731578-1	12/9/19	12/17/19
Req. 13	Ferguson Waterworks	\$ 2,289.40	Order # 1734042	12/16/19	12/17/19
Req. 14	Taylor & White, Inc	\$ 18,470.61	Inv 3518	12/17/19	1/3/20
Req. 15	Eisman & Russo, Inc	\$ 7,777.44	Inv. 2233-19	1/6/20	
Req. 16	Mack Industries	\$ 3,369.00	Inv. #5	1/6/20	
Req. 17	Ferguson Waterworks	\$ 209,812.88	Inv. 2	1/6/20	
Req. 18	Mack Industries, Inc	\$ 74,171.00	Inv. 108178/108755	1/6/20	



## *NINTH ORDER OF BUSINESS*

*A.*

*Wilford Preserve*  
*Community Development District*  
*Unaudited Financial Statements*  
*as of*  
*December 31, 2019*

**WILFORD PRESERVE**  
**Community Development District**  
**Combined Balance Sheet**  
December 31, 2019

	<u>General</u>	<u>2018 Debt Service</u>	<u>Capital Project</u>	<u>Totals</u>
<b><u>Assets:</u></b>				
Cash	\$418,742	---	---	\$418,742
Investments:				
<b><u>Debt Service 2018B</u></b>				
Reserve	---	\$358,225	---	\$358,225
Revenue	---	\$166	---	\$166
Interest	---	---	---	\$0
Construction	---	---	\$104	\$104
<b><u>Debt Service 2019A</u></b>				
Reserve	---	\$183,067	---	\$183,067
Revenue	---	\$1,323	---	\$1,323
Interest	---	---	---	\$0
Construction	---	---	\$6,719,516	\$6,719,516
Cost of Issuance	---	---	\$11,878	\$11,878
Assessment Receivable	---	---	---	\$0
Due From Developer	\$31,541	---	\$1,427,962	\$1,459,503
Custody	\$307	---	---	\$307
<b>Total Assets</b>	<u>\$450,589</u>	<u>\$542,781</u>	<u>\$8,159,460</u>	<u>\$9,152,830</u>
<b><u>Liabilities:</u></b>				
Accounts Payable	\$12,524	---	---	\$12,524
Accrued Expenses	---	---	---	\$0
Due to Other	---	---	---	\$0
Due to General Fund	---	---	---	\$0
Due to Debt Service	\$367,197	---	---	\$367,197
Contracts Payable - 2018	---	---	---	\$0
Retainage Payable - 2018	---	---	\$648,363	\$648,363
Contracts Payable - 2019	---	---	---	\$0
Retainage Payable - 2018	---	---	\$93,675	\$93,675
<b><u>Fund Balances:</u></b>				
Restricted for 2018B Debt Service	---	\$358,391	---	\$358,391
Restricted for 2019A Debt Service	---	\$184,390	---	\$184,390
Restricted for 2018B Capital Projects	---	---	\$220,641	\$220,641
Restricted for 2019A Capital Project	---	---	\$7,196,781	\$7,196,781
Nonspendable	---	---	---	\$0
Unassigned	\$70,868	---	---	\$70,868
<b>Total Liabilities &amp; Fund Equity</b>	<u>\$450,589</u>	<u>\$542,781</u>	<u>\$8,159,460</u>	<u>\$9,152,830</u>

**WILFORD PRESERVE**  
**Community Development District**  
**GENERAL FUND**

*Statement of Revenues & Expenditures*  
*For the Period ending December 31, 2019*

	<i>Adopted</i>	<i>Prorated</i>	<i>Actual</i>	
	<i>Budget</i>	<i>12/31/19</i>	<i>12/31/19</i>	<i>Variance</i>
<b><u>REVENUES:</u></b>				
<i>Developer Contributions/Assessments</i>	\$120,775	\$100,049	\$100,049	\$0
<b><i>TOTAL REVENUES</i></b>	<b>\$120,775</b>	<b>\$100,049</b>	<b>\$100,049</b>	<b>\$0</b>
<b><u>EXPENDITURES:</u></b>				
<b><u>ADMINISTRATIVE:</u></b>				
<i>Engineering</i>	\$15,000	\$3,750	\$0	\$3,750
<i>Arbitrage</i>	\$1,200	\$0	\$0	\$0
<i>Dissemination Agent</i>	\$7,000	\$1,750	\$1,167	\$583
<i>Attorney</i>	\$20,000	\$5,000	\$3,482	\$1,518
<i>Annual Audit</i>	\$4,500	\$0	\$0	\$0
<i>Assessment Administration</i>	\$5,000	\$5,000	\$5,000	
<i>Trustee Fees</i>	\$8,000	\$0	\$0	\$0
<i>Management Fees</i>	\$45,000	\$11,250	\$11,250	\$0
<i>Information Technology</i>	\$1,200	\$300	\$300	\$0
<i>Website Compliance</i>	\$1,200	\$0	\$0	\$0
<i>Telephone</i>	\$300	\$75	\$51	\$24
<i>Postage</i>	\$1,500	\$375	\$37	\$338
<i>Printing &amp; Binding</i>	\$1,000	\$250	\$384	(\$134)
<i>Insurance</i>	\$6,100	\$6,100	\$5,638	\$462
<i>Legal Advertising</i>	\$2,500	\$625	\$279	\$347
<i>Other Current Charges</i>	\$600	\$150	\$387	(\$237)
<i>Office Supplies</i>	\$500	\$125	\$25	\$100
<i>Dues, Licenses &amp; Subscriptions</i>	\$175	\$175	\$175	\$0
<b><i>TOTAL EXPENDITURES</i></b>	<b>\$120,775</b>	<b>\$34,925</b>	<b>\$28,174</b>	<b>\$6,751</b>
<b><i>EXCESS REVENUES (EXPENDITURES)</i></b>	<b>\$0</b>		<b>\$71,875</b>	
<b><i>FUND BALANCE - Beginning</i></b>	<b>\$0</b>		<b>(\$1,007)</b>	
<b><i>FUND BALANCE - Ending</i></b>	<b>\$0</b>		<b>\$70,868</b>	

**WILFORD PRESERVE**  
Community Development District  
General Fund  
Month By Month Income Statement  
Fiscal Year 2019

[illegible]

**WILFORD PRESERVE**  
**Community Development District**  
**DEBT SERVICE FUND SERIES 2018B**  
Statement of Revenues & Expenditures  
For the Period ending December 31, 2019

<i>Adopted</i>	<i>Prorated</i>	<i>Actual</i>	
<i>Budget</i>	<i>12/31/19</i>	<i>12/31/19</i>	<i>Variance</i>

**REVENUES:**

<i>Assessment - Direct</i>	\$358,226	\$0	\$0	\$0
<i>Interest Income</i>	\$1,000	\$250	\$158	(\$92)

<b>TOTAL REVENUES</b>	\$359,226	\$250	\$158	(\$92)
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**EXPENDITURES:**

**Series 2015**

<i>Interest Expense - 11/01</i>	\$179,113	\$179,113	\$179,113	\$0
<i>Interest Expense - 05/01</i>	\$179,113	\$0	\$0	\$0
<i>Principal Expense - 5/01</i>	\$0	\$0	\$0	\$0

<b>TOTAL EXPENDITURES</b>	\$358,225	\$179,113	\$179,113	\$0
---------------------------	-----------	-----------	-----------	-----

**OTHER SOURCES/(USES)**

<i>Transfer In/(Out)</i>	\$0	\$0	(\$143)	(\$143)
--------------------------	-----	-----	---------	---------

<b>TOTAL OTHER SOURCES AND USES</b>	\$0	\$0	(\$143)	(\$143)
-------------------------------------	-----	-----	---------	---------

<b>EXCESS REVENUES (EXPENDITURES)</b>	\$1,001		(\$179,097)	
---------------------------------------	---------	--	-------------	--

<i>FUND BALANCE - Beginning</i>	\$180,338		\$537,488	
---------------------------------	-----------	--	-----------	--

<i>FUND BALANCE - Ending</i>	\$181,339		\$358,391	
------------------------------	-----------	--	-----------	--

**WILFORD PRESERVE**  
**Community Development District**  
**DEBT SERVICE FUND SERIES 2019A**  
Statement of Revenues & Expenditures  
For the Period ending December 31, 2019

<i>Adopted Budget</i>	<i>Prorated 12/31/19</i>	<i>Actual 12/31/19</i>	<i>Variance</i>
---------------------------	------------------------------	----------------------------	-----------------

**REVENUES:**

<i>Assessment - Tax Roll</i>	\$0	\$0	\$1,323	\$1,323
<b>TOTAL REVENUES</b>	\$0	\$0	\$1,345	\$1,345

**EXPENDITURES:**

**Series 2015**

<i>Interest Expense - 11/01</i>	\$0	\$0	\$0	\$0
<i>Interest Expense - 05/01</i>	\$0	\$0	\$0	\$0
<i>Principal Expense - 5/01</i>	\$0	\$0	\$0	\$0
<b>TOTAL EXPENDITURES</b>	\$0	\$0	\$0	\$0

**OTHER SOURCES/(USES)**

<i>Bonds Proceed</i>	\$0	\$0	\$183,045	
<i>Transfer In/(Out)</i>	\$0	\$0	\$0	\$0
<b>TOTAL OTHER SOURCES AND USES</b>	\$0	\$0	\$183,045	\$0

<b>EXCESS REVENUES (EXPENDITURES)</b>	\$0		\$184,390	
---------------------------------------	-----	--	-----------	--

<i>FUND BALANCE - Beginning</i>	\$0		\$0	
<i>FUND BALANCE - Ending</i>	\$0		\$184,390	



**WILFORD PRESERVE**  
Community Development District  
**CAPITAL PROJECTS FUND**  
Statement of Revenues & Expenditures  
For the Period ending December 31, 2019

	Series 2018B	Series 2019A
<b><u>REVENUES:</u></b>		
Interest Income	\$29	\$887
Developer Contributions	\$0	\$1,100,000
<b>TOTAL REVENUES</b>	<b>\$29</b>	<b>\$1,100,887</b>
<b><u>EXPENDITURES:</u></b>		
Capital Outlay	\$11,918	\$1,546,121
Cost of Issuance	\$0	\$159,700
<b>TOTAL EXPENDITURES</b>	<b>\$11,918</b>	<b>\$1,705,821</b>
<b><u>OTHER SOURCES/(USES)</u></b>		
Interfund Transfer	\$143	\$0
Bonds Proceeds	\$0	\$7,801,955
<b>TOTAL OTHER SOURCES/(USES)</b>	<b>\$143</b>	<b>\$7,801,955</b>
<b>EXCESS REVENUES (EXPENDITURES)</b>	<b>(\$11,745)</b>	<b>\$7,197,021</b>
<b>FUND BALANCE - Beginning</b>	<b>\$232,386</b>	<b>(\$240)</b>
<b>FUND BALANCE - Ending</b>	<b>\$220,641</b>	<b>\$7,196,781</b>

*Wilford Preserve  
Community Development District  
Funding Requests*

<i>Funding Request #</i>	<i>Date of Request</i>	<i>Check Date Received Developer</i>	<i>Check Amount Developer</i>	<i>Requested Funding Amount FY 2019</i>	<i>Requested Funding Amount FY 2020</i>	<i>Balance Due From Developer FY 2019</i>	<i>Balance Due From Developer FY 2020</i>
1	4/18/17	10/6/17	\$15,000.00	\$0.00	\$0.00	\$0.00	\$0.00
2	3/5/18	3/8/18	\$30,600.97	\$0.00	\$0.00	\$0.00	\$0.00
3	4/4/18	5/17/18	\$6,875.08	\$0.00	\$0.00	\$0.00	\$0.00
4	6/21/18	8/27/18	\$11,817.99	\$0.00	\$0.00	\$0.00	\$0.00
5	7/19/18	8/27/18	\$13,022.33	\$0.00	\$0.00	\$0.00	\$0.00
6	8/8/18	2/11/19	\$11,427.67	\$11,427.67	\$0.00	\$0.00	\$0.00
7	11/8/18	2/11/19	\$15,139.78	\$15,139.78	\$0.00	\$0.00	\$0.00
8	1/10/19	3/18/19	\$10,438.18	\$10,438.18	\$0.00	\$0.00	\$0.00
9	2/26/19	4/2/19	\$4,643.92	\$4,643.92	\$0.00	\$0.00	\$0.00
10	3/14/19	7/1/19	\$5,903.01	\$5,903.01	\$0.00	\$0.00	\$0.00
11	4/10/19	7/1/19	\$8,955.60	\$8,955.60	\$0.00	\$0.00	\$0.00
12	5/8/19	7/1/19	\$8,545.83	\$8,545.83	\$0.00	\$0.00	\$0.00
13	6/7/19	7/1/19	\$5,048.47	\$5,048.47	\$0.00	\$0.00	\$0.00
14	7/18/19			\$5,171.36	\$0.00	(\$5,171.36)	\$0.00
15	8/19/19			\$6,909.97	\$0.00	(\$6,909.97)	\$0.00
16	9/30/19			\$4,395.38	\$15,064.24	(\$4,395.38)	(\$15,064.24)
TOTAL			\$147,418.83	\$86,579.17	\$15,064.24	(\$16,476.71)	(\$15,064.24)

***WILFORD PRESERVE***  
***Community Development District***  
***Long Term Debt Report***

SERIES 2018B, SPECIAL ASSESSMENT BONDS		
INTEREST RATES:	5.750%	
MATURITY DATE:	5/1/2028	
RESERVE FUND DEFINITION	MAXIMUM ANNUAL DEBT SERVICE	
RESERVE FUND REQUIREMENT	\$358,225	
RESERVE FUND BALANCE	\$358,225	
BONDS OUTSTANDING - 7/23/18		\$6,230,000
<b>CURRENT BONDS OUTSTANDING</b>		<b>\$6,230,000</b>

SERIES 2019A, SPECIAL ASSESSMENT BONDS		
INTEREST RATES:	4.6% - 5.2%	
MATURITY DATE:	11/1/2049	
RESERVE FUND DEFINITION	MAXIMUM ANNUAL DEBT SERVICE	
RESERVE FUND REQUIREMENT	\$183,045	
RESERVE FUND BALANCE	\$183,067	
BONDS OUTSTANDING - 7/23/18		\$7,985,000
<b>CURRENT BONDS OUTSTANDING</b>		<b>\$7,985,000</b>

*B.*

**WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT**  
**Fiscal Year 2020 Summary of Assessment Receipts**

ASSESSED	# UNITS ASSESSED	SERIES 2019A DEBT ASMT (2)	FY20 O&M ASMT (1)	TOTAL ASSESSED
DFC WILFORD LLC	248	367,197.42	84,678.20	451,875.62
<b>NET DIRECT INVOICE</b>	<b>248</b>	<b>367,197.42</b>	<b>84,678.20</b>	<b>451,875.62</b>
<b>NET ASSESSMENTS TAX ROLL</b>	<b>133</b>	<b>155,787.00</b>	<b>36,095.77</b>	<b>191,882.77</b>
<b>TOTAL NET ASSESSMENTS</b>	<b>381</b>	<b>522,984.42</b>	<b>120,773.97</b>	<b>643,758.40</b>

RECEIVED	BALANCE DUE	SERIES 2019A DEBT PAID	O&M PAID	TOTAL PAID
DFC WILFORD LLC	-	367,197.42	84,678.20	451,875.62
<b>TOTAL DUE / RECEIVED DIRECT</b>	<b>-</b>	<b>367,197.42</b>	<b>84,678.20</b>	<b>451,875.62</b>
<b>TAX ROLL DUE / RECEIVED</b>	<b>190,253.39</b>	<b>1,322.87</b>	<b>306.51</b>	<b>1,629.38</b>
<b>TOTAL DUE / RECEIVED</b>	<b>190,253.39</b>	<b>368,520.29</b>	<b>84,984.71</b>	<b>453,505.00</b>

SUMMARY OF TAX ROLL RECEIPTS				
CLAY COUNTY DISTRIBUTION	DATE RECEIVED	AMOUNT RECEIVED	SERIES 2019A DEBT RECEIPTS	O&M RECEIPTS
1	11/13/2019	-	-	-
2	11/21/2019	1,629.38	1,322.87	306.51
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-
TOTAL TAX ROLL RECEIPTS		1,629.38	1,322.87	306.51

(1) Series 2018B Bond Debt must be paid in full on a per lot basis upon sale to a builder/homeowner. Interest on remaining Debt Assessed due 50% 3/15/20 and 50% 9/15/20.

*C.*

**WILFORD PRESERVE**  
**Community Development District**

Check Register Summary- General Fund

10/01/2019 -12/31/2019

<i><b>Check Date</b></i>	<i><b>Check #'s</b></i>	<i><b>Total Amount</b></i>
11/8/19	104-119	\$40,986.93
<b>Total</b>		<hr/> <b>\$40,986.93</b> <hr/>

CHECK DATE	VEND#	.....INVOICE..... DATE INVOICE	...EXPENSED TO... YRMO DPT ACCT# SUB SUBCLASS	VENDOR NAME	STATUS	AMOUNT	....CHECK.... AMOUNT #
11/08/19	00006	10/01/19 74682	201910 310-51300-54000		*	175.00	
		FY20 SPECIAL DISTRICT FEE					
				DEPARTMENT OF ECONOMIC OPPORTUNITY			175.00 000104
11/08/19	00002	9/13/19 9645	201910 310-51300-45000		*	5,638.00	
		FY20 INSURANCE					
				EGIS INSURANCE ADVISORS, LLC			5,638.00 000105
11/08/19	00001	9/15/19 34	201910 310-51300-31000		*	5,000.00	
		FY20 ASSESSMENT ROLL CERT					
				GOVERNMENTAL MANAGEMENT SERVICES			5,000.00 000106
11/08/19	00001	10/01/19 33	201910 310-51300-34000		*	3,750.00	
		OCT MANAGEMENT FEES					
		10/01/19 33	201910 310-51300-35100		*	100.00	
		OCT INFORMATION TECH					
		10/01/19 33	201910 310-51300-31300		*	291.67	
		OCT DISSEMINATION SERVICE					
		10/01/19 33	201910 310-51300-51000		*	12.65	
		OFFICE SUPPLIES					
		10/01/19 33	201910 310-51300-42000		*	7.85	
		POSTAGE					
		10/01/19 33	201910 310-51300-42500		*	257.10	
		COPIES					
		10/01/19 33	201910 310-51300-41000		*	6.97	
		TELEPHONE					
				GOVERNMENTAL MANAGEMENT SERVICES			4,426.24 000107
11/08/19	00001	11/01/19 36	201911 310-51300-34000		*	3,750.00	
		NOV MANAGEMENT FEES					
		11/01/19 36	201911 310-51300-35100		*	100.00	
		NOV INFORMATION TECH					
		11/01/19 36	201911 310-51300-31300		*	291.67	
		NOV DISSEMINATION SERVICE					
		11/01/19 36	201911 310-51300-51000		*	12.50	
		OFFICE SUPPLIES					
		11/01/19 36	201911 310-51300-42500		*	122.40	
		COPIES					
		11/01/19 36	201911 310-51300-41000		*	28.16	
		TELEPHONE					
				GOVERNMENTAL MANAGEMENT SERVICES			4,304.73 000108
11/08/19	00001	7/01/19 30	201907 310-51300-34000		*	3,750.00	
		JUL MANAGEMENT FEES					
		7/01/19 30	201907 310-51300-35100		*	100.00	
		JUL INFORMATION TECH					

WILP WILFORD PRES BPEREGRINO



CHECK DATE	VEND#	.....INVOICE..... DATE INVOICE	...EXPENSED TO... YRMO DPT ACCT# SUB SUBCLASS	VENDOR NAME	STATUS	AMOUNT	....CHECK..... AMOUNT #
		7/01/19 30	201907 310-51300-31300		*	291.67	
			JUL DISSEMINATION SERVICE				
		7/01/19 30	201907 310-51300-51000		*	20.98	
			OFFICE SUPPLIES				
		7/01/19 30	201907 310-51300-42500		*	381.45	
			COPIES				
		7/01/19 30	201907 310-51300-41000		*	12.41	
			TELEPHONE				
		7/01/19 30	201907 310-51300-35100		*	12.85	
			DOMAIN RENEWAL				
				GOVERNMENTAL MANAGEMENT SERVICES			4,569.36 000109
11/08/19 00001		8/01/19 31	201908 310-51300-34000		*	3,750.00	
			AUG MANAGEMENT FEES				
		8/01/19 31	201908 310-51300-35100		*	100.00	
			AUG INFORMATION TECH				
		8/01/19 31	201908 310-51300-31300		*	291.67	
			AUG DISSEMINATION SERVICE				
		8/01/19 31	201908 310-51300-51000		*	.12	
			OFFICE SUPPLIES				
		8/01/19 31	201908 310-51300-42000		*	2.00	
			POSTAGE				
		8/01/19 31	201908 310-51300-42500		*	1.50	
			COPIES				
				GOVERNMENTAL MANAGEMENT SERVICES			4,145.29 000110
11/08/19 00001		9/01/19 32	201909 310-51300-34000		*	3,750.00	
			SEP MANAGEMENT FEES				
		9/01/19 32	201909 310-51300-35100		*	100.00	
			SEP INFORMATION TECH				
		9/01/19 32	201909 310-51300-31300		*	291.67	
			SEP DISSEMINATION SERVICE				
		9/01/19 32	201909 310-51300-51000		*	12.53	
			OFFICE SUPPLIES				
		9/01/19 32	201909 310-51300-42000		*	.65	
			POSTAGE				
		9/01/19 32	201909 310-51300-42500		*	73.65	
			COPIES				
				GOVERNMENTAL MANAGEMENT SERVICES			4,228.50 000111
11/08/19 00003		2/28/18 99099	201810 310-51300-31500		*	425.00	
			JAN GENERAL COUNSEL				
				HOPPING GREEN & SAMS, P.A.			425.00 000112
11/08/19 00003		6/24/19 108152	201905 310-51300-31500		*	177.00	
			MAY GENERAL COUNSEL				
				HOPPING GREEN & SAMS, P.A.			177.00 000113
				WILP WILFORD PRES BPEREGRINO			

CHECK DATE	VEND#	.....INVOICE..... DATE INVOICE	...EXPENSED TO... YRMO DPT ACCT# SUB SUBCLASS	VENDOR NAME	STATUS	AMOUNT	....CHECK..... AMOUNT #
11/08/19	00003	7/31/19 109123	201906 310-51300-31500	JUN GENERAL COUNSEL	*	854.09	
				HOPPING GREEN & SAMS, P.A.			854.09 000114
11/08/19	00003	8/30/19 109620	201907 310-51300-31500	JUL GENERAL COUNSEL	*	678.00	
				HOPPING GREEN & SAMS, P.A.			678.00 000115
11/08/19	00003	9/30/19 110259	201908 310-51300-31500	AUG GENERAL COUNSEL	*	1,938.50	
				HOPPING GREEN & SAMS, P.A.			1,938.50 000116
11/08/19	00011	10/10/19 19-00012	201910 310-51300-48000	NOTICE MEETING 10/17/19	*	64.50	
				JACKSONVILLE DAILY RECORD			64.50 000117
11/08/19	00008	9/20/19 I0321595	201909 310-51300-48000	FY20 MEETING SCHEDULE	*	645.34	
				THE FLORIDA TIMES UNION			645.34 000118
11/08/19	00012	8/23/19 5469690	201909 310-51300-32300	TRUSTEE FEES	*	3,450.00	
		8/23/19 5469690	201909 310-51300-32300	INCIDENTAL EXPENSES	*	267.38	
				U.S. BANK			3,717.38 000119
11/12/19	00012	11/08/19 11082019	201911 300-20700-10000	FY20 WILFORD LLC DEBT PMT	*	367,197.42	
				U.S. BANK			367,197.42 000120
11/13/19	00012	11/08/19 11082019	201911 300-20700-10000	FY20 WILFORD LLC DEBT PMT	V	367,197.42-	
				U.S. BANK			367,197.42-000120
TOTAL FOR BANK A						40,986.93	
TOTAL FOR REGISTER						40,986.93	

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

Invoice No.: 74682			Date Invoiced: 10/01/2019
Annual Fee: \$175.00	Late Fee: \$0.00	Received: \$0.00	Total Due, Postmarked by 12/02/2019: \$175.00

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

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



**Wilford Preserve Community Development District**

Mr. Wesley Haber  
 Hopping, Green and Sams P.A.  
 119 South Monroe Street, Suite 300  
 Tallahassee, FL 32301

2. Telephone: (850) 222-7500  
 3. Fax: (850) 224-8551  
 4. Email: wesh@hgsllaw.com  
 5. Status: Independent  
 6. Governing Body: Elected  
 7. Website Address: www.wilfordpreservebdd.com  
 8. County(ies): Clay  
 9. Function(s): Community Development  
 10. Boundary Map on File: 03/24/2017  
 11. Creation Document on File: 03/24/2017  
 12. Date Established: 03/03/2017  
 13. Creation Method: Local Ordinance  
 14. Local Governing Authority: Clay County  
 15. Creation Document(s): County Ordinance 2017-9  
 16. Statutory Authority: Chapter 190, Florida Statutes  
 17. Authority to Issue Bonds: Yes  
 18. Revenue Source(s): Assessments  
 19. Most Recent Update: 11/02/2018

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

Registered Agent's Signature: [Signature] Date 10/24/19

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

a. **Pay the Annual Fee:** Pay the annual fee online by following the instructions at [www.Floridajobs.org/SpecialDistrictFee](http://www.Floridajobs.org/SpecialDistrictFee) or by check payable to the Department of Economic Opportunity.

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

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

Department Use Only: Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Reason: \_\_\_\_\_

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

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

# INVOICE



Wilford Preserve Community Development District  
c/o Governmental Management Services  
475 West Town Place, Ste 114  
St. Augustine, FL 32092

Customer	Wilford Preserve Community Development District
Acct #	704
Date	09/13/2019
Customer Service	Kristina Rudez
Page	1 of 1

Payment Information	
Invoice Summary	\$ 5,638.00
Payment Amount	
Payment for:	Invoice#9645
100119301	

Thank You

Please detach and return with payment



Customer: Wilford Preserve Community Development District

Invoice	Effective	Transaction	Description	Amount
9645	10/01/2019	Renew policy	Policy #100119301 10/01/2019-10/01/2020 Florida Insurance Alliance Package - Renew policy Due Date: 9/13/2019	5,638.00

1-31-513-45  
2

Total

\$ 5,638.00

Thank You

FOR PAYMENTS SENT OVERNIGHT:  
Egis Insurance Advisors LLC, Fifth Third Wholesale Lockbox, Lockbox #234021, 4900 W. 95th St Oaklawn, IL 60453

Remit Payment To: Egis Insurance Advisors, LLC  
Lockbox 234021 PO Box 84021  
Chicago, IL 60689-4002

(321)233-9939

sclimer@egisadvisors.com

Date

09/13/2019

1001 Bradford Way  
Kingston, TN 37763

# Invoice

**Invoice #:** 34

**Invoice Date:** 9/15/19

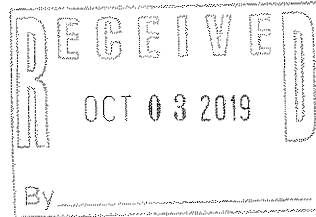
**Due Date:** 9/15/19

**Case:**

P.O. Number:

Bill To:

Wilford Preserve CDD  
475 West Town Place  
Suite 114  
St. Augustine, FL 32092



1.31.513.31

1

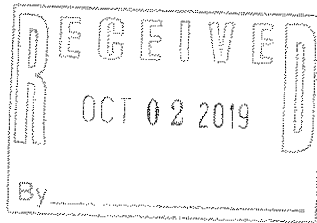
Description	Hours/Qty	Rate	Amount
Assessment Roll Certification - FY 2020		5,000.00	5,000.00
Total			\$5,000.00
Payments/Credits			\$0.00
Balance Due			\$5,000.00

**Governmental Management Services, LLC**

1001 Bradford Way  
Kingston, TN 37763

**Invoice****Bill To:**

Wilford Preserve CDD  
475 West Town Place  
Suite 114  
St. Augustine, FL 32092

**Invoice #:** 33**Invoice Date:** 10/1/19**Due Date:** 10/1/19**Case:****P.O. Number:**

Description	Hours/Qty	Rate	Amount
Management Fees - October 2019 1-31-513-34		3,750.00	3,750.00
Information Technology - October 2019 1-31-513-35		100.00	100.00
Dissemination Agent Services - October 2019 1-31-513-313		291.67	291.67
Office Supplies 1-31-513-51		12.65	12.65
Postage 1-31-513-42		7.85	7.85
Copies 1-31-513-425		257.10	257.10
Telephone 1-31-513-41		6.97	6.97

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<b>Total</b>	<b>\$4,426.24</b>
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<b>Payments/Credits</b>	<b>\$0.00</b>
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<b>Balance Due</b>	<b>\$4,426.24</b>
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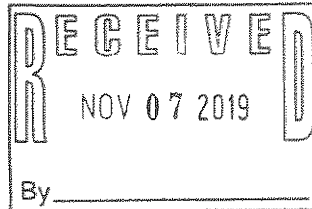
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**Governmental Management Services, LLC**

1001 Bradford Way  
Kingston, TN 37763

**Invoice****Bill To:**

Wilford Preserve CDD  
475 West Town Place  
Suite 114  
St. Augustine, FL 32092



Invoice #: 36

Invoice Date: 11/1/19

Due Date: 11/1/19

Case:

P.O. Number:

Description	Hours/Qty	Rate	Amount
Management Fees - November 2019 1-31-513-34		3,750.00	3,750.00
Information Technology - November 2019 1-31-513-351		100.00	100.00
Dissemination Agent Services - November 2019 1-31-513-313		291.67	291.67
Office Supplies 1-31-513-51		12.50	12.50
Copies 1-31-513-425		122.40	122.40
Telephone 1-31-513-41		28.16	28.16

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**Total** \$4,304.73

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**Payments/Credits** \$0.00

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**Balance Due** \$4,304.73

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**Governmental Management Services, LLC**

1001 Bradford Way  
Kingston, TN 37763

**Invoice**

Invoice #: 30

Invoice Date: 7/1/19

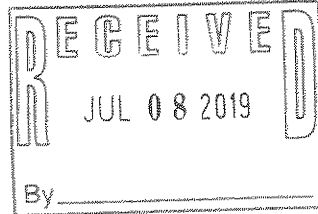
Due Date: 7/1/19

Case:

P.O. Number:

**Bill To:**

Wilford Preserve CDD  
475 West Town Place  
Suite 114  
St. Augustine, FL 32092



Description	Hours/Qty	Rate	Amount
Management Fees - July 2019 1-31-513-34		3,750.00	3,750.00
Information Technology - July 2019 1-31-513-351		100.00	100.00
Dissemination Agent Services - July 2019 1-31-513-313		291.67	291.67
Office Supplies 1-31-513-51		20.98	20.98
Copies 1-31-513-425		381.45	381.45
Telephone 1-31-513-41		12.41	12.41
Domain Renewal 1-31-513-351		12.85	12.85
<b>Total</b>			<b>\$4,569.36</b>
<b>Payments/Credits</b>			<b>\$0.00</b>
<b>Balance Due</b>			<b>\$4,569.36</b>



**Governmental Management Services, LLC**

1001 Bradford Way  
Kingston, TN 37763

**Invoice**

Invoice #: 31

Invoice Date: 8/1/19

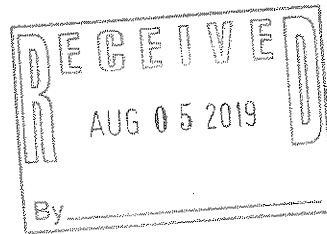
Due Date: 8/1/19

Case:

P.O. Number:

**Bill To:**

Wilford Preserve CDD  
475 West Town Place  
Suite 114  
St. Augustine, FL 32092



Description	Hours/Qty	Rate	Amount
Management Fees - August 2019 1-31-513-34		3,750.00	3,750.00
Information Technology - August 2019 1-31-513-351		100.00	100.00
Dissemination Agent Services - August 2019 1-31-513-313		291.67	291.67
Office Supplies 1-31-513-51		0.12	0.12
Postage 1-31-513-42	1	2.00	2.00
Copies 1-31-513-425		1.50	1.50

<b>Total</b>	<b>\$4,145.29</b>
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<b>Payments/Credits</b>	<b>\$0.00</b>
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<b>Balance Due</b>	<b>\$4,145.29</b>
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**Governmental Management Services, LLC**

1001 Bradford Way  
Kingston TN 37763

**Invoice**

Invoice #: 32

Invoice Date: 9/1/19

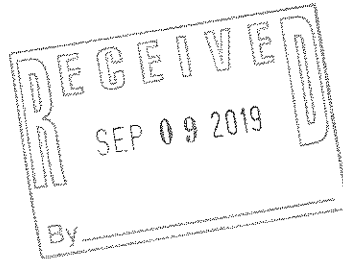
Due Date: 9/1/19

Case:

P.O. Number:

**Bill To:**

Wilford Preserve CDD  
475 West Town Place  
Suite 114  
St. Augustine, FL 32092



Description	Hours/Qty	Rate	Amount
Management Fees - September 2019 1-31-513-34		3,750.00	3,750.00
Information Technology - September 2019 1-31-513-351		100.00	100.00
Dissemination Agent Services - September 2019 1-31-513-313		291.67	291.67
Office Supplies 1-31-513-51		12.53	12.53
Postage 1-31-513-42		0.65	0.65
Copies 1-31-513-425 1		73.65	73.65

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**Total** \$4,228.50

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**Payments/Credits** \$0.00

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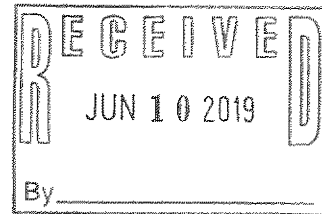
**Balance Due** \$4,228.50

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# Hopping Green & Sams

Attorneys and Counselors

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



## STATEMENT

February 28, 2018

Wilford Preserve CDD  
475 West Town Place, Suite 114  
St. Augustine, FL 32092

Bill Number 99099  
Billed through 01/31/2018

**General Counsel**  
**WLPCDD 00001 WSH**

1.31.513.315  
3

### FOR PROFESSIONAL SERVICES RENDERED

01/05/18	WSH	Confer with Perry and Hogge regarding meeting and hearings and notices for same.	0.30 hrs
01/22/18	WSH	Confer with Metcalf regarding landowner election and prepare proxy.	0.30 hrs
01/22/18	KFJ	Confer with Haber regarding landowner election documents.	0.20 hrs
01/31/18	WSH	Confer with Metcalf regarding proxy; confer with Hogge regarding landowner election.	0.60 hrs

Total fees for this matter \$425.00

### MATTER SUMMARY

Jusevitch, Karen F.- Paralegal	0.20 hrs	145 /hr	\$29.00
Haber, Wesley S.	1.20 hrs	330 /hr	\$396.00

TOTAL FEES \$425.00

**TOTAL CHARGES FOR THIS MATTER \$425.00**

### BILLING SUMMARY

Jusevitch, Karen F.- Paralegal	0.20 hrs	145 /hr	\$29.00
Haber, Wesley S.	1.20 hrs	330 /hr	\$396.00

TOTAL FEES \$425.00

**TOTAL CHARGES FOR THIS BILL \$425.00**

**Please include the bill number on your check.**

# Hopping Green & Sams

Attorneys and Counselors

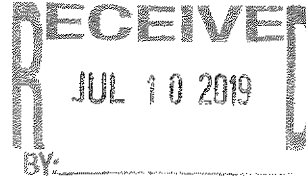
119 S. Monroe Street, Ste. 300  
P.O. Box 6526  
Tallahassee, FL 32314  
850.222.7500

===== STATEMENT =====

June 24, 2019

Wilford Preserve CDD  
475 West Town Place, Suite 114  
St. Augustine, FL 32092

Bill Number 108152  
Billed through 05/31/2019



1-31-513-315  
3

**General Counsel**  
**WLPCDD 00001 WSH**

**FOR PROFESSIONAL SERVICES RENDERED**

05/22/19	JMW	Review draft agenda; confer with staff regarding same.	0.30 hrs
05/30/19	CGS	Monitor proposed legislation which may impact district.	0.20 hrs
Total fees for this matter			\$177.00

**MATTER SUMMARY**

Stuart, Cheryl G.	0.20 hrs	435 /hr	\$87.00
Walters, Jason M.	0.30 hrs	300 /hr	\$90.00
TOTAL FEES			\$177.00

**TOTAL CHARGES FOR THIS MATTER** **\$177.00**

**BILLING SUMMARY**

Stuart, Cheryl G.	0.20 hrs	435 /hr	\$87.00
Walters, Jason M.	0.30 hrs	300 /hr	\$90.00
TOTAL FEES			\$177.00

**TOTAL CHARGES FOR THIS BILL** **\$177.00**

**Please include the bill number on your check.**

# Hopping Green & Sams

Attorneys and Counselors

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

## STATEMENT

July 31, 2019

Wilford Preserve CDD  
475 West Town Place, Suite 114  
St. Augustine, FL 32092

Bill Number 109123  
Billed through 06/30/2019

**General Counsel**  
**WLPCDD 00001 WSH**

1.31.513.315  
3

### FOR PROFESSIONAL SERVICES RENDERED

06/04/19	JMW	Meeting preparation; review agenda package materials; conference with staff.	0.90 hrs
06/05/19	JMW	Meeting preparation; attend regular board meeting by telephone.	1.40 hrs
06/12/19	AHJ	Confer with Sweeting regarding budget hearing.	0.10 hrs
06/13/19	AHJ	Confer with Hogge regarding date of budget hearing.	0.10 hrs
06/14/19	AHJ	Confer with Hogge regarding approval of fiscal year budget and notice of public hearing regarding same.	0.20 hrs

Total fees for this matter \$748.00

### DISBURSEMENTS

Document Reproduction	0.50
Travel	94.54
Travel - Meals	11.05
Total disbursements for this matter	\$106.09



### MATTER SUMMARY

Jaskolski, Amy H. - Paralegal	0.40 hrs	145 /hr	\$58.00
Walters, Jason M.	2.30 hrs	300 /hr	\$690.00

TOTAL FEES	\$748.00
TOTAL DISBURSEMENTS	\$106.09

**TOTAL CHARGES FOR THIS MATTER \$854.09**

### BILLING SUMMARY

Jaskolski, Amy H. - Paralegal	0.40 hrs	145 /hr	\$58.00
Walters, Jason M.	2.30 hrs	300 /hr	\$690.00

TOTAL FEES	\$748.00
TOTAL DISBURSEMENTS	\$106.09

=====

**TOTAL CHARGES FOR THIS BILL**

**\$854.09**

**Please include the bill number on your check.**

# Hopping Green & Sams

Attorneys and Counselors

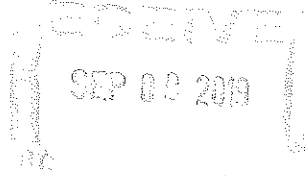
119 S. Monroe Street, Ste. 300  
P.O. Box 6526  
Tallahassee, FL 32314  
850.222.7500

## STATEMENT

August 30, 2019

Wilford Preserve CDD  
475 West Town Place, Suite 114  
St. Augustine, FL 32092

Bill Number 109620  
Billed through 07/31/2019



**General Counsel**  
**WLPCDD 00001 WSH**

**1-31-513-315**  
**3**

### FOR PROFESSIONAL SERVICES RENDERED

07/10/19	AHJ	Prepare notice of budget hearing; transmit same to Hogge.	0.30 hrs
07/12/19	JMW	Confer with Laughlin regarding budget and assessment issues; review prior resolutions; coordinate notice issues.	0.90 hrs
07/12/19	AHJ	Prepare mailed and published notices of fiscal year budget and operation and maintenance assessment hearings.	0.40 hrs
07/15/19	JMW	Confer with Powell regarding assessment issue; confer with staff regarding mailed and published notices.	0.60 hrs
07/16/19	JMW	Confer with working group regarding assessments and notices.	0.30 hrs
07/31/19	MCE	Research new law regarding new definition of "home address" and property appraiser objections to confidential information in assessment rolls; prepare memorandum to district manager regarding same.	0.10 hrs

Total fees for this matter \$678.00

### MATTER SUMMARY

Jaskolski, Amy H. - Paralegal	0.70 hrs	145 /hr	\$101.50
Walters, Jason M.	1.80 hrs	300 /hr	\$540.00
Eckert, Michael C.	0.10 hrs	365 /hr	\$36.50

TOTAL FEES \$678.00

**TOTAL CHARGES FOR THIS MATTER \$678.00**

### BILLING SUMMARY

Jaskolski, Amy H. - Paralegal	0.70 hrs	145 /hr	\$101.50
Walters, Jason M.	1.80 hrs	300 /hr	\$540.00
Eckert, Michael C.	0.10 hrs	365 /hr	\$36.50

TOTAL FEES \$678.00

=====

**TOTAL CHARGES FOR THIS BILL**

**\$678.00**

**Please include the bill number on your check.**



# Hopping Green & Sams

Attorneys and Counselors

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

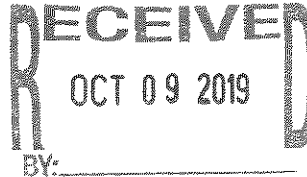
## STATEMENT

September 30, 2019

Wilford Preserve CDD  
475 West Town Place, Suite 114  
St. Augustine, FL 32092

Bill Number 110259  
Billed through 08/31/2019

General Counsel  
WLPCDD 00001 WSH



131.513.315  
3

### FOR PROFESSIONAL SERVICES RENDERED

08/01/19	KFJ	Confer with Walters regarding budget hearing documents; prepare budget resolution.	0.50 hrs
08/08/19	JMW	Review draft agenda; confer with staff.	0.30 hrs
08/08/19	KFJ	Confer with Walters regarding budget hearing documents.	0.20 hrs
08/09/19	JMW	Prepare budget and assessment resolutions; prepare budget deficit funding agreement; confer with staff regarding assessment issues; confer with Fuls.	1.20 hrs
08/13/19	JMW	Meeting preparation; review agenda package materials; conference with staff; coordinate agenda items with Hogge.	1.30 hrs
08/15/19	JMW	Meeting preparation; confer with staff regarding quorum status and issues; confer with staff regarding rescheduling; prepare update notices for budget and assessment hearings; confer with working group.	1.90 hrs
08/15/19	AHJ	Prepare revised mailed and published notices.	0.80 hrs
08/20/19	KFJ	Prepare amended and restated rules of procedure, memorandum, notices and resolutions; confer with Walters.	0.40 hrs
08/22/19	JMW	Review revised Rules of Procedure and memorandum; coordinate notice and agenda.	0.60 hrs
08/30/19	MCE	Research and revise rules of procedure; review memorandum to district regarding same.	0.20 hrs

Total fees for this matter

\$1,938.50

### MATTER SUMMARY

Jaskolski, Amy H. - Paralegal	0.80 hrs	145 /hr	\$116.00
Walters, Jason M.	5.30 hrs	300 /hr	\$1,590.00
Jusevitch, Karen F.- Paralegal	1.10 hrs	145 /hr	\$159.50
Eckert, Michael C.	0.20 hrs	365 /hr	\$73.00

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TOTAL FEES	\$1,938.50
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<b>TOTAL CHARGES FOR THIS MATTER</b>	<b>\$1,938.50</b>
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**BILLING SUMMARY**

Jaskolski, Amy H. - Paralegal	0.80 hrs	145 /hr	\$116.00
Walters, Jason M.	5.30 hrs	300 /hr	\$1,590.00
Jusevitch, Karen F.- Paralegal	1.10 hrs	145 /hr	\$159.50
Eckert, Michael C.	0.20 hrs	365 /hr	\$73.00

TOTAL FEES	\$1,938.50
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<b>TOTAL CHARGES FOR THIS BILL</b>	<b>\$1,938.50</b>
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**Please include the bill number on your check.**

# Jacksonville Daily Record

*A Division of*

**DAILY RECORD & OBSERVER, LLC**

10 N. Newnan Street (32202)

P.O. Box 1769

Jacksonville, FL 32201

(904) 356-2466

## INVOICE

October 10, 2019

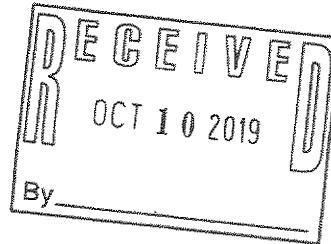
Date

Attn: Courtney Hogge

GMS, LLC

475 WEST TOWN PLACE, STE 114

SAINT AUGUSTINE FL 32092



1-31-513-48  
11

Payment Due Upon Receipt

Serial # 19-00012C

PO/File #

\$64.50

Notice of Meeting

Amount Due

Amount Paid

Wilford Preserve Community Development District

\$64.50

Payment Due

Case Number

Publication Dates 10/10

County Clay

*Payment is due before the  
Proof of Publication is released.*

*For your convenience, you  
may remit payment at  
[jaxdailyrecord.com/send-payment](http://jaxdailyrecord.com/send-payment).*

**Your notice can be found on the world wide web at [www.jaxdailyrecord.com](http://www.jaxdailyrecord.com)**

**TERMS: Net 30 days. Past due amounts will be charged a finance charge of 1.5% per month.**

**Preliminary Proof Of Legal Notice**  
*(This is not a proof of publication.)*

*Please read copy of this advertisement and advise us of any necessary corrections before further publications.*

**Notice of Meeting  
Wilford Preserve  
Community**

**Development District**

A meeting of the Board of Supervisors of the Wilford Preserve Community Development District is scheduled for Thursday, October 17, 2019 at 1:30 p.m. at the Plantation Oaks Amenity Center, 845 Oakleaf Plantation Parkway, Orange Park, Florida 32065. The meeting is open to the public and will be conducted in accordance with the provision of Florida Law for Community Development Districts. The meeting may be continued to a date, time, and place to be specified on the record at the meeting. A copy of the agenda for this meeting may be obtained from Governmental Management Services, LLC, 475 West Town Place, Suite 114, St. Augustine, Florida 32092 or by calling (904) 940-5850.


There may be occasions when one or more Supervisors or staff will participate by telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (904) 940-5850 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

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

Daniel Laughlin  
District Manager

Oct. 10 00 (19-00012C)

10	11	12	13	14	15	16	17	18	19
START STOP	NEWSPAPER REFERENCE	DESCRIPTION	PRODUCT	SAU SIZE	BILLED UNITS	TIMES RUN	RATE	AMOUNT	
09/01		Balance Forward						\$0.00	
09/20 09/20	103215957-09202019	NOTICE OF MEETINGS WILFORD PRESERVE COMMUNITY DEVELOPMENT DISTRICT The Board of Supervisors of the Wilford Preserve Community Development District will hold t	JV Times-Union	2.00 x 4.9688	9.94	1	\$64.92	\$645.34	
PREVIOUS AMOUNT OWED:								\$0.00	
NEW CHARGES THIS PERIOD:								\$645.34	
CASH THIS PERIOD:								\$0.00	
DEBIT ADJUSTMENTS THIS PERIOD:								\$0.00	
CREDIT ADJUSTMENTS THIS PERIOD:								\$0.00	
We appreciate your business.									



OCT 08 2019

1-31-513-48

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## INVOICE AND STATEMENT OF ACCOUNT

AGING OF PAST DUE ACCOUNTS

\* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

SBI™

21	CURRENT NET AMOUNT	22	30 DAYS	60 DAYS	OVER 90 DAYS	* UNAPPLIED AMOUNT	23	TOTAL AMOUNT DUE
	\$645.34		\$0.00	\$0.00	\$0.00	\$0.00		\$645.34
SALES REP/PHONE #		ADVERTISER INFORMATION						
Brenda Ramirez 904-359-4607	1	BILLING PERIOD	6	BILLED ACCOUNT NUMBER	7	ADVERTISER/CLIENT NUMBER	2	ADVERTISER/CLIENT NAME
		09/02/2019 - 09/29/2019		30333		30333		WILFORD PRESERVE CDD

### MAKE CHECKS PAYABLE TO

The Florida Times Union Dept 1261  
PO Box 121261  
Dallas, TX 75312-1261

Payment is due upon receipt.

The Florida Times Union

PLEASE DETACH AND RETURN LOWER PORTION WITH YOUR REMITTANCE

The Florida Times-Union  
jacksonville.com

1		BILLING PERIOD		2		ADVERTISER/CLIENT NAME			
		09/02/2019 - 09/29/2019		WILFORD PRESERVE CDD					
COMPANY		23	TOTAL AMOUNT DUE		* UNAPPLIED AMOUNT		3	TERMS OF PAYMENT	
JV 5			\$645.34		\$0.00		NET 15 DAYS		
21	CURRENT NET AMOUNT		22	30 DAYS		60 DAYS		OVER 90 DAYS	
	\$645.34			\$0.00		\$0.00		\$0.00	
4	PAGE #	5	BILLING DATE	6	BILLED ACCOUNT NUMBER	7	ADVERTISER/CLIENT NUMBER	24	STATEMENT NUMBER
			09/29/2019		30333		30333		0000056605

8 BILLING ACCOUNT NAME AND ADDRESS

9 REMITTANCE ADDRESS



8 - 2535

WILFORD PRESERVE CDD  
475 W TOWN PL STE 114  
SAINT AUGUSTINE FL 32092-3649



The Florida Times Union  
Dept 1261  
PO Box 121261  
Dallas, TX 75312-1261

THE FLORIDA TIMES-UNION  
Jacksonville, FL  
Affidavit of Publication

Florida Times-Union

**WILFORD PRESERVE CDD**  
**475 WEST TOWN PLACE STE 114**  
**SAINT AUGUSTINE, FL 32092**

ACCT: 30333  
AD# 0003215957-01

State of Florida  
County of Duval

Before the undersigned authority personally appeared brenda ramirez who on oath says he/she is a Legal Advertising Representative of The Florida Times-Union, a daily newspaper published in Jacksonville in Duval County, Florida; that the attached copy of advertisement is a legal ad published in The Florida Times-Union. Affiant further says that The Florida Times-Union is a newspaper published in Jacksonville, in Duval County, Florida, and that the newspaper has heretofore been continuously published in Duval County, Florida each day, has been entered as second class mail matter at the post office in Jacksonville, in Duval County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

PUBLISHED ON: 09/20/2019

FILED ON: 09/20/2019

**NOTICE OF MEETINGS**  
**WILFORD PRESERVE**  
**COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Wilford Preserve Community Development District will hold their regularly scheduled public meetings for Fiscal Year 2020 at the Plantation Oaks Amenity Center, 845 Oakleaf Plantation Parkway, Orange Park, Florida 32065 at 1:30 p.m. on the third Thursday of each month listed (unless notated otherwise\*) as follows:

October 17, 2019  
November 21, 2019  
January 16, 2020  
February 20, 2020  
March 19, 2020  
April 16, 2020  
May 21, 2020  
June 18, 2020  
July 16, 2020  
August 20, 2020  
September 17, 2020

The meetings are open to the public and will be conducted in accordance with the provision of Florida Law for Community Development Districts. The meetings may be continued to a date, time, and place to be specified on the record at the meeting. A copy of the agenda for these meetings may be obtained from Governmental Management Services, LLC, 475 West Town Place, Suite 114, St. Augustine, Florida 32092 or by calling (904) 940-5850.

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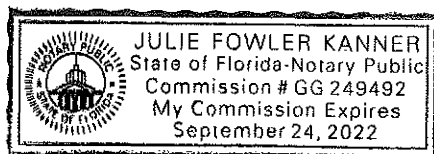
Daniel Laughlin  
District Manager

Name: brenda ramirez Title: Legal Advertising Representative

In testimony whereof, I have hereunto set my hand and affixed my official Seal the day and year aforesaid.

NOTARY:

*Julie Fowler Kanner*





Corporate Trust Services  
EP-MN-WN3L  
60 Livingston Ave.  
St. Paul, MN 55107

Invoice Number: 5469690  
Account Number: 224903000  
Invoice Date: 08/23/2019  
Direct Inquiries To: STACEY JOHNSON  
Phone: 407-835-3805

2/3

WILFORD PRESERVE COMMUNITY DEV DIST  
ATTN DISTRICT MANAGER  
475 W TOWN PLACE STE 114  
ST AUGUSTINE FL 32092

1-31-513-323  
12

WILFORD PRESERVE CDD SERIES 2018B

The following is a statement of transactions pertaining to your account. For further information, please review the attached.

STATEMENT SUMMARY

PLEASE REMIT BOTTOM COUPON PORTION OF THIS PAGE WITH CHECK PAYMENT OF INVOICE.

TOTAL AMOUNT DUE

\$3,717.38

All invoices are due upon receipt.

Please detach at perforation and return bottom portion of the statement with your check, payable to U.S. Bank.

WILFORD PRESERVE CDD SERIES 2018B

Invoice Number:	5469690
Account Number:	224903000
Current Due:	\$3,717.38
Direct Inquiries To:	STACEY JOHNSON
Phone:	407-835-3805

Wire Instructions:

U.S. Bank  
ABA # 091000022  
Acct # 1-801-5013-5135  
Trust Acct # 224903000  
Invoice # 5469690  
Attn: Fee Dept St. Paul

Please mail payments to:

U.S. Bank  
CM-9690  
PO BOX 70870  
St. Paul, MN 55170-9690





Corporate Trust Services  
EP-MN-WN3L  
60 Livingston Ave.  
St. Paul, MN 55107

3/3

Invoice Number: 5469690  
Invoice Date: 08/23/2019  
Account Number: 224903000  
Direct Inquiries To: STACEY JOHNSON  
Phone: 407-835-3805

**WILFORD PRESERVE CDD SERIES 2018B**

Accounts Included 224903000 224903001 224903002 224903003 224903004  
In This Relationship:

**CURRENT CHARGES SUMMARIZED FOR ENTIRE RELATIONSHIP**

Detail of Current Charges	Volume	Rate	Portion of Year	Total Fees
04200 Trustee	1.00	3,450.00	100.00%	\$3,450.00
<b>Subtotal Administration Fees - In Advance 08/01/2019 - 07/31/2020</b>				<b>\$3,450.00</b>
Incidental Expenses	3,450.00	0.0775		\$267.38
<b>Subtotal Incidental Expenses</b>				<b>\$267.38</b>
<b>TOTAL AMOUNT DUE</b>				<b>\$3,717.38</b>

