

OSCEOLA VILLAGE CENTER

**COMMUNITY DEVELOPMENT
DISTRICT**

May 10, 2021

**BOARD OF SUPERVISORS
PUBLIC HEARINGS AND
REGULAR MEETING AGENDA**

Osceola Village Center Community Development District

OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Toll-free: (877) 276-0889 • Fax: (561) 571-0013

May 3, 2021

Board of Supervisors
Osceola Village Center Community Development District

<p><u>ATTENDEES:</u> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.</p>

Dear Board Members:

The Board of Supervisors of the Osceola Village Center Community Development District will hold Multiple Public Hearings and a Regular Meeting on May 10, 2021, immediately following the adjournment of the Landowners' Meeting, scheduled to commence at 11:00 a.m., at the Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, Florida 34746. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Newly Elected Board of Supervisors (*the following will be also be provided in a separate package*)
 - A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
 - B. Membership, Obligations and Responsibilities
 - C. Chapter 190, Florida Statutes
 - D. Financial Disclosure Forms
 - I. Form 1: Statement of Financial Interests
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests
 - III. Form 1F: Final Statement of Financial Interests
 - E. Form 8B: Memorandum of Voting Conflict
4. Consideration of Resolution 2021-29, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date
5. Consideration of Resolution 2021-30, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the Osceola Village Center Community Development District, and Providing for an Effective Date

6. Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date
 - A. Affidavit/Proof of Publication
 - B. Consideration of Resolution 2021-31, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Osceola Village Center Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

7. Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements
 - *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*
 - *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*
 - A. Affidavit/Proof of Publication
 - B. Mailed Notice to Property Owner(s)
 - C. Engineer's Report for Capital Improvements *(for informational purposes)*
 - D. Master Special Assessment Methodology Report *(for informational purposes)*
 - E. Consideration of Resolution 2021-32, Authorizing District Projects For Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided For By Chapters 170, 190 and 197, Florida Statutes; Confirming the District's Intention To Issue Special Assessment Revenue Bonds; Making Provisions for Transfers of Real Property To Governmental Bodies; Providing for the Recording of an Assessment Notice; Providing For Severability, Conflicts and an Effective Date

8. Consideration of Response to Request for Qualifications (RFQ) for Engineering Services
 - A. Affidavit of Publication
 - B. RFQ Package
 - C. Respondent: Poulos & Bennett
 - D. Competitive Selection Criteria/ Ranking
 - E. Award of Contract

9. Consideration of Resolution 2021-33, to Re-Designate Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date
 - A. Rules of procedure
 - B. Notices
 - Notice of Rule Development
 - Notice of Rulemaking

10. Consideration of Resolution 2021-06, Designating the Primary Administrative Office and Principal Headquarters of the District; Designating the Location of the Local District Records Office; and Providing an Effective Date

11. Consideration of Resolution 2021-14, Adopting the Annual Meeting Schedule for Fiscal Year 2020-2021; and Providing for an Effective Date

12. Consideration of March 31, 2021 Organizational Meeting Minutes

13. Staff Reports
 - A. District Counsel: *Hopping Green & Sams, P.A.*
 - B. District Engineer (Interim): *Poulos & Bennett*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - NEXT MEETING DATE: June 14, 2021 at 11:00 A.M. [Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, Florida 34746]
 - QUORUM CHECK

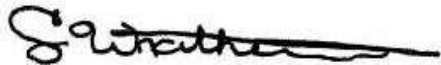
14. Board Members' Comments/Requests

15. Public Comments

16. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675.

Sincerely,



Craig Wrathell
District Manager

FOR BOARD AND STAFF TO ATTEND BY TELEPHONE
CALL-IN NUMBER: 1-888-354-0094
CONFERENCE ID: 2144145

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

4

RESOLUTION 2021-29

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS’ ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Osceola Village Center Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Kissimmee, Florida; and

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

WHEREAS, such landowners’ meeting was held on May 10, 2021, and the below recited persons were duly elected by virtue of the votes cast in his/her favor; and

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

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT:

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

Seat 1		___ Votes
Seat 2		___ Votes
Seat 3		___ Votes
Seat 4		___ Votes
Seat 5		___ Votes

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

Seat 1		__-Year Term
Seat 2		__-Year Term
Seat 3		__-Year Term
Seat 4		__-Year Term
Seat 5		__-Year Term

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

PASSED AND ADOPTED THIS 10TH DAY OF MAY, 2021.

Attest:

**OSCEOLA VILLAGE CENTER COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

5

RESOLUTION 2021-30

A RESOLUTION DESIGNATING A CHAIR, A VICE CHAIR, A SECRETARY, ASSISTANT SECRETARIES, A TREASURER AND AN ASSISTANT TREASURER OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Osceola Village Center Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Kissimmee, Florida; and

WHEREAS, the Board of Supervisors of the District desires to appoint the below-recited persons to the offices specified.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT:

1. **DISTRICT OFFICERS.** The District officers are as follows:

_____ is appointed Chair

_____ is appointed Vice Chair

Craig Wrathell is appointed Secretary

_____ is appointed Assistant Secretary

_____ is appointed Assistant Secretary

_____ is appointed Assistant Secretary

_____ is appointed Assistant Secretary

Craig Wrathell is appointed Treasurer

Jeff Pinder is appointed Assistant Treasurer

2. **EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

Adopted this 10th day of May, 2021.

ATTEST:

**OSCEOLA VILLAGE CENTER COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

6A

OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT NOTICE OF THE DISTRICT'S INTENT TO USE THE UNIFORM METHOD OF COLLECTION OF NON-AD VALOREM ASSESSMENTS Notice is hereby given that the Osceola Village Center Community Development District (the "District") intends to use the uniform method of collecting non-ad valorem assessments to be levied by the District pursuant to Section 197.3632, Florida Statutes. The Board of Supervisors of the District will conduct a public hearing on May 10, 2021, at 11:00 a.m., at the Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyns Heath Road, Kissimmee, FL 34746. The purpose of the public hearing is to consider the adoption of a resolution authorizing the District to use the uniform method of collecting non-ad valorem assessments to be levied by the District on properties located on land included in, or to be added to, the District. The District may levy non-ad valorem assessments for the purpose of financing, acquiring, maintaining and/or operating community development facilities, services and improvements within and without the boundaries of the District, to consist of, among other things, roadways, potable water distribution systems, reclaimed water distribution systems, wastewater collection systems, stormwater management systems, recreational facilities, landscape and hardscape improvements, and other improvements and any other lawful projects or services of the District. Owners of the properties to be assessed and other interested parties may appear at the public hearing and be heard regarding the use of the uniform method of collecting such non-ad valorem assessments. This hearing is open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The public hearing may be continued to a date, time and location to be specified on the record at the hearing. There may be occasions when Supervisors or staff may participate by speaker telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the hearing and/or meeting is asked to contact the District Office at (877) 276-0889, at least 48 hours before the hearing and/or meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at (800) 955-8770, who can aid you in contacting the District Office. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the hearing is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based. Craig Wrathell District Manager April 15, 22, 29, 2021 May 6, 2021

OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT NOTICE OF THE DISTRICT'S INTENT TO USE THE UNIFORM METHOD OF COLLECTION OF NON-AD VALOREM ASSESSMENTS Notice is hereby given that the Osceola Village Center Community Development District (the "District") intends to use the uniform method of collecting non-ad valorem assessments to be levied by the District pursuant to Section 197.3632, Florida Statutes. The Board of Supervisors of the District will conduct a public hearing on May 10, 2021, at 11:00 a.m., at the Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyns Heath Road, Kissimmee, FL 34746. The purpose of the public hearing is to consider the adoption of a resolution authorizing the District to use the uniform method of collecting non-ad valorem assessments to be levied by the District on properties located on land included in, or to be added to, the District. The District may levy non-ad valorem assessments for the purpose of financing, acquiring, maintaining and/or operating community development facilities, services and improvements within and without the boundaries of the District, to consist of, among other things, roadways, potable water distribution systems, reclaimed water distribution systems, wastewater collection systems, stormwater management systems, recreational facilities, landscape and hardscape improvements, and other improvements and any other lawful projects or services of the District. Owners of the properties to be assessed and other interested parties may appear at the public hearing and be heard regarding the use of the uniform method of collecting such non-ad valorem assessments. This hearing is open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The public hearing may be continued to a date, time and location to be specified on the record at the hearing. There may be occasions when Supervisors or staff may participate by speaker telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the hearing and/or meeting is asked to contact the District Office at (877) 276-0889, at least 48 hours before the hearing and/or meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at (800) 955-8770, who can aid you in contacting the District Office. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the hearing is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based. Craig Wrathell District Manager April 15, 22, 29, 2021 May 6, 2021

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Publication Date
2021-05-06

Subcategory

OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT NOTICE OF THE DISTRICT'S INTENT TO USE THE UNIFORM METHOD OF COLLECTION OF NON-AD VALOREM ASSESSMENTS Notice is hereby given that the Osceola Village Center Community Development District (the "District") intends to use the uniform method of collecting non-ad valorem assessments to be levied by the District pursuant to Section 197.3632, Florida Statutes. The Board of Supervisors of the District will conduct a public hearing on May 10, 2021, at 11:00 a.m., at the Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, FL 34746. The purpose of the public hearing is to consider the adoption of a resolution authorizing the District to use the uniform method of collecting non-ad valorem assessments to be levied by the District on properties located on land included in, or to be added to, the District. The District may levy non-ad valorem assessments for the purpose of financing, acquiring, maintaining and/or operating community development facilities, services and improvements within and without the boundaries of the District, to consist of, among other things, roadways, potable water distribution systems, reclaimed water distribution systems, wastewater collection systems, stormwater management systems, recreational facilities, landscape and hardscape improvements, and other improvements and any other lawful projects or services of the District. Owners of the properties to be assessed and other interested parties may appear at the public hearing and be heard regarding the use of the uniform method of collecting such non-ad valorem assessments. This hearing is open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The public hearing may be continued to a date, time and location to be specified on the record at the hearing. There may be occasions when Supervisors or staff may participate by speaker telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the hearing and/or meeting is asked to contact the District Office at (877) 276-0889, at least 48 hours before the hearing and/or meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at (800) 955-8770, who can aid you in contacting the District Office. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the hearing is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based. Craig Wrathell District Manager April 15, 22, 29, 2021 May 6, 2021

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

6B

RESOLUTION 2021-31

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT:

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

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

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

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

PASSED AND ADOPTED this 10th day of May, 2021.

ATTEST:

**OSCEOLA VILLAGE CENTER COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/ Vice Chair, Board of Supervisors

Print Name

Exhibit A: Legal Description

**Exhibit A:
Legal Description**

LEGAL DESCRIPTION:

SITE 1:

A portion of Section 33, Township 25 South, Range 29 East, Osceola County, Florida, being more particularly described as follows:

COMMENCE at the Westernmost Southwest corner of VILLAS AT ESTANCIA, according to the plat thereof as recorded in Plat Book 18, Pages 63 and 64, of the Public Records of Osceola County, Florida, the following three (3) courses being along the Southerly boundary of said VILLAS AT ESTANCIA; thence South 48°43'28" East, a distance of 290.27 feet to the POINT OF BEGINNING; thence continue South 48°43'28" East, a distance of 187.38 feet; thence South 76°11'48" East, a distance of 406.12 feet to the Southeast corner of said VILLAS AT ESTANCIA, also being the Southwest corner of Lot 70, ESTANCIA, according to the plat thereof as recorded in Plat Book 15, Pages 184 and 185 of said Public Records; thence continue South 76°11'48" East along the Southerly boundary of said ESTANCIA, a distance of 420.02 feet; thence departing from said Southerly boundary run South 13°48'12" West, a distance of 190.69 feet to a point on the arc of a non-tangent curve concave to the West, the radius point of which bears South 43°30'23" West; thence Southerly along said curve having a radius of 173.75 feet, a central angle of 98°20'05" for an arc distance of 298.20 feet to a point of reverse curvature of a curve concave to the Southeast; thence Southwesterly along said curve having a radius of 1,446.25 feet, a central angle of 18°56'43" for an arc distance of 478.21 feet to a point of compound curvature of a curve concave to the East; thence Southerly along said curve having a radius of 755.25 feet, a central angle of 44°14'44" for an arc distance of 583.23 feet to a point of reverse curvature of a curve concave to the Northwest; thence Southwesterly along said curve having a radius of 453.75 feet, a central angle of 94°06'13" for an arc distance of 745.25 feet to a point on the Northerly boundary of that certain land conveyed to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, as described in Warranty Deed recorded in Official Records Book 5336, Page 1230, of said Public Records, the following two (2) courses being along said Northerly boundary; thence North 79°24'12" West along a non-tangent line, a distance of 64.06 feet; thence North 83°16'25" West, a distance of 328.64 feet; thence North 18°03'27" East, a distance of 210.05 feet to a point of curvature of a curve concave to the Southeast; thence Northeasterly along said curve having a radius of 62.00 feet, a central angle of 40°22'20" for an arc distance of 43.69 feet; thence North 47°39'17" West along a non-tangent line, a distance of 1,119.37 feet; thence South 42°20'43" West, a distance of 68.00 feet; thence North 47°39'17" West, a distance of 140.00 feet; thence North 42°20'43" East, a distance of 48.00 feet; thence North 47°39'17" West, a distance of 166.29 feet to the Easterly Right-of-Way Line of State Road 600, according to the State of Florida Department of Transportation Right-of-Way Map Section 92010-2507; thence North 42°20'43" East along said Easterly Right-of-Way Line, a distance of 1345.14 feet to a point lying on the North line of the Northwest 1/4, of said Section 33; thence South 89°17'16" East along said North line, a distance of 388.30 feet to the POINT OF BEGINNING.

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

7A

PROOF OF
PUBLICATION
From

OSCEOLA
NEWS-GAZETTE

STATE OF FLORIDA
COUNTY OF OSCEOLA

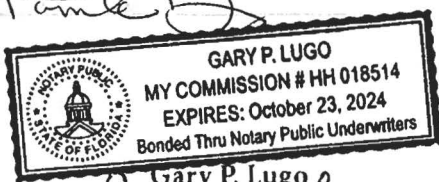
Befor me, the understigned authority,
personally appeared Pamela Bikowicz,
who an oath says that she is the
Business Manager of the
Osceola News-Gazette, a twice-weekly
newspaper published at Kissimmee, in
Osceola County, Florida; that the attached
copy of the advertisement was published
in the regular and entire edition of said
newspaper in the following issues:

APRIL 15, 22, 2021

Affiant further says that the
Osceola News-Gazette is a newspaper
published in Kissimmee, in said
Osceola County, Florida, and that
the said newspaper has heretofore
been continuously published in said
Osceola County, Florida, for a period
of one year preceding the first publication
of the attached copy of advertisement;
and affiant further says that 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 the said newspaper.

Sworn and subscribed before me
by Pamela Bikowicz, who is
personally known to me this

Pamela B.



Gary P. Lugo

IN THE MATTER OF: FIRST PUBLICATION:
OSCEOLA VILLAGE CTR
RESOLUTION
2021-26

NOTICE OF PUBLIC
HEARING
NOTICE OF REGULAR
MEETING

4/15/2021
LAST PUBLICATION: 4/22/2021



Make remittance to: Osceola News-Gazette
22 W. Monument Ave., Ste. 5, Kissimmee, FL 34744
Phone: 407-846-7600
Email: glugo@osceolanewsgazette.com
You can also view your Legal Advertising on
www.aroundusceola.com or www.floridapublicnotices.com

NOTICE OF PUBLIC HEARING TO CONSIDER IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTION 170.07, FLORIDA STATUTES, BY THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT

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

NOTICE OF REGULAR MEETING OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors ("Board") of the Osceola Village Center Community Development District will hold a public hearing at 11:00 a.m., on May 10, 2021, at the Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, FL 34746, to consider the adoption of an assessment roll, the imposition of special assessments to secure proposed bonds on benefited lands within the Osceola Village Center Community Development District ("District"), a depiction of which lands is shown below, and to provide for the levy, collection and enforcement of the special assessments. The streets and areas to be improved are depicted below and in the District's Engineer's Report, dated March 2021 (the "Improvement Plan"). The public hearing is being conducted pursuant to Chapters 170, 190 and 197, Florida Statutes. A description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the office of the District Manager located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

The District is a unit of special-purpose local government responsible for providing infrastructure improvements for lands within the District. The infrastructure improvements ("Improvements") are currently expected to include, but are not limited to, potable water systems, wastewater systems, roadway improvements, stormwater management systems, landscaping and entry features, amenity features, street lighting, and other improvements, all as more specifically described in the Improvement Plan, on file and available during normal business hours at the address provided above.

The District intends to impose assessments on benefited lands within the District in the manner set forth in the District's Master Special Assessment Methodology Report, dated March 31, 2021 (the "Assessment Report"), which is on file and available during normal business hours at the address provided above. The Assessment Report identifies each tax parcel identification number within the District and assessments per parcel for each land use category that is currently expected to be assessed. The method of allocating assessments for the Improvements to be funded by the District will initially be determined on an equal assessment per acre basis. At the time parcels are platted or otherwise subdivided into assessable units, the method of allocating assessments is based on the Equivalent Residential Unit ("ERU"). The ERU factor per land use type is explained in more detail in the Assessment Report. The Assessment Report allocates the District's total anticipated debt over certain developable property included in the development plan for lands within the District. The methodology is explained in more detail in the Assessment Report. Also, as described in more detail in the Assessment Report, the District's assessments will be levied against all lands within the District. Please consult the Assessment Report for more details.

The annual principal assessment levied against each parcel will be based on repayment over thirty (30) years of the total debt allocated to each parcel. The District expects to collect sufficient revenues to retire no more than \$9,910,000 in debt to be assessed by the District, exclusive of fees and costs of collection or enforcement, discounts for early payment and interest. The proposed schedule of assessments is as follows:

Product Type	ERU (per unit)	Maximum Principal (per unit)	Maximum Annual Installment (per unit)*
Single Family	1.0	\$36,382.99	\$2,842.13
Townhome	0.83	\$30,197.89	\$2,358.97

*Includes costs of collection, early payment discount and assumes payment in March.

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

Also at 11:00 a.m. on May 10, 2021, at Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, FL 34746, the Board will hold a regular public meeting to consider any other business that may lawfully be considered by the District. The Board meeting and hearings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Board meeting and/or the public hearings may be continued in progress to a date and time certain announced at the meeting and/or hearings.

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

Any person requiring special accommodations at the meeting or hearings because of a disability or physical impairment should contact the District Office at (561) 571-0010 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 for aid in contacting the District office.

OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT

RESOLUTION 2021-26

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT SETTING A PUBLIC HEARING TO BE HELD ON MAY 10, 2021, AT 11:00 A.M., AT EMBASSY SUITES BY HILTON ORLANDO LAKE BUENA VISTA SOUTH, 4955 KYNGS HEATH ROAD, KISSIMMEE, FL 34746, FOR THE PURPOSE OF HEARING PUBLIC COMMENT ON IMPOSING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY WITHIN THE DISTRICT GENERALLY DESCRIBED AS THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH CHAPTERS 170, 190 AND 197, FLORIDA STATUTES.

WHEREAS, the Board of Supervisors of the Osceola Village Center Community Development District ("Board") has previously adopted Resolution 2021-25 entitled:

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

WHEREAS, in accordance with Resolution 2021-25, a Preliminary Special Assessment Roll has been prepared and all other conditions precedent set forth in Chapters 170, 190 and 197, Florida Statutes, to the holding of the aforementioned public hearing have been satisfied, and the roll and related documents are available for public inspection at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010 ("District Manager's Office").

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT:

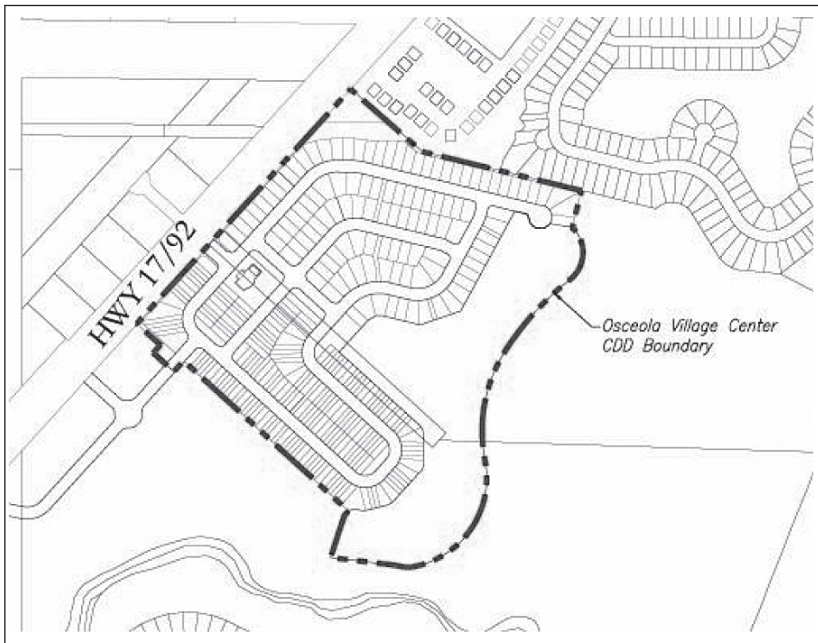
1. There is hereby declared a public hearing to be held on **Monday, May 10, 2021 at 11:00 a.m.**, for the purpose of hearing comment and objections to the proposed special assessment program for District improvements as identified in the Preliminary Special Assessment Roll, a copy of which is on file. Affected parties may appear at that hearing or submit their comments in writing prior to the hearing to the District Manager's Office.
2. Notice of said hearing shall be advertised in accordance with Chapters 170, 190 and 197, Florida Statutes, and the District Manager is hereby authorized and directed to place said notice in a newspaper(s) of general circulation within Osceola County (by two publications one week apart with the first publication at least twenty (20) days prior to the date of the hearing established herein). The District Manager shall file a publisher's affidavit with the District Secretary verifying such publication of notice. The District Manager is further authorized and directed to give thirty (30) days written notice by mail of the time and place of this hearing to the owners of all property to be assessed and include in such notice the amount of the assessment for each such property owner, a description of the areas to be improved and notice that information concerning all assessments may be ascertained at the District Manager's Office. The District Manager shall file proof of such mailing by affidavit with the District Secretary.
3. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 31st day of March, 2021.

ATTEST: OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT

s/ Craig Wrathell
Secretary

s/ Eric Marks
Chairperson, Board of Supervisors



Roy Haber at Porky's April 16-17

Comedian Roy Haber will take the stage at Porky's Comedy club April 16-17.

According to Haber's biography on his website (https://royscomedy.com/?fbclid=IwAR0JFzppEdiKwWhEntz2XctqHZ_8UxJNP3EfWoBRHw), born in Israel, Haber had your average beginning. Then, as if the confusion of his roots wouldn't eventually turn him into a skewed man, his parents pulled a mean trick...deciding to raise him in Kentucky.

Pursuing the profession of stand-up comedy was only inevitable.

Whether it's making fun of his height (5 feet 2 inches), tackling personal issues, slamming an analytical magnifying glass on world events and society in general, or sharing a story from his travels, Haber's comedy is live, direct, and playfully honest.

Fan's rave of his wit, and all who have seen him appreciate his will to speak his mind, his website stated. Though he often leads his audience to the very edge, he shows great tact in realizing where it is and attempts to tread past the threshold only when necessary and never for the cheap, yet often sought-after "shock value" laugh. His set material focuses on self-deprecation, hypocrisy in politics, double standards in culture and his ability for story telling of topics that all audience members can enjoy.

Haber has performed throughout the U.S., Canada, and for the United States troops, both abroad and on U.S. soil. He's shared the stage with the likes of Jim Breuer, Tommy Davidson, Don Rickles, Kevin Nealon, Iliza Shlesinger, Tom Arnold, Tim Wilson, Tom Green and many more.

He was also a semi finalist in the prestigious International San Francisco Comedy Competition (past competitors include: Robin Williams, Ellen DeGeneres, Sinbad and Dana Carvey).

For tickets, go to www.porkyscomedyclub.com.

St. Cloud garage sale dates

The city of St. Cloud has set April 16, 17 and 18, and Nov. 19, 20 and 21, as the dates for the citywide garage sales this year.

All residents and property owners within the city limits automatically qualify for the citywide no-fee permit and do not need a hard-copy permit for those dates.

Those conducting garage sales should adhere to guidelines established by the Centers for Disease Control (CDC) for social distancing.

For more information on city permits, visit www.stcloud.org or call 407-957-8427.

NOTICE OF PUBLIC HEARING TO CONSIDER IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTION 170.07, FLORIDA STATUTES, BY THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT

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

NOTICE OF REGULAR MEETING OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors ("Board") of the Osceola Village Center Community Development District will hold a public hearing at 11:00 a.m., on May 10, 2021, at the Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, FL 34746, to consider the adoption of an assessment roll, the imposition of special assessments to secure proposed bonds on benefited lands within the Osceola Village Center Community Development District ("District"), a depiction of which lands is shown below, and to provide for the levy, collection and enforcement of the special assessments. The streets and areas to be improved are depicted below and in the District's Engineer's Report, dated March 2021 (the "Improvement Plan"). The public hearing is being conducted pursuant to Chapters 170, 190 and 197, Florida Statutes. A description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the office of the District Manager located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

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*Includes costs of collection, early payment discount and assumes payment in March.

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

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

Any person requiring special accommodations at the meeting or hearings because of a disability or physical impairment should contact the District Office at (561) 571-0010 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 for aid in contacting the District office.

OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT

RESOLUTION 2021-26

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT SETTING A PUBLIC HEARING TO BE HELD ON MAY 10, 2021, AT 11:00 A.M., AT EMBASSY SUITES BY HILTON ORLANDO LAKE BUENA VISTA SOUTH, 4955 KYNGS HEATH ROAD, KISSIMMEE, FL 34746, FOR THE PURPOSE OF HEARING PUBLIC COMMENT ON IMPOSING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY WITHIN THE DISTRICT GENERALLY DESCRIBED AS THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH CHAPTERS 170, 190 AND 197, FLORIDA STATUTES.

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

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NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT:

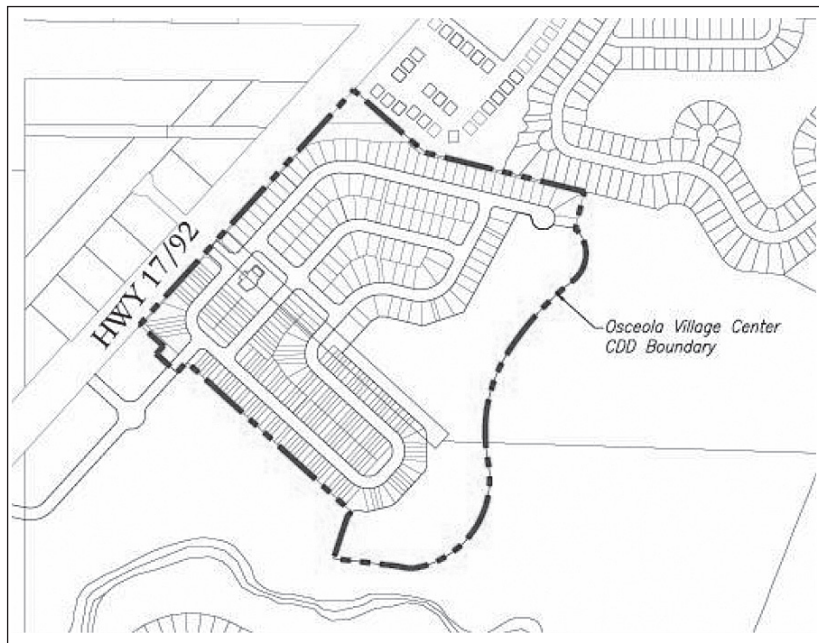
1. There is hereby declared a public hearing to be held on **Monday, May 10, 2021 at 11:00 a.m.**, for the purpose of hearing comment and objections to the proposed special assessment program for District improvements as identified in the Preliminary Special Assessment Roll, a copy of which is on file. Affected parties may appear at that hearing or submit their comments in writing prior to the hearing to the District Manager's Office.
2. Notice of said hearing shall be advertised in accordance with Chapters 170, 190 and 197, Florida Statutes, and the District Manager is hereby authorized and directed to place said notice in a newspaper(s) of general circulation within Osceola County (by two publications one week apart with the first publication at least twenty (20) days prior to the date of the hearing established herein). The District Manager shall file a publisher's affidavit with the District Secretary verifying such publication of notice. The District Manager is further authorized and directed to give thirty (30) days written notice by mail of the time and place of this hearing to the owners of all property to be assessed and include in such notice the amount of the assessment for each such property owner, a description of the areas to be improved and notice that information concerning all assessments may be ascertained at the District Manager's Office. The District Manager shall file proof of such mailing by affidavit with the District Secretary.
3. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 31st day of March, 2021.

ATTEST: OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT

s/ Craig Wrathell
Secretary

s/ Eric Marks
Chairperson, Board of Supervisors



OUC: Practice conservation habits



To celebrate Earth Month, OUC is encouraging its employees, customers and the Central Florida community to go green by adding simple conservation habits into their daily routines to help make the community and the world better for future generations by living more sustainably at work and at home.

In addition to practicing the simple tips listed below, OUC is also inviting its customers to take the "Green Your Routine" pledge (<https://www.ouc.com/green-your-routine-pledge>). Almost 450 people have already taken the pledge.

If you'd like to see conservation at work, OUC will be on-site at Central Florida Earth Day on April 25 at Lake Eola Park from 10 a.m. – 4 p.m.

Attendees will be able to take the "Green Your Routine" pledge, tour OUC's Tiny Green Home for a hands-on demonstration of sustainable practices they can incorporate into their own homes, and pick up a tree from OUC's tree giveaway.

To "Green Your Routine" every day, and turn conservation into daily habits, here are some easy tips to follow:

Water Conservation

- Keep your shower time to 5 minutes or less.
- Set your irrigation timer according to water district rules. Find yours at OUC.com/water.
- Change high volume irrigation heads to low volume. Claim a rebate at OUC.com/rebates.

Electric Conservation

- Set your A/C to 78 degrees during summer and 68 during winter.
- Wash only full loads in the dishwasher and clothes washer. Hot water can add about 90% to the cost of each load.
- Set your water heater to no more than 125 degrees. Any higher is simply a waste of energy.

Recycling

- Avoid sending unnecessary waste to landfills. Recycle accordingly.
- Use a composter to turn kitchen and yard waste into usable, nutrient rich garden soil.
- Avoid using single-use plastics whenever possible.

Livability

- Consider planting Florida-Friendly landscaping, which needs only minimal water to thrive.
- Use a rain barrel to collect rainwater for no-cost garden irrigation.
- Plant a garden – big or small – and grow your own vegetables, fruits and herbs.

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

7B

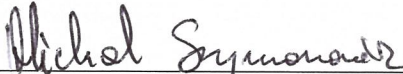
STATE OF FLORIDA)
COUNTY OF PALM BEACH)

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, this day personally appeared Michal Szymonowicz, who by me first being duly sworn and deposed says:

1. I am over eighteen (18) years of age and am competent to testify as to the matters contained herein. I have personal knowledge of the matters stated herein.
2. I, Michal Szymonowicz, am employed by Wrathell, Hunt & Associates, LLC, and, in the course of that employment, serve as Assessment Consultant for the Osceola Village Center Community Development District.
3. Among other things, my duties include preparing and transmitting correspondence relating to the Osceola Village Center Community Development District.
4. I do hereby certify that on April 10, 2021, and in the regular course of business, I caused the letter, in the form attached hereto as **Exhibit A**, to be sent notifying affected landowner(s) in the Osceola Village Center Community Development District of their rights under Chapters 170, 190 and 197, *Florida Statutes*, with respect to the District's anticipated imposition of special assessments.
5. I have personal knowledge of having sent the letters to the addressees, and those records are kept in the course of the regular business activity for my office.

FURTHER AFFIANT SAYETH NOT.



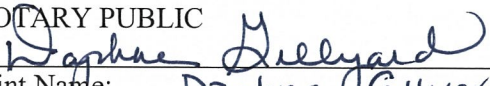
Michal Szymonowicz

SWORN AND SUBSCRIBED before me this 17 day of April 2021, by Michal Szymonowicz, for Wrathell, Hunt & Associates, LLC, who is [] personally known to me or [] has provided _____ as identification, and who did ___ / did not take an oath.



DAPHNE GILLYARD
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG327647
Expires 8/20/2023

NOTARY PUBLIC



Print Name: Daphne Gillyard
Notary Public, State of Florida
Commission No.: GG327647
My Commission Expires: 8/20/2023

EXHIBIT A: Form of Mailed Notice

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

7020 2450 0002 0734 1218

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	\$
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

WOODLAND STATION
CARATOON

APR 10 2021

Postmark
Here

Postage

\$

Total Post

\$

Sent To

Street and

City, State

JEN FLORIDA 40 LLC

1750 W BROADWAY STE 111

OVIEDO, FL 32765

EXHIBIT A: Form of Mailed Notice

Osceola Village Center Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W•Boca Raton, Florida 33431
Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013

VIA U.S. MAIL – CERTIFIED/RETURN RECEIPT

April 10, 2021

JEN FLORIDA 40 LLC
1750 W BROADWAY STE 111
OVIEDO, FL 32765

RE: *Osceola Village Center Community Development District*
Notice of Hearing on Assessments to Property
Parcel ID #: 33-25-29-00U0-0011-0000 and 33-25-29-00U0-0016-0000

Dear Property Owner:

You are receiving this notice because Osceola County tax records indicate that you are a property owner within the Osceola Village Center Community Development District (the “District”). The District is a special-purpose unit of local government that was established pursuant to Chapter 190, *Florida Statutes*. The property you own that is the subject of this notice is identified above.

At the March 31, 2021, meeting of the District’s Board of Supervisors (the “Board”), the District approved in substantial form an *Engineer’s Report* (the “Capital Improvement Plan”), that describes the nature of the improvements that may be built or acquired by the District that benefit lands within the District that are included within the development, including, but not limited to, potable water systems, wastewater systems, roadway improvements, stormwater management systems, landscaping and entry features, amenity features, street lighting, and other improvements, all as more specifically described in the Capital Improvement Plan (the “Improvements”). A courtesy copy of the Capital Improvement Plan is attached hereto as **Exhibit A**. The District estimates that it will cost approximately \$7,550,754.56 to finance all or a portion of the Improvements contemplated by the District, inclusive of fees and costs of collection or enforcement, discounts for early payment and the annual interest costs of the debt issued to finance the Improvements. As a property owner of assessable land within the District, the District intends to assess your property, in the manner set forth in the District’s *Master Special Assessment Methodology Report* (the “Assessment Report”). The Assessment Report was also approved in substantial form at the Board’s March 31, 2021, public meeting. For your review, we have enclosed a copy of the Assessment Report as **Exhibit B**, which includes a preliminary assessment roll. Note that the assessment roll is created with information provided by Osceola County.

The purpose of any such assessment is to secure the special assessment revenue bonds issued to fund the Improvements. As described in more detail in the Assessment Report, the District's assessments will be levied against all lands within the District. Please consult the Assessment Report for more details.

The Assessment Report identifies the legal description of land within the District and assessments per parcel for each land use category that is currently expected to be assessed. The Assessment Report allocates the District's total anticipated debt over all lands within the District. The method of allocating assessments for the Improvements to be funded by the District will initially be determined on an equal assessment per gross acre basis. At the time parcels are platted or otherwise subdivided into assessable units, individual assessments will be assigned to those parcels at the Maximum Principal Per Unit amounts described in Table 5 of the Assessment Report, thereby reducing the assessments encumbering the unplatted properties in the Assessment Area (as defined in the Assessment Report) by a corresponding amount. For platted lots, the method of allocating assessments for the Improvements to be funded by the District is based on the Equivalent Residential Unit ("ERU"). The ERU factor per land use type is found in Table 4 of the Assessment Report. Any unassigned amount of assessments encumbering the remaining unplatted properties in the assessment area will continue to be calculated and levied on an equal assessment per gross acre basis.

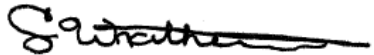
As the owner of property within the District subject to assessments, the total amount of assessment principal to be levied against property that you own is reflected on the preliminary assessment roll attached to the Assessment Report, exclusive of fees and costs of collection or enforcement, discounts for early payment and the annual interest costs of the debt issued to finance the Improvements. The total amount to be levied against each parcel is detailed in the Assessment Report incorporated herein by this reference, as such the Assessment Report may be amended at the below referenced hearing. However, the total amount of the assessments on each platted lot over thirty (30) years may be higher or lower depending on the actual terms of bonds issued. The total max annual revenue that the District will collect by these assessments for your property is anticipated to be \$774,140.55, inclusive of anticipated fees and costs of collection and enforcement, discounts for early payment, and the annual interest costs of the debt issued to finance the Improvements.

The assessments may appear on your regular tax bill issued by the Osceola County Tax Collector. However, the District may in its discretion at any time choose instead to directly collect these assessments. As provided in the Assessment Report, the assessments will constitute a lien against your property that may be prepaid in accordance with Chapter 170, *Florida Statutes*, or may be paid in not more than thirty (30) annual installments. The failure to pay any assessments collected on the tax roll will cause a tax certificate to be issued against your property within the District which may result in a loss of title. Alternatively, if the assessments are directly collected, the failure to pay such direct bill invoice may result in the District pursuing a foreclosure action, which may result in a loss of title.

In accordance with Chapters 170, 190 and 197, *Florida Statutes*, this letter is to notify you that a public hearing for the above-mentioned assessments will be held on **May 10th, 2021, at 11:00 a.m. at the Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, FL 34746**. At this hearing, the Board will sit as an equalizing board to hear and consider testimony from any interested property owners as to the propriety and advisability of making the Improvements, or some phase thereof, as to the cost thereof, as to the manner of payment thereof, and as to the amount thereof to be assessed against each property so improved. All affected property owners have a right to appear at the hearing and to file written objections with the District's Board of Supervisors within twenty (20) days of this notice.

Information concerning the assessments and copies of applicable documents are on file and available during normal business hours at the District's Records Office, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, or by contacting the District Manager at (561) 571-0010. You may appear at the hearing or submit your comments in advance to the attention of the District Manager at its address above.

Sincerely,



Craig Wrathell
District Manager

Enclosures:

- Exhibit A: *Engineer's Report*
- Exhibit B: *Master Special Assessment Methodology Report*

Exhibit A: *Engineer's Report*

**Exhibit B: *Master Special Assessment
Methodology Report***

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

7C

Osceola Village Center
Community Development District
**DRAFT ENGINEER'S
REPORT**

Prepared For

Osceola Village Center Community Development District

Date

November 12, 2020



2602 East Livingston Street | Orlando, Florida 32803 | Tel: 407.487.2594 | www.poulosandbennett.com
FBPE Certificate of Authorization No. 28567

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Section 1 Introduction

1.1. Background

The Engineer's Report for Capital Improvements (the "Report") for the Osceola Village Center Community Development District (the "District") has been prepared to assist with the financing and construction of the capital improvements contemplated to be constructed, acquired and/or installed within the District or outside of the District (the "Capital Improvement Plan") pursuant to requirements of the City of Kissimmee, Osceola County, FL and the Florida Department of Transportation.

Capital Improvements reflected in the Report represent the current Capital Improvement Plan for the District. Some of the necessary regulatory approvals have not yet been obtained for the Development (hereinafter defined). Various permits necessary to commence and complete the Development are expected to be obtained in the future during the normal design and permitting processes. To the best of our knowledge and belief it is our opinion that the balance of the required permits are obtainable as needed. The implementation of any improvements discussed in this plan requires the final approval by many regulatory and permitting agencies as outlined in Section 2 below; therefore, this report, may be amended from time to time.

Cost Estimates contained in this report have been prepared based on the best available information at this time. The actual costs of construction, final engineering design, planning, approvals and permitting may vary from the cost estimates presented.

1.2. Location and General Description

The overall District is comprised of three parcels of land totaling 66.91 +/- acres located in the City of Kissimmee, Florida. More specifically, the parcels are located within a portion of Section 33 of Township 25 South, Range 29 East, lying east of US Hwy 17/92 (South John Young Parkway) approximately 2.00 miles south of US Hwy 192 (West Vine Street). Please refer to Vicinity Map Exhibit 1 and Location Map Exhibit 2. The Development is part of the overall Osceola Village Center project and is zoned as Planned Development which was most recently amended by City of Kissimmee on September 17, 2019. Please refer to Exhibit 4 for a plan of the Approved Conceptual Development Plan with the District Boundary. Development of the entire project is to occur within 4 phases of which the first 3 phases will be included within the District Boundary and the fourth phase is a commercial and apartment area located to the southwest and outside of the District Boundary. Phases 1-3 are proposed to include single family detached and townhome residential units, stormwater facilities, open space, utility tracts and recreational amenities. The Capital Improvements associated with each area function independently of the other. As such, the Estimate of Probable Capital Improvements Costs has been presented separately for each area. Please refer to table in Section 1.4 for a breakdown of development uses by area.

The Community Development District Boundary and Legal Description are included as Exhibit 3.

1.3. District Purpose and Scope

The District was established for the purpose of financing, acquiring or constructing, maintaining and operating a portion of the public infrastructure necessary for community development within the District. The purpose of this report is to provide a description of the public infrastructure improvements that may be financed by the District. The public infrastructure improvements have been described for Areas 1 and 2 of the District. The District may finance, acquire and/or, construct, operate, and maintain certain public infrastructure improvements that are needed to serve the Development within Phases 1-3. A portion of

**Osceola Village Center Development District
Engineer's Report for Capital Improvements**

the public infrastructure improvements will be financed (1) with the proceeds of bonds issued by the District and/or (2) by the Developer.

The proposed public infrastructure improvements, as outlined herein, are necessary for the development of the District as required by the applicable independent unit of local government.

1.4. Description of Land Use

Based on the current Conceptual Development Plan (Exhibit 4) for the property within the CDD boundary, the development currently consists of 311 residential units (125 single-family units, 186 townhome units) and multiple supporting recreational amenities and commercial areas. The approved land uses within the District include the following areas outlined in the table below. Exhibit 4 provides the location of the development uses below.

Proposed Development	Approximate Acres			Totals
	Phase 1	Phase 2	Phase 3	(ac)
Private (Single Family Lots & Townhome Lots)	12.90	8.45	9.40	30.75
Stormwater	19.85	0.00	0.00	19.85
Recreational Space and Amenities	2.08	0.00	0.20	2.28
Open Space	2.29	0.16	0.44	2.89
Roadways Tracts	6.06	2.29	2.67	11.02
Utility Tracts	0.12	0.00	0.00	0.12
Total Acres	43.30	10.90	12.71	66.91

Section 2 Government Actions

The following are the permitting agencies that will have jurisdiction for approval of construction within the District. Depending on the location and scope of each phase of project design, the individual permits that need to be obtained will need to be evaluated and not all of the permits listed below will necessarily apply to every sub-phase within the District. The property is currently located in the City of Kissimmee.

Permitting Agencies & Permits Required

1. City of Kissimmee
 - a. Preliminary Plat
 - b. Final Engineering Plans for Onsite and Offsite Improvements
 - c. Final Plat
2. Toho Water Authority (TWA)
 - a. Final Utilities Engineering Plans for Potable Water, Wastewater and Reclaimed Water Systems
3. South Florida Water Management District (SFWMD)

- a. Environmental Resource Permit
 - i. Master Stormwater Construction
 - ii. Final Engineering for Onsite and Offsite Improvements
4. Florida Department of Transportation (FDOT)
 - a. Driveway Connection Permit
 - b. Drainage Connection Permit
 - c. Utility Connection Permit
5. Florida Department of Environmental Protection (FDEP)
 - a. Potable Water Distribution System
 - b. Wastewater Collection and Transmission System
 - c. National Pollutant Discharge Elimination System (NPDES)
6. Federal Emergency Management Agency (FEMA)
 - a. Letter of Map Revision
7. Florida Fish and Wildlife Conservation Commission (FWC)

Section 3 Infrastructure Benefit

The District will fund, and in certain cases, maintain and operate infrastructure yielding two types of public benefits. These benefits include:

- Project wide public benefits
- Incidental public benefits

The project wide public benefits are provided by infrastructure improvements that serve all lands in the District. These public infrastructure improvements include construction of the master stormwater management system, the sanitary sewer, potable water, and reclaimed water mains, utility improvements, recreational amenities, and perimeter landscape and irrigation improvements within the District boundary. However, some incidental public benefits include those benefits received by the general public who do not necessarily reside on land owned or within the District.

The proposed capital improvements identified in this report are intended to provide specific benefit to the assessable real property within the boundaries of the District. As the majority of the property is undeveloped, the construction and maintenance of the proposed infrastructure improvements are necessary and will benefit the property for the intended use as a residential community. The District can construct, acquire, own, operate and/or maintain any portion or all of the proposed infrastructure. The Developer and/or other party/parties may construct and fund the infrastructure not funded by the District.

Section 4 Capital Improvements Plan

The District capital improvements will connect and interact with the adjacent offsite roads, potable water, reclaimed water, and wastewater systems. The proposed infrastructure improvements addressed by this Report include elements internal and external to the District. The elements include the master stormwater management and drainage systems, landscaping, undergrounding of electrical distribution lines, pavement markings and signage, as well as potable water main, reclaimed water main and sanitary sewer extensions required to provide utility service to the District. Detailed descriptions of the proposed capital improvements are provided in the following sections and Exhibits 5 through 7 and 9 through 11. Exhibit 12, details the Cost Opinion for the District's capital improvement plan.

The Capital Improvement Plan will be constructed and financed in logical segments, as property within the District is developed by the Developer. The District anticipates issuing a series of bonds to fund all or a portion

of the Capital Improvement Plan.

Section 5 Description of Capital Improvements Plan

5.1 Stormwater Management

As indicated above, the District will fund the construction of the master stormwater management system for the lands within the District. This system is made up of a wet retention stormwater treatment pond, control structure, swales, inlets, manholes and storm pipes. The proposed pond and outfall structure will be designed to provide water quality treatment and attenuation in accordance with City of Kissimmee and the South Florida Water Management District regulations. The stormwater management system will be designed to accommodate on-site runoff in addition to offsite flows which have historically entered the project site. Exhibit 6, Post-Development Basin Map provides a graphical representation of the currently proposed stormwater management system.

5.2 Master Infrastructure

5.2.1 Roadway System

The District will fund the construction of the roadways within or outside the District. The District will fund the proposed approximate 8,105 linear feet of master roadways which will define the major ingress and egress points throughout the development and required right-of-way. The roadways will be conveyed to, and owned and maintained by the City of Kissimmee once they have been certified complete. The roadways and rights-of-way will also serve as locations for the placement of utility infrastructure needed to serve the development of the project. The roadways will connect to US Highway 17/92 as an entrance to the project as well as the commercial and apartment areas to the southwest.

5.2.2 Potable Water Distribution System

The District will fund the construction of the potable water distribution system within the District. The potable water system will be conveyed to, and owned and maintained by the Toho Water Authority once it has been certified complete. The potable water mains within the District will be sized to provide water to residents and recreational amenities of the District and will be required to be designed and constructed based on an approved Master Utility Plan (MUP). Exhibit 9, Overall Potable Water Distribution System, provides a graphical representation of the contemplated water mains to be constructed within the District.

5.2.3 Reclaimed Water Distribution System

The District will fund the construction of the reclaimed water distribution system within the District and those portions outside the District required to connect to existing or proposed offsite facilities. The reclaimed water system will be conveyed to, and owned and maintained by, the Toho Water Authority once it has been certified complete by the District. The reclaimed water mains serving the District will be sized to provide reclaimed water to the lot boundaries and common areas within the District and will be required to be designed and constructed based on an approved MUP. Exhibit 10, Overall Reclaimed Water Distribution System, provides a graphical representation of the existing and proposed offsite reclaimed water system and onsite system contemplated within the District. Offsite reclaimed water distribution system improvements are included in the capital costs.

5.2.4 *Wastewater System*

The District will fund the construction of the wastewater system consisting of gravity sewer, force main, and lift station infrastructure within the District and those portions just outside the District required to connect to existing or proposed offsite facilities. The wastewater system will be conveyed to, and owned and maintained by, the Toho Water Authority once it has been certified complete by the District. The wastewater system serving the District will be sized to provide wastewater service to the residents and recreational amenities of the District, and will be required to be designed and constructed based on an approved MUP. Exhibit 11, Overall Wastewater System, provides a graphical representation of the proposed offsite wastewater system and onsite system contemplated within the District. The offsite connection to the existing forcemain is included in the capital costs.

5.2.5 *Recreational Amenities, Parks, Landscape & Hardscape*

The District will fund parks, landscape and hardscape construction within roadways and common areas which may include perimeter landscape buffers, master signage, way finding signage, entry hardscape features, entry landscape, recreational amenities and park area features, landscape and hardscape, pedestrian trails, and street trees. The District will own and maintain foregoing improvements.

5.2.6 *Undergrounding of Electrical Distribution and Street Lights*

Most, if not all, District constructed Master Infrastructure will include underground electric and street lighting. The street lighting system will be constructed in cooperation with the Kissimmee Utility Authority and the Developer. The District will fund the cost to trench the onsite and/or offsite underground installation only.

5.3 *Professional and Inspection Fees*

For the design, permitting and construction of the proposed District Capital Improvement Plan, professional services are required by various consultants. The consultant services may include, but are not limited to, civil engineering, geotechnical engineering, planning, environmental, surveying, and landscape architect. During construction, the various permitting agencies will observe and inspect the project. Each of the agencies will charge an inspection fee to cover the costs associated with an inspector visiting the site to observe construction progress and confirm that the project is constructed in accordance with their respective approved plans, permits, rules, and regulations. The Professional Services and Inspections Fees are included as Soft Costs for the District Capital Improvement Plan.

Section 6 Ownership and Maintenance

Capital Improvements Plan	Ownership	Maintenance
Master Stormwater Management System	District	Homeowners Association / District
Roadway System	City of Kissimmee	City of Kissimmee
Potable Water Distribution System	Toho Water Authority	Toho Water Authority
Sanitary Sewer System	Toho Water Authority	Toho Water Authority
Reclaimed Water Distribution System	Toho Water Authority	Toho Water Authority
Parks, Landscaping, Irrigation and Signage	District	Homeowners Association / District
Recreational Amenities	District	Homeowners Association / District
Street Lighting/Electrical	Kissimmee Utility Authority	Kissimmee Utility Authority

***Section 7 Roadway Rights-of-Way, Stormwater Management
Ponds and Other Open Spaces***

Real property interests for lands within the District needed for construction, operation, and maintenance of District facilities will be conveyed and/or dedicated by the owner thereof to the District or other Public entity at no cost.

Section 8 Estimate of Probable Capital Improvements Costs

The Estimate of Probable Capital Improvements Plan Costs is provided in Exhibit 12. Costs associated with construction of the improvements described in this report have been estimated based on the best available information. Other soft costs include portions of the surveying, design and engineering for the described work, regulatory permitting inspection fees and materials testing. In addition, a reasonable project contingency estimate has been included.

Please note that the costs are preliminary in nature and subject to change based on final engineering, permitting, and market fluctuation.

Section 9 Conclusions and Summary Opinion

The Capital Improvement Plan as described is necessary for the functional development of the property within the District as required by the applicable local governmental agencies. The planning and design of the infrastructure will be in accordance with current governmental regulatory requirements. The public infrastructure as described in this Report will serve its intended function provided the construction is in substantial compliance with the future design and permits which will be required by the District for the various jurisdictional entities outlined earlier in this report. In addition to the non-ad valorem assessments to be levied and collected to pay debt service on the proposed bonds, the District will levy and collect an annual "Operating and Maintenance" assessment to be determined, assessed and levied by the District's Board of Supervisors upon the assessable real property within the District, for the purpose of defraying the cost and expenses of maintaining District-owned improvements. Alternatively, the District can also consider contracting with the Homeowner's Association (HOA) to have the HOA budget for the maintenance of District improvements.

**Osceola Village Center Development District
Engineer's Report for Capital Improvements**

The construction costs for the District's Capital Improvement Plan in this report are based on the engineering plans for the District as currently proposed. In our professional opinion, and to the best of our knowledge and belief, the costs provided herein for the District are reasonable to complete the construction of the infrastructure improvements described herein. All of the proposed infrastructure Capital Improvement Plan costs are public improvements or community facilities as set forth in sections 190.012(1) and (2) of the Florida Statutes.

The summary of probable infrastructure construction costs is only an opinion and not a guaranteed maximum price. Historical costs, actual bids and information from other professionals or contractors have been used in the preparation of this report. Contractors who have contributed in providing the cost data included in this report are reputable entities with experience in Central Florida. It is therefore our opinion that the construction of the proposed District Capital Improvement Plan can be completed at the costs as stated.

The labor market, future costs of equipment and materials, increased regulatory actions and requirements, and the actual construction process are all beyond our control. Due to this inherent opportunity for fluctuation in cost, the total final cost may be more or less than this opinion.

**As District Engineer:
Poulos & Bennett, LLC**

R. Lance Bennett, P.E.
State of Florida Professional Engineer No. 50698

Exhibits



Vicinity Map

Osceola Village Center CDD

October 28, 2020
P & B Job No.: 20-107

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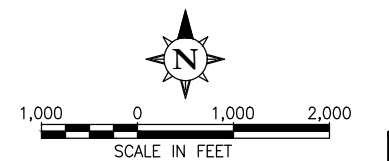
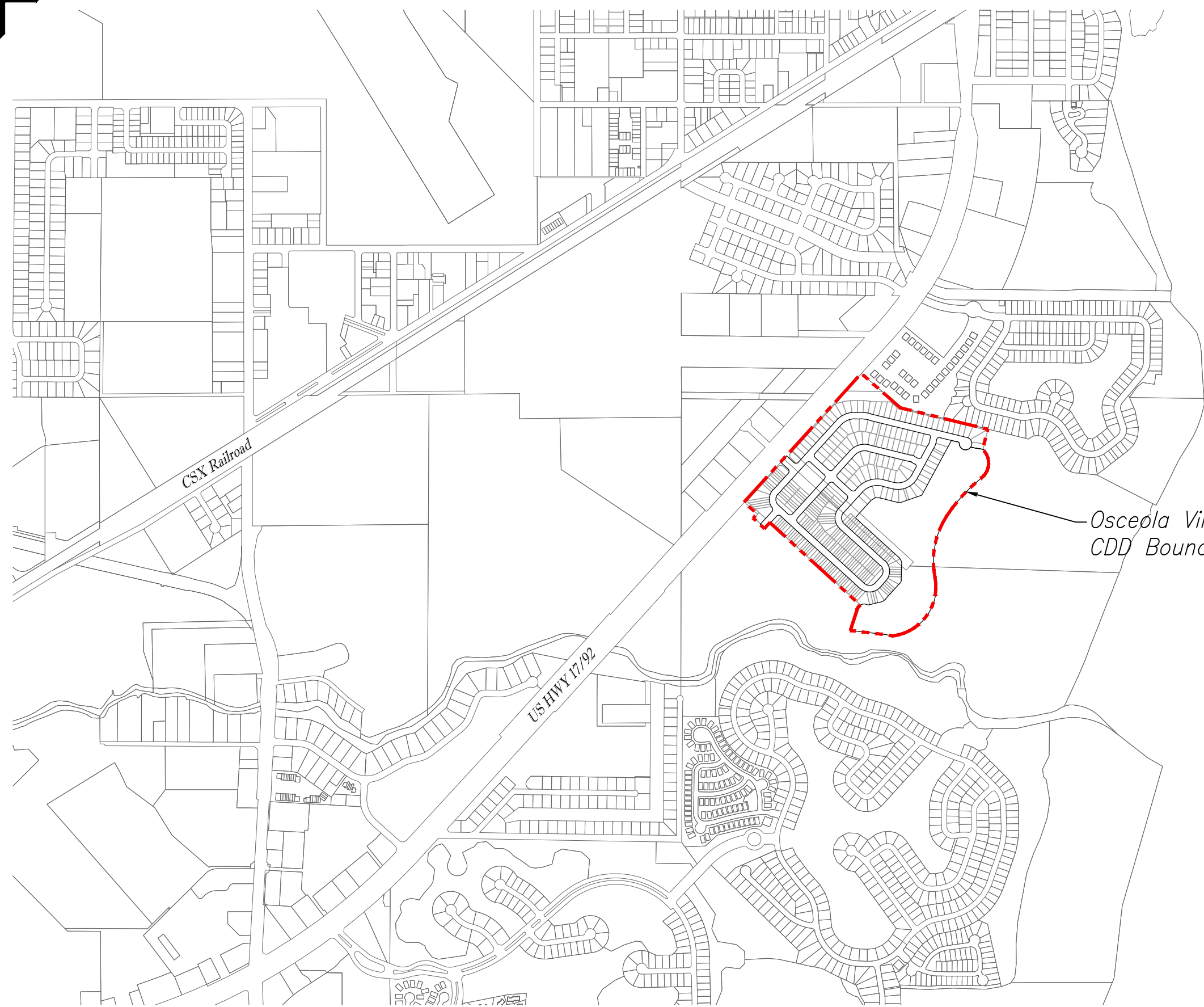
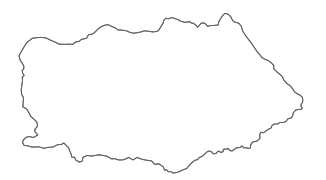


Exhibit 1



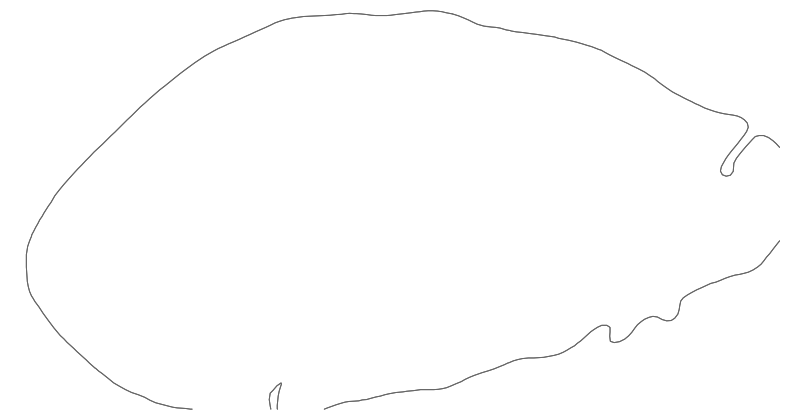
LEGEND

 CDD Boundary



Osceola Village Center
CDD Boundary

Lake Tohopekaliga



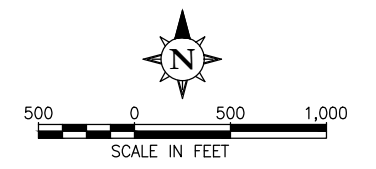
Location Map

Osceola Village Center CDD

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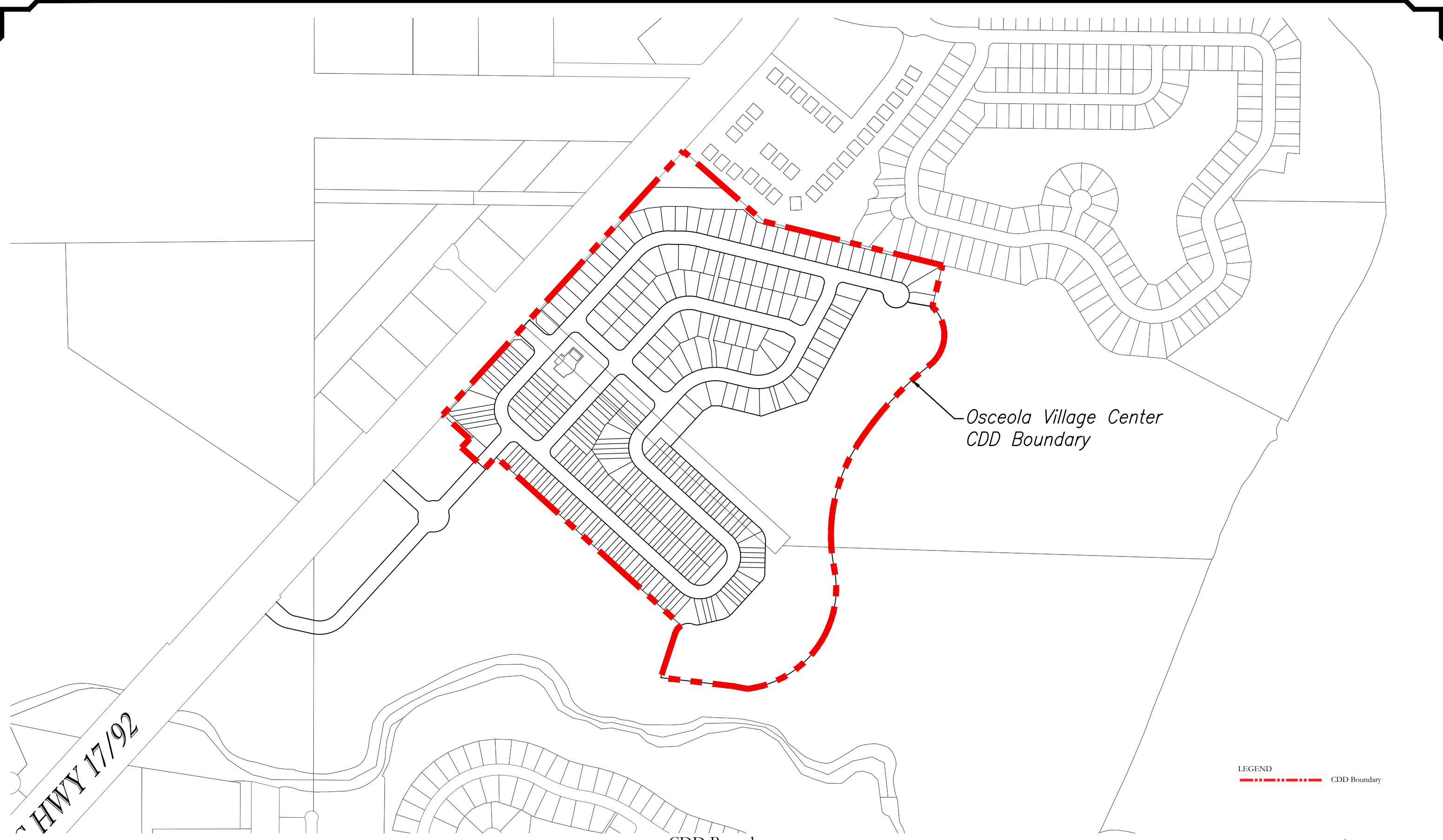
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P & B Job No.: 20-107

Exhibit 2

\\PNB501\PROJECTS\2020\20-107 AVEX HOMES - OSCEOLA VILLAGE CENTER- KISSIMEE\CAD\CDD\20-107 OVC CDD EXHIBIT 2 CDD LOCATION MAP



LEGEND
 CDD Boundary



200 0 200 400
 SCALE IN FEET

Osceola Village Center CDD

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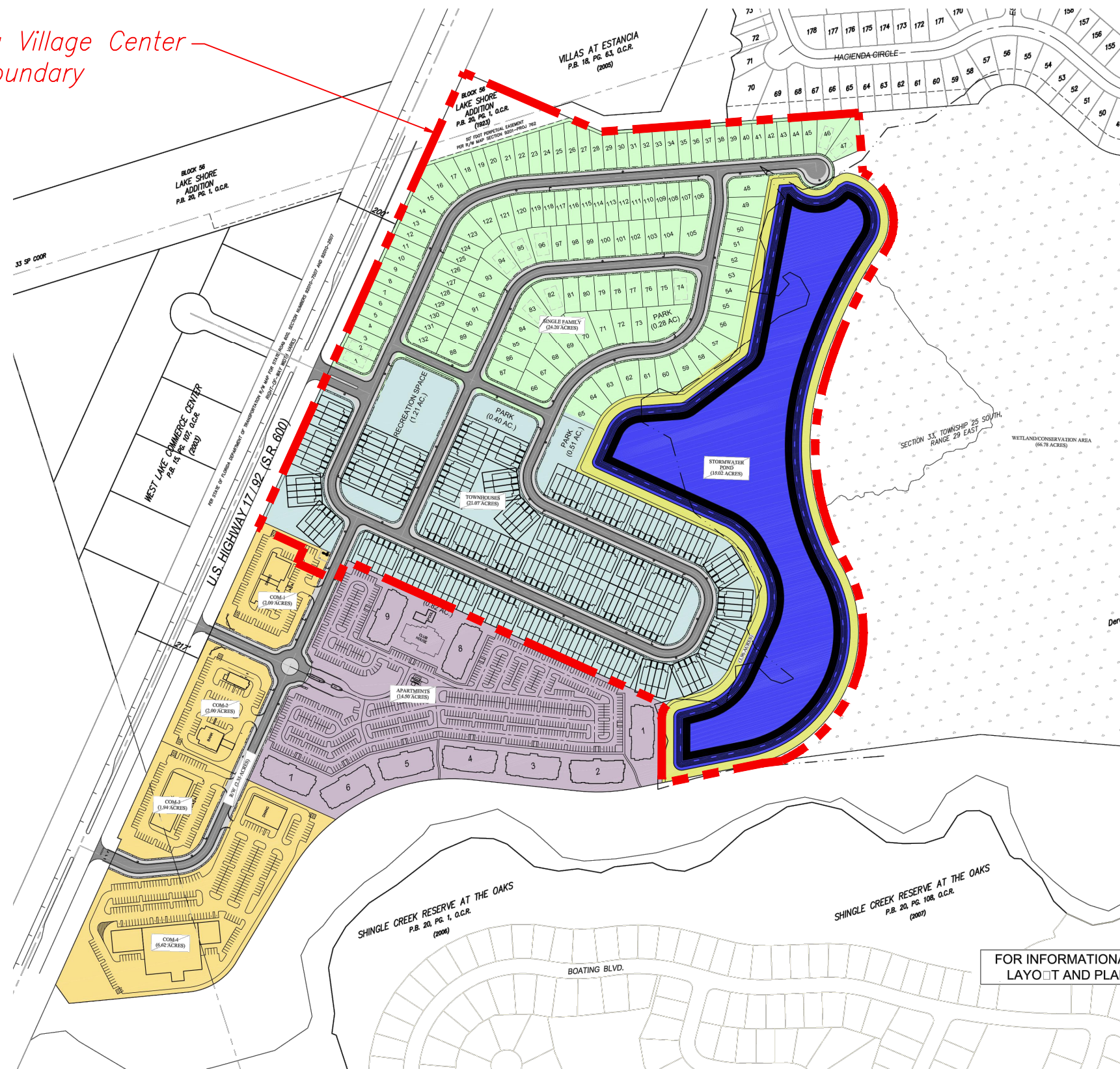
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Exhibit 3

\\PNB501\PROJECTS\2020\20-107 AVEX HOMES - OSCEOLA VILLAGE CENTER- KISSIMEE\CAD\CDD\20-107_OVC_CDD_EXHIBIT_3_CDD_BOUNDARY

Osceola Village Center
CDD Boundary



	AP-1	TH-1	Com-1	SF-1	*Lake	Wetlands	*Total
1 Gross Acres	15.67	29.62	14.9	34.83	20.32	66.78	161.8
2 Wetlands							
3 Net Buildable Area							95.02
4 Existing Land Use	CG	CG	CG	CG	CONS	CONS	
5 Proposed Land Use	MF-HDR	SF-MDR	COMM.	SF-LDR	CONS	CONS	
6 Existing Zoning	HC	HC	HC	HC	OS	OS	
7 Proposed Zoning	PUD-MU	PUD-MU	PUD-MU	PUD-MU	PUD-MU	PUD-MU	
8 Allowable Density	22	9	N/A	6			
9 Allowable Units	345	267		209			820
10 Actual Units	316	204		132			652
11 Actual Density	20.17	6.89		3.79			4.03
12							
13							

Note:
 * Proposed storm water man made Lake Acreage is included in AP-1, TH-1, Com-1 and SF-1
 * Total Acreage of 161.8 does not reflect Total Site Acreage of 164.459

	AP-1	TH-1	Com-1	SF-1	*Lake	Wetlands	*Total
1 Gross Acres	15.67	29.62	14.9	34.83	20.32	66.78	161.8
2 Building Height	5 Story-55'2	2 Story-35'	50'	2 Story 26'			
3 Building Separation	20	10	0	10			
4 Set-Backs							
a Front	20	20	0	20			
b Side	10	0	0	5			
c Side Corner	15	15	0	15			
d Back	15	15	0	15			
e Accessory	5	5	0	5			
5 Lot Dimensions							
a Width	N/A	24.5	N/A	40			
b Length	N/A	110	N/A	110			
c Min. Area (SF)		2,200.00		4,400.00			
6 Buffers							
a John Young Parkway	N/A	10	25	10			
b Property Line *	0	10	0	10			
7 Required Parking							
Spaces per Unit	1.75	2		2			
Spaces Required	560	408		254			
Spaces Provided	560	408		254			

Note:
 AP-1 is based on the following mix: Based on 50% 1BR, 40% 2 BR and 10% 3BR
 * Total Acreage of 161.8 does not reflect Total Site Acreage of 164.459
 * Proposed storm water man made Lake Acreage is included in AP-1, TH-1, Com-1 and SF-1
 * Buffer from John Young Parkway is based on FDOT proposed widening of John Young
 * Property east and west boundary located behind proposed Commercial and Apartment Use backs up to the Shi

Required Open Space			
A. Net Buildable Area	74.70 Acres		
B. Open Space Required	18.7 Acres		
C. Active Recreation Required	3% of Total	or	150 SF per Unit
D. Passive Recreation Required	2.2 Acres		2.2 Acres
E. Retention Pond Area (25% of OS)	15% of Total in Line A		
	11.2 Acres		
	Max 25% of Total in Line B		
	4.7 Acres		
F. Provided Open Space		15% of Total	11.205
Active			
Single Family	*Park 1	1.2	
	*Park 2	0.4	
	*Park 3	0.5	
	*Park 4	0.3	
Multi-Family	Recreation Area	0.8	
Lake/Wetland Overlook		4.0	
Water Area	25% of Total	4.7	
Wetland/Overlook		66.8	
		11.8	

All Streets shown, except the entrances are 60' Right-Of-Ways meeting the City of Kissimmee Standards
 All Streets will be Public and maintained by the City of Kissimmee
 The Apartment Site will be a gated community and maintained by the Apartment Development
 Note:
 * The current Land Use of the Property is CG and OS. This shown on the Cover Sheet of the submission.
 * Applicant is requesting changing the Land Use to MF-HD, SF-MDR, SF-LDR and Commercial.
 * Lake Acreage of 15.02 is included in the Total Developable Area.

FOR INFORMATIONAL PURPOSES ONLY. FINAL LAYOUT AND PLANS SUBJECT TO CHANGE



Approved Conceptual Development Plan CDD Boundary Overlay
Osceola Village Center CDD



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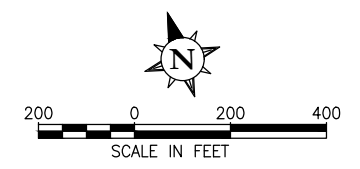


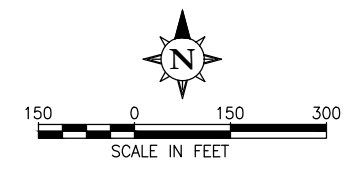
Exhibit 4



Osceola Village Center
CDD Boundary

Legend	
Symbol	Description
	CDD BOUNDARY
	PRIVATE
	HOA/CDD OPEN SPACE
	CDD RECREATIONAL AREA
	CDD STORMWATER TRACTS
	CITY ROAD RIGHT-OF-WAY
	PUBLIC UTILITY TRACT

Proposed Public & Private Uses Within CDD
Osceola Village Center CDD



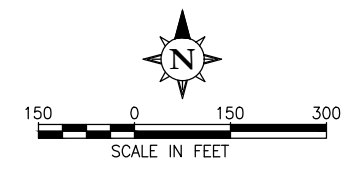


Osceola Village Center
CDD Boundary

Legend	
PLACE TYPES	
RESIDENTIAL	
	SINGLE FAMILY LOTS
	TOWNHOME LOTS
OPEN SPACE DISTRICT	
	CDD RECREATIONAL AREA
	CDD STORMWATER AREA
	OPEN SPACE
	PUBLIC LIFT STATION TRACTS
	PUBLIC ROADS
	CDD BOUNDARY

Concept Plan

Osceola Village Center CDD



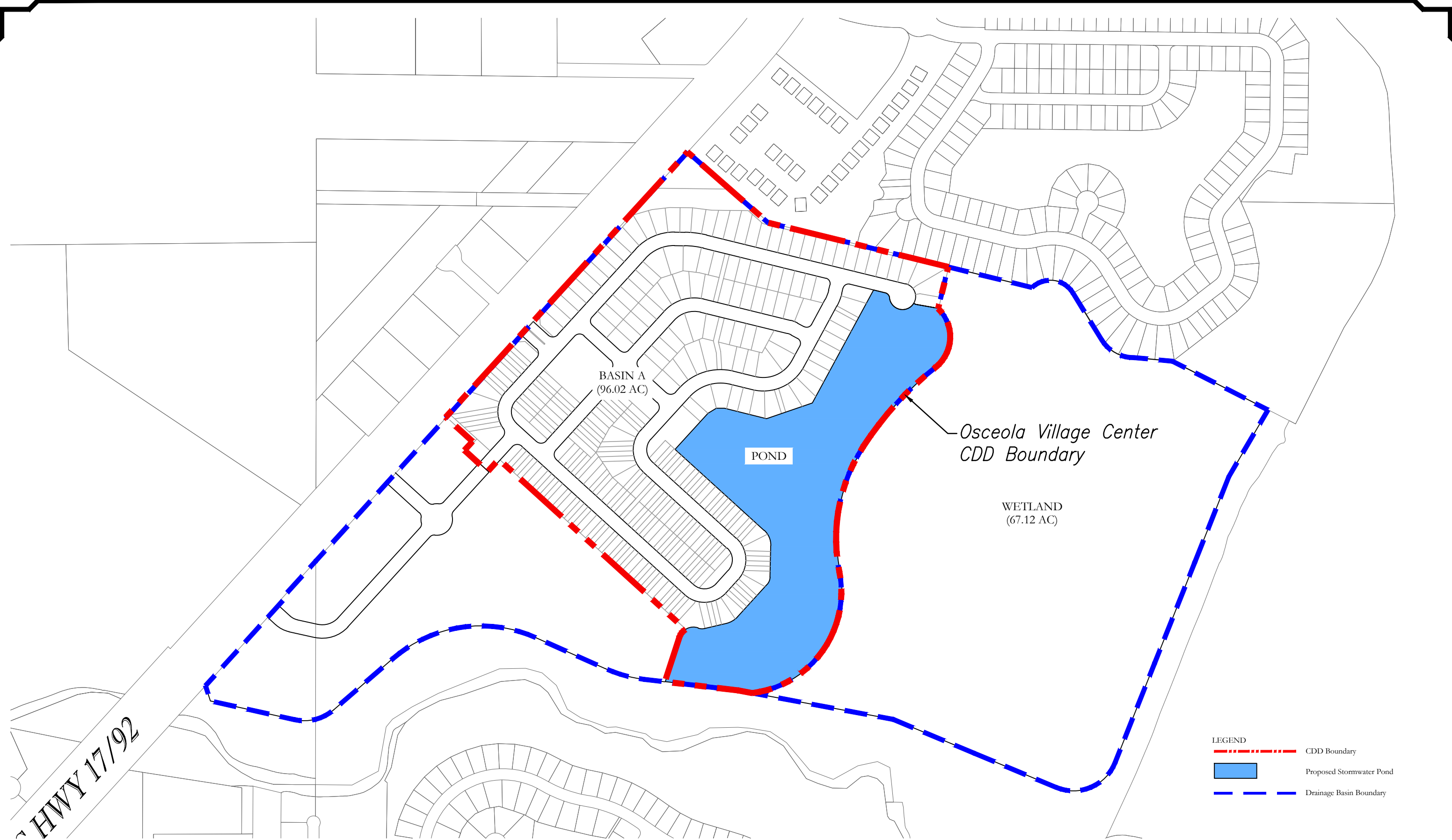
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Exhibit 6



Post Development Drainage Basin Map

Osceola Village Center CDD

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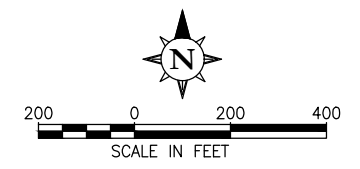
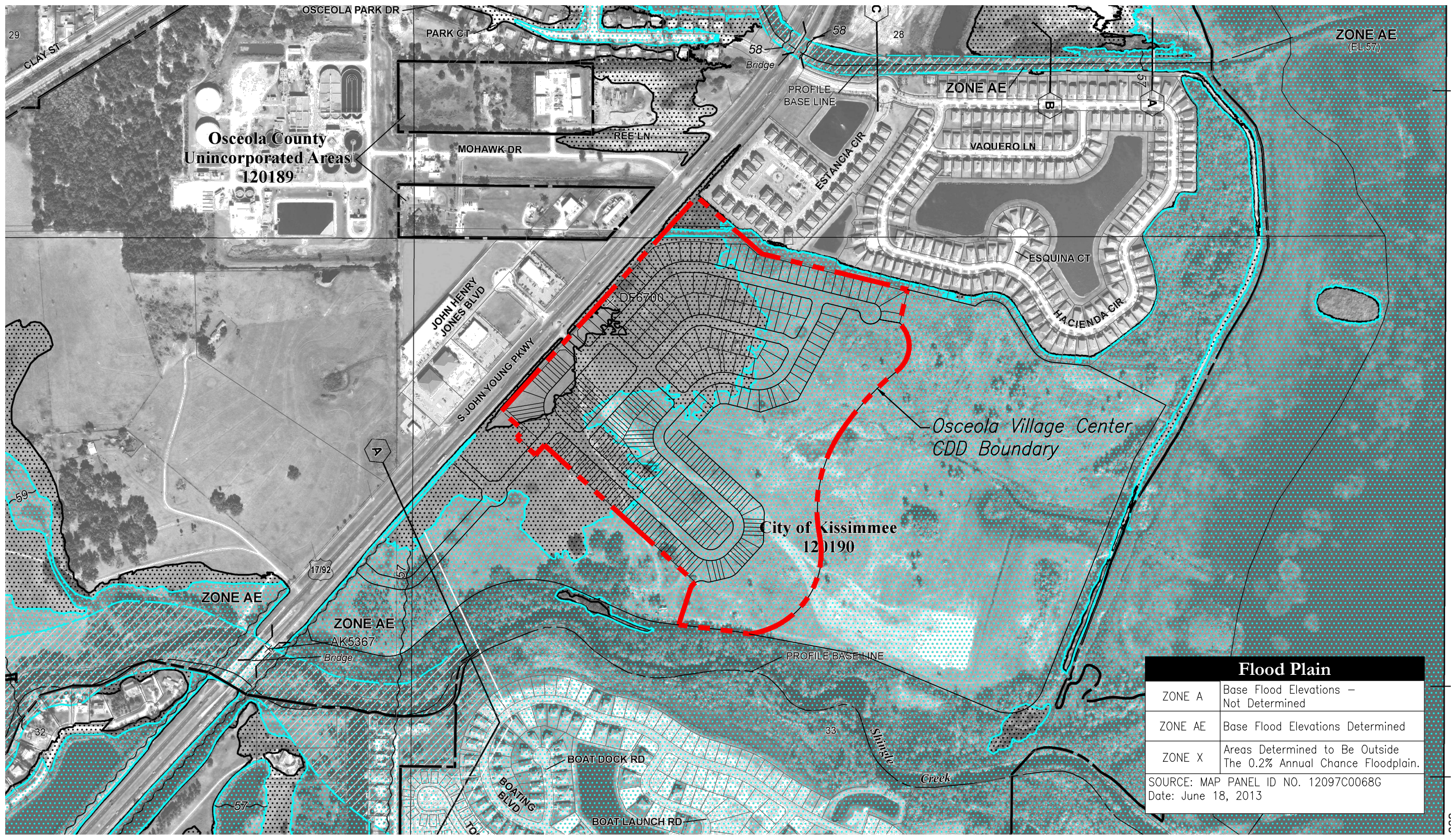


Exhibit 7

November 12, 2020
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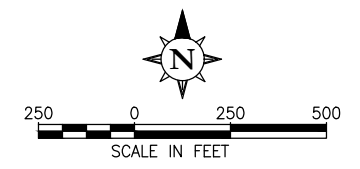
Flood Plain	
ZONE A	Base Flood Elevations – Not Determined
ZONE AE	Base Flood Elevations Determined
ZONE X	Areas Determined to Be Outside The 0.2% Annual Chance Floodplain.

SOURCE: MAP PANEL ID NO. 12097C0068G
Date: June 18, 2013

LEGEND
 CDD Boundary

100 Year Floodplain Map

Osceola Village Center CDD



October 28, 2020
 P & B Job No.: 20-107

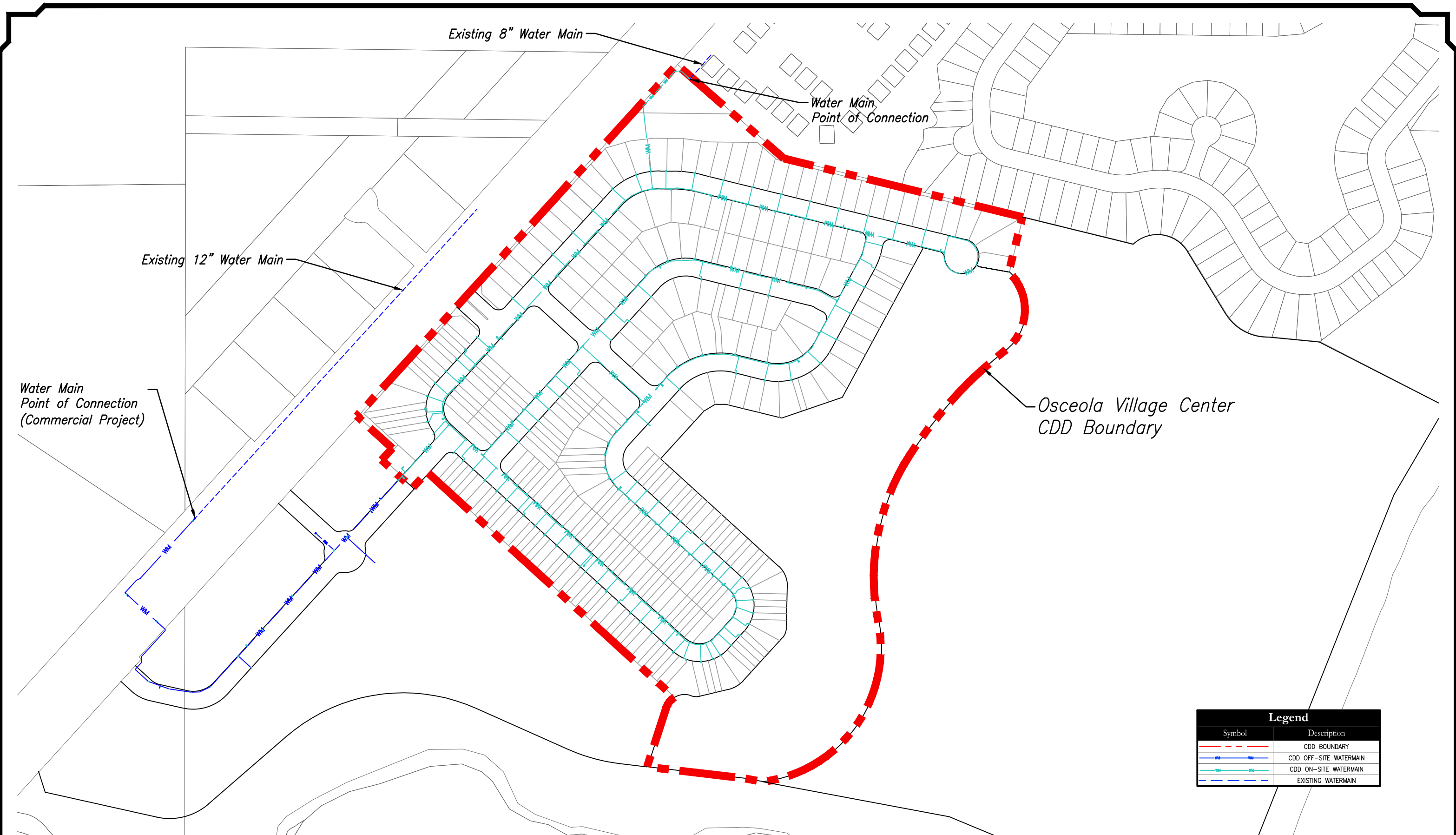
2602 E. Livingston St.
 Orlando, Florida 32803-407.487.2594

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Exhibit 8

\\PNBS01\PROJECTS\2020\20-107 AVEX HOMES - OSCEOLA VILLAGE CENTER- KISSIMMEE\CADD\CDD\20-107 OVC CDD EXHIBIT 8 CDD 100 YEAR FLOODPLAIN MAP



Existing 8" Water Main

Water Main Point of Connection

Existing 12" Water Main

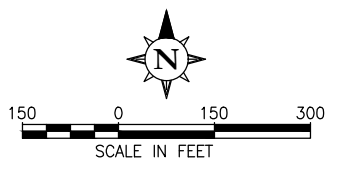
Water Main Point of Connection (Commercial Project)

Osceola Village Center CDD Boundary

Legend	
Symbol	Description
	CDD BOUNDARY
	CDD OFF-SITE WATERMAIN
	CDD ON-SITE WATERMAIN
	EXISTING WATERMAIN

Potable Water Distribution System

Osceola Village Center CDD



October 28, 2020
P & B Job No.: 20-107

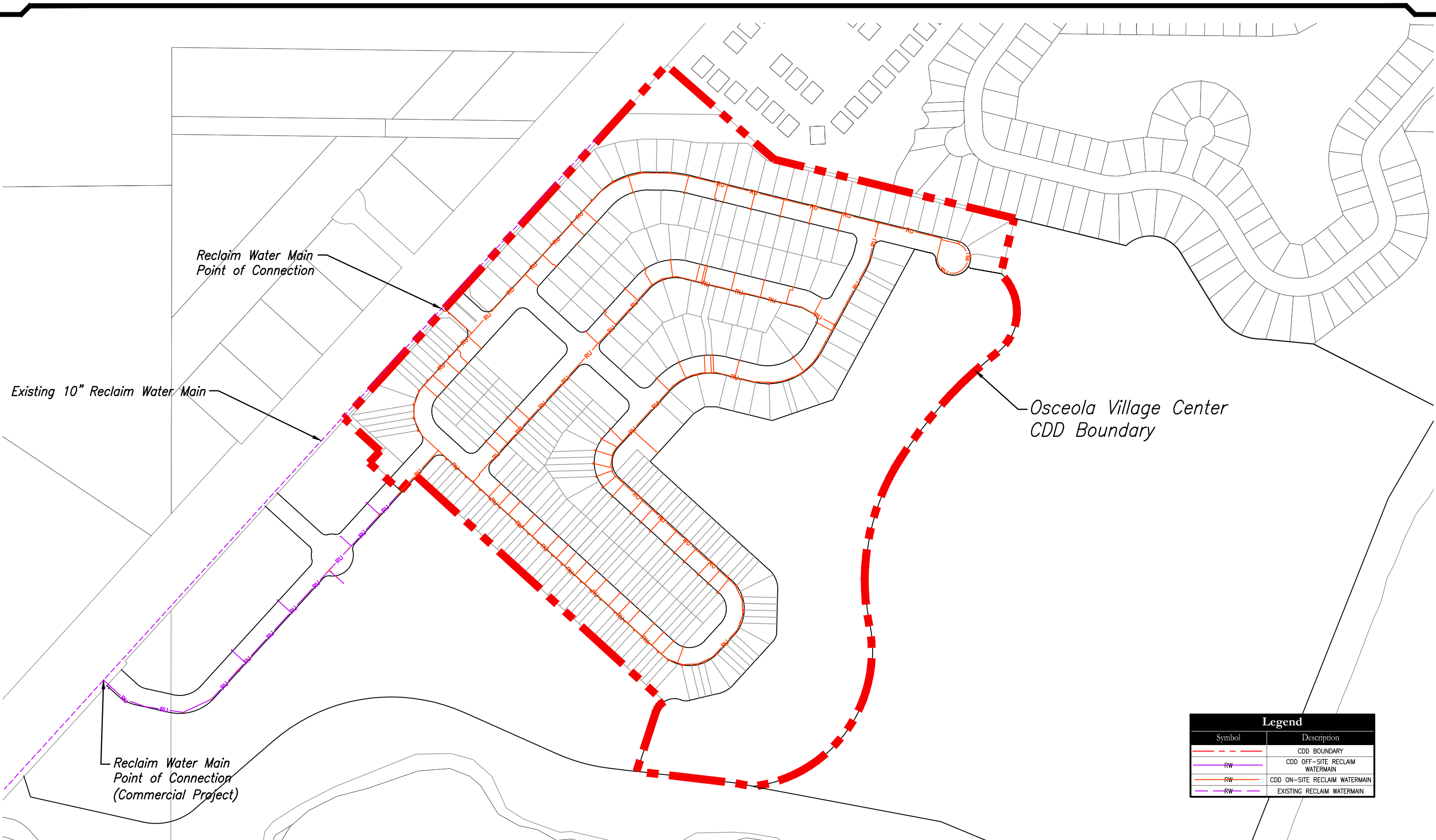
2602 E. Livingston St.
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Exhibit 9

\\PNBS01\PROJECTS\2020\20-107 AVEX HOMES - OSCEOLA VILLAGE CENTER- KISSIMEE\CAD\CDD\20-107 OVC CDD EXHIBIT 9 CDD POTABLE WATER DISTRIBUTION SYSTEM



Existing 10" Reclaim Water Main

Reclaim Water Main
Point of Connection

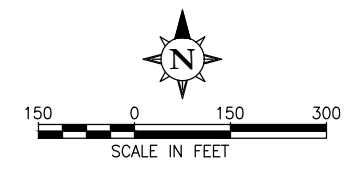
Osceola Village Center
CDD Boundary

Reclaim Water Main
Point of Connection
(Commercial Project)

Legend	
Symbol	Description
	CDD BOUNDARY
	CDD OFF-SITE RECLAIM WATERMAIN
	CDD ON-SITE RECLAIM WATERMAIN
	EXISTING RECLAIM WATERMAIN

Reclaim Water Distribution System

Osceola Village Center CDD



October 28, 2020
P & B Job No.: 20-107

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Exhibit 10



Legend	
Symbol	Description
	CDD BOUNDARY
	CDD OFF-SITE FORCEMAIN
	CDD ON-SITE FORCEMAIN
	EXISTING FORCEMAIN
	CDD 8" SANITARY MAIN (GRAVITY)
	LIFT STATION ID

Wastewater System

Osceola Village Center CDD

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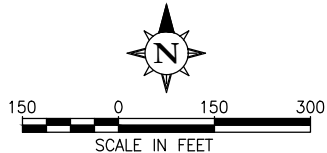


Exhibit 11

November 6, 2020
P & B Job No.: 20-107

Z:\2020\20-107 AVEX HOMES - OSCEOLA VILLAGE CENTER- KISSIMMEE\CAD\CDD\20-107 OVC CDD EXHIBIT 11 CDD OVERALL WASTEWATER SYSTEM

EXHIBIT 12
Osceola Village Center CDD
Estimate of Probable Capital Improvement Costs
November 12, 2020

Facility	Estimated Cost
Roadways (Asphalt, Base, Subgrade, Sidewalk & Curb)	\$ 1,345,780.86
Stormwater System (Pipes, Structures & Pond)	\$ 1,153,293.81
Potable Water Distribution System (Pipes, Fittings, Valves, etc.)	\$ 589,828.86
Sanitary Sewer System (Pipes & Structures)	\$ 893,951.87
Reclaimed Water Distribution System (Pipes, Fittings, Valves, etc.)	\$ 368,500.42
Recreational Amenities, Parks, Landscape & Hardscape	\$ 905,000.00
Street Lighting & Electrical	\$ 1,244,000.00
Offsite Improvements	\$ 65,517.71
Subtotal	\$ 6,565,873.53
Professional Fees (10%)	\$ 656,587.35
Subtotal	\$ 7,222,460.88
Contingency (5%)	\$ 328,293.68
Total	\$ 7,550,754.56

EXHIBIT 13
Osceola Village Center
Permit Approval Log
Master Permits

DATE: 10/28/2020 BY: _____ PROJECT NUMBER(S): 20-107
 COMMUNITY: _____ Master Project _____

PERMIT TYPE (IE: Wetland, Land Use, Sewer Extension)	ISSUING AGENCY	APPLICATION NUMBER	PERMIT NUMBER	DESCRIPTION OF PERMITTED ACTIVITY (IE: Subdivision Approval Phase 2)	CONSULT -ANT	CURRENT STATUS (IE: Not Yet Submitted, In Review, 2nd Submittal, Approved, Extended, Expired, Closed Out, etc.)	DATE SUBMITTED	DATE ISSUED
Comprehensive Plan	City of Kissimmee	-	DRC#19-00053	Large Scale Comprehensive Plan Amendment	-	Approved		9/17/2019
PUD	City of Kissimmee	-	DRC#19-00054	PUD Rezoning	-	Approved		9/17/2019
Final Site Development Plan	City of Kissimmee	-	DRC#19-00100	Site Development Plan for Infrastructure and Phase 1-3 Residential	-	Approved		9/25/2020
Utilities Approval	Toho Water Authority	-	190106.AR.VV	Master Utility Plan	-	Approved		9/30/2020
Plat	City of Kissimmee	-	DRC#19-00099 - DRC#19-00103	Platting for Phases 1-4	-	In Review		pending
Environmental Resource Permit (ERP)	SFWMD	191002-1946	49-103129-P	Conceptual/Construction of a Stormwater Management System	-	Approved		4/3/2020
Environmental Resource Permit (ERP)	SFWMD	200707-3825	49-103129-P	Minor Mod for Change to Work Schedule	-	Approved		7/29/2020
Water Use Permit	SFWMD	190705-8	19-02753-W	Dewatering Permit	-	Approved		4/10/2020
Potable Water Permit	FDEP	-	0123209-931	Potable Water General Permit	-	Approved		8/10/2020
Wastewater Permit	FDEP	-	0391038-001-DWC/CM	Wastewater General Permit	-	Approved		8/18/2020
FDEP NPDES NOI	FDEP	-	FLR20DY10-001	Notice of Intent to Use Generic Permit for Stormwater Discharge	-	Pending		10/9/2020
General Permit	ACOE	-	SAJ-2019-02433	General Permit	-	Approved		8/13/2020
Driveway Connection Permit	FDOT	-	2019-A-594-00065	Driveway Connection Permit	-	Approved		9/3/2020
Drainage Connection Permit	FDOT	-	2019-D-594-00035	Drainage Connection Permit	-	Approved		2/14/2020
Utility Connection Permit	FDOT	-	2019-H-594-00607	Utility Connection Permit	-	Approved		3/4/2020

EXHIBIT 14
Osceola Village Center CDD
Estimated Infrastructure Construction Schedule
November 12, 2020

Facility	Start Date	Completion Date
<u>Phase 1</u>		
Roadways	March 2021	June 2021
Stormwater System	November 2020	May 2021
Potable Water Distribution System*	January 2021	June 2021
Wastewater System*	December 2020	June 2021
Reclaimed Water Distribution System	February 2020	May 2021
Recreational Amenities, Parks, Landscape & Hardscape	June 2021	August 2021
Offsite Improvements	April 2021	May 2021
<u>Phase 2-3</u>		
Roadways	2021	2022
Stormwater System	2021	2022
Potable Water Distribution System	2021	2022
Wastewater System	2021	2022
Reclaimed Water Distribution System	2021	2022
Recreational Amenities, Parks, Landscape & Hardscape	2021	2022

* Completion date based on date of estimated FDEP Clearance

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

7D

OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT

Master Special Assessment Methodology Report

March 31, 2021



Provided by:

Wrathell, Hunt and Associates, LLC

2300 Glades Road, Suite 410W

Boca Raton, FL 33431

Phone: 561-571-0010

Fax: 561-571-0013

Website: www.whhassociates.com

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1.0 Introduction

1.1 Purpose

This Master Special Assessment Methodology Report (the “Report”) was developed to provide a master financing plan and a master special assessment methodology for the Osceola Village Center Community Development District (the “District”), located within the municipal boundaries of the City of Kissimmee, Osceola County, Florida, as related to funding the costs of the acquisition and construction of public infrastructure improvements contemplated to be provided by the District.

1.2 Scope of the Report

This Report presents projections for financing the District’s public infrastructure improvements (the “Capital Improvement Plan”) as described in the Engineer’s Report of Poulos & Bennett dated November 12, 2020 (the “Engineer’s Report”), as well as describes the method for the allocation of special benefits and the apportionment of special assessment debt resulting from the provision and funding of the Capital Improvement Plan as described in the Engineer’s Report.

1.3 Special Benefits and General Benefits

Improvements undertaken and funded by the District as part of the Capital Improvement Plan create special and peculiar benefits, different in kind and degree than general benefits, for properties within its borders as well as general benefits to the public at large. However, as discussed within this Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits which accrue to property within the District. The District’s Capital Improvement Plan enables properties within its boundaries to be developed.

There is no doubt that the general public, property owners, and property outside the District will benefit from the provision of the Capital Improvement Plan. However, these benefits are only incidental since the Capital Improvement Plan is designed solely to provide special benefits peculiar to property within the District. Properties outside the District are not directly served by the Capital Improvement Plan and do not depend upon the Capital Improvement Plan to obtain or to maintain their development entitlements. This fact alone clearly distinguishes the special

benefits which District properties receive compared to those lying outside of the District's boundaries.

The Capital Improvement Plan will provide infrastructure and improvements which are all necessary in order to make the lands within the District developable and saleable. The installation of such improvements will cause the value of the developable and saleable lands within the District to increase by more than the sum of the financed cost of the individual components of the Capital Improvement Plan. Even though the exact value of the benefits provided by the Capital Improvement Plan is hard to estimate at this point, it is without doubt greater than the costs associated with providing same.

1.4 Organization of the Report

Section Two describes the development program as proposed by the Developer, as defined below.

Section Three provides a summary of the Capital Improvement Plan as determined by the District Engineer.

Section Four discusses the current financing program for the District.

Section Five discusses the special assessment methodology for the District.

2.0 Development Program

2.1 Overview

The District serves the Osceola Village Center development (the "Development" or "Osceola Village Center"), a master planned, residential development located in the City of Kissimmee, Osceola County, Florida. The land within the District consists of approximately 66.91 +/- acres and is generally located east of US Hwy 17/92 (South John Young Parkway) approximately two miles south of US Hwy 192 (West Vine Street).

2.2 The Development Program

The development of Osceola Village Center is anticipated to be conducted by Avex Homes, LLC or its associates (the "Developer"). Based upon the information provided by the Developer, the current

development plan envisions a total of 304 residential units developed in three (3) phases, although land use types and unit numbers may change throughout the development period. Table 1 in the *Appendix* illustrates the development plan for the District.

3.0 The Capital Improvement Plan

3.1 Overview

The public infrastructure costs to be funded by the District are described by the District Engineer in the Engineer's Report. Only public infrastructure that may qualify for bond financing by the District under Chapter 190, Florida Statutes and under the Internal Revenue Code of 1986, as amended, was included in these estimates.

3.2 Capital Improvement Plan

The Capital Improvement Plan needed to serve the Development is Capital Improvement Plan to consist of roadways, storm water management, potable water, sanitary sewer, and reclaimed water utilities, recreational amenities, parks, landscape and hardscape, street lights and differential cost of electrical distribution line undergrounding, all as set forth in more detail in the Engineer's Report.

All of the infrastructure included in the Capital Improvement Plan will comprise an interrelated system of improvements, which means that all of the improvements will serve the entire District and all improvements will be interrelated such that they will reinforce one another. At the time of this writing, the total costs of the Capital Improvement Plan are estimated at \$7,550,754.56. Table 2 in the *Appendix* illustrates the specific components of the Capital Improvement Plan and their costs.

4.0 Financing Program

4.1 Overview

As noted above, the District is embarking on a program of capital improvements which will facilitate the development of lands within the District. Generally, construction of public improvements is either funded by the Developer and then acquired by the District or funded directly by the District. The choice of the exact mechanism

for providing public infrastructure has not yet been made at the time of this writing, and the District may either acquire the public infrastructure from the Developer or construct it, or even partly acquire it and partly construct it.

Even though the actual financing plan may change to include multiple series of bonds, it is likely that in order to fully fund the costs of the Capital Improvement Plan as described in *Section 3.2* in one financing transaction, the District would have to issue approximately \$9,910,000 in par amount of special assessment bonds (the "Bonds").

Please note that the purpose of this Report is to allocate the benefit of the Capital Improvement Plan to the various land uses in the District and based on such benefit allocation to apportion the maximum debt necessary to fund the Capital Improvement Plan. The discussion of the structure and size of the indebtedness is based on various estimates and is subject to change.

4.2 Types of Bonds Proposed

The proposed financing plan for the District provides for the issuance of the Bonds in the principal amount of \$9,910,000 to finance Capital Improvement Plan costs at \$7,550,754.56. The Bonds under this master financing plan would be structured to be amortized in 30 annual installments following a 24-month capitalized interest period. Interest payments on the Bonds would be made every May 1 and November 1, and principal payments on the Bonds would be made every November 1.

In order to finance the improvement costs, the District would need to borrow more funds and incur indebtedness in the total amount of \$9,910,000. The difference is comprised of debt service reserve, capitalized interest, and costs of issuance, including the underwriter's discount. Preliminary sources and uses of funding for the Bonds are presented in Table 3 in the *Appendix*.

Please note that the structure of the Bonds as presented in this Report is preliminary and may change due to changes in the development program, market conditions, timing of infrastructure installation as well as for other reasons. The District maintains complete flexibility as to the structure of the Bonds and reserves the right to modify it as necessary.

5.0 Assessment Methodology

5.1 Overview

The issuance of the Bonds provides the District with funds necessary to construct/acquire the infrastructure improvements which are part of the Capital Improvement Plan outlined in *Section 3.2* and described in more detail by the District Engineer in the Engineer's Report. These improvements lead to special and general benefits, with special benefits accruing to properties within the boundaries of the District. General benefits accrue to areas outside the District, but are only incidental in nature. The debt incurred in financing the public infrastructure will be secured by assessing properties that derive special and peculiar benefits from the Capital Improvement Plan. All properties that receive special benefits from the Capital Improvement Plan will be assessed for their fair share of the debt issued in order to finance the Capital Improvement Plan.

5.2 Benefit Allocation

The current development plan for the District envisions the development of a total of 304 residential units developed in three (3) phases, although unit numbers and land use types may change throughout the development period.

The public infrastructure included in the Capital Improvement Plan will comprise an interrelated system of improvements, which means that all of the improvements will serve the entire District and such public improvements will be interrelated such that they will reinforce each other and their combined benefit will be greater than the sum of their individual benefits. All of the land uses within the District will benefit from each infrastructure improvement category, as the improvements provide basic infrastructure to all land within the District and benefit all land within the District as an integrated system of improvements.

As stated previously, the public infrastructure improvements included in the Capital Improvement Plan have a logical connection to the special and peculiar benefits received by the land within the District, as without such improvements, the development of the properties within the District would not be possible. Based upon the connection between the improvements and the special and peculiar benefits to the land within the District, the District can assign or allocate a portion of the District's debt through the

imposition of non-ad valorem assessments, to the land receiving such special and peculiar benefits. Even though these special and peculiar benefits are real and ascertainable, the precise amount of the benefit cannot yet be calculated with mathematical certainty. However, such benefit is more valuable than the cost of, or the actual non-ad valorem assessment amount levied on that parcel.

This Report proposes to allocate the benefit associated with the Capital Improvement Plan to the different product types proposed to be developed within the District in proportion to their density of development and intensity of use of infrastructure as measured by a standard unit called an Equivalent Residential Unit ("ERU"). Table 4 in the *Appendix* illustrates the ERU weights that are proposed to be assigned to the product types contemplated to be developed within the District based on the densities of development and the intensities of use of infrastructure, total ERU counts for each product type, and the share of the benefit received by each product type.

The rationale behind the different ERU weights is supported by the fact that generally and on average products with smaller lot sizes will use and benefit from the improvements which are part of the Capital Improvement Plan less than products with larger lot sizes. For instance, generally and on average products with smaller lot sizes will produce less storm water runoff, may produce fewer vehicular trips, and may need less water/sewer capacity than products with larger lot sizes. Additionally, the value of the products with larger lot sizes is likely to appreciate by more in terms of dollars than that of the products with smaller lot sizes as a result of the implementation of the infrastructure improvements. As the exact amount of the benefit and appreciation is not possible to be calculated at this time, the use of ERU measures serves as a reasonable approximation of the relative amount of benefit received from the District's public infrastructure improvements that are part of the Capital Improvement Plan.

Table 5 in the *Appendix* presents the apportionment of the assessment associated with the Bonds (the "Bond Assessment") to the Single-Family residential units contemplated to be developed within the District in accordance with the ERU benefit allocation method presented in Table 4. Table 5 also presents the annual levels of the Bond Assessment annual debt service assessments per unit.

No Bond Assessment is allocated herein to the private amenities or other common areas planned for the development. Such amenities

and areas will be owned and operated by the homeowner's association, will be available for use by all of the residents of the District, and are considered a common element for the exclusive benefit of lot owners. Accordingly, any benefit to the amenities and common areas flows directly to the benefit of all platted lots in the District. As such, no Bond Assessment will be assigned to the amenities and common areas.

5.3 Assigning Bond Assessment

As the land in the District is not yet platted for its intended final use and the precise location of the various product types by lot or parcel is unknown, the Bond Assessment will initially be levied on all of the land in the District on an equal pro-rata gross acre basis and thus the total bonded debt in the amount of \$9,910,000 will be preliminarily levied on approximately 66.91 +/- gross acres at a rate of \$148,109.40 per gross acre.

When the land is platted, the Bond Assessment will be allocated to each platted parcel on a first platted-first assigned basis based on the planned use for that platted parcel as reflected in Table 5 in the *Appendix*. Such allocation of Bond Assessment from unplatted gross acres to platted parcels will reduce the amount of Bond Assessment levied on unplatted gross acres within the District.

In the event unplatted land (the "Transferred Property") is sold to a third party not affiliated with the Developer, the Bond Assessment will be assigned to such Transferred Property at the time of the sale based on the maximum total number of ERUs assigned by the Developer to that Transferred Property, subject to review by the District's methodology consultant, to ensure that any such assignment is reasonable, supported by current development rights and plans, and otherwise consistent with this Report. The owner of the Transferred Property will be responsible for the total Bond Assessment applicable to the Transferred Property, regardless of the total number of ERUs ultimately actually platted. This total Bond Assessment is fixed to the Transferred Property at the time of the sale. If the Transferred Property is subsequently sub-divided into smaller parcels, the total Bond Assessment initially allocated to the Transferred Property will be re-allocated to the smaller parcels pursuant to the Methodology as described herein (i.e. equal assessment per acre until platting).

5.4 Lienability Test: Special and Peculiar Benefit to the Property

As first discussed in *Section 1.3*, Special Benefits and General Benefits, improvements undertaken by the District create special and peculiar benefits to certain properties within the District. The District's improvements benefit assessable properties within the District and accrue to all such assessable properties on an ERU basis.

Improvements undertaken by the District can be shown to be creating special and peculiar benefits to the property within the District. The special and peculiar benefits resulting from each improvement are:

- a. added use of the property;
- b. added enjoyment of the property;
- c. decreased insurance premiums; and
- d. increased marketability and value of the property.

The improvements which are part of the Capital Improvement Plan make the land in the District developable and saleable and when implemented jointly as parts of the Capital Improvement Plan, provide special and peculiar benefits which are greater than the benefits of any single category of improvements. These special and peculiar benefits are real and ascertainable, but not yet capable of being calculated and assessed in terms of numerical value; however, such benefits are more valuable than either the cost of, or the actual assessment levied for, the improvement or debt allocated to the parcel of land.

5.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay

A reasonable estimate of the proportion of special and peculiar benefits received by the various product types from the improvements is delineated in Table 4 (expressed as the ERU factors).

The apportionment of the assessments is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within the District according to reasonable estimates of the special and peculiar benefits derived from the Capital Improvement Plan.

Accordingly, no acre or parcel of property within the District will be liened for the payment of Bond Assessment more than the determined special benefit peculiar to that property.

5.6 True-Up Mechanism

The Assessment Methodology described herein is based on conceptual information obtained from the Developer prior to construction. As development occurs it is possible that the number of ERUs may change. The mechanism for maintaining the methodology over the changes is referred to as true-up.

This mechanism is to be utilized to ensure that the Bond Assessment on a per ERU basis never exceeds the initially allocated assessment as contemplated in the adopted assessment methodology. Bond Assessment per ERU preliminarily equals \$36,382.99 (\$9,910,000 in Bond Assessment divided by 272.38 ERUs) and may change based on the final bond sizing. If such changes occur, the Methodology is applied to the land based on the number of and type of units of particular product type within each and every parcel as signified by the number of ERUs.

As the land in the District is platted, the Bond Assessment is assigned to platted parcels based on the figures in Table 5 in the *Appendix*. If as a result of platting and apportionment of the Bond Assessment to the platted parcels, the Bond Assessment per ERU for land that remains unplatted remains equal to \$36,382.99, then no true-up adjustment will be necessary.

If as a result of platting and apportionment of the Bond Assessment to the platted parcels the Bond Assessment per ERU for land that remains unplatted equals less than \$36,382.99 (for instance as a result of a larger number of units) then the per ERU Bond Assessment for all parcels within the District will be lowered if that state persists at the conclusion of platting of all land within the District.

If, in contrast, as a result of platting and apportionment of the Bond Assessment to the platted parcels, the Bond Assessment per ERU for land that remains unplatted equals more than \$36,382.99¹ (for

¹ For example, if the first platting includes 100 Townhome lots, which equates to a total allocation of \$3,019,788.53 in Bond Assessment, then the remaining unplatted land would be required to absorb 118 Single-Family lots and 86 Townhome lots or \$6,890,211.47 in Bond Assessment. If the remaining unplatted land would only be able to absorb 118 Single-Family lots and 85 Townhome lots, or \$6,860,013.58 in Bond Assessment, then a true-up, payable by the owner of the unplatted land, would be due in the amount of \$30,197.89 in Bond Assessment plus accrued interest.

instance as a result of a smaller number of units), taking into account any future development plans for the unplatted lands – in the District’s sole discretion and to the extent such future development plans are feasible, consistent with existing entitlements and governmental requirements, and reasonably expected to be implemented, then the difference in Bond Assessment plus accrued interest will be collected from the owner(s) of the property which platting caused the increase of assessment per ERU to occur, in accordance with the assessment resolution and/or a true-up agreement to be entered into between the District and the Developer, which will be binding on assignees.

The owner(s) of the property will be required to immediately remit to the Trustee for redemption a true-up payment equal to the difference between the actual Bond Assessment per ERU and \$36,382.99, multiplied by the actual number of ERUs plus accrued interest to the next succeeding interest payment date on the Bonds, unless such interest payment date occurs within 45 days of such true-up payment, in which case the accrued interest shall be paid to the following interest payment date (or such other time as set forth in the supplemental indenture for the applicable series of Bonds secured by the Bond Assessment).

In addition to platting of property within the District, any planned sale of an unplatted parcel to another builder or developer will cause the District to initiate a true-up test as described above to test whether the amount of the Bond Assessment per ERU for land that remains unplatted within the District remains equal to \$36,382.99. The test will be based upon the development rights as signified by the number of ERUs associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Bond Assessment transferred at sale.

5.7 Preliminary Assessment Roll

Based on the per gross acre assessment proposed in Section 5.2, the Bond Assessment of \$9,910,000 is proposed to be levied uniformly over the area described in Exhibit “A”. Excluding any capitalized interest period, debt service assessment shall be paid in thirty (30) annual installments.

5.8 Additional Items Regarding Bond Assessment Imposition and Allocation

This master assessment allocation methodology is intended to establish, without the need for a further public hearing, the necessary benefit and fair and reasonable allocation findings for a master assessment lien, which may give rise to one or more individual assessment liens relating to individual bond issuances necessary to fund all or a portion of the Capital Improvement Plan(s) referenced herein. All such liens shall be within the benefit limits established herein and using the allocation methodology described herein, and shall be described in one or more supplemental reports.

As set forth in any supplemental report, and for any particular bond issuance, the land developer may opt to “buy down” the Bond Assessment on particular product types and/or lands using a contribution of cash, infrastructure or other consideration, and in order for Bond Assessment to reach certain target levels. Note that any “true-up,” as described herein, may require a payment to satisfy “true-up” obligations as well as additional contributions to maintain such target assessment levels. Any amounts contributed by the developer to pay down Bond Assessments will not be eligible for “deferred costs,” if any are provided for in connection with any particular bond issuance.

In the event that the CIP is not completed, required contributions are not made, additional benefitted lands are added to the District and/or assessment area(s), or under certain other circumstances, the District may elect to reallocate the special assessments, and the District expressly reserves the right to do so, provided however that any such reallocation shall not be construed to relieve any party of contractual or other obligations to the District.

6.0 Additional Stipulations

6.1 Overview

Wrathell, Hunt and Associates, LLC was retained by the District to prepare a methodology to fairly allocate the special assessments related to the District’s Capital Improvement Plan. Certain financing, development and engineering data was provided by members of District Staff and/or the Developer. The allocation Methodology described herein was based on information provided by those professionals. Wrathell, Hunt and Associates, LLC makes

no representations regarding said information transactions beyond restatement of the factual information necessary for compilation of this report. For additional information on the Bond structure and related items, please refer to the Offering Statement associated with this transaction.

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

7.0 Appendix

Table 1

Osceola Village Center
Community Development District

Development Plan

Product Type	Number of Units
Single Family	118
Townhome	186
Total	304

Table 2

Osceola Village Center Community Development District

Project Costs

Improvement	Total Costs
Roadways	\$1,345,780.86
Storm Water Management	\$1,153,293.81
Potable Water	\$589,828.86
Sanitary Sewer	\$893,951.87
Reclaimed Water	\$368,500.42
Recreational Amenities, Parks, Landscape & Hardscape	\$905,000.00
Street Lighting & Differential Cost of Electrical Distribution Line Undergrounding	\$1,244,000.00
Offsite Improvements	\$65,517.71
Professional Fees	\$656,587.35
Contingency	\$328,293.68
Total	\$7,550,754.56

Table 3

Osceola Village Center Community Development District

Preliminary Sources and Uses of Funds

Sources

Bond Proceeds:	
Par Amount	\$9,910,000.00
Total Sources	\$9,910,000.00

Uses

Project Fund Deposits:	
Project Fund	\$7,550,754.56
Other Fund Deposits:	
Debt Service Reserve Fund	\$719,950.71
Capitalized Interest Fund	\$1,189,200.00
Delivery Date Expenses:	
Costs of Issuance	\$448,200.00
Rounding	\$1,894.73
Total Uses	\$9,910,000.00

Table 4

Osceola Village Center

Community Development District

Benefit Allocation

Product Type	Number of Units	ERU Weight	Total ERU
Single Family	118	1.00	118.00
Townhome	186	0.83	154.38
Total	304		272.38

Table 5

Osceola Village Center

Community Development District

Assessment Apportionment

Product Type	Number of Units	Total Cost Allocation*	Total Bond Assessment Apportionment	Bond Assessment Apportionment per Unit	Annual Bond Assessment Debt Service per Unit - paid in March**
Single Family	118	\$3,271,125.04	\$4,293,193.33	\$36,382.99	\$2,842.13
Townhome	186	\$4,279,629.52	\$5,616,806.67	\$30,197.89	\$2,358.97
Total	304	\$7,550,754.56	\$9,910,000.00		

* Please note that cost allocations to units herein are based on the ERU benefit allocation illustrated in Table 4

** Includes costs of collection, early payment discount and assumes payment in **March**

Exhibit "A"

Bond Assessment in the amount of \$9,910,000 is proposed to be levied over the area as described below designating the boundary of the District:

LEGAL DESCRIPTION:

SITE 1:

A portion of Section 33, Township 25 South, Range 29 East, Osceola County, Florida, being more particularly described as follows:

COMMENCE at the Westernmost Southwest corner of VILLAS AT ESTANCIA, according to the plat thereof as recorded in Plat Book 18, Pages 63 and 64, of the Public Records of Osceola County, Florida, the following three (3) courses being along the Southerly boundary of said VILLAS AT ESTANCIA; thence South 48°43'28" East, a distance of 290.27 feet to the POINT OF BEGINNING; thence continue South 48°43'28" East, a distance of 187.38 feet; thence South 76°11'48" East, a distance of 406.12 feet to the Southeast corner of said VILLAS AT ESTANCIA, also being the Southwest corner of Lot 70, ESTANCIA, according to the plat thereof as recorded in Plat Book 15, Pages 184 and 185 of said Public Records; thence continue South 76°11'48" East along the Southerly boundary of said ESTANCIA, a distance of 420.02 feet; thence departing from said Southerly boundary run South 13°48'12" West, a distance of 190.69 feet to a point on the arc of a non-tangent curve concave to the West, the radius point of which bears South 43°30'23" West; thence Southerly along said curve having a radius of 173.75 feet, a central angle of 98°20'05" for an arc distance of 298.20 feet to a point of reverse curvature of a curve concave to the Southeast; thence Southwesterly along said curve having a radius of 1,446.25 feet, a central angle of 18°56'43" for an arc distance of 478.21 feet to a point of compound curvature of a curve concave to the East; thence Southerly along said curve having a radius of 755.25 feet, a central angle of 44°14'44" for an arc distance of 583.23 feet to a point of reverse curvature of a curve concave to the Northwest; thence Southwesterly along said curve having a radius of 453.75 feet, a central angle of 94°06'13" for an arc distance of 745.25 feet to a point on the Northerly boundary of that certain land conveyed to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, as described in Warranty Deed recorded in Official Records Book 5336, Page 1230, of said Public Records, the following two (2) courses being along said Northerly boundary; thence North 79°24'12" West along a non-tangent line, a distance of 64.06 feet; thence North 83°16'25" West, a distance of 328.64 feet; thence North 18°03'27" East, a distance of 210.05 feet to a point of curvature of a curve concave to the Southeast; thence Northeasterly along said curve having a radius of 62.00 feet, a central angle of 40°22'20" for an arc distance of 43.69 feet; thence North 47°39'17" West along a non-tangent line, a distance of 1,119.37 feet; thence South 42°20'43" West, a distance of 68.00 feet; thence North 47°39'17" West, a distance of 140.00 feet; thence North 42°20'43" East, a distance of 48.00 feet; thence North 47°39'17" West, a distance of 166.29 feet to the Easterly Right-of-Way Line of State Road 600, according to the State of Florida Department of Transportation Right-of-Way Map Section 92010-2507; thence North 42°20'43" East along said Easterly Right-of-Way Line, a distance of 1345.14 feet to a point lying on the North line of the Northwest 1/4, of said Section 33; thence South 89°17'16" East along said North line, a distance of 388.30 feet to the POINT OF BEGINNING.

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

7E

RESOLUTION 2021-32

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

RECITALS

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT AS FOLLOWS:

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

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

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

(b) The District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct potable water systems, wastewater systems, roadway improvements, stormwater management systems, landscape,

hardscape and irrigation improvements, recreational amenities, and other infrastructure projects and services necessitated by the development of, and serving lands within, the District, together the "Improvements".

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

(d) It is necessary to the public health, safety and welfare and in the best interests of the District that (i) the District provide the "Project," the nature and location of which was initially described in Resolution 2021-25 and is shown in the *Engineer's Report*, dated November 12, 2020 (the "**Engineer's Report**") (attached as **Exhibit A** hereto and incorporated herein by this reference), and which Project's plans and specifications are on file at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("**District Records Offices**"); (ii) the cost of such Project be assessed against the lands specially benefited by such Project; and (iii) the District issue bonds to provide funds for such purposes pending the receipt of such special assessments.

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

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

(g) By Resolution 2021-25, the Board determined to provide the Project and to defray the costs thereof by making Assessments on benefited property and expressed an intention to issue Bonds, notes or other specific financing mechanisms to provide a portion of the funds needed for the Project prior to the collection of such Assessments. Resolution 2021-25 was adopted in compliance with the requirements of section 170.03, *Florida Statutes*, and prior to the time it was adopted, the requirements of section 170.04, *Florida Statutes*, had been met.

(h) As directed by Resolution 2021-25, said Resolution 2021-25 was published as required by section 170.05, *Florida Statutes*, and a copy of the publisher's affidavit of publication is on file with the Secretary of the District.

(i) As directed by Resolution 2021-25, a preliminary assessment roll was adopted and filed with the Board as required by section 170.06, *Florida Statutes*.

(j) As required by section 170.07, *Florida Statutes*, upon completion of the preliminary assessment roll, the Board adopted Resolution 2021-26, fixing the time and place of a public

hearing at which owners of the property to be assessed and other persons interested therein may appear before the Board and be heard as to (1) the propriety and advisability of making the infrastructure improvements, (2) the cost thereof, (3) the manner of payment therefore, and (4) the amount thereof to be assessed against each specially benefited property or parcel and provided for publication of notice of such public hearing and individual mailed notice in accordance with Chapters 170, 190, and 197, *Florida Statutes*.

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

(l) On May 10, 2021, at the time and place specified in Resolution 2021-26 and the notice referred to in paragraph (k) above, the Board met as an Equalization Board, conducted such public hearing, and heard and considered all complaints and testimony as to the matters described in paragraph (j) above. The Board has made such modifications in the preliminary assessment roll as it deems necessary, just and right in the making of the final assessment roll.

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

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

(ii) it is reasonable, proper, just and right to assess the cost of such Project against the properties specially benefited thereby using the method determined by the Board set forth in the *Master Special Assessment Methodology Report* dated March 31, 2021 (the "**Assessment Report**," attached hereto as **Exhibit B** and incorporated herein by this reference), for the Bonds, which results in the special assessments set forth on the final assessment roll included within such Exhibit B (the "**Assessments**"); and

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

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

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

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

SECTION 3. AUTHORIZATION OF DISTRICT PROJECT. That certain Project for construction of infrastructure improvements initially described in Resolution 2021-25, and more specifically identified and described in Exhibit A attached hereto, is hereby authorized and approved and the proper officers, employees and/or agents of the District are hereby authorized and directed to take such further action as may be necessary or desirable to cause the same to be made.

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

SECTION 5. EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF SPECIAL ASSESSMENTS. The Assessments on the parcels specially benefited by the Project, all as specified in the final assessment roll set forth in Exhibit B, attached hereto, are hereby equalized, approved, confirmed and levied. Immediately following the adoption of this Resolution these Assessments, as reflected in Exhibit B, attached hereto, shall be recorded by the Secretary of the Board of the District in a special book, to be known as the "Improvement Lien Book." The Assessment or assessments against each respective parcel shown on such final assessment roll and interest, costs and penalties thereon, as hereafter provided, shall be and shall remain a legal, valid and binding first lien on such parcel until paid and such lien shall be coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims. Prior to the issuance of any Bonds, including refunding bonds, the District may, by subsequent resolution, adjust the acreage assigned to particular parcel identification numbers listed on the final assessment roll to reflect accurate apportionment of acreage within the District amongst individual parcel identification numbers. The District may make any other such acreage and boundary adjustments to parcels listed on the final assessment roll as may be necessary in the best interests of the District as determined by the Board by subsequent resolution. Any such adjustment in the assessment roll shall be consistent with the requirements of law. In the event the issuance of Bonds, including refunding bonds, by the District would result in a decrease of the Assessments, then the District shall by subsequent resolution, adopted within sixty (60) days of the sale of such Bonds at a publicly noticed meeting and without the need for further public hearing, evidence such a decrease and amend the final assessment roll as shown in the Improvement Lien Book to reflect such a decrease.

SECTION 6. FINALIZATION OF SPECIAL ASSESSMENTS. When the entire Project has both been constructed or otherwise provided to the satisfaction of the Board, the Board shall adopt a resolution accepting the same and determining the actual costs (including financing costs) thereof,

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

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

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

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

be in its best interest, the Assessments may be collected as is otherwise permitted by law. The District may, in its sole discretion, collect Assessments by directly assessing landowner(s) and enforcing said collection in any manner authorized by law.

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

SECTION 8. APPLICATION OF TRUE-UP PAYMENTS.

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

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

(c) The foregoing is based on the District's understanding that Avex Homes, LLC, the current developer, intends to develop the unit numbers and types shown in Exhibit B, on the net developable acres and is intended to provide a formula to ensure that the appropriate ratio of the Assessments to gross acres is maintained if fewer units are developed. However, no action by the District prohibits more than the maximum units shown in Exhibit B from being developed. In no event shall the District collect Assessments pursuant to this Resolution in excess of the total debt service related to the Project, including all costs of financing and interest. The District recognizes that such events as regulatory requirements and market conditions may affect the timing and scope of the development in the District. If the strict application of the true-up methodology, as described in the Assessment Report, to any assessment reallocation pursuant to this paragraph would result in Assessments collected in excess of the District's total debt service obligation for the

Project, the Board shall by resolution take appropriate action to equitably reallocate the Assessments. Further, upon the District's review of the final plat for the developable acres, any unallocated Assessments shall become due and payable and must be paid prior to the District's approval of that plat.

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

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

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

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

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

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

[Remainder of page intentionally left blank.]

APPROVED AND ADOPTED THIS 10th DAY OF MAY, 2021.

Secretary/Assistant Secretary

Chairman, Board of Supervisors

Exhibit A: *Engineer's Report*, dated November 12, 2020

Exhibit B: *Master Special Assessment Methodology Report*, dated March 31, 2021

Exhibit A: *Engineer's Report*, dated November 12, 2020

Exhibit B: *Master Special Assessment Methodology Report*, dated March 31, 2021

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

8A

OSCEOLA NEWS-GAZETTE

STATE OF FLORIDA
COUNTY OF OSCEOLA

REQUEST FOR QUALIFICATIONS
FOR ENGINEERING SERVICES
FOR THE OSCEOLA VILLAGE
CENTER COMMUNITY DEVELOPMENT DISTRICT

RFQ for Engineering Services

The Osceola Village Center Community Development District ("District"), located in the City of Kissimmee, Florida, announces that professional engineering services will be required on a continuing basis for the District's roadways, stormwater management, water and sewer, landscaping and entry features, amenity features, street lighting, and other public improvements authorized by Chapter 190, Florida Statutes. The engineering firm selected will act in the general capacity of District Engineer and provide District engineering services, as required.

Any firm or individual ("Applicant") desiring to provide professional services to the District must: 1) hold applicable federal, state and local licenses; 2) be authorized to do business in Florida in accordance with Florida law; and 3) furnish a statement ("Qualification Statement") of its qualifications and past experience on U.S. General Service Administration's "Architect-Engineer Qualifications, Standard Form No. 330," with pertinent supporting data. Among other things, Applicants must submit information relating to: a) the ability and adequacy of the Applicant's professional personnel; b) whether the Applicant is a certified minority business enterprise; c) the Applicant's willingness to meet time and budget requirements; d) the Applicant's past experience and performance, including but not limited to past experience as a District Engineer for any community development districts and past experience with the City of Kissimmee and Osceola County; e) the geographic location of the Applicant's headquarters and offices; f) the current and projected workloads of the Applicant; and g) the volume of work previously awarded to the Applicant by the District. Further, each Applicant must identify the specific individual affiliated with the Applicant who would be handling District meetings, construction services, and other engineering tasks.

The District will review all Applicants and will comply with Florida law, including the Consultant's Competitive Negotiations Act, Chapter 287, Florida Statutes ("CCNA"). All applicants interested must submit one (1) unbound hardcopy and one (1) electronic copy of Standard Form No. 330 and Qualification Statement by 12:00 p.m., on April 30, 2021 at the attention of Craig Wrathell, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Manager's Office").

The Board shall select and rank the Applicants using the requirements set forth in the CCNA and the evaluation criteria on file with the District Manager, and the highest ranked Applicant will be requested to enter into contract negotiations. If an agreement cannot be reached between the District and the highest ranked Applicant, negotiations will cease and begin with the next highest ranked Applicant, and if these negotiations are unsuccessful, will continue to the third highest ranked Applicant.

The District reserves the right to reject any and all Qualification Statements. Additionally, there is no express or implied obligation for the District to reimburse Applicants for any expenses associated with the preparation and submittal of the Qualification Statements in response to this request.

Any protest regarding the terms of this Notice, or the evaluation criteria on file with the District Manager, must be filed in writing, within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after the publication of this Notice. The 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. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object or protest with respect to aforesaid Notice or evaluation criteria provisions. Any person who files a notice of protest shall provide to the District, simultaneous with the filing of the notice, a protest bond with a responsible surety to be approved by the District and in the amount of Ten Thousand Dollars (\$10,000.00). Additional information and requirements regarding protests are set forth in the District's Rules of Procedure, which are available from the District Manager.

Craig Wrathell
District Manager
April 15, 2021

Before me, the undersigned authority, personally appeared Pamela Bikowicz, who on oath says that she is the Business Manager of the Osceola News-Gazette, a twice-weekly newspaper published at Kissimmee, in Osceola County, Florida; that the attached copy of the advertisement was published in the regular and entire edition of said newspaper in the following issues:

April 15, 2021.

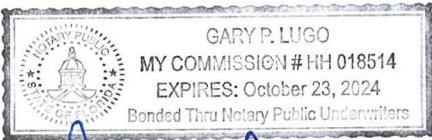
Affiant further says that the Osceola News-Gazette is a newspaper published in Kissimmee, in said Osceola County, Florida, and that the said newspaper has heretofore been continuously published in said Osceola County, Florida, each week and has been entered as periodicals postage matter at the post office in Kissimmee, in said Osceola County, Florida, for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he 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 the said newspaper.

Sworn and subscribed before

me by Pamela Bikowicz, who is

personally known to me, this

April 15, 2021



Make remittance to: Osceola News-Gazette
22 W. Monument Ave., Suite 5
Kissimmee, FL 34741
Phone: (407) 846-7600 Fax: (321) 402-2946
Email: legalads@osceolanewsgazette.com
You can also view your Legal Advertising on
www.AroundOsceola.com or
www.FloridaPublicNotices.com
Ad#33802

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

8B

**REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES
FOR THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT**

RFQ for Engineering Services

The Osceola Village Center Community Development District (“District”), located in the City of Kissimmee, Florida, announces that professional engineering services will be required on a continuing basis for the District’s roadways, stormwater management, water and sewer, landscaping and entry features, amenity features, street lighting, and other public improvements authorized by Chapter 190, *Florida Statutes*. The engineering firm selected will act in the general capacity of District Engineer and provide District engineering services, as required.

Any firm or individual (“Applicant”) desiring to provide professional services to the District must: 1) hold applicable federal, state and local licenses; 2) be authorized to do business in Florida in accordance with Florida law; and 3) furnish a statement (“Qualification Statement”) of its qualifications and past experience on U.S. General Service Administration’s “Architect-Engineer Qualifications, Standard Form No. 330,” with pertinent supporting data. Among other things, Applicants must submit information relating to: a) the ability and adequacy of the Applicant’s professional personnel; b) whether the Applicant is a certified minority business enterprise; c) the Applicant’s willingness to meet time and budget requirements; d) the Applicant’s past experience and performance, including but not limited to past experience as a District Engineer for any community development districts and past experience with the City of Kissimmee and Osceola County; e) the geographic location of the Applicant’s headquarters and offices; f) the current and projected workloads of the Applicant; and g) the volume of work previously awarded to the Applicant by the District. Further, each Applicant must identify the specific individual affiliated with the Applicant who would be handling District meetings, construction services, and other engineering tasks.

The District will review all Applicants and will comply with Florida law, including the Consultant’s Competitive Negotiations Act, Chapter 287, *Florida Statutes* (“CCNA”). All applicants interested must submit one (1) unbound hardcopy and one (1) electronic copy of Standard Form No. 330 and Qualification Statement by 12:00 p.m., on April 30, 2021 to the attention of Craig Wrathell, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (“District Manager’s Office”).

The Board shall select and rank the Applicants using the requirements set forth in the CCNA and the evaluation criteria on file with the District Manager, and the highest ranked Applicant will be requested to enter into contract negotiations. If an agreement cannot be reached between the District and the highest ranked Applicant, negotiations will cease and begin with the next highest ranked Applicant, and if these negotiations are unsuccessful, will continue to the third highest ranked Applicant.

The District reserves the right to reject any and all Qualification Statements. Additionally, there is no express or implied obligation for the District to reimburse Applicants for any expenses associated with the preparation and submittal of the Qualification Statements in response to this request.

Any protest regarding the terms of this Notice, or the evaluation criteria on file with the District Manager, must be filed in writing, within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after the publication of this Notice. The 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. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object or protest with respect to aforesaid Notice or evaluation criteria provisions. Any person who files a notice of protest shall provide to the District, simultaneous with the filing of the notice, a protest bond with a responsible surety to be approved by the District and in the amount of Ten Thousand Dollars (\$10,000.00). Additional information and requirements regarding protests are set forth in the District's Rules of Procedure, which are available from the District Manager.

Publish on April 15, 2021 (must be published at least 14 days prior to submittal deadline in a newspaper of general circulation. Please set submittal deadline based on when able to publish notice.)

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

DISTRICT ENGINEER PROPOSALS

COMPETITIVE SELECTION CRITERIA

1) Ability and Adequacy of Professional Personnel (Weight: 25 Points)

Consider the capabilities and experience of key personnel within the firm including certification, training, and education; affiliations and memberships with professional organizations; etc.

2) Consultant's Past Performance (Weight: 25 Points)

Past performance for other Community Development Districts in other contracts; amount of experience on similar projects; character, integrity, reputation, of respondent; etc.

3) Geographic Location (Weight: 20 Points)

Consider the geographic location of the firm's headquarters, offices and personnel in relation to the project.

4) Willingness to Meet Time and Budget Requirements (Weight: 15 Points)

Consider the consultant's ability and desire to meet time and budget requirements including rates, staffing levels and past performance on previous projects; etc.

5) Certified Minority Business Enterprise (Weight: 5 Points)

Consider whether the firm is a Certified Minority Business Enterprise. Award either all eligible points or none.

6) Recent, Current and Projected Workloads (Weight: 5 Points)

Consider the recent, current and projected workloads of the firm.

7) Volume of Work Previously Awarded to Consultant by District (Weight: 5 Points)

Consider the desire to diversify the firms that receive work from the District; etc.

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

8C

Osceola Village Center Community Development District

Request for Qualifications for Engineering Services

Prepared For
Osceola Village Center Community Development District
Craig Wrathell, c/o Wrathell, Hunt and Associates, LLC
2300 Glades Road, Suite 410
Boca Raton, Florida 33431

Date
April 30, 2021





Poulos & Bennett, LLC • 2602 E. Livingston Street Orlando, Florida 32803 • (407) 487-2594 • www.poulosandbennett.com

April 30, 2021

Craig Wrathell
District Manager's Office
2300 Glades Road
Boca Raton, Florida 33431

RE: Request for Qualifications For Engineering Services
Osceola Village Center Community Development District

Dear Mr. Wrathell,

Thank you for the opportunity to provide our qualifications for engineering services for the Osceola Village Center Community Development District. Poulos & Bennett is known for bringing incomparable attention to detail with a highly dedicated team of experienced professionals who will meet all your civil engineering needs.


To best serve the Osceola Village Center CDD, Poulos & Bennett has teamed up with BioTech Consulting, Inc. (environmental consultant), Allen & Company (land surveyor), and Kirkwood Design (landscape architect). Our partners have successfully worked on many noteworthy projects and will create an efficient and highly experienced team. The team members assembled by Poulos & Bennett are all headquartered in Central Florida and have the ability to provide quick and efficient service.

The Poulos & Bennett team is the best fit for carrying out this project expeditiously and efficiently based on our vast experience with the engineering design of not only this project but other Community Development Districts as well. Our Orlando office location, our thorough understanding of South Florida Water Management District (SFWMD) criteria and permitting, as well as our long-standing relationships with SFWMD staff, extending up to and including the Chairmen of the respective SFWMD Governing Boards, will serve to provide a uniquely positioned team of professionals. Our team members have been serving clients in Central Florida since 1989. We have extensive experience and strong relationships with the City of Kissimmee and Osceola County staffs, and we are proud of our reputation as being consummate professionals in our interactions, skilled civil engineers and planners in our practice, and committed advocates for our clients.

We appreciate the opportunity to provide our qualifications for engineering services and are excited about the possibility of providing high-quality and cost-effective engineering services. We feel with our engineering experience, coupled with the talent and experience of the overall team, we can meet and exceed the needs of the Osceola Village Center Community Development District.

Please do not hesitate to contact us should you need any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Lance Bennett", with a long, sweeping horizontal flourish extending to the right.

R. Lance Bennett, PE
Principal-In-Charge

ARCHITECT - ENGINEER QUALIFICATIONS

PART I - CONTRACT-SPECIFIC QUALIFICATIONS

A. CONTRACT INFORMATION

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

Osceola Village Center Community Development District

2. PUBLIC NOTICE DATE
N/A

3. SOLICITATION OR PROJECT NUMBER
N/A

B. ARCHITECT-ENGINEER POINT OF CONTACT

4. NAME AND TITLE

R. Lance Bennett, PE – Principal-In-Charge

5. NAME OF FIRM

Poulos & Bennett, LLC

6. TELEPHONE NUMBER

407-487-2594

7. FAX NUMBER

407-289-5280

8. E-MAIL ADDRESS

lbennett@poulosandbennett.com

C. PROPOSED TEAM

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

(Check)	PRIME J-V PARTNER SUBCON- TRACTOR			9. FIRM NAME	10. ADDRESS	11. ROLE IN THIS CONTRACT
	X				Poulos & Bennett, LLC <input type="checkbox"/> CHECK IF BRANCH OFFICE	2602 E. Livingston Street Orlando, FL 32803
		X		Bio-Tech Consulting, Inc. <input type="checkbox"/> CHECK IF BRANCH OFFICE	3025 East South St. Orlando, Florida 32803	Environmental Consultant
		X		Allen & Company <input type="checkbox"/> CHECK IF BRANCH OFFICE	1401 South Florida Ave Lakeland, FL 33803	Land Surveyor
		X		Kirkwood Design, LLC <input type="checkbox"/> CHECK IF BRANCH OFFICE	1308 Falcon Drive Orlando, FL 32803	Landscape Architect
				<input type="checkbox"/> CHECK IF BRANCH OFFICE		
				<input type="checkbox"/> CHECK IF BRANCH OFFICE		

D. ORGANIZATIONAL CHART OF PROPOSED TEAM

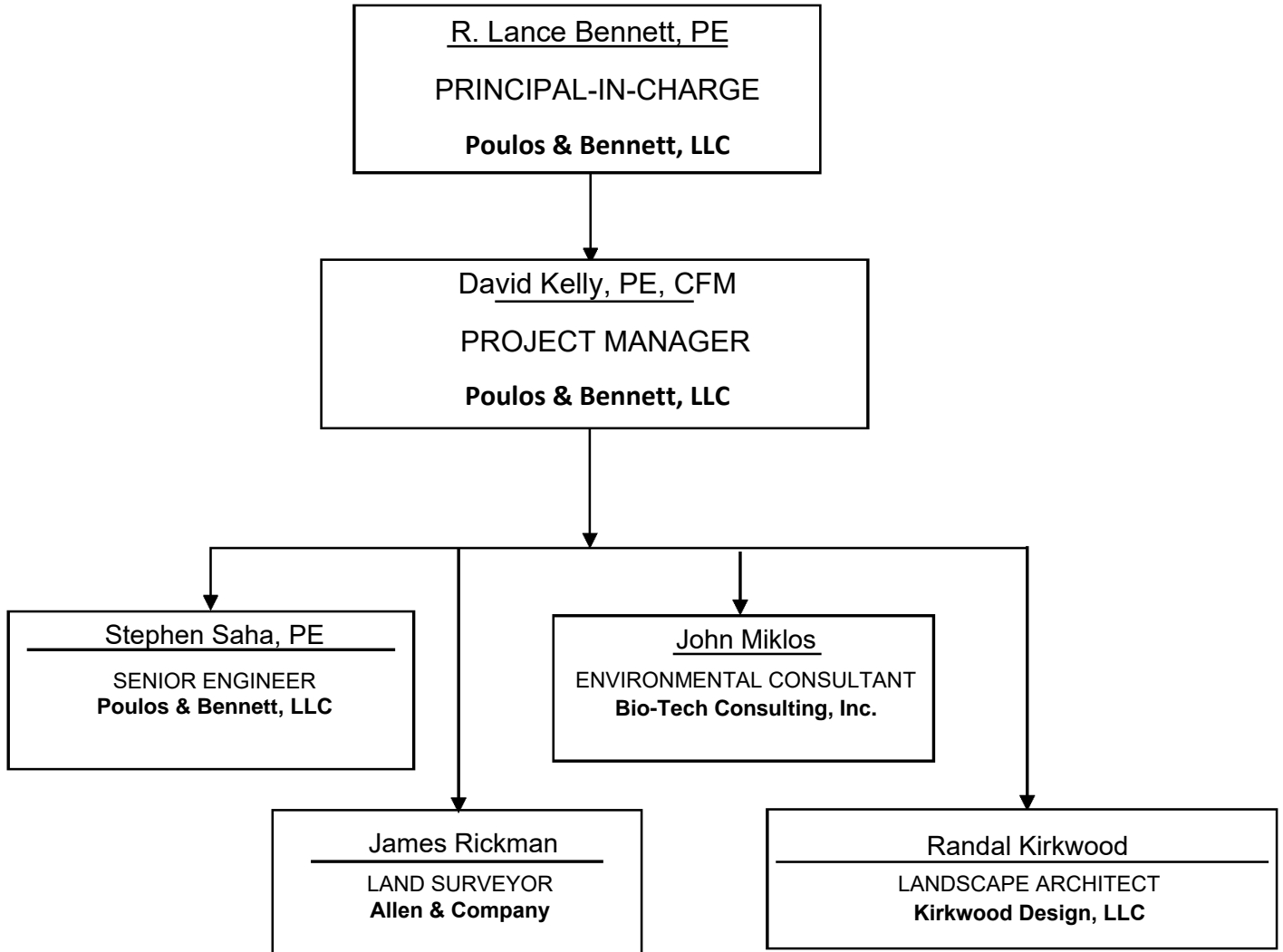
(Attached)

D. ORGANIZATIONAL CHART OF PROPOSED TEAM

REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES

COMMUNITY DEVELOPMENT DISTRICT

ORGANIZATIONAL CHART



E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME R. Lance Bennett, PE	13. ROLE IN THIS CONTRACT <i>Principal-in-Charge</i>	14. YEARS EXPERIENCE	
		a. TOTAL 27	b. WITH CURRENT FIRM 8

15. FIRM NAME AND LOCATION *(City and State)*
Poulos & Bennett, LLC - Orlando, FL

16. EDUCATION <i>(Degree and Specialization)</i> <i>MS Civil Engineering, University of Central Florida</i> <i>BS Civil Engineering, University of Central Florida</i>	17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i> <i>Florida Registered Professional Engineer No.50698</i> <i>FDEP Erosion & Sediment Control Inspector No.2359</i>
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18. OTHER PROFESSIONAL QUALIFICATIONS *(Publications, Organizations, Training, Awards, etc.)*
Member of the American Society of Civil Engineers (ASCE); Adjunct Professor for University of Central Florida

19. RELEVANT PROJECTS

1) TITLE AND LOCATION <i>(City and State)</i> Four Seasons at Orlando/Windward CDD <i>Osceola County, Florida</i>	2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2017	CONSTRUCTION <i>(If applicable)</i> N/A

a. 3) BRIEF DESCRIPTION *(Brief scope, size, cost, etc.)* AND SPECIFIC ROLE Check if project performed with current firm
Four Seasons at Orlando includes the preparation of construction plans and permitting services for a 22-acre Tract C project; 31-acre Tract D project; 7.5-acre Spine Road project consisting of 3,450LF; and 32-acre Amenity Center. This totals an estimated construction cost of over \$10,000,000. Lance serves as the Principal-In-Charge.

1) TITLE AND LOCATION <i>(City and State)</i> Storey Park Community Development District <i>Orlando, Florida</i>	2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2013 - 2015	CONSTRUCTION <i>(If applicable)</i> N/A

b. 3) BRIEF DESCRIPTION *(Brief scope, size, cost, etc.)* AND SPECIFIC ROLE Check if project performed with current firm
861-acre Community Development District project. Poulos & Bennett prepared the CDD engineers report, exhibits, and cost estimates in support of the CDD roadway, utility, and stormwater infrastructure design. Estimated CDD construction cost of \$35,000,000. Lance served as Principal-in-Charge.

1) TITLE AND LOCATION <i>(City and State)</i> Tohoqua Community Development District <i>Orange County, Florida</i>	2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2018 - Current	CONSTRUCTION <i>(If applicable)</i> N/A

c. 3) BRIEF DESCRIPTION *(Brief scope, size, cost, etc.)* AND SPECIFIC ROLE Check if project performed with current firm
Lance serves as Principal-In-Charge for this 784-acre mixed use development that consists of 3,220 residential units, 200 hotel rooms, and 443,720 square feet of commercial space. Professional engineering services relating to drainage and surface water management system, waterline and accessories, sewer system, landscape/irrigation lines, roadways, and amenity facilities are provided on a continuing basis for the District's capital improvements. Estimated construction cost of \$72,000,000.

1) TITLE AND LOCATION <i>(City and State)</i> Tapestry Community Development District <i>Kissimmee, Florida</i>	2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2013 - 2017	CONSTRUCTION <i>(If applicable)</i> N/A

d. 3) BRIEF DESCRIPTION *(Brief scope, size, cost, etc.)* AND SPECIFIC ROLE Check if project performed with current firm
Tapestry Parcel 8 - 243-acres, 1037 unit residential single and multi-family-project. Providing civil engineering design, permitting, and construction management for roadway, utility and stormwater infrastructure design with an estimated construction cost of \$19,500,000. Lance served as Principal-in-Charge.

1) TITLE AND LOCATION <i>(City and State)</i> Harmony West Community Development District <i>Osceola County, Florida</i>	2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2018 - Current	CONSTRUCTION <i>(If applicable)</i> N/A

e. 3) BRIEF DESCRIPTION *(Brief scope, size, cost, etc.)* AND SPECIFIC ROLE Check if project performed with current firm
Lance serves as Principal-In-Charge for this 287-acre tract that consists of 631 single family homes and three supporting recreational amenity centers. Professional engineering services are provided on a continuing basis for planning, preparing reports and plans, providing contract administration services and construction oversight, and providing designs and specifications for roadways, buffer walls, water facilities, sewer facilities, reclaimed water facilities, and stormwater management facilities. Estimated construction cost of \$31,750,000.

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME David Kelly, PE, CFM	13. ROLE IN THIS CONTRACT Project Manager	14. YEARS EXPERIENCE	
		a. TOTAL 33	b. WITH CURRENT FIRM 5
15. FIRM NAME AND LOCATION <i>(City and State)</i> Poulos & Bennett, LLC, Orlando, FL			
16. EDUCATION <i>(DEGREE AND SPECIALIZATION)</i> BS Civil Engineering, University of Massachusetts		17. CURRENT PROFESSIONAL REGISTRATION <i>(STATE AND DISCIPLINE)</i> Florida Registered Professional Engineer No. 43325 Certified Floodplain Manager No. US-15-08460	
18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i> Member of the American Society of Civil Engineers (ASCE); Member of Association of State Floodplain Managers; Member of Florida Floodplain Managers Association			

19. RELEVANT PROJECTS

#	(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>
a.	Winward Community Development District– Osceola County, FL	2017 - Present	N/A
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.) AND SPECIFIC ROLE</i> <input checked="" type="checkbox"/> Check if project performed with current firm Professional engineering services are required on a continuing basis for planning, preparing reports and plans, providing contract administration services and construction oversight, and providing designs and specifications for roadways, buffer walls, water facilities, sewer facilities, reclaimed water facilities, and stormwater management facilities. Four Seasons at Orlando includes the preparation of construction plans and permitting services for a 22-acre Tract C project; 31-acre Tract D project; 7.5-acre Spine Road project consisting of 3,450LF; and 32-acre Amenity Center. This totals an estimated construction cost of over \$10,000,000. David serves as the Project Manager.		
b.	Four Seasons at Orlando – Osceola County, FL	2017 - Present	N/A
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.) AND SPECIFIC ROLE</i> <input checked="" type="checkbox"/> Check if project performed with current firm Four Seasons at Orlando includes the preparation of construction plans and permitting services for a 22-acre Tract C project; 31-acre Tract D project; 7.5-acre Spine Road project consisting of 3,450LF; and 32-acre Amenity Center. This totals an estimated construction cost of over \$10,000,000. David serves as the Project Manager.		
c.	Tapestry Parcel 8 – Kissimmee, FL	2013 - 2015	N/A
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.) AND SPECIFIC ROLE</i> <input checked="" type="checkbox"/> Check if project performed with current firm 243-acres, 1037 unit residential single and multi-family-project. Providing civil engineering design, permitting, and construction management for roadway, utility and stormwater infrastructure design with an estimated construction cost of \$19,500,000. David served as the Project Manager.		
d.	Stoneybrook West – Winter Garden, FL	1998 - 2013	N/A
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.) AND SPECIFIC ROLE</i> <input checked="" type="checkbox"/> Check if project performed with current firm 800-acre 1,000 unit mixed-use commercial/residential PUD with master infrastructure, HOA and community facilities, stormwater, golf course, parks, wetland habitat, collector road, school site and commercial center. David was the Project Manager and Engineer of Record for this entire PUD. Construction cost were estimated at \$22,000,000. This was a CDD project and David attended the CDD project meetings as a representative of the CDD Engineer.		
e.	Keene's Pointe – Orange County, FL	1996-2008	N/A
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.) AND SPECIFIC ROLE</i> <input checked="" type="checkbox"/> Check if project performed with current firm 900-acre 1,100 unit residential site with golf course, HOA and Community facilities, boat ramps and parks. David served as Project Manager and Engineer of Record for this entire PUD.		

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT
(Complete one Section E for each key person.)

12. NAME Stephen K Saha, PE	13. ROLE IN THIS CONTRACT Senior Project Engineer	14. YEARS EXPERIENCE	
		a. TOTAL 15 years	b. WITH CURRENT FIRM 2 years
15. FIRM NAME AND LOCATION (City and State) Poulos & Bennett, LLC, Orlando, FL			
16. EDUCATION (DEGREE AND SPECIALIZATION) B.S. Industrial & Systems Engineering Georgia Institute of Technology		17. CURRENT PROFESSIONAL REGISTRATION (STATE AND DISCIPLINE) Florida Professional Engineer, License # 76903	
18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.) Certified Erosion Control Inspector			

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION (City and State) Tohoqua CDD	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2020 - Present	CONSTRUCTION (If applicable) N/A
a. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Responsible for the preparation of multiple Engineer's Reports for multiple phases of the Tohoqua Community Development District which is a 78-acre tract planned for 236 single family homes and 1004 multi-family homes as well as a commercial hotel and clubhouse. Professional engineering services are required on a continuing basis for planning and preparation reports and plans, providing contract administration services and construction oversight, and providing designs and specifications for roadways, buffer walls, water facilities, sewer facilities, reclaimed water facilities, and stormwater management facilities. Estimated CDD construction cost of \$72M. Steve served as a Project Manager.		
(1) TITLE AND LOCATION (City and State) Windward CDD / Four Seasons at Orlando	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2018 - Present	CONSTRUCTION (If applicable) 2018 - Present
b. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Responsible for the preparation of multiple Engineer's Reports and for construction management for multiple phases of the Windward Community Development District which is a 128 acre tract planned for 553 single family homes and an amenity building. Professional engineering services are required on a continuing basis for planning, preparing reports and plans, providing contract administration services and construction oversight, and providing designs and specifications for roadways, buffer walls, water facilities, sewer facilities, reclaimed water facilities, and stormwater management facilities. Estimated CDD construction cost of \$23. Steve served as a Project Manager.		
(1) TITLE AND LOCATION (City and State) Waterstone HOA	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2020	CONSTRUCTION (If applicable) N/A
c. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Responsible for the preparation of the Engineer's Report for the Waterstone HOA consisting of 117 single family homes and various amenities. Tasks included a condition inspection of the roadways, walls and hardscape, sewer facilities, stormwater facilities along with recommended repairs of deficiencies. The financial evaluation included an assessment of the current budget and condition along with the necessary and future expenditures. and both design and construction of infrastructure repair, rehabilitation and replacement activities.		
(1) TITLE AND LOCATION (City and State) Infrastructure Asset Management System	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2008 - 2018	CONSTRUCTION (If applicable) 2008 - 2018
d. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm Responsible for the preparation of reports, condition evaluation, repairs and overall management of all roadways, bridges, and various stormwater facilities for Osceola County. Osceola County comprised of approximately 900 centerline miles of roadway, 75 bridges, and stormwater facilities including approximately 500 ponds. Tasks included GIS and database management of inventory, inspection of infrastructure, preparation of work plans and budgets, and construction of infrastructure repair, rehabilitation and replacement activities.		
(1) TITLE AND LOCATION (City and State) 	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)
e. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm		

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME John Miklos	13. ROLE IN THIS CONTRACT <i>Environmental Consultant</i>	14. YEARS EXPERIENCE	
		a. TOTAL 26	b. WITH CURRENT FIRM 16

15. FIRM NAME AND LOCATION *(City and State)*
Bio-Tech Consulting Inc. (Orlando, FL)

16. EDUCATION <i>(Degree and Specialization)</i> <i>BS Limnology, University of Central Florida</i>	17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i>
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18. OTHER PROFESSIONAL QUALIFICATIONS *(Publications, Organizations, Training, Awards, etc.)*
Governor DeSantis Environmental Transition Committee; Former Chairman of the Board, St. Johns River Water Management District (five terms); Former Board Member, Orange County EPC; Former Steering Committee Member, Central Florida Water Initiative; Board of Directors, Back to Nature

19. RELEVANT PROJECTS

1) TITLE AND LOCATION <i>(City and State)</i> Harmony CDD <i>Osceola County, Florida</i>	2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i> N/A

a. 3) BRIEF DESCRIPTION *(Brief scope, size, cost, etc.)* AND SPECIFIC ROLE Check if project performed with current firm
Project Principal. Ongoing. Size of Contract \$14,400 annually. For this 81-acre planned residential community, Bio-Tech Consulting provides pond, littoral shelf creation, upland buffer maintenance; Bio-Tech also introduced grass carp to ponds for effective control of submerged vegetation; ongoing Pond Management, Wetland Mitigation Design, Shoreline Management, Mitigation Area Maintenance, Weed Control.

1) TITLE AND LOCATION <i>(City and State)</i> Greater Orlando Aviation Authority: Aquatic Weed Control Service <i>Orlando, Florida</i>	2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i> N/A

b. 3) BRIEF DESCRIPTION *(Brief scope, size, cost, etc.)* AND SPECIFIC ROLE Check if project performed with current firm
Project Manager. Ongoing project. Since 2009 provided GOAA with aquatic weed control services and pond maintenance across GOAA property(ies). Servicing more than 100 pond locations; Bio-Tech Consulting has received multiple, one-year options on this GOAA project; Project Value: \$229,840/year

1) TITLE AND LOCATION <i>(City and State)</i> Lucky L Mitigation Bank <i>Osceola County, Florida</i>	2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i> N/A

c. 3) BRIEF DESCRIPTION *(Brief scope, size, cost, etc.)* AND SPECIFIC ROLE Check if project performed with current firm
Project Manager. Ongoing project. \$250,000.00. Permitting of a regionally significant wetland and wildlife mitigation bank. Specific tasks include permitting with USACOE, SFWMD, UMAM analysis and credit evaluation, mitigation strategy, and client and agency negotiation.

1) TITLE AND LOCATION <i>(City and State)</i> All Aboard Florida <i>Coral Gables, Florida</i>	2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i> N/A

d. 3) BRIEF DESCRIPTION *(Brief scope, size, cost, etc.)* AND SPECIFIC ROLE Check if project performed with current firm
Project Manager. Ongoing project. All Aboard Florida is a privately funded project to provide passenger rail service between Orlando and Miami. Bio-Tech Consulting is responsible for wildlife surveys and mitigation for the entire ROW and for wetland delineation, permitting, and mitigation for the new ROW between Orlando and Cocoa. Bio-Tech Consulting is also providing overall technical review for wetland and bridge permitting along the existing ROW. Project Value: \$954,000.

1) TITLE AND LOCATION <i>(City and State)</i> Consolidated Tomoka Land Company <i>Volusia County, Florida</i>	2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i> N/A

e. 3) BRIEF DESCRIPTION *(Brief scope, size, cost, etc.)* AND SPECIFIC ROLE Check if project performed with current firm
Ongoing. \$150,000. Provide overall consulting services for the 10,500 acres of land holdings. Bio-Tech Consulting is contracted to perform wetland and wildlife surveys, Phase 1 ESAs, and obtain all pertinent environmental permits from USFWS, EPA, ACOE, FFWCC, SJRWMD, City of Daytona, etc.

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME James L. Rickman	13. ROLE IN THIS CONTRACT Professional Land Surveyor Principal Surveyor	14. YEARS EXPERIENCE	
		a. TOTAL 38 yrs	b. WITH CURRENT FIRM 32 years
15. FIRM NAME AND LOCATION <i>(City and State)</i> Allen & Company, Inc Winter Garden, FL 34787			
16. EDUCATION <i>(DEGREE AND SPECIALIZATION)</i> Sante Fe Community College, Course Work Surveying Central Florida Community College, Course Work Civil Engineering		17. CURRENT PROFESSIONAL REGISTRATION <i>(STATE AND DISCIPLINE)</i> Florida PMS # 5633, 1996	
18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i> Member Florida Surveying and Mapping Society, Member Central Florida Chapter Surveying and Mapping Society			

19. RELEVANT PROJECTS

	(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES	CONSTRUCTION <i>(If Applicable)</i>
a.	Sunbridge Orange and Osceola Counties, Florida	Ongoing	Ongoing
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Topographic Surveys, Boundary Surveys, Corridor Surveys, Wetland Surveys, Control Surveys, Hydrographic Surveys, Mean High Water Line Surveys and SUE mapping \$400,000.00 Principal Surveyor	<input checked="" type="checkbox"/> Check if project performed with current firm	
b.	Lake Pickett South Orange County, Fl.	2015	
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Topographic Surveys, Boundary Surveys, Wetland Surveys, Control Surveys, Hydrographic Surveys, Mean High Water Line Surveys, Services \$200,000.00 Principal Surveyor	<input checked="" type="checkbox"/> Check if project performed with current firm	
c.	The Hills of Minneola Minneola, Florida	Ongoing	Ongoing
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Topographic Surveys, Boundary Surveys, As-Built Surveys, Wetland Surveys, Control Surveys, Hydrographic Surveys, Mean High Water Line Surveys, Quantity Surveys, Special Purpose Surveys or Misc. Services \$400,000.00 Principal Surveyor	<input checked="" type="checkbox"/> Check if project performed with current firm	
d.	Horizons West Village "F" Orange County, Fl.	Completed	Completed
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Topographic Surveys, Boundary Surveys, As-Built Surveys, Control Surveys, Right of way maps and surveys, SUE mapping \$ 2,000,000 to date Principal Surveyor	<input checked="" type="checkbox"/> Check if project performed with current firm	
e.	Horizons West Village I Orange County, FL	2007/2014	Ongoing
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Topographic Surveys, Boundary Surveys, As-Built Surveys, Control Surveys, Right of way maps and SUE mapping \$ 1,000,000 Principal Surveyor	<input checked="" type="checkbox"/> Check if project performed with current firm	

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME Randal D. Kirkwood	13. ROLE IN THIS CONTRACT <i>Landscape Architect</i>	14. YEARS EXPERIENCE	
		a. TOTAL 30	b. WITH CURRENT FIRM 12
15. FIRM NAME AND LOCATION <i>(City and State)</i> Kirkwood Design, LLC			
16. EDUCATION <i>(Degree and Specialization)</i> <i>Bachelors of Science, Landscape Architecture - Colorado State University</i>		17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i> <i>Florida Landscape Architect, License #1605, Registered in 1997</i>	
18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i>			

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION <i>(City and State)</i> Parkway DRI/PD <i>Osceola County, Florida</i>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 1988 - Present	CONSTRUCTION <i>(If applicable)</i>
a. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm Providing Planning related services for Land Use approvals (DRI & PD), Site Planning from concept through SDP level for County approval and Landscape Architectural services (landscape, hardscape & irrigation design) for the master developer, POA and majority of the parcel owners. Kirkwood Design is the lead consultant for the last 4 DRI/ PD amendments and the principal design firm for site planning and landscape design services.		
(1) TITLE AND LOCATION <i>(City and State)</i> Reunion PD <i>Osceola County, Florida</i>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2006-2008	CONSTRUCTION <i>(If applicable)</i>
b. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm Employed as a Senior Landscape Architect/ Project Manager for the owner/ developer (Ginn Clubs & Resorts). Provided Landscape Architectural design services for a variety of amenity & recreational elements. Prepared landscape & hardscape design from concept to design development and final construction level as well as managed outside design consultants providing associated services.		
(1) TITLE AND LOCATION <i>(City and State)</i> Magic Place – Phase 1 <i>Osceola County, Florida</i>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2016 - 2020	CONSTRUCTION <i>(If applicable)</i>
c. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm In a tourist-oriented, mixed-use development located on the south side of US 192 in the Osceola County East 192 Tourist Corridor, we provided Landscape Architectural Services including landscape & irrigation design for the +/-15 acre Phase 1 entrance/ connection roadway.		
(1) TITLE AND LOCATION <i>(City and State)</i> Southern Pines <i>St. Cloud, Florida</i>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2020 - Present	CONSTRUCTION <i>(If applicable)</i>
d. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm Providing Landscape Architectural service relating to project signage, entry treatment and community amenity center including landscape hardscape & irrigation design services.		
(1) TITLE AND LOCATION <i>(City and State)</i> Thompson Grove <i>St. Cloud, Florida</i>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2020 - Present	CONSTRUCTION <i>(If applicable)</i>
e. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm Providing Landscape Architectural service relating to project signage/ water feature, entry treatment, community amenity center including landscape hardscape & irrigation design services as well as addressing the tree removal & replacement requirements per the code level landscape approvals.		

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 1
21. TITLE AND LOCATION <i>(City and State)</i> Harmony West Community Development District <i>Osceola County, Florida</i>		22. YEAR COMPLETED PROFESSIONAL SERVICES: 2018 -Current CONSTRUCTION <i>(If applicable)</i> : N/A
23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER Sunterra Communities	b. POINT OF CONTACT NAME Denver Marlow	c. POINT OF CONTACT TELEPHONE NUMBER 407-542-4909
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

The Harmony West Community Development District is a 287 acre tract that consists of 631 single family homes and three supporting recreational amenity centers. Poulos & Bennett serves as the CDD Engineer. Professional engineering services are required on a continuing basis for planning, preparing reports and plans, providing contract administration services and construction oversight, and providing designs and specifications for roadways, buffer walls, water facilities, sewer facilities, reclaimed water facilities, and stormwater management facilities. Estimated CDD construction cost of \$31750,000.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT		
(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a. Poulos & Bennett, LLC	Orlando, Florida	Civil Engineer
b. Bio-Tech Consulting, Inc.	Orlando, Florida	Environmental Consultant
c.		
d.		
e.		
f.		

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER <p style="text-align: center;">2</p>
21. TITLE AND LOCATION <i>(City and State)</i> Tohoqua Community Development District <i>Osceola County, Florida</i>	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES 2018 - Current	CONSTRUCTION <i>(If applicable)</i> N/A

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER <i>Tohoqua Development Group, LLC</i>	b. POINT OF CONTACT NAME <i>Robert L. Secrist</i>	c. POINT OF CONTACT TELEPHONE NUMBER <i>407-509-4292</i>
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

The Tohoqua Community Development District is a 784 acre mixed use development that consists of 3,220 residential units, 200 hotel rooms, and 443,720 square feet of commercial space. Poulos & Bennett serves as the CDD Engineer for the Tohoqua CDD. Professional engineering services are provided on a continuing basis for the District's capital improvements. The engineering services are related to drainage and surface water management system, waterline and accessories, sewer system, landscape/irrigation lines, roadways, and amenity facilities. Estimated CDD construction cost of \$72,000,000.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Poulos & Bennett, LLC	(2) FIRM LOCATION <i>(City and State)</i> Orlando, Florida	(3) ROLE Civil Engineer
b.	(1) FIRM NAME Bio-Tech Consulting, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Orlando, Florida	(3) ROLE Environmental Consultant
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 3
21. TITLE AND LOCATION <i>(City and State)</i> Windward Community Development District <i>Osceola County, FL</i>	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES 2017 - Current	CONSTRUCTION <i>(If applicable)</i> N/A

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER K Hovnanian at Mystic Dunes, LLC	b. POINT OF CONTACT NAME Ed Kassik	c. POINT OF CONTACT TELEPHONE NUMBER 407-452-7871
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

The Four Seasons at Orlando is a 127 acre residential development that consists of 469 residential units established as Windward CDD. Professional engineering services are required on a continuing basis for planning, preparing reports and plans, providing contract administration services and construction oversight, and providing designs and specifications for roadways, buffer walls, water facilities, sewer facilities, reclaimed water facilities, and stormwater management facilities. This totals an estimated construction cost of over \$22,700,000. Poulos & Bennett serves as the CDD engineer for the Windward CDD.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a. (1) FIRM NAME Poulos & Bennett, LLC	(2) FIRM LOCATION <i>(City and State)</i> Orlando, Florida	(3) ROLE Civil Engineer
b. (1) FIRM NAME Bio-Tech Consulting, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Orlando, Florida	(3) ROLE Environmental Consultant
c. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d. (1) FIRM NAME Allen & Company	(2) FIRM LOCATION <i>(City and State)</i> Winter Garden, Florida	(3) ROLE Land Surveyor
e. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER <p style="text-align: center;">4</p>
21. TITLE AND LOCATION <i>(City and State)</i> Storey Park Community Development District <i>Orlando, Florida</i>	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES 2013 -Current	CONSTRUCTION <i>(If applicable)</i> N/A

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Lennar Homes	b. POINT OF CONTACT NAME Brock Nicholas	c. POINT OF CONTACT TELEPHONE NUMBER 407-287-2547
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

The Storey Park Community Development District is a 1261 acre mixed-use residential and commercial development. Poulos & Bennett serves as the CDD engineer for the Storey Park CDD. Professional engineering services are required on a continuing basis for planning, preparing reports and plans, providing contract administration services and construction oversight, and providing designs and specifications for roadways, buffer walls, water facilities, sewer facilities, reclaimed water facilities, and stormwater management facilities. Estimated CDD construction cost of \$35,000,000.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Poulos & Bennett, LLC	(2) FIRM LOCATION <i>(City and State)</i> Orlando, Florida	(3) ROLE Civil Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER <p style="text-align: center;">5</p>
21. TITLE AND LOCATION <i>(City and State)</i> Tapestry Community Development District <i>Kissimmee, Florida</i>	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES 2013 - 2017	CONSTRUCTION <i>(If applicable)</i> N/A

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Mattamy Homes	b. POINT OF CONTACT NAME Keith Trace	c. POINT OF CONTACT TELEPHONE NUMBER 321-624-3126
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

The Tapestry Community Development District is a 243 acre residential development. This project consists of 1037 units of single and multi-family homes. Poulos & Bennett served as the interim CDD engineer for the Tapestry CDD. Professional engineering services are required on a continuing basis for civil engineering design, permitting, and construction management for roadway, utility and stormwater infrastructure design with an estimated construction cost of \$19,500,000.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Poulos & Bennett, LLC	(2) FIRM LOCATION <i>(City and State)</i> Orlando, Florida	(3) ROLE Civil Engineer
b.	(1) FIRM NAME Bio-Tech Consulting, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Orlando, Florida	(3) ROLE Environmental Consultant
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 6
21. TITLE AND LOCATION <i>(City and State)</i> Sunbridge Northeast District <i>Osceola County, FL</i>		22. YEAR COMPLETED PROFESSIONAL SERVICES 2017 CONSTRUCTION <i>(If applicable)</i> N/A

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Tavistock Development	b. POINT OF CONTACT NAME Clint Beaty	c. POINT OF CONTACT TELEPHONE NUMBER 407-909-9917
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

Sunbridge Northeast District is a 19,140 acre mixed use residential and commercial development located in Osceola County, Florida. Project scope includes Master Drainage Plan, Master Utility Plan, Lake Navigation Plan, Civil support design services associated with a new Water and Wastewater Treatment plant, Transportation Corridor Design Studies, Design and Permitting of Utility Transmission mains, Roadways, and Residential and Commercial Developments. The project includes permitting through the following agencies Osceola County, Toho Water Authority, South Florida Water Management District, Army Corp. of Engineers, City of St. Cloud, Florida Department of Environmental Protection. Estimated Construction Cost over \$800,000,000.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Poulos & Bennett, LLC	(2) FIRM LOCATION <i>(City and State)</i> Orlando, Florida	(3) ROLE Civil Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME Allen & Company	(2) FIRM LOCATION <i>(City and State)</i> Winter Garden, Florida	(3) ROLE Land Surveyor
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER <p style="text-align: center;">7</p>		
21. TITLE AND LOCATION <i>(City and State)</i> Four Seasons at Orlando - Tract C <i>Osceola County, Florida</i>		22. YEAR COMPLETED <table border="1"> <tr> <td>PROFESSIONAL SERVICES 2017</td> <td>CONSTRUCTION <i>(If applicable)</i> N/A</td> </tr> </table>	PROFESSIONAL SERVICES 2017	CONSTRUCTION <i>(If applicable)</i> N/A
PROFESSIONAL SERVICES 2017	CONSTRUCTION <i>(If applicable)</i> N/A			
23. PROJECT OWNER'S INFORMATION				
a. PROJECT OWNER <i>K Hovnanian at Mystic Dunes, LLC</i>	b. POINT OF CONTACT NAME <i>Ed Kassik</i>	c. POINT OF CONTACT TELEPHONE NUMBER <i>407-452-7871</i>		
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>				

Poulos & Bennett prepared construction plans and provided permitting services for the 22-acre Four Seasons of Orlando - Tract C project, which consists of 105 detached single family residential units and associated infrastructure, with a construction cost of \$2,320,000. This project required coordination with both Toho Water Authority and Osceola County.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT		
(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a. Poulos & Bennett, LLC	Orlando, Florida	Civil Engineer
b. Bio-Tech Consulting, Inc.	Orlando, Florida	Environmental Consultant
c.		
d. Allen & Company	Winter Garden, Florida	Land Surveyor
e.		
f.		

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER <p style="text-align: center;">8</p>		
21. TITLE AND LOCATION <i>(City and State)</i> Four Seasons at Orlando - Tract D <i>Osceola County, Florida</i>		22. YEAR COMPLETED <table border="1"> <tr> <td>PROFESSIONAL SERVICES N/A</td> <td>CONSTRUCTION <i>(If applicable)</i> N/A</td> </tr> </table>	PROFESSIONAL SERVICES N/A	CONSTRUCTION <i>(If applicable)</i> N/A
PROFESSIONAL SERVICES N/A	CONSTRUCTION <i>(If applicable)</i> N/A			
23. PROJECT OWNER'S INFORMATION				
a. PROJECT OWNER <i>K Hovnanian at Mystic Dunes, LLC</i>	b. POINT OF CONTACT NAME <i>Ed Kassik</i>	c. POINT OF CONTACT TELEPHONE NUMBER <i>407-452-7871</i>		
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>				

Poulos & Bennett is preparing construction plans and providing permitting services for the 31-acre Four Seasons of Orlando - Tract D project, which consists of 136 detached single family residential units and associated infrastructure, with an estimated construction cost of \$2,600,000. This project required coordination with both Toho Water Authority and Osceola County.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT		
(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a. Poulos & Bennett, LLC	Orlando, Florida	Civil Engineer
b. Bio-Tech Consulting, Inc.	Orlando, Florida	Environmental Consultant
c.		
d. Allen & Company	Winter Garden, Florida	Land Surveyor
e.		
f.		

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER <p style="text-align: center;">9</p>
21. TITLE AND LOCATION <i>(City and State)</i> Tohoqua Master Drainage Plan <i>Osceola County, Florida</i>	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES 2016 -2017	CONSTRUCTION <i>(If applicable)</i> N/A

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER <i>Tohoqua Development Group, LLC</i>	b. POINT OF CONTACT NAME <i>Robert L. Secrist</i>	c. POINT OF CONTACT TELEPHONE NUMBER <i>407-509-4292</i>
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

This project consisted of the design and permitting of the Master Stormwater Management Plan for the 784 Acre Tohoqua development. The project was permitted through Osceola County and the South Florida Water Management District. Design calculations included water quality treatment, design storm flood attenuation and 100 year floodplain compensating storage calculations.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Poulos & Bennett, LLC	(2) FIRM LOCATION <i>(City and State)</i> Orlando, Florida	(3) ROLE Civil Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER <p style="text-align: center;">10</p>
21. TITLE AND LOCATION <i>(City and State)</i> Tohoqua Master Utility Plan <i>Osceola County, Florida</i>	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES 2016 -2018	CONSTRUCTION <i>(If applicable)</i> N/A

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER <i>Tohoqua Development Group, LLC</i>	b. POINT OF CONTACT NAME <i>Robert L. Secrist</i>	c. POINT OF CONTACT TELEPHONE NUMBER <i>407-509-4292</i>
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

The Tohoqua Master Utility Plan consisted of the design and permitting for the 784 acre mixed use development comprised of 3,220 residential units, 200 hotel rooms, and 443,720 square feet of commercial space. Professional engineering services provided for the Master Utility Plan consisted of hydraulic calculations including sizing water and reclaimed water distribution mains throughout the project as well as off-site mains serving the project. The master utility plan also included the design of three master lift stations and forcemains to serve the buildout of the project. The project was permitted through the City of St. Cloud. The cost of design was \$68,000,000.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Poulos & Bennett, LLC	(2) FIRM LOCATION <i>(City and State)</i> Orlando, Florida	(3) ROLE Civil Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

G. KEY PERSONNEL PARTICIPATION IN EXAMPLE PROJECTS

26. NAMES OF KEY PERSONNEL <i>(From Section E, Block 12)</i>	27. ROLE IN THIS CONTRACT <i>(From Section E, Block 13)</i>	28. EXAMPLE PROJECTS LISTED IN SECTION F <i>(Fill in "Example Projects Key" section below before completing table. Place "X" under project key number for participation in same or similar role.)</i>									
		1	2	3	4	5	6	7	8	9	10

29. EXAMPLE PROJECTS KEY

NUMBER	TITLE OF EXAMPLE PROJECT <i>(From Section F)</i>	NUMBER	TITLE OF EXAMPLE PROJECT <i>(From Section F)</i>
1		6	
2		7	
3		8	
4		9	
5		10	

H. ADDITIONAL INFORMATION

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

4) WILLINGNESS TO MEET TIME AND BUDGET REQUIREMENTS

A key to successful execution of a complex project is understanding the regulatory process, developing a strategic, comprehensive project schedule and managing tasks to that schedule. When approaching projects, Poulos & Bennett is a schedule-focused company that develops comprehensive project schedules outlining the regulatory process, milestones and critical paths to achieve the desired outcome. These schedules help provide an overall "road map" that actively guides the design, development, and permitting of the overall engineering services for Osceola Village Center CDD. This approach supports the project management system from start to finish. A well-managed and maintained project schedule enables the design and permitting to proceed more effectively and efficiently. Poulos & Bennett prides itself on developing, implementing and managing complex comprehensive project schedules to the direct benefit of our clients.

Doing much of our work in the private sector has required us to be extremely sensitive to costs and budgets, and to especially understand the need for clear schedules to which we strongly adhere. To enhance our firm's services, we have established a Development Services group, one of whose primary functions is to provide cost estimates to our clients. We do this continuously from very early planning level estimates in the Due Diligence stages of project development and programming, to the final bid and award stages of project implementation wherein we estimate bids in great detail in preparation for evaluating contractor bids.

The Poulos & Bennett team has the experience, and workload capacity to begin immediately carrying out the Engineering Services necessary for the success of the Osceola CDD. Our staff of 64 team members, including 30 engineers, 5 planners, 6 CAD designers, 6 development services personnel, and 10 highly valuable support staff, are all located in our Orlando Office. Regarding our past performance, Poulos & Bennett is serving and has served as CDD engineers for multiple projects in Osceola County. We have extensive proven expertise in all facets of analysis, design and permitting that will be undertaken within engineering services for the Osceola CDD.

5) CERTIFIED MINORITY BUSINESS ENTERPRISE

Poulos & Bennett, LLC is not a certified Minority Business Enterprise.

6) RECENT, CURRENT AND PROJECTED WORKLOADS

As previously stated, the Poulos & Bennett team has the experience, and workload capacity to begin immediately carrying out the Engineering Services necessary for the success of the Osceola Village Center Community Development District. Our highly experienced local staff is poised and ready to take ownership of the project and possesses a long-term interest in the success of this new district. See below a current project matrix of our designated Osceola CDD Principal-In-Charge and Project Manager:

PROJECT LEADS	RECENT, CURRENT AND PROJECTED WORKLOADS
R. Lance Bennett, PE Principal-In-Charge	Tohoqua Four Seasons at Orlando Storey Park Tapestry Parcel 8 Sunbridge
Steve Saha, PE, Project Manager	Tohoqua Four Seasons at Orlando

7) VOLUME OF WORK PREVIOUSLY AWARDED TO CONSULTANT BY DISTRICT

Poulos & Bennett, LLC has never previously been awarded any volume of work by Osceola CDD.

31. SIGNATURE

Lance Bennett

32. DATE

4/30/2021

33. NAME AND TITLE

R. Lance Bennett, PE – Principal-In-Charge

ARCHITECT-ENGINEER QUALIFICATIONS

1. SOLICITATION NUMBER *(If any)*

PART II - GENERAL QUALIFICATIONS

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

2a. FIRM (OR BRANCH OFFICE) NAME Poulos & Bennett, LLC			3. YEAR ESTABLISHED 2011	4. DUNS NUMBER 944868202
2b. STREET 2602 E. Livingston St.			5. OWNERSHIP	
2c. CITY Orlando			2d. STATE FL	2e. ZIP CODE 32803
6a. POINT OF CONTACT NAME AND TITLE R. Lance Bennett, PE – Principal-In-Charge			a. TYPE Limited Liability Corporation	
6b. TELEPHONE NUMBER (407) 487-2594		6c. E-MAIL ADDRESS lbennett@poulosandbennett.com		
8a. FORMER FIRM NAME(S) <i>(If any)</i> PoulosBrown, LLC			8b. YR. ESTABLISHED 2009	8c. DUNS NUMBER 944868202
7. NAME OF FIRM <i>(If block 2a is a branch office)</i>				

9. EMPLOYEES BY DISCIPLINE

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

a. Function Code	b. Discipline	c. No. of Employees		a. Profile Code	b. Experience	c. Revenue Index
		(1) FIRM	(2) BRANCH			
02	Administrative	10		C05	Childcare/Development Facilities	1
08	CADD Technician	6		C06	Churches; Chapels	2
12	Civil Engineer	30		C10	Commercial Building; Shopping Ctrs	5
16	Construction Manager	6		C15	Construction Management	6
47	Planner: Urban/Regional	5		E02	Educational Facilities; Classrooms	1
				E12	Environmental Remediation	1
				H07	Highways; Streets; Parking Lots	6
				H09	Hospital & Medical Facilities	4
				H10	Hotels; Motels	4
				H11	Housing (Residential, Multi, Apts.)	8
				P05	Planning (Community, Regional, Area wide, and State)	1
				P06	Planning (Site, Installation, and Project)	3
				P12	Power Generation, Transmission	5
				R04	Recreation Facilities (parks, Etc.)	1
				S04	Sewage Collection, Treatment, and Disposal	2
				S10	Surveying; Platting; Mapping; Flood Plain Studies	2
				S13	Stormwater Handling and Facilities	1
				W03	Water Supply; Treatment and Distribution	2
	Other Employees	7		Z01	Zoning; Land use Studies	2
Total		64				

11. ANNUAL AVERAGE PROFESSIONAL SERVICES REVENUES OF FIRM FOR LAST 3 YEARS
(Insert revenue index number shown at right)

PROFESSIONAL SERVICES REVENUE INDEX NUMBER

- | | |
|---|---|
| 1. Less than \$100,000 | 6. \$2 million to less than \$5 million |
| 2. \$100,00 to less than \$250,000 | 7. \$5 million to less than \$10 million |
| 3. \$250,000 to less than \$500,000 | 8. \$10 million to less than \$25 million |
| 4. \$500,000 to less than \$1 million | 9. \$25 million to less than \$50 million |
| 5. \$1 million to less than \$2 million | 10. \$50 million or greater |

a. Federal Work	N/A
b. Non-Federal Work	8
c. Total Work	8

12. AUTHORIZED REPRESENTATIVE

The foregoing is a statement of facts.

a. SIGNATURE 	b. DATE 4/30/2021
c. NAME AND TITLE R. Lance Bennett - Principal	

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

8D

**Osceola Village Center Community Development District
Request for Qualifications – District Engineering Services**

Competitive Selection Criteria

	Ability and Adequacy of Professional Personnel	Consultant's Past Performance	Geographic Location	Willingness to Meet Time and Budget Requirements	Certified Minority Business Enterprise	Recent, Current and Projected Workloads	Volume of Work Previously Awarded to Consultant by District	TOTAL SCORE
<i>weight factor</i>	25	25	20	15	5	5	5	100
	NAME OF RESPONDENT							
1	Poulos & Bennett							

Board Member's Signature

Date

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

9

RESOLUTION 2021-33

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT TO RE-DESIGNATE DATE, TIME AND PLACE OF PUBLIC HEARING AND AUTHORIZATION TO PUBLISH NOTICE OF SUCH HEARING FOR THE PURPOSE OF ADOPTING RULES OF PROCEDURE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Osceola Village Center Community Development District (hereinafter the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Kissimmee, Florida; and

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

WHEREAS, the Board previously adopted Resolution 2021-12 on March 31, 2021, designating the date, time and location of the public hearing.

WHEREAS, the Board desires to rescind Resolution 2021-21 and re-designate the date, time and location of the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT:

Section 1. A Public Hearing will be held to adopt Rules of Procedure on June 14, 2021, at 11:00 a.m., at the Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyns Heath Road, Kissimmee, Florida 34746. The Board hereby rescinds Resolution 2021-12, adopted on March 31, 2021.

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

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

PASSED AND ADOPTED this 10th day of May, 2021.

ATTEST:

**OSCEOLA VILLAGE CENTER COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

9A

**RULES OF PROCEDURE
OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT**

EFFECTIVE AS OF _____, 2021

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Rule 1.0 General.

- (1) The Osceola Village Center 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 (877) 276-0889. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770 or 1 (800) 955-8771, who can aid you in contacting the District Office."
 - (e) The following or substantially similar language: "A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings

is made including the testimony and evidence upon which the appeal is to be based.”

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

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

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

Supervisor's requests and comments
Public comment
Adjournment

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

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

discuss pending litigation to which the District is a party before a court or administrative agency or as may be authorized by law. The District's attorney must request such session at a public meeting. Prior to holding the Attorney-Client Session, the District must give reasonable public notice of the time and date of the session and the names of the persons anticipated to attend the session. The session must commence at an open meeting in which the Chairperson or Vice-Chairperson announces the commencement of the session, the estimated length of the session, and the names of the persons who will be attending the session. The discussion during the session is confined to settlement negotiations or strategy related to litigation expenses or as may be authorized by law. Only the Board, the District's attorneys (including outside counsel), the District Manager, and the court reporter may attend an Attorney-Client Session. During the session, no votes may be taken and no final decisions concerning settlement can be made. Upon the conclusion of the session, the public meeting is reopened, and the Chairperson or Vice-Chairperson must announce that the session has concluded. The session must be transcribed by a court-reporter and the transcript of the session filed with the District Secretary within a reasonable time after the session. The transcript shall not be available for public inspection until after the conclusion of the litigation.

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

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

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

Rule 1.4 Internal Controls to Prevent Fraud, Waste and Abuse

(1) Internal Controls. The District shall establish and maintain internal controls designed to:

- (a) Prevent and detect “fraud,” “waste” and “abuse” as those terms are defined in section 11.45(1), Florida Statutes; and
- (b) Promote and encourage compliance with applicable laws, rules contracts, grant agreements, and best practices; and
- (c) Support economical and efficient operations; and
- (d) Ensure reliability of financial records and reports; and
- (e) Safeguard assets.

(2) Adoption. The internal controls to prevent fraud, waste and abuse shall be adopted and amended by the District in the same manner as District policies.

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

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

Rule 2.0 Rulemaking Proceedings.

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

120.541(1), must do so in writing within twenty-one (21) days after publication of the notice. The notice shall additionally include a statement that any affected person may request a public hearing by submitting a written request within twenty-one (21) days after the date of publication of the notice. Except when intended action is the repeal of a rule, the notice shall include a reference to both the date on which and the place where the Notice of Rule Development required by section (2) of this Rule appeared.

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

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

- (9) Negotiated Rulemaking. The District may use negotiated rulemaking in developing and adopting rules pursuant to Section 120.54(2)(d) of the Florida Statutes, except that any notices required under Section 120.54(2)(d) of the Florida Statutes, may be published in a newspaper of general circulation in the county in which the District is located.
- (10) Rulemaking Record. In all rulemaking proceedings, the District shall compile and maintain a rulemaking record. The record shall include, if applicable:
- (a) The texts of the proposed rule and the adopted rule;
 - (b) All notices given for a proposed rule;
 - (c) Any statement of estimated regulatory costs for the rule;
 - (d) A written summary of hearings, if any, on the proposed rule;
 - (e) All written comments received by the District and responses to those written comments; and
 - (f) All notices and findings pertaining to an emergency rule.
- (11) Petitions to Challenge Existing Rules.
- (a) Any person substantially affected by a rule may seek an administrative determination of the invalidity of the rule on the ground that the rule is an invalid exercise of the District's authority.
 - (b) The petition seeking an administrative determination must state with particularity the provisions alleged to be invalid with sufficient explanation of the facts or grounds for the alleged invalidity and facts sufficient to show that the person challenging a rule is substantially affected by it.
 - (c) The petition shall be filed with the District. Within 10 days after receiving the petition, the Chairperson shall, if the petition complies with the requirements of subsection (b) of this section, designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer who shall conduct a hearing within 30 days thereafter, unless the petition is withdrawn or a continuance is granted by agreement of the parties. The failure of the District to follow the applicable rulemaking procedures or requirements in this Rule shall be presumed to be material; however, the District may rebut this

presumption by showing that the substantial interests of the petitioner and the fairness of the proceedings have not been impaired.

- (d) Within 30 days after the hearing, the hearing officer shall render a decision and state the reasons therefor in writing.
 - (e) Hearings held under this section shall be de novo in nature. The petitioner has a burden of proving by a preponderance of the evidence that the existing rule is an invalid exercise of District authority as to the objections raised. The hearing officer may:
 - (i) Administer oaths and affirmations;
 - (ii) Rule upon offers of proof and receive relevant evidence;
 - (iii) Regulate the course of the hearing, including any pre-hearing matters;
 - (iv) Enter orders; and
 - (v) Make or receive offers of settlement, stipulation, and adjustment.
 - (f) The petitioner and the District shall be adverse parties. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (12) Variations and Waivers. A “variance” means a decision by the District to grant a modification to all or part of the literal requirements of a rule to a person who is subject to the rule. A “waiver” means a decision by the District not to apply all or part of a rule to a person who is subject to the rule. Variations and waivers from District rules may be granted subject to the following:
- (a) Variations and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person, and when application of the rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver. For purposes of this section, "principles of fairness" are violated when the literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule.

- (b) A person who is subject to regulation by a District Rule may file a petition with the District, requesting a variance or waiver from the District's Rule. Each petition shall specify:
 - (i) The rule from which a variance or waiver is requested;
 - (ii) The type of action requested;
 - (iii) The specific facts that would justify a waiver or variance for the petitioner; and
 - (iv) The reason why the variance or the waiver requested would serve the purposes of the underlying statute.
 - (c) The District shall review the petition and may request only that information needed to clarify the petition or to answer new questions raised by or directly related to the petition. If the petitioner asserts that any request for additional information is not authorized by law or by Rule of the District, the District shall proceed, at the petitioner's written request, to process the petition.
 - (d) The Board shall grant or deny a petition for variance or waiver and shall announce such disposition at a publicly held meeting of the Board, within ninety (90) days after receipt of the original petition, the last item of timely requested additional material, or the petitioner's written request to finish processing the petition. The District's statement granting or denying the petition shall contain a statement of the relevant facts and reasons supporting the District's action.
- (13) Rates, Fees, Rentals and Other Charges. All rates, fees, rentals, or other charges shall be subject to rulemaking proceedings. Policies adopted by the District which do not consist of rates, fees, rentals or other charges may be, but are not required to be, implemented through rulemaking proceedings.

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

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

Rule 3.0 Competitive Purchase.

- (1) Purpose and Scope. In order to comply with Sections 190.033(1) through (3), 287.055 and 287.017 of the Florida Statutes, the following provisions shall apply to the purchase of Professional Services, insurance, construction contracts, design-build services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Board Authorization. Except in cases of an Emergency Purchase, a competitive purchase governed by these Rules shall only be undertaken after authorization by the Board.
- (3) Definitions.
 - (a) “Competitive Solicitation” means a formal, advertised procurement process, other than an Invitation to Bid, Request for Proposals, or Invitation to Negotiate, approved by the Board to purchase commodities and/or services which affords vendors fair treatment in the competition for award of a District purchase contract.
 - (b) “Continuing Contract” means a contract for Professional Services entered into in accordance with Section 287.055 of the Florida Statutes, between the District and a firm, whereby the firm provides Professional Services to the District for projects in which the costs do not exceed four million dollars (\$4,000,000), for a study activity when the fee for such Professional Services to the District does not exceed five hundred thousand dollars (\$500,000), 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:
 - (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.
- (2) Procedure.

- (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 _____, 2021, 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.

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

9B

**NOTICE OF RULE DEVELOPMENT BY THE
OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT**

In accord with Chapters 120 and 190, *Florida Statutes*, the Osceola Village Center Community Development District (“**District**”) hereby gives notice of its intention to develop Rules of Procedure to govern the operations of the District.

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

The purpose and effect of the Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with recent changes to Florida law. The legal authority for the adoption of the proposed Rules of Procedure includes sections 190.011(5), 190.011(15) and 190.035, *Florida Statutes* (2020). The specific laws implemented in the Rules of Procedure include, but are not limited to, sections 112.08, 112.3143, 112.31446, 112.3145, 119.07, 119.0701, 189.053, 189.069(2)(a)16, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.0113, 286.0114, 287.017, 287.055 and 287.084, *Florida Statutes* (2020).

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager, c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Phone: (877) 276-0889.

District Manager
Osceola Village Center Community Development District

PUBLISH: [AT LEAST 29 DAYS PRIOR TO ADOPTION DATE; AT LEAST ONE DAY PRIOR TO NOTICE OF RULEMAKING]

**NOTICE OF RULEMAKING REGARDING THE RULES OF PROCEDURE OF THE
OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT**

A public hearing will be conducted by the Board of Supervisors of the Osceola Village Center Community Development District ("District") on June 14, 2021 at 11:00 a.m., at the Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, FL 34746.

In accord with Chapters 120 and 190, Florida Statutes, the District hereby gives the public notice of its intent to adopt its proposed Rules of Procedure. The purpose and effect of the proposed Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with recent changes to Florida law. Prior notice of rule development was published in the Osceola News-Gazette on May 6, 2021.

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

Specific legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes (2020). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 112.31446, 112.3145, 119.07, 119.0701, 189.053, 189.069(2)(a)16, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.0113, 286.0114, 287.017, 287.055 and 287.084, Florida Statutes (2020).

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager's Office at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, or by calling (877) 276-0889.

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8771 or 1-800-955-8770 for aid in contacting the District Office.

District Manager
Osceola Village Center Community Development District

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

10

RESOLUTION 2021-06

A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE PRIMARY ADMINISTRATIVE OFFICE AND PRINCIPAL HEADQUARTERS OF THE DISTRICT; DESIGNATING THE LOCATION OF THE LOCAL DISTRICT RECORDS OFFICE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Osceola Village Center Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Kissimmee, Florida; and

WHEREAS, the District desires to designate its primary administrative office as the location where the District’s public records are routinely created, sent, received, maintained, and requested, for the purposes of prominently posting the contact information of the District’s Record’s Custodian in order to provide citizens with the ability to access the District’s records and ensure that the public is informed of the activities of the District in accordance with Chapter 119, *Florida Statutes*; and

WHEREAS, the District also desires to specify the location of the District’s principal headquarters for the purpose of establishing proper venue under the common law home venue privilege applicable to the District; and

WHEREAS, the District is statutorily required to designate a local district records office location for the purposes of affording citizens the ability to access the District’s records, promoting the disclosure of matters undertaken by the District, and ensuring that the public is informed of the activities of the District in accordance with Chapter 119 and Section 190.006(7), *Florida Statutes*.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The District’s primary administrative office for purposes of Chapter 119, Florida Statutes, shall be located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

SECTION 2. The District’s principal headquarters for purposes of establishing proper venue in Osceola County shall be located at _____.

SECTION 3. The District’s local records office shall be located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

SECTION 4. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ day of _____, 2021.

ATTEST:

**OSCEOLA VILLAGE CENTER COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/ Vice Chair, Board of Supervisors

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

11

RESOLUTION 2021-14

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT ADOPTING THE ANNUAL MEETING SCHEDULE FOR FISCAL YEAR 2020-2021; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the District is required by Section 189.015, *Florida Statutes*, to file quarterly, semi-annually, or annually a schedule (including date, time, and location) of its regular meetings with local governing authorities; and

WHEREAS, further, in accordance with the above-referenced statute, the District shall also publish quarterly, semi-annually, or annually the District’s regular meeting schedule in a newspaper of general paid circulation within the county in which the District is located.

WHEREAS, the Board desires to adopt the Fiscal Year 2020-2021 annual meeting schedule attached as **Composite Exhibit A**.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT:

1. The Fiscal Year 2020-2021 annual meeting schedule attached hereto and incorporated by reference herein as **Composite Exhibit A** is hereby approved and will be published in accordance with the requirements of Florida law and will also be provided to applicable governing authorities.
2. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 10th day of May, 2021.

ATTEST:

OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Composite Exhibit A: Fiscal Year 2020-2021 Annual Meeting Schedule

Composite Exhibit A: Fiscal Year 2020-2021 Annual Meeting Schedule

**BOARD OF SUPERVISORS MEETING SCHEDULE
OSCEOLA VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT
FOR FISCAL YEAR 2020-2021**

The Board of Supervisors (“Board”) of the Osceola Village Center Community Development District (“District”) will hold their regular meetings for the remainder of Fiscal Year 2020-2021 at the _____
at __:__ a./p.m., unless otherwise indicated as follows:

June 14, 2021 at 11:00 AM [Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, Florida 34746]

July __, 2021

August __, 2021

September __, 2021

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 meetings. A copy of the agenda for these meetings may be obtained from Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 or by calling (877) 276-0889.

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 the meetings because of a disability or physical impairment should contact the District Office at (877) 276-0889 at least 48 hours prior to the meetings. 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 meetings 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.

Craig Wrathell
District Manager

**OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

12

DRAFT

**MINUTES OF MEETING
OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

The Osceola Village Center Community Development District held an Organizational Meeting on March 31, 2021 at 11:00 a.m., at the Kissimmee/Osceola County Chamber of Commerce, located at 1425 E. Vine Street, Kissimmee, Florida 34744.

Present were:

Eric Marks	Chair
Richard "Dick" Jerman	Vice Chair
Marybel DeFillo (via telephone)	Assistant Secretary
Denver Marlow	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Tucker Mackie	District Counsel
Deborah Sier (via telephone)	Hopping Green & Sams, P.A.
R. Lance Bennett (via telephone)	Interim District Engineer
Jennifer LaRocco (via telephone)	Bond Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 11:02 a.m. The petition creating the District named the initial Board Members. Mr. Jerman, Mr. Marks and Mr. Marlow were present. Ms. DeFillo was attending via telephone. Mr. Mark Molina was not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

GENERAL DISTRICT ITEMS

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Initial Board of Supervisors *(the following will also be provided in a separate package)*

39 Mr. Wrathell a Notary of the State of Florida and duly authorized, administered the Oath
 40 of Office to Mr. Jerman, Mr. Marks and Mr. Marlow. As Ms. DeFillo was attending via
 41 telephone, she was asked to have a Notary at her location administer the Oath of Office and
 42 return the notarized Oath to the District Manager’s office. As Mr. Molina was not present, the
 43 Oath of Office would be administered at the next meeting.

- 44 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- 45 **B. Membership, Obligations and Responsibilities**
- 46 **C. Chapter 190, Florida Statutes**
- 47 **D. Financial Disclosure Forms**
 - 48 **I. Form 1: Statement of Financial Interests**
 - 49 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - 50 **III. Form 1F: Final Statement of Financial Interests**
- 51 **E. Form 8B: Memorandum of Voting Conflict**

52 Mr. Wrathell discussed filing Form 1 within 30 days, to avoid fines. He recommended
 53 that Supervisors use their assigned District email address and maintain computer and other files
 54 for all CDD business separate from their personal email addresses and files.

55 Ms. Mackie encouraged the Board Members to contact District Staff with any questions
 56 regarding communicating with each other about matters unrelated to District business outside
 57 of a public meeting. Mr. Wrathell and Ms. Mackie discussed the Memorandum of Voting
 58 Conflict. Due to legislation discussions, Staff was looking into preparing a Continuing
 59 Memorandum of Voting Conflict to declare that a conflict exists. It was noted that it is not a
 60 conflict for the Landowners’ Representatives to serve on the Board and vote on matters
 61 benefitting the Landowner. Ms. Mackie would advise the Board at the Landowners’ election.

62

<p>63 FOURTH ORDER OF BUSINESS</p> <p>64</p> <p>65</p> <p>66</p> <p>67</p> <p>68</p> <p>69</p> <p>70</p>	<p>Consideration of Resolution 2021-01,</p> <p>Designating a Chair, a Vice Chair, a</p> <p>Secretary, Assistant Secretaries, a</p> <p>Treasurer and an Assistant Treasurer of the</p> <p>Osceola Village Center Community</p> <p>Development District, and Providing for an</p> <p>Effective Date</p>
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71 Mr. Wrathell presented Resolution 2021-01. Mr. Marks nominated the following slate of
72 officers:

- 73 Chair Eric Marks
- 74 Vice Chair Richard "Dick" Jerman
- 75 Secretary Craig Wrathell
- 76 Assistant Secretary Denver Marlow
- 77 Assistant Secretary Marybel DeFillo
- 78 Assistant Secretary _____
- 79 Treasurer Craig Wrathell
- 80 Assistant Treasurer Jeff Pinder

81 No other nominations were made. The nominated Board would be inserted into the
82 Resolution. Mr. Molina was omitted until he is elected to a position at the next meeting.

83

84 **On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor,**
 85 **Resolution 2021-01, Designating a Chair, a Vice Chair, a Secretary, Assistant**
 86 **Secretaries, a Treasurer and an Assistant Treasurer of the Osceola Village**
 87 **Center Community Development District, as nominated, and Providing for an**
 88 **Effective Date, was adopted.**

89

90

91 **ORGANIZATIONAL MATTERS**

92 **FIFTH ORDER OF BUSINESS**

**Consideration of the Following
Organizational Matters:**

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95 **A. Resolution 2021-02, Appointing and Fixing the Compensation of the District Manager;**
96 **Appointing a Methodology Consultant; and Providing an Effective Date**

- 97 • **Agreement for District Management Services: *Wrathell, Hunt and Associates,***
98 ***LLC***

99 Mr. Wrathell presented Resolution 2021-02. The annual fee for "District Management,
100 Recording, Financial Accounting and Assessment Roll Services" would be \$45,000.

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On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor, Resolution 2021-02, Appointing and Fixing the Compensation of Wrathell, Hunt and Associates, LLC, as the District Manager; Appointing as Methodology Consultant; and Providing an Effective Date, was adopted.

B. Resolution 2021-03, Appointing District Counsel for the District, and Authorizing Compensation and Providing for an Effective Date

- **Fee Agreement: *Hopping Green & Sam, P.A.***

Mr. Wrathell presented Resolution 2021-03. Ms. Tucker introduced Ms. Deborah Sier, the Associate assigned to work with the District. It was noted that her rate is \$250 per hour, as this was omitted from Section IVB of the Fee Agreement.

On MOTION by Mr. Jerman and seconded by Mr. Marks, with all in favor, Resolution 2021-03, Appointing Hopping Green & Sams, P.A., as District Counsel for the District, and Authorizing Compensation and Providing for an Effective Date, was adopted.

C. Resolution 2021-04, Designating a Registered Agent and Registered Office of the District and Providing for an Effective Date

Mr. Wrathell presented Resolution 2021-04.

On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor, Resolution 2021-04, Designating Tucker F. Mackie as Registered Agent and the Offices of Hopping Green & Sams P.A., 119 South Monroe Street, Suite 300, Tallahassee, Florida 32301, as the Registered Office of the District, and Providing for an Effective Date, was adopted.

D. Resolution 2021-05, Appointing and Fixing the Compensation of the Interim District Engineer and Providing an Effective Date

- **Interim Engineering Services Agreement: Poulos & Bennett**

136 Mr. Wrathell presented Resolution 2021-05 and the Poulos & Bennett Interim
137 Engineering Services Agreement and Fee Schedule. The District must appoint an Interim District
138 Engineer and go through the Request for Qualifications (RFQ) process, per Florida Statute.

139

On MOTION by Mr. Jerman and seconded by Mr. Marks, with all in favor, Resolution 2021-05, Appointing and Fixing the Compensation of Poulos & Bennett, as the Interim District Engineer and Providing an Effective Date, was adopted.

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146 **E. Authorization of Request for Qualifications (RFQ) for Engineering Services**

147 Mr. Wrathell presented the RFQ for Engineering Services and the Competitive Selection
148 Criteria.

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On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor, the Request for Qualifications for Engineering Services and Competitive Selection Criteria and authorizing Staff to advertise, was approved.

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155 **F. Board Member Compensation: 190.006 (8), F.S.**

156 Board Members declined compensation.

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On MOTION by Mr. Jerman and seconded by Mr. Marks, with all in favor, declining Board Member Compensation, was approved.

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162 **G. Resolution 2021-06, Designating the Primary Administrative Office and Principal
163 Headquarters of the District; Designating the Location of the Local District Records
164 Office; and Providing an Effective Date**

165 This item was deferred to the next meeting.

166 **H. Resolution 2021-07, Setting Forth the Policy of the Osceola Village Center Community
167 Development District Board of Supervisors with Regard to the Support and Legal
168 Defense of the Board of Supervisors and District Officers and Providing for an Effective
169 Date**

170 Mr. Wrathell presented Resolution 2021-07.

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172 **On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor,**
173 **Resolution 2021-07, Setting Forth the Policy of the Osceola Village Center**
174 **Community Development District Board of Supervisors with Regard to the**
175 **Support and Legal Defense of the Board of Supervisors and District Officers**
176 **and Providing for an Effective Date**

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- 179 • **Authorization to Obtain General Liability and Public Officers’ Insurance**

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181 **On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor,**
182 **authorizing Staff to obtain General Liability and Public Officers’ insurance, was**
183 **approved.**

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- 186 **I. Resolution 2021-08, Providing for the Public’s Opportunity to Be Heard; Designating**
187 **Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be**
188 **Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for**
189 **Severability and an Effective Date**

190 Mr. Wrathell presented Resolution 2021-08.

191

192 **On MOTION by Mr. Jerman and seconded by Mr. Marks, with all in favor,**
193 **Resolution 2021-08, Providing for the Public’s Opportunity to Be Heard;**
194 **Designating Public Comment Periods; Designating a Procedure to Identify**
195 **Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing**
196 **Exceptions; and Providing for Severability and an Effective Date, was adopted.**

197

198

- 199 **J. Resolution 2021-09, Providing for the Appointment of a Records Management Liaison**
200 **Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a**
201 **Records Retention Policy; and Providing for Severability and an Effective Date**

202 Mr. Wrathell presented Resolution 2021-09.

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On MOTION by Mr. Jerman and seconded by Mr. Marks, with all in favor, Resolution 2021-09, Providing for the Appointment of Wrathell, Hunt and Associates, LLC, as the Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and an Effective Date, was adopted.

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212 **K. Resolution 2021-10, Granting the Chairman the Authority to Execute Real and**
213 **Personal Property Conveyance and Dedication Documents, Plats and Other**
214 **Documents Related to the Development of the District’s Improvements; Approving**
215 **the Scope and Terms of Such Authorization; Providing for Severability Clause; and**
216 **Providing an Effective Date**

217 Mr. Wrathell presented Resolution 2021-10.

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On MOTION by Mr. Jerman and seconded by Mr. Marks, with all in favor, Resolution 2021-10, Granting the Chairman the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date, was adopted.

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226

227 **L. Resolution 2021-11, Authorizing the Filing of the Notice of Establishment for the**
228 **Osceola Village Center Community Development District, and Providing for an**
229 **Effective Date**

230 Mr. Wrathell presented Resolution 2021-11.

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On MOTION by Mr. Jerman and seconded by Mr. Marks, with all in favor, Resolution 2021-11, Authorizing the Filing of the Notice of Establishment for the Osceola Village Center Community Development District, and Providing for an Effective Date, was adopted.

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237

238 **M. Authorization of Request for Proposals (RFP) for Annual Audit Services**

- 239 • **Designation of Board of Supervisors as Audit Committee**

240 Mr. Wrathell presented the Request for Proposals (RFP) For Annual Audit Services.

241

242 **On MOTION by Mr. Marlow and seconded by Mr. Jerman, with all in favor,**
243 **authorizing the District Manager to advertise the Request for Proposals for**
244 **Annual Audit Services, designating the Board of Supervisors as the Audit**
245 **Selection Committee and accepting the ranking criteria, was approved.**

246

247

248 **N. Strange Zone, Inc., Quotation #M21-1002 for District Website Design, Maintenance**
249 **and Domain**

250 Mr. Wrathell presented the Strange Zone, Inc. (SZI) proposal for website creation and
251 annual maintenance, hosting, email domain registration and SSL certificates.

252

253 **On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor,**
254 **Strange Zone, Inc., Quotation #M21-1002 for District Website Design,**
255 **Maintenance and Domain, in the amount of \$1,679.99, was approved.**

256

257

258 **O. ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and**
259 **One (1) Annual Technological Audit**

260 Mr. Wrathell presented the ADA Site Compliance (ADASC) proposal for services to bring
261 the CDD's website into compliance with the Americans with Disabilities Act (ADA) requirements
262 and to affix an ADA Compliance seal to the homepage indicating that steps are underway to
263 make the website ADA compliant.

264

265 **On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor, the**
266 **ADA Site Compliance Proposal for Website Compliance Shield, Accessibility**
267 **Policy and One (1) Annual Technological Audit, in the amount of \$210 per year,**
268 **was approved.**

269

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271 **P. Resolution 2021-12, To Designate Date, Time and Place of Public Hearing and**
272 **Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of**
273 **Procedure; and Providing an Effective Date**

274 I. Rules of Procedure

275 II. Notices

276 • Notice of Rule Development

277 • Notice of Rulemaking

278 These items were provided for informational purposes.

279 Mr. Wrathell presented Resolution 2021-12.

280

281 **On MOTION by Mr. Jerman and seconded by Mr. Marlow with all in favor,**
282 **Resolution 2021-12, To Designate Date, Time and Place of Public Hearing for**
283 **May 10, 2021 at 11:00 a.m., at the Embassy Suites by Hilton Orlando Lake**
284 **Buena Vista South, 4955 Kyngs Health Road, Kissimmee, Florida 34746, and**
285 **Authorization to Publish Notice of Such Hearing for the Purpose of Adopting**
286 **Rules of Procedure; and Providing an Effective Date, was adopted.**

287

288

289 **Q. Resolution 2021-13, Designating a Date, Time and Location for Landowners' Meeting**
290 **of the District, and Providing for an Effective Date**

291 Mr. Wrathell presented Resolution 2021-13.

292

293 **On MOTION by Mr. Jerman and seconded by Mr. Marlow, with all in favor,**
294 **Resolution 2021-13, Designating a Date, Time and Location of May 10, 2021 at**
295 **11:00 a.m., at the Embassy Suites by Hilton Orlando Lake Buena Vista South,**
296 **4955 Kyngs Health Road, Kissimmee, Florida 34746, for a Landowners' Meeting**
297 **of the District, and Providing for an Effective Date, was adopted.**

298

299

300 **R. Resolution 2021-14, Adopting the Annual Meeting Schedule for Fiscal Year 2020-2021;**
301 **and Providing for an Effective Date**

302 This item was deferred to the next meeting.

303 **S. Resolution 2021-15, Approving the Florida Statewide Mutual Aid Agreement;**
304 **Providing for Severability; and Providing for an Effective Date**

305 Mr. Wrathell presented Resolution 2021-15. He explained the purpose of the
306 Agreement and potential benefit to the CDD in an emergency or disaster, such as a hurricane.

307 **On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor,**
 308 **Resolution 2021-15, Approving the Florida Statewide Mutual Aid Agreement;**
 309 **Providing for Severability; and Providing for an Effective Date, was adopted.**

310
311

BANKING MATTERS

313 **SIXTH ORDER OF BUSINESS** **Consideration of the Following Banking**
 314 **Matters:**

315
 316 **A. Resolution 2021-16, Designating a Public Depository for Funds of the Osceola Village**
 317 **Center Community Development District and Providing an Effective Date**

318 Mr. Wrathell presented Resolution 2021-16. Management recommended designating
 319 Truist Bank as the Qualified Public Depository for the District’s accounts.

320
 321 **On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor,**
 322 **Resolution 2021-16, Designating Truist Bank as the Public Depository for Funds**
 323 **of the Osceola Village Center Community Development District and Providing**
 324 **an Effective Date, was adopted.**

325
 326
 327 **B. Resolution 2021-17, Directing Wrathell, Hunt and Associates, LLC, to Establish a Local**
 328 **Bank Account for the District and Appointing Signatories on the Account and Providing**
 329 **an Effective Date**

330 Mr. Wrathell presented Resolution 2021-17.

331
 332 **On MOTION by Mr. Jerman and seconded by Mr. Marlow, with all in favor,**
 333 **Resolution 2021-17, Directing Wrathell, Hunt and Associates, LLC, to Establish a**
 334 **Local Bank Account for the District at Truist Bank and Appointing the Chair,**
 335 **Treasurer and Assistant Treasurer as Signatories on the Account and Providing**
 336 **an Effective Date, was adopted.**

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338

BUDGETARY MATTERS

340 **SEVENTH ORDER OF BUSINESS** **Consideration of the Following Budgetary**
 341 **Matters:**

342

- 343 **A. Resolution 2021-18, Approving the Proposed Budget for Fiscal Year 2020/2021 and**
344 **Setting a Public Hearing Thereon Pursuant to Florida Law, Addressing Transmittal,**
345 **Posting and Publication Requirements; Addressing Severability; and Providing for an**
346 **Effective Date**

347 Mr. Wrathell presented Resolution 2021-18. He reviewed the proposed Fiscal Year 2021
348 budget. It would be a Developer-contribution funded budget, with the Developer being
349 reimbursed from the bond proceeds for funds advanced to pay for expenses associated with
350 bond-related activities.

351

352 **On MOTION by Mr. Jerman and seconded by Mr. Marlow, with all in favor,**
353 **Resolution 2021-18, Approving the Proposed Budget for Fiscal Year 2020/2021,**
354 **and Setting a Public Hearing Thereon Pursuant to Florida Law for June 14, 2021**
355 **at 11:00 a.m., at the Embassy Suites by Hilton Orlando Lake Buena Vista South,**
356 **4955 Kyngs Health Road, Kissimmee, Florida 34746, Addressing Transmittal,**
357 **Posting and Publication Requirements; Addressing Severability; and Providing**
358 **for an Effective Date, was adopted.**

359

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- 361 **B. Fiscal Year 2020/2021 Budget Funding Agreement**

362 Mr. Wrathell presented the Fiscal Year 2020/2021 Budget Funding Agreement.

363

364 **On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor, the**
365 **Fiscal Year 2020/2021 Budget Funding Agreement, was approved.**

366

367

- 368 **C. Resolution 2021-28, Approving a Proposed Budget for Fiscal Year 2021/2022 and**
369 **Setting a Public Hearing Thereon Pursuant to Florida Law, Addressing Transmittal,**
370 **Posting and Publication Requirements; Addressing Severability; and Providing for an**
371 **Effective Date**

- 372 **D. Fiscal Year 2021/2022 Budget Funding Agreement**

373 Items 7C and 7D were deferred to the May or June Meeting.

- 374 E. **Resolution 2021-19, Adopting the Alternative Investment Guidelines for Investing**
375 **Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in**
376 **Accordance with Section 218.415(17), Florida Statutes; Providing for an Effective Date**

377 Mr. Wrathell presented Resolution 2021-19.

378

379 **On MOTION by Mr. Marks and seconded by Mr. Marlow, with all in favor,**
380 **Resolution 2021-19, Adopting the Alternative Investment Guidelines for**
381 **Investing Public Funds in Excess of Amounts Needed to Meet Current**
382 **Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes;**
383 **Providing for an Effective Date, was adopted.**

384

385

- 386 F. **Resolution 2021-20, Authorizing the Disbursement of Funds for Payment of Certain**
387 **Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing**
388 **the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without**
389 **Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and**
390 **Providing for an Effective Date**

391 Mr. Wrathell presented Resolution 2021-20. Funding requests would be sent to Mr.
392 Molina.

393

394 **On MOTION by Mr. Jerman and seconded by Mr. Marlow, with all in favor,**
395 **Resolution 2021-20, Authorizing the Disbursement of Funds for Payment of**
396 **Certain Continuing Expenses Without Prior Approval of the Board of**
397 **Supervisors; Authorizing the Disbursement of Funds for Payment of Certain**
398 **Non-Continuing Expenses Without Prior Approval of the Board of Supervisors;**
399 **Providing for a Monetary Threshold; and Providing for an Effective Date, was**
400 **adopted.**

401

402

- 403 G. **Resolution 2021-21, Adopting a Policy for Reimbursement of District Travel Expenses;**
404 **and Providing for Severability and an Effective Date**

405 Mr. Wrathell presented Resolution 2021-21.

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On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor, Resolution 2021-21, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date, was adopted.

H. Resolution 2021-22, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

Mr. Wrathell presented Resolution 2021-22.

On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor, Resolution 2021-22, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

I. Resolution 2021-23, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date

Mr. Wrathell presented Resolution 2021-23. Recent legislative changes require governmental entities to adopt, by Resolution, an internal controls policy to prevent and detect fraud, waste and abuse.

On MOTION by Mr. Jerman and seconded by Mr. Marks, with all in favor, Resolution 2021-23, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date, was adopted.

BOND FINANCING RELATED MATTERS

EIGHTH ORDER OF BUSINESS **Consideration of the Following Bond Financing Related Matters:**

A. Bond Financing Team Funding Agreement

Mr. Wrathell presented the Bond Financing Team Funding Agreement, which allows the Developer to provide advance funding for bond-related work and activities and for the District to reimburse those funds from the bond proceeds.

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On MOTION by Mr. Marks and seconded by Mr. Marlow, with all in favor, the Bond Financing Team Funding Agreement between the Osceola Village Center Community Development District and Avex Homes, LLC, was approved.

B. Engagement of Bond Financing Professionals

I. Underwriter/Investment Banker: *FMSbonds, Inc.*

Mr. Wrathell presented the FMSbonds, Inc., Engagement Letter for Underwriter Services and G-17 Disclosure.

On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor, the FMSbonds, Inc., Engagement Letter for Underwriter Services and G-17 Disclosure, was approved.

II. Bond Counsel: *GrayRobinson, P.A.*

Mr. Wrathell presented the GrayRobinson, P.A., Engagement Letter to serve as Bond Counsel.

On MOTION by Mr. Jerman and seconded by Mr. Marlow, with all in favor, the GrayRobinson, P.A., Engagement Letter for Bond Counsel Services, was approved.

III. Trustee, Paying Agent and Registrar: *US Bank, N.A.*

Mr. Wrathell presented the US Bank, N.A., Engagement Letter to serve as Trustee, Paying Agent and Registrar. Discussion ensued regarding fees and other firms in the area. The Engagement Letter addressee would be changed from "Sandridge" to "Osceola Village Center".

On MOTION by Mr. Marks and seconded by Mr. Marlow, with all in favor, the US Bank, N.A., Engagement Letter and Fee Schedule to serve as Trustee, Paying Agent and Registrar, subject to Mr. Jerman negotiating the fees, was approved.

- 476 C. Resolution 2021-24, Designating a Date, Time, and Location of a Public Hearing
477 Regarding the District's Intent to Use the Uniform Method for the Levy, Collection,
478 and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section
479 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing;
480 and Providing an Effective Date

481 Mr. Wrathell presented Resolution 2021-24.

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483 **On MOTION by Mr. Jerman and seconded by Mr. Marlow, with all in favor,**
484 **Resolution 2021-24, Designating a Date, Time and Location of May 10, 2021 at**
485 **11:00 a.m., at the Embassy Suites by Hilton Orlando Lake Buena Vista South,**
486 **4955 Kyngs Health Road, Kissimmee, Florida 34746, for a Public Hearing**
487 **Regarding the District's Intent to Use the Uniform Method for the Levy,**
488 **Collection, and Enforcement of Non-Ad Valorem Special Assessments as**
489 **Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication**
490 **of the Notice of Such Hearing; and Providing an Effective Date, was adopted.**

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- 493 D. Presentation of Report of District Engineer: *Poulos & Bennett*, dated November 12,
494 2020

495 Mr. Bennett presented the draft Engineer's Report, outlining the Capital Improvement
496 Plan (CIP) to be funded. As the costs are refined, the proposed \$7,550,754.56 estimated cost of
497 construction could require modification. Ms. Mackie recommended approval, in draft form,
498 provided the estimated costs do not exceed the amount validated.

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500 **On MOTION by Mr. Marlow and seconded by Mr. Marks, with all in favor, the**
501 **Engineer's Report, dated November 12, 2020, in substantial form, subject to**
502 **incorporating further revisions and the costs not exceeding the amount**
503 **validated, was approved.**

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- 506 E. Presentation of Master Special Assessment Methodology Report: *Wrathell, Hunt &*
507 *Associates, LLC*, dated March 31, 2021

508 Mr. Wrathell presented the Master Special Assessment Methodology Report. Once the
509 bonds are validated and ready to market, a Supplemental Special Assessment Methodology

510 Report would be presented, in which the assessment levels would match the parameters of the
511 bond issuance and the Developer's targets. Discussion ensued regarding issuing bonds 31 days
512 after the bond validation hearing, possibly completing the project in phases, the capitalized
513 interest period and equivalent resident unit (ERU) weights. It was noted that the Engineer's
514 Report would be corrected to reflect 304 residential units instead of 311 units.

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On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor, the Master Special Assessment Methodology Report, dated March 31, 2021, in substantial form, was approved.

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521 **F. Resolution 2021-25, Declaring Special Assessments; Indicating the Location, Nature**
522 **and Estimated Cost of Those Infrastructure Improvements Whose Cost is to be**
523 **Defrayed by the Special Assessments; Providing the Portion of the Estimated Cost of**
524 **the Improvements to be Defrayed by the Special Assessments; Providing the Manner**
525 **in Which Such Special Assessments Shall Be Made; Providing When Such Special**
526 **Assessments Shall be Paid; Designating Lands Upon Which the Special Assessments**
527 **Shall be Levied; Providing for an Assessment Plat; Adopting a Preliminary Assessment**
528 **Roll; Providing for Publication of this Resolution**

529 Mr. Wrathell presented Resolution 2021-25 and read the title.

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On MOTION by Mr. Jerman and seconded by Mr. Marlow, with all in favor, Resolution 2021-25, Declaring Special Assessments; Indicating the Location, Nature and Estimated Cost of Those Infrastructure Improvements Whose Cost is to be Defrayed by the Special Assessments; Providing the Portion of the Estimated Cost of the Improvements to be Defrayed by the Special Assessments; Providing the Manner in Which Such Special Assessments Shall Be Made; Providing When Such Special Assessments Shall be Paid; Designating Lands Upon Which the Special Assessments Shall be Levied; Providing for an Assessment Plat; Adopting a Preliminary Assessment Roll; Providing for Publication of this Resolution, was adopted.

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543 **G. Resolution 2021-26, Setting a Public Hearing to be Held on _____, 2021, at ____**
544 **A/P.M. at _____, for the Purpose of Hearing Public Comment on Imposing**

545 **Special Assessments on Certain Property Within the District Generally Described as**
546 **the Osceola Village Center Community Development District in Accordance with**
547 **Chapter 170, 190 and 197, Florida Statutes**

548 Mr. Wrathell presented Resolution 2021-26 and read the title.

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550 **On MOTION by Mr. Jerman and seconded by Mr. Marlow, with all in favor,**
551 **Resolution 2021-26, Setting a Public Hearing to be Held on May 10, 2021, at**
552 **11:00 A.M. at the Embassy Suites by Hilton Orlando Lake Buena Vista South,**
553 **4955 Kyngs Health Road, Kissimmee, Florida 34746, for the Purpose of Hearing**
554 **Public Comment on Imposing Special Assessments on Certain Property Within**
555 **the District Generally Described as the Osceola Village Center Community**
556 **Development District in Accordance with Chapter 170, 190 and 197, Florida**
557 **Statutes, was adopted.**

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560 **H. Resolution 2021-27, Authorizing the Issuance of Not To Exceed \$9,910,000 Osceola**
561 **Village Center Community Development District Special Assessment Bonds; In One or**
562 **More Series To Pay All or a Part of the Costs of the Design, Permitting, Acquisition,**
563 **Construction and Installation of Certain Public Infrastructure Improvements;**
564 **Approving the Form of a Master Trust Indenture; Appointing a Trustee, Registrar and**
565 **Paying Agent; Authorizing the Commencement of Validation Proceedings Relating to**
566 **the Bonds; and Providing an Effective Date**

567 Bond Counsel, Ms. Jennifer LaRocco, stated Resolution 2021-27 accomplishes the
568 following:

569 ➤ Initiates the bond validation process.

570 ➤ Authorizes the issuance of bonds up to \$9,910,000, not-to-exceed the amount of special
571 assessment bonds, to be issued in one or more series.

572 ➤ Endorses the Master Trust Indenture.

573 ➤ Appoints US Bank, N.A., as the Bond Trustee.

574 Mr. Wrathell presented Resolution 2021-27.

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On MOTION by Mr. Marks and seconded by Mr. Jerman, with all in favor, Resolution 2021-27, Authorizing the Issuance of Not To Exceed \$9,910,000 Osceola Village Center Community Development District Special Assessment Bonds, In One or More Series To Pay All or a Part of the Costs of the Design, Permitting, Acquisition, Construction and Installation of Certain Public Infrastructure Improvements; Approving the Form of a Master Trust Indenture; Appointing a Trustee, Registrar and Paying Agent; Authorizing the Commencement of Validation Proceedings Relating to the Bonds; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Hopping Green & Sams, P.A.*

There being nothing further to report, the next item followed.

B. District Engineer (Interim): *Poulos & Bennett*

There being nothing further to report, the next item followed.

C. District Manager: *Wrathell, Hunt and Associates, LLC*

There being nothing to report, the next item followed.

TENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There being no Board Members' comments or requests, the next item followed.

ELEVENTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

TWELFTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Jerman and seconded by Mr. Marlow, with all in favor, the meeting adjourned at 12:14 p.m.

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Secretary/Assistant Secretary

Chair/Vice Chair