

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

May 19, 2022

BOARD OF SUPERVISORS PUBLIC HEARINGS AND REGULAR MEETING AGENDA

Buena Lago 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 12, 2022

ATTENDEES:

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

Board of Supervisors
Buena Lago Community Development District

Dear Board Members:

The Board of Supervisors of the Buena Lago Community Development District will hold Multiple Public Hearings and a Regular Meeting on May 19, 2022, at 1:30 P.M., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Supervisors Chris Tyree and Roger Van Auker (*the following will 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. 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 2022-28, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Buena Lago Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date
- 5. Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes
 - A. Affidavits of Publication
 - B. Consideration of Resolution 2022-29, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date
- 6. [2:00 PM Time Certain] 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 informational purposes*)
 - D. Master Special Assessment Methodology Report (*for informational purposes*)
 - E. Consideration of Resolution 2022-30, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer's Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date

7. Consideration of Resolution 2022-31, Ratifying the Action of the District Manager in Resetting the Time of the Public Hearing on the Proposed Budget for Fiscal Year 2021/2022; Amending Resolution 2022-18 to set the Public Hearing Thereon; Providing a Severability Clause; and Providing an Effective Date
8. Consideration of Resolution 2022-32, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date
9. Consideration of Resolution 2022-33, Amending Resolution 2022-14 To Re-Set the Times for Regular Meetings of the Board of Supervisors of the District for Remainder of Fiscal Year 2021/2022 and Providing for an Effective Date
10. Consideration of Resolution 2022-34, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date
11. Consideration of Resolution 2022-07, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date
12. Acceptance of Unaudited Financial Statements as of March 31, 2022
13. Approval of Minutes
 - A. March 31, 2022 Landowners' Meeting
 - B. March 31, 2022 Organizational Meeting
14. Staff Reports
 - A. District Counsel: *KE Law Group, PLLC*
 - B. District Engineer (Interim): *Dewberry*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: June 16, 2022 at 10:30 A.M.

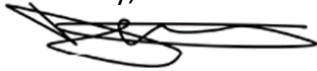
○ QUORUM CHECK

Seat 1	Chris Tyree	☐ IN PERSON	☐ PHONE	☐ No
Seat 2	Bill Fife	☐ IN PERSON	☐ PHONE	☐ No
Seat 3	John Wiggins	☐ IN PERSON	☐ PHONE	☐ No
Seat 4	Robyn Bronson	☐ IN PERSON	☐ PHONE	☐ No
Seat 5	Roger Van Auker	☐ IN PERSON	☐ PHONE	☐ No

15. Board Members' Comments/Requests
16. Public Comments
17. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 909-7930.

Sincerely,



Daniel Rom
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

CALL-IN NUMBER: 1-888-354-0094

PARTICIPANT PASSCODE: 801 901 3513

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

4A

PROOF OF PUBLICATION
From

OSCEOLA NEWS-GAZETTE

STATE OF FLORIDA
COUNTY OF OSCEOLA

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 21, 2022, April 28, 2022,
May 05, 2022, May 12, 2022

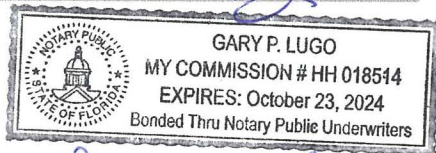
Affiant further says that the
Osceola News-Gazette is a newspaper
published in Kissimmee, in said
Osceola County, Florida, and that the said
newspaper has heretofore been
continuously published in said
Osceola County, Florida, each week
and has been entered as periodicals
postage matter at the post office
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

May 12, 2022



In THE MATTER OF:
NOTICE OF DISTRICT'S INTENT TO USE
UNIFORM METHOD
BUENA LAGO CDD/Valorem Assessment

BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT
NOTICE OF THE DISTRICT'S INTENT
TO USE THE UNIFORM METHOD OF
COLLECTION OF NON-AD VALOREM ASSESSMENTS

April 21, 2022
May 5, 12, 2022

Notice is hereby given that the Buena Lago Community Development District ("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 ("Board") of the District will conduct a public hearing on May 19, 2022 at 1:30 p.m., or as soon thereafter as the matter may be heard, at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744. 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, stormwater management, water and sewer utilities, offsite improvements, amenity facilities, hardscaping, landscaping, irrigation, streetlighting and any other public improvements and lawful projects or services of the District as authorized.

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 c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010, 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.

District Manager



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#36782

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

4B

RESOLUTION 2022-28

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT:

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

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

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

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

PASSED AND ADOPTED this 19th day of May, 2022.

ATTEST:

**BUENA LAGO COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Legal Description

BUENA LAGO CDD LEGAL DESCRIPTION

PARCEL 1

Lots 84, 85, 90, 92, 102, 103, 106 and 119 and a portion of Lots 67, 70, 75 through 78, 83, 86, 89, 91, 93, 94, 100, 101, 104, 105, 107, 108, 118 and 120 through 123, SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 31 EAST, as recorded in Plat Book B, Page 28 of the Public Records of Osceola County, Florida being more particularly described as follows:

BEGIN at the Southwest corner of Lot 86, SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 31 EAST, as recorded in Plat Book B, Page 28 of the Public Records of Osceola County, Florida; thence run S00°21'59"E, a distance of 51.09 feet; thence run S33°58'00"E, a distance of 277.25 feet to a point on a Non-Tangent curve, concave to the Southeast, having a Radius of 5,036.00 feet and a Central Angle of 00°25'48"; thence run Northeasterly along the arc of said curve, a distance of 37.79 feet (Chord Bearing = N55°45'31"E, Chord = 37.79 feet) to a Point of Reverse Curve, concave to the Northwest, having a Radius of 25.00 feet and a Central Angle of 60°09'22"; thence run Northeasterly along the arc of said curve, a distance of 26.25 feet (Chord Bearing = N25°53'44"E, Chord = 25.06 feet) to a point on a Non-Tangent curve, concave to the South, having a Radius of 100.00 feet and a Central Angle of 150°46'11"; thence run Easterly along the arc of said curve, a distance of 263.15 feet (Chord Bearing = N71°12'30"E, Chord = 193.53 feet); thence run N56°35'50"E, a distance of 40.62 feet; thence run N32°02'35"W, a distance of 93.52 feet; thence run N33°58'00"W, a distance of 96.22 feet to a point on a Non-Tangent curve, concave to the East, having a Radius of 130.00 feet and a Central Angle of 33°33'34"; thence run Northerly along the arc of said curve, a distance of 76.14 feet (Chord Bearing = N17°11'14"W, Chord = 75.06 feet); thence run N00°24'26"W, a distance of 650.67 feet; thence run S74°04'19"E, a distance of 638.43 feet to a point on a Non-Tangent curve, concave to the North, having a Radius of 5,145.00 feet and a Central Angle of 02°04'04"; thence run Easterly along the arc of said curve, a distance of 185.69 feet (Chord Bearing = S75°06'21"E, Chord = 185.68 feet); thence run S76°08'23"E, a distance of 320.94 feet to a point on a Non-Tangent curve, concave to the North, having a Radius of 790.00 feet and a Central Angle of 28°46'39"; thence run Easterly along the arc of said curve, a distance of 396.79 feet (Chord Bearing = N89°28'18"E, Chord = 392.63 feet); thence run N75°04'59"E, a distance of 128.29 feet to a point on a Non-Tangent curve, concave to the Northwest, having a Radius of 645.00 feet and a Central Angle of 29°34'16"; thence run Northeasterly along the arc of said curve, a distance of 332.89 feet (Chord Bearing = N60°17'52"E, Chord = 329.21 feet) to a point on a Non-Tangent curve, concave to the Southeast, having a Radius of 105.00 feet and a Central Angle of 32°25'02"; thence run Northeasterly along the arc of said curve, a distance of 59.41 feet (Chord Bearing = N61°43'15"E, Chord = 58.62 feet); thence run N12°04'14"W, a distance of 120.00 feet to a point on a Non-Tangent curve, concave to the South, having a Radius of 225.00 feet and a Central Angle of 47°13'51";

thence run Easterly along the arc of said curve, a distance of 185.48 feet (Chord Bearing = S78°27'18"E, Chord = 180.27 feet); thence run S54°50'22"E, a distance of 2.28 feet to the Point of Curvature of a curve concave to the West, having a Radius of 25.00 feet and a Central Angle of 90°00'00"; thence run Southerly along the arc of said curve, a distance of 39.27 feet (Chord Bearing = S09°50'22"E, Chord = 35.36 feet); thence run S35°09'38"W, a distance of 154.68 feet to the Point of Curvature of a curve concave to the Northwest, having a Radius of 725.00 feet and a Central Angle of 05°56'55"; thence run Southwesterly along the arc of said curve, a distance of 75.27 feet (Chord Bearing = S38°08'05"W, Chord = 75.24 feet) thence run S48°53'28"E, a distance of 50.00 feet; thence run S54°50'22"E, a distance of 124.17 feet to a point on the West Right of Way of Canal C-33; thence along the West Right of Way of said Canal the following eleven (11) courses: run S35°09'38"W, a distance of 167.58 feet; thence run S89°39'12"W, a distance of 30.72 feet; thence run S35°09'38"W, a distance of 268.82 feet to the Point of Curvature of a curve concave to the Northwest, having a Radius of 200.00 feet and a Central Angle of 20°12'00"; thence run Southwesterly along the arc of said curve, a distance of 70.51 feet (Chord Bearing = S45°15'38"W, Chord = 70.15 feet) to a point; thence run S55°21'35"W, a distance of 927.86 feet; thence run N00°21'59"W, a distance of 36.30 feet; thence run S55°21'38"W, a distance of 644.27 feet to the Point of Curvature of a curve concave to the Southeast, having a Radius of 630.00 feet and a Central Angle of 40°56'00"; thence run Southwesterly along the arc of said curve, a distance of 450.09 feet (Chord Bearing = S34°53'38"W, Chord = 440.57 feet) to the Point of Tangency; thence run S14°25'38"W, a distance of 236.37 feet to the Point of Curvature of a curve concave to the East, having a Radius of 630.00 feet and a Central Angle of 14°46'26"; thence run Southerly along the arc of said curve, a distance of 162.45 feet (Chord Bearing = S07°02'25"W, Chord = 162.00 feet) to the Point of Tangency; thence run S00°20'48"E, a distance of 18.19 feet to a point on the North Right of Way of Hickory Tree Road (State Road S-534); thence along said North Right of Way the following three (3) courses: run S89°39'41"W, a distance of 349.47 feet to the Point of Curvature of a curve concave to the Northeast, having a Radius of 1,402.69 feet and a Central Angle of 89°57'29"; thence run Northwesterly along the arc of said curve, a distance of 2,202.31 feet (Chord Bearing = N45°21'35"W, Chord = 1,982.98 feet) to the Point of Tangency; thence run N00°22'50"W, a distance of 220.46 feet to a point on the North line of Lot 89 of the aforesaid SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 31 EAST; thence run N89°35'14"E, along said North line and the North line of Lot 90 of said subdivision and an extension thereof a distance of 1,311.57 feet; to the POINT OF BEGINNING.

Containing 99.81 acres, more or less.

PARCEL 2

A portion of Lots 19, 30, 31, 34, 35, 47, 50, 51, 62, 63 and 67, SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH,

RANGE 31 EAST, as recorded in Plat Book B, Page 28 of the Public Records of Osceola County, Florida being more particularly described as follows:

Commence at the Southwest corner of Lot 86, SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 31 EAST, as recorded in Plat Book B, Page 28 of the Public Records of Osceola County, Florida; thence run N89°35'14"E, a distance of 2431.19 feet; thence run N00°24'46"W, a distance of 759.96 feet to the POINT OF BEGINNING; thence run N54°50'22"W, a distance of 2.28 feet to a point on a Non-Tangent curve, concave to the South, having a Radius of 275.00 feet and a Central Angle of 35°12'29"; thence run Westerly along the arc of said curve, a distance of 168.99 feet (Chord Bearing = N72°26'38"W, Chord = 166.34 feet) to a point on a Non-Tangent curve, concave to the West, having a Radius of 170.00 feet and a Central Angle of 03°49'09"; thence run Northerly along the arc of said curve, a distance of 11.33 feet (Chord Bearing = N18°05'55"W, Chord = 11.33 feet) to a point; thence run N69°59'32"E, a distance of 9.57 feet to a point on a Non-Tangent curve, concave to the Southeast, having a Radius of 429.00 feet and a Central Angle of 16°34'39"; thence run Northeasterly along the arc of said curve, a distance of 124.12 feet (Chord Bearing = N26°52'41"E, Chord = 123.69 feet) to a point; thence run N35°10'00"E, a distance of 648.95 feet to the Point of Curvature of a curve concave to the West, having a Radius of 331.00 feet and a Central Angle of 36°00'00"; thence run Northerly along the arc of said curve, a distance of 207.97 feet (Chord Bearing = N17°10'00"E, Chord = 204.57 feet) to the Point of Tangency; thence run N00°49'59"W, a distance of 186.19 feet; to a point on a Non-Tangent curve, concave to the Southwest, having a Radius of 449.34 feet and a Central Angle of 44°18'24"; thence run Northwesterly along the arc of said curve, a distance of 347.47 feet (Chord Bearing = N24°45'16"W, Chord = 338.88 feet) to a point; thence run N70°50'30"W, a distance of 15.07 feet to a point on a Non-Tangent curve, concave to the South, having a Radius of 170.00 feet and a Central Angle of 81°31'07"; thence run Westerly along the arc of said curve, a distance of 241.87 feet (Chord Bearing = N72°20'09"W, Chord = 221.98 feet) to a point; thence run S66°54'16"W, a distance of 92.34 feet to a point on a Non-Tangent curve, concave to the South, having a Radius of 4,440.00 feet and a Central Angle of 02°53'39"; thence run Westerly along the arc of said curve, a distance of 224.27 feet (Chord Bearing = S77°33'55"W, Chord = 224.25 feet) to a point on a Non-Tangent curve, concave to the North, having a Radius of 55.00 feet and a Central Angle of 27°56'56"; thence run Westerly along the arc of said curve, a distance of 26.83 feet (Chord Bearing = N89°54'22"W, Chord = 26.56 feet) to a point; thence run N75°55'54"W, a distance of 94.32 feet; thence run N00°00'00"E, a distance of 519.41 feet; thence run N29°19'57"E, a distance of 34.47 feet; thence run S60°40'03"E, a distance of 1,120.59 feet; thence run S00°50'44"E, a distance of 192.01 feet; thence run S02°12'52"W, a distance of 75.45 feet; thence run S00°50'22"E, a distance of 40.80 feet; thence run S03°53'37"E, a distance of 75.08 feet; thence run S00°50'22"E, a distance of 116.14 feet to a point on a Non-Tangent curve, concave to the West, having a Radius of 537.59 feet and a Central Angle of 36°04'59"; thence run Southerly along the arc of said curve, a distance of 338.56 feet (Chord Bearing = S17°07'07"W, Chord = 332.99 feet) to a point; thence run S35°09'38"W, a distance of

713.72 feet to a point on a Non-Tangent curve, concave to the North, having a Radius of 25.00 feet and a Central Angle of $90^{\circ}01'19''$; thence run Westerly along the arc of said curve, a distance of 39.28 feet (Chord Bearing = $S80^{\circ}08'03''W$, Chord = 35.36 feet) to the POINT OF BEGINNING.

Containing 13.65 acres, more or less.

FOR A COMBINED TOTAL OF 113.46 ACRES, MORE OR LESS

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

5A

PROOF OF PUBLICATION
From

In THE MATTER OF:
NOTICE OF RULE DEVELOPMENT
BUENA LAGO CDD

FIRST PUBLICATION: April 14, 2022
LAST PUBLICATION: April 14, 2022

OSCEOLA NEWS-GAZETTE

STATE OF FLORIDA
COUNTY OF OSCEOLA

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 14, 2022.

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.

NOTICE OF RULE DEVELOPMENT BY THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT

In accord with Chapters 120 and 190, Florida Statutes, the
Buena Lago 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 (2019). 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,
189.059(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 (2019).

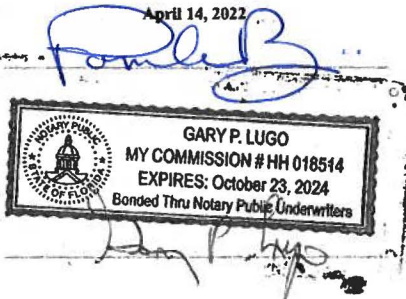
A copy of the proposed Rules of Procedure may be obtained by
contacting the District Manager, c/o Wrathell, Hunt &
Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton,
Florida 33431.

District Manager

April 14, 2022

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

April 14, 2022.



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#36765

PROOF OF PUBLICATION
From

OSCEOLA NEWS-GAZETTE

STATE OF FLORIDA
COUNTY OF OSCEOLA

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 21, 2022.

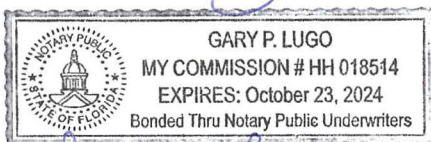
Affiant further says that the
Osceola News-Gazette is a newspaper
published in Kissimmee, in said
Osceola County, Florida, and that the said
newspaper has heretofore been
continuously published in said
Osceola County, Florida, each week
and has been entered as periodicals
postage matter at the post office
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 21, 2022



In THE MATTER OF:
NOTICE OF RULEMAKING
BUENA LAGO CDD

NOTICE OF RULEMAKING
REGARDING THE RULES OF PROCEDURE OF THE
BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT

A public hearing will be conducted by the Board of Supervisors of the Buena Lago Community Development District ("District") on May 19, 2022 at 1:30 p.m., or as soon thereafter as the matter may be heard, at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744.

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 April 14, 2022.

The Rules of Procedure may address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings 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 (2019). 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 (2019).

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

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing within 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

April 21, 2022



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#36780

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

5B

RESOLUTION 2022-29

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT:

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

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

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

PASSED AND ADOPTED this 19th day of May, 2022.

ATTEST:

**BUENA LAGO COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A:
RULES OF PROCEDURE

**RULES OF PROCEDURE
BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT**

EFFECTIVE AS OF MAY 19, 2022

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Rule 1.0 General.

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

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

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

Rule 1.1 Board of Supervisors; Officers and Voting.

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

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

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

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

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

Secretary prior to participating in any discussion with the Board on the matter. The member shall publicly announce the conflict of interest at the meeting. This announcement shall appear in the minutes.

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

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

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

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

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

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

(1) District Offices. Unless otherwise designated by the Board, the official District office shall be the District Manager's office identified by the District Manager. If the District Manager's office is not located within the county in which the District is located, the Board shall designate a local records office within such county which shall at a minimum contain, but not be limited to, the following documents:

- (a) Agenda packages for prior 24 months and next meeting;
- (b) Official minutes of meetings, including adopted resolutions of the Board;
- (c) Names and addresses of current Board members and District Manager, unless such addresses are protected from disclosure by law;
- (d) Adopted engineer's reports;
- (e) Adopted assessment methodologies/reports;
- (f) Adopted disclosure of public financing;
- (g) Limited Offering Memorandum for each financing undertaken by the District;
- (h) Proceedings, certificates, bonds given by all employees, and any and all corporate acts;
- (i) District policies and rules;
- (j) Fiscal year end audits; and
- (k) Adopted budget for the current fiscal year.

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

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

District's local records office during regular business hours. All written public records requests shall be directed to the Secretary who by these rules is appointed as the District's records custodian. Regardless of the form of the request, any Board member or staff member who receives a public records request shall immediately forward or communicate such request to the Secretary for coordination of a prompt response. The Secretary, after consulting with District Counsel as to the applicability of any exceptions under the public records laws, shall be responsible for responding to the public records request. At no time can the District be required to create records or summaries of records, or prepare opinions regarding District policies, in response to a public records request.

- (3) Service Contracts. Any contract for services, regardless of cost, shall include provisions required by law that require the contractor to comply with public records laws. The District Manager shall be responsible for initially enforcing all contract provisions related to a contractor's duty to comply with public records laws.
- (4) Fees; Copies. Copies of public records shall be made available to the requesting person at a charge of \$0.15 per page for one-sided copies and \$0.20 per page for two-sided copies if not more than 8 ½ by 14 inches. For copies of public records in excess of the sizes listed in this section and for outside duplication services, the charge shall be equal to the actual cost of reproduction. Certified copies of public records shall be made available at a charge of one dollar (\$1.00) per page. If the nature or volume of records requested requires extensive use of information technology resources or extensive clerical or supervisory assistance, the District may charge, in addition to the duplication charge, a special service charge that is based on the cost the District incurs to produce the records requested. This charge may include, but is not limited to, the cost of information technology resource, employee labor, and fees charged to the District by consultants employed in fulfilling the request. In cases where the special service charge is based in whole or in part on the costs incurred by the District due to employee labor, consultant fees, or other forms of labor, those portions of the charge shall be calculated based on the lowest labor cost of the individual(s) who is/are qualified to perform the labor, taking into account the nature or volume of the public records to be inspected or copied. The charge may include the labor costs of supervisory and/or clerical staff whose assistance is required to complete the records request, in accordance with Florida law. For purposes of this Rule, the word "extensive" shall mean that it will take more than 15 minutes to locate, review for confidential information, copy and re-file the requested material. In cases where extensive personnel time is determined by the District to be necessary to safeguard original records being inspected, the special service charge provided for in this section shall apply. If the total fees, including but not limited to special service charges, are anticipated to exceed twenty-five dollars (\$25.00), then, prior to commencing work on the request, the District will inform the person

making the public records request of the estimated cost, with the understanding that the final cost may vary from that estimate. If the person making the public records request decides to proceed with the request, payment of the estimated cost is required in advance. Should the person fail to pay the estimate, the District is under no duty to produce the requested records. After the request has been fulfilled, additional payments or credits may be due. The District is under no duty to produce records in response to future records requests if the person making the request owes the District for past unpaid duplication charges, special service charges, or other required payments or credits.

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

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

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

Rule 1.3 Public Meetings, Hearings, and Workshops.

- (1) Notice. Except in emergencies, or as otherwise authorized or required by statute or these Rules, at least seven (7) days' public notice shall be given of any public meeting, hearing or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and in the county in which the District is located. A newspaper is deemed to be a newspaper of "general circulation" within the District and county in which the District is located if such newspaper has been in existence for two (2) years at the time of publication of the applicable notice (unless no newspaper within the county has been published for such length) and satisfies the criteria of section 50.011(1), Florida Statutes, or if such newspaper is a direct successor of a newspaper which has been so published, as such provisions may be amended from time to time by law. The annual meeting notice required to be published by Section 189.015 of the Florida Statutes, shall be published as provided in Chapter 50, Florida Statutes, and such notice published consistent with Chapter 50 shall satisfy the requirement to give at least seven (7) days' public notice stated herein. Each Notice shall state, as applicable:
- (a) The date, time and place of the meeting, hearing or workshop;
 - (b) A brief description of the nature, subjects, and purposes of the meeting, hearing, or workshop;
 - (c) The District office address for the submission of requests for copies of the agenda, as well as a contact name and telephone number for verbal requests for copies of the agenda; and
 - (d) The following or substantially similar language: "Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at 561-571-0010. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770 or 1 (800) 955-8771, who can aid you in contacting the District Office."
 - (e) The following or substantially similar language: "A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based."

- (f) The following or substantially similar language: “The meeting [or hearing or workshop] may be continued in progress without additional notice to a time, date, and location stated on the record.”

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

- (2) Mistake. In the event that a meeting is held under the incorrect assumption that notice required by law and these Rules has been given, the Board at its next properly noticed meeting shall cure such defect by considering the agenda items from the prior meeting individually and anew.
- (3) Agenda. The District Manager, under the guidance of District Counsel and the Chairperson or Vice-Chairperson, shall prepare an agenda of the meeting/hearing/workshop. The agenda and any meeting materials available in an electronic format, excluding any confidential and any confidential and exempt information, shall be available to the public at least seven days before the meeting/hearing/workshop, except in an emergency. Meeting materials shall be defined as, and limited to, the agenda, meeting minutes, resolutions, and agreements of the District that District staff deems necessary for Board approval. Inclusion of additional materials for Board consideration other than those defined herein as “meeting materials” shall not convert such materials into “meeting materials.” For good cause, the agenda may be changed after it is first made available for distribution, and additional materials may be added or provided under separate cover at the meeting. The requirement of good cause shall be liberally construed to allow the District to efficiently conduct business and to avoid the expenses associated with special meetings.

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

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

1. Financial Report
2. Approval of Expenditures

Supervisor's requests and comments

Public comment

Adjournment

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

funds allocated to a particular budgeted line item shall serve to amend the budgeted line item.

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

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

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

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

Law Implemented: §§ 50.011, 50.031, 189.015, 189.069(2)(a)15, 190.006, 190.007, 190.008, 286.0105, 286.011, 286.0113, 286.0114, Fla. Stat.

Rule 1.4 Internal Controls to Prevent Fraud, Waste and Abuse

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

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

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

Rule 2.0 Rulemaking Proceedings.

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

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

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

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

Florida Statutes, may be published in a newspaper of general circulation in the county in which the District is located.

(10) Rulemaking Record. In all rulemaking proceedings, the District shall compile and maintain a rulemaking record. The record shall include, if applicable:

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

(11) Petitions to Challenge Existing Rules.

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

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

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

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

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

Rule 3.0 Competitive Purchase.

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

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

hurricanes, accidents, or any circumstances or cause beyond the control of the Board in the normal conduct of its business), where the Board finds that the delay incident to competitive purchase would be detrimental to the interests of the District. This includes, but is not limited to, instances where the time to competitively award the project will jeopardize the funding for the project, will materially increase the cost of the project, or will create an undue hardship on the public health, safety, or welfare.

- (i) “Invitation to Bid” is a written solicitation for sealed bids with the title, date, and hour of the public bid opening designated specifically and defining the commodity or service involved. It includes printed instructions prescribing conditions for bidding, qualification, evaluation criteria, and provides for a manual signature of an authorized representative. It may include one or more bid alternates.
- (j) “Invitation to Negotiate” means a written solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or services.
- (k) “Negotiate” means to conduct legitimate, arm’s length discussions and conferences to reach an agreement on a term or price.
- (l) “Professional Services” means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of Florida, or those services performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper, in connection with the firm's or individual's professional employment or practice.
- (m) “Proposal (or Reply or Response) Most Advantageous to the District” means, as determined in the sole discretion of the Board, the proposal, reply, or response that is:
 - (i) Submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements, who has the integrity and reliability to assure good faith performance;
 - (ii) The most responsive to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation as determined by the Board; and
 - (iii) For a cost to the District deemed by the Board to be reasonable.

- (n) “Purchase” means acquisition by sale, rent, lease, lease/purchase, or installment sale. It does not include transfer, sale, or exchange of goods, supplies, or materials between the District and any federal, state, regional or local governmental entity or political subdivision of the State of Florida.
- (o) “Request for Proposals” or “RFP” is a written solicitation for sealed proposals with the title, date, and hour of the public opening designated and requiring the manual signature of an authorized representative. It may provide general information, applicable laws and rules, statement of work, functional or general specifications, qualifications, proposal instructions, work detail analysis, and evaluation criteria as necessary.
- (p) “Responsive and Responsible Bidder” means an entity or individual that has submitted a bid that conforms in all material respects to the Invitation to Bid and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. “Responsive and Responsible Vendor” means an entity or individual that has submitted a proposal, reply, or response that conforms in all material respects to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. In determining whether an entity or individual is a Responsive and Responsible Bidder (or Vendor), the District may consider, in addition to factors described in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the following:
 - (i) The ability and adequacy of the professional personnel employed by the entity/individual;
 - (ii) The past performance of the entity/individual for the District and in other professional employment;
 - (iii) The willingness of the entity/individual to meet time and budget requirements;
 - (iv) The geographic location of the entity’s/individual’s headquarters or office in relation to the project;
 - (v) The recent, current, and projected workloads of the entity/individual;
 - (vi) The volume of work previously awarded to the entity/individual;

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

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

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

Rule 3.1 Procedure Under the Consultants' Competitive Negotiations Act.

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

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

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

such consultants any bid protest or other rights or otherwise disqualify any otherwise valid procurement process. The Board has the right to reject any and all qualifications, and such reservation shall be included in the published notice. Consultants not receiving a contract award shall not be entitled to recover from the District any costs of qualification package preparation or submittal.

(4) Competitive Selection.

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

with a recommendation that competitive negotiations be instituted with the selected firms in order of preference listed.

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

(5) Competitive Negotiation.

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

selected by the District, in order of their competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.

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

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

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

Rule 3.2 Procedure Regarding Auditor Selection.

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

(1) Definitions.

(a) "Auditing Services" means those services within the scope of the practice of a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.

(b) "Committee" means the auditor selection committee appointed by the Board as described in section (2) of this Rule.

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

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

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

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

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

(b) Evaluation Criteria. The factors established for the evaluation of Auditing Services by the Committee shall include, but are not limited to:

- (i) Ability of personnel;
- (ii) Experience;
- (iii) Ability to furnish the required services; and
- (iv) Such other factors as may be determined by the Committee to be applicable to its particular requirements.

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

(4) Public Announcement. After identifying the factors to be used in evaluating the proposals for Auditing Services as set forth in section (3) of this Rule, the Committee shall publicly announce the opportunity to provide Auditing Services. Such public announcement shall include a brief description of the audit and how interested firms can apply for consideration and obtain the RFP. The notice shall appear in at least one (1) newspaper of general circulation in the District and the

county in which the District is located. The public announcement shall allow for at least seven (7) days for the submission of proposals.

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

- (b) Where compensation was selected as a factor used in evaluating the proposals, the Board shall select the highest-ranked qualified firm or document in its public records the reason for not selecting the highest-ranked qualified firm.
 - (c) In negotiations with firms under this Rule, the Board may allow the District Manager, District Counsel, or other designee to conduct negotiations on its behalf.
 - (d) Notwithstanding the foregoing, the Board may reject any or all proposals. The Board shall not consider any proposal, or enter into any contract for Auditing Services, unless the proposed agreed-upon compensation is reasonable to satisfy the requirements of Section 218.39 of the Florida Statutes, and the needs of the District.
- (8) Contract. Any agreement reached under this Rule shall be evidenced by a written contract, which may take the form of an engagement letter signed and executed by both parties. The written contract shall include all provisions and conditions of the procurement of such services and shall include, at a minimum, the following:
 - (a) A provision specifying the services to be provided and fees or other compensation for such services;
 - (b) A provision requiring that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract;
 - (c) A provision setting forth deadlines for the auditor to submit a preliminary draft audit report to the District for review and to submit a final audit report no later than June 30 of the fiscal year that follows the fiscal year for which the audit is being conducted;
 - (d) A provision specifying the contract period, including renewals, and conditions under which the contract may be terminated or renewed. The maximum contract period including renewals shall be five (5) years. A renewal may be done without the use of the auditor selection procedures provided in this Rule but must be in writing.
 - (e) Provisions required by law that require the auditor to comply with public records laws.
- (9) Notice of Award. Once a negotiated agreement with a firm or individual is reached, or the Board authorizes the execution of an agreement with a firm where compensation was a factor in the evaluation of proposals, notice of the intent to

award, including the rejection of some or all proposals, shall be provided in writing to all proposers by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests regarding the award of contracts under this Rule shall be as provided for in Rule 3.11. No proposer shall be entitled to recover any costs of proposal preparation or submittal from the District.

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

Law Implemented: §§ 119.0701, 218.33, 218.391, Fla. Stat.

Rule 3.3 Purchase of Insurance.

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

offices in relation to the District, and the ability of the company to guarantee premium stability may be considered. A contract to purchase insurance shall be awarded to that company whose response to the Invitation to Bid best meets the overall needs of the District, its officers, employees, and/or dependents.

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

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

Law Implemented: § 112.08, Fla. Stat.

Rule 3.4 Pre-qualification

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

pre-qualified will be eligible to submit bids, proposals, replies or responses in response to the applicable Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

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

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

- (g) Qualifications shall be presented to the Board, or a committee appointed by the Board, for evaluation in accordance with the Request for Qualifications and this Rule. Minor variations in the qualifications may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature.
- (h) All vendors determined by the District to meet the pre-qualification requirements shall be pre-qualified. To assure full understanding of the responsiveness to the requirements contained in a Request for Qualifications, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion and revision of qualifications. For construction services, any contractor pre-qualified and considered eligible by the Department of Transportation to bid to perform the type of work the project entails shall be presumed to be qualified to perform the project.

(i) The Board shall have the right to reject all qualifications if there are not enough to be competitive or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of qualification preparation or submittal from the District.

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

(3) Suspension, Revocation, or Denial of Qualification

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

- i. One of the circumstances specified under Section 337.16(2), Fla. Stat., has occurred.
- ii. Affiliated contractors submitted more than one proposal for the same work. In this event the pre-qualified status of all of the affiliated bidders will be revoked, suspended, or denied. All bids of affiliated bidders will be rejected.
- iii. The vendor made or submitted false, deceptive, or fraudulent statements, certifications, or materials in any claim for payment or any information required by any District contract.
- iv. The vendor or its affiliate defaulted on any contract or a contract surety assumed control of financial responsibility for any contract of the vendor.

- v. The vendor's qualification to bid is suspended, revoked, or denied by any other public or semi-public entity, or the vendor has been the subject of a civil enforcement proceeding or settlement involving a public or semi-public entity.
- vi. The vendor failed to comply with contract or warranty requirements or failed to follow District direction in the performance of a contract.
- vii. The vendor failed to timely furnish all contract documents required by the contract specifications, special provisions, or by any state or federal statutes or regulations. If the vendor fails to furnish any of the subject contract documents by the expiration of the period of suspension, revocation, or denial set forth above, the vendor's pre-qualified status shall remain suspended, revoked, or denied until the documents are furnished.
- viii. The vendor failed to notify the District within 10 days of the vendor, or any of its affiliates, being declared in default or otherwise not completing work on a contract or being suspended from qualification to bid or denied qualification to bid by any other public or semi-public agency.
- ix. The vendor did not pay its subcontractors or suppliers in a timely manner or in compliance with contract documents.
- x. The vendor has demonstrated instances of poor or unsatisfactory performance, deficient management resulting in project delay, poor quality workmanship, a history of payment of liquidated damages, untimely completion of projects, uncooperative attitude, contract litigation, inflated claims or defaults.
- xi. An affiliate of the vendor has previously been determined by the District to be non-responsible, and the specified period of suspension, revocation, denial, or non-responsibility remains in effect.
- xii. The vendor or affiliate(s) has been convicted of a contract crime.
 - 1. The term "contract crime" means any violation of state or federal antitrust laws with respect to a public contract or any violation of any state or federal law involving fraud, bribery, collusion, conspiracy, or material misrepresentation with respect to a public contract.
 - 2. The term "convicted" or "conviction" means a finding of guilt or a conviction of a contract crime, with or without an

adjudication of guilt, in any federal or state trial court of record as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

- (b) A denial, suspension, or revocation shall prohibit the vendor from being a subcontractor on District work during the period of denial, suspension, or revocation, except when a prime contractor's bid has used prices of a subcontractor who becomes disqualified after the bid, but before the request for authorization to sublet is presented.
- (c) The District shall inform the vendor in writing of its intent to deny, suspend, or revoke its pre-qualified status and inform the vendor of its right to a hearing, the procedure which must be followed, and the applicable time limits. If a hearing is requested within 10 days after the receipt of the notice of intent, the hearing shall be held within 30 days after receipt by the District of the request for the hearing. The decision shall be issued within 15 days after the hearing.
- (d) Such suspension or revocation shall not affect the vendor's obligations under any preexisting contract.
- (e) In the case of contract crimes, the vendor's pre-qualified status under this Rule shall be revoked indefinitely. For all violations of Rule 3.4(3)(a) other than for the vendor's conviction for contract crimes, the revocation, denial, or suspension of a vendor's pre-qualified status under this Rule shall be for a specific period of time based on the seriousness of the deficiency.

Examples of factors affecting the seriousness of a deficiency are:

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

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: §§ 190.033, 255.0525, 255.20, Fla. Stat.

Rule 3.5 Construction Contracts, Not Design-Build.

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

accordance with this Rule and shall not be a basis for a protest of any contract award.

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

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

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

- (f) Bids, proposals, replies, and responses, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative

is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and these Rules. Minor variations in the bids, proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.

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

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

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

- (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

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

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

Rule 3.6 Construction Contracts, Design-Build.

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

(ii) Competitive Proposal-Based Selection. If the competitive proposal selection process is utilized, the Board, in consultation with the Design Criteria Professional, shall establish the criteria, standards and procedures for the evaluation of Design-Build Proposals based on price, technical, and design aspects of the project, weighted for the project. After a Design Criteria Package and the standards and procedures for evaluation of proposals have been developed, competitive proposals from qualified firms shall be solicited pursuant to the design criteria by the following procedure:

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

- d. Meet any special pre-qualification requirements set forth in the Request for Proposals and Design Criteria Package.

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

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

4. The proposals, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. In consultation with the Design Criteria Professional, the Board shall evaluate the proposals received based on evaluation criteria and procedures established prior to the solicitation of proposals, including but not limited to qualifications, availability, and past work of the firms and the partners and members thereof. The Board shall then select no fewer than three (3) Design-Build Firms as the most qualified.
5. The Board shall have the right to reject all proposals if the proposals are too high, or rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of proposal preparation or submittal from the District.
6. If less than three (3) Responsive Proposals are received, the District may purchase design-build services or may reject the proposals for lack of competitiveness. If no Responsive

Proposals are received, the District may proceed with the procurement of design-build services in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the design-build services without further competitive selection processes.

7. Notice of the rankings adopted by the Board, including the rejection of some or all proposals, shall be provided in writing to all consultants by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's rankings under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
8. The Board shall negotiate a contract with the firm ranking the highest based on the evaluation standards and shall establish a price which the Board determines is fair, competitive and reasonable. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. The Board shall then undertake negotiations with the second most qualified firm, based on the ranking by the evaluation standards. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the second most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. The Board shall then undertake negotiations with the third most qualified firm. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the third most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. Should the Board be unable to negotiate a satisfactory contract with any of the selected firms, the Board shall select additional firms in order of their rankings based on the evaluation standards and continue negotiations until an agreement is reached or the list of firms is exhausted.

9. After the Board contracts with a firm, the firm shall bring to the Board for approval, detailed working drawings of the project.
 10. The Design Criteria Professional shall evaluate the compliance of the detailed working drawings and project construction with the Design Criteria Package and shall provide the Board with a report of the same.
- (3) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
 - (4) Emergency Purchase. The Board may, in case of public emergency, declare an emergency and immediately proceed with negotiations with the best qualified Design-Build Firm available at the time. The fact that an Emergency Purchase has occurred shall be noted in the minutes of the next Board meeting.
 - (5) Exceptions. This Rule is inapplicable when:
 - (a) The project is undertaken as repair or maintenance of an existing public facility;
 - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
 - (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contractor; or
 - (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

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

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

Rule 3.7 Payment and Performance Bonds.

- (1) Scope. This Rule shall apply to contracts for the construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or public work and shall be construed in addition to terms prescribed by any other Rule that may also apply to such contracts.

- (2) Required Bond. Upon entering into a contract for any of the services described in section (1) of this Rule in excess of \$200,000, the Board should require that the contractor, before commencing the work, execute and record a payment and performance bond in an amount equal to the contract price. Notwithstanding the terms of the contract or any other law, the District may not make payment to the contractor until the contractor has provided to the District a certified copy of the recorded bond.

- (3) Discretionary Bond. At the discretion of the Board, upon entering into a contract for any of the services described in section (1) of this Rule for an amount not exceeding \$200,000, the contractor may be exempted from executing a payment and performance bond.

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

Law Implemented: § 255.05, Fla. Stat.

Rule 3.8 Goods, Supplies, and Materials.

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

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

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

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

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

Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which does not grant a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the lowest Responsive 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 Responsive 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 May 19, 2022 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.

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

6A

PROOF OF PUBLICATION
From

OSCEOLA NEWS-GAZETTE

STATE OF FLORIDA
COUNTY OF OSCEOLA

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 21, 2022, April 28, 2022,

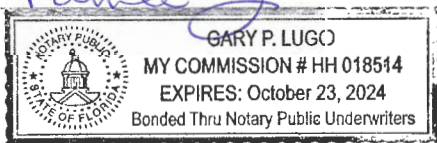
Affiant further says that the
Osceola News-Gazette is a newspaper
published in Kissimmee, in said
Osceola County, Florida, and that the said
newspaper has heretofore been
continuously published in said
Osceola County, Florida, each week
and has been entered as periodicals
postage matter at the post office
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 28, 2022



Gary P. Lugo

In THE MATTER OF: NOTICE OF SPECIAL MEETING BUENA LAGO CDD(MAP)

NOTICE OF PUBLIC HEARINGS TO CONSIDER THE
IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO
SECTIONS 170.07 AND 197.3632, FLORIDA STATUTES, BY
THE BUENA LAGO COMMUNITY DEVELOPMENT
DISTRICT

NOTICE OF SPECIAL MEETING OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT

In accordance with Chapters 170, 190 and 197, Florida
Statutes, the Buena Lago Community Development District's
("District") Board of Supervisors ("Board") hereby provides
notice of the following public hearings and public meeting:

NOTICE OF PUBLIC HEARINGS

DATE: May 19, 2022

TIME: 2:00 p.m.

LOCATION: Johnson's Surveying, Inc.,
900 Cross Prairie Parkway, Kissimmee, Florida 34744

The purpose of the public hearings announced above is to
consider the imposition of special assessments ("Debt
Assessments"), and adoption of assessment rolls to secure
proposed bonds, on benefited lands within the District, and, to
provide for the levy, collection and enforcement of the Debt
Assessments. The proposed bonds secured by the Debt
Assessments are intended to finance certain public
infrastructure improvements, including, but not limited to,
stormwater management, water and sewer utilities, landscape,
irrigation, lighting, and other infrastructure improvements
(together, "Project"), benefitting all lands within the District. The
Project is described in more detail in the Engineer's Report,
dated March 31, 2022 ("Engineer's Report"). Specifically, the
Project includes a Capital Improvement Plan to provide public
infrastructure benefitting all lands within the District, as
identified in the Engineer's Report. The Debt Assessments are
proposed to be levied as one or more assessment liens and
allocated to the benefited lands within various assessment
areas, as set forth in the Master Special Assessment
Methodology Report, dated March 31, 2022 ("Assessment
Report"). At the conclusion of the public hearings, the Board
will, by resolution, levy and impose assessments as finally
approved by the Board. A special meeting of the District will
also be held where the Board may consider any other business
that may properly come before it.

The District is located entirely within unincorporated Osceola
County, Florida, and covers approximately 113.46 acres of
land, more or less. The site is generally located south of
Alligator Lake, east and north of Hickory Tree Road and west of
Hickory Tree Lane. A geographic depiction of the District is
shown below. All lands within the District are expected to be
improved in accordance with the reports identified above.

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 "District's Office" located at c/o Wrathell,
Hunt and Associates, LLC, 2300 Glades Road, Suite 410W,
Boca Raton, Florida 33431 (877)276-0889. Also, a copy of the

FIRST PUBLICATION: April 21, 2022
LAST PUBLICATION: April 28, 2022

agendas and other documents referenced herein may be
obtained from the District Office.

Proposed Debt Assessments

The proposed Debt Assessments are in an amount
not-to-exceed \$19,845,000 (principal only, not including interest
or collection costs or early payment discounts), and are as
follows:

Product Type# UnitsERUsTotal Debt Assessment per Unit
Annual Debt Assessment Per Unit
Townhome720.7547,509\$3,672
SF 50'2421.0\$67,869\$5,245

The assessments shall 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 County tax roll by the Tax Collector.
Alternatively, the District may choose to directly collect and
enforce these assessments.

The public hearings and meeting are open to the public and
will be conducted in accordance with Florida law. The public
hearings and meeting may be continued to a date, time, and
place to be specified on the record. There may be occasions
when staff or board members may participate by speaker
telephone. Any person requiring special accommodations
because of a disability or physical impairment should contact
the District Office at least forty-eight (48) hours prior to the
meeting. If you are hearing or speech impaired, please contact
the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771
(TTY) / 1-800-955-8770 (Voice), for aid in contacting the
District Office.

Please note that all affected property owners have the right
to appear and comment at the public hearings and meeting and
may also file written objections with the District Office within
twenty (20) days of issuance of this notice. Each person who
decides to appeal any decision made by the Board with respect
to any matter considered at the public hearings or meeting is
advised that person will need a record of proceedings and that
accordingly, the person may need to ensure that a verbatim
record of the proceedings is made, including the testimony and
evidence upon which such appeal is to be based.

District Manager

RESOLUTION 2022-25

A RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE BUENA LAGO COMMUNITY DEVELOPMENT
DISTRICT DECLARING SPECIAL ASSESSMENTS;
DESIGNATING THE NATURE AND LOCATION OF THE
PROPOSED IMPROVEMENTS; DECLARING THE TOTAL
ESTIMATED COST OF THE IMPROVEMENTS, THE
PORTION TO BE PAID BY ASSESSMENTS, AND THE
MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE
TO BE PAID; DESIGNATING THE LANDS UPON WHICH
THE ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR



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#36824

WARNING
Notice of Application for Tax Deed
Notice is hereby given that MARK H FINK, the holder of tax certificate No. 7346, issued on June-01-2015, has filed said certificate in this office and has made application for a tax deed to be issued thereon. The tax certificate information is as follows: Apparent Titleholder(s): AURORA L TAYAG, AURORA TAYAG, RUSTICO M TAYAG, RUSTICO MA TAYAG Assessed to:
Legal Description: COM 1982 FT S AND 173.53 FT W OF NE COR. W 165 FT, S 330 FT, E 165 FT, N 330 FT TO POB AKA LOT 98 Parcel No.: 31 27 32 6000 1441 002N
All of said property being in the County of Osceola, State of Florida.
Unless said certificate be redeemed according to law, the property described therein will be sold to the highest bidder on line at www.osceola.realtaxdeed.com on, the 17th day of May, 2022 at 11:00 a.m. Property is sold subject to any additional outstanding taxes.
DATED this day, March 07, 2022, publication of this notice is requested. Notice to be published in the OSCEOLA NEWS-GAZETTE.
KELVIN SOTO, Esq.,
Clerk of the Circuit Court & County Comptroller,
Osceola County, Florida
By: VO, DEPUTY CLERK
April 14, 21, 28, 2022
May 5, 2022

RAINBOW TITLE & LIEN, INC.
3389 SHERIDAN ST PMB 221
HOLLYWOOD, FLA 33021
(954) 920-6020
NOTICE OF SALE
Rainbow Title & Lien, Inc. will sell at public sale at auction the following vehicles to satisfy lien pursuant to Chapter 713.78 of the Florida Statutes on MAY 19, 2022, at 10:00 A.M.
AUCTION WILL OCCUR WHERE EACH VEHICLE IS LOCATED
2016 HONDA, VIN # 1HGCR2F31GA049939
Located at: 4489 W. VINE ST., KISSIMMEE, FL 34746
Any person(s) claiming any interest(s) in the above vehicles contact: RAINBOW TITLE & LIEN, INC. (954-920-6020).
ALL AUCTIONS ARE HELD WITH RESERVE
Some of the vehicles may have been released prior to the auction.
April 28, 2022

NOTICE OF PUBLIC HEARING
ORDINANCE NO. 2022-20
Notice is hereby given that the City Council of the City of St. Cloud, Florida, at a meeting to be held on May 12, 2022, in their Chamber at City Hall, 1300 9th Street, St. Cloud, Florida at 6:30 p.m., will consider the adoption of Ordinance No. 2022-20 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. CLOUD, FLORIDA, AMENDING ARTICLE III, "ZONING REGULATION", DIVISION 26, "NON-RESIDENTIAL ARCHITECTURAL STANDARDS" OF THE LAND DEVELOPMENT CODE; AMENDING THE ARCHITECTURAL DESIGN STANDARDS FOR RESIDENTIAL ZONING DISTRICTS; ESTABLISHING PROVISIONS FOR RESIDENTIAL ZONING DISTRICTS; PROVIDING FOR APPLICABILITY AND EFFECT, SEVERABILITY, SCRIVENER'S ERRORS, CONFLICT, CODIFICATION AND EFFECTIVE DATE.

Interested parties may appear at the meeting at which time this ORDINANCE is to be considered and shall be heard with respect to the proposed ORDINANCE at the Public Hearing thereon. This ORDINANCE in its entirety can be reviewed at the City Clerk's office between the hours of 8:00 a.m. and 11:00 a.m. and between 2:00 p.m. and 5:00 p.m. Monday through Friday.

If a person decides to appeal any decision made by the Committee/Board, with respect to any matter considered at such hearing/meeting, such person will need a record of the proceedings and that, for this purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, and which record is not provided by the City of St. Cloud. (FS 286.0105)

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the Secretary/Clerk of the Committee/Board (listed below), prior to the meeting. (FS 286.26)

Linda P. Jaworski, City Clerk
1300 9th Street, St. Cloud, Florida 34769
Telephone: 407-957-7300
April 28, 2022

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT, OSCEOLA COUNTY, FLORIDA
CASE NO. 2021-DR-004284 TP
DIVISION: --

IN THE MATTER OF THE ADOPTION OF ANNABELLA GRACE ORTIZ,
Adoptee.

NOTICE OF ACTION FOR TERMINATION OF PARENTAL RIGHTS AND STEP PARENTING ADOPTION TO: DAVID A. MONTOYA
626 DORAL PARK AVE.
KISSIMMEE, FL 34758
YOU ARE NOTIFIED that a Joint Petition for Adoption by Step-Parent has been filed against you and that you are required to serve a copy of your written defenses, if any, to it on Mark A. Skipper, Esq., whose address is 4162 Edgewater Drive, Orlando, FL 32804, on or before MAY 14, 2022, and file the original with the clerk of this Court at 2 Courthouse Square, Kissimmee, Florida 34741, before service on Petitioner(s) or immediately thereafter. If you fail to do so, default may be entered against you for the relief demanded in the petition.

The minor child is identified as follows:
Name: A.G.M.
Date of Birth: April 1, 2010
Place of Birth: Orlando, Florida.

Physical Description of Respondent:
Age: 48
Race: White
Hair Color: Brown
Eye Color: Black
Approximate Height: 5' 6"
Approximate Weight: 270

Copies of all court documents in this case, including orders, are available at the Clerk of the Circuit Court's office. You may review these documents upon request.

You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Designation of Current Mailing and E-Mail Address, Florida Supreme Court Approved Family Law Form 12.915) Future papers in this lawsuit will be mailed or e-mailed to the addresses on record at the clerk's office.
Dated: April 14, 2022.

KELVIN SOTO, ESQ.,
CLERK OF THE CIRCUIT COURT
By: /s/ _____
As Deputy Clerk
April 21, 28, 2022
May 5, 12, 2022

NOTICE OF PUBLIC HEARING
ORDINANCE NO. 2022-21

Notice is hereby given that the City Council of the City of St. Cloud, Florida, at a meeting to be held on May 12, 2022, in their Chamber at City Hall, 1300 9th Street, St. Cloud, Florida at 6:30 p.m., will consider the adoption of Ordinance No. 2022-21 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. CLOUD, FLORIDA, AMENDING SIGNAGE DEVELOPMENT STANDARDS FOR THE PUD/ RETAIL CENTER ESTABLISHED IN ORDINANCE 2003-88 (AS AMENDED), AN ORDINANCE WHICH ASSIGNED A ZONING DESIGNATION OF PLANNED UNIT DEVELOPMENT (PUD) TO STEVENS PLANTATION LOCATED SOUTH OF NOLTE RD, EAST OF LAFAYETTE TRACE DR, AND WEST OF CANOE CREEK ROAD; PROVIDING FOR FILING OF THE PLANNING COMMISSION RECOMMENDATION AND PROOF OF PUBLICATION, SEVERABILITY, CONFLICTS AND EFFECTIVE DATE.

Interested parties may appear at the meeting at which time this ORDINANCE is to be considered and shall be heard with respect to the proposed ORDINANCE at the Public Hearing thereon. This ORDINANCE in its entirety can be reviewed at the City Clerk's office between the hours of 8:00 a.m. and 11:00 a.m. and between 2:00 p.m. and 5:00 p.m. Monday through Friday.

If a person decides to appeal any decision made by the Committee/Board, with respect to any matter considered at such hearing/meeting, such person will need a record of the proceedings and that, for this purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, and which record is not provided by the City of St. Cloud. (FS 286.0105)

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the Secretary/Clerk of the

NOTICE OF PUBLIC HEARINGS TO CONSIDER THE IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTIONS 170.07 AND 197.3632, FLORIDA STATUTES, BY
THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF SPECIAL MEETING OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT

In accordance with Chapters 170, 190 and 197, *Florida Statutes*, the Buena Lago Community Development District's ("District") Board of Supervisors ("Board") hereby provides notice of the following public hearings and public meeting:

NOTICE OF PUBLIC HEARINGS
DATE: May 19, 2022
TIME: 2:00 p.m.
LOCATION: Johnson's Surveying, Inc.
900 Cross Prairie Parkway
Kissimmee, Florida 34744

The purpose of the public hearings announced above is to consider the imposition of special assessments ("Debt Assessments"), and adoption of assessment rolls to secure proposed bonds, on benefited lands within the District, and, to provide for the levy, collection and enforcement of the Debt Assessments. The proposed bonds secured by the Debt Assessments are intended to finance certain public infrastructure improvements, including, but not limited to, stormwater management, water and sewer utilities, landscape, irrigation, lighting, and other infrastructure improvements (together, "Project"), benefitting all lands within the District. The Project is described in more detail in the *Engineer's Report*, dated March 31, 2022 ("Engineer's Report"). Specifically, the Project includes a Capital Improvement Plan to provide public infrastructure benefitting all lands within the District, as identified in the Engineer's Report. The Debt Assessments are proposed to be levied as one or more assessment liens and allocated to the benefited lands within various assessment areas, as set forth in the *Master Special Assessment Methodology Report*, dated March 31, 2022 ("Assessment Report"). At the conclusion of the public hearings, the Board will, by resolution, levy and impose assessments as finally approved by the Board. A special meeting of the District will also be held where the Board may consider any other business that may properly come before it.

The District is located entirely within unincorporated Osceola County, Florida, and covers approximately 113.46 acres of land, more or less. The site is generally located south of Alligator Lake, east and north of Hickory Tree Road and west of Hickory Tree Lane. A geographic depiction of the District is shown below. All lands within the District are expected to be improved in accordance with the reports identified above.

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 "District's Office" located at c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (877)276-0889. Also, a copy of the agendas and other documents referenced herein may be obtained from the District Office.

Proposed Debt Assessments

The proposed Debt Assessments are in an amount not-to-exceed \$19,845,000 (principal only, not including interest or collection costs or early payment discounts), and are as follows:

Product Type	# Units	ERUs	Total Debt Assessment per Unit	Annual Debt Assessment Per Unit
Townhome	72	0.7	\$47,509	\$3,672
SF 50'	242	1.0	\$67,869	\$5,245

The assessments shall 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 County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments.

The public hearings and meeting are open to the public and will be conducted in accordance with Florida law. The public hearings and meeting may be continued to a date, time, and place to be specified on record. There may be occasions when staff or board members may participate by speaker telephone. Any person requiring special accommodations because of a disability or physical impairment should contact the District Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Please note that all affected property owners have the right to appear and comment at the public hearings and meeting and may also file written objections with the District Office within twenty (20) days of issuance of this notice. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

District Manager

RESOLUTION 2022-25

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; DESIGNATING THE NATURE AND LOCATION OF THE PROPOSED IMPROVEMENTS; DECLARING THE TOTAL ESTIMATED COST OF THE IMPROVEMENTS, THE PORTION TO BE PAID BY ASSESSMENTS, AND THE MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE TO BE PAID; DESIGNATING THE LANDS UPON WHICH THE ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT AND A PRELIMINARY ASSESSMENT ROLL; ADDRESSING THE SETTING OF PUBLIC HEARINGS; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND ADDRESSING CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

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

WHEREAS, the District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, and/or maintain the District's overall capital improvement plan ("Project") for all lands within the District ("Assessment Area"), as described in the *Engineer's Report*, dated March 31, 2022, which is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, it is in the best interest of the District to pay for all or a portion of the cost of the Project by the levy of special assessments ("Assessments") on the Assessment Area, using the methodology set forth in the *Master Special Assessment Methodology Report*, dated March 31, 2022, which is attached hereto as Exhibit B, incorporated herein by reference, and on file with the District Manager at c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Records Office");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT:

1. **AUTHORITY FOR THIS RESOLUTION; INCORPORATION OF RECITALS.** This Resolution is adopted pursuant to the provisions of Florida law, including without limitation Chapters 170, 190 and 197, *Florida Statutes*. The recitals stated above are incorporated herein and are adopted by the Board as true and correct statements.

2. **DECLARATION OF ASSESSMENTS.** The Board hereby declares that it has determined to make the Project and to defray all or a portion of the cost thereof by the Assessments.

3. **DESIGNATING THE NATURE AND LOCATION OF IMPROVEMENTS.** The nature and general location of, and plans and specifications for, the Project are described in Exhibit A, which is on file at the District Records Office. Exhibit B is also on file and available for public inspection at the same location.

4. **DECLARING THE TOTAL ESTIMATED COST OF THE IMPROVEMENTS, THE PORTION TO BE PAID BY ASSESSMENTS, AND THE MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE TO BE PAID.**

A. The total estimated cost of the Project is **\$15,373,298** ("Estimated Cost").
B. The Assessments will defray approximately **\$19,845,000**, which is the anticipated maximum par value of any bonds and which includes all or a portion of the Estimated Cost, as well as other financing-related costs, as set forth in Exhibit B, and which is in addition to interest and collection costs. On an annual basis, the Assessments will defray no more than **\$1,599,237** per year, again as set forth in Exhibit B.

C. The manner in which the Assessments shall be apportioned and paid is set forth in Exhibit B, as may be modified by supplemental assessment resolutions. The Assessments will constitute a "master" lien, which may be imposed without further public hearing in one or more separate liens each securing a series of bonds, and each as determined by supplemental assessment resolution. With respect to each lien securing a series of bonds, the special assessments shall be paid in not more than (30) thirty yearly installments. The special assessments may be payable at the same time and in the same manner as are ad-valorem taxes and collected pursuant to Chapter 197, *Florida Statutes*; provided, however, that in the event the uniform non ad-valorem assessment method of collecting the Assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law, including but not limited to by direct bill. The decision to collect special assessments by any particular method - e.g., on the tax roll or by direct bill - does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

5. **DESIGNATING THE LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED.** The Assessments securing the Project shall be levied on the Assessment Area, as described in Exhibit B, and as further designated by the assessment plat hereinafter provided for.

6. **ASSESSMENT PLAT.** Pursuant to Section 170.04, *Florida Statutes*, there is on file, at the District Records Office, an assessment plat showing the area to be assessed (i.e., Assessment Area), with certain plans and specifications describing the Project and the estimated cost of the Project, all of which shall be open to inspection by the public.

7. **PRELIMINARY ASSESSMENT ROLL.** Pursuant to Section 170.06, *Florida Statutes*, the District Manager has caused to be made a preliminary assessment roll, in accordance with the method of assessment described in Exhibit B hereto, which shows the lots and lands assessed,

NOTICE OF PUBLIC HEARINGS
DATE: May 19, 2022
TIME: 2:00 p.m.
LOCATION: Johnson's Surveying, Inc.
900 Cross Prairie Parkway
Kissimmee, Florida 34744

The purpose of the public hearings is to hear comment and objections to the proposed special assessment program for District improvements as identified in the preliminary assessment roll, a copy of which is on file and as set forth in Exhibit B. Interested parties may appear at that hearing or submit their comments in writing prior to the hearings at the District Records Office.

Notice of said hearings 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 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 Records Office. The District Manager shall file proof of such mailing by affidavit with the District Secretary.

9. **PUBLICATION OF RESOLUTION.** Pursuant to Section 170.05, *Florida Statutes*, the District Manager is hereby directed to cause this Resolution to be published twice (once a week for two (2) weeks) in a newspaper of general circulation within Osceola County and to provide such other notice as may be required by law or desired in the best interests of the District.

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

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.

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

PASSED AND ADOPTED this 31st day of March, 2022.

ATTEST: **BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT**

Secretary/Asst. Secretary
Chairman

Exhibit A: *Engineer's Report*, dated March 31, 2022
Exhibit B: *Master Special Assessment Methodology Report*, dated March 31, 2022



April 21, 28, 2022

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT, IN AND FOR OSCEOLA COUNTY, FLORIDA
GENERAL CIVIL DIVISION
CASE NO. 2021-CA-3220 MF
LLOYDS BANK plc f/k/a LLOYDS
TSB BANK plc, a United Kingdom public limited Company,
Plaintiff,

vs.
ORLA O'SHEA a/k/a ORLA SIOBHAIN O'SHEA, a/k/a ORLA SIOBHAIN O'SHEA; DEIRDRE ANNE O'SHEA, THE UNKNOWN SPOUSE OF DEIRDRE ANNE O'SHEA, TUSCANA II CONDOMINIUM ASSOCIATION, INC., a Florida nonprofit corporation, TUSCANA I CONDOMINIUM ASSOCIATION, INC., a Florida nonprofit corporation, TUSCANA MASTER ASSOCIATION, INC., a Florida nonprofit corporation, and JOHN DOE and JANE DOE, as unknown tenants, and any and all Unknown Parties claiming by, through, under, or against the above named individual Defendants who are not known to be dead or alive, whether said Unknown Parties may claim an interest as Spouse, Heirs, Devisees, Grantees, Lienors, Creditors, Trustees, or Other Claimants, Defendants.

AMENDED NOTICE OF ACTION - PROPERTY
TO: UNKNOWN SPOUSE OF ORLA O'SHEA a/k/a ORLA SIOBHAIN O'SHEA, IF ANY; UNKNOWN SPOUSE OF DEIRDRE ANNE O'SHEA, IF ANY; ALL UNKNOWN PARTIES CLAIMING BY, THROUGH, UNDER, OR AGAINST ORLA O'SHEA A/K/A ORLA SIOBHAIN O'SHEA, OR THE UNKNOWN SPOUSE OF ORLA O'SHEA, A/K/A ORLA SIOBHAIN O'SHEA, IF ANY, OR DEIRDRE ANNE O'SHEA, IF ANY; AND ANY AND ALL UNKNOWN PARTIES CLAIMING BY, THROUGH, UNDER, OR AGAINST THE ABOVE NAMED INDIVIDUAL DEFENDANTS WHO ARE NOT KNOWN TO BE DEAD OR ALIVE, WHETHER SAID UNKNOWN PARTIES MAY CLAIM AN INTEREST AS SPOUSE, HEIRS, DEVISEES, GRANTEES, LIENORS, CREDITORS, TRUSTEES, OR OTHER CLAIMANTS.

YOU ARE NOTIFIED that an action to foreclose a mortgage and security interest on the following real property, and the personal property, intangibles and other collateral affixed to, associated with, or relating thereto, located in Osceola County, Florida, described as:

Unit 5306, Building 5, TUSCANA II, a condominium according to the Declaration of Condominium filed in Official Records Book 3495, Page 736, and any amendments thereto, of the public records of Osceola County, Florida. Together with an undivided interest in and to the common elements appurtenant to said unit.

TOGETHER with all buildings and improvements of every kind and description now or hereafter erected or placed thereon with all rents, issues and profits which may arise or may be had from any portion or all of the premises, and all materials intended for construction, reconstruction, alteration and repairs of such improvements now or hereafter erected thereon, all of which materials shall be deemed to be included within the premises immediately upon the delivery thereof to the premises;

TOGETHER with all fixtures, chattels and articles of personal property now or hereafter owned by Mortgagee and attached to or used in connection with said premises, including but not limited to furnaces, boilers, oil burners, radiators and piping, coal stokers, plumbing and bathroom fixtures, refrigeration, air conditioning and sprinkler systems, washtubs, sinks, gas and electric fixtures, stoves, ranges, awnings, screens, window shades, elevators, motors, dynamos, refrigerators, kitchen cabinets, incinerators, plants and shrubbery and all other equipment and machinery, appliances, fittings and fixtures of every kind in or used in the operation of the buildings standing on said premises, together with and all repairs and replacements and alterations and additions thereto, whether or not the same are or shall be attached to said land or buildings in any manner.

and for other relief, has been filed against you and you are required to serve a copy of your written defenses, if any, to this action on the Plaintiff's attorney, whose name and address is JOHN N. MURATIDES, ESQUIRE, Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A., Post Office Box 3299, Tampa, Florida 33601, Telephone: (813) 223-4800, within thirty (30) days after the first publication of this Notice of Action - Property, and to file the original with the Clerk of this Court either before service on Plaintiff's attorney or immediately thereafter; otherwise, a default will be entered against you for the relief demanded in the Complaint.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration at Two Courthouse Square, Suite 6300, Kissimmee, Florida 34741, Telephone: (407) 343-2417 within two (2) working days of your receipt of this (describe notice): If you are hearing or voice impaired, call 1-800-955-8771.

DATED on this 12th day of April 2022.

Kevin Soto, Esquire
Clerk of the Circuit Court and County Comptroller, Osceola County, Florida
By: /s/ SV

NOTICE OF PUBLIC SALE

Notice is hereby given that on 5/6/2022 at 10:30 am, the following mobile home will be sold at public auction pursuant to F.S. 715.109. 1989 SHOR HS 1V630334AY
Last Tenants: JORGE A ALVARADO CARRANZA AND ANA D AYSI ALVARADO, A/K/A ANA D AYSI ALVARADO and all unknown parties beneficiaries heirs. Sale to be at NHC-FL 203 LLC, D/B/A KISSIMMEE GARDENS MANUFACTURED HOME COMMUNITY, 2551 T O H O P E B L V D , KISSIMMEE, FL 34741. 813-241-8269.
April 21, 28, 2022

FICTITIOUS NAME NOTICE

Notice is hereby given that MARISSA HERNANDEZ, OWNER, desiring to engage in business under the fictitious name of FLAVA DANCE ACADEMY located at 2825 NICOLE AVE, KISSIMMEE, FLORIDA 34744 intends to register the said name in OSCEOLA county with the Division of Corporations, Florida Department of State, pursuant to section 865.09 of the Florida Statutes.
April 28, 2022

IN THE COUNTY COURT OF THE NINTH JUDICIAL CIRCUIT, IN AND FOR OSCEOLA COUNTY, FLORIDA
CASE NO.: 2022-SC-001697 SP

JOHNNY M. BROCK,
Plaintiff,
vs.
HENRY B. WELKER
Defendant.

NOTICE OF ACTION

TO: HENRY B. WELKER
YOU ARE NOTIFIED that an action for establishment of ownership of personal property described as: 1995 HARLEY DAVIDSON ULTRA GLIDE CLASSIC, has been filed against you and you are required to serve a copy of your written defenses, if any, to it on Plaintiff, JOHNNY M. BROCK, whose address is: 2925 Shingle Creek Court, Kissimmee, FL 34746, on or before MAY 12, 2022, and file the original with the Clerk of this Court immediately thereafter; otherwise a Default will be entered against you for the relief demanded in the Complaint.

DATED: April 11, 2022.
KELVIN SOTO, Esq.,
CLERK OF THE CIRCUIT COURT & COUNTY COMPTROLLER
By: /s/ M.P. _____
As Deputy Clerk

April 21, 28, 2022
May 5, 12, 2022

NOTICE OF PUBLIC AUCTION

The following vehicles will be sold at auction free of all prior liens for cash.
1) 1992 Mercedes 300 SD
4 Door - Blue
VIN:WDBGB34E0NA083817
2) 2005 Hyundai Sonata GL
4 Door - Silver
VIN:GMHWF25S95A141886
Sale Date: May 13, 2022
Sale Time: 10:00 AM
Sale Location:
MAGIC TOWS, LLC
1201 Sawtooth Trail

NOTICE OF PUBLIC HEARINGS TO CONSIDER THE IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTIONS 170.07 AND 197.3632, FLORIDA STATUTES, BY THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF SPECIAL MEETING OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT

In accordance with Chapters 170, 190 and 197, Florida Statutes, the Buena Lago Community Development District's ("District") Board of Supervisors ("Board") hereby provides notice of the following public hearings and public meeting:

NOTICE OF PUBLIC HEARINGS	
DATE:	May 19, 2022
TIME:	2:00 p.m.
LOCATION:	Johnson's Surveying, Inc. 900 Cross Prairie Parkway Kissimmee, Florida 34744

The purpose of the public hearings announced above is to consider the imposition of special assessments ("Debt Assessments"), and adoption of assessment rolls to secure proposed bonds, on benefited lands within the District, and, to provide for the levy, collection and enforcement of the Debt Assessments. The proposed bonds secured by the Debt Assessments are intended to finance certain public infrastructure improvements, including, but not limited to, stormwater management, water and sewer utilities, landscape, irrigation, lighting, and other infrastructure improvements (together, "Project"), benefitting all lands within the District. The Project is described in more detail in the *Engineer's Report*, dated March 31, 2022 ("Engineer's Report"). Specifically, the Project includes a Capital Improvement Plan to provide public infrastructure benefitting all lands within the District, as identified in the Engineer's Report. The Debt Assessments are proposed to be levied as one or more assessment liens and allocated to the benefited lands within various assessment areas, as set forth in the *Master Special Assessment Methodology Report*, dated March 31, 2022 ("Assessment Report"). At the conclusion of the public hearings, the Board will, by resolution, levy and impose assessments as finally approved by the Board. A special meeting of the District will also be held where the Board may consider any other business that may properly come before it.

The District is located entirely within unincorporated Osceola County, Florida, and covers approximately 113.46 acres of land, more or less. The site is generally located south of Alligator Lake, east and north of Hickory Tree Road and west of Hickory Tree Lane. A geographic depiction of the District is shown below. All lands within the District are expected to be improved in accordance with the reports identified above.

A description of the property to be assessed and the amount to be assessed to each piece of property owned by the property owner, as well as the amount of the assessment to be collected by the County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments.

The proposed Debt Assessments are in an amount not to exceed \$19,845,000 (principal only, not including interest or collection costs or early payment discounts), and are as follows:

Product Type	# Units	ERUs	Total Debt Assessment per Unit	Annual Debt Assessment Per Unit
Townhome	72	0.7	\$47,509	\$3,672
SF 50'	242	1.0	\$67,869	\$5,245

The assessments shall 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 County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments.

The public hearings and meeting are open to the public and will be conducted in accordance with Florida law. The public hearings and meeting may be continued to a date, time, and place to be specified on the record. There may be occasions when staff or board members may participate by speaker telephone. Any person requiring special accommodations because of a disability or physical impairment should contact the District Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Please note that all affected property owners have the right to appear and comment at the public hearings and meeting and may also file written objections with the District Office within twenty (20) days of issuance of this notice. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

District Manager

RESOLUTION 2022-25
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; DESIGNATING THE NATURE AND LOCATION OF THE PROPOSED IMPROVEMENTS; DECLARING THE TOTAL ESTIMATED COST OF THE IMPROVEMENTS, THE PORTION TO BE PAID BY ASSESSMENTS, AND THE MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE TO BE PAID; DESIGNATING THE LANDS UPON WHICH THE ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT AND A PRELIMINARY ASSESSMENT ROLL; ADDRESSING THE SETTING OF PUBLIC HEARINGS; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND ADDRESSING CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Buena Lago Community Development District ("District") is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the District is authorized by Chapter 190, Florida Statutes, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct roadways, sewer and water distribution systems, stormwater management/earthwork improvements, landscape, irrigation and entry features, conservation and mitigation, street lighting and other infrastructure projects, and services necessitated by the development of, and serving lands within, the District; and

WHEREAS, the District hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the District's overall capital improvement plan ("Project") for all lands within the District ("Assessment Area"), as described in the Engineer's Report, dated March 31, 2022, which is attached hereto as Exhibit A, incorporated herein by reference, and on file with the District Manager at c/o Wraithell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Records Office");

WHEREAS, it is in the best interest of the District to pay for all or a portion of the cost of the Project by the levy of special assessments ("Assessments") on the Assessment Area, using the methodology set forth in that *Master Special Assessment Methodology Report*, dated March 31, 2022, which is attached hereto as Exhibit B, incorporated herein by reference, and on file with the District Manager at c/o Wraithell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Records Office");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT:

1. **AUTHORITY FOR THIS RESOLUTION; INCORPORATION OF RECITALS.** This Resolution is adopted pursuant to the provisions of Florida law, including without limitation Chapters 170, 190 and 197, Florida Statutes. The recitals stated above are incorporated herein and are adopted by the Board as true and correct statements.

2. **DECLARATION OF ASSESSMENTS.** The Board hereby declares that it has determined to make the Project and to defray all or a portion of the cost thereof by the Assessments.

3. **DESIGNATING THE NATURE AND LOCATION OF IMPROVEMENTS.** The nature and geographic location of, and plans and specifications for, the Project are described in Exhibit A, which is on file at the District Records Office. Exhibit B is also on file and available for public inspection at the same location.

4. **DECLARING THE TOTAL ESTIMATED COST OF THE IMPROVEMENTS, THE PORTION TO BE PAID BY ASSESSMENTS, AND THE MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE TO BE PAID.**

A. The total estimated cost of the Project is **\$15,373,298** ("Estimated Cost").
B. The Assessments will defray approximately **\$19,845,000**, which is the anticipated maximum par value of any bonds and which includes all or a portion of the Estimated Cost, as well as other financing-related costs, as set forth in Exhibit B, and which is in addition to interest and collection costs. On an annual basis, the Assessments will defray no more than **\$1,599,237** per year, again as set forth in Exhibit B.

C. The manner in which the Assessments shall be apportioned and paid is set forth in Exhibit B, as may be modified by supplemental assessment resolutions. The Assessments will constitute a "master" lien, which may be imposed without further public hearing in one or more separate liens each securing a series of bonds, and each as determined by supplemental assessment resolution. With respect to each lien securing a series of bonds, the special assessments shall be paid in not more than (30) thirty yearly installments. The special assessments may be payable at the same time and in the same manner as are ad-valorem taxes and collected pursuant to Chapter 197, Florida Statutes; provided, however, that in the event the uniform non ad-valorem assessment method of collecting the Assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law, including but not limited to by direct bill. The decision to collect special assessments by any particular method - e.g., on the tax roll or by direct bill - does not mean that such method would be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

5. **DESIGNATING THE LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED.** The Assessments securing the Project shall be levied on the Assessment Area, as described in Exhibit B, and as further designated by the assessment plat hereinafter provided for.

6. **ASSESSMENT PLAT.** Pursuant to Section 170.04, Florida Statutes, there is on file, at the District Records Office, an assessment plat showing the area to be assessed (i.e., Assessment Area), with certain plans and specifications describing the Project and the estimated cost of the Project, all of which shall be open to inspection by the public.

7. **PRELIMINARY ASSESSMENT ROLL.** Pursuant to Section 170.06, Florida Statutes, the District Manager has caused to be made a preliminary assessment roll, in accordance with the method of assessment described in Exhibit B hereto, which shows the lots and lands assessed, the amount of benefit to and the assessment against each lot or parcel of land and the number

NOTICE OF PUBLIC HEARINGS	
DATE:	May 19, 2022
TIME:	2:00 p.m.
LOCATION:	Johnson's Surveying, Inc. 900 Cross Prairie Parkway Kissimmee, Florida 34744

The purpose of the public hearings is to hear comment and objections to the proposed special assessment program for District improvements as identified in the preliminary assessment roll, a copy of which is on file and as set forth in Exhibit B. Interested parties may appear at that hearing or submit their comments in writing prior to the hearings at the District Records Office.

Notice of said hearings 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 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 Records Office. The District Manager shall file proof of such mailing by affidavit with the District Secretary.

9. **PUBLICATION OF RESOLUTION.** Pursuant to Section 170.05, Florida Statutes, the District Manager is hereby directed to cause this Resolution to be published twice (once a week for two (2) weeks) in a newspaper of general circulation within Osceola County and to provide such other notice as may be required by law or desired in the best interests of the District.

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

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.

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

PASSED AND ADOPTED this 31st day of March, 2022.

ATTEST: **BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT**

Secretary/Asst. Secretary **Chairman**

Exhibit A: Engineer's Report, dated March 31, 2022
Exhibit B: Master Special Assessment Methodology Report, dated March 31, 2022



April 21, 28, 2022

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT IN AND FOR OSCEOLA COUNTY, FLORIDA
Case No.: 49-2021-CA-002385
Division: 22
IN RE FORFEITURE OF: \$25,839.00 in U.S. Currency.

NOTICE OF ACTION TO: LEXA ALVARADO MOLINA AND ALL PARTIES CLAIMING INTEREST BY THROUGH, UNDER OR AGAINST AXEL ALVARADO JIMENEZ OR LEXA ALVARADO MOLINA.
YOU ARE NOTIFIED that an action pursuant to the Florida Contraband Forfeiture Act has been filed by the Kissimmee Police Department on the following property in Osceola County, FL: \$25,839.00 in U.S. Currency, seized on or about 7/22/2021 at or near 398 W. Vine Street, Kissimmee, FL, Osceola County. You are required to serve a copy of your written defenses, if any, to William Curtis McGeehee, Petitioner's attorney, 8 N. Stewart Avenue, Kissimmee, FL 34741, on or before the 7th day of MAY 2022, and file the original with the Clerk of this Court either before service on Petitioner's attorney or immediately thereafter, otherwise a default will be entered against you for the relief demanded in the Petition for Final Judgment of Forfeiture.

If you are a person with a disability who needs any accommodation in order to participate in a court proceeding or event, you are entitled, at no cost to you, to the provision of certain assistance. Please contact in Osceola County: ADA Coordinator, Court Administration, Osceola County Courthouse, 2 Courthouse Square, Suite 6300, Kissimmee, FL 34741, (407) 742-2417, Fax # 407-835-5079, at least 7 days before your scheduled court appearance, or immediately upon receiving notification if the time before the scheduled court appearance is less than 7 days. If you are hearing or voice impaired, call 711 to reach the Telecommunications Relay Service.
DATED this 7th day of April 2022.

KELVIN SOTO, Esq.
CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER
By: BSV
As Deputy Clerk
April 14, 21, 28, 2022
May 5, 2022

NOTICE OF PUBLIC AUCTION
The vehicles described below shall be sold at Public Auction on the dates listed below at 3:00 P.M. Cash only.

Auction to be held at DELLWOOD SERVICE, 2112 North Main Street, Kissimmee, Florida 34744. Telephone: (407) 847-2334
MAY 5, 2022

- 1) 2009 HONDA #1HGS228X9A004670 MAY 12, 2022
- 1) 2005 TOYOTA #4T1BE32KX5U050890 MAY 20, 2022
- 1) 2012 NISSAN

NOTICE OF SALE OF MOTOR VEHICLE
Pursuant to Florida Statute 713.585, Mid-Florida Lien And Title Service, LLC, will sell at public sale for cash the following described vehicle(s) located at lienor's place to satisfy a claim of lien. 2007 FORD VIN: 2FMDK46C07BB11673. Lien Amt: \$1373.30. 2009 AUDI VIN: WAUSF78K69N054714. Lien Amt: \$1578.72. Lienor/D & D AUTO REPAIR & SERVICE, LLC, 1033 AMERICAN WAY KISSIMMEE, FL 407-847-7593. 1974 MERZ VIN: 10704412020305. Lien Amt: \$695.00. 2006 HOND VIN: 1HPCM82636A01127. Lien Amt: \$695.00. Lienor/VENOM MOTOR SPORTS LLC, 101 E FLETCHER ST KISSIMMEE, FL 407-483-4896. 2011 TOYT VIN: 2T1BU4EE7BC738301. Lien Amt: \$695.00. Lienor/AUTO MORGANS EXPRESS LLC, 2779 OLD DIXIE HWY STE F KISSIMMEE, FL 786-537-1242. Sale Date: May 09, 2022, 10:00 AM. At Mid Florida Lien & Title Service LLC, 3001 Aloma Avenue, Winter Park FL 32792. Said vehicle(s) may be redeemed by satisfying the lien prior to sale date. You have the right to a hearing at any time prior to sale date by filing a demand for hearing in the circuit court. Owner has the right to recover possession of vehicle by posting a bond in accordance with F.S. 559.917. Any proceeds in excess of the amount of the lien will be deposited with the Clerk of Circuit Court in the county where the vehicle is held.
April 21, 2022

WARNING
Notice of Application for Tax Deed
Notice is hereby given that MARK H FINK, the holder of tax certificate No. 6772, issued on June-01-2015, has filed said certificate in this office and has made application for a tax deed to be issued thereon. The tax certificate information is as follows: Apparent Titleholder(s): GARY CHANCY, REX CHANCY, WOODROW CHANCY Assessed to: Legal Description: N1/2 OF THE FOLLOWING: BEG 330 FT N & 1320 FT E OF SW COR OF GOV LOT 1, RUN E 330 FT, N 330 FT, W 330 FT, S 330 FT TO POB Parcel No.: 36 27 31 6000 000L, 1250
All of said property being in the County of Osceola, State of Florida.
Unless said certificate be redeemed according to law, the property described therein will be sold to the highest bidder on line at www.osceola.realtaxdeed.com on, the 17th day of May, 2022 at 11:00 a.m. Property is sold subject to any additional outstanding taxes.
DATED this day, March 07, 2022, publication of this notice is requested. Notice to be published in the OSCEOLA NEWS-GAZETTE.
KELVIN SOTO, Esq.
Clerk of the Circuit Court & County Comptroller, Osceola County, Florida
By: VO, DEPUTY CLERK
April 14, 21, 28, 2022
May 5, 2022

WARNING
Notice of Application for Tax Deed
Notice is hereby given that MARK H FINK, the holder of tax certificate No. 6647, issued on June-01-2015, has filed said certificate in this office and has made application for a tax deed to be issued thereon. The tax certificate information is as follows: Apparent Titleholder(s): MARIE J JANDRIS, MARIE J JANDRIS EST, RAYMOND R JANDRIS Assessed to: Legal Description: BEG 330 FT E OF NW COR OF NE 1/4, E 330 FT, S 329.87 FT, W 330 FT, N 329.85 FT TO POB Parcel No.: 25 27 31 9991 0211 000E
All of said property being in the County of Osceola, State of Florida.
Unless said certificate be redeemed according to law, the property described therein will be sold to the highest bidder on line at www.osceola.realtaxdeed.com on, the 17th day of May, 2022 at 11:00 a.m. Property is sold subject to any additional outstanding taxes.
DATED this day, March 07, 2022, publication of this notice is requested. Notice to be published in the OSCEOLA NEWS-GAZETTE.
KELVIN SOTO, Esq.
Clerk of the Circuit Court & County Comptroller, Osceola County, Florida
By: VO, DEPUTY CLERK
April 14, 21, 28, 2022
May 5, 2022

DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY

Proposed Flood Hazard Determinations for the City of St. Cloud and Unincorporated Areas of Osceola County, Florida, Case No. 21-04-5676P. The Department of Homeland Security's Federal Emergency Management Agency (FEMA) solicits technical information or comments on proposed flood hazard determinations for the Flood Insurance Rate Map (FIRM), and where applicable, the Flood Insurance Study (FIS) report for your community. These flood hazard determinations may include the addition or modification of Flood Hazard Elevations, base flood depths, Special Flood Hazard Area boundaries or zone designations, or the regulatory floodway. The FIRM and, if applicable, the FIS report have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Title 44, Part 65 of the Code of Federal Regulations. These determinations are the basis for the floodplain management measures that your community is required to adopt or show evidence of having in effect to qualify or remain qualified for participation in the National Flood Insurance Program. For more information on the proposed flood hazard determinations and information on the sixty (60)-day period provided for appeals, please visit FEMA's website at https://www.floodmaps.fema.gov/fhm/BFE_Status/bfe_main.asp, or call the FEMA Mapping and Insurance eXchange (FMIX) toll free at 1-877-FEMA MAP (1-877-336-2627).
April 14, 21, 2022

WARNING
Notice of Application for Tax Deed
Notice is hereby given that MARK H FINK, the holder of tax certificate No. 6613, issued on June-01-2015, has filed said certificate in this office and has made application for a tax deed to be issued thereon. The tax certificate information is as follows: Apparent Titleholder(s): ARACELIO MENDEZ, ARACELIO MENDEZ DEYNES, NELIDA FIGUEROA DE MENDEZ, NELIDA MENDEZ Assessed to: Legal Description: BEG 1649.20 FT S & 825 FT E OF NW COR OF NE 1/4, E 165 FT, W 330 FT, S 330 FT TO POB Parcel No.: 36 27 31 6000 000L, 1250
All of said property being in the County of Osceola, State of Florida.
Unless said certificate be redeemed according to law, the property described therein will be sold to the highest bidder on line at www.osceola.realtaxdeed.com on, the 17th day of May, 2022 at 11:00 a.m. Property is sold subject to any additional outstanding taxes.
DATED this day, March 07, 2022, publication of this notice is requested. Notice to be published in the OSCEOLA NEWS-GAZETTE.
KELVIN SOTO, Esq.
Clerk of the Circuit Court & County Comptroller, Osceola County, Florida
By: VO, DEPUTY CLERK
April 14, 21, 28, 2022
May 5, 2022

WARNING
Notice of Application for Tax Deed
Notice is hereby given that MARK H FINK, the holder of tax certificate No. 6738, issued on June-01-2015, has filed said certificate in this office and has made application for a tax deed to be issued thereon. The tax certificate information is as follows: Apparent Titleholder(s): PATRICIA M PAGADUAN, ROLAND P KANUHA, ROLAND P KANUHA EST Assessed to: Legal Description: BEG 2310 FT N & 495 FT E OF SW COR OF NW 1/4, E 165 FT, N 330.22 FT, W 165 FT, S 330.21 FT TO POB Parcel No.: 36 27 31 6000 000L, 1250
All of said property being in the County of Osceola, State of Florida.
Unless said certificate be redeemed according to law, the property described therein will be sold to the highest bidder on line at www.osceola.realtaxdeed.com on, the 17th day of May, 2022 at 11:00 a.m. Property is sold subject to any additional outstanding taxes.
DATED this day, March 07, 2022, publication of this notice is requested. Notice to be published in the OSCEOLA NEWS-GAZETTE.
KELVIN SOTO, Esq.
Clerk of the Circuit Court & County Comptroller, Osceola County, Florida
By: VO, DEPUTY CLERK
April 14, 21, 28, 2022
May 5, 2022

WARNING
Notice of Application for Tax Deed
Notice is hereby given that MARK H FINK, the holder of tax certificate No. 7197, issued on June-01-2015, has filed said certificate in this office and has made application for a tax deed to be issued thereon. The tax certificate information is as follows: Apparent Titleholder(s): ELDA M WELCH, MARGARET KOERSELMAN Assessed to: Legal Description: BEG 1651.9 FT S & 3794.31 FT W OF NE COR OF SE1/4, RUN W 164.97 FT S 330.19 FT E 165.01 FT N 330.2 FT TO POB AKA 121 Parcel No.: 19 27 32 0000 3423 002P
All of said property being in the County of Osceola, State of Florida.
Unless said certificate be redeemed according to law, the property described therein will be sold to the highest bidder on line at www.osceola.realtaxdeed.com on, the 17th day of May, 2022 at 11:00 a.m. Property is sold subject to any additional outstanding taxes.
DATED this day, March 07, 2022, publication of this notice is requested. Notice to be published in the OSCEOLA NEWS-GAZETTE.

Unless said certificate be redeemed according to law, the property described therein will be sold to the highest bidder on line at www.osceola.realtaxdeed.com on, the 17th day of May, 2022 at 11:00 a.m. Property is sold subject to any additional outstanding taxes.
DATED this day, March 07, 2022, publication of this notice is requested. Notice to be published in the OSCEOLA NEWS-GAZETTE.

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

6B

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EXHIBIT A: Mailed Notice

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

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

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | |
|--|----|
| ☐ Return Receipt (hardcopy) | \$ |
| ☐ Return Receipt (electronic) | \$ |
| ☐ Certified Mail Restricted Delivery | \$ |
| ☐ Adult Signature Required | \$ |
| ☐ Adult Signature Restricted Delivery | \$ |

Postage

\$

Total

\$

Sent

Street

City, State

FORESTAR USA REAL ESTATE GROUP INC
4042 PARK OAKS BLVD STE 200
TAMPA, FL 33610



Postmark
Here

7016 2140 0000 3093 9630

EXHIBIT A

Buena Lago
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 First Class U.S. Mail and Email

April 18, 2022

FORESTAR USA REAL ESTATE GROUP INC
4042 PARK OAKS BLVD STE 200
TAMPA, FL 33610

RE: Buena Lago Community Development District ("District")
Notice of Hearings on Debt Assessments

Dear Property Owner:

In accordance with Chapters 170, 190 and 197, *Florida Statutes*, the District's Board of Supervisors ("**Board**") hereby provides notice of the following public hearings, and public meeting:

NOTICE OF PUBLIC HEARINGS

DATE:	May 19, 2022
TIME:	2:00 p.m.
LOCATION:	Johnson's Surveying, Inc. 900 Cross Prairie Parkway Kissimmee, Florida 34744

The purpose of the public hearings announced above is to consider the imposition of special assessments ("**Debt Assessments**"), and adoption of assessment rolls to secure proposed bonds, on benefited lands within the District, and, to provide for the levy, collection and enforcement of the Debt Assessments. The proposed bonds secured by the Debt Assessments are intended to finance certain public infrastructure improvements, including, but not limited to, stormwater management, water and sewer utilities, landscape, irrigation, lighting, and other infrastructure improvements (together, "**Project**"), benefitting all lands within the District. The Project is described in more detail in the *Engineer's Report*, dated March 21, 2022 ("**Engineer's Report**"). Specifically, the Project includes a Capital Improvement Plan to provide public infrastructure benefitting all lands within the District, as identified in the Engineer's Report. The Debt Assessments are proposed to be levied as one or more assessment liens and allocated to the benefitted lands within various assessment areas, as set forth in the *Master Special Assessment Methodology Report*, dated March 31, 2022 ("**Assessment Report**"). Copies of the Engineer's Report and Assessment Report are attached hereto. As required by Chapters 170, 190 and 197, *Florida Statutes*, the Assessment Report, together with the Engineer's Report, describe in more detail the purpose of the Debt Assessments; the total amount to be levied against each parcel of land within the District; the units of measurement to be applied against each parcel to determine the Debt Assessments; the number of such units contained within each parcel; and the total revenue the District will collect by the Debt Assessments. At the conclusion of the public hearings, the Board will, by resolution, levy and impose the Debt Assessments as finally approved by the Board. A special meeting of the District will also be held where the Board may consider any other business that may properly come before it.

The Debt Assessments constitute a lien against benefitted property located within the District just as do each year's property taxes. For the Debt Assessments, the District may elect to have the County Tax Collector

collect the assessments, or alternatively may collect the assessments by sending out an annual bill. For delinquent assessments that were initially directly billed by the District, the District may initiate a foreclosure action or may place the delinquent assessments on the next year's county tax bill. IT IS IMPORTANT TO PAY YOUR ASSESSMENT BECAUSE FAILURE TO PAY WILL CAUSE A TAX CERTIFICATE TO BE ISSUED AGAINST THE PROPERTY WHICH MAY RESULT IN LOSS OF TITLE, OR FOR DIRECT BILLED ASSESSMENTS, MAY RESULT IN A FORECLOSURE ACTION, WHICH ALSO MAY RESULT IN A LOSS OF TITLE. The District's decision to collect assessments on the tax roll or by direct billing does not preclude the District from later electing to collect those or other assessments in a different manner at a future time.

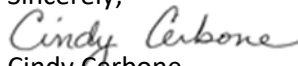
The District is located entirely within unincorporated Osceola County, Florida, and covers approximately 113.46 acres of land, more or less. The site is generally located south of Alligator Lake, east and north of Hickory Tree Road and west of Hickory Tree Lane. All lands within the District are expected to be improved in accordance with the reports identified above. A geographic 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 "**District's Office**" located at c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (877)276-0889. Also, a copy of the agendas and other documents referenced herein may be obtained from the District Office.

The public hearings and meeting are open to the public and will be conducted in accordance with Florida law. The public hearings and meeting may be continued to a date, time, and place to be specified on the record. There may be occasions when staff or board members may participate by speaker telephone. Any person requiring special accommodations because of a disability or physical impairment should contact the District Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Please note that all affected property owners have the right to appear and comment at the public hearings and meeting and may also file written objections with the District Office within twenty (20) days of issuance of this notice. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

If you have any questions, please do not hesitate to contact the District Office.

Sincerely,


Cindy Cerbone
District Manager

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

6C

Buena Lago Community Development District

Engineer's Report

MARCH 21, 2022



SUBMITTED BY
Dewberry Engineers Inc.
800 North Magnolia Avenue
Suite 1000
Orlando, Florida 32803
407-843-5120

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INTRODUCTION

Buena Lago Community Development District (the "District" or "CDD") is located entirely within unincorporated Osceola County, Florida (the "County"). It is located south of Alligator Lake, east and north of Hickory Tree Road, and west of Hickory Tree Lane. The District currently contains approximately 113.46 acres and is expected to consist of 314 residential lots of various sizes for single family with recreation/amenity areas, parks, and associated infrastructure for the development.

The CDD was established under the County Ordinance No. 2022-32, which was approved by the County Commission on March 21, 2022. The District will own and operate the public roadways, and stormwater management facilities, as well as the landscape, irrigation, signage, and recreational facilities within the development.

The Master Developer ("Developer") is Forestar (USA) Real Estate Group, Inc., is based in Tampa, Florida. The development is approved as a Planned Development (PD) for Residential Units to be constructed in single phase. A land use summary is presented in Table 1.

Public improvements and facilities financed, acquired, and/or constructed by the District will be designed and constructed to conform to regulatory criteria from the city, county, South Florida Water Management District (SFWMD), and other applicable agencies with regulatory jurisdiction over the development, an overall estimate of the probable cost of the public improvements are provided in Exhibit 7 of this report.

The Capital Improvement Plan (CIP) described in this Engineer's Report reflects the present intentions of the District and the landowners. It should be noted that the location of the proposed facilities and improvements may be adjusted during the final design, permitting, and implementation phases. It should also be noted that these modifications are not expected to diminish the benefits to the property within the District. The District reserves the right to make reasonable adjustments to the development plan to meet applicable regulatory requirements of agencies with jurisdiction over the development while maintaining a comparable level of benefits to the lands served by the improvements. Changes and modifications are expected as changes in regulatory criteria are implemented.

Table 1 Land Use

LAND USE	AREA (acres)
Master Stormwater System	35.00
Residential Land (Single-Family Lots)	36.31
Roadways Infrastructure & Public Facilities	14.97
Open Space/Conservation Areas/Parks	27.18
TOTAL	113.46

Table 2 Lot Types

LOT TYPE	UNITS
20-ft SFR Lots (townhomes)	72
50-ft SFR Lots	242
TOTAL	314

Implementation of any proposed facilities or improvements outlined in this report requires written approval from the District's Board of Supervisors. Estimated costs outlined in this report are based on the best available information, which includes, but is not limited, to previous experience with similar projects. Actual costs could be different than estimates because final engineering and specific field conditions may affect construction costs.

All roadway improvements including sidewalks in the right-of-way and storm drainage collection systems (from the curb inlets to their connection to the stormwater ponds) within the development will be maintained by the District. Water distribution and wastewater collection systems (gravity lines, force mains, and lift stations) will be dedicated to the County for ownership and maintenance upon completion.

PURPOSE AND SCOPE

The purpose of this report is to provide engineering support for the funding of the proposed improvements within the District. This report will identify the proposed public infrastructure to be constructed or acquired by the District along with an Opinion of Probable Construction Costs. The District will finance, construct, acquire, operate, and maintain all or specific portions of the proposed public infrastructure.

The predominant portion of this report provides descriptions of the proposed public infrastructure improvements, determination of estimated probable construction costs, and the corresponding benefits associated with the implementation of the described improvements. Detailed site construction plans and specifications have not yet been completed or permitted for the improvements described herein. The engineer has considered and in specific instances has relied upon, the information and documentation prepared or supplied by others to prepare this Engineer's Report.

THE DEVELOPMENT

The development will consist of a total of 314 residential units and associated infrastructure. The development is a planned residential community consisting of 113.46 acres located entirely within unincorporated Osceola County, Florida. The land uses and zoning for the development are LDR (low density residential). The development will be constructed in a single phase.

CAPITAL IMPROVEMENTS

The CIP consists of public infrastructure in the development. The primary portions of the CIP will provide for stormwater pond construction, roadways built to an urban roadway typical section, water, and sewer infrastructure including a lift station, and off-site improvements (including turn lanes and extension of water and sewer mains to serve the development).

There will also be stormwater structures and conveyance culverts within the CIP, which will outfall into the various on-site stormwater ponds. These structures and pond areas comprise the overall stormwater facilities of the CIP. Installation of the water distribution and wastewater collection system will also occur at this time as well as the lift station serving the project. Below-ground installation of telecommunications and cable television will occur but will not be funded by the District. Installation of streetlights and the incremental cost of undergrounding of power within the public rights-of-way or easements will be funded by the District.

The recreational areas will have connectivity via sidewalks to the other portions of the District. The recreational areas will be accessed by the public roadways and sidewalks.

CAPITAL IMPROVEMENT PLAN COMPONENTS

The CIP for the District includes the following:

Stormwater Management Facilities

Stormwater Management facilities consisting of storm conveyance systems and retention/detention ponds are contained within the District boundaries. Stormwater will be discharged via roadway curb and gutter and storm inlets. Storm culverts convey the runoff into the proposed retention ponds for water quality treatment and attenuation. The proposed stormwater systems will utilize dry retention and/or wet retention for biological pollutant assimilation to achieve water quality treatment. The design criteria for the District's stormwater treatment systems are regulated by the County and SFWMD.

Federal Emergency Management Agency ("FEMA") Flood Insurance Rate Map Panel No. 12097C0290G, dated 06/18/2013, demonstrates that the property is located within Flood Zones X and AE. Based on this information and the site topography, it appears that 100-year compensation will be done in areas where we will impact existing depressions throughout the development and the 100-year flood volumes will be compensated as it is required by the County and FEMA.

During the construction of stormwater management facilities, utilities, and roadway improvements the contractor will be required to adhere to a Stormwater Pollution Prevention Plan (SWPPP) as required by the Florida Department of Environmental Protection (FDEP) as delegated by the Environmental Protection Agency. The SWPPP will be prepared to depict the proposed recommended locations of required erosion control measures and staked turbidity barriers specifically along the downgradient side of any proposed construction activity. The site contractor will be required to provide the necessary reporting as required by the National Pollutant Discharge Elimination System General Permit with erosion control, its maintenance, and any rainfall events that occur during construction activity.

Public Roadways

The proposed public roadway sections include Miami curbs or Type F curb and gutter on both sides of the

- 22-foot roadway consisting of asphalt along with a 50-foot right-of-way,
- 26-foot roadway consisting of two 18-foot lanes with a 10-foot median along with an 80-foot right of way,
- one roundabout with a 36-foot roadway consisting of two 18-foot lanes and a 100-foot diameter open space tract at the center.

The proposed roadway sections will consist of stabilized subgrade, a lime rock, crushed concrete, or cement-treated base, and asphalt type roadway wearing surface. The proposed curb is to be 2-feet wide and placed along the edge of the proposed roadway section for purposes of protecting the integrity of the pavement and to provide stormwater runoff conveyance to the proposed stormwater inlets.

The proposed roadways will also require signing and pavement markings within the public rights-of-way, as well as street signs depicting street name identifications and addressing, which will be utilized by the residents and public. As stated above, the District's funding of roadway construction will occur for all public roadways.

Water and Wastewater Facilities

A potable drinking water distribution system inclusive of a water main, gate valves, fire hydrants, and appurtenances will be installed. The water service provider will be the City. The water system will be designed to provide equal distribution and redundancy. The system will be installed within the proposed public rights-of-way and will provide potable drinking water (domestic) and fire protection services to serve the entire District.

A domestic wastewater collection system inclusive of gravity sanitary sewer mains and sewer laterals will be installed. The gravity sanitary sewer mains will be a minimum of eight (8)-inch diameter PVC pipe systems. The gravity sanitary sewer lines will be placed inside of the proposed public rights-of-way, under the proposed paved roadways. Sewer laterals will branch off from these sewer lines to serve the development. Lift stations are anticipated for this CIP. Flow from the lift station will be connected to a proposed force main that will pump to an existing force main that will connect to the City's wastewater treatment facility.

The City's public utilities will provide the reclaimed water to be used for all irrigation within the CDD. The reclaimed water will be funded by the District and **installed** onsite within the roadways to provide for irrigation within the public right-of-way or any public areas needing irrigation. Any water, sewer, or reclaim water pipes or facilities placed on private property will not be publicly funded.

Off-Site Improvements

The District will provide funding for the anticipated turn lanes at the development entrances. The site construction activities associated with the CIP are anticipated to be completed in one year. Upon completion, the improvements required inspections will be completed and final certifications of completions will be obtained from SFWMD, FDEP (water distribution and wastewater collection systems), and the City.

Amenities and Parks

The District will provide funding for an amenity center that is open to the residents and the public to include the following: parking areas, restroom facilities, pool, all-purpose playfields, and walking trails to provide connectivity to the various amenity centers within the CDD. In addition, there will be passive parks throughout the development, which will include benches and walking trails.

Electric Utilities and Lighting

The electric distribution system thru the District is currently planned to be underground. The District presently intends to fund the incremental cost of undergrounding of the electric conduits, transformer/cabinet pads, and electric manholes required by Duke Energy, with Duke providing underground electrical service to the development. The CDD presently intends to fund the cost to purchase and install the street lighting along the internal roadways within the CDD. District will retain ownership of the electric distribution system and streetlights and electrical service will be provided by Duke Energy.

Entry Feature

Landscaping, irrigation, entry features, and walls where required as a buffer at the entrances and along the outside boundary of the development, will be provided by the District. Landscaping for the roadways will consist of sod, perennial flowers, shrubs, ground cover, and trees for the internal roadways within the CDD. Perimeter fencing will be provided at the site entrances and perimeters where required as a buffer. These items will be funded, owned, and maintained by the CDD.

Miscellaneous

The stormwater improvements, landscaping and irrigation, recreational improvements, street lighting, and certain permits and professional fees as described in this report are being financed by the District to benefit all the developable real property within the District. The construction and maintenance of the proposed public improvements will benefit the development for the intended use as a single-family/residential planned development.

Permitting

Construction permits for all phases are required and include the SFWMD ERP, FDEP, City of St. Cloud, and county construction plan approval. Following is a summary of required permits obtained or pending approval for the construction of the public infrastructure improvements for the District:

Table 3 Permits/Approvals

Permits/Approvals	Approval/Expected Date
Zoning Approval	Residential Planned Unit Development (RPUD)
Preliminary Plat	To be obtained
SFWMD ERP	To be obtained
Construction Permits	To be obtained
City of St. Cloud - Water/Sewer	To be obtained
FDEP Sanitary Sewer General Permit	To be obtained
FDEP Water Distribution General Permit	To be obtained
FDEP NOI	To be obtained

RECOMMENDATION

As previously explained within this report, the public infrastructure, as described, is necessary for the development and functional operation as required by the City. The site planning, engineering design, and construction plans for the infrastructure are in accordance with the applicable requirements of Osceola County and SFWMD. It should be noted that the infrastructure will provide its intended use and function so long as the construction and installation are in substantial conformance with the design construction plans and regulatory permits.

Items utilized in the Opinion of Probable Costs for this report are based upon the proposed plan infrastructure as shown on construction drawings incorporating specifications in the most current SFWMD, FDEP, Osceola County, and City of St. Cloud utilities regulations.

REPORT MODIFICATION

During the development and implementation of the designed public infrastructure improvements, it may be necessary to make modifications and/or deviations to the plans. However, if such deviations and/or revisions do not change the overall primary objective of the plan for such improvements, then the cost differences would not materially affect the proposed construction cost estimates.

SUMMARY AND CONCLUSION

The improvements as outlined are necessary for the functional development of the entire project. The project is being designed in accordance with current government regulatory requirements. The project will serve its intended function provided the construction is in substantial compliance with the design. Items of construction for the project are based upon current development plans.

ENGINEER'S CERTIFICATION

It is our professional opinion that the public infrastructure costs for the CIP provided in this report are reasonable to complete the construction of the public infrastructure improvements. Furthermore, the public infrastructure improvements will benefit and add value to lands within the District and the value is at least the same as the costs for said improvements.

The Opinion of Probable Costs for the public infrastructure improvements is only an estimate and is not a guaranteed maximum price. The estimated costs are based upon current unit prices and on our experience with ongoing and similar projects and basis in the County and City. However, labor market, future costs of equipment; materials, changes to the regulatory permitting agencies' activities, and the actual construction processes employed by the chosen site contractor are beyond the engineer's control. Due to this inherent opportunity for changes (upward or downward) in the construction costs, the total, final construction cost may be more or less than this estimate.

Based upon the presumption that the CIP construction continues in a timely manner, it is our opinion that the costs of the CIP proposed represent a system of improvements benefitting all developable property located within the District, are fair and reasonable, and that the District-funded improvements are assessable improvements within the meaning of Chapter 190, F.S. We have no reason to believe that the CIP improvements cannot be constructed at the cost described in this report. We expect the improvements to be constructed or acquired by the District with bond proceeds, as indicated within this report. We believe that the District will be well served by the improvements discussed in this report.

I hereby certify that the foregoing is a true and correct copy of the engineer's report for Buena Lago Community Development District.



Reinardo Malavé, P.E.
Florida License No. 31588

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

6D

BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT

Master Special Assessment Methodology Report

March 31, 2022



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 (the “Methodology”) for the Buena Lago Community Development District (the “District”), located in unincorporated 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 Dewberry Engineers, Inc. dated March 21, 2022 (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.

1.3 Special Benefits and General Benefits

Public capital 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 public infrastructure 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 Buena Lago development (the “Development” or “Buena Lago”), a master planned, residential development located in unincorporated Osceola County, Florida. The land within the District consists of approximately 113.46 +/- acres and is located south of Alligator Lake, east and north of Hickory Tree Road, and west of Hickory Tree Lane.

2.2 The Development Program

The development of Buena Lago is anticipated to be conducted by Forestar (USA) Real Estate Group Inc. or its associates (the “Developer”). Based upon the information provided by the Developer, the current development plan for the District envisions a total of 314 residential units developed in one or more phases, although development phasing, 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 projected to consist of off-site roadway improvements, stormwater management, utilities (water, sewer/reuse), electrical utilities and lighting, roadways, entry features and parks and amenities, 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, including the costs of land acquisition and professional services, as well as a contingency are estimated at \$15,373,298.05. 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, 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 consisting of

long-term bonds, the District would have to issue approximately \$19,845,000 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 \$19,845,000 in one or more Series with various maturities to finance Capital Improvement Plan costs at \$15,373,298.05. The Bonds as projected 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 May 1 or 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 \$19,845,000. 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 public 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 improvements 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 314 residential units, 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 for the improvement or debt allocated to the parcel of land.

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, such as townhomes, will use and benefit from the improvements which are part of the Capital Improvement Plan less than products with larger lot sizes, such as single-family homes on fifty foot-wide lots. 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 Assessments") to the product types 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 Assessments annual debt service assessments per unit.

No Bond Assessments are allocated herein to the private amenities or other common areas planned for the development. If owned by a homeowner's association, the amenities and common areas would be considered a common element for the exclusive benefit of property owners. Accordingly, any benefit to the amenities and common areas would directly to the benefit of all platted lots in the District. As such, no Bond Assessments will be assigned to the amenities and common areas. If the amenities are owned by the District, then they would be governmental property not subject to the Bond Assessments and would be open to the general public, subject to District rules and policies.

5.3 Assigning Bond Assessments

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 Assessments 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 \$19,845,000 will be preliminarily levied on approximately 113.46 +/- gross acres at a rate of \$174,907.46 per gross acre.

When the land is platted, the Bond Assessments 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 Assessments from unplatted gross acres to platted parcels will reduce the amount of Bond Assessments 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 Assessments 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 Assessments applicable to the Transferred Property, regardless of the total number of ERUs ultimately actually platted. These total Bond Assessments are 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 Assessments 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.

Public infrastructure 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 public infrastructure 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 Capital Improvement Plan.

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

5.6 True-Up Mechanism

The 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 Assessments on a per ERU basis never exceed the initially allocated assessment as contemplated in the adopted assessment Methodology. Bond Assessments per ERU preliminarily equal \$67,869.36 (\$19,845,000 in Bond Assessments divided by 292.40 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 a 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 Assessments are 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 Assessments to the platted parcels, the Bond Assessments per ERU for land that remains unplatted remain equal to \$67,869.36, then no true-up adjustment will be necessary.

If as a result of platting and apportionment of the Bond Assessments to the platted parcels the Bond Assessments per ERU for land that remains unplatted equal less than \$67,869.36 (for instance as a result of a larger number of units) then the per ERU Bond Assessments 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 Assessments to the platted parcels, the Bond Assessments per ERU for land that remains unplatted equal more than \$67,869.36¹ (for 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 Assessments plus applicable accrued interest (to the extent described below in this Section) 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.

¹ For example, if the first platting includes 50 Single-Family 50' lots, which equates to a total allocation of \$3,393,467.85 in Bond Assessments, then the remaining unplatted land would be required to absorb 72 Townhomes and 192 Single-Family 50' lots, or \$16,451,532.15 in Bond Assessments. If the remaining unplatted land would only be able to absorb 70 Townhomes and 192 Single-Family 50' lots, or \$16,356,515.05 in Bond Assessments, then a true-up, payable by the owner of the unplatted land, would be due in the amount of \$95,017.10 in Bond Assessments plus applicable accrued interest to the extent described in this Section.

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 Assessments per ERU and \$67,869.36, 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 Assessments).

In considering whether to require a true-up payment, the District shall consider any requests for a deferral of true-up. In order to obtain such a deferral, a landowner seeking such deferral must provide to the District the following: a) proof of the amount of entitlements remaining on the undeveloped lands, b) a revised overall development plan showing the number and type of units reasonably planned for the remainder of the development, c) evidence of allowable zoning conditions that would enable those entitlements to be placed in accordance with the revised development plan, and d) documentation prepared by a licensed engineer that shows the feasibility of implementing the proposed development plan. The District's decision whether to grant a deferral shall be in its reasonable discretion. Prior to any decision by the District not to impose a true-up payment, a supplemental methodology shall be produced demonstrating that there will be sufficient Bond Assessments to pay debt service on the applicable bonds and the District will conduct new proceedings under Chapter 170, *Florida Statutes* upon the advice of District Counsel. Any true-up payment shall become due and payable that tax year by the landowner of the lands subject to the proposed plat, shall be in addition to the regular Bond Assessments installment payable for such lands, and shall constitute part of the Bond Assessments liens imposed against the proposed plat property until paid.

All Bond Assessments levied run with the land, and such Bond Assessments liens include any true-up payment. The District will not release any liens on property for which true-up payments are due, until provision for such payment has been satisfactorily made. Further, upon the District's review of the final plat for the developable acres, any unallocated Bond Assessments shall become due and payable and must be paid prior to the District's approval of that plat. This true-up process applies for both plats and/or re-plats.

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 Assessments per ERU for land that remains unplatted within the District remains equal to \$67,869.36. 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 Assessments transferred at sale.

5.7 Preliminary Assessment Roll

Based on the per gross acre assessment proposed in Section 5.2, the Bond Assessments of \$19,845,000 are proposed to be levied uniformly over the area described in Exhibit "A". Excluding any capitalized interest period, debt service assessments shall be paid in thirty (30) annual installments.

5.8 Additional Items Regarding Bond Assessments 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 project(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 Assessments on particular product types and/or lands using a contribution of cash, infrastructure or other consideration, and in order for Bond Assessments 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.

As noted herein, the Project functions as a system of improvements. Among other implications, this means that proceeds from any particular bond issuance can be used to fund improvements within any benefitted property within the District, regardless of where the

Bond Assessments are levied, provided that Bond Assessments are fairly and reasonably allocated across all benefitted properties.

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 beyond restatement of the factual information necessary for compilation of this Report. For additional information on the structure of any bonds and related items, please refer to the offering statement associated with any bonding 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

Buena Lago

Community Development District

Development Plan

Product Type	Number of Units
Townhomes	72
Single-Family 50'	242
Total	314

Table 2

Buena Lago

Community Development District

Capital Improvement Plan Costs

Improvement	Total Costs
Off-Site Improvements	\$1,709,705.00
Stormwater Management	\$3,230,050.00
Utilities (Water, Sewer/Reuse)	\$3,150,395.00
Electrical	\$1,095,005.00
Roadway	\$2,230,050.00
Entry Feature	\$200,000.00
Parks and Amenities	\$1,090,000.00
Professional Services	\$1,270,520.50
Contingency (15%)	\$1,397,572.55
Total	\$15,373,298.05

Table 3

Buena Lago

Community Development District

Preliminary Sources and Uses of Funds

Sources

Bond Proceeds:

Par Amount	\$19,845,000.00
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Total Sources	\$19,845,000.00
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Uses

Project Fund Deposits:

Project Fund	\$15,373,298.05
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Other Fund Deposits:

Debt Service Reserve Fund	\$1,441,717.65
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Capitalized Interest Fund	\$2,381,400.00
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Delivery Date Expenses:

Costs of Issuance	\$646,900.00
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Rounding	\$1,684.30
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Total Uses	\$19,845,000.00
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Table 4

Buena Lago

Community Development District

Benefit Allocation

Product Type	Number of Units	ERU Weight	Total ERU
Townhomes	72	0.70	50.40
Single-Family 50'	242	1.00	242.00
Total	314		292.40

Table 5

Buena Lago

Community Development District

Bond Assessments Apportionment

Product Type	Number of Units	Total Cost Allocation*	Total Bond Assessments Apportionment	Bond Assessments Apportionment per Unit	Annual Debt Service Payment per Unit**
Townhomes	72	\$2,649,843.44	\$3,420,615.60	\$47,508.55	\$3,671.75
Single-Family 50'	242	\$12,723,454.61	\$16,424,384.40	\$67,869.36	\$5,245.36
Total	314	\$15,373,298.05	\$19,845,000.00		

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

** Includes applicable costs of collection and early payment discounts

Exhibit "A"

Bond Assessment in the total amount of \$19,845,000 will be levied on an equal pro-rata gross acre basis based on the area described below:

BUENA LAGO CDD LEGAL DESCRIPTION

PARCEL 1

Lots 84, 85, 90, 92, 102, 103, 106 and 119 and a portion of Lots 67, 70, 75 through 78, 83, 86, 89, 91, 93, 94, 100, 101, 104, 105, 107, 108, 118 and 120 through 123, SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 31 EAST, as recorded in Plat Book B, Page 28 of the Public Records of Osceola County, Florida being more particularly described as follows:

BEGIN at the Southwest corner of Lot 86, SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 31 EAST, as recorded in Plat Book B, Page 28 of the Public Records of Osceola County, Florida; thence run S00°21'59"E, a distance of 51.09 feet; thence run S33°58'00"E, a distance of 277.25 feet to a point on a Non-Tangent curve, concave to the Southeast, having a Radius of 5,036.00 feet and a Central Angle of 00°25'48"; thence run Northeasterly along the arc of said curve, a distance of 37.79 feet (Chord Bearing = N55°45'31"E, Chord = 37.79 feet) to a Point of Reverse Curve, concave to the Northwest, having a Radius of 25.00 feet and a Central Angle of 60°09'22"; thence run Northeasterly along the arc of said curve, a distance of 26.25 feet (Chord Bearing = N25°53'44"E, Chord = 25.06 feet) to a point on a Non-Tangent curve, concave to the South, having a Radius of 100.00 feet and a Central Angle of 150°46'11"; thence run Easterly along the arc of said curve, a distance of 263.15 feet (Chord Bearing = N71°12'30"E, Chord = 193.53 feet); thence run N56°35'50"E, a distance of 40.62 feet; thence run N32°02'35"W, a distance of 93.52 feet; thence run N33°58'00"W, a distance of 96.22 feet to a point on a Non-Tangent curve, concave to the East, having a Radius of 130.00 feet and a Central Angle of 33°33'34"; thence run Northerly along the arc of said curve, a distance of 76.14 feet (Chord Bearing = N17°11'14"W, Chord = 75.06 feet); thence run N00°24'26"W, a distance of 650.67 feet; thence run S74°04'19"E, a distance of 638.43 feet to a point on a Non-Tangent curve, concave to the North, having a Radius of 5,145.00 feet and a Central Angle of 02°04'04"; thence run Easterly along the arc of said curve, a distance of 185.69 feet (Chord Bearing = S75°06'21"E, Chord = 185.68 feet); thence run S76°08'23"E, a distance of 320.94 feet to a point on a Non-Tangent curve, concave to the North, having a Radius of 790.00 feet and a Central Angle of 28°46'39"; thence run Easterly along the arc of said curve, a distance of 396.79 feet (Chord Bearing = N89°28'18"E, Chord = 392.63 feet); thence run N75°04'59"E, a distance of 128.29 feet to a point on a Non-Tangent curve, concave to the Northwest, having a Radius of 645.00 feet and a Central Angle of 29°34'16"; thence run Northeasterly along the arc of said curve, a distance of 332.89 feet (Chord Bearing = N60°17'52"E, Chord = 329.21 feet) to

a point on a Non-Tangent curve, concave to the Southeast, having a Radius of 105.00 feet and a Central Angle of 32°25'02"; thence run Northeasterly along the arc of said curve, a distance of 59.41 feet (Chord Bearing = N61°43'15"E, Chord = 58.62 feet); thence run N12°04'14"W, a distance of 120.00 feet to a point on a Non-Tangent curve, concave to the South, having a Radius of 225.00 feet and a Central Angle of 47°13'51"; thence run Easterly along the arc of said curve, a distance of 185.48 feet (Chord Bearing = S78°27'18"E, Chord = 180.27 feet); thence run S54°50'22"E, a distance of 2.28 feet to the Point of Curvature of a curve concave to the West, having a Radius of 25.00 feet and a Central Angle of 90°00'00"; thence run Southerly along the arc of said curve, a distance of 39.27 feet (Chord Bearing = S09°50'22"E, Chord = 35.36 feet); thence run S35°09'38"W, a distance of 154.68 feet to the Point of Curvature of a curve concave to the Northwest, having a Radius of 725.00 feet and a Central Angle of 05°56'55"; thence run Southwesterly along the arc of said curve, a distance of 75.27 feet (Chord Bearing = S38°08'05"W, Chord = 75.24 feet) thence run S48°53'28"E, a distance of 50.00 feet; thence run S54°50'22"E, a distance of 124.17 feet to a point on the West Right of Way of Canal C-33; thence along the West Right of Way of said Canal the following eleven (11) courses: run S35°09'38"W, a distance of 167.58 feet; thence run S89°39'12"W, a distance of 30.72 feet; thence run S35°09'38"W, a distance of 268.82 feet to the Point of Curvature of a curve concave to the Northwest, having a Radius of 200.00 feet and a Central Angle of 20°12'00"; thence run Southwesterly along the arc of said curve, a distance of 70.51 feet (Chord Bearing = S45°15'38"W, Chord = 70.15 feet) to a point; thence run S55°21'35"W, a distance of 927.86 feet; thence run N00°21'59"W, a distance of 36.30 feet; thence run S55°21'38"W, a distance of 644.27 feet to the Point of Curvature of a curve concave to the Southeast, having a Radius of 630.00 feet and a Central Angle of 40°56'00"; thence run Southwesterly along the arc of said curve, a distance of 450.09 feet (Chord Bearing = S34°53'38"W, Chord = 440.57 feet) to the Point of Tangency; thence run S14°25'38"W, a distance of 236.37 feet to the Point of Curvature of a curve concave to the East, having a Radius of 630.00 feet and a Central Angle of 14°46'26"; thence run Southerly along the arc of said curve, a distance of 162.45 feet (Chord Bearing = S07°02'25"W, Chord = 162.00 feet) to the Point of Tangency; thence run S00°20'48"E, a distance of 18.19 feet to a point on the North Right of Way of Hickory Tree Road (State Road S-534); thence along said North Right of Way the following three (3) courses: run S89°39'41"W, a distance of 349.47 feet to the Point of Curvature of a curve concave to the Northeast, having a Radius of 1,402.69 feet and a Central Angle of 89°57'29"; thence run Northwesterly along the arc of said curve, a distance of 2,202.31 feet (Chord Bearing = N45°21'35"W, Chord = 1,982.98 feet) to the Point of Tangency; thence run N00°22'50"W, a distance of 220.46 feet to a point on the North line of Lot 89 of the aforesaid SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 31 EAST; thence run N89°35'14"E, along said North line and the North line of Lot 90 of said subdivision and an extension thereof a distance of 1,311.57 feet; to the POINT OF BEGINNING.

Containing 99.81 acres, more or less.

PARCEL 2

A portion of Lots 19, 30, 31, 34, 35, 47, 50, 51, 62, 63 and 67, SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 31 EAST, as recorded in Plat Book B, Page 28 of the Public Records of Osceola County, Florida being more particularly described as follows:

Commence at the Southwest corner of Lot 86, SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 31 EAST, as recorded in Plat Book B, Page 28 of the Public Records of Osceola County, Florida; thence run N89°35'14"E, a distance of 2431.19 feet; thence run N00°24'46"W, a distance of 759.96 feet to the POINT OF BEGINNING; thence run N54°50'22"W, a distance of 2.28 feet to a point on a Non-Tangent curve, concave to the South, having a Radius of 275.00 feet and a Central Angle of 35°12'29"; thence run Westerly along the arc of said curve, a distance of 168.99 feet (Chord Bearing = N72°26'38"W, Chord = 166.34 feet) to a point on a Non-Tangent curve, concave to the West, having a Radius of 170.00 feet and a Central Angle of 03°49'09"; thence run Northerly along the arc of said curve, a distance of 11.33 feet (Chord Bearing = N18°05'55"W, Chord = 11.33 feet) to a point; thence run N69°59'32"E, a distance of 9.57 feet to a point on a Non-Tangent curve, concave to the Southeast, having a Radius of 429.00 feet and a Central Angle of 16°34'39"; thence run Northeasterly along the arc of said curve, a distance of 124.12 feet (Chord Bearing = N26°52'41"E, Chord = 123.69 feet) to a point; thence run N35°10'00"E, a distance of 648.95 feet to the Point of Curvature of a curve concave to the West, having a Radius of 331.00 feet and a Central Angle of 36°00'00"; thence run Northerly along the arc of said curve, a distance of 207.97 feet (Chord Bearing = N17°10'00"E, Chord = 204.57 feet) to the Point of Tangency; thence run N00°49'59"W, a distance of 186.19 feet; to a point on a Non-Tangent curve, concave to the Southwest, having a Radius of 449.34 feet and a Central Angle of 44°18'24"; thence run Northwesterly along the arc of said curve, a distance of 347.47 feet (Chord Bearing = N24°45'16"W, Chord = 338.88 feet) to a point; thence run N70°50'30"W, a distance of 15.07 feet to a point on a Non-Tangent curve, concave to the South, having a Radius of 170.00 feet and a Central Angle of 81°31'07"; thence run Westerly along the arc of said curve, a distance of 241.87 feet (Chord Bearing = N72°20'09"W, Chord = 221.98 feet) to a point; thence run S66°54'16"W, a distance of 92.34 feet to a point on a Non-Tangent curve, concave to the South, having a Radius of 4,440.00 feet and a Central Angle of 02°53'39"; thence run Westerly along the arc of said curve, a distance of 224.27 feet (Chord Bearing = S77°33'55"W, Chord = 224.25 feet) to a point on a Non-Tangent curve, concave to the North, having a Radius of 55.00 feet and a Central Angle of 27°56'56"; thence run Westerly along the arc of said curve, a distance of 26.83 feet (Chord Bearing = N89°54'22"W, Chord = 26.56 feet) to a point; thence run N75°55'54"W, a distance of 94.32 feet; thence run N00°00'00"E, a distance of 519.41 feet; thence run N29°19'57"E, a distance of 34.47 feet; thence run S60°40'03"E, a distance of 1,120.59 feet; thence run S00°50'44"E, a distance of 192.01 feet; thence run S02°12'52"W, a distance of 75.45 feet; thence run S00°50'22"E, a distance of 40.80 feet; thence run S03°53'37"E, a distance of 75.08 feet; thence run

S00°50'22"E, a distance of 116.14 feet to a point on a Non-Tangent curve, concave to the West, having a Radius of 537.59 feet and a Central Angle of 36°04'59"; thence run Southerly along the arc of said curve, a distance of 338.56 feet (Chord Bearing = S17°07'07"W, Chord = 332.99 feet) to a point; thence run S35°09'38"W, a distance of 713.72 feet to a point on a Non-Tangent curve, concave to the North, having a Radius of 25.00 feet and a Central Angle of 90°01'19"; thence run Westerly along the arc of said curve, a distance of 39.28 feet (Chord Bearing = S80°08'03"W, Chord = 35.36 feet) to the POINT OF BEGINNING.

Containing 13.65 acres, more or less.

FOR A COMBINED TOTAL OF 113.46 ACRES, MORE OR LESS

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

6E

RESOLUTION 2022-30

[SECTION 170.08, F.S. DEBT ASSESSMENT RESOLUTION FOR BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT]

A RESOLUTION MAKING CERTAIN FINDINGS; AUTHORIZING A CAPITAL IMPROVEMENT PLAN; ADOPTING AN ENGINEER'S REPORT; PROVIDING AN ESTIMATED COST OF IMPROVEMENTS; ADOPTING AN ASSESSMENT REPORT; EQUALIZING, APPROVING, CONFIRMING AND LEVYING DEBT ASSESSMENTS; ADDRESSING THE FINALIZATION OF SPECIAL ASSESSMENTS; ADDRESSING THE PAYMENT OF DEBT ASSESSMENTS AND THE METHOD OF COLLECTION; PROVIDING FOR THE ALLOCATION OF DEBT ASSESSMENTS AND TRUE-UP PAYMENTS; ADDRESSING GOVERNMENT PROPERTY, AND TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE AND FEDERAL GOVERNMENT; AUTHORIZING AN ASSESSMENT NOTICE; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the Buena Lago Community Development District ("**District**") is a local unit of special-purpose government established by ordinance of the Board of Commissioners of Osceola County, Florida, and existing under and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*, as amended ("**Act**"); and

WHEREAS, the District has previously indicated its intention to construct certain types of improvements and to finance such improvements through the issuance of bonds, notes or other specific financing mechanisms, which bonds, notes or other specific financing mechanisms would be repaid by the imposition of special assessments on benefited property within the District; and

WHEREAS, the District's Board of Supervisors ("**Board**") has 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, and now desires to adopt a resolution imposing and levying such assessments as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT AS FOLLOWS:

1. **AUTHORITY.** This Resolution is adopted pursuant to Chapters 170, 190 and 197, *Florida Statutes*, including without limitation, Section 170.08, *Florida Statutes*. The recitals stated above are incorporated herein; are adopted by the Board as true and correct statements; and are further declared to be findings made and determined by the Board.

2. **FINDINGS.** The Board further finds and determines as follows:

The Capital Improvement Plan

- a. The District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct roadways, sewer and water distribution systems, stormwater management/earthwork

improvements, landscape, irrigation and entry features, conservation and mitigation, street lighting and other infrastructure projects and services necessitated by the development of, and serving lands within, the District; and

- b. On March 31, 2022, and pursuant to Section 170.03, *Florida Statutes*, among other laws, the Board adopted Resolution 2022-25 (“**Declaring Resolution**”), and in doing so determined to undertake a capital improvement plan to install, plan, establish, construct or reconstruct, enlarge, equip, acquire, operate and/or maintain the District’s capital improvements planned for all lands within the District (“**Project**”); and
- c. The Project is described in the Declaring Resolution and the *Engineer’s Report* dated March 21, 2022 (“**Engineer’s Report**,” attached hereto as **Exhibit A** and incorporated herein by this reference), and the plans and specifications for the Project is on file in the offices of the District Manager at c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (“**District Records Office**”); and

The Debt Assessment Process

- d. Also as part of the Declaring Resolution, the Board expressed an intention to issue bonds, notes or other specific financing mechanisms to provide a portion of the funds needed for the Project, and further declared its intention to defray the whole or any part of the expense of the Projects by levying special assessments (“**Debt Assessments**”) on specially benefited property within the District – specifically all lands within the District (“**Assessment Area**”); and
- e. The Declaring Resolution 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; and
- f. As directed by the Declaring Resolution, said Declaring Resolution 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; and
- g. As directed by the Declaring Resolution, the Board caused to be made a preliminary assessment roll as required by Section 170.06, *Florida Statutes*; and
- h. As required by Section 170.07, *Florida Statutes*, and as part of the Declaring Resolution, the Board fixed the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein could appear before the Board and be heard as to (i) the propriety and advisability of making the improvements, (ii) the cost thereof, (iii) the manner of payment therefore, and (iv) the amount thereof to be assessed against each specially benefited property or parcel, and the Board further authorized publication of notice of such public hearing and individual mailed notice of such public hearing in accordance with Chapters 170, 190, and 197, *Florida Statutes*; and
- i. Notice of the scheduled public hearing was given by publication and also by mail as required by Sections 170.07 and 197.3632, *Florida Statutes*, and affidavits as to such publication and mailings are on file in the office of the Secretary of the District; and

- j. On May 19, 2022, and at the time and place specified in the Declaring Resolution, the Board conducted such public hearing and heard and considered all complaints and testimony as to the matters described above; the Board further met as an “Equalization Board;” and 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; and

Equalization Board Additional Findings

- k. Having considered the estimated costs of the Projects, the estimated financing costs and all comments and evidence presented at such public hearing, the Board further finds and determines that:
 - i. It is necessary to the public health, safety and welfare and in the best interests of the District that: (1) the District provide the Project as set forth in the Engineer’s Report; (2) the cost of such Project be assessed against the lands specially benefited by such Project, and within the Assessment Area, as set forth in the Assessment Report; and (3) the District issue bonds, notes or other specific financing mechanisms to provide funds for such purposes pending the receipt of such Debt Assessments; and
 - ii. The provision of said Project, the levying of the Debt Assessments, and the sale and issuance of such bonds, notes, or other specific financing mechanisms serve a proper, essential, and valid public purpose and are in the best interests of the District, its landowners and residents; and
 - iii. The estimated costs of the Project is as specified in the Engineer’s Report and Assessment Report (defined below), and the amount of such costs is reasonable and proper; and
 - iv. It is reasonable, proper, just and right to assess the cost of such Projects against the properties specially benefited thereby in the Assessment Areas, using the method determined by the Board and set forth in the *Master Special Assessment Methodology Report*, dated March 31, 2022 (“**Assessment Report**,” attached hereto as **Exhibit B** and incorporated herein by this reference), which results in the Debt Assessments set forth on the final assessment roll; and
 - v. The Project benefits the Assessment Area as set forth in the Assessment Report; and
 - vi. Accordingly, the Debt Assessments as set forth in the Assessment Report constitute a special benefit to the applicable parcels of real property listed on said final assessment roll, and the benefit, in the case of each such parcel, will be equal to or in excess of the Debt Assessments imposed thereon, as set forth in **Exhibit B**; and

- vii. All developable property within the Assessment Area is deemed to be benefited by the Project, and the Debt Assessments will be allocated in accordance with the Assessment Report at **Exhibit B**; and
- viii. The Debt Assessments are fairly and reasonably allocated across the benefitted property, as set forth in **Exhibit B**; and
- ix. It is in the best interests of the District that the Debt Assessments be paid and collected as herein provided; and
- x. In order to provide funds with which to pay the costs of the Project which are to be assessed against the benefited properties, pending the collection of the Debt Assessments, it is necessary for the District to issue revenue bonds, notes or other specific financing mechanisms, including refunding bonds (together, "**Bonds**").

3. **AUTHORIZATION FOR THE PROJECT; ADOPTION OF ENGINEER'S REPORT.** The Engineer's Report identifies and describes the infrastructure improvements to be financed in part with the Bonds, and sets forth the cost of the Project. The District hereby confirms that the Project serves a proper, essential, and valid public purpose. The use of the Engineer's Report in connection with the sale of the Bonds is hereby authorized, approved and ratified, 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.

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

5. **ADOPTION OF ASSESSMENT REPORT.** The Assessment Report setting forth the allocation of Debt Assessments to the benefitted lands within the Assessment Area is hereby approved, adopted, and confirmed. The District ratifies its use in connection with the sale of the Bonds.

6. **EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF DEBT ASSESSMENTS.** The Debt Assessments imposed on the parcels specially benefited by the Project within the Assessment Area, 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, the lien of Debt Assessments as reflected in **Exhibit B**, attached hereto, shall be recorded by the Secretary of the District in the District's "**Improvement Lien Book.**" The Debt Assessments levied 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, 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.

- a. **Supplemental Assessment Resolutions for Bonds.** The lien for the Debt Assessments established hereunder shall be inchoate until the District issues Bonds. In connection with the issuance of any particular series of the Bonds, the District may adopt, without the need for further public hearing, a supplemental assessment resolution establishing specific Debt Assessments, in one or more separately enforceable Debt Assessment liens,

securing such Bonds. Such subsequent resolutions 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. Among other things, the supplemental assessment resolutions may provide for the issuance of multiple series of Bonds each secured by the Assessment Area.

- b. **Adjustments to Debt Assessments.** 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 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 and 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.
- c. **Contributions.** In connection with the issuance of a series of the Bonds, the project developer may request that any related Debt Assessments be reduced for certain product types. To accomplish any such requested reduction, and pursuant to the terms of an applicable acquisition agreement, and this resolution, the developer will agree to provide a contribution of infrastructure, work product, or land based on the lesser of cost basis or appraised value, comprising a portion of the Project and to meet the minimum requirements set forth in the Assessment Report, if any. Any such contributions shall not be eligible for payment under the Bonds.
- d. **Impact Fee Credits.** The District may or may not be entitled to impact fee credits as a result of the development of the Project, based on applicable laws and/or agreements governing impact fee credits. Unless otherwise addressed by supplemental assessment resolution, the proceeds from any impact fee credits received may be used in the District's sole discretion as an offset for any acquisition of any portion of the Project (e.g., land based on the lesser of cost basis or appraised value, infrastructure and/or work product), for completion of the Project, or otherwise used against the outstanding indebtedness of any debt issuance that funded the improvement giving rise to the credits.

7. **FINALIZATION OF DEBT ASSESSMENTS.** When the Project has 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 Section 170.08, *Florida Statutes*, the District shall credit to each Debt Assessment the difference, if any, between the Debt Assessment as hereby made, approved and confirmed and the actual costs incurred in completing the Project. In making such credits, no credit shall be given for bond, note or other specific financing mechanism costs, capitalized interest, funded reserves or bond or other discounts. Such credits, if any, shall be entered in the Improvement Lien Book.

8. **PAYMENT OF DEBT ASSESSMENTS AND METHOD OF COLLECTION.**

- a. **Payment.** The Debt Assessments, as further set forth in each supplemental assessment resolution, and securing the issuance of each series of the Bonds, may be paid in not more than thirty (30) yearly installments of principal and interest – beginning upon the issuance of the particular series of the Bonds (and after taking into account any capitalized interest

periods), provided, however, that the Board shall at any time make such adjustments by resolution, and 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.

- b. **Prepayment.** Subject to the provisions of any supplemental assessment resolution, any owner of property subject to the Debt Assessments may, at its option, pre-pay the entire amount of the Debt Assessment any time, or a portion of the amount of the Debt Assessment up to two times, plus accrued interest to the next succeeding interest payment date (or the second succeeding interest payment date if such prepayment is made within forty-five (45) calendar days before an interest payment date (or such other time as set forth in the supplemental indenture for the applicable series of bonds secured by the Debt Assessments in question)), attributable to the property subject to Debt Assessments owned by such owner. Prepayment of Debt Assessments does not entitle the property owner to any discounts for early payment. If authorized by a supplemental assessment resolution, the District may grant a discount equal to all or a part of the payee's proportionate share of the cost of the applicable Project consisting of bond financing costs, such as capitalized interest, funded reserves, and bond discount included in the estimated cost of the applicable Project, upon payment in full of any Debt Assessment during such period prior to the time such financing costs are incurred as may be specified by the District.
- c. **Uniform Method; Alternatives.** The District may elect to use the method of collecting Debt Assessments authorized by Sections 197.3632 and 197.3635, *Florida Statutes* ("**Uniform Method**"). The District has heretofore taken all required actions to comply with Sections 197.3632 and 197.3635, *Florida Statutes*. Such Debt 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 Debt Assessments is not available to the District in any year, or if determined by the District to be in its best interests, and subject to the terms of any applicable trust indenture, the Debt Assessments may be collected as is otherwise permitted by law. In particular, the District may, in its sole discretion, collect Debt Assessments by directly billing landowners and enforcing said collection in any manner authorized by law. Any prejudgment interest on delinquent assessments that are directly billed shall accrue at the applicable rate of any bonds or other debt instruments secured by the Debt Assessments. The decision to collect Debt Assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect Debt Assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.
- d. **Uniform Method Agreements Authorized.** For each year the District uses the Uniform Method, the District shall enter into an agreement with the County Tax Collector 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*.
- e. **Re-amortization.** Any particular lien of the Debt Assessments shall be subject to re-amortization where the applicable series of Bonds is subject to re-amortization pursuant

to the applicable trust indenture and where the context allows.

9. ALLOCATION OF DEBT ASSESSMENTS; APPLICATION OF TRUE-UP PAYMENTS.

- a. At such time as parcels of land, or portions thereof, are included in a plat or site plan, it shall be an express condition of the lien established by this Resolution that, prior to County approval, any and all plats or site plans for 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. As parcels of land, or portions thereof, are included in a plat or site plan, the District Manager shall review the plat or site plan and cause the Debt Assessments securing each series of Bonds to be reallocated to the units being included in the plat or site plan and the remaining property in accordance with **Exhibit B**, and cause such reallocation to be recorded in the District's Improvement Lien Book.
- b. Pursuant to the Assessment Report, attached hereto as **Exhibit B**, and which terms are incorporated herein, there may be required from time to time certain true-up payments. When a plat or site plan is presented to the District, the District Manager shall review the plat or site plan to determine whether, taking into account the plat or site plan, there is a net shortfall in the overall principal amount of assessments reasonably able to be assigned to benefitted lands within the Assessment Area. Such determination shall be made based on the language in this Resolution and/or the tests or other methods set forth in **Exhibit B** (if any), or any tests or methods set forth in a supplemental assessment resolution and corresponding assessment report. If the overall principal amount of assessments reasonably cannot be assigned, or is not reasonably expected to be assigned, as set forth in more detail in and subject to the terms of **Exhibit B** (or any supplemental resolution and report, as applicable), to the platted and site planned lands as well as the undeveloped lands, then a debt reduction payment ("**True-Up Payment**") in the amount of such shortfall shall become due and payable that tax year by the landowner(s) of record of the land subject to the proposed plat or site plan and of the remaining undeveloped lands, in addition to any regular assessment installment. The District's review shall be limited solely to this function and the enforcement of the lien established by this Resolution. In the event a True-Up Payment is due and unpaid, the lien established herein for the True-Up Payment amount shall remain in place until such time as the True-Up Payment is made. The District shall record all True-Up Payments in its Improvement Lien Book.
- c. In connection with any true-up determination, affected landowner(s) may request that such true-up determination be deferred because the remaining undeveloped lands are able to support the development of all of the originally planned units within the Assessment Area. To support the request, the affected landowner(s) shall provide the following evidence for the District's consideration: a) proof of the amount of entitlements remaining on the undeveloped lands within the Assessment Area, b) a revised overall development plan showing the number and type of units reasonably planned for the remainder of the development, c) evidence of allowable zoning conditions that would enable those entitlements to be placed in accordance with the revised development plan, and d) documentation prepared by a licensed engineer that shows the feasibility of implementing the proposed development plan. Any deferment shall be in the District's

reasonable discretion.

- d. The foregoing is based on the District's understanding that the community would be developed with the type and number of units set forth in **Exhibit B**, on the developable acres. However, more than the stated number of units may be developed. In no event shall the District collect Debt 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 things 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 to any assessment reallocation pursuant to this paragraph would result in Debt Assessments collected in excess of the District's total debt service obligations for the Project, the Board shall by resolution take appropriate action to equitably reallocate the Debt Assessments.
- e. As set forth in any supplemental assessment resolution and/or supplemental assessment report for a specific series of Bonds, the District may assign a specific debt service assessment lien comprising a portion of the Debt Assessments to the Assessment Area, and, accordingly, any related true-up determinations may be limited to determining whether the planned units for such specified lands in the Assessment Area have been and/or will be developed.

10. GOVERNMENT PROPERTY; TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE, AND FEDERAL GOVERNMENT. Real property owned by units of local, state, and federal governments, or similarly exempt entities, shall not be subject to the Debt Assessments without specific consent thereto. If at any time, any real property on which Debt 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 Debt Assessments thereon), or similarly exempt entity, all future unpaid Debt Assessments for such tax parcel shall become due and payable immediately prior to such transfer without any further action of the District.

11. 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.

12. SEVERABILITY. If any section or part of a section of this Resolution is 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.

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

14. EFFECTIVE DATE. This Resolution shall become effective upon its adoption.

APPROVED AND ADOPTED THIS 19TH DAY OF MAY, 2022.

ATTEST:

**BUENA LAGO COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: *Engineer's Report, dated March 21, 2022*

Exhibit B: *Master Special Assessment Methodology Report, dated March 31, 2022*

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

7

RESOLUTION 2022-31

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT RATIFYING THE ACTIONS OF THE DISTRICT MANAGER IN RE-SETTING THE TIME OF THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR FISCAL YEAR 2021/2022; AMENDING RESOLUTION 2022-18 TO SET THE PUBLIC HEARING THEREON; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Buena Lago Community Development District (“**District**”) is a local unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, *Florida Statutes*, for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure improvements; and

WHEREAS, on March 31, 2022, at a duly noticed public meeting, the District’s Board of Supervisors (“**Board**”) adopted Resolution 2022-18 approving the proposed budget for Fiscal Year 2021-2022 and setting a public hearing on the proposed budget for June 16, 2022 at 1:30 p.m., at Johnston’s Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744; and

WHEREAS, due to scheduling purposes, the District Manager reset the time of the public hearing to June 16, 2022, at 10:30 a.m., and the District Manager has caused the notice of the public hearing, with the new location to be published in a newspaper of general circulation in Osceola County, Florida, consistent with the requirements of Chapters 190 and 197, *Florida Statutes*; and

WHEREAS, the Board desires to ratify the District Manager’s action in re-setting the time of the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT:

1. RATIFICATION OF PUBLIC HEARING LOCATION RESET. The actions of the District Manager in resetting the time of the public hearing and in publishing the notice of public hearing are hereby ratified. Resolution 2022-18 is hereby amended to reflect that the public hearing is re-set on June 16, 2022, at 10:30 a.m., at Johnston’s Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744; and

2. RESOLUTION 2022-18 OTHERWISE REMAINS IN FULL FORCE AND EFFECT. Except as otherwise provided herein, all of the provisions of Resolution 2021-03 continue in full force and effect.

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

4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 19th day of May, 2022.

ATTEST:

**BUENA LAGO COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

8

RESOLUTION 2022-32

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT APPROVING THE PROPOSED BUDGET FOR FISCAL YEAR 2022/2023 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW; ADDRESSING TRANSMITTAL, POSTING AND PUBLICATION REQUIREMENTS; ADDRESSING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has prepared and submitted to the Board of Supervisors of the Buena Lago Community Development District ("**Board**") the proposed operating budget for Fiscal Year 2022/2023; and

WHEREAS, the Board has considered the proposed budget and desires to set the required public hearing thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT:

1. APPROVING PROPOSED BUDGET. The operating budget proposed by the District Manager for Fiscal Year 2022/2023 attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said budget.

2. SETTING HEARING. The public hearing on the approved budget is hereby declared and set for the following date, hour and location:

DATE:	_____
HOUR:	_____
LOCATION:	Johnston's Surveying, Inc. 900 Cross Prairie Parkway Lane Kissimmee, Florida 34744

3. TRANSMITTAL OF PROPOSED BUDGET TO LOCAL GENERAL PURPOSE GOVERNMENTS. The District Manager is hereby directed to submit a copy of the proposed budget to the local general purpose unit(s) of government at least sixty (60) days prior to the hearing set above.

4. POSTING OF PROPOSED BUDGET. In accordance with Section 189.016, *Florida Statutes*, the District's Secretary is further directed to post the approved Proposed Budget on the District's website at least two (2) days before the budget hearing date as set forth in Section 2 and shall remain on the website for at least (forty-five) 45 days.

5. PUBLICATION OF NOTICE. Notice of this public hearing shall be published in the manner prescribed in Florida law.

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

7. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 19th day of May, 2022.

ATTEST:

**BUENA LAGO COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Fiscal Year 2022/2023 Budget

Exhibit A: Fiscal Year 2022/2023 Budget

**BUENA LAGO
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2023**

**BUENA LAGO
COMMUNITY DEVELOPMENT DISTRICT
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**BUENA LAGO
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2023**

	Fiscal Year 2022				
	Adopted Budget FY 2022	Actual Through 3/30/2022	Projected Through 9/30/2022	Total Actual & Projected	Proposed Budget FY 2023
REVENUES					
Landowner contribution	58,932	-	45,932	\$ 45,932	\$ 250,990
Total revenues	58,932	-	45,932	45,932	250,990
EXPENDITURES					
Professional & administrative					
Management/accounting/recording	16,000	2,000	16,000	18,000	48,000
Legal	25,000	-	10,000	10,000	25,000
Engineering	2,000	-	2,000	2,000	2,000
Audit*	-	-	-	-	6,000
Arbitrage rebate calculation*	-	-	-	-	750
Dissemination agent*	167	-	167	167	1,000
Trustee*	-	-	-	-	5,500
Telephone	200	-	200	200	200
Postage	500	-	500	500	500
Printing & binding	500	16	484	500	500
Legal advertising	6,500	-	6,500	6,500	2,000
Annual special district fee	175	42	133	175	175
Insurance	5,500	-	5,500	5,500	5,500
Contingencies/bank charges	500	-	500	500	500
Website hosting & maintenance	1,680	-	1,680	1,680	705
Website ADA compliance	210	-	210	210	210
Total professional & administrative	58,932	2,058	43,874	45,932	98,540

**BUENA LAGO
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2023**

	Fiscal Year 2022				
	Adopted Budget FY 2022	Actual Through 3/30/2022	Projected Through 9/30/2022	Total Actual & Projected	Proposed Budget FY 2023
Field operations and maintenance					
Field operations manager	-	-	-	-	6,000
Landscaping contract labor	-	-	-	-	36,000
Insurance: property	-	-	-	-	5,000
Porter services	-	-	-	-	6,000
Backflow prevention test	-	-	-	-	150
Irrigation maintenance/repair	-	-	-	-	3,000
Plants, shrubs & mulch	-	-	-	-	10,000
Annuals	-	-	-	-	12,000
Tree trimming	-	-	-	-	2,500
Signage	-	-	-	-	2,500
General maintenance	-	-	-	-	4,000
Fence/wall repair	-	-	-	-	1,500
Sign fountains at front of community	-	-	-	-	6,000
Aquatic control - ponds	-	-	-	-	7,200
Pond fountain electric	-	-	-	-	7,200
Pond fountain maintenance	-	-	-	-	2,000
Electric:				-	
Irrigation	-	-	-	-	3,600
Street lights	-	-	-	-	24,000
Entrance signs	-	-	-	-	1,800
Water- irrigation	-	-	-	-	12,000
Total field operations	-	-	-	-	152,450
Total expenditures	58,932	2,058	43,874	45,932	250,990
Excess/(deficiency) of revenues over/(under) expenditures	-	(2,058)	2,058	-	-
Fund balance - beginning (unaudited)	-	-	(2,058)	-	-
Fund balance - ending	\$ -	\$ (2,058)	\$ -	\$ -	\$ -

* These items will be realized when bonds are issued

** WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**BUENA LAGO
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

Management/accounting/recording	\$ 48,000
Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.	
Legal	25,000
General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.	
Engineering	2,000
The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.	
Audit	6,000
Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.	
Arbitrage rebate calculation*	750
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Dissemination agent*	1,000
The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.	
Telephone	200
Telephone and fax machine.	
Postage	500
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Printing & binding	500
Letterhead, envelopes, copies, agenda packages	
Legal advertising	2,000
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.	
Annual special district fee	175
Annual fee paid to the Florida Department of Economic Opportunity.	
Insurance	5,500
The District will obtain public officials and general liability insurance.	
Contingencies/bank charges	500
Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.	
Website hosting & maintenance	705
Website ADA compliance	210

**BUENA LAGO
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Field operations and maintenance

Field operations manager	6,000
Landscaping contract labor	36,000
Insurance: property	5,000
Porter services	6,000
Backflow prevention test	150
Irrigation maintenance/repair	3,000
Plants, shrubs & mulch	10,000
Annuals	12,000
Tree trimming	2,500
Signage	2,500
General maintenance	4,000
Fence/wall repair	1,500
Sign fountains at front of community	6,000
Aquatic control - ponds	7,200
Pond fountain electric	7,200
Pond fountain maintenance	2,000
Electric:	
Irrigation	3,600
Street lights	24,000
Entrance signs	1,800
Water- irrigation	12,000
Total expenditures	<u><u>\$250,990</u></u>

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

9

RESOLUTION 2022-33

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT AMENDING RESOLUTION 2022-14 TO RE-SET THE TIMES FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT FOR REMAINDER OF FISCAL YEAR 2021/2022 AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Buena Lago Community Development District ("**District**") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; 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 in the county in which the District is located.

WHEREAS, on March 31, 2022, at a duly noticed public meeting, the District's Board of Supervisors ("Board") adopted Resolution 2022-14, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date; and

WHEREAS, for scheduling purposes, the District Manager reset the time of the regular meetings for the remainder of Fiscal Year 2022 hearing to 10:30 a.m., or as soon thereafter as the matter may be heard, and the District Manager has caused the notice of the annual meeting schedule with the new time to be published in a newspaper of general circulation in Osceola County, Florida, consistent with the requirements of Chapters 190 and 197, *Florida Statutes*; and

WHEREAS, the Board desires to ratify the District Manager's action in re-setting the time of the Board of Supervisors Meetings for the remainder of Fiscal Year 2022.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. RATIFICATION OF MEETING TIME RESET. The actions of the District Manager in resetting the time of the in publishing the notice of public hearing are hereby ratified. Resolution 2022-14 is hereby amended to reflect that the Board of Supervisors meetings will be held at 10:30 a.m., or as soon thereafter as the matter may be heard

SECTION 2. RESOLUTION 2022-14 OTHERWISE REMAINS IN FULL FORCE AND EFFECT. Except as otherwise provided herein, all of the provisions of Resolution 2022-14 continue in full force and effect.

SECTION 3. EFFECTIVE DATE. This Resolution shall become effective immediately upon its passage and adoption by the Board.

PASSED AND ADOPTED this 19th day of May, 2022.

ATTEST:

**BUENA LAGO COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

10

RESOLUTION 2022-34

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BUENA LAGO
COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND
LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE
DISTRICT FOR FISCAL YEAR 2022/2023 AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Buena Lago Community Development District ("**District**") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; 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 in the county in which the District is located.

WHEREAS, the Board desires to adopt the Fiscal Year 2022/2023 meeting schedule attached as **Exhibit A**.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE
BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT:**

1. **ADOPTING FISCAL YEAR 2022/2023 ANNUAL MEETING SCHEDULE.** The Fiscal Year 2022/2023 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

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

PASSED AND ADOPTED this 19th day of May, 2022.

ATTEST:

**BUENA LAGO COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EXHIBIT "A"

BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE		
LOCATION		
<i>Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 20, 2022	Regular Meeting	10:30 AM*
November 17, 2022	Regular Meeting	10:30 AM*
December 15, 2022	Regular Meeting	10:30 AM*
January 19, 2023	Regular Meeting	10:30 AM*
February 16, 2023	Regular Meeting	10:30 AM*
March 16, 2023	Regular Meeting	10:30 AM*
April 20, 2023	Regular Meeting	10:30 AM*
May 18, 2023	Regular Meeting	10:30 AM*
June 15, 2023	Regular Meeting	10:30 AM*
July 20, 2023	Regular Meeting	10:30 AM*
August 17, 2023	Regular Meeting	10:30 AM*
September 21, 2023	Regular Meeting	10:30 AM*
<i>*Meetings will commence at 10:30 a.m., or immediately following the adjournment of the Harmony West Community Development District</i>		

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

11

RESOLUTION 2022-07

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE BUENA LAGO
COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE PRIMARY
ADMINISTRATIVE OFFICE AND PRINCIPAL HEADQUARTERS OF THE DISTRICT
AND PROVIDING AN EFFECTIVE DATE**

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

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

1. PRIMARY ADMINISTRATIVE OFFICE. 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.

2. PRINCIPAL HEADQUARTERS. The District's principal headquarters for purposes of establishing proper venue shall be located at the offices of _____,
and within Osceola County, Florida.

3. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2022.

ATTEST:

**BUENA LAGO COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

12

**BUENA LAGO
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
MARCH 31, 2022**

**BUENA LAGO
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
MARCH 31, 2022**

	General Fund	Total Governmental Funds
ASSETS		
Due from Landowner	\$ 8,058	\$ 8,058
Total assets	<u>\$ 8,058</u>	<u>\$ 8,058</u>
LIABILITIES AND FUND BALANCES		
Liabilities:		
Accounts payable	\$ 2,058	\$ 2,058
Landowner advance	6,000	6,000
Total liabilities	<u>8,058</u>	<u>8,058</u>
DEFERRED INFLOWS OF RESOURCES		
Deferred receipts	2,058	2,058
Total deferred inflows of resources	<u>2,058</u>	<u>2,058</u>
Fund balances:		
Unassigned	(2,058)	(2,058)
Total fund balances	<u>(2,058)</u>	<u>(2,058)</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 8,058</u>	<u>\$ 8,058</u>

**BUENA LAGO
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED MARCH 31, 2022**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Landowner contribution	\$ -	\$ -	\$ 58,932	0%
Total revenues	-	-	58,932	0%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording	2,000	2,000	16,000	13%
Legal	-	-	25,000	0%
Engineering	-	-	2,000	0%
Dissemination agent*	-	-	167	0%
Telephone	-	-	200	0%
Postage	-	-	500	0%
Printing & binding	16	16	500	3%
Legal advertising	-	-	6,500	0%
Annual special district fee	42	42	175	24%
Insurance	-	-	5,500	0%
Contingencies/bank charges	-	-	500	0%
Website hosting & maintenance	-	-	1,680	0%
Website ADA compliance	-	-	210	0%
Total professional & administrative	2,058	2,058	58,932	3%
Excess/(deficiency) of revenues over/(under) expenditures	(2,058)	(2,058)	-	
Fund balances - beginning	-	-	-	
Fund balances - ending	\$ (2,058)	\$ (2,058)	\$ -	

*These items will be realized when bonds are issued.

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

13A

DRAFT

**MINUTES OF MEETING
BUENA LAGO
COMMUNITY DEVELOPMENT DISTRICT**

A Landowners' Meeting of the Buena Lago Community Development District was held on March 31, 2022 at 2:00 p.m., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744.

Present at the meeting:

Cindy Cerbone	District Manager/Proxy Holder
Daniel Rom	Wrathell, Hunt and Associates, LLC
Andrew Kantarzi	Wrathell, Hunt and Associates, LLC
Jere Earlywine (via telephone)	District Counsel
Ray Malave (via telephone)	District Engineer
Bill Fife	Forestar
John Wiggins	Forestar
Robyn Bronson	Forestar

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 2:00 p.m.

SECOND ORDER OF BUSINESS

Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

Ms. Cerbone presented a Proxy signed by Mr. Chris Tyree, an officer of Forestar (USA) Real Estate Group, Inc. (Forestar), and stated she is the designated Proxy Holder for (Forestar).

THIRD ORDER OF BUSINESS

Election of Chair to Conduct Landowners' Meeting

All in attendance agreed to Ms. Cerbone serving as Chair to conduct the Landowners' meeting. Ms. Cerbone stated that Forestar, the only Landowner in the CDD, owns 113.46 acres within the CDD boundaries. Ms. Cerbone is eligible to cast up to 114 votes per seat.

FOURTH ORDER OF BUSINESS**Election of Supervisors [All Seats]****A. Nominations**

Ms. Cerbone nominated the following:

Seat 1	Chris Tyree
Seat 2	Bill Fife
Seat 3	John Wiggins
Seat 4	Robyn Bronson
Seat 5	Roger Van Auker

No other nominations were made.

B. Casting of Ballots

- Determine Number of Voting Units Represented**

A total of 114 voting units were represented.

- Determine Number of Voting Units Assigned by Proxy**

All 114 voting units represented were assigned by proxy to Ms. Cerbone by the Landowner, Forestar.

Ms. Cerbone cast the following votes:

Seat 1	Chris Tyree	114 votes
Seat 2	Bill Fife	114 votes
Seat 3	John Wiggins	113 votes
Seat 4	Robyn Bronson	113 votes
Seat 5	Roger Van Auker	113 votes

C. Ballot Tabulation and Results

Ms. Cerbone reported the following ballot tabulation, results and term lengths:

Seat 1	Chris Tyree	114 votes	4-Year Term
Seat 2	Bill Fife	114 votes	4-Year Term
Seat 3	John Wiggins	113 votes	2-Year Term
Seat 4	Robyn Bronson	113 votes	2-Year Term
Seat 5	Roger Van Auker	113 votes	2-Year Term

68 **FIFTH ORDER OF BUSINESS** **Landowners' Questions/Comments**

69

70 There were no Landowners' questions or comments.

71

72 **SIXTH ORDER OF BUSINESS** **Adjournment**

73

74 There being nothing further to discuss, the meeting adjourned at 11:12 a.m.

75

76

77 [SIGNATURES APPEAR ON THE FOLLOWING PAGE]

78

79

80

81

82

83 _____
Secretary/Assistant Secretary

Chair/Vice Chair

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

13B

DRAFT
MINUTES OF MEETING
BUENA LAGO
COMMUNITY DEVELOPMENT DISTRICT

An Organizational Meeting of the Buena Lago Community Development District was held on March 31, 2022, immediately following the Landowners' Meeting, scheduled to commence at 2:00 P.M., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744.

Present at the meeting were:

Bill Fife	Vice Chair
Robyn Bronson	Assistant Secretary
John Wiggins	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Daniel Rom	Wrathell, Hunt and Associates, LLC (WHA)
Andrew Kantarzi	Wrathell, Hunt and Associates, LLC (WHA)
Jere Earlywine (via telephone)	District Counsel
Ray Malave (via telephone)	District Engineer
Cynthia Wilhelm (via telephone)	Bond Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 2:06 p.m. The Oath of Office was administered to Supervisors Fife, Bronson and Wiggins following the Landowners' meeting. Supervisors Fife, Bronson and Wiggins were present. Mr. Tyree and Mr. Van Auker were not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

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)*

Mr. Rom provided the following items:

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****FOURTH ORDER OF BUSINESS**

Consideration of Resolution 2022-01, 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

Mr. Rom presented Resolution 2022-01. The results were as follows:

Seat 1	Chris Tyree	114 votes	4-Year Term
Seat 2	Bill Fife	114 votes	4-Year Term
Seat 3	John Wiggins	113 votes	2-Year Term
Seat 4	Robyn Bronson	113 votes	2-Year Term
Seat 5	Roger Van Auker	113 votes	2-Year Term

On MOTION by Ms. Bronson seconded by Mr. Fife, with all in favor, Resolution 2022-01, 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, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-02, Designating Certain Officers of the District, and Providing for an Effective Date

Mr. Rom presented Resolution 2022-02. Mr. Fife nominated the following slate of officers:

Chair	Chris Tyree
Vice Chair	William Fife
Secretary	Craig Wrathell

79	Assistant Secretary	Robyn Bronson
80	Assistant Secretary	John Wiggins
81	Assistant Secretary	Roger Van Auker
82	Assistant Secretary	Cindy Cerbone
83	Assistant Secretary	Daniel Rom
84	Treasurer	Craig Wrathell
85	Assistant Treasurer	Jeff Pinder

86 No other nominations were made.

87
88 **On MOTION by Ms. Bronson and seconded by Mr. Wiggins, with all in favor,**
89 **Resolution 2022-02, Designating Certain Officers of the District, as nominated,**
90 **and Providing for an Effective Date, was adopted.**

91
92
93 **ORGANIZATIONAL MATTERS**

94 **SIXTH ORDER OF BUSINESS**

Consideration of the Following
Organizational Matters:

95
96
97 **A. Resolution 2022-03, Appointing and Fixing the Compensation of the District Manager**
98 **and Methodology Consultant; Providing an Effective Date**

- 99 • **Agreement for District Management Services: *Wrathell, Hunt and Associates,***
100 ***LLC***

101 Mr. Rom presented Resolution 2022-03 and reviewed the Fee Schedule and
102 Management Agreement. WHA would offer a discounted Management Fee of \$2,000 per
103 month prior to issuance of the first series of bonds; Exhibit B reflected other discounted rates.

104
105 **On MOTION by Ms. Bronson and seconded by Mr. Wiggins, with all in favor,**
106 **Resolution 2022-03, Appointing and Fixing the Compensation of the District**
107 **Manager and Methodology Consultant; Providing an Effective Date, was**
108 **adopted.**

109
110
111 **B. Resolution 2022-04, Appointing District Counsel for the District, and Authorizing**
112 **Compensation; and Providing for an Effective Date**

- 113 • **Fee Agreement: *KE Law Group, PLLC***

114 Mr. Rom presented Resolution 2022-04.

On MOTION by Ms. Bronson and seconded by Mr. Fife, with all in favor, Resolution 2022-04, Appointing KE Law Group, PLLC, as District Counsel for the District, and Authorizing Compensation; and Providing for an Effective Date, was adopted.

C. Resolution 2022-05, Designating a Registered Agent and Registered Office of the District, and Providing for an Effective Date

Mr. Rom presented Resolution 2022-05.

On MOTION by Ms. Bronson and seconded by Mr. Fife, with all in favor, Resolution 2022-05, Designating Craig Wrathell as the Registered Agent and 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Registered Office of the District; and Providing for an Effective Date, was adopted.

D. Resolution 2022-06, Appointing an Interim District Engineer for the Buena Lago Community Development District, Authorizing Its Compensation and Providing an Effective Date

- **Interim Engineering Services Agreement: *Dewberry Engineers, Inc.***

Mr. Rom presented Resolution 2022-06 and the Interim Engineering Services Agreement and accompanying Exhibits.

On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, Resolution 2022-06, Appointing Dewberry Engineers, Inc., as Interim District Engineer for the Buena Lago Community Development District, Authorizing Its Compensation and Providing an Effective Date, was adopted.

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

Mr. Rom presented the RFQ for Engineering Services and Competitive Selection Criteria.

On MOTION by Mr. Wiggins and seconded by Ms. Bronson, with all in favor, the Request for Qualifications (RFQ) for Engineering Services and Competitive Selection Criteria, was approved.

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

All Board Members waived the allowable \$200 per meeting compensation.

G. Resolution 2022-07, 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

Mr. Rom stated Wrathell, Hunt and Associates, LLC generally serves as the primary administrative office but the principal headquarters and local district records office must be in the County of the CDD. Discussion ensued regarding the possibility of meeting at the Harmony West CDD Clubhouse when it opens in June. Ms. Cerbone stated this matter would be included on the Harmony West CDD agenda at the appropriate time. This item was deferred.

H. Resolution 2022-08, Setting Forth the Policy of the District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers, and Providing for an Effective Date

- **Authorization to Obtain General Liability and Public Officers' Insurance**

Mr. Rom presented Resolution 2022-08.

On MOTION by Ms. Bronson and seconded by Mr. Fife, with all in favor, Resolution 2022-08, Setting Forth the Policy of the District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers, and Providing for an Effective Date, was adopted, and authorizing Staff to obtain General Liability and Public Officers' Insurance, was approved.

I. Resolution 2022-09, Providing for the Public's Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date

Mr. Rom presented Resolution 2022-09. This Resolution sets forth the CDD's policy for public comments at meetings and outlines the procedures for public comments.

On MOTION by Ms. Bronson and seconded by Mr. Fife, with all in favor, Resolution 2022-09, Providing for the Public's Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date, was adopted.

- 189 J. **Resolution 2022-10, Providing for the Appointment of a Records Management Liaison**
190 **Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a**
191 **Records Retention Policy; and Providing for Severability and Effective Date**

192 Mr. Rom presented Resolution 2022-10.

193
194 **On MOTION by Mr. Wiggins and seconded by Mr. Fife, with all in favor,**
195 **Resolution 2022-10, Providing for the Appointment of a Records Management**
196 **Liaison Officer; Providing the Duties of the Records Management Liaison**
197 **Officer; Adopting a Records Retention Policy; and Providing for Severability**
198 **and Effective Date, was adopted.**

- 199
200
201 K. **Resolution 2022-11, Granting the Chairman and Vice Chairman the Authority to**
202 **Execute Real and Personal Property Conveyance and Dedication Documents, Plats and**
203 **Other Documents Related to the Development of the District's Improvements;**
204 **Approving the Scope and Terms of Such Authorization; Providing a Severability Clause;**
205 **and Providing an Effective Date**

206 Mr. Rom presented Resolution 2022-11. This Resolution grants the Chair and Vice Chair
207 authority to work with the District Engineer, District Counsel and District Staff and to execute
208 certain documents in between meetings, to avoid delays in construction.

209
210 **On MOTION by Mr. Wiggins and seconded by Mr. Fife, with all in favor,**
211 **Resolution 2022-11, Granting the Chairman and Vice Chairman the Authority to**
212 **Execute Real and Personal Property Conveyance and Dedication Documents,**
213 **Plats and Other Documents Related to the Development of the District's**
214 **Improvements; Approving the Scope and Terms of Such Authorization;**
215 **Providing a Severability Clause; and Providing an Effective Date, was adopted.**

- 216
217
218 L. **Resolution 2022-12, Ratifying, Confirming and Approving the Recording of the Notice**
219 **of Establishment of the District, and Providing for an Effective Date**

220 Mr. Rom presented Resolution 2022-12.

221 Mr. Earlywine stated the Notice of Establishment was filed with the Department of State
222 but a copy is pending. He recommended authorizing Staff to ratify the Notice of Establishment
223 and adopt the Resolution subject to adding the missing date information into the Resolution.

On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, Resolution 2022-12, Ratifying, Confirming and Approving the Recording of the Notice of Establishment of the District, and Providing for an Effective Date, subject to adding the missing date information, was adopted.

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

Mr. Rom presented the RFP For Annual Audit Services.

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

On MOTION by Mr. Fife and seconded by Mr. Wiggins, with all in favor, the Request for Proposals for Annual Auditing Services, authorizing the District Manager to advertise and designating the Board of Supervisors as the Audit Committee, was approved.

N. Strange Zone, Inc., Quotation #M22-1013 for District Website Design, Maintenance and Domain Web-Site Design Agreement

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

On MOTION by Ms. Bronson and seconded by Mr. Fife, with all in favor, the Strange Zone, Inc., Quotation #M22-1013 for District Website Design, Maintenance and Domain Web-Site Design Agreement, in the amount of \$1,679.99, was approved.

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

Mr. Rom stated that Management engaged ADA Site Compliance (ADASC) to assist in bringing the CDD's website into compliance with the Americans with Disabilities Act (ADA) requirements and affix a compliance seal on the homepage.

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

P. Resolution 2022-13, To Designate Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date

I. Rules of Procedure

II. Notices [Rule Development and Rulemaking]

These items were included for informational purposes.

Discussion ensued regarding timing of the hearings, bond validation, bond issuance and required notices and the need for flexibility to coordinate meetings. The consensus was to schedule the Public Hearing on May 19, 2022 or June 16, 2022, pending input from Mr. Tyree.

On MOTION by Mr. Wiggins and seconded by Ms. Bronson, with all in favor, Resolution 2022-13, to Designate the Date, Time and Place of May 19, 2022 or June 16, 2022 at a time and location to be determined, for the Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date, was adopted.

Q. Resolution 2022-14, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

The following would be added to the Fiscal Year 2021/2022 Meeting Schedule:

DATE: Third Thursday of each month.

TIME: 1:30 PM, or immediately following the Harmony West CDD meeting

On MOTION by Ms. Bronson and seconded by Mr. Fife, with all in favor, Resolution 2022-14, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022, as amended, and Providing for an Effective Date, was adopted.

R. Resolution 2022-15, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date

Mr. Rom presented Resolution 2022-15. The Resolution provides that, in case of a natural disaster, the CDD can request assistance from other governmental entities.

On MOTION by Mr. Wiggins and seconded by Ms. Bronson, with all in favor, Resolution 2022-15, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date, was adopted.

S. Stormwater Management Needs Analysis Reporting Requirements

Mr. Rom discussed new legislation that requires CDDs to prepare the 20-year Stormwater Needs Analysis Report to document the CDD's anticipated future stormwater system needs. The initial Report must be submitted by June 30, 2022, and then every five years thereafter. Mr. Malave stated his firm would submit a letter stating that the CDD is exempt at this time because it is not operating a stormwater system and that the CDD will comply with the requirement five years from now.

Mr. Earlywine voiced his agreement with this cost-effective approach.

BANKING MATTERS

SEVENTH ORDER OF BUSINESS

Consideration of the Following Banking Matters:

A. Resolution 2022-16, Designating a Public Depository for Funds of the District and Providing an Effective Date

Mr. Rom presented Resolution 2022-16.

On MOTION by Mr. Fife and seconded by Ms. Bronson with all in favor, Resolution 2022-16, Designating Truist Bank as the Public Depository for Funds of the District and Providing an Effective Date, was adopted.

B. Resolution 2022-17, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date

Mr. Rom presented Resolution 2022-17. The Resolution designates the account signers as, specifically, the Chair, Treasurer and Assistant Treasurer.

On MOTION by Mr. Wiggins and seconded by Ms. Bronson, with all in favor, Resolution 2022-17, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date, was adopted.

BUDGETARY MATTERS**EIGHTH ORDER OF BUSINESS****Consideration of the Following Budgetary Matters:****A. Resolution 2022-18, Approving a Proposed Budget for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date**

Mr. Rom presented the proposed Fiscal Year 2022 budget. It will be a Landowner-funded budget, with expenses being funded as they are incurred. The budget reflected the previously discussed reduced Management Fee of \$2,000 per month until bonds are issued. Discussion ensued regarding meeting dates and locations.

Mr. Rom presented Resolution 2022-18.

On MOTION by Mr. Wiggins and seconded by Ms. Bronson, with all in favor, Resolution 2022-18, Approving a Proposed Budget for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law for June 16, 2022, at 1:30 p.m., or immediately following the Harmony West CDD meeting, at a to be determined location; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date, was adopted.

B. Fiscal Year 2021/2022 Budget Funding Agreement

Mr. Rom presented the Fiscal Year 2021/2022 Budget Funding Agreement. Funding requests would be submitted to Bill Fife until a new recipient is designated.

On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, the Fiscal Year 2022 Funding Agreement, was approved.

C. Resolution 2022-19, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes

Mr. Rom presented Resolution 2022-19.

On MOTION by Mr. Wiggins and seconded by Mr. Fife, with all in favor, Resolution 2022-19, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes, was adopted.

- D. Resolution 2022-20, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date

Mr. Rom presented the Resolution 2022-20.

On MOTION by Mr. Wiggins and seconded by Mr. Fife, with all in favor, Resolution 2022-20, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date, was adopted.

- E. Resolution 2022-21, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date

Mr. Rom presented Resolution 2022-21.

On MOTION by Mr. Wiggins and seconded by Ms. Bronson, with all in favor, Resolution 2022-21, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date, was adopted.

- F. Resolution 2022-22, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

Mr. Rom presented Resolution 2022-22.

On MOTION by Mr. Fife and seconded by Mr. Wiggins, with all in favor, Resolution 2022-22, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

G. Resolution 2022-23, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date

Mr. Rom presented Resolution 2022-23.

On MOTION by Mr. Wiggins and seconded by Mr. Fife, with all in favor, Resolution 2022-23, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date, was adopted.

H. Consideration of E-Verify Memo with MOU

Mr. Rom presented the E-Verify Memo related to the requirement for all employers to verify employment eligibility utilizing the E-Verify System and the requirement for the CDD to enroll with E-Verify and enter into a Memorandum of Understanding (MOU) with E-Verify.

On MOTION by Ms. Bronson and seconded by Mr. Fife, with all in favor, acknowledging the E-Verify Memo requirements, as set forth in the KE Law Group PLLC Memorandum, authorizing enrollment and utilization of the E-Verify program and authorizing the Chair to execute, was approved.

BOND FINANCING RELATED MATTERS

NINTH ORDER OF BUSINESS

Consideration of the Following Bond Financing Related Matters:

A. Bond Financing Team Funding Agreement

Mr. Rom presented the Bond Financing Team Funding Agreement.

On MOTION by Mr. Wiggins and seconded by Ms. Bronson with all in favor, the Bond Financing Team Funding Agreement, as amended, was approved.

B. Engagement of Bond Financing Professionals

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

Mr. Rom presented the FMSbonds, Inc., Engagement Letter to serve as Underwriter and for G-17 Disclosure. The Underwriter's fee would be no more than 2% of the par amount of bonds issued.

On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, the FMSbonds, Inc., Engagement Letter for Underwriter Services and G-17 Disclosure, with a fee not-to-exceed of 2% of the par amount of the bonds issued, was approved.

Discussion of Item 9G inadvertently commenced out of order but the consensus was to disregard the discussion and resume with Item 9BII.

II. Bond Counsel: *Nabors Giblin & Nickerson*

Mr. Earlywine presented the Nabors Giblin & Nickerson Bond Counsel Agreement and stated the rates are competitive and the firm's service is efficient.

On MOTION by Ms. Bronson and seconded by Mr. Fife, with all in favor, the Nabors Giblin & Nickerson Bond Counsel Agreement, was approved.

III. Trustee, Paying Agent and Registrar: *U.S. Bank Trust Company, N.A.*

Mr. Rom presented the U.S. Bank, Trust Company, N.A., Engagement Letter to serve as Trustee, Paying Agent and Registrar.

On MOTION by Ms. Bronson and seconded by Mr. Wiggins, with all in favor, the U.S. Bank Trust Co., N.A., Engagement Letter, with Fee Schedule, to serve as Trustee, Paying Agent and Registrar, was approved.

C. Resolution 2022-24, Designating a Date, Time, and Location of a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date

Mr. Earlywine presented Resolution 2022-24. This Resolution enables placement of the assessments on the tax bill utilizing the Property Appraiser and Tax Collector. The hearing would be scheduled for May 19, 2022 or June 16, 2022, as directed by Mr. Tyree.

On MOTION by Ms. Bronson and seconded by Mr. Fife, with all in favor, Resolution 2022-24, Designating a Date, Time, and Location of May 19, 2022 or June 16, 2022 at 1:30 p.m., or immediately following the Harmony West CDD meeting, at a location to be determined, for a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date was adopted.

D. Presentation of Engineer's Report

Mr. Rom stated that Staff distributed the Exhibits.

Mr. Malave presented the Engineer's Report dated March 21, 2022. The Engineer's Report summarizes the project, primarily the Capital Improvement Plan (CIP) and the funding. He noted the following:

- The CDD includes approximately 113.46 acres and is expected to have approximately 314 residential lots.
- The CDD will include a stormwater system, sanitary sewer and water system, public roadways, off-site improvements and amenities.
- Exhibit 7 lists both facilities in the CIP and the total cost. The total cost of approximately \$15,373,298.05 includes Engineering and Legal consulting fees and a contingency.
- Prices reflect today's dollars and include a contingency based on the current market. His opinion is that the project can be developed and built as presented in the Engineer's Report.

Mr. Rom asked about the March 18, 2022 timestamp at the top of the Report, compared to the March 21, 2022 date on the cover page, and noted that the date used in the Methodology Report was March 21, 2022. Mr. Malave explained that, while the Engineer's Report was printed on March 18, 2022, the official date of the Report is March 21, 2022.

Ms. Cerbone stated Staff is working together to ensure adequate contingencies are included and the probable cost estimate is adequate. Mr. Malave stated he worked with Mr. Tyree and Staff to ensure that the cost estimates and contingencies are adequate.

On MOTION by Mr. Wiggins and seconded by Mr. Fife, with all in favor, the Engineer's Report dated March 21, 2022, in substantial form, was approved.

E. Presentation of Master Special Assessment Methodology Report

Mr. Rom presented the Master Special Assessment Methodology Report dated March 21, 2022. He reviewed the pertinent information found in each section and responded to questions about the Development Program, CIP, Financing Program, Assessment Methodology, lienability tests, True-up Mechanism and the Appendix Tables. He noted the following:

- The CDD consists of approximately 113.46 acres.
- The current development plan anticipates 314 residential units.
- The total costs of the CIP, including the costs of land acquisition, professional services and contingency are estimated at \$15,373,298.05.
- The total par amount of special assessment bonds would be \$19,845,000.
- The estimated costs and unit counts are consistent with the Engineer's Report.

On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, the Master Special Assessment Methodology Report dated March 31, 2022, in substantial form, was approved.

F. Resolution 2022-25, Declaring Special Assessments; Designating The Nature And Location of The Proposed Improvements; Declaring The Total Estimated Cost of the Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in Which The Assessments are to be Paid; Designating the Lands Upon Which The Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date

Mr. Rom presented Resolution 2022-25.

Mr. Earlywine stated the Public Hearing would be held on May 19, 2022 or June 16, 2022, as previously discussed. The Resolution would be updated to reflect the amounts, public hearing information and the corrected dates of Exhibits A and B.

On MOTION by Ms. Bronson and seconded by Mr. Wiggins, with all in favor, Resolution 2022-25, as amended, Declaring Special Assessments; Designating The Nature And Location of The Proposed Improvements; Declaring The Total Estimated Cost of the Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in Which The Assessments are to be Paid; Designating the Lands Upon Which The Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings for May 19, 2022 or June 16, 2022 at 1:30 p.m., or immediately following the Harmony West CDD meeting, at a location to be determined; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date, was adopted.

- G. Resolution 2022-26, Authorizing the Issuance of Not to Exceed \$19,845,000 Buena Lago Community Development District Capital Improvement Revenue Bonds, in One or More Series; Approving the Form of a Master Trust Indenture; Appointing a Trustee, Registrar and Paying Agent; Approving a Capital Improvement Program; Authorizing the Commencement of Validation Proceedings Relating to the Bonds; and Providing an Effective Date

Mr. Rom presented Resolution 2022-26, which accomplishes the following:

- Authorizes issuance of a not-to-exceed \$19,845,000 aggregate principal amount of bonds.
- Authorizes and directs District and Bond Counsel to proceed with filing for validation.
- Authorizes and approves the execution and delivery of the Master Trust Indenture and the Supplemental Trust Indenture.
- Appoints U.S. Bank Trust Company, N.A., as the Trustee, Registrar and Paying Agent.

On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, Resolution 2022-26, Authorizing the Issuance of Not to Exceed \$19,845,000 Buena Lago Community Development District Capital Improvement Revenue Bonds, in One or More Series; Approving the Form of a Master Trust Indenture; Appointing a Trustee, Registrar and Paying Agent; Approving a Capital Improvement Program; Authorizing the Commencement of Validation Proceedings Relating to the Bonds; and Providing an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2022-27,
Declaring the District's Intent to Accept
Responsibility for the Perpetual Operation,
Maintenance, and Funding of the
Stormwater Management System;
Providing an Effective Date

Mr. Rom presented Resolution 2022-27.

On MOTION by Mr. Wiggins and seconded by Mr. Fife, with all in favor,
Resolution 2022-27, Declaring the District's Intent to Accept Responsibility for
the Perpetual Operation, Maintenance, and Funding of the Stormwater
Management System; Providing an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *KE Law Group, PLLC.*

There was no report.

B. District Engineer (Interim): *Dewberry*

There was no report.

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

The date, time and location of the next meeting would be conveyed, once determined.

TWELFTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

THIRTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Wiggins and seconded by Ms. Bronson, with all in favor,
the meeting adjourned at 3:03 p.m.

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Secretary/Assistant Secretary

Chair/Vice Chair

BUENA LAGO

COMMUNITY DEVELOPMENT DISTRICT

14C

BUENA LAGO COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2021/2022 MEETING SCHEDULE		
LOCATION		
<i>Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
May 19, 2022	Regular Meeting	1:30 PM
June 16, 2022	Regular Meeting	10:30 AM*
July 21, 2022	Regular Meeting	10:30 AM*
August 18, 2022	Regular Meeting	10:30 AM*
September 15, 2022	Regular Meeting	10:30 AM*
<i>*Meetings will commence at 10:30 a.m., or immediately following the adjournment of the Harmony West Community Development District</i>		