

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

April 21, 2022

BOARD OF SUPERVISORS

PUBLIC HEARINGS

AND REGULAR

MEETING AGENDA

Coral Creek 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

April 14, 2022

Board of Supervisors
Coral Creek Community Development District

Dear Board Members:

The Board of Supervisors of the Coral Creek Community Development District will hold Multiple Public Hearings and a Regular Meeting on April 21, 2022, immediately following the Landowners' Meeting, scheduled to commence at 2:00 p.m., or as soon thereafter as the matter may be heard at the Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments

GENERAL DISTRICT ITEMS

3. Administration of Oath of Office to the Elected Board of Supervisors (*the following will 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. 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
 - D. Form 8B: Memorandum of Voting Conflict
4. Consideration of Resolution 2022-32, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date
5. Consideration of Resolution 2022-33, Designating Certain Officers of the District, and Providing for an Effective Date

ATTENDEES:

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

6. Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date
 - A. Affidavit/Proof of Publication
 - B. Consideration of Resolution 2022-34, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Coral Creek Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date


7. Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements
 - *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*
 - *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*
 - A. Affidavit/Proof of Publication
 - B. Mailed Notice to Property Owner(s)
 - C. Engineer's Report (*for informational purposes*)
 - D. Master Special Assessment Methodology Report (*for informational purposes*)
 - E. Consideration of Resolution 2022-35, Making Certain Findings; Authorizing an Improvement Plan for the Master Assessment Area; Adopting a Capital Improvement Plan; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments on the Master Assessment Area; 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

8. 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 2022-36, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date
9. Consideration of Response(s) to Request for Qualifications (RFQ) for Engineering Services
 - A. Affidavit of Publication
 - B. RFQ Package
 - C. Respondent(s): Barraco & Associates, Inc.
 - D. Competitive Selection Criteria/Ranking
 - E. Award of Contract
10. Recess Regular Meeting/Commencement of Audit Selection Committee Meeting
11. Review of Responses to Request for Proposals (RFP) for Annual Audit Services
 - A. Affidavit of Publication
 - B. RFP Package
 - C. Respondent(s): *Grau & Associates*
 - D. Auditor Evaluation Matrix/Ranking
12. Termination of Audit Committee Meeting/Reconvene Regular Meeting
13. Consider Recommendation of Audit Committee
 - Award of Contract
14. Approval of March 17, 2022 Organizational Meeting Minutes
15. Staff Reports
 - A. District Counsel: *KE Law Group, PLLC*
 - B. District Engineer (Interim): *Barraco & Associates, Inc.*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: May 19, 2022 at 2:00 PM, *immediately following the adjournment of the Tucker's Point CDD meeting, schedules to commence at 2:00 PM.*

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

If you should have any questions or concerns, please do not hesitate to contact me directly at (239) 464-7114.

Sincerely,

Chesley B. Adams, Jr.
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

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

PARTICIPANT PASSCODE: 229 774 8903

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

4

RESOLUTION 2022-32

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

WHEREAS, the Coral Creek Community Development District (“**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the unincorporated limits of Charlotte County, Florida; and

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

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

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

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

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

_____	Seat 1	Votes _____
_____	Seat 2	Votes _____
_____	Seat 3	Votes _____
_____	Seat 4	Votes _____
_____	Seat 5	Votes _____

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

_____	4 Year Term
_____	4 Year Term
_____	2 Year Term
_____	2 Year Term
_____	2 Year Term

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

PASSED AND ADOPTED this 21st day of April, 2022.

ATTEST:

CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chairperson/Vice Chairperson, Board of Supervisors

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

5

RESOLUTION 2022-33

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Coral Creek Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors of the District desires to designate certain Officers of the District.

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

SECTION 1. _____ is appointed Chair.

SECTION 2. _____ is appointed Vice Chair.

SECTION 3. **Chuck E. Adams, Jr.** is appointed Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

Craig Wrathell is appointed Assistant Secretary.

SECTION 4. This Resolution supersedes any prior appointments made by the Board for Chair, Vice Chair, Secretary and Assistant Secretaries; however, prior appointments by the Board for Treasurer and Assistant Treasurer(s) remain unaffected by this Resolution.

SECTION 5. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 21st day of April, 2022.

ATTEST:

**CORAL CREEK COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

6A



PUBLISHER'S AFFIDAVIT OF PUBLICATION STATE OF FLORIDA COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Advertising Representative of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

03/24/2022, 03/31/2022, 04/07/2022, 04/14/2022

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Melinda Prescott (Signature of Affiant)

Sworn and subscribed before me this 14th day of April, 2022

Laura M Robins (Signature of Notary Public)

Personally known X OR Produced Identification



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

Notice is hereby given that the Coral Creek 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 April 21, 2022, at 2:00 p.m. or as soon thereafter as the matter may be heard, at Country Inn and Suites 24244 Corporate Court, Port Charlotte, Florida 33954. 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.

Chuck Adams District Manager Publish: 03/24/2022, 03/31/2022, 04/07/2022, 04/14/2022 427283 3838961

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

6B

RESOLUTION 2022-34

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

WHEREAS, the Coral Creek 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 Chapters 170 and 197, *Florida Statutes*, for the acquisition, maintenance, construction, or reconstruction of assessable improvements authorized by Chapter 190, *Florida Statutes*; and

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

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

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

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

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

SECTION 1. The Coral Creek Community Development District, upon conducting its public hearing as required by Section 197.3632, *Florida Statutes*, hereby expresses its need and intent to use the Uniform Method of collecting assessments imposed by the District over the lands described in **Exhibit A**, 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 Charlotte County and the Department of Revenue of the State of Florida with a copy of this Resolution and enter into any agreements with the Property Appraiser and/or Tax Collector necessary to carry out the provisions of this Resolution.

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

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

PASSED AND ADOPTED this 21st day of April, 2022.

ATTEST:

**CORAL CREEK COMMUNITY DEVELOPMENT
DISTRICT**

Secretary / Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: Legal Description of the Property

Exhibit A
Legal Description of the Property

DESCRIPTION

Parcel in
Section 4, Township 42 South, Range 23 East
Charlotte County, Florida

A tract or parcel of land lying in Section 4, Township 42 South, Range 23 East, Charlotte County, Florida, said tract or parcel of land being more particularly described as follows:

BEGINNING at the Southeast corner of said Section 4 run S89°37'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 4 for 2,134.64 feet; thence run N03°04'53"W for 1,396.36 feet; thence run S86°55'07"W for 27.20 feet; thence run N03°04'53"W for 70.00 feet; thence run N86°55'07"E for 27.20 feet; thence run N03°04'53"W for 1,204.97 feet to an intersection with the North line of the South Half (S 1/2) of said Section 4; thence run N89°57'27"E along said North line for 2,141.46 feet to the East Quarter corner of said Section 4; thence run S02°56'52"E along the East line of said Southeast Quarter (SE 1/4) of Section 4 for 2,658.57 feet to the POINT OF BEGINNING.

Containing 130.69 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2011) and are based on South line of the Southeast Quarter (SE 1/4) of Section 4 to bear S89°37'27"W.

Together with:

Parcel in
Section 9, Township 42 South, Range 23 East
Charlotte County, Florida

A tract or parcel of land lying in Section 9, Township 42 South, Range 23 East, Charlotte County, Florida, said tract or parcel of land being more particularly described as follows:

BEGINNING at the Northeast corner of said Section 9 run S00°57'59"E along the East line of the Northeast Quarter (NE 1/4) of said Section 9 for 2,664.03 feet to the East Quarter corner of said Section 9; thence run S00°56'41"E along the East line of the Southeast Quarter (SE 1/4) of said Section 9 for 1,040.12 feet to an intersection with the Northerly line of lands described in a deed recorded in Official Records Book 2856, at Page 2074, Charlotte County Records; thence run along the Northerly and Westerly line of said lands the following two (2) courses: S89°02'28"W for 3,911.72 feet and S00°19'55"E for 228.70 feet to the Northeast corner of Parcel Exception (B), as described in a deed recorded in Official

DESCRIPTION (CONTINUED)

Records Book 1979, at Pages 291 through 293, Charlotte County Records; thence run along the Northerly line of said Parcel Exception (B) the following three (3) courses: S88°04'54"W for 508.38 feet; S87°18'24"W for 536.38 feet and S89°25'54"W for 225.04 feet to an intersection with the Easterly right of way line of Burnt Store Road, as described in a deed recorded in Official Records Book 4258, at Page 354, Charlotte County Records; thence run along said Easterly right of way line the following two (2) courses: N00°08'12"W for 780.13 feet and N89°51'48"E for 463.86 feet; thence run N00°08'12"W still along said Easterly right of way line and continuing along the Easterly right of way line of Burnt Store Road, as described in a deed recorded in Official Records Book 4419, at Page 1670, Charlotte County Records for 747.28 feet to the Northeast corner of said right of way; thence run S89°29'14"W along the Northerly right of way line of said lands for 463.87 feet to an intersection with the Easterly right of way line of Burnt Store Road, as described in a deed recorded in Official Records Book 4258, at Page 468, Charlotte County Records; thence run N00°08'12"W along said Easterly right of way line for 412.72 feet to an intersection with the Southerly line of lands described in a deed recorded in Official Records Book 3891, at Page 191, Charlotte County Records; thence run along the Southerly and Easterly line of said lands the following two (2) courses: N89°52'01"E for 3,098.88 feet and run N03°04'53"W for 2,086.99 feet to an intersection with the North line of the Northeast Quarter (NE 1/4) of said Section 9; thence run N89°37'27"E along said North line for 2,134.64 feet to the POINT OF BEGINNING.
Containing 295.13 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2011) and are based on East line of the of the Southeast Quarter (SE 1/4) of Section 9 to bear S00°56'41"E.

together containing 425.82 acres, more or less.

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

7A



PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA
COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared **Melinda Prescott**, who on oath says that she is the Legal Advertising Representative of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a **Legal Notice** that was published in said newspaper in the issue(s)

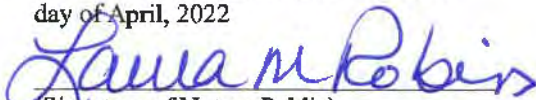
03/31/2022, 04/07/2022

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


(Signature of Affiant)

Sworn and subscribed before me this 7th
day of April, 2022


(Signature of Notary Public)

Personally known X OR Produced
Identification



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

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

NOTICE OF REGULAR MEETING OF THE CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors ("Board") of the Coral Creek Community Development District ("District") will hold a public hearing on April 21, 2022, at 2:00 p.m., or as soon thereafter as the matter may be heard, at Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954, to consider the adoption of an assessment roll, the imposition of special assessments to secure proposed bonds on benefited lands within the District, a depiction of which lands is shown below, and to provide for the levy, collection and enforcement of the special assessments. The streets and areas to be improved are geographically depicted below and in the District's Master Engineer's Report for Coral Creek Community Development District (the master project described therein, the "CIP"). The public hearing is being conducted pursuant to Chapters 170, 190 and 197, Florida Statutes. A description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the office of the District Manager located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Manager's Office").

The District is a unit of special-purpose local government responsible for providing infrastructure improvements for lands within the District. The infrastructure improvements expected to be funded by the District ("Improvements") are described in the CIP, and are currently expected to include, but are not limited to, Drainage and Surface Water Management System, Onsite Roadways, Onsite Utilities, Amenity Facilities, and Offsite Roadways and Utilities, and other improvements, all as more specifically described in the CIP, on file and available during normal business hours at the District Manager's Office. According to the CIP, the estimated cost of the Improvements is \$97,348,920.

The District intends to impose assessments on benefited lands within the District in the manner set forth in the District's Master Special Assessment Methodology Report ("Assessment Report"), which is also on file and available during normal business hours at the District Manager's Office. The purpose of any such assessment is to secure the bonds issued to fund the Improvements.

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

The annual principal assessment levied against each parcel will be based on repayment over thirty (30) years of the total debt allocated to each parcel. The District expects to collect sufficient revenues to retire no more than \$123,960,000 in debt to be assessed by the District, exclusive of fees and costs of collection or enforcement, discounts for early payment and interest. The proposed annual schedule of assessments is as follows:

Land Use	Total # of Units / Acres	ERU Factor	Proposed Maximum Principal Per Unit	Proposed Maximum Annual Assessment Per Unit*
Traditional Community				
Single Family 40'	278	0.80	\$65,787.45	\$5,084.45
Single Family 50'	370	1.00	\$82,234.31	\$6,355.57
Single Family 60'	77	1.20	\$98,681.17	\$7,626.68
Active Adult Community				
Coach Homes	200	0.70	\$57,564.02	\$4,448.90
Twin Villas	196	0.75	\$61,675.73	\$4,766.68
Single Family 40'	221	0.80	\$65,787.45	\$5,084.45
Single Family 50'	216	1.00	\$82,234.31	\$6,355.57
Townhomes				
Townhomes	204	0.70	\$57,564.02	\$4,448.90
Undeveloped Property				
Undeveloped Property	426	N/A	\$123,960,000	\$290,985.92/acre

* Includes costs of collection and assumes payment in March. All amounts stated herein are subject to change and/or final determination at the public hearings and meeting identified above. Specific maximum amounts expected per parcel or product type are as set forth in the Assessment Report.

The assessments may be prepaid in whole at any time, or in some instances in part, or may be paid in not more than thirty (30) annual installments subsequent to the issuance of debt to finance the improvements. These annual assessments are anticipated to be collected on the Charlotte County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments. All affected property owners have the right to appear at the public hearings and the right to file written objections with the District within twenty (20) days of the publication of this notice. Notwithstanding the description of the Maximum Assessments herein, landowners will not have a payment obligation until the issuance of bonds, at which time the fixed assessment amounts securing those bonds, as well as a collection protocol, will be determined. The fixed assessment amounts will be determined at a public meeting, pursuant to a supplemental assessment resolution, engineer's report and assessment methodology, but will in no event exceed the Maximum Assessments noticed herein. Please note that the preceding statement only applies to capital (debt) assessments, and shall have no effect on the ability of the District to levy assessments and collect payments related to the operation and maintenance of the District.

At the same date, time, and place, the Board will hold a regular public meeting to consider any other business that may lawfully be considered by the District. The Board meeting and hearings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Board meeting and/or the public hearings may be continued in progress to a date and time certain announced at the meeting and/or hearings.

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

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office, c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, or by calling (877) 276-0889, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT



RESOLUTION 2022-30

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CORAL CREEK 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 Coral Creek Community Development District ("District") was established by Ordinance No. 2022-008 as adopted by the Board of County Commissioners for Charlotte County, Florida, effective February 24, 2022, and is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, Florida Statutes, as amended, located entirely within Charlotte County, Florida; and

Whereas, the District is authorized by Chapter 190, Florida Statutes, to finance, fund, plan, establish, acquire, install, equip, operate, extend, or construct certain improvements, including but not limited to: transportation facilities, utility facilities, recreational facilities, and other infrastructure projects, and services necessitated by the development of, and serving lands within, the District; and

Whereas, the Board of Supervisors ("Board") of the District hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements described in the District's Coral Creek Community Development District Master Engineer's Report dated March 4, 2022, attached hereto as **Exhibit A** and incorporated herein by reference ("CIP" and the improvements described therein, the "Improvements"); and

Whereas, it is in the best interest of the District to pay all or a portion of the cost of the Improvements by special assessments levied on benefited lands within the District pursuant to Chapters 170, 190 and 197, Florida Statutes ("Assessments"); and

Whereas, the District is empowered by Chapters 170, 190, and 197, Florida Statutes, to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain the Improvements and to impose, levy and collect the Assessments; and

Whereas, this Resolution shall serve as the "resolution required to declare special assessments" contemplated by Section 170.03, Florida Statutes, for the assessment lien(s) levied against the property as described in **Exhibits A and B** that secure the Assessments.

Whereas, as set forth in the Master Special Assessment Methodology Report, dated March 7, 2022, attached hereto as **Exhibit B** and incorporated herein by reference ("Assessment Report"), and on file at Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Records Office"), the District hereby finds and determines that:

- (i) benefits from the Improvements will accrue to the property improved,
- (ii) the amount of those benefits will exceed the amount of the Assessments, and
- (iii) the Assessments are fairly and reasonably allocated.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CORAL CREEK 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 undertake all or a portion of the Improvements and to defray all or a portion of the cost thereof by the Assessments and is as set forth in the Assessment Report attached as **Exhibit B**.
 - 3. DESIGNATING THE NATURE AND LOCATION OF IMPROVEMENTS.** The nature and general location of, and plans and specifications for, the Improvements are described in **Exhibit A** and as set forth in the CIP, 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 construction cost of the Improvements is \$97,348,920.00 ("Estimated Cost").
 - B. The Assessments will defray approximately \$123,960,000.00, 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, capitalized interest, and a debt service reserve as set forth in **Exhibit B**.
 - C. The manner in which the Assessments shall be apportioned and paid is set forth in the Assessment Report attached as **Exhibit B**, as may be modified by supplemental assessment resolutions. Commencing with the years in which the Assessments are certified for collection, the Assessments shall each be paid in not more than thirty (30) annual installments. The Assessments may be payable at the same time and in the same manner as are ad valorem taxes and collected pursuant to Chapter 197, Florida Statutes; provided, however, that in the event the uniform non-ad valorem assessment method of collecting the Assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law, including but not limited to by direct bill. The decision to collect 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 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 ASSESSMENTS SHALL BE LEVIED.** The Assessments shall be levied, within the District, on all lots and lands adjoining and contiguous or bounding and abutting upon such Improvements or specially benefited thereby and 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, with certain plans and specifications describing the Improvements and the estimated cost of the Improvements, all of which are 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 maximum assessment against each lot or parcel of land and the number of annual installments into which the assessment may be divided, which assessment roll is hereby adopted and approved as the District's preliminary assessment roll.
 - 8. PUBLIC HEARINGS DECLARED; DIRECTION TO PROVIDE NOTICE OF THE HEARINGS.** Pursuant to Sections 170.07 and 197.3632(4)(b), Florida Statutes, among other provisions of Florida law, there are hereby declared two (2) public hearings to be held as follows:

NOTICE OF PUBLIC HEARINGS
DATE: April 21, 2022 TIME: 2:00 p.m.
LOCATION: Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954
- 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 CIP and the preliminary assessment roll, a copy of which is on file at the District Records Office. 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 and 197, Florida Statutes, and the District Manager is hereby authorized and directed to place said notice in a newspaper of general circulation within Charlotte County (by two (2) publications one (1) 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 the 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 Charlotte 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 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.
 - 12. EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

PASSED AND ADOPTED this 17th day of March, 2022.

ATTEST:
CORAL CREEK COMMUNITY
DEVELOPMENT DISTRICT
s/ Chesley E Adams, Jr.
Secretary

CORAL CREEK COMMUNITY
DEVELOPMENT DISTRICT
s/ James McGowan
Chair, Board of Supervisors

Exhibit A: Master Engineer's Report for Capital Improvements, dated March 4, 2022
Exhibit B: Master Special Assessment Methodology Report, dated March 7, 2022

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

7B

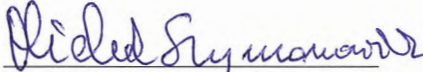
STATE OF FLORIDA)
COUNTY OF PALM BEACH)

AFFIDAVIT OF MAILING

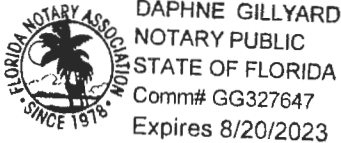
BEFORE ME, the undersigned authority, this day personally appeared Michal Szymonowicz, who by me first being duly sworn and deposed says:

1. I am over eighteen (18) years of age and am competent to testify as to the matters contained herein. I have personal knowledge of the matters stated herein.
2. I, Michal Szymonowicz, am employed by Wrathell, Hunt and Associates, LLC, which firm provides District Management services for the Coral Creek Community Development District.
3. Among other things, my duties include preparing and transmitting correspondence relating to the Coral Creek Community Development District.
4. I certify that on March 21, 2022, and in the regular course of business, I caused letters, in the forms attached hereto as **Exhibit A**, to be sent notifying affected landowner(s) in the Coral Creek Community Development District of the public hearings to levy and impose special assessments. I further certify that the letters were sent to the addressees identified in **Exhibit B** and in the manner identified in **Exhibit A**.
5. I have personal knowledge of having sent the letters to the addressees, and those records are kept in the course of the regular business activity for my office.

FURTHER AFFIANT SAYETH NOT.


By: Michal Szymonowicz

SWORN AND SUBSCRIBED before me [] in person or [] by means of electronic notarization this 21st day of March, 2022, by Michal Szymonowicz, for Wrathell, Hunt and Associates, LLC, who is [] personally known to me or [] has provided _____ as identification, and who [] did or [] did not take an oath.



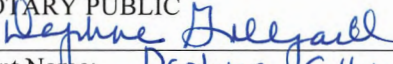
NOTARY PUBLIC

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

EXHIBIT A: Copies of Forms of Mailed Notices
EXHIBIT B: List of Addressees

Exhibit A

Coral Creek 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

March 21, 2022

CORAL CREEK BURNT STORE LLC
9990 COCONUT RD STE 200
BONITA SPRINGS, FL 34135

Parcel ID Number(s): 422309200001 and 422309301001

**RE: *Coral Creek Community Development District
Notice of Hearing on Assessments to Property
See attached Legal Description (Exhibit A)***

Dear Property Owner:

You are receiving this notice because Charlotte County records indicate that you are a property owner within the Coral Creek Community Development District (“**District**”). The District is a special-purpose unit of local government that was established pursuant to Chapter 190, *Florida Statutes*. The property that you own that is the subject of this notice is identified by parcel ID number above and is part of the District the boundary of which is identified in the description attached as **Exhibit A**.

At the March 17, 2022, meeting of the District’s Board of Supervisors (“**Board**”), the District approved the *Master Engineer’s Report for Coral Creek Community Development District*, dated March 4, 2022 (“**Engineer’s Report**”). A copy of the Engineer’s Report is attached hereto as **Exhibit B**. The Engineer’s Report describes various infrastructure improvements being considered by the Board which may be built or acquired by the District that benefit lands within the District, including but not limited to Drainage and Surface Water Management System, Onsite Roadways, Onsite Utilities, Amenity Facilities, Offsite Roadways and Utilities, and Professional Fees as more specifically described in the Engineer’s Report (“**Improvements**”). The Engineer’s Report estimates that the total cost of the Improvements for the District’s entire CIP is **\$97,348,920**.

As a property owner of assessable land within the District, the District is considering assessing your property to fund the Improvements in the manner set forth in the District’s *Master Special Assessment Methodology Report*, dated March 7, 2022, a copy of which is attached hereto as **Exhibit C** (“**Assessment Report**”). The Assessments will defray up to approximately **\$123,960,000**, which includes the cost of the Improvements, plus financing-related costs, capitalized interest and a debt service reserve.

The purpose of any such assessment is to secure the bonds anticipated to be issued to finance the Improvements. As described in more detail in the Assessment Report, the District's assessments will ultimately be levied against all benefitted lands within the District. The Assessment Report identifies the physical area contained within the District and assessment for the property that is expected to be assessed. Initially, the allocation of assessments for the Improvements to be funded by the District will be determined on an equal pro-rata gross acre basis. As land is platted, the allocation of assessments will be determined on a first-platted, first-assessed basis within the District, which will be assigned to those properties at the per-unit amounts as follows, based on each property type's Equivalent Residential Unit ("ERU") factor, and as explained in more detail in the Assessment Report ("**Maximum Assessments**"):

Land Use	Total # of Units / Acres	ERU Factor	Proposed Maximum Principal Per Unit	Proposed Maximum Annual Assessment Per Unit*
Traditional Community				
Single Family 40'	278	0.80	\$65,787.45	\$5,084.45
Single Family 50'	370	1.00	\$82,234.31	\$6,355.57
Single Family 60'	77	1.20	\$98,681.17	\$7,626.68
Active Adult Community				
Coach Homes	200	0.70	\$57,564.02	\$4,448.90
Twin Villas	196	0.75	\$61,675.73	\$4,766.68
Single Family 40'	221	0.80	\$65,787.45	\$5,084.45
Single Family 50'	216	1.00	\$82,234.31	\$6,355.57
Townhomes				
Townhomes	204	0.70	\$57,564.02	\$4,448.90
Undeveloped Property				
Undeveloped Property	426	N/A	\$290,985.92/acre	\$22,489.16/acre

** Includes costs of collection and assumes payment in March. All amounts stated herein are subject to change and/or final determination at the public hearings and meeting identified above. Specific maximum amounts expected per parcel or product type are as set forth in the Assessment Report.*

The total maximum assessment amount to be levied against each parcel, and the number of units contained within each parcel, is detailed in the Assessment Report, as such Assessment Report may be amended at the below referenced hearing. The total revenue that the District will collect by these assessments is anticipated to be **\$123,960,000.00**, exclusive of anticipated fees and costs of collection and enforcement, discounts for early payment, and the annual interest costs of the debt issued to finance the Improvements. The maximum annual revenue that the District will collect by these assessments is anticipated to be \$9,580,381.99, inclusive of anticipated fees and costs of collection and enforcement, discounts for early payment, and the annual interest costs, to be collected in not more than thirty (30) annual installments. The total assessment amount to be levied against property that you own is reflected on the preliminary assessment roll attached to the Assessment Report.

The assessments may appear on your regular tax bill issued by the Charlotte County Tax Collector. However, the District may in its discretion at any time choose instead to directly

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

Notwithstanding the description of the Maximum Assessments herein, landowners will not have a payment obligation until the issuance of bonds, at which time the fixed assessment amounts securing those bonds, as well as a collection protocol, will be determined. The fixed assessment amounts will be determined at a public meeting, pursuant to a supplemental assessment resolution, engineer's report and methodology but will in no event exceed the Maximum Assessments noticed herein. Please note that the preceding statement only applies to capital (debt) assessments and shall have no effect on the ability of the District to levy assessments and collect payments related to the operation and maintenance of the District.

In accordance with Chapters 170, 190 and 197, *Florida Statutes*, this letter is to notify you that a public hearing for the above-mentioned assessments will be held on **April 21, 2022, at 2:00 p.m., or as soon thereafter as the matter may be heard, at Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954**. At this hearing, the Board will sit as an equalizing board to hear and consider testimony from any interested property owners as to the propriety and advisability of making the Improvements, or some phase thereof, as to the cost thereof, as to the manner of payment thereof, and as to the amount thereof to be assessed against each property so improved. All affected property owners have a right to appear at the hearing and to file written objections with the Board within twenty (20) days of this notice.

Information concerning the assessments and copies of applicable documents are on file and available during normal business hours at the District Manager's Office located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (877) 276-0889. You may appear at the hearing or submit your comments in advance to the attention of the District Manager at its address above.

Sincerely,



Chuck Adams
District Manager

Enclosures

Exhibit A: Legal description of the Property

Exhibit B: *Master Engineer's Report for Coral Creek Community Development District, dated March 4, 2022*

Exhibit C: *Master Special Assessment Methodology Report, dated March 7, 2022*

Exhibit A: Legal description of the Property

Parcel in Section 4, Township 42 South, Range 23 East
Charlotte County, Florida

A tract or parcel of land lying in Section 4, Township 42 South, Range 23 East, Charlotte County, Florida, said tract or parcel of land being more particularly described as follows:

BEGINNING at the Southeast corner of said Section 4 run S89°37'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 4 for 2,134.64 feet; thence run N03°04'53"W for 1,396.36 feet; thence run S86°55'07"W for 27.20 feet; thence run N03°04'53"W for 70.00 feet; thence run N86°55'07"E for 27.20 feet; thence run N03°04'53"W for 1,204.97 feet to an intersection with the North line of the South Half (S 1/2) of said Section 4; thence run N89°57'27"E along said North line for 2,141.46 feet to the East Quarter corner of said Section 4; thence run S02°56'52"E along the East line of said Southeast Quarter (SE 1/4) of Section 4 for 2,658.57 feet to the POINT OF BEGINNING.

Containing 130.69 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2011) and are based on South line of the Southeast Quarter (SE 1/4) of Section 4 to bear S89°37'27"W.

Together with:

Parcel in Section 9, Township 42 South, Range 23 East
Charlotte County, Florida

A tract or parcel of land lying in Section 9, Township 42 South, Range 23 East, Charlotte County, Florida, said tract or parcel of land being more particularly described as follows:

BEGINNING at the Northeast corner of said Section 9 run S00°57'59"E along the East line of the Northeast Quarter (NE 1/4) of said Section 9 for 2,664.03 feet to the East Quarter corner of said Section 9; thence run S00°56'41"E along the East line of the Southeast Quarter (SE 1/4) of said Section 9 for 1,040.12 feet to an intersection with the Northerly line of lands described in a deed recorded in Official Records Book 2856, at Page 2074, Charlotte County Records; thence run along the Northerly and Westerly line of said lands the following two (2) courses: S89°02'28"W for 3,911.72 feet and S00°19'55"E for 228.70 feet to the Northeast corner of Parcel Exception (B), as described in a deed recorded in Official Records Book 1979, at Pages 291 through 293, Charlotte County Records; thence run along the Northerly line of said Parcel Exception (B) the following three (3) courses: S88°04'54"W for 508.38 feet; S87°18'24"W for 536.38 feet and S89°25'54"W for 225.04 feet to an intersection with the Easterly right of way line of Burnt Store Road, as described in a deed recorded in Official Records Book 4258, at Page 354, Charlotte County Records; thence run along said Easterly right of way line the following two (2) courses: N00°08'12"W for 780.13 feet and N89°51'48"E for 463.86 feet; thence run N00°08'12"W still along said Easterly right of way line and continuing along the Easterly right of way line of Burnt Store Road, as described in a deed recorded in Official Records Book 4419, at Page 1670, Charlotte County Records for 747.28 feet to the Northeast corner of said right of way; thence run S89°29'14"W along the Northerly right of way line of said lands for 463.87 feet to an intersection with the Easterly right of way line of Burnt Store Road, as described in a deed recorded in Official Records Book 4258, at Page 468, Charlotte County Records; thence run N00°08'12"W along said Easterly right of way line for 412.72 feet to an intersection with the Southerly line of lands described in a deed recorded in Official Records Book 3891, at Page 191, Charlotte County Records; thence run along the Southerly and Easterly line of said lands the following two (2) courses: N89°52'01"E for 3,098.88 feet and run N03°04'53"W for 2,086.99 feet to an intersection with the North line of the Northeast Quarter (NE 1/4) of said Section 9; thence run N89°37'27"E along said North line for 2,134.64 feet to the POINT OF BEGINNING.

Containing 295.13 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2011) and are based on East line of the of the Southeast Quarter (SE 1/4) of Section 9 to bear S00°56'41"E.

Together containing 425.82 acres, more or less

Coral Creek 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

March 21, 2022

BRYAN PAUL INC
PO BOX 2357
LABELLE, FL 33975

Parcel ID Number: 422304400001

**RE: Coral Creek Community Development District
Notice of Hearing on Assessments to Property
See attached Legal Description (Exhibit A)**

Dear Property Owner:

You are receiving this notice because Charlotte County records indicate that you are a property owner within the Coral Creek Community Development District (“**District**”). The District is a special-purpose unit of local government that was established pursuant to Chapter 190, *Florida Statutes*. The property that you own that is the subject of this notice is identified by parcel ID number above and is part of the District the boundary of which is identified in the description attached as **Exhibit A**.

At the March 17, 2022, meeting of the District’s Board of Supervisors (“**Board**”), the District approved the *Master Engineer’s Report for Coral Creek Community Development District*, dated March 4, 2022 (“**Engineer’s Report**”). A copy of the Engineer’s Report is attached hereto as **Exhibit B**. The Engineer’s Report describes various infrastructure improvements being considered by the Board which may be built or acquired by the District that benefit lands within the District, including but not limited to Drainage and Surface Water Management System, Onsite Roadways, Onsite Utilities, Amenity Facilities, Offsite Roadways and Utilities, and Professional Fees as more specifically described in the Engineer’s Report (“**Improvements**”). The Engineer’s Report estimates that the total cost of the Improvements for the District’s entire CIP is **\$97,348,920**.

As a property owner of assessable land within the District, the District is considering assessing your property to fund the Improvements in the manner set forth in the District’s *Master Special Assessment Methodology Report*, dated March 7, 2022, a copy of which is attached hereto as **Exhibit C (“Assessment Report”)**. The Assessments will defray up to approximately **\$123,960,000**, which includes the cost of the Improvements, plus financing-related costs, capitalized interest and a debt service reserve.

The purpose of any such assessment is to secure the bonds anticipated to be issued to finance the Improvements. As described in more detail in the Assessment Report, the District’s

assessments will ultimately be levied against all benefitted lands within the District. The Assessment Report identifies the physical area contained within the District and assessment for the property that is expected to be assessed. Initially, the allocation of assessments for the Improvements to be funded by the District will be determined on an equal pro-rata gross acre basis. As land is platted, the allocation of assessments will be determined on a first-platted, first-assessed basis within the District, which will be assigned to those properties at the per-unit amounts as follows, based on each property type's Equivalent Residential Unit ("ERU") factor, and as explained in more detail in the Assessment Report ("**Maximum Assessments**"):

Land Use	Total # of Units / Acres	ERU Factor	Proposed Maximum Principal Per Unit	Proposed Maximum Annual Assessment Per Unit*
Traditional Community				
Single Family 40'	278	0.80	\$65,787.45	\$5,084.45
Single Family 50'	370	1.00	\$82,234.31	\$6,355.57
Single Family 60'	77	1.20	\$98,681.17	\$7,626.68
Active Adult Community				
Coach Homes	200	0.70	\$57,564.02	\$4,448.90
Twin Villas	196	0.75	\$61,675.73	\$4,766.68
Single Family 40'	221	0.80	\$65,787.45	\$5,084.45
Single Family 50'	216	1.00	\$82,234.31	\$6,355.57
Townhomes				
Townhomes	204	0.70	\$57,564.02	\$4,448.90
Undeveloped Property				
Undeveloped Property	426	N/A	\$290,985.92/acre	\$22,489.16/acre

** Includes costs of collection and assumes payment in March. All amounts stated herein are subject to change and/or final determination at the public hearings and meeting identified above. Specific maximum amounts expected per parcel or product type are as set forth in the Assessment Report.*

The total maximum assessment amount to be levied against each parcel, and the number of units contained within each parcel, is detailed in the Assessment Report, as such Assessment Report may be amended at the below referenced hearing. The total revenue that the District will collect by these assessments is anticipated to be **\$123,960,000.00**, exclusive of anticipated fees and costs of collection and enforcement, discounts for early payment, and the annual interest costs of the debt issued to finance the Improvements. The maximum annual revenue that the District will collect by these assessments is anticipated to be \$9,580,381.99, inclusive of anticipated fees and costs of collection and enforcement, discounts for early payment, and the annual interest costs, to be collected in not more than thirty (30) annual installments. The total assessment amount to be levied against property that you own is reflected on the preliminary assessment roll attached to the Assessment Report.

The assessments may appear on your regular tax bill issued by the Charlotte County Tax Collector. However, the District may in its discretion at any time choose instead to directly collect these assessments. As provided in the Assessment Report, the assessments will constitute a lien against your property that may be prepaid in accordance with Chapter 170,

Florida Statutes, or may be paid in not more than thirty (30) annual installments. The failure to pay any assessments collected on the tax roll will cause a tax certificate to be issued against your property within the District which may result in a loss of title. Alternatively, if the assessments are directly collected, the failure to pay such direct bill invoice may result in the District pursuing a foreclosure action, which may result in a loss of title.

Notwithstanding the description of the Maximum Assessments herein, landowners will not have a payment obligation until the issuance of bonds, at which time the fixed assessment amounts securing those bonds, as well as a collection protocol, will be determined. The fixed assessment amounts will be determined at a public meeting, pursuant to a supplemental assessment resolution, engineer's report and methodology but will in no event exceed the Maximum Assessments noticed herein. Please note that the preceding statement only applies to capital (debt) assessments and shall have no effect on the ability of the District to levy assessments and collect payments related to the operation and maintenance of the District.

In accordance with Chapters 170, 190 and 197, *Florida Statutes*, this letter is to notify you that a public hearing for the above-mentioned assessments will be held on **April 21, 2022, at 2:00 p.m., or as soon thereafter as the matter may be heard, at Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954**. At this hearing, the Board will sit as an equalizing board to hear and consider testimony from any interested property owners as to the propriety and advisability of making the Improvements, or some phase thereof, as to the cost thereof, as to the manner of payment thereof, and as to the amount thereof to be assessed against each property so improved. All affected property owners have a right to appear at the hearing and to file written objections with the Board within twenty (20) days of this notice.

Information concerning the assessments and copies of applicable documents are on file and available during normal business hours at the District Manager's Office located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (877) 276-0889. You may appear at the hearing or submit your comments in advance to the attention of the District Manager at its address above.

Sincerely,



Chuck Adams
District Manager

Enclosures

Exhibit A: Legal description of the Property

Exhibit B: *Master Engineer's Report for Coral Creek Community Development District, dated March 4, 2022*

Exhibit C: *Master Special Assessment Methodology Report, dated March 7, 2022*

Exhibit A: Legal description of the Property

Parcel in Section 4, Township 42 South, Range 23 East
Charlotte County, Florida

A tract or parcel of land lying in Section 4, Township 42 South, Range 23 East, Charlotte County, Florida, said tract or parcel of land being more particularly described as follows:

BEGINNING at the Southeast corner of said Section 4 run $S89^{\circ}37'27''W$ along the South line of the Southeast Quarter (SE 1/4) of said Section 4 for 2,134.64 feet; thence run $N03^{\circ}04'53''W$ for 1,396.36 feet; thence run $S86^{\circ}55'07''W$ for 27.20 feet; thence run $N03^{\circ}04'53''W$ for 70.00 feet; thence run $N86^{\circ}55'07''E$ for 27.20 feet; thence run $N03^{\circ}04'53''W$ for 1,204.97 feet to an intersection with the North line of the South Half (S 1/2) of said Section 4; thence run $N89^{\circ}57'27''E$ along said North line for 2,141.46 feet to the East Quarter corner of said Section 4; thence run $S02^{\circ}56'52''E$ along the East line of said Southeast Quarter (SE 1/4) of Section 4 for 2,658.57 feet to the POINT OF BEGINNING.

Containing 130.69 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2011) and are based on South line of the Southeast Quarter (SE 1/4) of Section 4 to bear $S89^{\circ}37'27''W$.

Together with.

Parcel in Section 9, Township 42 South, Range 23 East
Charlotte County, Florida

A tract or parcel of land lying in Section 9, Township 42 South, Range 23 East, Charlotte County, Florida, said tract or parcel of land being more particularly described as follows:

BEGINNING at the Northeast corner of said Section 9 run $S00^{\circ}57'59''E$ along the East line of the Northeast Quarter (NE 1/4) of said Section 9 for 2,664.03 feet to the East Quarter corner of said Section 9; thence run $S00^{\circ}56'41''E$ along the East line of the Southeast Quarter (SE 1/4) of said Section 9 for 1,040.12 feet to an intersection with the Northerly line of lands described in a deed recorded in Official Records Book 2856, at Page 2074, Charlotte County Records; thence run along the Northerly and Westerly line of said lands the following two (2) courses: $S89^{\circ}02'28''W$ for 3,911.72 feet and $S00^{\circ}19'55''E$ for 228.70 feet to the Northeast corner of Parcel Exception (B), as described in a deed recorded in Official Records Book 1979, at Pages 291 through 293, Charlotte County Records; thence run along the Northerly line of said Parcel Exception (B) the following three (3) courses: $S88^{\circ}04'54''W$ for 508.38 feet; $S87^{\circ}18'24''W$ for 536.38 feet and $S89^{\circ}25'54''W$ for 225.04 feet to an intersection with the Easterly right of way line of Burnt Store Road, as described in a deed recorded in Official Records Book 4258, at Page 354, Charlotte County Records; thence run along said Easterly right of way line the following two (2) courses: $N00^{\circ}08'12''W$ for 780.13 feet and $N89^{\circ}51'48''E$ for 463.86 feet; thence run $N00^{\circ}08'12''W$ still along said Easterly right of way line and continuing along the Easterly right of way line of Burnt Store Road, as described in a deed recorded in Official Records Book 4419, at Page 1670, Charlotte County Records for 747.28 feet to the Northeast corner of said right of way; thence run $S89^{\circ}29'14''W$ along the Northerly right of way line of said lands for 463.87 feet to an intersection with the Easterly right of way line of Burnt Store Road, as described in a deed recorded in Official Records Book 4258, at Page 468, Charlotte County Records; thence run $N00^{\circ}08'12''W$ along said Easterly right of way line for 412.72 feet to an intersection with the Southerly line of lands described in a deed recorded in Official Records Book 3891, at Page 191, Charlotte County Records; thence run along the Southerly and Easterly line of said lands the following two (2) courses: $N89^{\circ}52'01''E$ for 3,098.88 feet and run $N03^{\circ}04'53''W$ for 2,086.99 feet to an intersection with the North line of the Northeast Quarter (NE 1/4) of said Section 9; thence run $N89^{\circ}37'27''E$ along said North line for 2,134.64 feet to the POINT OF BEGINNING.

Containing 295.13 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2011) and are based on East line of the of the Southeast Quarter (SE 1/4) of Section 9 to bear $S00^{\circ}56'41''E$.

Together containing 425.82 acres, more or less

**Exhibit B: *Master Engineer's Report for Coral Creek Community
Development District, dated March 4, 2022***

**Exhibit C: *Master Special Assessment Methodology Report,*
*dated March 7, 2022***

Exhibit B

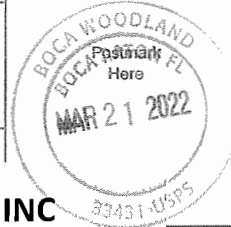
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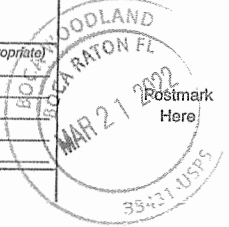
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CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

7C

**MASTER
ENGINEER'S REPORT**

FOR

**CORAL CREEK
COMMUNITY DEVELOPMENT DISTRICT**

March 4, 2022

PREPARED BY

Barraco
and Associates, Inc.

**2271 McGregor Boulevard
Suite 100
Fort Myers, Florida 33901**

Carl A. Barraco, P.E.

Florida Registration No. 38536

Florida Certificate of Authorization #7995

Barraco and Associates, Inc.

2271 McGregor Boulevard, Suite 100

Fort Myers, Florida 33901

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I. INTRODUCTION

1.1 Purpose and Scope

The Coral Creek Community Development District (herein, “the District”) is situated within and concurrent with the boundary of the Coral Creek Development (herein, the “Development”) in unincorporated Charlotte County, Florida. The purpose of this Engineer’s Report is to outline a capital improvement plan (herein, the “Project”) and set forth an estimate of Project costs to complete the Project. Infrastructure associated with the capital improvement plan will be used solely for serving lands within the District boundary. Financing associated with a portion of the Project is expected to be in the form of one or more series of special assessment bonds to be issued by the District (herein, the “Bonds”). Any portion of the Project not financed with the Bonds is expected to be constructed and conveyed to the District by the primary landowner, GreenPointe Developers, LLC or its successor or assigns (herein, the “Developer”).

1.2 Description of Coral Creek Development

The Development is a ±426-acre proposed residential community located on the east side of Burnt Store Road within unincorporated Charlotte County, Florida. The ±426 acre tract is comprised of three parcels, two with common ownership and the third with separate ownership, herein referred to as the “North Parcel” (one parcel, ±131 acres) and “South Parcel” (two parcels, ±295 acres) respectively. A Location Map is provided in Figure 1.

According to Charlotte County public records the current Future Land Use (FLU) for the Development is Burnt Store Village Residential.

Current Zoning for the Development is described below:

- North Parcel – The north parcel is zoned Planned Development (PD) as adopted in Ordinance 2008-02 and approved by the Charlotte County Board of County Commissioners on March 18, 2008. The above referenced PD rezoned the property from Agricultural Estate (AE) to Planned Development (PD). Base density for the North Parcel is 13 units, however, the PD allows up to 663 units. In order to realize any development that exceeds the base density of 13 units, 650 Transfer of Density Units (TDU’s) must be dedicated to the parcel. The PD allows for 613 multi-family units and 50 single-family units.

It should be noted the above referenced zoning is still active, however, the PD Concept Plan has expired. Without an active PD Concept Plan to govern the development of the parcel, any future development will require a reinstatement of a new PD Concept Plan through a Major Amendment to the PD. Major Amendments require two public hearings; Planning and Zoning Board and Board of County Commissioners.

- South Parcel – The South Parcel is zoned Planned Development (PD) as adopted in Ordinance 2021-035 and approved by the Charlotte County Board of County Commissioners on October 26, 2021. The above referenced PD rezoned the property from Residential Estate (RE-1) to Planned Development (PD). Ordinance 2021-036 allows for the development of single family homes, twin villas, town homes and multi-family housing units, and increases the density from a base density of 29 units to a maximum density of 1,440 units. In order to realize development that exceeds the base density of 29 units, 1,111 additional Transfer of Density Units (TDU's) must be dedicated to the parcel.

The Development will be comprised of both Traditional Community and Active Adult Community communities. District improvements associated with the Development are anticipated to be constructed in nine phases over an estimated seven-year buildout period, which is anticipated to be complete in 2030. Estimated phasing of the development based on unit count is shown in Table 1 below:

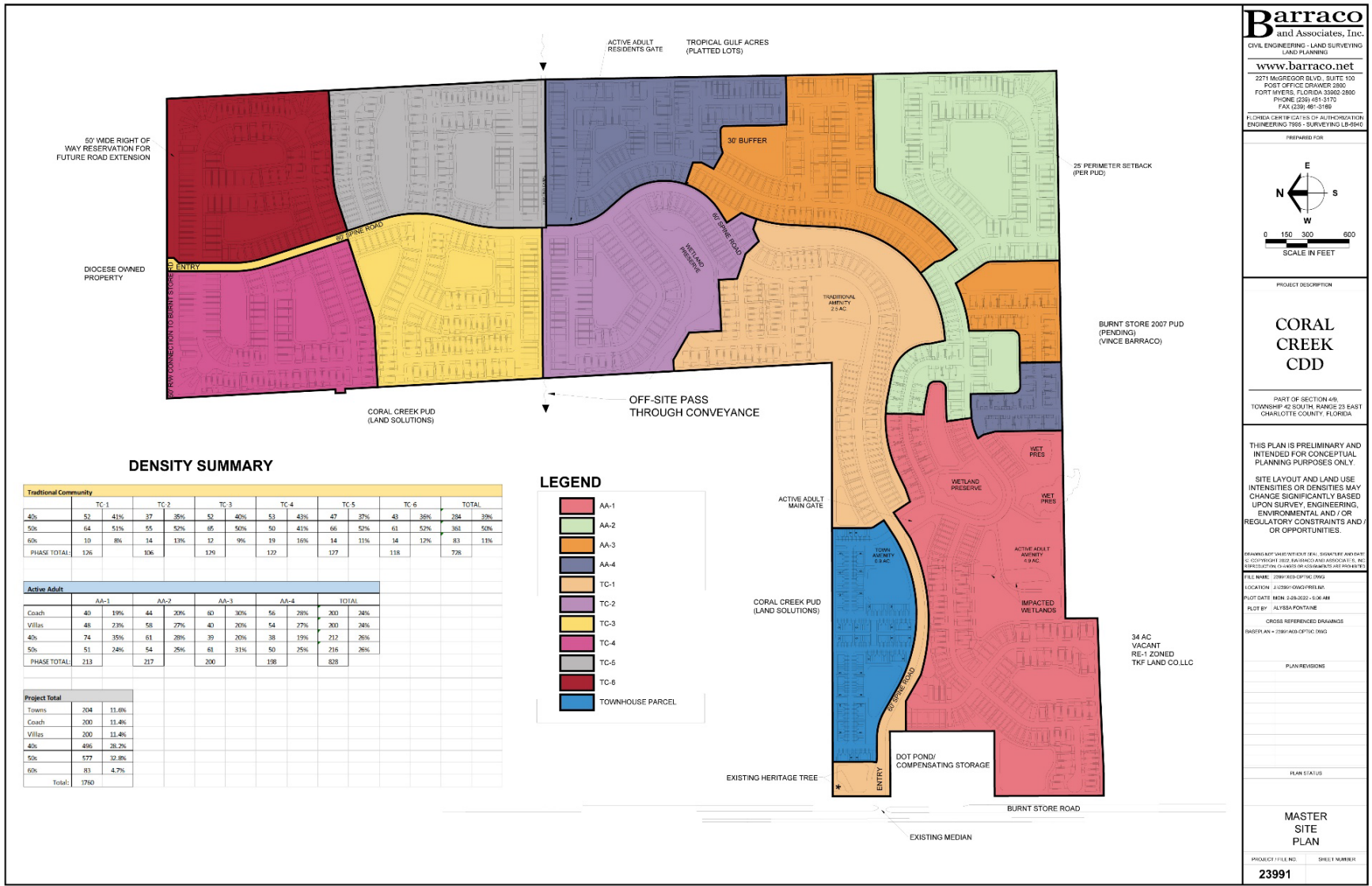
TABLE 1 - ESTIMATED PROJECT PHASING BY UNIT COUNT									
	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6	Phase 7	Phase 8	Phase 9
Traditional Community									
Townhomes							204		
Single-Family (40')		145		36	18			36	43
Single-Family (50')		103		110	40			53	64
Single Family (60')					49			28	
Phase Total	0	248	0	146	107	0	204	117	107
Traditional Community Unit Total	929								
Active Adult Community									
Coach Homes	32		52			116			
Twin Villas	64		132						
Single-Family (40')	55		76			90			
Single-Family (50')	45		42			129			
Phase Total	196	0	302	0	0	335	0	0	0
Active Adult Community Unit Total	833								
Total Unit Count	1,762								

Refer to Figure 2 of this report for an illustrative breakdown of District phasing as mentioned in the above paragraph. Proposed phasing is subject to change based upon actual development plans over time.

FIGURE 1 – LOCATION MAP



FIGURE 2 – SITE PLAN AND PHASING MAP



DENSITY SUMMARY

Traditional Community														
	TC-1	TC-2	TC-3	TC-4	TC-5	TC-6			TOTAL					
40s	52	41%	37	35%	52	40%	53	43%	47	37%	43	36%	204	39%
50s	64	51%	55	52%	65	50%	50	41%	66	52%	61	52%	362	50%
60s	10	8%	14	13%	12	9%	19	16%	14	11%	14	12%	83	11%
PHASE TOTAL:	126		106		129		122		127		118		726	

Active Adult									TOTAL	
	AA-1	AA-2	AA-3	AA-4						
Coach	40	19%	44	20%	80	30%	56	28%	200	24%
Villas	48	23%	58	27%	40	20%	54	27%	200	24%
40s	74	35%	61	28%	39	20%	38	19%	212	26%
50s	51	24%	54	25%	61	31%	50	25%	216	26%
PHASE TOTAL:	213		217		200		198		828	

Project Total		
Towns	704	11.6%
Coach	200	11.4%
Villas	200	11.4%
40s	496	28.2%
50s	577	32.8%
60s	83	4.7%
Total:	1760	

LEGEND

- AA-1
- AA-2
- AA-3
- AA-4
- TC-1
- TC-2
- TC-3
- TC-4
- TC-6
- TOWNHOUSE PARCEL

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PREPARED FOR

CORAL CREEK CDD

PART OF SECTION 49,
TOWNSHIP 42 SOUTH, RANGE 23 EAST
CHARLOTTE COUNTY, FLORIDA

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SITE LAYOUT AND LAND USE
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CHANGE SIGNIFICANTLY BASED
UPON SURVEY, ENGINEERING,
ENVIRONMENTAL AND / OR
REGULATORY CONSTRAINTS AND /
OR OPPORTUNITIES.

PREPARED BY: BARRACO AND ASSOCIATES, INC.
DATE: 10/20/2022
FILE NAME: 23991-KCS-07PDC-DWG
LOCATION: 1103801-GWGR-FIELD
PLOT DATE: MON 2-28-2022 - 6:06 AM
PLOT BY: ALYSSA FONTAINE

CROSS REFERENCED DRAWINGS
BASE PLAN - 23991-AB-07PDC-DWG

PLAN REVISIONS

PLAN STATUS

MASTER SITE PLAN

PROJECT / FILE NO. **23991** SHEET NUMBER

TABLE 2 – PROJECTED LAND USE AND PROJECT TYPES		
District		
Allowable Use	1,762 Residential Units	
Total Acreage	±426 ac	
LAND USE BREAKDOWN		
Wet Water Management	60.8 ac	14.3%
Dry Water Management	0 ac	0.00%
Buildings	125.1 ac	29.3%
Pavement	43.8 ac	10.3%
Open Space	181.5 ac	42.6%
Preserve	14.8 ac	3.5%
TOTAL:	±426 ac	100%

1.3 The Coral Creek Community Development District

The District was established by and operates in accordance with the Establishing Ordinance 2022-008 adopted by the Charlotte County BOCC on February 22, 2022. All planning, financing, constructing, operating and maintaining public infrastructure for the lands within the boundaries of the District will be governed pursuant to the provisions of Chapter 190, Florida Statutes. The District also possesses the authority to issue Bonds for the purpose of acquiring and constructing certain public infrastructure improvements and to levy taxes, assessments, rates and charges to pay for the construction, acquisition, operation and maintenance of the public improvements.

The District is comprised of three parcels totaling ±426 acres located in Section 4, Township 42 South, Range 23 East (northern parcel) and Section 9, Township 42 South, Range 23 East (southern parcels) in Charlotte County, Florida. It is bordered on the western perimeter by lands zoned Planned Development (PD) and Burnt Store Road. Lands immediately east of the Development boundary are zoned Residential Single-Family - 3.5 (RSF-3.5). Lands to the immediate north of the Development include Planned Development (PD) and Residential Estate -1 (RE-1). The southern border of the District is comprised of land with Planned Development (PD) zoning.

The District is governed by a five (5) member Board of Supervisors. Management of the District shall be performed on a contractual basis by a company specializing in special district management (herein, the “District Manager”). The District Manager oversees the operation and maintenance of the District and is engaged by the Board of Supervisors of the District.

1.4 Report Assumptions

In the preparation of this report, Barraco and Associates, Inc. relied upon information provided by the current Developer as well as information obtained from public records of Charlotte County, Florida. While Barraco and Associates, Inc. has not independently verified the information provided by outside sources, there is no apparent reason to believe the information provided by others is not valid for the purposes of this report.

II. DEVELOPMENT BOUNDARY

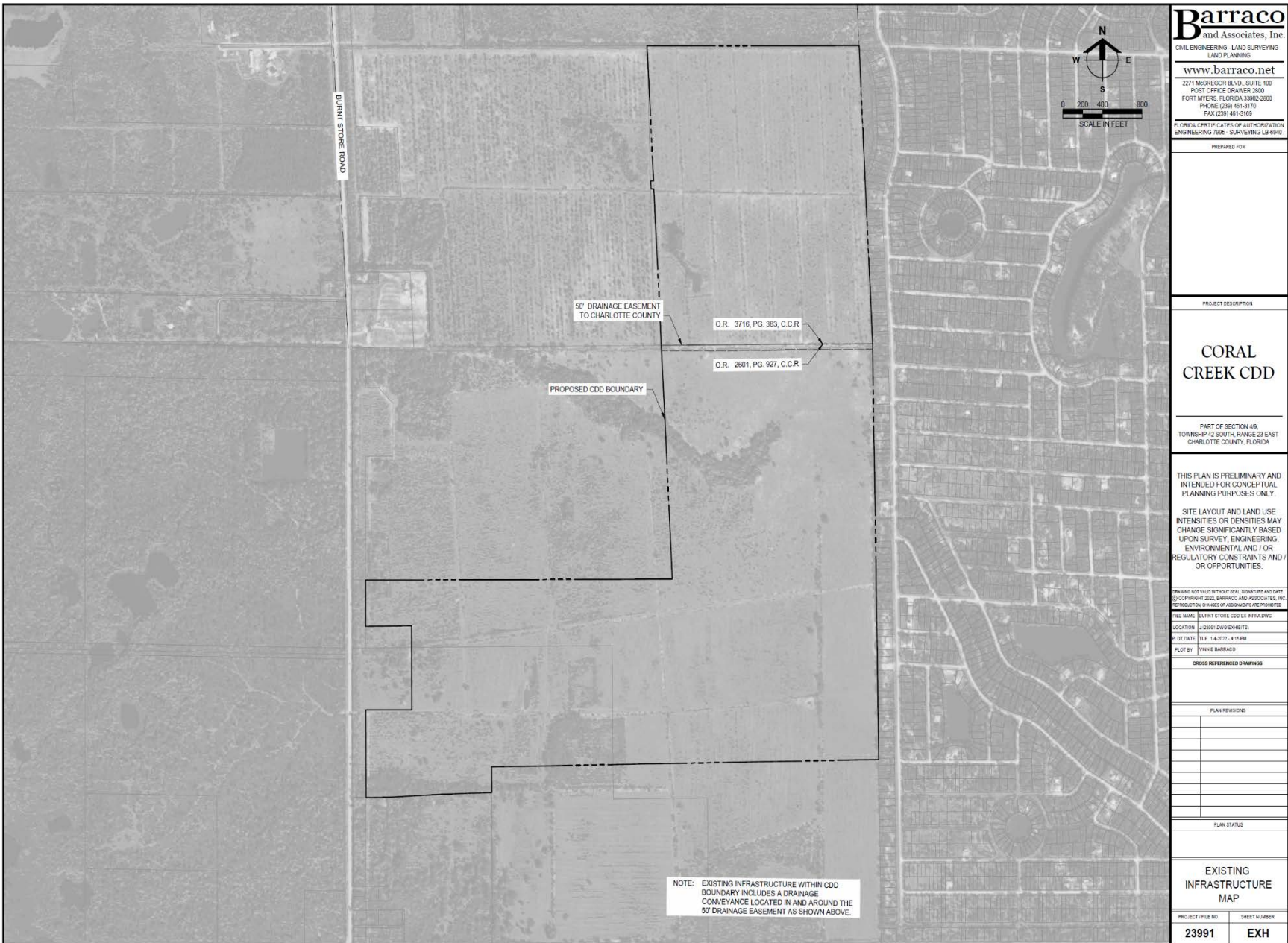
2.1 Property Boundary

The Development is comprised of three parcels totaling ±426 acres located in Section 4, Township 42 South, Range 23 East (northern parcel) and Section 9, Township 42 South, Range 23 East (southern parcels) in Charlotte County, Florida. It is bordered on the eastern perimeter by lands zoned Planned Development (PD) and Burnt Store Road. Lands immediately west of the Development boundary are zoned Residential Single-Family - 3.5 (RSF-3.5). Lands to the immediate north of the Development include Planned Development (PD) and Residential Estate -1 (RE-1). The southern border of the District is comprised of land with Planned Development (PD) zoning.

2.2 Existing Infrastructure

The only existing infrastructure, which exists within the boundary of the District, includes a drainage conveyance located in and around the existing 50' drainage easement that bisects the District from east to west. An Existing Infrastructure Map is provided in Figure 3.

FIGURE 3 – Existing Infrastructure Map



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PREPARED FOR:	
PROJECT DESCRIPTION:	
<p style="text-align: center;">CORAL CREEK CDD</p>	
PART OF SECTION 49, TOWNSHIP 42 SOUTH, RANGE 23 EAST CHARLOTTE COUNTY, FLORIDA	
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LOCATION:	J:\2010\LDW\64\H8161
PLOT DATE:	TUE, 14-JUL-2012 4:15 PM
PLOTTED BY:	VWHE@BARRACO
CROSS REFERENCED DRAWINGS	
PLAN REVISIONS	
PLAN STATUS	
EXISTING INFRASTRUCTURE MAP	
PROJECT / FILE NO.	SHEET NUMBER
23991	EXH

III. PROPOSED PROJECT

3.1 Proposed District Infrastructure

The District's Project for public infrastructure improvements (construction and/or acquisition) within the District and outside the District is expected to include, but is not limited to the following:

- Drainage and Surface Water Management System
- Onsite Roadways
- Onsite Utilities
- Amenity Facilities
- Offsite Roadways and Utilities
- Professional Fees

The improvements described in this report represent the present intentions of the Developer, and the District, subject to applicable local general purpose government land use planning, zoning and other entitlements. The implementation of any improvements discussed in this report requires the final approval by many regulatory and permitting agencies including local, state and federal agencies. Subsequently, the actual improvements may vary from the capital improvements described in this report. The cost estimate contained in this report has been prepared based upon the best available information, and is based on preliminary designs and current economic conditions. The actual cost may vary depending on the final engineering design, permitting, construction and approvals, as well as economic conditions at the time of construction. The following sections describe the elements which are part of the District's Project.

3.2 Drainage and Surface Water Management System

Surface water management lakes will be excavated within the District as part of each phase. A total of ±60.8 acres of wet detention lakes is proposed. Water management lakes will be excavated to at least the minimum size and depth requirements of the Southwest Florida Water Management District (SWFWMD). Material excavated from the lakes will be placed, compacted, and spread as part of District-funded infrastructure improvements. Any excess balance of excavated material will be placed on the future portions of the site, as this is considered to be the most cost-effective alternative for disposal of excavated material, given that the Charlotte County Development Code prohibits removal of excavated material from the project site without Charlotte County approval. The cost for disposing of excess soil from District excavation, including placing, grading and compacting if required, will be the responsibility of the Developer.

The water management system will consist of excavated stormwater lakes, culverts, inlets, perimeter berms, and stormwater control structures. Stormwater runoff from the areas within the District will be routed to the surface water management system for water quality treatment and attenuation. Each basin will subsequently release treated stormwater through control structures which will discharge into the adjacent basins or directly into an offsite conveyance system.

The surface water management system will be designed and permitted in accordance with the SWFWMD Applicant's Handbooks, Volumes One and Two. These regulations set minimum criteria for water quality treatment and flood protection.

Drainage improvements may also include environmental mitigation and/or restoration as required by the SWFWMD.

3.3 Onsite Roadways

Roadways within the District will consist of two-lane undivided, two-lane divided, and four-lane divided sections. Roadways will serve the District in its entirety, including providing access for entering and exiting the community via existing Burnt Store Road. Roadways will be constructed within platted rights-of-way dedicated to the District for ownership, operation and maintenance. As required by state and federal law, roadways will be open to the public.

Construction of the roadways will consist of embankment, stabilized subgrade, limerock, asphalt, signing and striping. Roadways will be designed at a minimum in accordance with Charlotte County requirements, and may include landscaping, hardscaping, sidewalks, irrigation, street lighting, and entrance features.

Landscaping and irrigation provided for the roadways, common areas, and entrance features will be owned and maintained by the District. Existing native vegetation will be preserved and incorporated into the landscape plan where possible, and may consist of sod, annual flowers, shrubs, groundcover, littoral plants and trees.

3.4 Onsite Utilities

The on-site utility portion of the Project funded by the District will consist of potable water, wastewater collection/transmission and irrigation/reuse infrastructure, which will be constructed within public right-of- ways or utility easements. These systems will be designed and constructed in accordance with Charlotte County Utilities (CCU) and Florida Department of Environmental Protection (FDEP) standards. The dedication of completed utilities by the District to CCU will take place upon clearance for use of said utility systems by the applicable agency. CCU will also act as the supplier of potable water, as well as the provider of wastewater treatment. CCU requires water and sewer connection/capacity fees for all new utility services for allocation of existing potable water and wastewater treatment plant capacities. These connection fees are included in the funding estimates and may be financed in whole or in part by the District. If the Developer pays the connections fees on the behalf of the District, these fees may be considered a reimbursable item.

The potable water facilities will include transmission and distribution lines, along with the necessary valves, fire hydrants and water services to individual buildings and parcels.

The wastewater facilities will include individual sewer services, gravity mains, manholes, force mains, and lift stations. The system will be designed

with lift stations discharging sewage to a master lift station, which will pump sanitary flows to offsite CCU infrastructure.

The irrigation distribution facilities will consist of distribution mains, pumps and wells. It is anticipated the irrigation system will be funded by and subsequently owned, operated and maintained by the District. However, should the District not fund the irrigation portion of the Project, it may be funded by the Developer as a private system and owned and maintained by the Homeowners Association or another appropriate entity.

3.5 Amenity Facilities

Over the course of the development of the District, amenity facilities are anticipated to serve the residents of the District and be open to the public. This improvement category may include amenity building(s), shade pavilions, pool(s), hardscape improvements, athletic courts, landscaping, irrigation, play features, or any such appurtenance that will serve as a future recreational amenity to the Development. This may also include pocket parks, trails, play fields and related improvements.

3.6 Offsite Roadway and Utility Improvements

Offsite roadway improvements may include both site related turn lanes at Burnt Store Road into the entrance of the District, and non-site related County road improvements to improve roadway capacity in the immediate area. Ownership and maintenance of all offsite roadway improvements will be the responsibility of Charlotte County.

The District is located within the Burnt Store Area Plan (BSAP) which includes lands bordered on the south by the Charlotte/Lee County line, on the west by Charlotte Harbor, on the north by Tuckers Grade, and on the east by U.S. 41. Charlotte County recently initiated consideration of existing roadway capacity improvements and/or additional east-west roadway connectors within the BSAP. Preliminary estimates include a proportionate share fee on a per unit basis for lands within the District in the magnitude of \$12 million. It should be noted the improvements anticipated for the BSAP are not yet programmed by Charlotte County and there is currently no associated obligation.

Offsite utility installation to serve the District will consist of connecting potable water main and sanitary sewer forcemain located within the Burnt Store Road right-of-way. It should be noted potable water infrastructure and sanitary sewer infrastructure to be located within the Burnt Store Road right-of-way is currently under construction and expected to be completed in the fourth quarter of 2022.

3.7 Professional Fees

Professional fees may include the cost for design, construction management, and other professional services of all components of the District infrastructure and also includes other expenses, such as permit application fees relating to the Project.

IV. SUMMARY OF COST

4.1 Summary of Order of Magnitude Construction Cost Estimate

Table 2 presents a summary in the Order of Magnitude Construction Cost estimates of public improvements comprising the Project. The estimates shown in Table 2 do not include the financing, operation, maintenance services or bond issuance costs necessary to finance and maintain the District infrastructure. All estimates are given in 2022 dollars and no inflation factor has been provided for the time value of money. All estimates are given with an additional 20% contingency factor as a provision for changes during the time to construct the Project. These costs do not include any land values that may be associated with the possible acquisition of interests in certain lands relating to the infrastructure described in this Report. For the purpose of the cost estimates presented in this section, the following seven categories have been established which contain groupings and associated costs of the various items described in Section 1.

TABLE 3 - Order of Magnitude Cost Estimate	
Improvement Category	Estimated Cost of Construction
Surface Water Management System/Drainage/Environmental	\$17,099,000.00
Onsite Roadways	\$13,563,000.00
Potable Water Distribution System	\$6,696,000.00
Wastewater Collection and Transmission System	\$10,455,000.00
Landscape and Irrigation Distribution	\$3,968,000.00
Amenity Facilities	\$12,000,000.00
Offsite Roadway Improvements	\$12,150,000.00
Subtotal:	\$75,931,000.00
Professional Consultant Fees	\$5,193,100.00
Subtotal:	\$5,193,100.00
Total:	\$81,124,100.00
20% Contingency:	\$16,224,820.00
Grand Total:	\$97,348,920.00

4.2 Ownership, Operation, & Maintenance Responsibilities

Table 3 summarizes various ownerships for the design components listed in this report. The “financing entity” is the entity responsible for funding and constructing each infrastructure component. Upon completion of construction and final certification, the infrastructure component will then be turned over to the “operation and maintenance entity.”

OWNERSHIP, OPERATION, AND MAINTENANCE RESPONSIBILITIES			
Proposed Infrastructure Improvements	Ownership	Financing Entity	Operation & Maintenance Entity
Surface Water Management System	CCCDD	CCCDD	CCCDD
Offsite Roadway Improvements	COUNTY	CCCDD	COUNTY
Onsite Roadways	CCCDD	CCCDD	CCCDD
Potable Water Distribution System	COUNTY	CCCDD	COUNTY
Wastewater Collection System	COUNTY	CCCDD	COUNTY
Landscape and Irrigation	CCCDD	CCCDD	CCCDD
Environmental Restoration Mitigation Improvements	CCCDD	CCCDD	CCCDD
CCCDD = Coral Creek Community Development District COUNTY = Charlotte County			

4.3 Permits

Federal, state, and local permits and approvals are required prior to the construction of site infrastructure. Permits and permit modifications are considered a part of the normal design and permitting process, and may be applied for at the time the improvement is undertaken.

All permits known to be required for construction of the Project’s main infrastructure are either in effect or considered obtainable within the normal course of construction plan development and permit applications and processing.

TABLE 5– PERMITTING MATRIX

Agency	Permit	Permit No.	Issued	Expiration	Status
Charlotte County	Comprehensive Plan Amendment	NA	NA	NA	NA
Charlotte County	Ordinance 2008-02 (North) Ordinance 2021-035 (South)	TBD	TBD	TBD	NA
Army Corps of Engineers	Dredge and Fill	TBD	TBD	TBD	TBD
South Florida Water Management District (SWFWMD)	Environmental Resource Permit (ERP)	TBD	TBD	TBD	TBD
SWFWMD	Water Use Permit (Irrigation)	TBD	TBD	TBD	TBD
Charlotte County	Final Detailed Site Plan	TBD	TBD	TBD	TBD
Charlotte County	Tree Removal	TBD	TBD	TBD	TBD
Florida Department of Environmental Protection (FDEP)	NPDES NOI	TBD	TBD	TBD	TBD
FDEP	Sewer Transmission System	TBD	TBD	TBD	TBD
Florida Department of Health (FDOH)	Water Distribution	TBD	TBD	TBD	TBD

V. CONCLUSION

5.1 Summary

The proposed Coral Creek Community Development District will be comprised of ±426 acres with 1,762 planned residential units with the purpose of planning, financing, constructing, operating and maintaining public infrastructure for the lands comprising the community development within the jurisdiction of the District. The District possesses the authority to issue Bonds for the purpose of acquiring and constructing certain public infrastructure improvements. Such improvements include drainage and surface water management system, onsite roadways, onsite utilities, offsite utility and roadway improvements, environmental, and professional fees, as described throughout Section 3 of this report. The benefit of improvements provided by the Bonds for the District is anticipated to be greater than the cost of the Project.

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

7D

CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT

Master Special Assessment Methodology Report

March 7, 2022



Provided by:

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1.0 Introduction

1.1 Purpose

This Master Special Assessment Methodology Report (the "Report") was developed to provide a financing plan and a special assessment methodology for the Coral Creek Community Development District (the "District"), located in unincorporated Charlotte County, Florida, as related to funding the costs of public infrastructure improvements contemplated to be provided by the District.

1.2 Scope of the Report

This Report presents the projections for financing the District's public infrastructure improvements described in the Report of District Engineer developed by Barraco and Associates, Inc. (the "District Engineer") dated March 4, 2022 (the "Engineer's Report" and the public infrastructure improvements therein, the "Project"), 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 Project.

1.3 Special Benefits and General Benefits

Public infrastructure improvements undertaken and funded by the District as part of the Project 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 Project enables properties within its boundaries to be developed.

There is no doubt that the general public and property owners of property outside the District will benefit from the provision of the Project. However, these benefits are only incidental since the Project is designed solely to provide special benefits peculiar to property within the District. Properties outside the District are not directly served by the Project and do not depend upon the Project 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 Project 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 Project. Even though the exact value of the benefits provided by the Project is hard to estimate at this point, it is nevertheless greater than the costs associated with providing the 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 Project as determined by the District Engineer.

Section Four discusses the financing program for the District.

Section Five introduces the special assessment methodology for the District.

2.0 Development Program

2.1 Overview

The District will serve the Coral Creek development, a master planned residential development located in unincorporated Charlotte County, Florida. The land within the District consists of approximately 426 +/- acres and is generally located on the east side of Burnt Store Road within unincorporated Charlotte County, Florida.

2.2 The Development Program

The development of Coral Creek is anticipated to be conducted by GreenPointe Developers, LLC (the "Developer"). Based upon the information provided by the Developer and the Engineer, the current development plan envisions a total of 1,762 residential units, although land use types and unit numbers may change throughout the development period. Table 1 in the *Appendix* illustrates the development plan for Coral Creek. The development of Coral Creek is anticipated to be conducted in nine (9) phases over a multi-year period.

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 The Project

The public infrastructure improvements needed to serve the Development are projected to consist of improvements which will serve all of the lands in the District. The Project will consist of surface water management system, drainage and environmental improvements; onsite roadways; portable water distribution systems; wastewater collection and transmission systems; landscape and irrigation distribution; recreational/amenity facilities; offsite roadway improvements; and related soft costs/professional fees. At the time of this writing, the total cost of the Project is estimated to total approximately \$97,348,920.

The infrastructure improvements that comprise the Project will serve and provide benefit to all land uses in the District and will comprise an interrelated system of improvements, which means all of improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

Table 2 in the *Appendix* illustrates the specific components of the Project.

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. As of the time of writing of this Report, the District will most likely construct the majority of the Project and acquire the remainder of improvements from the Developer, although the District maintains the complete flexibility to either

acquire the public infrastructure from the Developer or construct it, or even partly acquire it and partly construct it.

Even though the actual financing plan may change to include multiple series of bonds, it is likely that in order to fully fund costs of the Project as described in *Section 3.2* in multiple financing transactions, the District would have to issue approximately \$123,960,000* in par amount of special assessment bonds (the "Bonds").

Please note that the purpose of this Report is to allocate the benefit of the Project to the various land uses in the District and based on such benefit allocation to apportion the maximum debt necessary to fund the Project. 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 approximate principal amount of \$123,960,000 to finance approximately \$97,348,920 in Project costs. The Bonds as projected under this 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 either on May 1 or on November 1.

In order to finance the improvement and other costs, the District would need to borrow more funds and incur indebtedness in the total amount of approximately \$123,960,000. The difference is comprised of debt service reserve, capitalized interest, underwriter's discount and costs of issuance. Preliminary sources and uses of funding for the Bonds are presented in Table 3 in the *Appendix*.

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

5.0 Assessment Methodology

5.1 Overview

The issuance of the Bonds provides the District with funds necessary to construct/acquire the infrastructure improvements which are part of the Project 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 the assessable properties within the boundaries of the District and general benefits accruing to areas outside the District but being only incidental in nature. The debt incurred in financing the public infrastructure will be secured by assessing properties that derive special and peculiar benefits from the Project. All properties that receive special benefits from the Project will be assessed for their fair share of the debt issued in order to finance all or a portion of the Project.

5.2 Benefit Allocation

The most current development plan envisions the development of 1,762 residential units, although unit numbers and land use types may change throughout the development period.

The public infrastructure improvements that comprise the Project will serve and provide benefit to all land uses in the District and will comprise an interrelated system of improvements, which means all of improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

By allowing for the land in the District to be developable, both the improvements that comprise the Project 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 Project have a logical connection to the special and peculiar benefits received by the land within the District, as without such improvements, the development of the properties within the District would not be possible. Based upon the connection between the improvements and the special and peculiar benefits to the land within the District, the District can assign or allocate a portion of the District's debt through the imposition of non-ad valorem

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

The benefit associated with the Project of the District is proposed to be allocated to the different unit types within the District in proportion to the density of development and intensity of use of the 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 unit types contemplated to be developed within the District based on the relative density of development and the intensity of use of master infrastructure, the total ERU counts for each unit type, and the share of the benefit received by each unit type.

The rationale behind different ERU weights is supported by the fact that generally and on average smaller units or units with a lower intensity of use will use and benefit from the District's improvements less than larger units or units with a higher intensity of use, as for instance, generally and on average smaller units or units with lower intensity of use produce less storm water runoff, may produce fewer vehicular trips, and may need less water/sewer capacity than larger units. Additionally, the value of the larger units or units with a higher intensity of use is likely to appreciate by more in terms of dollars than that of the smaller units or units with a lower intensity of use as a result of the implementation of the Project. 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 by the different unit types from the District's improvements.

Table 5 in the *Appendix* presents the apportionment of the assessment associated with funding the District's Project (the "Bond Assessment") in accordance with the ERU benefit allocation method presented in Table 4. Table 5 also presents the annual levels of the projected annual debt service assessments per unit.

5.3 Assigning Debt

The Bond Assessment associated with repayment of the Bonds will initially be levied on all of the gross acres of land in the District. Consequently, the Bond Assessment will be levied on approximately 426 +/- gross acres on an equal pro-rata gross acre basis and thus

the total bonded debt in the amount of \$123,960,000 will be preliminarily levied on approximately 426 +/- gross acres at a rate of \$290,985.92 per acre.

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

Further, to the extent that any residential land which has not been platted is sold to another developer or builder, the Bond Assessment will be assigned to such parcel at the time of the sale based upon the development rights associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Bond Assessment transferred at sale.

5.4 Lienability Test: Special and Peculiar Benefit to the Property

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

Improvements undertaken by the District can be shown to be creating special and peculiar benefits to the property within the District. The special and peculiar benefits resulting from each improvement include, but are not limited to:

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

The improvements which are part of the Capital Improvement Plan make the land in the District developable and saleable and when implemented jointly as parts of the Project, 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 from the improvements is delineated in Table 4 (expressed as ERU factors) in the *Appendix*.

The apportionment of the Bond Assessment is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within the District according to reasonable estimates of the special and peculiar benefits derived from the Project by different unit types.

5.6 True-Up Mechanism

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

This mechanism is to be utilized to ensure that the Bond Assessment on a per ERU basis never exceeds the initially allocated Bond Assessment as contemplated in the adopted assessment methodology. The Bond Assessment per ERU preliminarily equals \$82,234.31 (\$123,960,000 in Bond Assessment divided by 1,507.40 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 unit type within each and every parcel as signified by the number of ERUs.

As the land is platted, the Bond Assessment is assigned to platted parcels based on the figures in Table 5 in the *Appendix*. If as a result of platting and apportionment of the Bond Assessment to the platted parcel of land, the Bond Assessment per ERU for land that remains unplatted within the District remains equal to \$82,234.31, then no true-up adjustment will be necessary.

If as a result of platting and apportionment of the Bond Assessment to the platted land, the Bond Assessment per ERU for land that remain unplatted within the District equals less than \$82,234.31 (either as a result of a larger number of units, different units or both), then the per ERU Bond Assessment for all parcels within the District

will be lowered if that state persists at the conclusion of platting of all land within the District.

If, in contrast, a result of platting and apportionment of the Bond Assessment to the platted land, the Bond Assessment per ERU for land that remains unplatted within the District equals more than \$82,234.31¹ (either as a result of a smaller number of units, different units or both), then the difference in Bond Assessment plus accrued interest will be collected from the owner of the property which platting caused the increase of Bond Assessment per ERU to occur, in accordance with a true-up agreement to be entered into between the District and the Developer, which will be binding on assignees.

The owner(s) of the property will be required to immediately remit to the Trustee for redemption a true-up payment equal to the difference between the actual Bond Assessment per ERU and \$82,234.31 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.

In addition to platting of property within the District, any planned sale of an unplatted land to another builder or developer will cause the District to initiate a true-up test as described above to test whether the amount of the Bond Assessment per ERU for land that remains unplatted remains equal to \$82,234.31. The test will be based upon the development rights as signified by the number of ERUs associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Bond Assessment transferred at sale.

5.7 Preliminary Assessment Roll

The Bond Assessment of \$123,960,000 is proposed to be levied over the area described in the chart below. Excluding any capitalized interest period, Bond Assessment shall be paid in thirty (30) annual principal installments.

¹ For example, if the first platting includes 570 Single-Family 50' lots, which equates to a total allocation of \$46,873,557.12 in Bond Assessment, then the remaining unplatted land would be required to absorb 16 Single-Family 50' lots, 499 Single-Family 40' lots, 77 Single-Family 60' lots, 204 Townhomes, 200 Coach Homes, and 196 Twin Villas or \$66,659,132.28 in Bond Assessment. If the remaining unplatted land would only be able to absorb 15 Single-Family 50' lots, 499 Single-Family 40' lots, 77 Single-Family 60' lots, 204 Townhomes, 200 Coach Homes, and 196 Twin Villas or \$66,576,897.97 in Bond Assessment, then a true-up, payable by the owner of the unplatted land, would be due in the amount of \$82,234.31 in Bond Assessment plus applicable accrued interest to the extent described in this Section.

Preliminary Assessment Roll

Parcel ID	Acres	Proportion	Owner	Bond Assessment
422304400001	132.69	0.31153	BRYAN PAUL INC	\$38,617,266.69
422309200001	232.49	0.54584	CORAL CREEK BURNT STORE LLC	\$67,662,433.73
422309301001	60.75	0.14263	CORAL CREEK BURNT STORE LLC	\$17,680,299.58
	425.93			\$123,960,000.00

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 Project. Certain financing, development and engineering data was provided by members of District Staff and/or the Developer. The allocation Methodology described herein was based on information provided by those professionals. Wrathell, Hunt and Associates, LLC makes no representations regarding said information transactions beyond restatement of the factual information necessary for compilation of this report. For additional information on the Bond structure and related items, please refer to the Offering Statement associated with this transaction.

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

7.0 Appendix

Table 1

Coral Creek Community Development District

Development Plan by Phase

Phase	Single Family 40'	Single Family 50'	Single Family 60'	Twin Villas	Coach Homes	Town Homes	Total
1	55	45	-	64	32	-	196
2	145	103	-	-	-	-	248
3	76	42	-	132	52	-	302
4	36	110	-	-	-	-	146
5	18	40	49	-	-	-	107
6	90	129	-	-	116	-	335
7	-	-	-	-	-	204	204
8	36	53	28	-	-	-	117
9	43	64	-	-	-	-	107
Total	499	586	77	196	200	204	1,762

Traditional Community
Active Adults Community

Development Plan by Product Type

Product Type	Number of Units
Traditional Community	
Single Family 40'	278
Single Family 50'	370
Single Family 60'	77
	725
Active Adult Community	
Coach Homes	200
Twin Villas	196
Single Family 40'	221
Single Family 50'	216
	833
Townhomes	204
Total	1,762

Table 2

Coral Creek Community Development District

Project Costs

Improvement	Total Costs
Surface Water Management System/ Drainage/ Environmental	\$17,099,000.00
Onsite Roadways	\$13,563,000.00
Potable Water Distribution System	\$6,696,000.00
Wastewater Collection and Transmission System	\$10,455,000.00
Landscape and Irrigation Distribution	\$3,968,000.00
Amenity Facilities	\$12,000,000.00
Offsite Roadway Improvements	\$12,150,000.00
Professional Consultant Fees	\$5,193,100.00
Contingency (20%)	\$16,224,820.00
Total	\$97,348,920.00

Table 3

Coral Creek

Community Development District

Preliminary Sources and Uses of Funds

Sources

Bond Proceeds:	
Par Amount	\$123,960,000.00
Total Sources	\$123,960,000.00

Uses

Project Fund Deposits:	
Project Fund	\$97,348,920.00
Other Fund Deposits:	
Debt Service Reserve Fund	\$9,005,559.07
Capitalized Interest Fund	\$14,875,200.00
Delivery Date Expenses:	
Costs of Issuance	\$2,729,200.00
Rounding	\$1,120.93
Total Uses	\$123,960,000.00

Table 4

Coral Creek

Community Development District

Benefit Allocation

Product Type	Number of Units	ERU Weight	Total ERU
<u>Traditional Community</u>			
Single Family 40'	278	0.80	222.40
Single Family 50'	370	1.00	370.00
Single Family 60'	77	1.20	92.40
<u>Active Adult Community</u>			
Coach Homes	200	0.70	140.00
Twin Villas	196	0.75	147.00
Single Family 40'	221	0.80	176.80
Single Family 50'	216	1.00	216.00
<u>Townhomes</u>			
	204	0.70	142.80
Total	1,762		1,507.40

Table 5

Coral Creek

Community Development District

Assessment Apportionment

Product Type	Number of Units	Total Cost Allocation*	Maximum Total Bond Assessment Apportionment	Maximum Bond Assessment Apportionment per Unit	Maximum Annual Principal and Interest Payment per Unit on the Bonds	Maximum Annual Bond Assessment Payment**
<u>Traditional Community</u>						
Single Family 40'	278	\$14,362,743.67	\$18,288,910.71	\$65,787.45	\$4,779.39	\$5,084.45
Single Family 50'	370	\$23,894,852.33	\$30,426,694.97	\$82,234.31	\$5,974.23	\$6,355.57
Single Family 60'	77	\$5,967,255.01	\$7,598,450.31	\$98,681.17	\$7,169.08	\$7,626.68
<u>Active Adult Community</u>						
Coach Homes	200	\$9,041,295.48	\$11,512,803.50	\$57,564.02	\$4,181.96	\$4,448.90
Twin Villas	196	\$9,493,360.25	\$12,088,443.68	\$61,675.73	\$4,480.67	\$4,766.68
Single Family 40'	221	\$11,417,864.57	\$14,539,026.14	\$65,787.45	\$4,779.39	\$5,084.45
Single Family 50'	216	\$13,949,427.31	\$17,762,611.12	\$82,234.31	\$5,974.23	\$6,355.57
Townhomes	204	\$9,222,121.39	\$11,743,059.57	\$57,564.02	\$4,181.96	\$4,448.90
Total	1,762	\$97,348,920.00	\$123,960,000.00			

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

** Includes county cost of collection at 2% (subject to change) plus early payment discount allowance at 4% (subject to change.)

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

7E

RESOLUTION 2022-35

A RESOLUTION MAKING CERTAIN FINDINGS; AUTHORIZING AN IMPROVEMENT PLAN FOR THE MASTER ASSESSMENT AREA; ADOPTING A CAPITAL IMPROVEMENT PLAN; PROVIDING AN ESTIMATED COST OF IMPROVEMENTS; ADOPTING AN ASSESSMENT REPORT; EQUALIZING, APPROVING, CONFIRMING AND LEVYING DEBT ASSESSMENTS ON THE MASTER ASSESSMENT AREA; 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 Coral Creek Community Development District (“**District**”) is a local unit of special-purpose government established by ordinance of the Board of County Commissioners of Charlotte 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 CORAL CREEK 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 17, 2022, and pursuant to Section 170.03, *Florida Statutes*, among other laws, the Board adopted Resolution 2022-30 (“**Declaring Resolution**”), and in doing so determined to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements described in the District’s *Master Engineer’s Report* dated March 4, 2022, attached hereto as **Exhibit A** and incorporated herein by reference (“**Capital Improvement Plan**,” and the project described therein, the “**Project**”); and
- c. The plans and specifications for the Project are on file in the offices of the District Manager at c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410, 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 Project by levying special assessments (“**Debt Assessments**”) on specially benefited property within all of the District (i.e., “**Master 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. 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*, via 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 April 21, 2022, and at the time and location 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 Project, 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 Capital Improvement Plan; (2) the cost of such Project be assessed against the lands specially benefited by such Project, and within the Master Assessment Area; 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 are as specified in the Capital Improvement Plan 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 Project against the properties specially benefited thereby in the Master Assessment Area, using the method determined by the Board and set forth in the *Master Special Assessment Methodology Report*, dated March 7, 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 all developable property within the Master Assessment Area; and
 - vi. Accordingly, the Debt Assessments as set forth in the Assessment Report constitute a special benefit to all 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 Master 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 PROJECT; ADOPTION OF CAPITAL IMPROVEMENT PLAN.** The Capital Improvement Plan identifies and describes the infrastructure improvements to be financed in part with the Bonds, and sets forth the costs of the Project. The District hereby confirms that the Project serves a proper, essential, and valid public purpose. The use of the Capital Improvement Plan 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 costs of the Project and the costs 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 Master 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 Master 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 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 one or more different assessment areas within the Master 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. **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, 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 a 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 applicable 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 Project consisting of bond financing costs, such as capitalized interest, funded reserves, and bond discount included in the estimated cost of the 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 Master 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 Master 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 Master 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 an assessment area comprised of specific unplatted lands which are less than all of the unplatted lands in the Master 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 Charlotte 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 21st DAY OF APRIL, 2022.

ATTEST:

**CORAL CREEK COMMUNITY
DEVELOPMENT DISTRICT**

Secretary

Chairman / Vice Chairman

Exhibit A: *Master Engineer's Report, dated March 4, 2022*

Exhibit B: *Master Special Assessment Methodology Report, dated March 7, 2022*

Exhibit A
Master Engineer's Report

Exhibit B
Master Special Assessment Methodology Report

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

8A



PUBLISHER'S AFFIDAVIT OF PUBLICATION STATE OF FLORIDA COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Advertising Representative of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

03/22/2022

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com. Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Melinda Prescott (Signature of Affiant)

Sworn and subscribed before me this 22nd day of March, 2022

Laura M Robins (Signature of Notary Public)

Personally known X OR Produced Identification

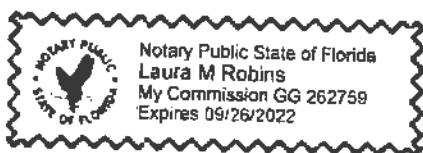
NOTICE OF RULE DEVELOPMENT BY THE CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT

In accord with Chapters 120 and 190, Florida Statutes, the Coral Creek Community Development District ("District") hereby gives notice of its intention to develop Rules of Procedure to govern the operations of the District.

The Rules of Procedure will address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings 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, 189.069(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, c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431. District Manager Publish: March 22, 2022 427283 3838722





PUBLISHER'S AFFIDAVIT OF PUBLICATION STATE OF FLORIDA COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Advertising Representative of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

03/23/2022

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com. Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Melinda Prescott (Signature of Affiant)

Sworn and subscribed before me this 23rd day of March, 2022

Laura M Robins (Signature of Notary Public)

Personally known X OR Produced Identification

NOTICE OF RULEMAKING REGARDING THE RULES OF PROCEDURE OF THE CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT

A public hearing will be conducted by the Board of Supervisors of the Coral Creek Community Development District ("District") on April 21, 2022 at 2:00 p.m., at the Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954

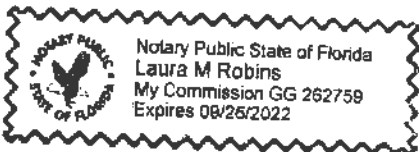
In accord with Chapters 120 and 190, Florida Statutes, the District hereby gives the public notice of its intent to adopt its proposed Rules of Procedure. The purpose and effect of the proposed Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with recent changes to Florida law. Prior notice of rule development was published in the Charlotte Sun on March 22, 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 twentyone (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 1800-955-8770 for aid in contacting the District Office.

District Manager
Publish: March 23, 2022
427283 3838723

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

8B

RESOLUTION 2022-36

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

WHEREAS, the Coral Creek Community Development District ("**District**") is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within unincorporated Charlotte 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 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 CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT:

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

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

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

PASSED AND ADOPTED this 21st day of April, 2022.

ATTEST:

CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT

Secretary / Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: Rules of Procedure

Exhibit A
Rules of Procedure

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

EFFECTIVE AS OF APRIL 21, 2022

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Rule 1.0 General.

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

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

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

Rule 1.1 Board of Supervisors; Officers and Voting.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (3) Service Contracts. Any contract for services, regardless of cost, shall include provisions required by law that require the contractor to comply with public records laws. The District Manager shall be responsible for initially enforcing all contract provisions related to a contractor's duty to comply with public records laws.

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

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

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

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

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

Rule 1.3 Public Meetings, Hearings, and Workshops.

- (1) Notice. Except in emergencies, or as otherwise 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 (###) ###-####. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770 or 1 (800) 955-8771, who can aid you in contacting the District Office."
 - (e) The following or substantially similar language: "A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based."

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

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

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

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

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

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

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

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

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

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

Rule 1.4 Internal Controls to Prevent Fraud, Waste and Abuse

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

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: § 218.33(3), Fla. Stat.

Rule 2.0 Rulemaking Proceedings.

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

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

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

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

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

(11) Petitions to Challenge Existing Rules.

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

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

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

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

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

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

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

Rule 3.0 Competitive Purchase.

- (1) Purpose and Scope. In order to comply with Sections 190.033(1) through (3), 287.055 and 287.017 of the Florida Statutes, the following provisions shall apply to the purchase of Professional Services, insurance, construction contracts, design-build services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Board Authorization. Except in cases of an Emergency Purchase, a competitive purchase governed by these Rules shall only be undertaken after authorization by the Board.
- (3) Definitions.
 - (a) “Competitive Solicitation” means a formal, advertised procurement process, other than an Invitation to Bid, Request for Proposals, or Invitation to Negotiate, approved by the Board to purchase commodities and/or services which affords vendors fair treatment in the competition for award of a District purchase contract.
 - (b) “Continuing Contract” means a contract for Professional Services entered into in accordance with Section 287.055 of the Florida Statutes, between the District and a firm, whereby the firm provides Professional Services to the District for projects in which the costs do not exceed four million dollars (\$4,000,000), for a study activity when the fee for such Professional Services to the District does not exceed five hundred thousand dollars (\$500,000), or for work of a specified nature as outlined in the contract with the District, with no time limitation except that the contract must provide a termination clause (for example, a contract for general District engineering services). Firms providing Professional Services under Continuing Contracts shall not be required to bid against one another.
 - (c) “Contractual Service” means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. Contractual Services do not include auditing services, Maintenance Services, or Professional Services as defined in Section 287.055(2)(a) of the Florida Statutes, and these Rules. Contractual Services also do not include any contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of any facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property entered into pursuant to Chapter 255 of the Florida Statutes, and Rules 3.5 or 3.6.

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

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

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

- (o) “Request for Proposals” or “RFP” is a written solicitation for sealed proposals with the title, date, and hour of the public opening designated and requiring the manual signature of an authorized representative. It may provide general information, applicable laws and rules, statement of work, functional or general specifications, qualifications, proposal instructions, work detail analysis, and evaluation criteria as necessary.

- (p) “Responsive and Responsible Bidder” means an entity or individual that has submitted a bid that conforms in all material respects to the Invitation to Bid and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. “Responsive and Responsible Vendor” means an entity or individual that has submitted a proposal, reply, or response that conforms in all material respects to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. In determining whether an entity or individual is a Responsive and Responsible Bidder (or Vendor), the District may consider, in addition to factors described in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the following:
 - (i) The ability and adequacy of the professional personnel employed by the entity/individual;
 - (ii) The past performance of the entity/individual for the District and in other professional employment;
 - (iii) The willingness of the entity/individual to meet time and budget requirements;
 - (iv) The geographic location of the entity’s/individual’s headquarters or office in relation to the project;
 - (v) The recent, current, and projected workloads of the entity/individual;
 - (vi) The volume of work previously awarded to the entity/individual;
 - (vii) Whether the cost components of the bid or proposal are appropriately balanced; and
 - (viii) Whether the entity/individual is a certified minority business enterprise.

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

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

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

Rule 3.1 Procedure Under the Consultants' Competitive Negotiations Act.

- (1) Scope. The following procedures are adopted for the selection of firms or individuals to provide Professional Services exceeding the thresholds herein described, for the negotiation of such contracts, and to provide for protest of actions of the Board under this Rule. As used in this Rule, "Project" means that fixed capital outlay study or planning activity when basic construction cost is estimated by the District to exceed the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FIVE, or for a planning study activity when the fee for Professional Services is estimated by the District to exceed the threshold amount provided in Section 287.017 for CATEGORY TWO, as such categories may be amended or adjusted from time to time.

- (2) Qualifying Procedures. In order to be eligible to provide Professional Services to the District, a consultant must, at the time of receipt of the firm's qualification submittal:
 - (a) Hold all required applicable state professional licenses in good standing;
 - (b) Hold all required applicable federal licenses in good standing, if any;
 - (c) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the consultant is a corporation; and
 - (d) Meet any qualification requirements set forth in the District's Request for Qualifications.

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

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

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

(4) Competitive Selection.

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

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

(5) Competitive Negotiation.

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

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

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

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

Rule 3.2 Procedure Regarding Auditor Selection.

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

(1) Definitions.

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

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

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

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

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

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

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

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

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

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

- (6) Committee's Evaluation of Proposals and Recommendation. The Committee shall meet at a publicly held meeting that is publicly noticed for a reasonable time in advance of the meeting to evaluate all qualified proposals and may, as part of the evaluation, require that each interested firm provide a public presentation where the Committee may conduct discussions with the firm, and where the firm may present information, regarding the firm's qualifications. At the public meeting, the Committee shall rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to subsection (3)(b) of this Rule. If fewer than three firms respond to the RFP or if no firms respond to the RFP, the Committee shall recommend such firm as it deems to be the most highly qualified. Notwithstanding the foregoing, the Committee may recommend that any and all proposals be rejected.

- (7) Board Selection of Auditor.
 - (a) Where compensation was not selected as a factor used in evaluating the proposals, the Board shall negotiate with the firm ranked first and inquire of that firm as to the basis of compensation. If the Board is unable to negotiate a satisfactory agreement with the first ranked firm at a price deemed by the Board to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the Board shall immediately begin negotiations with the second ranked firm. If a satisfactory agreement with the second ranked firm cannot be reached, those negotiations shall be terminated and negotiations with the third ranked firm shall be undertaken. The Board may reopen formal negotiations with any one of the three top-ranked firms, but it may not negotiate with more than one firm at a time. If the Board is unable to negotiate a satisfactory agreement with any of the selected firms, the Committee shall recommend additional firms in order of the firms' respective competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.
 - (b) Where compensation was selected as a factor used in evaluating the proposals, the Board shall select the highest-ranked qualified firm or document in its public records the reason for not selecting the highest-ranked qualified firm.
 - (c) In negotiations with firms under this Rule, the Board may allow the District Manager, District Counsel, or other designee to conduct negotiations on its behalf.

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

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

Rule 3.3 Purchase of Insurance.

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

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

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

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

Law Implemented: § 112.08, Fla. Stat.

Rule 3.4 Pre-qualification

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

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

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

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

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

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

(3) Suspension, Revocation, or Denial of Qualification

- (a) The District, for good cause, may deny, suspend, or revoke a prequalified vendor's pre-qualified status. A suspension, revocation, or denial for good cause shall prohibit the vendor from bidding on any District construction contract for which qualification is required, shall constitute a determination of non-responsibility to bid on any other District construction or maintenance contract, and shall prohibit the vendor from acting as a material supplier or subcontractor on any District contract or project during the period of suspension, revocation, or denial. Good cause shall include the following:
- i. One of the circumstances specified under Section 337.16(2), Fla. Stat., has occurred.
 - ii. Affiliated contractors submitted more than one proposal for the same work. In this event the pre-qualified status of all of the affiliated bidders will be revoked, suspended, or denied. All bids of affiliated bidders will be rejected.
 - iii. The vendor made or submitted false, deceptive, or fraudulent statements, certifications, or materials in any claim for payment or any information required by any District contract.
 - iv. The vendor or its affiliate defaulted on any contract or a contract surety assumed control of financial responsibility for any contract of the vendor.
 - v. The vendor's qualification to bid is suspended, revoked, or denied by any other public or semi-public entity, or the vendor has been the subject of a civil enforcement proceeding or settlement involving a public or semi-public entity.
 - vi. The vendor failed to comply with contract or warranty requirements or failed to follow District direction in the performance of a contract.

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

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

Examples of factors affecting the seriousness of a deficiency are:

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

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

Rule 3.5 Construction Contracts, Not Design-Build.

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

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

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

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

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

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

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

- (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase construction services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of construction services, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the construction services without further competitive selection processes.

- (3) Sole Source; Government. Construction services that are only available from a single source are exempt from this Rule. Construction services provided by governmental agencies are exempt from this Rule. This Rule shall not apply to the purchase of construction services, which may include goods, supplies, or materials, that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules. A contract for construction services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.

- (4) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.

- (5) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board Meeting.

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

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

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

Rule 3.6 Construction Contracts, Design-Build.

- (1) Scope. The District may utilize Design-Build Contracts for any public construction project for which the Board determines that use of such contract is in the best interest of the District. When letting a Design-Build Contract, the District shall use the following procedure:

- (2) Procedure.
 - (a) The District shall utilize a Design Criteria Professional meeting the requirements of Section 287.055(2)(k) of the Florida Statutes, when developing a Design Criteria Package, evaluating the proposals and qualifications submitted by Design-Build Firms, and determining compliance of the project construction with the Design Criteria Package. The Design Criteria Professional may be an employee of the District, may be the District Engineer selected by the District pursuant to Section 287.055 of the Florida Statutes, or may be retained pursuant to Rule 3.1. The Design Criteria Professional is not eligible to render services under a Design-Build Contract executed pursuant to the Design Criteria Package.

 - (b) A Design Criteria Package for the construction project shall be prepared and sealed by the Design Criteria Professional. If the project utilizes existing plans, the Design Criteria Professional shall create a Design Criteria Package by supplementing the plans with project specific requirements, if any.

 - (c) The Board may either choose to award the Design-Build Contract pursuant to the competitive proposal selection process set forth in Section 287.055(9) of the Florida Statutes, or pursuant to the qualifications-based selection process pursuant to Rule 3.1.
 - (i) Qualifications-Based Selection. If the process set forth in Rule 3.1 is utilized, subsequent to competitive negotiations, a guaranteed maximum price and guaranteed completion date shall be established.

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

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

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

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

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

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

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

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

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

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

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

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

Rule 3.7 Payment and Performance Bonds.

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

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

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

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

Law Implemented: § 255.05, Fla. Stat.

Rule 3.8 Goods, Supplies, and Materials.

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

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

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

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

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

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

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

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

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

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

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

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

Rule 3.9 Maintenance Services.

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

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

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

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

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

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

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

Rule 3.10 Contractual Services.

- (1) Exemption from Competitive Purchase. Pursuant to Section 190.033(3) of the Florida Statutes, Contractual Services shall not be subject to competitive purchasing requirements. If an agreement is predominantly for Contractual Services, but also includes maintenance services or the purchase of goods and services, the contract shall not be subject to competitive purchasing requirements. Regardless of whether an advertisement or solicitation for Contractual Services is identified as an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, no rights or remedies under these Rules, including but not limited to protest rights, are conferred on persons, firms, or vendors proposing to provide Contractual Services to the District.

- (2) Contracts; Public Records. In accordance with Florida law, each contract for Contractual Services shall include provisions required by law that require the contractor to comply with public records laws.

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

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

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

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

(1) Filing.

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

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

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

- (d) Enter orders; and
- (e) Make or receive offers of settlement, stipulation, and adjustment.

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

- (5) Intervenors. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (6) Rejection of all Qualifications, Bids, Proposals, Replies and Responses after Receipt of Notice of Protest. If the Board determines there was a violation of law, defect, or an irregularity in the competitive solicitation process, the Bids, Proposals, Replies, and Responses are too high, or if the Board determines it is otherwise in the District's best interest, the Board may reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew. If the Board decides to reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew, any pending protests shall automatically terminate.
- (7) Settlement. Nothing herein shall preclude the settlement of any protest under this Rule at any time.

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

Rule 4.0 Effective Date.

These Rules shall be effective April 21, 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.

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

9A



PUBLISHER'S AFFIDAVIT OF PUBLICATION STATE OF FLORIDA COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Advertising Representative of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

03/25/2022

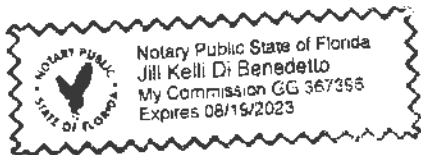
as well as being posted online at www.yoursun.com and www.floridapublicnotices.com. Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Melinda Prescott (Signature of Affiant)

Sworn and subscribed before me this 25th day of March, 2022

Jill Kelli Di Benedetto (Signature of Notary Public)

Personally known X OR Produced Identification



REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES FOR THE CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT

RFQ for Engineering Services

The Coral Creek Community Development District ("District"), located in Charlotte County, Florida, announces that professional engineering services will be required on a continuing basis for the District's stormwater systems, and other public improvements authorized by Chapter 190, Florida Statutes. The engineering firm selected will act in the general capacity of District Engineer and will provide District engineering services, as required.

Any firm or individual ("Applicant") desiring to provide professional services to the District must: 1) hold applicable federal, state and local licenses; 2) be authorized to do business in Florida in accordance with Florida law; and 3) furnish a statement ("Qualification Statement") of its qualifications and past experience on U.S. General Service Administration's "Architect-Engineer Qualifications, Standard Form No. 330," with pertinent supporting data. Among other things, Applicants must submit information relating to: a) the ability and adequacy of the Applicant's professional personnel; b) whether the Applicant is a certified minority business enterprise; c) the Applicant's willingness to meet time and budget requirements; d) the Applicant's past experience and performance, including but not limited to past experience as a District Engineer for any community development districts and past experience in Charlotte County, Florida; e) the geographic location of the Applicant's headquarters

and offices; f) the current and projected workloads of the Applicant; and g) the volume of work previously awarded to the Applicant by the District. Further, each Applicant must identify the specific individual affiliated with the Applicant who would be handling District meetings, construction services, and other engineering tasks.

The District will review all Applicants and will comply with Florida law, including the Consultant's Competitive Negotiations Act, Chapter 287, Florida Statutes ("CCNA"). All Applicants interested must submit electronic copies of Standard Form No. 330 and the Qualification Statement by 12:00 p.m., on April 11, 2022 by email to gilyardd@whhassociates.com ("District Manager's Office").

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

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

Any protest regarding the terms of this Notice, or the evaluation criteria on file with the District Manager, must be filed in writing, within seventy-two (72) hours (excluding weekends) after the publication of this Notice. The formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days after the initial notice of protest was filed. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object or protest with respect to aforesaid Notice or evaluation criteria provisions. Any person who files a notice of protest shall provide to the District, simultaneous with the filing of the notice, a protest bond with a responsible surety to be approved by the District and in the amount of Twenty Thousand Dollars (\$20,000.00).

District Manager

Publish: March 25, 2022

427283 3839511

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

9B

**REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES
FOR THE CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT**

RFQ for Engineering Services

The Coral Creek Community Development District (“**District**”), located in Charlotte County, Florida, announces that professional engineering services will be required on a continuing basis for the District’s stormwater systems, and other public improvements authorized by Chapter 190, *Florida Statutes*. The engineering firm selected will act in the general capacity of District Engineer and will provide District engineering services, as required.

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

The District will review all Applicants and will comply with Florida law, including the Consultant’s Competitive Negotiations Act, Chapter 287, *Florida Statutes* (“**CCNA**”). All Applicants interested must submit electronic copies of Standard Form No. 330 and the Qualification Statement by 12:00 p.m., on April 11, 2022 by email to gillyardd@whhassociates.com (“**District Manager’s Office**”).

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

The District reserves the right to reject any and all Qualification Statements. Additionally, there is no express or implied obligation for the District to reimburse

Applicants for any expenses associated with the preparation and submittal of the Qualification Statements in response to this request.

Any protest regarding the terms of this Notice, or the evaluation criteria on file with the District Manager, must be filed in writing, within seventy-two (72) hours (excluding weekends) after the publication of this Notice. The formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days after the initial notice of protest was filed. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object or protest with respect to aforesaid Notice or evaluation criteria provisions. Any person who files a notice of protest shall provide to the District, simultaneous with the filing of the notice, a protest bond with a responsible surety to be approved by the District and in the amount of Twenty Thousand Dollars (\$20,000.00).

CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT

DISTRICT ENGINEER PROPOSALS

COMPETITIVE SELECTION CRITERIA

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

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

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

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

3) Geographic Location (Weight: 20 Points)

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

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

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

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

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

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

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

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

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

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

9C

Statement of Qualifications

Request for Qualifications for Engineering Services
for

CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT

Barraco
and Associates, Inc.

Presented to:
Coral Creek CDD
District Manager's Office
Wrathell, Hunt & Associates, LLC
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431



**Due April 11, 2022
at 12:00 p.m.**

via Email to gillyardd@whhassociates.com

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STANDARD FORM 330

April 8, 2022

* Via Email to gillyardd@whhassociates.com *

Coral Creek Community Development District
District Manager
Wrathell, Hunt & Associates, LLC
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431

Re: Request for Qualifications for Engineering Services for the
Coral Creek Community Development District

Dear District Manager:

Barraco and Associates, Inc. (BAI) is pleased to submit this Statement of Qualifications to the Coral Creek Community Development District (CDD) to serve as District Engineer.

BAI proposes Carl Barraco, Jr., P.E., to serve as District Engineer, with assistance from Carl A. Barraco, Sr., P.E., and Douglas Tarn. Mr. Barraco, Jr. is currently serving as the Interim District Engineer for the Coral Creek CDD. Mr. Barraco, Sr.'s experience with CDDs is diversified, including serving as CDD Supervisor for two independent Districts in Lee County for a combined tenure of eight years, assisting with the establishment of 23 CDDs, and serving as District Engineer for 23 Districts over the years. The Firm currently serves as District Engineer for 19 CDDs. This experience provides a thorough knowledge of CDDs including their operating procedures and budgets. Mr. Tarn assists Messrs. Barraco with a number of the Firm's current CDD responsibilities including field operations/construction services. Many CDDs do not have daily engineering issues; therefore, in order to preserve the CDD budget, BAI confirms with the respective CDD Manager whether the District Engineer's presence is needed or requested for each scheduled CDD BOS meeting.

Barraco and Associates appreciates this opportunity to provide the Firm's qualifications for District Engineer for the Coral Creek Community Development District and we look forward to the opportunity to continue providing professional services to the Coral Creek CDD.

If you should have any questions or require additional information, please advise.

Very truly yours,

BARRACO AND ASSOCIATES, INC.



Carl Barraco, Jr., P.E.
Vice President
Proposed District Engineer

Very truly yours,

BARRACO AND ASSOCIATES, INC.



Carl A. Barraco, P.E.
President
Proposed Assistant District Engineer

CBjr/cmh
Enclosure

Qualifications

Barraco and Associates, Inc. (BAI) was established in 1998; however, the firm's principals have worked together for 38 years in Southwest Florida. This history of shared work experience provided the solid foundation on which to build the firm and quickly established BAI as a regional leader of professional consulting firms in Southwest Florida.

BAI has a single office conveniently located in Fort Myers, blocks from the Lee County Government and Public Works offices as well as the City of Fort Myers City Hall and other federal, state and local review agencies including the South Florida Water Management District, Florida Department of Environmental Protection, Florida Department of Transportation, and the U.S. Army Corps of Engineers. Our proximity, coupled with interaction on numerous projects over the years, has secured a working knowledge and skillful aptitude of the criteria, processes, policies and procedures utilized for planning, permitting, designing and construction of projects in Southwest Florida. This experience has afforded BAI valuable insights to the various public information approaches along with a history of precedents, agency staff and working relationships among the involved entities. Project management is not an exact science and this experience is critical to implementing a timely project process.



The diversity of Barraco and Associates' expertise is illustrated in the following abbreviated list of professional consulting services provided by BAI staff.

ENGINEERING SERVICES

- ✦ Community Development Districts - District Engineer Duties
- ✦ Engineering Cost Analysis
- ✦ Traffic Impact Statements
- ✦ Utility Design
- ✦ Stormwater Management
- ✦ Roadway Design



- ✦ Permitting
- ✦ Utility Coordination
- ✦ Emergency Preparedness Plans
- ✦ Signing and Marking Design
- ✦ Access Management
- ✦ Project Management
- ✦ Intersection Design
- ✦ Maintenance of Traffic Plans
- ✦ Expert Witness
- ✦ Design Alternatives
- ✦ Construction Plan Preparation
- ✦ Technical Specifications

ability / adequacy

CONSTRUCTION ADMINISTRATION SERVICES

- ◆ Construction Engineering and Inspection (CEI)
- ◆ Assistance with Contractor Selection
- ◆ Design and Constructability Reviews



- ◆ Observation Activities
- ◆ Obtain Record Information
- ◆ Shop Drawing Reviews
- ◆ Contractor Pay Request Review
- ◆ Testing Materials & Result Review
- ◆ Pre-Construction Meeting
- ◆ Public Information Facilitation
- ◆ Public Involvement Workshops

SURVEYING & MAPPING

- ◆ Boundary and Control Surveys
- ◆ Sketches and Legal Descriptions
- ◆ Topographic Surveys
- ◆ Subdivision Platting
- ◆ Construction Stakeout
- ◆ GPS Services
- ◆ Deed Research
- ◆ Mortgage Inspections
- ◆ Right-of-Way Surveys
- ◆ Jurisdictional Surveys



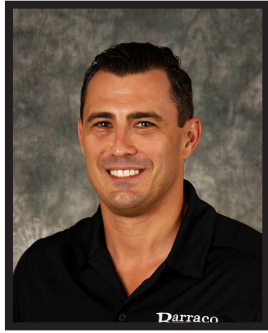
PLANNING



- ◆ Planned Development Rezoning
- ◆ Special Exceptions and Variances
- ◆ Community Planning
- ◆ Developments of Regional Impact (DRI)
- ◆ Due Diligence/Feasibility Study
- ◆ Comprehensive Plan Amendments
- ◆ Conflict Resolution
- ◆ Public Involvement & Facilitation
- ◆ Design Guidelines
- ◆ Zoning
- ◆ Master Concept Plans

Proposed Personnel

BAI currently employs 50 residents of Southwest Florida. For the Coral Creek CDD, BAI proposes Carl Barraco, Jr., P.E., as District Engineer, with Carl A. Barraco, Sr., P.E., and Douglas Tarn proposed as Assistant District Engineers. Meeting attendance, as well as requests for construction services or other engineering tasks will be handled by Mr. Barraco, Jr., or, when appropriate, by Mr. Barraco, Sr., or Mr. Tarn.



Carl Barraco, Jr., P.E.
District Engineer



Carl A. Barraco, Sr., P.E.
Assistant District Engineer



Douglas Tarn
Construction Services

Resumes for Messers. Barraco and Tarn, as well as additional BAI team members are provided on pages 5 - 9, with licensing and certifications provided on pages 10 - 13.

Past Experience/Performance, Including but not Limited to Past Experience as District Engineer for any CDDs and Past Experience with Charlotte County

As further detailed in the GSA SF 330 form provided within this submittal, BAI has provided services to establish 23 Districts; has performed District Engineer services for a total of 22 Community Development Districts over the years; and is currently the District Engineer for 19 CDDs, including currently as the Interim District Engineer for the Coral Creek Community Development District. BAI has performed professional services directly for Charlotte County for the Cattle Dock and West County Boat Ramp projects. BAI also has several private projects located in Charlotte County which required coordination with Charlotte County staff for permitting, platting, and planning purposes. Most recently those projects include Simple Life, Tuckers Pointe, and several developments within the overall Babcock Ranch Development including Edgewater at Babcock, Northridge, Edgewater Shores, and Babcock Ranch Phase 1B1.

Geographic Location of Headquarters & Offices

BAI has a single office, located on the fringe of Downtown Fort Myers, on historic McGregor Boulevard. The office is approximately 21.6 miles from the Coral Creek Development location and is physically located at:

2271 McGregor Boulevard
Suite 100
Fort Myers, Florida 33901

Willingness to Meet Time/Budget Requirements

With 24 years of experience, BAI takes great pride in the firm's track record of providing timely and efficient professional services to its clients. If a situation arises wherein additional in-house staff assistance is needed to meet a deadline or maintain a project schedule, BAI has the staffing available to reallocate resources to ensure project schedules and budgets are maintained throughout the duration of the project. BAI staff members understand one of the most significant measures of the success of a project is whether or not the project budget and schedule are maintained.

MBE Status

BAI is not a certified MBE firm; however, the firm utilizes MBE subconsultants on projects when additional consultant assistance may be required, and certified MBE consultants who provide specific required services are available.

Current and Projected Workloads

Please refer to the Current and Projected Workload chart provided on page 14 of this response.

Volume of Work Previously Awarded Firm by Coral Creek CDD

BAI currently serves the Coral Creek Community Development District as Interim District Engineer and recently completed the Master Engineer’s Report for the CDD.

EDUCATION

University of Florida
M.S. - Civil Engineering, 2013

University of Florida
M.S. - Real Estate, 2009

University of South Florida
B.S. - Civil Engineering, 2007

PROFESSIONAL CERTIFICATIONS

Florida P.E. #81259 - 2016

PROFESSIONAL AFFILIATIONS

American Society of Civil Engineers

Florida Engineering Society

Lee Building Industry Association
Board of Directors

Carl A. Barraco, Jr., P.E. rejoined Barraco and Associates in his current capacity as a Professional Engineer/Project Manager in November 2013. Mr. Barraco has worked intermittently for the firm since 2005 in the fields of engineering and surveying while obtaining his undergraduate and post graduate degrees.

Mr. Barraco has approximately nine years of experience in the civil engineering / land development industry. His experience includes acting as Project Manager and Professional Engineer on projects ranging from small commercial projects to residential projects spanning hundreds of acres. Mr. Barraco's responsibilities include engineering design, project management and the procurement of new clients and projects for the firm.

Projects for which Mr. Barraco has been responsible for project management and/or engineering design include:

- ❖ **Stonewater:** The project consists of 327 single family units with supporting infrastructure. Mr. Barraco is the project manager for this project overseeing coordination for the project design, coordination with the Client as well as municipalities and regulatory agencies. The Stonewater project required a substantial amount of coordination with the City of Cape Coral utility staff to ensure the Stonewater design was completed in sync with the City of Cape Coral Utility Expansion North 2 (UEP2) project.
- ❖ **Sandoval Apartments (Coralina):** The project consists of 184 apartment units and supporting infrastructure situated on +/- 10.84 acres. Mr. Barraco is Engineer of Record for this project as well as project manager. The Sandoval project included coordination with other local firms to ensure the design of the utility and roadway infrastructure was consistent with the utility and roadway infrastructure designed for the expansion of Sandoval Parkway.
- ❖ **Westbrook:** The Westbrook project consists of 345 single family units, amenity center and supporting infrastructure situated on 105 +/- acres. Mr. Barraco is the project manager for this project overseeing coordination for the project design, coordination with the Client as well as municipalities and regulatory agencies. Westbrook required extensive coordination with Lee County Department of Transportation to complete the redesign and construction of the turn lanes on Three Oaks Parkway and on Winged Foot Drive.

EDUCATION

University of South Florida
B.S. Civil Engineering, 1984
M.S. Civil Engineering, 1987

PROFESSIONAL REGISTRATION

Florida P.E. #38536 - 1987

PROFESSIONAL AFFILIATIONS

American Society of Civil Engineers
Florida Engineering Society
National Society of Professional Engineers

HONORS

2015-16
Florida Engineering Society
Calusa Chapter
Engineer of the Year

1998
Asphalt Contractors Assn. of
Florida, Inc. - District One
Roads and Streets Award

1993-94
Florida Engineering Society
Calusa Chapter
Young Engineer of the Year

1983
American Society of Civil Engineers
- Student Engineer of the Year

Tau Beta Pi National Engineering
Honor Society

Chi Epsilon National Civil
Engineering Honor Society

Phi Kappa Phi National Honor
Society

Carl A. Barraco, along with his associates, formed Barraco and Associates, Inc., in April 1998. Prior to this time he was a senior shareholder and served on the Board of Directors of a large Southwest Florida engineering and surveying firm.

Mr. Barraco has been providing engineering services in Southwest Florida for 38 years. His professional experience is well diversified as illustrated below:

- ◆ Has served or currently serves as District Engineer for following Districts:

Bayside/Bay Creek	Lucaya
Blue Lake	Mirada
Catalina at Winkler Preserve	Moody River Estates
Coral Creek	Orange Blossom Groves
Colonial Country Club	Orange Blossom Ranch
Corkscrew Farms	Paseo
Del Webb Oak Creek	River Hall
East Bonita Beach Road	Treeline Preserve
Eastwood Village	Tuckers Pointe
Hudson Creek	V-Dana
Laguna Lakes	WildBlue

- ◆ Principal in Charge for **U.S. 41 Transmission Line Improvements (Alico Road to Colonial Boulevard, Phases 1A-1, 2A-West and 2A-East)** project for Lee County Utilities consisted of replacing existing forcemain and watermain from south of Old Gladiolus Drive to north of Crystal Drive in Fort Myers. To alleviate impacts to traffic, BAI successfully designed and coordinated the construction of watermain and forcemain directional bores beneath U.S. 41 and many side roads. To minimize construction costs and maintain an effective design, BAI coordinated with FDOT for simultaneous installation of the new 8-foot sidewalk being constructed within U.S. 41 right-of-way.

- ◆ **Orange Blossom Ranch/Orange Blossom Groves** - Engineer of Record for a ±1,600-unit residential development including 258 townhomes and 1,342 single family units located off Oil Well Road in Collier County.

- ◆ **Isles of Collier Preserve**, Phases 1-10 - Principal in Charge for the ±700 unit residential subdivision with associated Preview Center and Amenity Center located in Collier County, Florida.

- ◆ Project Engineer for **Paseo**, a 444-acre, 1,149 unit residential subdivision located in Fort Myers, Florida. Services included providing for infrastructure including all drainage, water and sewer design.

- ◆ Project Engineer for full infrastructure to support the **River Hall** subdivision, a 2,000-acre, 1,199-unit residential subdivision, located off S.R. 80 in Lee County. Included infrastructure design and construction of over 20 miles of multiple diameter watermains, 18 miles of gravity sewer, 8.5 miles of forcemain including a Lee County Utilities 4,500 LF forcemain within SR 80 ROW.

- ◆ Project Engineer/Manager for **Somerset at the Plantation**, a 1,269-acre, 530-unit subdivision located in Fort Myers, Florida. Services included providing for infrastructure including all drainage, water and sewer design, permitting and certifications.

EDUCATION

Santa Fe College
A.A.S. Building Construction
Technology (emphasis on
Construction Mgmt.), 2007

PROFESSIONAL CERTIFICATIONS

FDOT - Temporary Traffic Control
Advanced (expires 6/2023)

FDOT - Final Estimates (expires
7/31/2020)

FDOT - Earthwork Construction
Inspection (exp. 7/31/2020)

FDOT - Asphalt Paving Technician,
Level 1 (exp. 12/19)

FDOT - MSE Wall, 2016

FDEP Stormwater Management
Inspector, 2008

SFWMD Dewatering 101

USDOT - Nuclear Gauge HAZMAT

MILITARY SERVICE

Florida Army National Guard
Air Defense Artillery - 14S
2002-2005, Honorably Discharged

Douglas Tarn joined the construction administration team at Barraco and Associates, Inc. in May 2007. Mr. Tarn has provided project management and construction observation services on several projects since joining the firm, including the following:

✦ **Orange Grove Boulevard-Hancock Bridge Parkway to Pondella Road**, Lee County – This Lee County Utilities project consisted of replacing 10” water main on the east side of Orange Grove Boulevard from just south of Hancock Bridge Parkway to Pondella Road. The project included replacing existing storm drainage as well as installing new storm drainage to make improvements within the right-of-way. Over one mile of sidewalk was removed and replaced. Additional work included roadway and driveway repairs where new water main was installed. Mr. Tarn served as project manager.

✦ **The U.S. 41 Transmission Line Improvements (Alico Road to Colonial Boulevard, Phases 1A-1, 2A-West and 2A-East)** project for Lee County Utilities (LCU) consisted of replacing existing forcemain and watermain from south of Old Gladiolus Drive to north of Crystal Drive in Fort Myers. In order to alleviate impacts to traffic, BAI successfully designed and coordinated the construction of watermain and forcemain directional bores beneath U.S. 41 and many side roads. To minimize construction costs and maintain an effective design, BAI coordinated with FDOT for the simultaneous installation of the new 8-foot sidewalk being constructed within the U.S. 41 right-of-way. Mr. Tarn assisted with construction observations and project management for this LCU project.

✦ BAI performed **CEI and GIS services for State Road 739** (total length of 1.336 miles) for the City of Fort Myers. Most notable service provided was maintaining water and sewer service for residences and businesses during construction along the corridor. GIS services included providing as-built information after utilities were installed. Mr. Tarn served as the Senior Utility Inspector and Project Manager.

✦ For the **City of Fort Myers’ Metro Parkway Utilities Relocation** project from Dr. Martin Luther King, Jr. Boulevard to Hanson Street on Evans Avenue and Fowler Street to Industrial Street on Hanson Street, Mr. Tarn witnessed and inspected the removal and installation of force main, gravity sewer, and water main. Other responsibilities included maintaining daily construction reports and client and contractor interface. This project was completed in 2008, ahead of schedule and under budget, and was constructed under a JPA between the City of Fort Myers and the FDOT.

EDUCATION

Cypress Lake High School 1981

PROFESSIONAL REGISTRATION

**Professional Surveyor & Mapper
LS5949 - Florida, 1999**

PROFESSIONAL AFFILIATIONS

**National Society of Professional
Surveyors & Mappers**

**American Congress of Surveying
& Mapping**

**Florida Surveying & Mapping
Society**

Certified Survey Technician III

Scott Wheeler joined the surveying profession immediately after graduation from high school in 1981 and began working on a survey crew as a rodman, working his way up to instrumentman and party chief. In 1987, he was transferred to an office position as a survey technician. In 1991, Mr. Wheeler became a Certified Survey Technician through the American Congress of Surveying and Mapping. In 1999, Mr. Wheeler became a licensed Surveyor and Mapper in the State of Florida.

Mr. Wheeler joined Barraco and Associates in 1999 as Vice President of Surveying. In this capacity Mr. Wheeler was responsible for the organization and implementation of a new department and the addition of professional services offered by BAI. Mr. Wheeler oversaw the hiring of survey personnel and the acquisition of necessary equipment to outfit survey field crews. Mr. Wheeler's responsibilities include reviewing new projects to determine requirements, available resources and scheduling constraints; setting overall guidelines for work completion; as well as executing effective methods to monitor project progress and efficiency. Since starting the department for Barraco and Associates, surveying has become an integral component of the services provided to the company's clients and currently provides personnel for three field crews.

Mr. Wheeler has provided technical support on a number of right-of-way plans for the Florida Department of Transportation. In the private sector Mr. Wheeler has extensive experience with the production of record plats for Private Equity Group, PulteGroup, CalAtlantic, Lennar, WCI Communities, Bonita Bay Group, Land Solutions, Inc., and numerous others. These duties included calculations for the field crews and producing computer aided drawings and plat sheets. Mr. Wheeler has also provided services for the following projects:

- ⊕ Lee County Department of Transportation right-of-way surveys for Three Oaks Parkway and Williams Road
- ⊕ Record plats for WildBlue, Westbrook, Tidewater, Mediterra, Paseo, River Hall, Pelican Landing, Bonita Bay and numerous other subdivision plats in Lee and Collier counties.
- ⊕ Boundary surveys within the City of Fort Myers, Lee, Charlotte, Collier, Hendry and DeSoto counties.

While at Barraco and Associates, Mr. Wheeler has provided surveys for residential and commercial projects. This experience includes the utilization of a Global Positioning System to provide utility locations for record drawings.

EDUCATION

Purdue University
Interior Design, 1991-94

Edison Community College

PROFESSIONAL REGISTRATION

AICP #028786 - November 2015

CERTIFICATIONS

Green Building Certification Institute
LEED Accredited Professional
(LEED AP) - 2009

AFFILIATIONS

American Planning Association,
Florida Chapter, Promised Lands
Section

International Council of Shopping
Centers (ICSC)

Land Development Advisory
Committee

City of Fort Myers Downtown/
Midtown Steering Committee

Ms. Sapen began her career with Johnson Engineering in 1998 as an engineering draftsman. As a multi-discipline firm, she gained experience and knowledge of water management and environmental parameters unique to Southwest Florida, land planning concepts and procedures, and subdivision design standards.

In 2002, Ms. Sapen joined Barraco and Associates as a land planning and site design specialist. Here she combined her engineering knowledge with a creative sense of space and respect for land planning principles to develop land solutions which are cost effective, honor jurisdictional goals, and yield market appeal through synergy and cohesion. Her appointment to the Land Development Advisory Committee in 2009 ensures a working knowledge of Lee County Codes as well as an understanding of changes and how they relate to County objectives.

As a land planner, Ms. Sapen's responsibilities include project coordination in the preparation and presentation for rezonings and Comprehensive Plan Amendments. Serving as an expert in the realm of site planning and land planning, Ms. Sapen has provided testimony on the following projects through public hearing processes in Southwest Florida:

- ◆ Isles of Collier Preserve PUD - Collier County
- ◆ Banana Branch CPA/PUD - Hendry County
- ◆ Tri-County Commerce Center IPD - City of Fort Myers
- ◆ Sonoma Preserve PUD - DeSoto County
- ◆ Michigan Avenue PUD/CPA - City of Fort Myers
- ◆ Gully Creek RPD - Lee County
- ◆ 3691 Canal Street Administrative Appeal - City of Fort Myers
- ◆ Colonial Hammock PUD - City of Fort Myers
- ◆ Eastwood Village - City of Fort Myers
- ◆ Oak View RPD - Lee County
- ◆ Brookshire CPD - Lee County
- ◆ Blasingim RPD - Lee County
- ◆ Prima Luce - City of Fort Myers
- ◆ Homestead MPD - Lee County
- ◆ Eastwood Village - City of Fort Myers
- ◆ J.J. Taylor PUD - City of Fort Myers
- ◆ Enclaves CPD/RPD - Lee County
- ◆ Stonewater PDP - City of Cape Coral
- ◆ Tidewater MPD - Village of Estero
- ◆ Bella Vida PDP - City of Cape Coral

State of Florida

Department of State

I certify from the records of this office that BARRACO AND ASSOCIATES, INC. is a corporation organized under the laws of the State of Florida, filed on March 5, 1998.

The document number of this corporation is P98000021404.

I further certify that said corporation has paid all fees due this office through December 31, 2022, that its most recent annual report/uniform business report was filed on January 31, 2022, and that its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

*Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this
the Sixth day of April, 2022*



Randy R. Lee
Secretary of State

Tracking Number: 9130747641CU

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

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



RICK SCOTT, GOVERNOR

JONATHAN ZACHEM, SECRETARY



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

BOARD OF PROFESSIONAL ENGINEERS

THE ENGINEERING BUSINESS HEREIN IS AUTHORIZED UNDER THE
PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

BARRACO AND ASSOCIATES, INC.

2271 MCGREGOR BOULEVARD SUITE 100
FT. MYERS FL 33901

LICENSE NUMBER: CA7995

EXPIRATION DATE: FEBRUARY 28, 2021

Always verify licenses online at MyFloridaLicense.com



Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

Statement from the State of Florida Department of Business & Professional Regulation:
License# 7995 - No link for renewal. As of October 1, 2019, Certificate of Authorization licenses are now referred to as firm registrations. Firm registrations never expire, there will never be fees due, and there are no longer any physical documents available. There is no license to print as it is no longer a license, just a registration.



Florida Department of Agriculture and Consumer Services
Division of Consumer Services
Board of Professional Surveyors and Mappers
2005 Apalachee Pkway Tallahassee, Florida 32399-6500

License No.: **LB6940**

Expiration Date February 28, 2023

Professional Surveyor and Mapper Business License

Under the provisions of Chapter 472, Florida Statutes

BARRACO AND ASSOCIATES INC
2271 MCGREGOR BLVD
FORT MYERS, FL 33901-3314

NICOLE "NIKKI" FRIED
COMMISSIONER OF AGRICULTURE

This is to certify that the professional surveyor and mapper whose name and address are shown above is licensed as required by Chapter 472, Florida Statutes.



Ron DeSantis, Governor



STATE OF FLORIDA

BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

BARRACO, CARL A. JR.

1352 SHADOW LANE
FORT MYERS FL 33901

LICENSE NUMBER: PE81259

EXPIRATION DATE: FEBRUARY 28, 2023

Always verify licenses online at MyFloridaLicense.com



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This is your license. It is unlawful for anyone other than the licensee to use this document.



Ron DeSantis, Governor



STATE OF FLORIDA

BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

BARRACO, CARL ANTHONY

2271 MCGREGOR BLVD.
SUITE 100
FORT MYERS FL 339010000

LICENSE NUMBER: PE38536

EXPIRATION DATE: FEBRUARY 28, 2023

Always verify licenses online at MyFloridaLicense.com



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Florida Department of Agriculture and Consumer Services
 Division of Consumer Services
 Board of Professional Surveyors and Mappers
 2005 Apalachee Pkwy Tallahassee, Florida 32399-6500

License No.: **LS5949**
 Expiration Date February 28, 2023

Professional Surveyor and Mapper License
 Under the provisions of Chapter 472, Florida Statutes

SCOTT ALAN WHEELER
 2271 MCGREGOR BLVD
 FORT MYERS, FL 33901-3314

Nicole Fried

NICOLE "NIKKI" FRIED
 COMMISSIONER OF AGRICULTURE

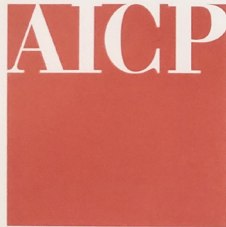
This is to certify that the professional surveyor and mapper whose name and address are shown above is licensed as required by Chapter 472, Florida Statutes.

This certificate hereby qualifies

Jennifer Sapen, AICP

as a member with all the benefits of a Certified Planner and a commitment to the AICP Code of Ethics and Professional Conduct.

Certified Planner Number: 028786



James M. Drinan
 James M. Drinan, JD
 Executive Director

Valerie J. Hubbard
 Valerie J. Hubbard, FAICP
 President



GREEN BUILDING CERTIFICATION INSTITUTE

HEREBY CERTIFIES THAT

Jennifer Sapen

HAS ACHIEVED THE DESIGNATION OF

LEED® ACCREDITED PROFESSIONAL

BY DEMONSTRATING THE KNOWLEDGE OF GREEN BUILDING PRACTICE
 REQUIRED FOR SUCCESSFUL IMPLEMENTATION OF THE LEADERSHIP IN ENERGY
 AND ENVIRONMENTAL DESIGN (LEED®) GREEN BUILDING RATING SYSTEM™.

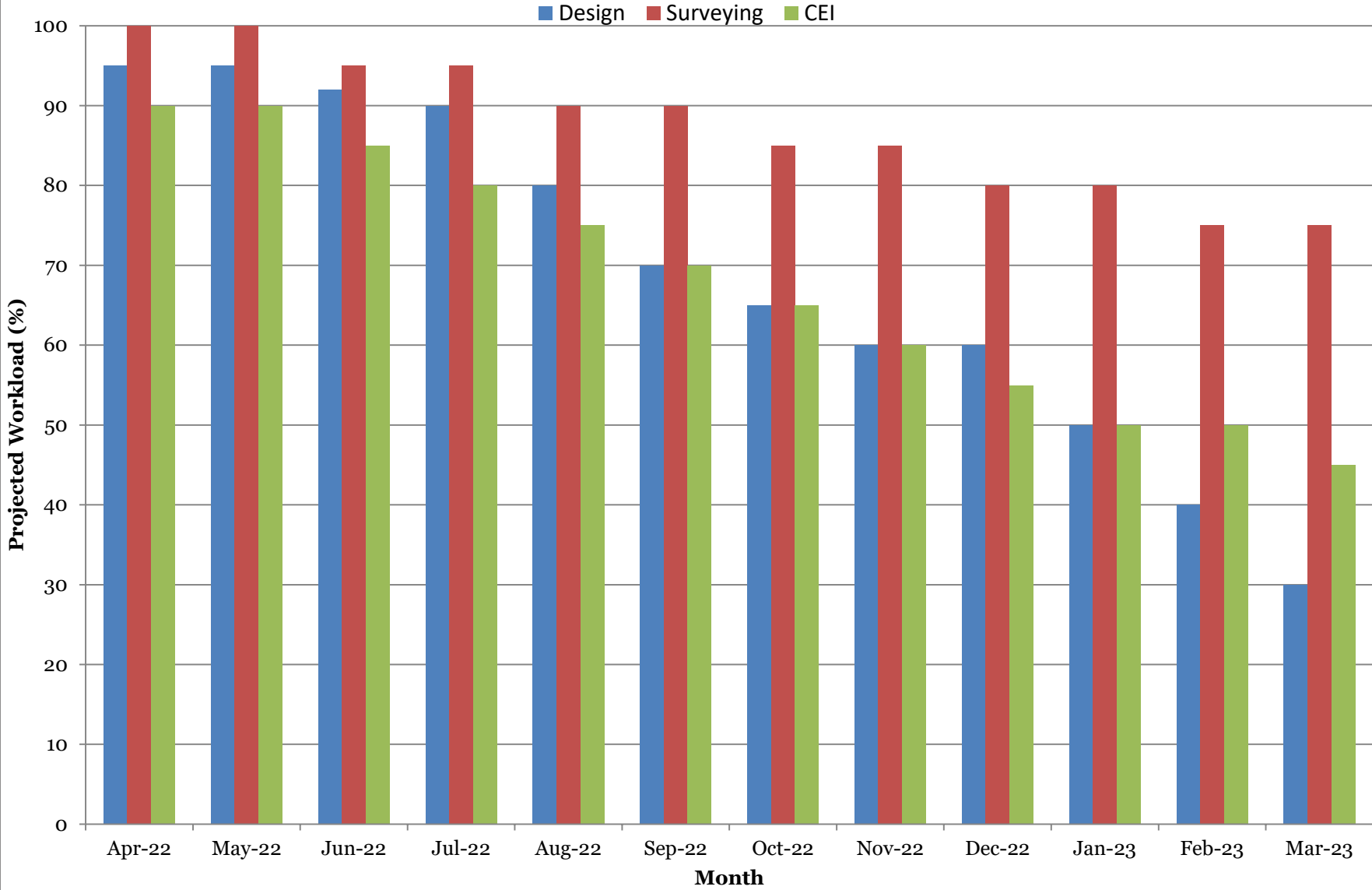


Dan R...
 Chairman

March 17, 2009
 Date Issued

Peter Tompkins
 Peter Tompkins, President

Current and Projected Workload as of April 6, 2022



Current & Projected Workload

ARCHITECT-ENGINEER QUALIFICATIONS

PART I - CONTRACT-SPECIFIC QUALIFICATIONS

A. CONTRACT INFORMATION

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

Request for Qualifications for Engineering Services for the Coral Creek Community Development District

2. PUBLIC NOTICE DATE

March 28, 2022

3. SOLICITATION OR PROJECT NUMBER

N/A

B. ARCHITECT-ENGINEER POINT OF CONTACT

4. NAME AND TITLE

Carl Barraco, Jr., P.E.

5. NAME OF FIRM

Barraco and Associates, Inc.

6. TELEPHONE NUMBER

239.461.3170

7. FAX NUMBER

239.461.3169

8. E-MAIL ADDRESS

carljr@barraco.net

C. PROPOSED TEAM

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

(Check)	PRIME J-V PARTNER SUBCON- TRACTOR			9. FIRM NAME	10. ADDRESS	11. ROLE IN THIS CONTRACT
	a.	<input checked="" type="checkbox"/>			Barraco and Associates, Inc. <input type="checkbox"/> CHECK IF BRANCH OFFICE	2271 McGregor Boulevard Suite 100 Fort Myers, FL 33901
b.				<input type="checkbox"/> CHECK IF BRANCH OFFICE		
c.				<input type="checkbox"/> CHECK IF BRANCH OFFICE		
d.				<input type="checkbox"/> CHECK IF BRANCH OFFICE		
e.				<input type="checkbox"/> CHECK IF BRANCH OFFICE		
f.				<input type="checkbox"/> CHECK IF BRANCH OFFICE		

D. ORGANIZATIONAL CHART OF PROPOSED TEAM

(Attached)

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME Carl Barraco, Jr., P.E.	13. ROLE IN THIS CONTRACT District Engineer	14. YEARS EXPERIENCE	
		a. TOTAL 16	b. WITH CURRENT FIRM 10

15. FIRM NAME AND LOCATION *(City and State)*

Barraco and Associates, Inc. - Fort Myers, Florida

16. EDUCATION *(Degree and Specialization)*

**M.S. - Civil Engineering (2013)
M.S. - Real Estate (2009)
B.S. - Civil Engineering (2007)**

17. CURRENT PROFESSIONAL REGISTRATION *(State and Discipline)*

Professional Engineer License No. 81259 - Florida

18. OTHER PROFESSIONAL QUALIFICATIONS *(Publications, Organizations, Training, Awards, etc.)*

American Society of Civil Engineers; Florida Engineering Society - Calusa Chapter; Lee Building Industry Association Board of Directors

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION <i>(City and State)</i> Stonewater Community Development District (CDD)(Cape Coral, FL)	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(If applicable)</i> Continuing
a. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Engineer of Record for District Engineer's Report; District Engineer.	<input checked="" type="checkbox"/> Check if project performed with current firm	

(1) TITLE AND LOCATION <i>(City and State)</i> Tuckers Pointe CDD (Charlotte County, FL)	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(If applicable)</i> N/A
b. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Engineer of Record for development project; Engineer of Record for District Engineer's Report; District Engineer	<input checked="" type="checkbox"/> Check if project performed with current firm	

(1) TITLE AND LOCATION <i>(City and State)</i> Stonewater Development (Cape Coral, FL)	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(If applicable)</i> Continuing
c. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Project Manager for the Stonewater Development project consists of 327 single family units with supporting infrastructure. Responsibilities include overseeing coordination for the project design, coordination with Client as well as municipalities and regulatory agencies.	<input type="checkbox"/> Check if project performed with current firm	

(1) TITLE AND LOCATION <i>(City and State)</i> Moody River CDD (North Fort Myers, Lee County, FL)	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(If applicable)</i> N/A
d. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Assist District Engineering with attendance at Board of Supervisors meetings.	<input type="checkbox"/> Check if project performed with current firm	

(1) TITLE AND LOCATION <i>(City and State)</i> Bayside/Bay Creek CDD (Lee County, FL)	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(If applicable)</i> N/A
e. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Assist District Engineering with attendance at Board of Supervisors meetings.	<input type="checkbox"/> Check if project performed with current firm	

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME Carl A. Barraco, Sr., P.E.	13. ROLE IN THIS CONTRACT Assistant District Engineer	14. YEARS EXPERIENCE	
		a. TOTAL 38	b. WITH CURRENT FIRM 24

15. FIRM NAME AND LOCATION *(City and State)*
Barraco and Associates, Inc. - Fort Myers, Florida

16. EDUCATION <i>(Degree and Specialization)</i> M.S. - Civil Engineering (1987) B.S. - Civil Engineering (1984)	17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i> Professional Engineering License No. 38536 - Florida
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18. OTHER PROFESSIONAL QUALIFICATIONS *(Publications, Organizations, Training, Awards, etc.)*
Florida Engineering Society, Calusa Chapter - Engineer of the Year (2015-16); Roads & Streets Award presented by District One of the Asphalt Contractor Assn. of Fla., Inc. (1998); FES Calusa Chapter - Young Engineer of the Year Award (1993-94); American Society of Civil Engineers - Student Engineer of the Year (1983)

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>
Paseo Development - Fort Myers (Lee County, FL)	2011	2014-2015
a. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Project Engineer/Manager for 444-acre, 1,149 unit residential subdivision; services included design for project infrastructure including all drainage, water and sewer; estimated infrastructure construction costs for Phase 1 is \$10,400,000.	<input checked="" type="checkbox"/> Check if project performed with current firm	
Bayside/Bay Creek CDD (Lee County, Florida)	Continuing	N/A
b. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE District Engineer for the Bayside and Bay Creek Community Development Districts.	<input checked="" type="checkbox"/> Check if project performed with current firm	
Corkscrew Farms CDD (Lee County, Florida)	Continuing	Continuing
c. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE The District includes approximately +/- 999 acres of the overall +/-1,361 acre Corkscrew Farms Development. A total of 1,325 residential units is proposed to be constructed over the course of two phases. The development is located in Lee County, Florida. Proposed public infrastructure is estimated at \$51,000,000.	<input checked="" type="checkbox"/> Check if project performed with current firm	
Mirada (Fort Myers, Lee County, Florida)	Continuing	N/A
d. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Principal in Charge for a 59-acre, mixed use development (240 residential units, 200,000 sq. ft. medical/office space); services include design of infrastructure (paving, drainage, water, sewer, and surface water management). Not yet constructed; project has been put on hold.	<input checked="" type="checkbox"/> Check if project performed with current firm	
Waterford Landing (Fort Myers, Lee County, Florida)	Continuing	Continuing
e. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Principal in Charge for this 1,012-unit, 255.8-acre residential development. BAI provided full civil engineering and survey services including zoning, site design, permitting, surveys, construction administration, and project certification. Estimated infrastructure costs for this project \$12,367,000.	<input checked="" type="checkbox"/> Check if project performed with current firm	

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 1.
21. TITLE AND LOCATION <i>(City and State)</i> Corkscrew Community Development District (CDD)	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(If applicable)</i> Continuing

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Corkscrew Farms CDD	b. POINT OF CONTACT NAME Brian Lamb, District Manager	c. POINT OF CONTACT TELEPHONE NUMBER 813.873.7300
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

Corkscrew Farms CDD consists of +/-999 acres of the overall +/-1,361 acre Corkscrew Farms Development. A total of 1,325 residential units is proposed to be constructed within the District over the course of two phases. The proposed infrastructure, which is considered fundable from the Bonds, is estimated at \$51,000,000. This project is ongoing.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Barraco and Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Fort Myers, Florida	(3) ROLE District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 2.
21. TITLE AND LOCATION <i>(City and State)</i> Bayside / Bay Creek CDD	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(if applicable)</i> N/A

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Bayside/Bay Creek CDD	b. POINT OF CONTACT NAME Chuck Adams, District Manager	c. POINT OF CONTACT TELEPHONE NUMBER 239.498.9020
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

District Engineer for the Community Development District.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Barraco and Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Fort Myers, Florida	(3) ROLE District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 3.
21. TITLE AND LOCATION <i>(City and State)</i> Paseo CDD, Fort Myers, Florida	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(If applicable)</i> 2014-15

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Paseo CDD	b. POINT OF CONTACT NAME Belinda Blandon, District Manager	c. POINT OF CONTACT TELEPHONE NUMBER 239.936.0913
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

BAI provided full civil engineering and surveying services through construction on this +/-450 acre residential community 749 multi-family and 378 single family units; currently serving as District Engineer for the Community Development District.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a.	Barraco and Associates, Inc.	Fort Myers, Florida	Civil Engineer/Surveyor/District Engineer
b.			
c.			
d.			
e.			
f.			

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 4.
21. TITLE AND LOCATION <i>(City and State)</i> Lucaya CDD, Fort Myers, Florida	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(If applicable)</i> 2010

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Lucaya CDD	b. POINT OF CONTACT NAME Belinda Blandon, District Manager	c. POINT OF CONTACT TELEPHONE NUMBER 239.936.0913
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

BAI provided full civil engineering and surveying services through construction on this +/-99 acre, 384 unit multi-family residential community; currently serving as District Engineer for the Community Development District.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Barraco and Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Fort Myers, Florida	(3) ROLE Civil Engineer/Surveyor/District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 5.
21. TITLE AND LOCATION <i>(City and State)</i> Catalina at Winkler Preserve CDD, Fort Myers, Florida	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(If applicable)</i> 2013

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Catalina at Winkler Preserve CDD	b. POINT OF CONTACT NAME Belinda Blandon, District Manager	c. POINT OF CONTACT TELEPHONE NUMBER 239.936.0913
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

BAI provided civil engineering and surveying services including site design, permitting and surveying for this +/-111 acre, 282 single family unit residential development and is currently serving as District Engineer for the Community Development District.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Barraco and Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Fort Myers, Florida	(3) ROLE Civil Engineer/Surveyor/District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 6.
21. TITLE AND LOCATION <i>(City and State)</i> Moody River Estates CDD, Fort Myers, Florida	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(if applicable)</i> Continuing

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Moody River Estates CDD	b. POINT OF CONTACT NAME Chuck Adams, District Manager	c. POINT OF CONTACT TELEPHONE NUMBER 239.498.9038
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

BAI provides professional services to Moody River Estates Community Development District after completion of all CDD infrastructure was completed by others.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Barraco and Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Fort Myers, Florida	(3) ROLE Civil Engineer/Surveyor/District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 7.
21. TITLE AND LOCATION <i>(City and State)</i> Waterford Landing CDD, Fort Myers, Florida	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(if applicable)</i> Continuing

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Waterford Landing CDD	b. POINT OF CONTACT NAME Craig Wrathell, District Manager	c. POINT OF CONTACT TELEPHONE NUMBER 954.426.2105
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

BAI has been providing full civil engineering and survey services including zoning, site design, permitting, surveys, construction administration, and project certification for this +/-255 acre, 1,012 unit residential development and is currently serving as District Engineer for the CDD.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Barraco and Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Fort Myers, Florida	(3) ROLE Civil Engineer/Surveyor/District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 8.
21. TITLE AND LOCATION <i>(City and State)</i> Mirada CDD, Fort Myers, Florida	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(if applicable)</i> Continuing

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Mirada CDD	b. POINT OF CONTACT NAME Paul Winkeljohn, District Manager	c. POINT OF CONTACT TELEPHONE NUMBER 954.721.8681
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

BAI provided infrastructure design including paving, drainage, water, sewer and surface water management for this +/-59 acre mixed use development (240 residential units, 200,000 sf of medical office space).

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Barraco and Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Fort Myers, Florida	(3) ROLE Civil Engineer/Surveyor/District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 9.
21. TITLE AND LOCATION <i>(City and State)</i> Treeline Preserve CDD, Fort Myers, Florida	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(if applicable)</i> Continuing

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Treeline Preserve CDD	b. POINT OF CONTACT NAME Paul Winkeljohn, District Manager	c. POINT OF CONTACT TELEPHONE NUMBER 954.721.8681
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

BAI has been providing full civil engineering and surveying services for this +/-97 acre, 676 multi-family unit, 350,000 sf commercial development and is currently serving as District Engineer.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Barraco and Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Fort Myers, Florida	(3) ROLE Civil Engineer/Surveyor/District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 10.
21. TITLE AND LOCATION <i>(City and State)</i> Blue Lake CDD, Fort Myers, Florida	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Continuing	CONSTRUCTION <i>(If applicable)</i> Continuing

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Blue Lake CDD	b. POINT OF CONTACT NAME Kathleen Meneely, SW Fla. District Mgr.	c. POINT OF CONTACT TELEPHONE NUMBER 941.875.4195
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

Blue Lake Community Development District consists of +/-706 acres of the overall +/-2,960 acre WildBlue Development. The community that comprises the District is known as VistaBlue. A total of 423 single family residential units are proposed to be constructed within the District over the course of three phases. The proposed public infrastructure which is considered fundable from the Bonds was estimated at \$12,281,000. This project is ongoing.

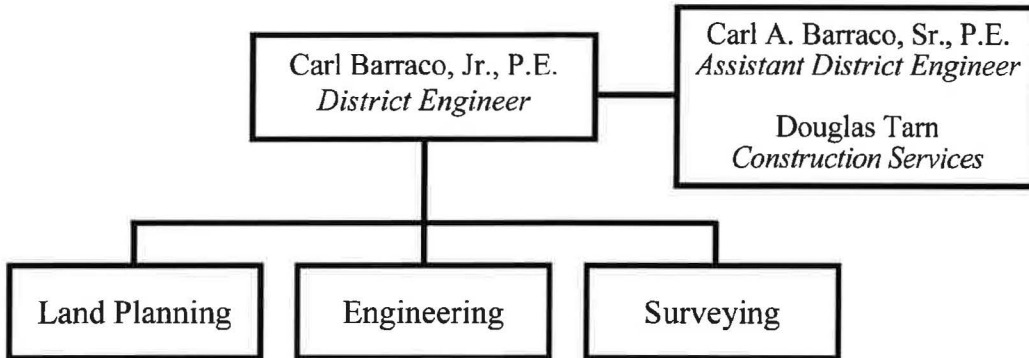
25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Barraco and Associates, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Fort Myers, Florida	(3) ROLE Civil Engineer/Surveyor/District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

H. ADDITIONAL INFORMATION

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

D. ORGANIZATIONAL CHART OF PROPOSED TEAM



I. AUTHORIZED REPRESENTATIVE

The foregoing is a statement of facts.

31. SIGNATURE

32. DATE

4/08/2022

33. NAME AND TITLE

Carl A. Barraco, President

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

9D

**Coral Creek Community Development District
Request for Qualifications – District Engineering Services**

Competitive Selection Criteria

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

Board Member's Signature

Date

CORAL CREEK
COMMUNITY DEVELOPMENT DISTRICT

11A



CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT REQUEST FOR PROPOSALS FOR ANNUAL AUDIT SERVICES

Proposers must provide one (1) electronic copy and one (1) unbound copy of their proposal to the offices of the District Manager, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, ph: (877) 276-0889 ("District Manager"), in an envelope marked on the outside "Auditing Services, Coral Creek Community Development District." Proposals must be received by 12:00 p.m., on April 4, 2022, at the office of the District Manager. Please direct all questions regarding this Notice to the District Manager.

District Manager
Publish: March 25, 2022
427283 3839510

PUBLISHER'S AFFIDAVIT OF PUBLICATION STATE OF FLORIDA COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Advertising Representative of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

03/25/2022

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com. Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

The Coral Creek Community Development District hereby requests proposals for annual financial auditing services. The proposal must provide for the auditing of the District's financial records for the fiscal year ending September 30, 2022, with an option for additional annual renewals, subject to mutual agreement by both parties. The District is a local unit of special-purpose government created under Chapter 190, Florida Statutes, for the purpose of financing, constructing, and maintaining public infrastructure. The District is located in Charlotte County, Florida. The final contract will require that, among other things, the audit for the fiscal year ending September 30, 2022, be completed no later than June 30, 2023.

The auditing entity submitting a proposal must be duly licensed under Chapter 473, Florida Statutes, and be qualified to conduct audits in accordance with "Government Auditing Standards," as adopted by the Florida Board of Accountancy. Audits shall be conducted in accordance with Florida Law and particularly Section 218.39, Florida Statutes, and the rules of the Florida Auditor General.

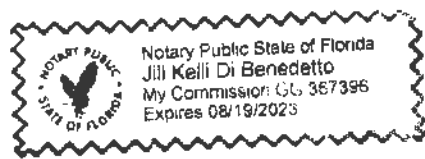
Proposal packages, which include evaluation criteria and instructions to proposers, are available from the District Manager at the address and telephone number listed below.

Melinda Prescott
(Signature of Affiant)

Sworn and subscribed before me this 25th day of March, 2022

Jill Kelli Di Benedetto
(Signature of Notary Public)

Personally known X OR Produced Identification



CORAL CREEK
COMMUNITY DEVELOPMENT DISTRICT

11B

**CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT
REQUEST FOR PROPOSALS FOR ANNUAL AUDIT SERVICES**

The Coral Creek Community Development District hereby requests proposals for annual financial auditing services. The proposal must provide for the auditing of the District's financial records for the fiscal year ending September 30, 2022, with an option for additional annual renewals, subject to mutual agreement by both parties. The District is a local unit of special-purpose government created under Chapter 190, *Florida Statutes*, for the purpose of financing, constructing, and maintaining public infrastructure. The District is located in Charlotte County, Florida. The final contract will require that, among other things, the audit for the fiscal year ending September 30, 2022, be completed no later than June 30, 2023.

The auditing entity submitting a proposal must be duly licensed under Chapter 473, *Florida Statutes*, and be qualified to conduct audits in accordance with "Government Auditing Standards," as adopted by the Florida Board of Accountancy. Audits shall be conducted in accordance with Florida Law and particularly Section 218.39, *Florida Statutes*, and the rules of the Florida Auditor General.

Proposal packages, which include evaluation criteria and instructions to proposers, are available from the District Manager at the address and telephone number listed below.

Proposers must provide one (1) electronic copy and one (1) unbound copy of their proposal to the offices of the District Manager, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, ph: (877) 276-0889 ("District Manager"), in an envelope marked on the outside "Auditing Services, Coral Creek Community Development District." Proposals must be received by 12:00 p.m., on April 4, 2022, at the office of the District Manager. Please direct all questions regarding this Notice to the District Manager.

District Manager

CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT

REQUEST FOR PROPOSALS

District Auditing Services for Fiscal Year 2022

Charlotte County, Florida

INSTRUCTIONS TO PROPOSERS

SECTION 1. DUE DATE. Sealed proposals must be received no later than April 4, 2022 at 12:00 p.m., at the offices of District Manager, located at Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431. Proposals will be publicly opened at that time.

SECTION 2. FAMILIARITY WITH THE LAW. By submitting a proposal, the Proposer is assumed to be familiar with all federal, state, and local laws, ordinances, rules and regulations that in any manner affect the work. Ignorance on the part of the Proposer will in no way relieve it from responsibility to perform the work covered by the proposal in compliance with all such laws, ordinances and regulations.

SECTION 3. QUALIFICATIONS OF PROPOSER. The contract, if awarded, will only be awarded to a responsible Proposer who is qualified by experience and licensing to do the work specified herein. The Proposer shall submit with its proposal satisfactory evidence of experience in similar work and show that it is fully prepared to complete the work to the satisfaction of the District.

SECTION 4. SUBMISSION OF ONLY ONE PROPOSAL. Proposers shall be disqualified and their proposals rejected if the District has reason to believe that collusion may exist among the Proposers, the Proposer has defaulted on any previous contract or is in arrears on any previous or existing contract, or for failure to demonstrate proper licensure and business organization.

SECTION 5. SUBMISSION OF PROPOSAL. Submit (1) of the Proposal Documents, and other requested attachments at the time and place indicated herein, which shall be enclosed in an opaque sealed envelope, marked with the title "Auditing Services – Coral Creek Community Development District" on the face of it. **Please include pricing for each additional bond issuance.**

SECTION 6. MODIFICATION AND WITHDRAWAL. Proposals may be modified or withdrawn by an appropriate document duly executed and delivered to the place where proposals are to be submitted at any time prior to the time and date the proposals are due. No proposal may be withdrawn after opening for a period of ninety (90) days.

SECTION 7. PROPOSAL DOCUMENTS. The proposal documents shall consist of the notice announcing the request for proposals, these instructions, the Evaluation Criteria Sheet and a proposal with all required documentation pursuant to Section 12 of these instructions (“**Proposal Documents**”).

SECTION 8. PROPOSAL. In making its proposal, each Proposer represents that it has read and understands the Proposal Documents and that the proposal is made in accordance therewith.

SECTION 9. BASIS OF AWARD/RIGHT TO REJECT. The District reserves the right to reject any and all proposals, make modifications to the work, and waive any informalities or irregularities in proposals as it is deemed in the best interests of the District.

SECTION 10. CONTRACT AWARD. Within fourteen (14) days of receipt of the Notice of Award from the District, the Proposer shall enter into and execute a Contract (engagement letter) with the District.

SECTION 11. LIMITATION OF LIABILITY. Nothing herein shall be construed as or constitute a waiver of the District’s limited waiver of liability contained in Section 768.28, *Florida Statutes*, or any other statute or law.

SECTION 12. MISCELLANEOUS. All proposals shall include the following information in addition to any other requirements of the proposal documents.

- A. List the position or title of all personnel to perform work on the District audit. Include resumes for each person listed; list years of experience in present position for each party listed and years of related experience.
- B. Describe proposed staffing levels, including resumes with applicable certifications.
- C. Three references from projects of similar size and scope. The Proposer should include information relating to the work it conducted for each reference as well as a name, address and phone number of a contact person.
- D. The lump sum cost of the provision of the services under the proposal, plus the lump sum cost of four (4) annual renewals.

SECTION 13. PROTESTS. In accordance with the District’s Rules of Procedure, any protest regarding the Proposal Documents, must be filed in writing, at the offices of the District Manager, within seventy-two (72) calendar hours (excluding Saturday, Sunday, and state holidays) after the receipt of the Proposal Documents. The formal protest setting forth with particularity the facts and law upon which the protest is based shall be

filed within seven (7) calendar days (including Saturday, Sunday, and state holidays) after the initial notice of protest was filed. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object or protest with respect to the aforesaid Proposal Documents.

SECTION 14. EVALUATION OF PROPOSALS. The criteria to be used in the evaluation of proposals are presented in the Evaluation Criteria Sheet, contained within the Proposal Documents.

**CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT
AUDITOR SELECTION
EVALUATION CRITERIA**

1. Ability of Personnel. (20 Points)

(E.g., geographic location of the firm's headquarters or permanent office in relation to the project; capabilities and experience of key personnel; present ability to manage this project; evaluation of existing work load; proposed staffing levels, etc.)

2. Proposer's Experience. (20 Points)

(E.g. past record and experience of the Proposer in similar projects; volume of work previously performed by the firm; past performance for other or current Community Development District(s) in other contracts; character, integrity, reputation of Proposer, etc.)

3. Understanding of Scope of Work. (20 Points)

Extent to which the proposal demonstrates an understanding of the District's needs for the services requested.

4. Ability to Furnish the Required Services. (20 Points)

Extent to which the proposal demonstrates the adequacy of Proposer's financial resources and stability as a business entity necessary to complete the services required.

5. Price. (20 Points)***

Points will be awarded based upon the lowest total proposal for rendering the services and the reasonableness of the proposal.

Total (100 Points)

***Alternatively, the Board may choose to evaluate firms without considering price, in which case the remaining categories would be assigned 25 points each.

CORAL CREEK
COMMUNITY DEVELOPMENT DISTRICT

11C



Grau & Associates
CERTIFIED PUBLIC ACCOUNTANTS

Proposal to Provide Financial Auditing Services:

CORAL CREEK
COMMUNITY DEVELOPMENT DISTRICT

Proposal Due: April 04, 2022
12:00PM

Submitted to:

Coral Creek
Community Development District
c/o District Manager
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431

Submitted by:

Antonio J. Grau, Partner
Grau & Associates
951 Yamato Road, Suite 280
Boca Raton, Florida 33431

Tel (561) 994-9299
(800) 229-4728

Fax (561) 994-5823

tgrau@graucpa.com

www.graucpa.com



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Grau & Associates

CERTIFIED PUBLIC ACCOUNTANTS

April 04, 2022

Coral Creek Community Development District
c/o District Manager
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431

Re: Request for Proposal for Professional Auditing Services for the fiscal year ended September 30, 2022, with an option for additional annual renewals.

Grau & Associates (Grau) welcomes the opportunity to respond to the Coral Creek Community Development District's (the "District") Request for Proposal (RFP), and we look forward to working with you on your audit. We are an energetic and robust team of knowledgeable professionals and are a recognized leader of providing services to Community Development Districts. As one of Florida's few firms to primarily focus on government, we are especially equipped to provide you an effective and efficient audit.

Special district audits are at the core of our practice: **we have a total of 360 clients, 329 or 91% of which are special districts.** We know the specifics of the professional services and work products needed to meet your RFP requirements like no other firm. With this level of experience, we are able to increase efficiency, to provide immediate and continued savings, and to minimize disturbances to client operations.

Why Grau & Associates:

Knowledgeable Audit Team

Grau is proud that the personnel we assign to your audit are some of the most seasoned auditors in the field. Our staff performs governmental engagements year round. When not working on your audit, your team is refining their audit approach for next year's audit. Our engagement partners have decades of experience and take a hands-on approach to our assignments, which all ensures a smoother process for you.

Servicing your Individual Needs

Our clients enjoy personalized service designed to satisfy their unique needs and requirements. Throughout the process of our audit, you will find that we welcome working with you to resolve any issues as swiftly and easily as possible. In addition, due to Grau's very low turnover rate for our industry, you also won't have to worry about retraining your auditors from year to year.

Developing Relationships

We strive to foster mutually beneficial relationships with our clients. We stay in touch year round, updating, collaborating and assisting you in implementing new legislation, rules and standards that affect your organization. We are also available as a sounding board and assist with technical questions.

Maintaining an Impeccable Reputation

We have never been involved in any litigation, proceeding or received any disciplinary action. Additionally, we have never been charged with, or convicted of, a public entity crime of any sort. We are financially stable and have never been involved in any bankruptcy proceedings.

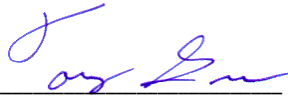
Complying With Standards

Our audit will follow the Auditing Standards of the AICPA, Generally Accepted Government Auditing Standards, issued by the Comptroller General of the United States, and the Rules of the Auditor General of the State of Florida, and any other applicable federal, state and local regulations. We will deliver our reports in accordance with your requirements.

This proposal is a firm and irrevocable offer for 90 days. We certify this proposal is made without previous understanding, agreement or connection either with any previous firms or corporations offering a proposal for the same items. We also certify our proposal is in all respects fair, without outside control, collusion, fraud, or otherwise illegal action, and was prepared in good faith. Only the person(s), company or parties interested in the project as principals are named in the proposal. Grau has no existing or potential conflicts, and anticipates no conflicts during the engagement. Our Federal I.D. number is 20-2067322.

We would be happy to answer any questions or to provide any additional information. We are genuinely excited about the prospect of serving you and establishing a long-term relationship. Please do not hesitate to call or email either of our Partners, Antonio J. Grau, CPA (tgrau@graucpa.com) or Racquel McIntosh, CPA (rmcintosh@graucpa.com) at 561.994.9299. We thank you for considering our firm's qualifications and experience.

Very truly yours,
Grau & Associates



Antonio J. Grau

Firm Qualifications



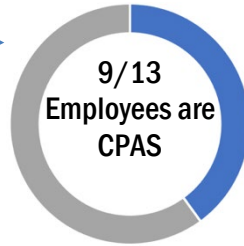
Grau & Associates
CERTIFIED PUBLIC ACCOUNTANTS

Grau's Focus and Experience

Our Team



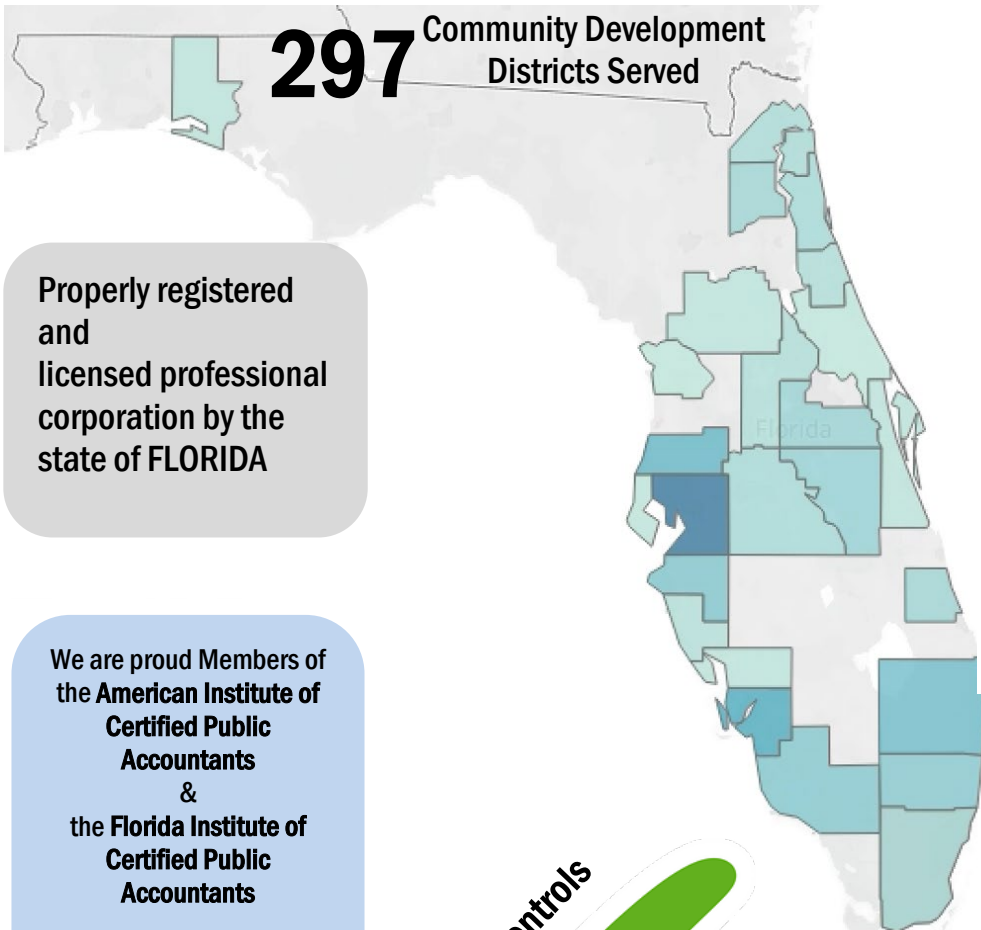
3 Partners
10 Professional Staff
2 Administrative Professionals



2005

Year founded

Services Provided



Properly registered and licensed professional corporation by the state of FLORIDA

We are proud Members of the **American Institute of Certified Public Accountants** & the **Florida Institute of Certified Public Accountants**

Quality Controls

- ⇒ External quality review program: consistently receives a pass
- ⇒ Internal: ongoing monitoring to maintain quality



AICPA | FICPA | GFOA | FASD | FGFOA

See next page for report and certificate



FICPA Peer Review Program
Administered in Florida
by The Florida Institute of CPAs



Peer Review
Program

AICPA Peer Review Program
Administered in Florida
by the Florida Institute of CPAs

February 20, 2020

Antonio Grau
Grau & Associates
951 Yamato Rd Ste 280
Boca Raton, FL 33431-1809

Dear Antonio Grau:

It is my pleasure to notify you that on February 20, 2020, the Florida Peer Review Committee accepted the report on the most recent System Review of your firm. The due date for your next review is December 31, 2022. This is the date by which all review documents should be completed and submitted to the administering entity.

As you know, the report had a peer review rating of pass. The Committee asked me to convey its congratulations to the firm.

Thank you for your cooperation.

Sincerely,
FICPA Peer Review Committee

Peer Review Team
FICPA Peer Review Committee
paul@ficpa.org
800-342-3197 ext. 251

Florida Institute of CPAs

cc: Daniel Hevia, Racquel McIntosh

Firm Number: 900004390114

Review Number: 571202

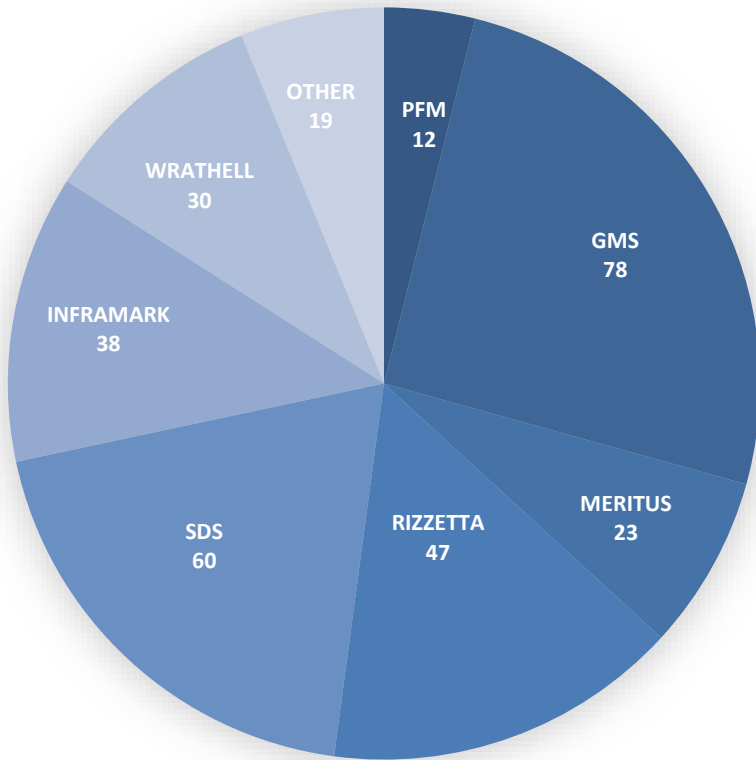
3800 Esplanade Way, Suite 210 | Tallahassee, FL 32311 | 800.342.3197, in Florida | 850.224.2727 | Fax: 850.222.8190 | www.ficpa.org

Firm & Staff Experience



Grau & Associates
CERTIFIED PUBLIC ACCOUNTANTS

GRAU AND ASSOCIATES COMMUNITY DEVELOPMENT DISTRICT EXPERIENCE BY MANAGEMENT COMPANY



Profile Briefs:

Antonio J GRAU, CPA (Partner)

Years Performing Audits: 30+
CPE (last 2 years): Government Accounting, Auditing: 24 hours; Accounting, Auditing and Other: 58 hours
Professional Memberships: AICPA, FICPA, FGFOA, GFOA

Racquel McIntosh, CPA (Partner)

Years Performing Audits: 14+
CPE (last 2 years): Government Accounting, Auditing: 38 hours; Accounting, Auditing and Other: 56 hours
Professional Memberships: AICPA, FICPA, FGFOA, FASD

“Here at Grau & Associates, staying up to date with the current technological landscape is one of our top priorities. Not only does it provide a more positive experience for our clients, but it also allows us to perform a more effective and efficient audit. With the every changing technology available and utilized by our clients, we are constantly innovating our audit process.”

Tony Grau

“Quality audits and exceptional client service are at the heart of every decision we make. Our clients trust us to deliver a quality audit, adhering to high standards and assisting them with improvements for their organization.”

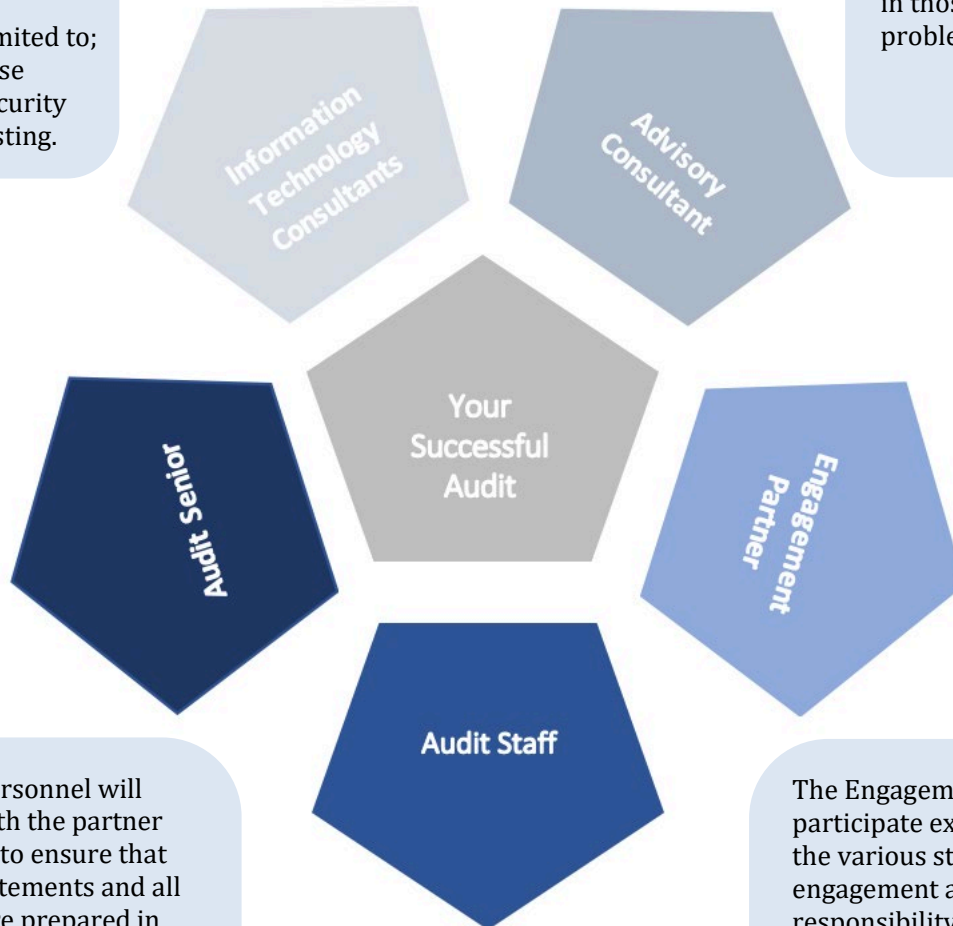
Racquel McIntosh

YOUR ENGAGEMENT TEAM

Grau's client-specific engagement team is meticulously organized in order to meet the unique needs of each client. Constant communication within our solution team allows for continuity of staff and audit team.

Grau contracts with an outside group of IT management consultants to assist with matters including, but not limited to; network and database security, internet security and vulnerability testing.

An advisory consultant will be available as a sounding board to advise in those areas where problems are encountered.



The assigned personnel will work closely with the partner and the District to ensure that the financial statements and all other reports are prepared in accordance with professional standards and firm policy. Responsibilities will include planning the audit; communicating with the client and the partners the progress of the audit; and determining that financial statements and all reports issued by the firm are accurate, complete and are prepared in accordance with professional standards and firm policy.

The Engagement Partner will participate extensively during the various stages of the engagement and has direct responsibility for engagement policy, direction, supervision, quality control, security, confidentiality of information of the engagement and communication with client personnel. The engagement partner will also be involved directing the development of the overall audit approach and plan; performing an overriding review of work papers and ascertain client satisfaction.



Antonio 'Tony' J. Grau, CPA Partner

Contact: tgrau@graucpa.com | (561) 939-6672

Experience

For over 30 years, Tony has been providing audit, accounting and consulting services to the firm's governmental, non-profit, employee benefit, overhead and arbitrage clients. He provides guidance to clients regarding complex accounting issues, internal controls and operations.

As a member of the Government Finance Officers Association Special Review Committee, Tony participated in the review process for awarding the GFOA Certificate of Achievement in Financial Reporting. Tony was also the review team leader for the Quality Review of the Office of Management Audits of School Board of Miami-Dade County. Tony received the AICPA advanced level certificate for governmental single audits.

Education

University of South Florida (1983)
Bachelor of Arts
Business Administration

Clients Served (partial list)

(>300) Various Special Districts, including:

- | | |
|--|--|
| Bayside Improvement Community Development District | St. Lucie West Services District |
| Dunes Community Development District | Ave Maria Stewardship Community District |
| Fishhawk Community Development District (I,II,IV) | Rivers Edge II Community Development District |
| Grand Bay at Doral Community Development District | Bartram Park Community Development District |
| Heritage Harbor North Community Development District | Bay Laurel Center Community Development District |
| | |
| Boca Raton Airport Authority | |
| Greater Naples Fire Rescue District | |
| Key Largo Wastewater Treatment District | |
| Lake Worth Drainage District | |
| South Indian River Water Control | |

Professional Associations/Memberships

American Institute of Certified Public Accountants Florida Government Finance Officers Association
Florida Institute of Certified Public Accountants Government Finance Officers Association Member
City of Boca Raton Financial Advisory Board Member

Professional Education (over the last two years)

<u>Course</u>	<u>Hours</u>
Government Accounting and Auditing	24
Accounting, Auditing and Other	58
Total Hours	<u>82</u> (includes of 4 hours of Ethics CPE)



Racquel C. McIntosh, CPA

Partner

Contact : rmcintosh@graucpa.com | (561) 939-666

Experience

Racquel has been providing government audit, accounting and advisory services to our clients for over 14 years. She serves as the firm’s quality control partner; in this capacity she closely monitors engagement quality ensuring standards are followed and maintained throughout the audit.

Racquel develops in-house training seminars on current government auditing, accounting, and legislative topics and also provides seminars for various government organizations. In addition, she assists clients with implementing new accounting software, legislation, and standards.

Education

- Florida Atlantic University (2004)
Master of Accounting
- Florida Atlantic University (2003)
Bachelor of Arts:
Finance, Accounting

Clients Served (partial list)

(>300) Various Special Districts, including:
 Carlton Lakes Community Development District
 Golden Lakes Community Development District
 Rivercrest Community Development District
 South Fork III Community Development District
 TPOST Community Development District

Westchase Community Development District
 Monterra Community Development District
 Palm Coast Park Community Development District
 Long Leaf Community Development District
 Watergrass Community Development District

East Central Regional Wastewater Treatment Facilities
 Indian Trail Improvement District
 Pinellas Park Water Management District
 Ranger Drainage District
 South Trail Fire Protection and Rescue Service District

Professional Associations/ Memberships

- American Institute of Certified Public Accountants
- Florida Institute of Certified Public Accountants
- FICPA State & Local Government Committee
- FGFOA Palm Beach Chapter

Professional Education (over the last two years)

<u>Course</u>	<u>Hours</u>
Government Accounting and Auditing	38
Accounting, Auditing and Other	56
Total Hours	<u>94</u> (includes of 4 hours of Ethics CPE)

References



Grau & Associates
CERTIFIED PUBLIC ACCOUNTANTS

We have included three references of government engagements that require compliance with laws and regulations, follow fund accounting, and have financing requirements, which we believe are similar to the District.

Dunes Community Development District

Scope of Work	Financial audit
Engagement Partner	Antonio J. Grau
Dates	Annually since 1998
Client Contact	Darrin Mossing, Finance Director 475 W. Town Place, Suite 114 St. Augustine, Florida 32092 904-940-5850

Two Creeks Community Development District

Scope of Work	Financial audit
Engagement Partner	Antonio J. Grau
Dates	Annually since 2007
Client Contact	William Rizzetta, President 3434 Colwell Avenue, Suite 200 Tampa, Florida 33614 813-933-5571

Journey's End Community Development District

Scope of Work	Financial audit
Engagement Partner	Antonio J. Grau
Dates	Annually since 2004
Client Contact	Todd Wodraska, Vice President 2501 A Burns Road Palm Beach Gardens, Florida 33410 561-630-4922

Specific Audit Approach



Grau & Associates
CERTIFIED PUBLIC ACCOUNTANTS

AUDIT APPROACH

Grau's Understanding of Work Product / Scope of Services:

We recognize the District is an important entity and we are confident our firm is eminently qualified to meet the challenges of this engagement and deliver quality audit services. ***You would be a valued client of our firm and we pledge to commit all firm resources to provide the level and quality of services (as described below) which not only meet the requirements set forth in the RFP but will exceed those expectations.*** Grau & Associates fully understands the scope of professional services and work products requested. Our audit will follow the Auditing Standards of the AICPA, *Generally Accepted Government Auditing Standards*, issued by the Comptroller General of the United States, and the Rules of the Auditor General of the State of Florida and any other applicable Federal, State or Local regulations. **We will deliver our reports in accordance with your requirements.**

Proposed segmentation of the engagement

Our approach to the audit engagement is a risk-based approach which integrates the best of traditional auditing techniques and a total systems concept to enable the team to conduct a more efficient and effective audit. The audit will be conducted in three phases, which are as follows:



Phase I - Preliminary Planning

A thorough understanding of your organization, service objectives and operating environment is essential for the development of an audit plan and for an efficient, cost-effective audit. During this phase, we will meet with appropriate personnel to obtain and document our understanding of your operations and service objectives and, at the same time, give you the opportunity to express your expectations with respect to the services that we will provide. Our work effort will be coordinated so that there will be minimal disruption to your staff.

During this phase we will perform the following activities:

- » Review the regulatory, statutory and compliance requirements. This will include a review of applicable federal and state statutes, resolutions, bond documents, contracts, and other agreements;
- » Read minutes of meetings;
- » Review major sources of information such as budgets, organization charts, procedures, manuals, financial systems, and management information systems;
- » Obtain an understanding of fraud detection and prevention systems;
- » Obtain and document an understanding of internal control, including knowledge about the design of relevant policies, procedures, and records, and whether they have been placed in operation;
- » Assess risk and determine what controls we are to rely upon and what tests we are going to perform and perform test of controls;
- » Develop audit programs to incorporate the consideration of financial statement assertions, specific audit objectives, and appropriate audit procedures to achieve the specified objectives;
- » Discuss and resolve any accounting, auditing and reporting matters which have been identified.

Phase II – Execution of Audit Plan

The audit team will complete a major portion of transaction testing and audit requirements during this phase. The procedures performed during this period will enable us to identify any matter that may impact the completion of our work or require the attention of management. Tasks to be performed in Phase II include, but are not limited to the following:

- » Apply analytical procedures to further assist in the determination of the nature, timing, and extent of auditing procedures used to obtain evidential matter for specific account balances or classes of transactions;
- » Perform tests of account balances and transactions through sampling, vouching, confirmation and other analytical procedures; and
- » Perform tests of compliance.

Phase III - Completion and Delivery

In this phase of the audit, we will complete the tasks related to year-end balances and financial reporting. All reports will be reviewed with management before issuance, and the partners will be available to meet and discuss our report and address any questions. Tasks to be performed in Phase III include, but are not limited to the following:

- » Perform final analytical procedures;
- » Review information and make inquiries for subsequent events; and
- » Meeting with Management to discuss preparation of draft financial statements and any potential findings or recommendations.

You should expect more from your accounting firm than a signature in your annual financial report. Our concept of truly responsive professional service emphasizes taking an active interest in the issues of concern to our clients and serving as an effective resource in dealing with those issues. In following this approach, we not only audit financial information with hindsight but also consider the foresight you apply in managing operations.

Application of this approach in developing our management letter is particularly important given the increasing financial pressures and public scrutiny facing today's public officials. We will prepare the management letter at the completion of our final procedures.

In preparing this management letter, we will initially review any draft comments or recommendations with management. In addition, we will take necessary steps to ensure that matters are communicated to those charged with governance.

In addition to communicating any recommendations, we will also communicate the following, if any:

- » Significant audit adjustments;
- » Significant deficiencies or material weaknesses;
- » Disagreements with management; and
- » Difficulties encountered in performing the audit.

Our findings will contain a statement of condition describing the situation and the area that needs strengthening, what should be corrected and why. Our suggestions will withstand the basic tests of corrective action:

Is the recommendation cost effective?

Is the recommendation the simplest to effectuate in order to correct a problem?

Is the recommendation at the heart of the problem and not just correcting a symptomatic matter?

Is the corrective action taking into account why the deficiency occurred?

To assure full agreement with facts and circumstances, we will fully discuss each item with Management prior to the final exit conference. This policy means there will be no “surprises” in the management letter and fosters a professional, cooperative atmosphere.

Communications

We emphasize a continuous, year-round dialogue between the District and our management team. We regularly communicate through personal telephone calls and electronic mail throughout the audit and on a regular basis.

Our clients have the ability to transmit information to us on our secure client portal with the ability to assign different staff with separate log on and viewing capability. This further facilitates efficiency as all assigned users receive electronic mail notification as soon as new information has been posted into the portal.

Cost of Services



Grau & Associates
CERTIFIED PUBLIC ACCOUNTANTS

Our proposed all-inclusive fees for the financial audit for the fiscal years ended September 30, 2022-2026 are as follows:

Year Ended September 30,	Fee
2022	\$3,200
2023	\$3,400
2024	\$3,600
2025	\$3,800
2026	<u>\$4,000</u>
TOTAL (2022-2026)	<u>\$18,000</u>

The above fees are based on the assumption that the District maintains its current level of operations. Should conditions change or Bonds are issued the fees would be adjusted accordingly upon approval from all parties concerned. If Bonds are issued the fee would increase by \$1,500. The fee for subsequent annual renewals would be agreed upon separately.

Supplemental Information



Grau & Associates
CERTIFIED PUBLIC ACCOUNTANTS

PARTIAL LIST OF CLIENTS

SPECIAL DISTRICTS	Governmental Audit	Single Audit	Utility Audit	Current Client	Year End
Boca Raton Airport Authority	✓	✓		✓	9/30
Captain's Key Dependent District	✓			✓	9/30
Central Broward Water Control District	✓			✓	9/30
Collier Mosquito Control District	✓			✓	9/30
Coquina Water Control District	✓			✓	9/30
East Central Regional Wastewater Treatment Facility	✓		✓		9/30
Florida Green Finance Authority	✓				9/30
Greater Boca Raton Beach and Park District	✓			✓	9/30
Greater Naples Fire Control and Rescue District	✓	✓		✓	9/30
Green Corridor P.A.C.E. District	✓			✓	9/30
Hobe-St. Lucie Conservancy District	✓			✓	9/30
Indian River Mosquito Control District	✓				9/30
Indian Trail Improvement District	✓			✓	9/30
Key Largo Wastewater Treatment District	✓	✓	✓	✓	9/30
Lake Padgett Estates Independent District	✓			✓	9/30
Lake Worth Drainage District	✓			✓	9/30
Loxahatchee Groves Water Control District	✓				9/30
Old Plantation Control District	✓			✓	9/30
Pal Mar Water Control District	✓			✓	9/30
Pinellas Park Water Management District	✓			✓	9/30
Pine Tree Water Control District (Broward)	✓			✓	9/30
Pinetree Water Control District (Wellington)	✓				9/30
Ranger Drainage District	✓	✓		✓	9/30
Renaissance Improvement District	✓			✓	9/30
San Carlos Park Fire Protection and Rescue Service District	✓			✓	9/30
Sanibel Fire and Rescue District	✓			✓	9/30
South Central Regional Wastewater Treatment and Disposal Board	✓			✓	9/30
South-Dade Venture Development District	✓			✓	9/30
South Indian River Water Control District	✓	✓		✓	9/30
South Trail Fire Protection & Rescue District	✓			✓	9/30
Spring Lake Improvement District	✓			✓	9/30
St. Lucie West Services District	✓		✓	✓	9/30
Sunshine Water Control District	✓			✓	9/30
West Villages Improvement District	✓			✓	9/30
Various Community Development Districts (297)	✓			✓	9/30
TOTAL	332	5	3	327	

ADDITIONAL SERVICES

CONSULTING / MANAGEMENT ADVISORY SERVICES

Grau & Associates also provide a broad range of other management consulting services. Our expertise has been consistently utilized by Governmental and Non-Profit entities throughout Florida. Examples of engagements performed are as follows:

- Accounting systems
- Development of budgets
- Organizational structures
- Financing alternatives
- IT Auditing
- Fixed asset records
- Cost reimbursement
- Indirect cost allocation
- Grant administration and compliance

ARBITRAGE

The federal government has imposed complex rules to restrict the use of tax-exempt financing. Their principal purpose is to eliminate any significant arbitrage incentives in a tax-exempt issue. We have determined the applicability of these requirements and performed the rebate calculations for more than 150 bond issues, including both fixed and variable rate bonds.

73

Current
Arbitrage
Calculations

We look forward to providing **Coral Creek Community Development District with our resources and experience to accomplish not only those minimum requirements set forth in your Request for Proposal, but to exceed those expectations!**

**For even more information on Grau & Associates
please visit us on www.graucpa.com.**

CORAL CREEK
COMMUNITY DEVELOPMENT DISTRICT

11D

CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT

AUDITOR EVALUATION MATRIX

RFP FOR ANNUAL AUDIT SERVICES	ABILITY OF PERSONNEL	PROPOSER'S EXPERIENCE	UNDERSTANDING OF SCOPE OF WORK	ABILITY TO FURNISH REQUIRED SERVICES	PRICE	TOTAL POINTS
PROPOSER	20 POINTS	20 POINTS	20 POINTS	20 POINTS	20 POINTS	100 POINTS
Grau & Associates						

NOTES:

Completed by: _____
 Board Member's Signature

Date: _____

 Printed Name of Board Member

CORAL CREEK

COMMUNITY DEVELOPMENT DISTRICT

14

DRAFT

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

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An Organizational Meeting of the Coral Creek Community Development District was held on March 17, 2022 at 2:00 p.m., at the Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954.

Present at the meeting were:

James McGowan	Chair
Charles Robert Nelson	Vice Chair
Ellen Johnson	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Lauren Gentry (via telephone)	District Counsel
Carl Barraco	District Engineer
Peter Dame	Bond Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 2:00 p.m. Supervisors McGowan, Johnson and Nelson were present. Supervisors Burr and Weatherly 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 the Initial Board of Supervisors *(the following will be provided in a separate package)*

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. McGowan, Ms. Johnson and Mr. Nelson. Mr. Nelson and Ms. Johnson accepted

39 the allowable \$200 per meeting compensation. Mr. McGowan waived compensation. Mr.
40 Adams provided and briefly discussed the following:

- 41 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- 42 **B. Membership, Obligations and Responsibilities**
- 43 **C. Financial Disclosure Forms**
 - 44 **I. Form 1: Statement of Financial Interests**
 - 45 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - 46 **III. Form 1F: Final Statement of Financial Interests**
- 47 **D. Form 8B: Memorandum of Voting Conflict**

48

49 **FOURTH ORDER OF BUSINESS** **Consideration of Resolution 2022-01,**
50 **Designating Certain Officers of the District,**
51 **and Providing for an Effective Date**
52

53 Mr. Adams presented Resolution 2022-01. The following slate of officers was
54 nominated:

55	Chair	James McGowan
56	Vice Chair	Charles Robert Nelson
57	Secretary	Chesley E. Adams, Jr.
58	Assistant Secretary	Craig Wrathell
59	Assistant Secretary	Ellen Johnson
60	Assistant Secretary	Garrison Burr
61	Assistant Secretary	Blake Weatherly
62	Treasurer	Craig Wrathell
63	Assistant Treasurer	Jeff Pinder

64 No other nominations were made.

65

66 **On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor,**
67 **Resolution 2022-01, Designating Certain Officers of the District, as nominated,**
68 **and Providing for an Effective Date, was adopted.**

69

70

71 **FIFTH ORDER OF BUSINESS**

72 **Consideration of Resolution 2022-02,**
 73 **Designating a Date, Time, and Location for**
 74 **Landowners' Meeting of the District, and**
 75 **Providing for an Effective Date**

76 Mr. Adams presented Resolution 2022-02.
 77

78 **On MOTION by Mr. McGowan and seconded by Mr. Nelson with all in favor,**
 79 **Resolution 2022-02, Designating a Date, Time, and Location of April 21, 2022 at**
 80 **2:00 p.m., at the Country Inn and Suites, 24244 Corporate Court, Port**
 81 **Charlotte, Florida 33954, for a Landowners' Meeting of the District, and**
 82 **Providing for an Effective Date, was adopted.**

83

84

85 **ORGANIZATIONAL MATTERS**86 **SIXTH ORDER OF BUSINESS**

87 **Consideration of the Following**
 88 **Organizational Matters:**

89 **A. Resolution 2022-03, Appointing and Fixing the Compensation of the District Manager;**
 90 **Appointing a Methodology Consultant in Contemplation of the Issuance of Special**
 91 **Assessment Bonds; Appointing a Designated Investment Representative to Administer**
 92 **Investment Direction with Regard to District Funds; and Providing an Effective Date**

- 93 • **Agreement for District Management Services: *Wrathell, Hunt and Associates,***
 94 ***LLC***

95 Mr. Adams presented Resolution 2022-03 and reviewed the Fee Schedule and
 96 Management Agreement. As noted in red on the "Exhibit B – Fee Schedule", the fees would be
 97 adjusted as follows:

98 Item 1: "District Management, Recording, Financial Accounting and Assessment Roll
 99 Services" fee would be reduced to \$45,000 annually.

100 Item 2: "Debt Service Fund Accounting/Assessment Collection Services" fee would be
 101 reduced to \$5,000 annually.

102 Item 4: "Issuance of Bonds, and Placement of Loans and Other District Indebtedness"
 103 fee would be "Not to exceed \$35,000 per issue (*if applicable*)"

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On MOTION by Mr. Nelson and seconded by Ms. Johnson, with all in favor, Resolution 2022-03, Appointing and Fixing the Compensation, as amended, of the District Manager; Appointing a Methodology Consultant in Contemplation of the Issuance of Special Assessment Bonds; Appointing a Designated Investment Representative to Administer Investment Direction with Regard to District Funds; and Providing an Effective Date, was adopted.

B. Resolution 2022-04, Appointing Legal Counsel for the District, Authorizing Compensation and Providing for an Effective Date

- **Fee Agreement: *KE Law Group PLLC***

Ms. Gentry presented Resolution 2022-04.

On MOTION by Ms. Johnson and seconded by Mr. Nelson, with all in favor, Resolution 2022-04, Appointing Legal Counsel for the District, 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. Adams presented Resolution 2022-05.

The following changes would be made to Resolution 2022-05:

Section 1: Change "Chuck Adams" to "Craig Wrathell"

On MOTION by Mr. Nelson and seconded by Ms. Johnson, with all in favor, Resolution 2022-05, as amended, Designating a Registered Agent and Registered Office of the District and Providing for an Effective Date, was adopted.

D. Resolution 2022-06, Appointing and Fixing the Compensation of the Interim District Engineer and Providing an Effective Date

- **Interim District Engineering Agreement: *Barraco and Associates, Inc.***

138 Mr. Adams presented Resolution 2022-06 and the Interim District Engineering
139 Agreement. The Exhibit B Rate Schedule, which the Board has seen in the past, would be
140 provided following the meeting.

141

142 **On MOTION by Mr. Nelson and seconded by Ms. Johnson, with all in favor,**
143 **Resolution 2022-06, Appointing and Fixing the Compensation of the Interim**
144 **District Engineer and Providing an Effective Date, was adopted.**

145

146

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

148 Mr. Adams presented the RFQ and the Competitive Selection Criteria.

149

150 **On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor,**
151 **the Request for Qualifications for District Engineering Services and Competitive**
152 **Selection Criteria, and authorizing Staff to advertise, was approved.**

153

154

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

156 As noted during the Third Order of Business, Mr. Nelson and Ms. Johnson accepted the
157 allowable \$200 per meeting compensation and Mr. McGowan waived compensation.

158 **G. Resolution 2022-07, Designating the Primary Administrative Office and Principal**
159 **Headquarters of the District and Providing an Effective Date**

160 Mr. Adams presented Resolution 2022-07. A location for the principal headquarters was
161 discussed. Following the meeting, it was determined that the principal headquarters would be
162 at the McCrory Law Firm, 309 Tamiami Trail, Punta Gorda, Florida 33950.

163

164 **On MOTION by Mr. McGowan and seconded by Mr. Nelson, with all in favor,**
165 **Resolution 2022-07, Designating Wrathell, Hunt and Associates, 2300 Glades**
166 **Road, Suite 410W, Boca Raton, Florida 33431, as the Primary Administrative**
167 **Office, and the McCrory Law Firm, 309 Tamiami Trail, Punta Gorda, Florida**
168 **33950, as the Principal Headquarters of the District and Providing an Effective**
169 **Date, was adopted.**

170

171

172 **H. Resolution 2022-08, Designating the Location of the Local District Records Office and**
173 **Providing an Effective Date**

174 Mr. Adams presented Resolution 2022-08. Following the meeting, it was determined
175 that the local District Records Office would be at the McCrory Law Firm, 309 Tamiami Trail,
176 Punta Gorda, Florida 33950.

177

178 **On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor,**
179 **Resolution 2022-08, Designating the McCrory Law Firm, 309 Tamiami Trail,**
180 **Punta Gorda, Florida 33950 as the Location of the Local District Records Office**
181 **and Providing an Effective Date, was adopted.**

182

183

184 **I. Resolution 2022-09, Setting Forth the Policy of the Coral Creek Community**
185 **Development District Board of Supervisors with Regard to the Support and Legal**
186 **Defense of the Board of Supervisors, District Officers, and Retained Staff; and**
187 **Providing for an Effective Date**

188 • **Authorization to Obtain General Liability and Public Officers' Insurance**

189 Mr. Adams presented Resolution 2022-09. Ms. Gentry stated the Resolution sets forth
190 the CDD's policy for the support and legal defense of Board Members and Staff acting in good
191 faith, in the scope of their CDD duties.

192

193 **On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor,**
194 **Resolution 2022-09, Setting Forth the Policy of the Coral Creek Community**
195 **Development District Board of Supervisors with Regard to the Support and**
196 **Legal Defense of the Board of Supervisors, District Officers, and Retained Staff;**
197 **and Providing for an Effective Date, was adopted, and authorizing Staff to**
198 **obtain General Liability and Public Officers' Insurance, was approved.**

199

200

201 **J. Resolution 2022-10, Providing for the Public's Opportunity to Be Heard; Designating**
202 **Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be**
203 **Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for**
204 **Severability and an Effective Date**

205 Mr. Adams presented Resolution 2022-10. This Resolution sets forth the CDD’s policy
206 for public comments at meetings and outlines the procedures for public comments.

207

On MOTION by Mr. McGowan and seconded by Mr. Nelson, with all in favor, Resolution 2022-10, 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.

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215 **K. Resolution 2022-11, Providing for the Appointment of a Records Management Liaison
216 Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a
217 Records Retention Policy; and Providing for Severability and Effective Date**

218 Mr. Adams presented Resolution 2022-11.

219

On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor, Resolution 2022-11, Providing for the Appointment of Wrathell, Hunt and Associates, LLC, as the Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and Effective Date, was adopted.

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228 **L. Resolution 2022-12, Granting the Chairperson and Vice Chairperson the Authority to
229 Execute Real and Personal Property Conveyance and Dedication Documents, Plats and
230 Other Documents Related to the Development of the District’s Improvements;
231 Approving the Scope and Terms of Such Authorization; Providing a Severability Clause;
232 and Providing an Effective Date**

233 Mr. Adams presented Resolution 2022-12. This Resolution grants the Chair and Vice
234 Chair authority to work with the District Engineer, District Counsel and District Staff and to
235 execute certain documents in between meetings, to avoid delays in construction.

236

237

238 **On MOTION by Mr. McGowan and seconded by Mr. Nelson, with all in favor,**
239 **Resolution 2022-12, Granting the Chairperson and Vice Chairperson the**
240 **Authority to Execute Real and Personal Property Conveyance and Dedication**
241 **Documents, Plats and Other Documents Related to the Development of the**
242 **District's Improvements; Approving the Scope and Terms of Such**
243 **Authorization; Providing a Severability Clause; and Providing an Effective Date,**
244 **was adopted.**

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247 **M. Resolution 2022-13, Ratifying the Recording of the Notice of Establishment of the**
248 **Coral Creek Community Development District and Providing for an Effective Date**
249 Mr. Adams presented Resolution 2022-13.

250
251 **On MOTION by Mr. McGowan and seconded by Mr. Nelson, with all in favor,**
252 **Resolution 2022-13, Ratifying the Recording of the Notice of Establishment of**
253 **the Coral Creek Community Development District and Providing for an Effective**
254 **Date, was adopted.**

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257 **N. Authorization of Request for Proposals (RFP) for Annual Audit Services**
258 • **Designation of Board of Supervisors as Audit Committee**
259 Mr. Adams presented the RFP For Annual Audit Services.

260
261 **On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor,**
262 **the Request for Proposals for Annual Audit Services, authorizing the District**
263 **Manager to advertise and designating the Board of Supervisors as the Audit**
264 **Committee, was approved.**

265
266
267 **O. Strange Zone, Inc., Quotation #M22-1011 for Website Creation & Development,**
268 **Website Maintenance, Website Hosting & Email, Domain Registration, SSL Certificates**
269 Mr. Adams presented Strange Zone, Inc. (SZI) Quotation #M22-1011 for Website
270 Creation & Development, Website Maintenance, Website Hosting & Email, Domain Registration
271 and SSL Certificates.

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On MOTION by Ms. Johnson and seconded by Mr. Nelson, with all in favor, Strange Zone, Inc., Quotation #M22-1011 for Website Creation & Development, Website Maintenance, Website Hosting & Email, Domain Registration, SSL Certificates, in the amount of \$1,679.99, was approved.

P. ADA Site Compliance Proposal for Technological Auditing, Accessibility Policy and Compliance Shield, Technical Support

Mr. Adams 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. Nelson and seconded by Ms. Johnson, with all in favor, the ADA Site Compliance Proposal for Technological Auditing, Accessibility Policy and Compliance Shield and Technical Support, in the amount of \$210 per year, was approved.

Q. Resolution 2022-14, To Designate the Date, Time and Place of a 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

- **Notice of Rule Development**
- **Notice of Rulemaking**

These items were provided for informational purposes.

Mr. Adams presented Resolution 2022-14.

On MOTION by Ms. Johnson and seconded by Mr. Nelson, with all in favor, Resolution 2022-14, To Designate April 21, 2022 at 2:00 p.m., at the Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954, as the Date, Time and Place of a 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.

308 R. Resolution 2022-15, Adopting the Annual Meeting Schedule for Fiscal Year 2021/2022;
309 and Providing for an Effective Date

310 Mr. Adams presented Resolution 2022-15.

311

312 On MOTION by Mr. McGowan and seconded by Mr. Nelson, with all in favor,
313 Resolution 2022-15, Adopting the Annual Meeting Schedule for Fiscal Year
314 2021/2022; and Providing for an Effective Date, was adopted.

315

316

317 S. Resolution 2022-16, Approving the Florida Statewide Mutual Aid Agreement;
318 Providing for Severability; and Providing for an Effective Date

319 Mr. Adams presented Resolution 2022-16. The Agreement provides that, in case of a
320 natural disaster, the CDD can request assistance from other governmental entities.

321

322 On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor,
323 Resolution 2022-16, Approving the Florida Statewide Mutual Aid Agreement;
324 Providing for Severability; and Providing for an Effective Date, was adopted.

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327 BANKING MATTERS

328 SEVENTH ORDER OF BUSINESS

Consideration of the Following Banking
329 Matters:

330

331 A. Resolution 2022-17, Designating a Public Depository for Funds of the District;
332 Authorizing Certain Officers of the District to Execute and Deliver Any and All Financial
333 Reports Required by Rule, Statute, Law, Ordinance or Regulation; and Providing an
334 Effective Date

335 Mr. Adams presented Resolution 2022-17.

336

337 On MOTION by Mr. McGowan and seconded by Mr. Nelson, with all in favor,
338 Resolution 2022-17, Designating Truist Bank as the Public Depository for Funds
339 of the District; Authorizing Certain Officers of the District to Execute and
340 Deliver Any and All Financial Reports Required by Rule, Statute, Law,
341 Ordinance or Regulation; and Providing an Effective Date, was adopted.

342

343 **B. Resolution 2022-18, Directing the District Manager to Appoint Signors on the Local**
344 **Bank Account and Providing an Effective Date**

345 Mr. Adams presented Resolution 2022-18. The Resolution designates the account
346 signers as, specifically, the Chair, Treasurer and Assistant Treasurer.

347

348 **On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor,**
349 **Resolution 2022-18, Directing the District Manager to Appoint Signors on the**
350 **Local Bank Account and Providing an Effective Date, was adopted.**

351

352

353 **C. Resolution 2022-19, Authorizing the District Manager or Treasurer to Execute the**
354 **Public Depositors Report; Authorizing the Execution of Any Other Financial Reports as**
355 **Required by Law; Providing for an Effective Date**

356 Mr. Adams presented Resolution 2022-19.

357

358 **On MOTION by Mr. McGowan and seconded by Mr. Nelson, with all in favor,**
359 **Resolution 2022-19, Authorizing the District Manager or Treasurer to Execute**
360 **the Public Depositors Report; Authorizing the Execution of Any Other Financial**
361 **Reports as Required by Law; Providing for an Effective Date, was adopted.**

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363

364 **BUDGETARY MATTERS**

365 **EIGHTH ORDER OF BUSINESS**

**Consideration of the Following Budgetary
Matters:**

366

367

368 **A. Resolution 2022-20, Approving the Proposed Budget for Fiscal Year 2021/2022 and**
369 **Setting a Public Hearing Thereon Pursuant to Florida Law and Providing for an**
370 **Effective Date**

371 Mr. Adams presented Resolution 2022-20 and the proposed Fiscal Year 2021 budget.
372 This is a partial-year, Developer-contribution budget. The Developer would fund the expenses
373 as expenses are incurred, by way of funding requests.

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On MOTION by Ms. Johnson and seconded by Mr. Nelson, with all in favor, Resolution 2022-20, Approving the Proposed Budget for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law for May 17, 2022 at 2:00 p.m., immediately following the conclusion of the Tuckers Pointe CDD meeting, at the Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954, and Providing for an Effective Date, was adopted.

B. Fiscal Year 2021/2022 Budget Funding Agreement

Mr. Adams presented the Fiscal Year 2021/2022 Budget Funding Agreement.

On MOTION by Mr. McGowan and seconded by Mr. Nelson, with all in favor, the Fiscal Year 2021/2022 Budget Funding Agreement, was approved.

C. Resolution 2022-21, 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, and Providing an Effective Date

Mr. Adams presented Resolution 2022-21.

On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor, Resolution 2022-21, 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, and Providing an Effective Date, was adopted.

D. Resolution 2022-22, 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. Adams presented Resolution 2022-22.

410 **On MOTION by Ms. Johnson and seconded by Mr. Nelson, with all in favor,**
411 **Resolution 2022-22, Authorizing the Disbursement of Funds for Payment of**
412 **Certain Continuing Expenses Without Prior Approval of the Board of**
413 **Supervisors; Authorizing the Disbursement of Funds for Payment of Certain**
414 **Non-Continuing Expenses Without Prior Approval of the Board of Supervisors;**
415 **Providing for a Monetary Threshold; and Providing for an Effective Date, was**
416 **adopted.**

417
418
419 **E. Resolution 2022-23, Adopting a Policy for Reimbursement of District Travel Expenses;**
420 **and Providing for Severability and an Effective Date**

421 Mr. Adams presented Resolution 2022-23.

422
423 **On MOTION by Mr. McGowan and seconded by Mr. Nelson, with all in favor,**
424 **Resolution 2022-23, Adopting a Policy for Reimbursement of District Travel**
425 **Expenses; and Providing for Severability and an Effective Date, was adopted.**

426
427
428 **F. Resolution 2022-24, Adopting Prompt Payment Policies and Procedures Pursuant to**
429 **Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an**
430 **Effective Date**

431 Mr. Adams presented Resolution 2022-24.

432
433 **On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor,**
434 **Resolution 2022-24, Adopting Prompt Payment Policies and Procedures**
435 **Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and**
436 **Providing an Effective Date, was adopted.**

437
438
439 **G. Resolution 2022-25, Adopting an Internal Controls Policy Consistent with Section**
440 **218.33, Florida Statutes; Providing an Effective Date**

441 Mr. Adams presented Resolution 2022-25.

442
443 **On MOTION by Mr. McGowan and seconded by Mr. Nelson, with all in favor,**
444 **Resolution 2022-25, Adopting an Internal Controls Policy Consistent with**
445 **Section 218.33, Florida Statutes; Providing an Effective Date, was adopted.**

446 **CONSTRUCTION/ACQUISITION RELATED MATTERS**447 **NINTH ORDER OF BUSINESS**

448 **Consideration of the Agreement Between**
449 **the Coral Creek Community Development**
450 **District and GreenPointe Developers, LLC,**
451 **Regarding the Acquisition of Certain Work**
452 **Product, Improvements and Real Property**

453 Mr. Adams presented the Acquisition Agreement, which sets forth the process by which
454 the CDD will acquire work product, improvements and real property.

455

456 **On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor,**
457 **the Agreement Between the Coral Creek Community Development District and**
458 **GreenPointe Developers, LLC, Regarding the Acquisition of Certain Work**
459 **Product, Improvements and Real Property, was approved.**

460

461

462 **BOND FINANCING RELATED MATTERS**463 **TENTH ORDER OF BUSINESS**

464 **Consideration of the Following Bond**
465 **Financing Related Matters:**

466 **A. Bond Financing Team Funding Agreement**

467 Mr. Adams presented the Bond Financing Team Funding Agreement.

468

469 **On MOTION by Mr. McGowan and seconded by Mr. Nelson, with all in favor,**
470 **the Bond Financing Team Funding Agreement, was approved.**

471

472

473 **B. Engagement of Bond Financing Professionals**

474 **I. Resolution 2022-26, Appointing an Investment Banker in Contemplation of the**
475 **Issuance of Coral Creek Community Development District Special Assessment**
476 **Revenue Bonds [FMSbonds, Inc.]**

477 Mr. Adams presented Resolution 2022-26 and the FMSbonds, Inc. (FMS) Engagement
478 Letter to serve as Underwriter and for G-17 Disclosure. The Underwriter's fee would be 2% of
479 the par amount of the bonds issued.

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On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor, 2022-26, Appointing an Investment Banker in Contemplation of the Issuance of Coral Creek Community Development District Special Assessment Revenue Bonds [FMSbonds, Inc.], was adopted.

II. Resolution 2022-27, Appointing Bond Counsel in Contemplation of the Issuance of Coral Creek Community Development District Bonds [Akerman LLP]

Mr. Adams presented Resolution 2022-27 and the Akerman, LLP Engagement Letter.

On MOTION by Mr. McGowan and seconded by Mr. Nelson, with all in favor, Resolution 2022-27, Appointing Bond Counsel in Contemplation of the Issuance of Coral Creek Community Development District Bonds [Akerman LLP], was adopted.

III. Resolution 2022-28, Appointing Trustee, Paying Agent and Registrar in Contemplation of the Issuance of Coral Creek Community Development District Bonds [U.S. Bank Trust Company, National Association]

Mr. Adams presented Resolution 2022-28. He reviewed the U.S. Bank Trust Company, N.A., proposal and the fees.

On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor, Resolution 2022-28, Appointing Trustee, Paying Agent and Registrar in Contemplation of the Issuance of Coral Creek Community Development District Bonds [U.S. Bank Trust Company, National Association], was adopted

C. Resolution 2022-29, 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 as Authorized by Section 190.021, Florida Statutes; and Providing an Effective Date

Mr. Adams presented Resolution 2022-29.

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On MOTION by Ms. Johnson and seconded by Mr. Nelson, with all in favor, Resolution 2022-29, Designating April 21, 2022 at 2:00 p.m., at the Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954, as the 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 as Authorized by Section 190.021, Florida Statutes; and Providing an Effective Date, was adopted.

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D. Presentation of Engineer’s Report

528 Mr. Barraco presented the Master Engineer’s Report, dated March 4, 2022, and noted
529 the pertinent information in each section.

530 The following correction would be made:

531 Page 2, Section 1.2, South Parcel bullet point, last sentence: Change “1,111 additional”
532 to “1,411 additional”

533 Mr. Barraco noted the following:

- 534 ➤ Existing infrastructure, consisting of a 50’ drainage easement, bisects the CDD.
- 535 ➤ The project would include drainage and surface water management, on-site roadways,
536 on-site utilities, amenity facilities, off-site roadways and utilities and professional fees.
- 537 ➤ The CDD is located within the Burnt Store Area Plan (BSAP). Charlotte County recently
538 initiated consideration of existing roadway capacity improvements and/or additional east-west
539 roadway connectors within the BSAP. Total fees for the improvements are estimated at \$12
540 million; the improvements are not yet programmed for the County and there is currently no
541 associated obligation.

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On MOTION by Ms. McGowan and seconded by Ms. Johnson, with all in favor, the Master Engineer’s Report, in substantial form, was approved.

545
546
547

E. Presentation of Master Special Assessment Methodology Report

548 Mr. Adams presented the Master Special Assessment Methodology Report dated March
549 7, 2022 and noted the pertinent information in each section. He responded to questions about

550 the Development Program, Capital Improvement Plan (CIP), Financing Program, Assessment
551 Methodology, lienability tests, True-up Mechanism and the Appendix Tables.

552

553 **On MOTION by Mr. McGowan and seconded by Ms. Johnson, with all in favor,**
554 **the Master Special Assessment Methodology Report, in substantial form, was**
555 **approved.**

556

557

558 **F. Resolution 2022-30, Declaring Special Assessments; Designating the Nature and**
559 **Location of the Proposed Improvements; Declaring the Total Estimated Cost of the**
560 **Improvements, the Portion to be Paid by Assessments, and the Manner and Timing in**
561 **Which the Assessments are to be Paid; Designating the Lands Upon Which the**
562 **Assessments Shall be Levied; Providing for an Assessment Plat and a Preliminary**
563 **Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication**
564 **of this Resolution; and Addressing Conflicts, Severability and an Effective Date**

565 Mr. Adams described the assessment process and presented Resolution 2021-30.

566 Ms. Gentry stated the Resolution approves the use of the Engineer's Report, with the
567 changes noted on the record, and the Master Special Assessment Methodology Report.

568

569 **On MOTION by Ms. McGowan and seconded by Mr. Nelson with all in favor,**
570 **Resolution 2022-30, Declaring Special Assessments; Designating the Nature and**
571 **Location of the Proposed Improvements; Declaring the Total Estimated Cost of**
572 **the Improvements, the Portion to be Paid by Assessments, and the Manner**
573 **and Timing in Which the Assessments are to be Paid; Designating the Lands**
574 **Upon Which the Assessments Shall be Levied; Providing for an Assessment Plat**
575 **and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings**
576 **for April 21, 2022 at 2:00 p.m., at the Country Inn and Suites, 24244 Corporate**
577 **Court, Port Charlotte, Florida 33954; Providing for Publication of this**
578 **Resolution; and Addressing Conflicts, Severability and an Effective Date, was**
579 **approved.**

580

581

582 **G. Resolution 2022-31, Authorizing the Issuance of Not Exceeding \$75,000,000 Principal**
583 **Amount Coral Creek Community Development District Special Assessment Revenue**
584 **Bonds in One or More Series, for the Purpose of Financing the Construction and/or**

585 **Acquisition by the District of the Public Improvements and Community Facilities**
 586 **Permitted by the Provisions of Chapter 190, Florida Statutes and the Ordinance**
 587 **Establishing the District; Approving a Form of a Master Trust Indenture; Approving and**
 588 **Appointing a Trustee; Authorizing the Commencement of Validation Proceedings**
 589 **Relating to the Foregoing Bonds; Authorizing and Approving Other Matters Relating to**
 590 **the Foregoing Bonds; and Providing an Effective Date**

591 Mr. Adams presented Resolution 2022-31, which accomplishes the following:

- 592 ➤ Authorizes issuance of bonds in an amount not to exceed \$123,960,000 aggregate
 593 principal amount.
- 594 ➤ Approves a form of Master Trust Indenture.
- 595 ➤ Approves appointment of a Trustee.
- 596 ➤ Authorizing commencement of validation proceedings.
- 597 ➤ Authorizes and approves other matters related to the foregoing bonds.

598 The following change was made to Resolution 2022-31:

599 Title and throughout: Change "75,000,000" to "\$123,960,000"

600

601 **On MOTION by Ms. McGowan and seconded by Ms. Johnson, with all in favor,**
 602 **Resolution 2022-31, as amended, Authorizing the Issuance of Not Exceeding**
 603 **\$123,960,000 Principal Amount Coral Creek Community Development District**
 604 **Special Assessment Revenue Bonds in One or More Series, for the Purpose of**
 605 **Financing the Construction and/or Acquisition by the District of the Public**
 606 **Improvements and Community Facilities Permitted by the Provisions of**
 607 **Chapter 190, Florida Statutes and the Ordinance Establishing the District;**
 608 **Approving a Form of a Master Trust Indenture; Approving and Appointing a**
 609 **Trustee; Authorizing the Commencement of Validation Proceedings Relating to**
 610 **the Foregoing Bonds; Authorizing and Approving Other Matters Relating to the**
 611 **Foregoing Bonds; and Providing an Effective Date, was approved.**

612

613

614 **ELEVENTH ORDER OF BUSINESS**

Staff Reports

615

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

617 There was no report.

618 **B. District Engineer (Interim): *Barraco & Associates, Inc.***

619 There was no report.

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

621 The next meeting and the Landowners' meeting will be held on April 21, 2022.

622

623 **TWELFTH ORDER OF BUSINESS**

Board Members' Comments/Requests

624

625 There were no Board Members' comments or requests.

626

627 **THIRTEENTH ORDER OF BUSINESS**

Public Comments

628

629 No members of the public spoke.

630

631 **FOURTEENTH ORDER OF BUSINESS**

Adjournment

632

633 There being nothing further to discuss, the meeting adjourned.

634

635 **On MOTION by Mr. Nelson and seconded by Mr. McGowan, with all in favor,**
636 **the meeting adjourned at 3:07 p.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

642
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646
647

Secretary/Assistant Secretary

Chair/Vice Chair

CORAL CREEK
COMMUNITY DEVELOPMENT DISTRICT

15C

CORAL CREEK COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2021/2022 MEETING SCHEDULE

LOCATION

Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
April 21, 2022	Regular Meeting	2:00 PM*
May 19, 2022	Regular Meeting	2:00 PM*
June 16, 2022	Regular Meeting	2:00 PM*
July 21, 2022	Regular Meeting	2:00 PM*
August 18, 2022	Regular Meeting	2:00 PM*
September 15, 2022	Regular Meeting	2:00 PM*

** Meetings will convene immediately following the adjournment of the Tuckers Pointe CDD meetings, scheduled to commence at 2:00 p.m.*

CALL-IN NUMBER: 1-888-354-0094
PARTICIPANT PASSCODE: 229 774 8903