RIDGE AT APOPKA

COMMUNITY DEVELOPMENT DISTRICT

December 7, 2021

BOARD OF SUPERVISORS

PUBLIC HEARINGS AND REGULAR MEETING

Agenda

Ridge at Apopka 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

November 30, 2021

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

Board of Supervisors Ridge at Apopka Community Development District

Dear Board Members:

The Board of Supervisors of the Ridge at Apopka Community Development District will hold Multiple Public Hearings and a Regular Meeting on December 7, 2021, immediately following the adjournment of the Landowners' Meeting at 2:30 P.M., at the office of GrayRobinson, P.A., 301 East Pine Street, Suite 1400, Orlando, Florida 32801. The agenda is as follows:

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

GENERAL DISTRICT ITEMS

- 3. Administration of Oath of Office to 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. Chapter 190, Florida Statutes
 - D. Financial Disclosure Forms
 - I. Form 1: Statement of Financial Interests
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests
 - III. Form 1F: Final Statement of Financial Interests
 - E. Form 8B: Memorandum of Voting Conflict
- 4. Consideration of Resolution 2022-01, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date
- 5. Consideration of Resolution 2022-02, Designating Certain Officers of the District, and Providing for an Effective Date

Board of Supervisors Ridge at Apopka Community Development District December 7, 2021, Public Hearings and Regular Meeting Agenda Page 2

ORGANIZATIONAL MATTERS

- 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 2022-03, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Ridge at Apopka 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 2022-04, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer's Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and

Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date

- 8. Public Hearing on Adoption of Fiscal Year 2021/2022 Budget
 - A. Affidavit of Publication
 - B. Consideration of Resolution 2022-05, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date
- 9. 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 2022-06, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date
- 10. Consideration of Responses to Request for Proposals (RFP) for Annual Audit Services
 - A. Affidavit of Publication
 - B. RFP Package
 - C. Respondents
 - I. Berger, Toombs, Elam, Gaines & Frank
 - II. Grau & Associates
 - D. Auditor Evaluation Matrix/Ranking
 - E. Award of Contract
- 11. Consideration of Response(s) to Request for Qualifications (RFQ) for Engineering Services
 - A. Affidavit of Publication
 - B. RFQ Package
 - C. Respondent(s)
 - I. VHB
 - D. Competitive Selection Criteria/Ranking
 - E. Award of Contract

- 12. Consideration of Resolution 2022-07, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date
- 13. Consideration of Resolution 2022-08, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date
- 14. Update: Stormwater Reporting Requirements
- 15. Consideration of Resolution 2022-09, Directing the Chairman and District Staff to Request the Passage of an Ordinance by the City of Apopka, Florida, Amending the District's Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date
- 16. Consideration of Boundary Amendment Funding Agreement
- 17. Acceptance of Unaudited Financial Statements as of October 31, 2021
- 18. Approval of September 28, 2021 Organizational Meeting Minutes
- 19. Staff Reports
 - A. District Counsel: *KE Law Group, PLLC*
 - B. District Engineer [Interim]: VHB
 - C. District Manager: Wrathell, Hunt and Associates, LLC
 - NEXT MEETING DATE: TBD
 - QUORUM CHECK

CRAIG PERRY	IN PERSON	No
ERNESTO MITSUMASU	IN PERSON	No
KEVIN WALSH	IN PERSON	No
THOMAS J PAGNOTTA	IN PERSON	No
DEAN PERRY	IN PERSON	No

- 20. Board Members' Comments/Requests
- 22. Public Comments
- 22. Adjournment

Board of Supervisors Ridge at Apopka Community Development District December 7, 2021, Public Hearings and Regular Meeting Agenda Page 5

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675 or Kristen Suit at (410) 207-1802.

Sincerely,

Switcher

Craig Wrathell District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE CALL-IN NUMBER: 1-888-354-0094 PARTICIPANT PASSCODE: 413 553 5047

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



RESOLUTION 2022-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE RIDGE AT APOPKA 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 Ridge at Apopka Community Development District ("District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Apopka, Orange 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 canvass the votes and declare and certify the results of said election.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE RIDGE AT APOPKA 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:

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

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

PASSED AND ADOPTED this 7th day of December, 2021.

Attest:

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



RESOLUTION 2022-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Ridge at Apopka 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, THEREFOR SUPERVISORS OF DEVELOPMENT DIS	
SECTION 1	is appointed Chair.
SECTION 2.	is appointed Vice Chair.
SECTION 3. Craig Wrath	nell is appointed Secretary.
	is appointed Assistant Secretary.
	is appointed Assistant Secretary.
	is appointed Assistant Secretary.
Cindy Cerbo	one is appointed Assistant Secretary.
Kristen Suit	: 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 7th day of December, 2021.

ATTEST:

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT





Published Daily ORANGE County, Florida

Sold To: The Ridge at Apopka Community Development - CU80125110 2300 Glades Rd, Ste 410W Boca Raton.FL 33431-8556

<u>Bill To:</u>

The Ridge at Apopka Community Development - CU80125110 2300 Glades Rd, Ste 410W Boca Raton,FL 33431-8556

State Of Florida County Of Orange

Before the undersigned authority personally appeared Rose Williams, who on oath says that he or she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published at the ORLANDO SENTINEL in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of 11150-Public Hearing Notice, December 7, 2021 at 2:30 p.m. was published in said newspaper in the issues of Nov 09, 2021; Nov 16, 2021; Nov 23, 2021; Nov 30, 2021.

Affiant further says that the said ORLANDO SENTINEL is a newspaper Published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, in said ORANGE County, Florida, for a period of one 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.

Rose Williams

Signature of Affiant

Name of Affiant

Sworn to and subscribed before me on this 1 day of December, 2021, by above Affiant, who is personally known to me (X) or who has produced identification ().

me Rollins

Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped



RIDGE AT APOPKA 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 Ridge at Apopka Community Development District ("District") intends to use the uniform method of collecting nonad valorem assessments to be levied by the District pursuant to Section 197.3632, Florida Statutes. The Board of Supervisors of the District will conduct a public hearing on December 7, 2021 at 2:30 p.m., at the office of GrayRobinson, P.A., 301 East Pine Street, Suite 1400, Orlando, Florida 32801.

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, stormwater improvements, roadways, water & wastewater utilities, hardscape, landscape & irrigation, amenities, street lights, undergrounding of electric, offsite improvements, and any other lawful projects or services of the District.

Owners of the properties to be assessed and other interested parties may appear at the public hearing and be heard regarding the use of the uniform method of collecting such non-ad valorem assessments. This hearing is open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The public hearing may be continued to a date, time and location to be specified on the record at the hearing. There may be occasions when Supervisors or staff may participate by speaker telephone.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the hearing and/or meeting is asked to contact Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010 ("District Manager's Office"), 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 Manager's Office.

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

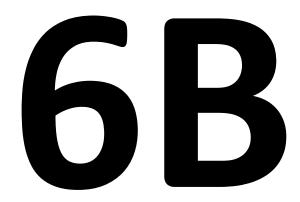
Craig Wrathell

District Manager

Orlando Sentinel

057077112 7077112 11/09, 11/16, 11/23, 11/30/21

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



RESOLUTION 2022-03

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT:

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

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

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

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

PASSED AND ADOPTED this 7th day of December, 2021.

ATTEST:

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Legal Description

Exhibit A: Legal Description

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTIONS 17 AND 18, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 88°47'33" EAST ALONG THE NORTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17 FOR A DISTANCE OF 1315.96 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 01°23'40" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1341.09 FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 89°15'43" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 1330.82 FEET TO THE EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 00°44'46" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 849.73 FEET TO THE WESTERLY RIGHT OF WAY LINE OF GALWAY BOULEVARD, BRECKINRIDGE PHASE 1, ACCORDING TO PLAT BOOK 64, PAGE 74 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT BEING A NON-TANGENT POINT OF A CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 495.00 FEET, A CENTRAL ANGLE OF 18°16'37", THE CHORD OF WHICH BEARS SOUTH 33°25'03" WEST FOR A DISTANCE OF 157.23 FEET: THENCE RUN SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY RIGHT OF WAY LINE FOR AN ARC LENGTH OF 157.90 FEET TO A POINT OF TANGENCY; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: SOUTH 24°16'44" WEST FOR A DISTANCE OF 163.85 FEET: THENCE RUN SOUTH 17°58'25" WEST FOR A DISTANCE OF 70.98 FEET; THENCE RUN SOUTH 01°37'19" WEST FOR A DISTANCE OF 88.67 FEET; THENCE RUN SOUTH 30°42'41" EAST FOR A DISTANCE OF 13.58 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 390.00 FEET, A CENTRAL ANGLE OF 27°54'38", THE CHORD OF WHICH BEARS SOUTH 14°29'08" EAST FOR A DISTANCE OF 188.11 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 189.98 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 28°26'27" EAST FOR A DISTANCE OF 76.12 FEET; THENCE RUN SOUTH 61°33'33" WEST FOR A DISTANCE OF 2.00 FEET; THENCE RUN SOUTH 15°14'28" WEST FOR A DISTANCE OF 12.59 FEET; THENCE RUN SOUTH 19°16'12" EAST FOR A DISTANCE OF 16.40 FEET; THENCE RUN SOUTH 65°31'52" EAST FOR A DISTANCE OF 11.39 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 95.00 FEET, A CENTRAL ANGLE OF 68°46'59", THE CHORD OF WHICH BEARS SOUTH 27°10'04" WEST FOR A DISTANCE OF 107.32 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 114.05 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 61°33'33" WEST FOR A DISTANCE OF 111.60 FEET; THENCE RUN NORTH 73°26'27" WEST FOR A DISTANCE OF 34.62 FEET TO A POINT HEREAFTER REFERRED TO AS POINT A, LYING ON THE NORTHERLY RIGHT OF WAY LINE OF BOY SCOUT ROAD, ACCORDING TO OFFICIAL RECORDS BOOK 1133, PAGE 608 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 24°58'39" WEST FOR A DISTANCE OF 217.41 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 342.10 FEET, A CENTRAL ANGLE OF 65°18'17". THE CHORD OF WHICH BEARS NORTH 57°37'36" WEST FOR A DISTANCE OF 369.15 FEET: THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 389.92 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 89°43'16" WEST FOR A DISTANCE OF 690.23 FEET; THENCE RUN NORTH 01°23'40" EAST FOR A DISTANCE OF 3.00 FEET; THENCE RUN SOUTH 89°43'16" WEST FOR A DISTANCE OF 912.02 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE RUN NORTH 02°03'11" EAST FOR A DISTANCE OF 220.18 FEET; THENCE RUN SOUTH 89°43'16" WEST FOR A DISTANCE OF 433.36 FEET TO THE WEST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17: THENCE RUN NORTH 02°03'11" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 2408.71 FEET TO THE POINT OF BEGINNING.

CONTAINING: 5,215,102 SQUARE FEET OR 119.72 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH

COMMENCE AT THE AFOREMENTIONED POINT A; THENCE RUN SOUTH 24°58'39" EAST FOR A DISTANCE OF 141.34 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF SAID GALWAY BOULEVARD; THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 16°33'33" EAST FOR A DISTANCE OF 30.96 FEET; THENCE RUN NORTH 61°41'11" EAST FOR A DISTANCE OF 173.78 FEET; THENCE RUN NORTH 36°05'04" EAST FOR A DISTANCE OF 90.60 FEET; THENCE RUN NORTH 19°14'42" EAST FOR A DISTANCE OF 74.95 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE WESTERLY WITH A RADIUS OF 213.50 FEET, A CENTRAL ANGLE OF 25°16'34", THE CHORD OF WHICH BEARS NORTH 12°56'36" WEST FOR A DISTANCE OF 93.42 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 94.19 FEET TO A NON-TANGENT POINT; THENCE RUN NORTH 36°19'00" WEST FOR A DISTANCE OF 153.53 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE FASTERLY WITH A RADIUS OF 300.00 FEET. A CENTRAL ANGLE OF 33°50'22". THE CHORD OF WHICH BEARS NORTH 01°03'14" FAST FOR A DISTANCE OF 174.62 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 177.18 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 17°58'25" EAST FOR A DISTANCE OF 149.75 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 405.00 FEET, A CENTRAL ANGLE OF 07°07'48", THE CHORD OF WHICH BEARS NORTH 21°32'19" EAST FOR A DISTANCE OF 50.37 FEET; THENCE RUN ALONG SAID CURVE FOR AN ARC LENGTH OF 50.40 FEET TO A NON-TANGENT POINT LYING ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 00°44'46" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 338.71 FEET TO THE NORTH LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 89°43'16" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 1322.50 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 17: THENCE RUN SOUTH 00°26'42" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 690.44 FEET TO THE WESTERLY RIGHT OF WAY LINE OF OCOEE APOPKA ROAD AND A NON-TANGENT POINT OF A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 375.87 FEET, A CENTRAL ANGLE OF 06°25'02", THE CHORD OF WHICH BEARS SOUTH 56°26'10" WEST FOR A DISTANCE OF 42.08 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND SAID CURVE

FOR AN ARC LENGTH OF 42.10 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 59°38'41" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 791.31 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID BOY SCOUT ROAD AND A POINT HEREAFTER REFERRED TO AS POINT B, BEING A NON-TANGENT POINT OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 320.75 FEET, A CENTRAL ANGLE OF 44°12'53", THE CHORD OF WHICH BEARS NORTH 52'27'10" WEST FOR A DISTANCE OF 241.42 FEET; THENCE RUN NORTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE AND SAID CURVE FOR AN ARC LENGTH OF 247.52 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH WESTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 74°33'37" WEST FOR A DISTANCE OF 220.12 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 511.26 FEET, A CENTRAL ANGLE OF 49°34'58", THE CHORD OF WHICH BEARS NORTH 49°46'08" WEST FOR A DISTANCE OF 428.76 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 442.44 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 24°58'39" WEST FOR A DISTANCE OF 141.70 FEET TO THE POINT OF BEGINNING.

CONTAINING: 1,272,340 SQUARE FEET OR 29.21 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH

COMMENCE AT THE AFOREMENTIONED POINT B; THENCE RUN SOUTH 59°38'41" WEST FOR A DISTANCE OF 60.00 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF SAID OCOEE APOPKA ROAD WITH THE SOUTHERLY RIGHT OF WAY LINE OF SAID BOY SCOUT ROAD AND THE POINT OF BEGINNING; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: SOUTH 59°38'41" WEST FOR A DISTANCE OF 31.35 FEET TO THE POINT OF CURVATURE OF A CONCAVE SOUTHEASTERLY WITH A RADIUS OF 984.93 FEET, A CENTRAL ANGLE OF 46°45'08", THE CHORD OF WHICH BEARS SOUTH 36°16'07" WEST FOR A DISTANCE OF 781.57 FEET: THENCE RUN SOUTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 803.68 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 12°53'33" WEST FOR A DISTANCE OF 264.64 FEET TO THE NORTHERLY LINE OF A PARCEL AS DESCRIBED IN DEED BOOK 156. PAGE 168: THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE RUN NORTH 74°37'52" WEST ALONG SAID NORTHERLY LINE FOR A DISTANCE OF 991.60 FEET TO THE WESTERLY LINE THEREOF: THENCE RUN SOUTH 00°22'08" WEST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 886.88 FEET TO THE SOUTH LINE OF SAID SECTION 17; THENCE RUN NORTH 89°59'43" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 1728.15 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 18: THENCE RUN SOUTH 89°54'43" WEST ALONG THE SOUTH LINE OF SAID SECTION 18 FOR A DISTANCE OF 936.11 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD 429, ACCORDING TO DEED BOOK 770, PAGE 209, OFFICIAL RECORDS BOOK 9046, PAGE 4349 & OFFICIAL RECORDS BOOK 9398, PAGE 1729 OF SAID PUBLIC RECORDS: THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 43°34'16" WEST FOR A DISTANCE OF 104.57 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 14808.00 FEET, A CENTRAL ANGLE OF 01°44'54", THE CHORD OF WHICH BEARS NORTH 44°26'37" WEST FOR A DISTANCE OF 451.84 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 451.86 FEET TO A NON-TANGENT POINT AND THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE RUN NORTH 00°33'55" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 264.76 FEET: THENCE DEPARTING SAID WEST LINE RUN SOUTH 89°58'55" WEST FOR A DISTANCE OF 241.14 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID STATE ROAD 429; THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 42°01'34" WEST FOR A DISTANCE OF 446.50 FEET; THENCE RUN NORTH 89°58'26" EAST FOR A DISTANCE OF 543.33 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE RUN NORTH 00°33'55" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 663.72 FEET; THENCE DEPARTING SAID WEST LINE RUN SOUTH 89°58'47" WEST FOR A DISTANCE OF 1250.31 FEET; THENCE RUN NORTH 38°59'13" WEST FOR A DISTANCE OF 91.06 FEET TO THE EAST RIGHT OF WAY LINE OF SOUTH BINION ROAD: THENCE RUN ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 00°14'15" EAST FOR A DISTANCE OF 742.29 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY WITH A RADIUS OF 5689.65 FEET. A CENTRAL ANGLE OF 01°30'53". THE CHORD OF WHICH BEARS NORTH 00°59'41" EAST FOR A DISTANCE OF 150.42 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 150.42 FEET TO A NON-TANGENT POINT LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID BOY SCOUT ROAD; THENCE RUN ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: SOUTH 89°58'43" EAST FOR A DISTANCE OF 2613.56 FEET; THENCE RUN NORTH 89°43'16" EAST FOR A DISTANCE OF 1345.54 FEET; THENCE RUN NORTH 00°22'08" EAST FOR A DISTANCE OF 3.00 FEET; THENCE RUN NORTH 89°43'16" EAST FOR A DISTANCE OF 691.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 282.10 FEET, A CENTRAL ANGLE OF 65°18'17", THE CHORD OF WHICH BEARS SOUTH 57°37'34" FAST FOR A DISTANCE OF 304 41 FEFT: THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 321 53 FEFT TO A POINT OF TANGENCY; THENCE RUN SOUTH 24°58'39" EAST FOR A DISTANCE OF 500.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 571.26 FEET, A CENTRAL ANGLE OF 49°34'58", THE CHORD OF WHICH BEARS SOUTH 49°46'08" EAST FOR A DISTANCE OF 479.08 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 494.36 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 74°33'37" EAST FOR A DISTANCE OF 220.12 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 260.75 FEET. A CENTRAL ANGLE OF 44°13'02". THE CHORD OF WHICH BEARS SOUTH 52°27'06" EAST FOR A DISTANCE OF 196.27 FEET: THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 201.23 FEET TO THE POINT OF BEGINNING.

CONTAINING: 11,106,450 SQUARE FEET OR 254.97 ACRES OF LAND, MORE OR LESS.

COMBINED: 17,593,892 SQUARE FEET OR 403.90 ACRES OF LAND, MORE OR LESS.

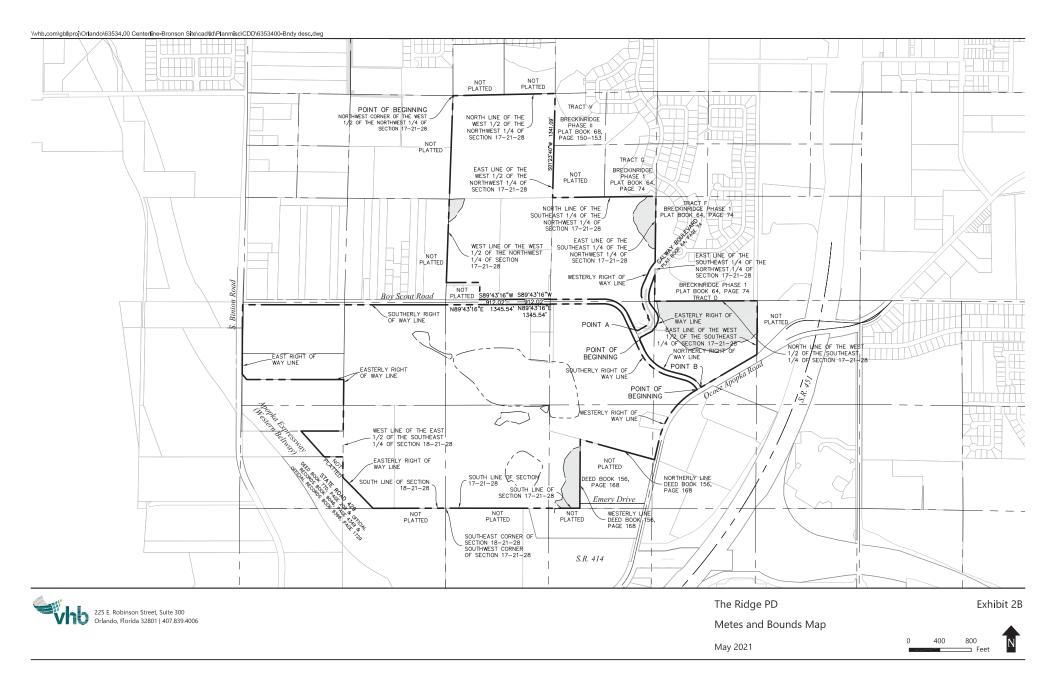
225 E. Robinson Street, Suite 300 Orlando, Florida 32801 | 407.839.4006 The Ridge PD

Exhibit 2A

Metes and Bounds Description

May 2021

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RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



Orlando Sentinel

633 North Orange Avenue MP 130 Orlando, FL 32801

Account Name: The Ridge at Apopka Community Development Account Number: CU80125110 Attn: Daphne Gillyard

To Whom It May Concern:

This is to confirm that the advertisement for The Ridge at Apopka Community Development published in *The Orlando Sentinel* on the following dates.

Publication Date: Nov 15, 2021; Nov 22, 2021;

Ad Caption: The Ridge at Apopka Community Development

Section: Legal

Size: Full Page (6 x 21)

Order ID: 7083798

Cost: \$6,172.40

Should you need further information, please feel free to contact me.

Sincerely,

Kriwsten L Stahl

Kristen Stahl Account Representative Assistant The Orlando Sentinel

/mdu

State of Florida County of Orange

The foregoing instrument was acknowledged before me this 29 day of November, 2021, by <u>Kristen Stahl</u>, who is personally known to me.

Ine Relling

Notary Public State of Florida at Large



the date and page indicated. You may not create derivative works, or in any way exploit or repurpose any content.

The Ridge at Apopka Community Devel...

Legals/A011/FLA

Section/Page/Zone:

6 x 21

B&W

C

Client Name

7083798-2

Advertiser:

Apopka Community Devel

at

Ridge

The

escription:

NOTICE OF PUBLIC HEARINGS TO CONSIDER THE IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTIONS 170.07 AND 197.3632, *FLORIDA STATUTES*, BY THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT NOTICE OF SPECIAL MEETING OF THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

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

date: Time: Location:

December 7, 2021
2:30 p.m.
Office of GrayRobinson, P.A.
301 East Pine Street, Suite 1400 Orlando, Florida 32801

The purpose of the public hearings announced above is to consider the imposition of special assessments ("**Debt Assessments**"), and adoption of assessment rolls to secure proposed bonds, on benefited lands within the District, and, to provide for the levy, collection and enforcement of the Debt Assessments. The proposed bonds secured by the Debt Assessments are intended to finance certain public infrastructure improvements, including, but not limited to, stormwater management, water and sewer utilities, landscape, irrigation, lighting, and other infrastructure improvements (together, "**Project**"), benefitting certain lands within the District. The Project is described in more detail in the *Engineer's Report for the Ridge at Apopka Community Development District*, dated September 28, 2021 ("**Engineer's Report**"). Specifically, the Project includes a Master Infrastructure Project benefitting all lands within the District, as well as a Parcel 2 Project, Parcel 4 Project and Parcel 9 Project benefitting lands within Parcels 2, 4 and 9, respectively, and as identified in the Engineer's Report. The Debt Assessment areas, as set forth in the *Master Special Assessment Methodology Report*, dated September 28, 2021 ("**Assessment Report**"). At the conclusion of the public hearings, the Board will, by resolution, levy and impose assessments as finally approved by the Board. A special meeting of the District will also be held where the Board may consider any other business that may properly come before it.

The District is located entirely within the City of Apopka, Florida, and includes approximately 403.9 acres of land. The site is generally located east of S Binion Road, just north of the intersection of State Roads 429 (Western Beltway) and 414, and west of Ocoee Apopka Road. A geographic depiction of the District is shown below. All lands within the District are expected to be improved in accordance with the reports identified above.

A description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the "**District's Office**" located at c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (877) 276-0889. Also, a copy of the agendas and other documents referenced herein may be obtained from the District Office.

Proposed Debt Assessments

The proposed Debt Assessments are as follows:

Ridge at Apopka Community Development District

Assessment Apportionment - Combined Master Improvements and Residential Neighborhood Improvements

Land Use Type	Number of Residential Units/Square Feet of Non- Residential	Maximum Total Bond Assessment Apportionment	Maximum Bond Assessment Apportionment per Residential Unit/1,000 Square Feet of Non-Residential	Maximum Annual Bond Assessment Debt Service per Residential Unit/1,000 Square Feet of Non-Residential - paid in March**
Residential				P ⁴¹⁴
Single Family - Parcel 2				
SF 60	89	\$6,972,251.01	\$78,339.90	\$6,186.20
SF 55	69	\$4,954,998.61	\$71,811.57	\$5,670.69
SF 50	0	\$0.00	\$0.00	\$0.00
Bungalow 30-35	60	\$2,546,046.72	\$42,434.11	\$3,350.86
TH 25	0	\$0.00	\$0.00	\$0.00
TH 20	95	\$2,480,763.47	\$26,113.30	\$2,062.07
	313	\$16,954,059.82	¢20,110100	<i><i><i></i></i></i>
Single Family - Parcel 4				
SF 60	67	\$5,623,480.16	\$83,932.54	\$6,627.83
SF 55	0	\$0.00	\$0.00	\$0.00
SF 50	0	\$0.00	\$0.00	\$0.00
Bungalow 30-35	125	\$5,682,932.38	\$45,463.46	\$3,590.08
TH 25	76	\$2,657,863.76	\$34,971.89	\$2,761.60
TH 20	0	\$0.00	\$0.00	\$0.00
	268	\$13,964,276.30	ŶŨĨŨŨ	ţ.i
Single Family - Parcel 9				
SF 60	15	\$1,141,749.61	\$76,116.64	\$6,010.64
SF 55	12	\$832,246.18	\$69,353.85	\$5,476.6
SF 50	0	\$0.00	\$0.00	\$0.00
Bungalow 30-35	17	\$618,848.36	\$36,402.84	\$2,874.59
TH 25	0	\$0.00	\$0.00	\$0.00
TH 20	0	\$0.00	\$0.00	\$0.00
	44	\$2,592,844.14	ŶŨĨŨŨ	ţ.i
Multi-Family				
MF	678	\$4,680,696.75	\$6,903.68	\$545.16
	678	\$4,680,696.75	·	
Total Residential	1,303	\$38,191,877.01		
Non-Residential				
Office	75,000	\$647,220.24	\$8,629.60	\$681.45
Commercial	275,000	\$2,373,140.87	\$8,629.60	\$681.45
Industrial	1,500,000	\$5,177,761.89	\$3,451.84	\$272.58
Total Non-Residential	1,850,000	\$8,198,122.99		
Total		\$46,390,000.00		

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

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

WHEREAS, the District hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements comprising the District's overall capital improvement plan ("Project"), as described in the *Engineer's Report*, dated September 28, 2021 which is attached hereto as **Exhibit A** and incorporated herein by reference; and

WHEREAS, it is in the best interest of the District to pay for all or a portion of the cost of the Project by the levy of special assessments ("Assessments"), using the methodology set forth in that *Master Special Assessment Methodology Report*, dated September 28, 2021, which is attached hereto as **Exhibit B**, incorporated herein by reference, and on file with the District Manager at c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Records Office");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT:

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

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

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

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

- A. The total estimated cost of the Project is \$36,269,050, ("Estimated Cost"). The Project includes a master project for master improvements estimated to cost \$16,837,500, as well as neighborhood projects for Parcels 2, 4 and 9 estimated to cost \$19,431,550, which in its component parts includes the Parcel 2 Project in the amount of \$9,750,850, the Parcel 4 Project in the amount of \$8,223,650, and the Parcel 9 Project in the amount of \$1,457,050. The locations of Parcels 2, 4 and 9 are identified in the Engineer's Report but are subject to change based on final development plans.
- B. The Assessments will defray approximately \$46,390,000, which is the anticipated maximum par value of any bonds and which includes all or a portion of the Estimated Cost, as well as other financing-related costs, as set forth in Exhibit B, and which is in addition to interest and collection costs. On an annual basis, the Assessments will defray no more than \$3,664,353, per year, again as set forth in Exhibit B. Assessments (not including interest or collection costs) for specific projects include \$21,536,038 for Master Improvements across the District, \$12,471,844 for Residential Neighborhood Improvements across Parcel 2, \$10,518,476 for Residential Neighborhood Improvements across Parcel 4, and \$1,863,643 for Residential Neighborhood Improvements across Parcel 9, all as set forth in more detail in Exhibit B.
- The manner in which the Assessments shall be apportioned and paid is set forth in Exhibit B, as may be C. modified by supplemental assessment resolutions. The Assessments will constitute a "master" lien, which may be imposed without further public hearing in one or more separate liens each securing a series of bonds, and each as determined by supplemental assessment resolution. The supplemental assessment resolutions may identify the specific location(s) of parcels subject to Assessments for Neighborhood Improvements. With respect to each lien securing a series of bonds, the special assessments shall be paid in not more than (30) thirty yearly installments. The special assessments may be payable at the same time and in the same manner as are ad-valorem taxes and collected pursuant to Chapter 197. Florida Statutes; provided, however, that in the event the uniform non ad-valorem assessment method of collecting the Assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law, including but not limited to by direct bill. The decision to collect special assessments by any particular method - e.g., on the tax roll or by direct bill - does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

5. **DESIGNATING THE LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED**. The portion of the Assessments securing the Project and related to the Master Improvements shall be levied on all developable lands within the District, and the portion of the Assessments securing the Project and related to the Neighborhood Improvements shall be levied on Parcels 2, 4 and 9, as described in **Exhibit B**, and as further designated by the assessment plat hereinafter provided for.

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

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

Ad Number Insertion Nu Size: Color Type:

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umber

 Publication Date:
 11/22/2021
 Color Type

 This E-Sheet(R) is provided as conclusive evidence that the ad appeared in The Orlando Sentinel

**The total revenue is not expected to exceed \$46,390,000, not including interest or collection costs.

The assessments may be prepaid in whole at any time, or in some instances in part, or may be paid in not more than thirty (30) annual installments subsequent to the issuance of debt to finance the improvements. These annual assessments will be collected on the County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments.

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

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

District Manager

RESOLUTION 2021-26

[DECLARING RESOLUTION FOR MASTER PROJECT AND NEIGHBORHOOD PROJECTS FOR PARCELS 2, 4 AND 9]

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE RIDGE AT APOPKA 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 170.07 and 197.3632(4)(b), *Florida Statutes*, among other provisions of Florida law, there are hereby declared two public hearings to be held as follows:

December 7, 2021
2:30 p.m.
Office of GrayRobinson, P.A.
301 East Pine Street, Suite 1400 Orlando, Florida 32801

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

Notice of said hearings shall be advertised in accordance with Chapters 170, 190 and 197, *Florida Statutes*, and the District Manager is hereby authorized and directed to place said notice in a newspaper of general circulation within Orange County (by two publications one week apart with the first publication at least twenty (20) days prior to the date of the hearing established herein). The District Manager shall file a publisher's affidavit with the District Secretary verifying such publication of notice. The District Manager is further authorized and directed to give thirty (30) days written notice by mail of the time and place of this hearing to the owners of all property to be assessed and include in such notice the amount of the assessment for each such property owner, a description of the areas to be improved and notice that information concerning all assessments may be ascertained at the District Records Office. The District Manager shall file proof of such mailing by affidavit with the District Secretary.

 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 Orange County and to provide such other notice as may be required by law or desired in the best interests of the District.

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

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

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

PASSED AND ADOPTED this 28th day of September, 2021.

RIDGE AT APOPKA Community development district

<u>s/ Craig Wrathell</u> Secretary

ATTEST

<u>s/ Craig Perry</u> Vice Chair, Board of Supervisors

Exhibit A: Engineer's Report, dated September 28, 2021

Exhibit B: Master Special Assessment Methodology Report, dated September 28, 2021



RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT





U.S. Postal Service [™] CERTIFIED MAIL [®] RECEIPT Domestic Mail Only
For delivery information, visit our website at www.usps.com [®] .
OFFICIAL USE
Certified Mail Fee
Return Receipt (electronic) \$ Postmark
Certified Mail Restricted Delivery \$ Here
Adult Signature Required \$
Postage
Apopka Centerline Development LLC
15481 SW 12th Street
Sent To Suite 309
Street and Sunrise, FL 33326
City, State PS Form 3800 April 2015 PSN 7530-02-000-9047 See Reverse for Instructions









Ridge at Apopka 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

November 6, 2021

Apopka Centerline Development LLC 15481 SW 12th Street Suite 309 Sunrise, FL 33326

Parcel Number(s): 17-21-28-0000-00-006

RE: Ridge at Apopka Community Development District ("District") Notice of Hearings on Debt Assessments

Dear Property Owner:

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

PUBLIC HEARINGS AND MEETING

-
December 7, 2021
2:30 p.m.
Office of Gray Robinson, P.A.
301 East Pine Street, Suite 1400
Orlando, Florida 32801

The purpose of the public hearings announced above is to consider the imposition of special assessments ("Debt Assessments"), and adoption of assessment rolls to secure proposed bonds, on benefited lands within the District, and, to provide for the levy, collection and enforcement of the Debt Assessments. The proposed bonds secured by the Debt Assessments are intended to finance certain public infrastructure improvements, including, but not limited to, stormwater management, water and sewer utilities, landscape, irrigation, lighting, and other infrastructure improvements (together, "Project"), benefitting certain lands within the District. The Project is described in more detail in the Engineer's Report for the Ridge at Apopka Community Development District, dated September 28, 2021 ("Engineer's Report"). Specifically, the Project includes a Master Infrastructure Project benefitting all lands within the District, as well as a Parcel 2 Project, Parcel 4 Project and Parcel 9 Project benefitting lands within Parcels 2, 4 and 9, respectively, and as identified in the Engineer's Report. The Debt Assessments are proposed to be levied as one or more assessment liens and allocated to the benefitted lands within various assessment areas, as set forth in the Master Special Assessment Methodology Report, dated September 28, 2021 ("Assessment Report"). Copies of the Engineer's Report and Assessment Report are attached hereto. As required by Chapters 170, 190 and 197, Florida Statutes, the Assessment Report, together with the Engineer's Report, describe in more detail the purpose of the Debt Assessments; the total amount to be levied against each parcel of land within the District; the units of measurement to be applied against each parcel to determine the Debt Assessments; the number of such units contained within each parcel; and the total revenue the District will collect by the Debt Assessments. At the conclusion of the public hearings, the Board will, by resolution, levy and impose the Debt Assessments as finally approved by the Board. A special

meeting of the District will also be held where the Board may consider any other business that may properly come before it.

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

The District is located entirely within the City of Apopka, Florida, and consists of approximately 403.9 acres of land. The site is generally located east of S Binion Road, just north of the intersection of State Roads 429 (Western Beltway) and 414, and west of Ocoee Apopka Road. All lands within the District are expected to be improved in accordance with the reports identified above. A geographic description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the "**District's Office**" located at c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (877)276-0889. Also, a copy of the agendas and other documents referenced herein may be obtained from the District Office.

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

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

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

Sincerely,

Swither

Craig Wrathell District Manager

ATTACHMENTS: Engineer's Report and Assessment Report (with Legal Descriptions of Lands)

Ridge at Apopka 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

November 6, 2021

Binion Partners LLC PO Box 1069 Apopka, FL 32704-1069

Parcel Number(s): 17-21-28-0000-00-008

RE: Ridge at Apopka Community Development District ("District") Notice of Hearings on Debt Assessments

Dear Property Owner:

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

PUBLIC HEARINGS AND MEETING

DATE:	December 7, 2021
TIME:	2:30 p.m.
LOCATION:	Office of Gray Robinson, P.A.
	301 East Pine Street, Suite 1400
	Orlando, Florida 32801

The purpose of the public hearings announced above is to consider the imposition of special assessments ("Debt Assessments"), and adoption of assessment rolls to secure proposed bonds, on benefited lands within the District, and, to provide for the levy, collection and enforcement of the Debt Assessments. The proposed bonds secured by the Debt Assessments are intended to finance certain public infrastructure improvements, including, but not limited to, stormwater management, water and sewer utilities, landscape, irrigation, lighting, and other infrastructure improvements (together, "Project"), benefitting certain lands within the District. The Project is described in more detail in the Engineer's Report for the Ridge at Apopka Community Development District, dated September 28, 2021 ("Engineer's Report"). Specifically, the Project includes a Master Infrastructure Project benefitting all lands within the District, as well as a Parcel 2 Project, Parcel 4 Project and Parcel 9 Project benefitting lands within Parcels 2, 4 and 9, respectively, and as identified in the Engineer's Report. The Debt Assessments are proposed to be levied as one or more assessment liens and allocated to the benefitted lands within various assessment areas, as set forth in the Master Special Assessment Methodology Report, dated September 28, 2021 ("Assessment Report"). Copies of the Engineer's Report and Assessment Report are attached hereto. As required by Chapters 170, 190 and 197, Florida Statutes, the Assessment Report, together with the Engineer's Report, describe in more detail the purpose of the Debt Assessments; the total amount to be levied against each parcel of land within the District; the units of measurement to be applied against each parcel to determine the Debt Assessments; the number of such units contained within each parcel; and the total revenue the District will collect by the Debt Assessments. At the conclusion of the public hearings, the Board will, by resolution, levy and impose the Debt Assessments as finally approved by the Board. A special

meeting of the District will also be held where the Board may consider any other business that may properly come before it.

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

Sincerely,

Swither

Craig Wrathell District Manager

ATTACHMENTS: Engineer's Report and Assessment Report (with Legal Descriptions of Lands)

Ridge at Apopka 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

November 6, 2021

Kirkland John Kirkland Donna Marie Robertson 1920 Boy Scout Rd Apopka, FL 32703-8347

Parcel Number(s): 17-21-28-0000-00-030 and 17-21-28-0000-00-015

RE: Ridge at Apopka Community Development District ("District") Notice of Hearings on Debt Assessments

Dear Property Owner:

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

PUBLIC HEARINGS AND MEETING

-
December 7, 2021
2:30 p.m.
Office of Gray Robinson, P.A.
301 East Pine Street, Suite 1400
Orlando, Florida 32801

The purpose of the public hearings announced above is to consider the imposition of special assessments ("Debt Assessments"), and adoption of assessment rolls to secure proposed bonds, on benefited lands within the District, and, to provide for the levy, collection and enforcement of the Debt Assessments. The proposed bonds secured by the Debt Assessments are intended to finance certain public infrastructure improvements, including, but not limited to, stormwater management, water and sewer utilities, landscape, irrigation, lighting, and other infrastructure improvements (together, "Project"), benefitting certain lands within the District. The Project is described in more detail in the Engineer's Report for the Ridge at Apopka Community Development District, dated September 28, 2021 ("Engineer's Report"). Specifically, the Project includes a Master Infrastructure Project benefitting all lands within the District, as well as a Parcel 2 Project, Parcel 4 Project and Parcel 9 Project benefitting lands within Parcels 2, 4 and 9, respectively, and as identified in the Engineer's Report. The Debt Assessments are proposed to be levied as one or more assessment liens and allocated to the benefitted lands within various assessment areas, as set forth in the Master Special Assessment Methodology Report, dated September 28, 2021 ("Assessment Report"). Copies of the Engineer's Report and Assessment Report are attached hereto. As required by Chapters 170, 190 and 197, Florida Statutes, the Assessment Report, together with the Engineer's Report, describe in more detail the purpose of the Debt Assessments; the total amount to be levied against each parcel of land within the District; the units of measurement to be applied against each parcel to determine the Debt Assessments; the number of such units contained within each parcel; and the total revenue the District will collect by the Debt Assessments. At the conclusion of the public hearings, the Board will, by resolution, levy and impose the Debt Assessments as finally approved by the Board. A special

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

Sincerely,

Swither

Craig Wrathell District Manager

ATTACHMENTS: Engineer's Report and Assessment Report (with Legal Descriptions of Lands)

Ridge at Apopka 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

November 6, 2021

Shirley Kelly W 1885 Boy Scout Rd Apopka, FL 32703-8314

Parcel Number(s): 17-21-28-0000-00-003

RE: Ridge at Apopka Community Development District ("District") Notice of Hearings on Debt Assessments

Dear Property Owner:

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

PUBLIC HEARINGS AND MEETING

DATE:	December 7, 2021
TIME:	2:30 p.m.
LOCATION:	Office of Gray Robinson, P.A.
	301 East Pine Street, Suite 1400
	Orlando, Florida 32801

The purpose of the public hearings announced above is to consider the imposition of special assessments ("Debt Assessments"), and adoption of assessment rolls to secure proposed bonds, on benefited lands within the District, and, to provide for the levy, collection and enforcement of the Debt Assessments. The proposed bonds secured by the Debt Assessments are intended to finance certain public infrastructure improvements, including, but not limited to, stormwater management, water and sewer utilities, landscape, irrigation, lighting, and other infrastructure improvements (together, "Project"), benefitting certain lands within the District. The Project is described in more detail in the Engineer's Report for the Ridge at Apopka Community Development District, dated September 28, 2021 ("Engineer's Report"). Specifically, the Project includes a Master Infrastructure Project benefitting all lands within the District, as well as a Parcel 2 Project, Parcel 4 Project and Parcel 9 Project benefitting lands within Parcels 2, 4 and 9, respectively, and as identified in the Engineer's Report. The Debt Assessments are proposed to be levied as one or more assessment liens and allocated to the benefitted lands within various assessment areas, as set forth in the Master Special Assessment Methodology Report, dated September 28, 2021 ("Assessment Report"). Copies of the Engineer's Report and Assessment Report are attached hereto. As required by Chapters 170, 190 and 197, Florida Statutes, the Assessment Report, together with the Engineer's Report, describe in more detail the purpose of the Debt Assessments; the total amount to be levied against each parcel of land within the District; the units of measurement to be applied against each parcel to determine the Debt Assessments; the number of such units contained within each parcel; and the total revenue the District will collect by the Debt Assessments. At the conclusion of the public hearings, the Board will, by resolution, levy and impose the Debt Assessments as finally approved by the Board. A special

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

Sincerely,

Swither

Craig Wrathell District Manager

ATTACHMENTS: Engineer's Report and Assessment Report (with Legal Descriptions of Lands)

Ridge at Apopka 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

November 6, 2021

Troy S Bronson Family L P PO Box 1069 Apopka, FL 32704-1069

Parcel Number(s): 17-21-28-0000-00-007, 17-21-28-0000-00-012, 17-21-28-0000-00-017, 17-21-28-0000-00-018, 17-21-28-0000-00-023, 18-21-28-0000-00-013 and 18-21-28-0000-00-032

RE: Ridge at Apopka Community Development District ("District") Notice of Hearings on Debt Assessments

Dear Property Owner:

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

PUBLIC HEARINGS AND MEETING

DATE:	December 7, 2021				
TIME:	2:30 p.m.				
LOCATION:	Office of Gray Robinson, P.A.				
	301 East Pine Street, Suite 1400				
	Orlando, Florida 32801				

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

Sincerely,

Swither

Craig Wrathell District Manager

ATTACHMENTS: Engineer's Report and Assessment Report (with Legal Descriptions of Lands)

Ridge at Apopka 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

November 6, 2021

Troy S Bronson Family L P Attn: Stuart Bronson 1400 Ocoee Apopka Rd Apopka, FL 32703-9207

Parcel Number(s): 18-21-28-0000-00-014

RE: Ridge at Apopka Community Development District ("District") Notice of Hearings on Debt Assessments

Dear Property Owner:

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

PUBLIC HEARINGS AND MEETING

DATE:	December 7, 2021				
TIME:	2:30 p.m.				
LOCATION:	Office of Gray Robinson, P.A.				
	301 East Pine Street, Suite 1400				
	Orlando, Florida 32801				

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Sincerely,

Swither

Craig Wrathell District Manager

ATTACHMENTS: Engineer's Report and Assessment Report (with Legal Descriptions of Lands)

Ridge at Apopka 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

November 6, 2021

Troy S Bronson Revocable Trust C/O Troy S Bronson PO Box 1069 Apopka, FL 32704-1069

Parcel Number(s): 17-21-28-0000-00-028

RE: Ridge at Apopka Community Development District ("District") Notice of Hearings on Debt Assessments

Dear Property Owner:

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

PUBLIC HEARINGS AND MEETING

DATE:	December 7, 2021			
TIME:	2:30 p.m.			
LOCATION:	Office of Gray Robinson, P.A.			
	301 East Pine Street, Suite 1400			
	Orlando, Florida 32801			

The purpose of the public hearings announced above is to consider the imposition of special assessments ("Debt Assessments"), and adoption of assessment rolls to secure proposed bonds, on benefited lands within the District, and, to provide for the levy, collection and enforcement of the Debt Assessments. The proposed bonds secured by the Debt Assessments are intended to finance certain public infrastructure improvements, including, but not limited to, stormwater management, water and sewer utilities, landscape, irrigation, lighting, and other infrastructure improvements (together, "Project"), benefitting certain lands within the District. The Project is described in more detail in the Engineer's Report for the Ridge at Apopka Community Development District, dated September 28, 2021 ("Engineer's Report"). Specifically, the Project includes a Master Infrastructure Project benefitting all lands within the District, as well as a Parcel 2 Project, Parcel 4 Project and Parcel 9 Project benefitting lands within Parcels 2, 4 and 9, respectively, and as identified in the Engineer's Report. The Debt Assessments are proposed to be levied as one or more assessment liens and allocated to the benefitted lands within various assessment areas, as set forth in the Master Special Assessment Methodology Report, dated September 28, 2021 ("Assessment Report"). Copies of the Engineer's Report and Assessment Report are attached hereto. As required by Chapters 170, 190 and 197, Florida Statutes, the Assessment Report, together with the Engineer's Report, describe in more detail the purpose of the Debt Assessments; the total amount to be levied against each parcel of land within the District; the units of measurement to be applied against each parcel to determine the Debt Assessments; the number of such units contained within each parcel; and the total revenue the District will collect by the Debt Assessments. At the conclusion of the public hearings, the Board will, by resolution, levy and impose the Debt Assessments as finally approved by the Board. A special

meeting of the District will also be held where the Board may consider any other business that may properly come before it.

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

The District is located entirely within the City of Apopka, Florida, and consists of approximately 403.9 acres of land. The site is generally located east of S Binion Road, just north of the intersection of State Roads 429 (Western Beltway) and 414, and west of Ocoee Apopka Road. All lands within the District are expected to be improved in accordance with the reports identified above. A geographic description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the "**District's Office**" located at c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (877)276-0889. Also, a copy of the agendas and other documents referenced herein may be obtained from the District Office.

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

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

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

Sincerely,

Swither

Craig Wrathell District Manager

ATTACHMENTS: Engineer's Report and Assessment Report (with Legal Descriptions of Lands)

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



ENGINEER'S REPORT

PREPARED FOR:

BOARD OF SUPERVISORS RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

ENGINEER:

VHB

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September 28, 2021

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

ENGINEER'S REPORT

1. INTRODUCTION

The purpose of this report is to provide a description of the capital improvement plan ("CIP") and estimated costs of the CIP, for the Ridge at Apopka Community Development District ("District").

This Report is submitted based upon our professional opinion and is based on the best available information, and our best knowledge and belief as of the date of this Report.

2. GENERAL SITE DESCRIPTION

The District is located entirely within the City of Apopka, Florida. It is located just north of the intersection of State Roads 429 (Western Beltway) and 414. **Exhibit A** attached hereto shows the boundaries and legal description of the District.

3. PROPOSED CIP

The CIP is intended to provide public infrastructure improvements for the lands within the District, which lands are planned for up to 625 residential homes, 678 apartments, approximately 350,000 square feet of commercial and office space, and 1,500,000 square feet of industrial uses. The proposed site plan for the District is attached as **Exhibit B** to this report. The following chart shows the planned product types and land uses for each parcel within the District, which is subject to change:

Parcel	Land Use	Gross Acres	Units
Parcel 1	Commercial	29.2	100,000
Parcel 2	Residential	79.2	313
Parcel 3.1	Multi-Family	16.0	300
Parcel 3.2	Office	8.1	75,000
Parcel 3.3	Commercial	6.0	25,000
Parcel 4	Residential	58.3	268
Parcel 5	Industrial	78.2	1,500,000
Parcel 6.1	Multi-Family	20.4	378
Parcel 6.2	Commercial	8.4	150,000
Parcel 7	Not part of CIP;	N/A	N/A
	outside of CDD		
Parcel 8	Parcel 8 Lake/Recreation		0
Parcel 9	Residential	40	44
Total		403.4	

*NOTE: The District may or may not issue debt associated with certain parcels, and instead the land developer will contribute the public infrastructure related to such parcels and in order to offset the levy of any debt assessments that would otherwise be imposed on the parcels.

Generally speaking, the CIP includes both "Master Improvements" and "Residential Neighborhood Improvements." The Master Improvements function as a system of improvements benefitting all lands within the District. By contrast, the Residential Neighborhood Improvements benefit only the residential parcels to which they apply. The Residential Neighborhood Improvements are broken into three separate projects, including the Parcel 2 Project, Parcel 4 Project and Parcel 9 Project. While the exact configuration and location of these projects is not yet determined, the information set forth herein with respect to the neighborhood projects is probable based on existing plans.

The Residential Neighborhood Improvements are anticipated to serve the following lot types with Parcels 2, 4 and 9, although such lot types are subject to change:

Parcel	SF 60'	SF 55'	SF 50'	Bungalo w 30-35'	TH 25'	TH 20'	TOTAL
Parcel 2	89	69		60		95	313
Parcel 4	67			125	76		268
Parcel 9	15	12		17			44
TOTAL	171	81	0	202	76	95	625

In general, the Master Improvements include the following in association with developable land within the District.

- Roadway improvements (Streets A and B)
- Stormwater management systems
- Water, Sewer/wastewater, and reclaimed water improvements, including master lift station located.
- Hardscape, Landscape and Irrigation
- Street Lights/Undergrounding of Electrical Utility lines
- Recreational Amenities
- Environmental Conservation/Mitigation
- Offsite roadway improvements (intersection improvements to Boy Scout Road/Ocoee-Apopka Road, to Boy Scout Road and Binion Road, and to residential intersections along Boy Scout Road.
- Offsite utility improvements along Boy Scout Road, Ocoee Apopka Road and Marden Road.

In general, the Residential Neighborhood improvements include the following in association with the Parcels 2, 4 and 9.

- Internal roadway improvements
- Stormwater management systems
- Water, Sewer/wastewater, and reclaimed water improvements
- Hardscape, Landscape and Irrigation

More specifically, the CIP infrastructure includes:

Roadway Improvements:

The CIP includes subdivision roads within the District. Generally, all roads will be 2-lane undivided roads with periodic roundabouts. Such roads include the roadway asphalt, base, and subgrade, roadway curb and gutter, striping and signage and sidewalks within rights-of-way abutting non-lot lands. Sidewalks abutting lots will be constructed by the homebuilders. All roads will be designed in accordance with City standards.

All internal roadways may be financed by the District, and will be transferred to the City for ownership, operation and maintenance. Alternatively, the developer may elect to finance all or portions of the internal roads, gate them, and convey them to a homeowners association for ownership, operation and maintenance (in such an event, the District would be limited to financing only utilities, conservation/mitigation and stormwater improvements behind such gated areas).

There are no anticipated impact fee credits associated with the construction of any of the onsite roadways.

Stormwater Management System:

The stormwater collection and outfall system is a combination of roadway curbs, curb inlets, pipe, control structures and open lakes designed to treat and attenuate stormwater runoff from District lands. The stormwater system within the project is landlocked. The stormwater system will be designed consistent with the criteria established by the St. Johns River Water Management District and the City for stormwater/floodplain management systems. The District will finance, own, operate and maintain the stormwater system.

NOTE: No private earthwork is included in the CIP. Accordingly, the District will not fund any costs of mass grading of lots.

Water and Sewer/Wastewater and Reclaimed Utilities:

Onsite Improvements:

As part of the CIP, the District intends to construct and/or acquire water, sewer/wastewater and reclaimed water infrastructure. In particular, the on-site water supply improvements include water mains that will be located within rights-of-way and used for potable water service and fire protection. Water main connections will be made along Boy Scout Road, Binion Road and Ocoee Apopka Road.

Sewer and wastewater improvements for the project will include onsite 8-12" diameter gravity collection systems, and onsite lift stations. The offsite force main connection will be made at Marden Road and SR414 (approximately 6,500 LF).

Reclaimed water improvements for the project will include connections to existing reclaimed water mains along Boy Scout Road, Binion Road and Ocoee Apopka Road.

Offsite Improvements:

Offsite water improvements include 20-inch watermain extensions along Boy Scout Road from Street B to Binion Road (1,500 LF) and from Residential entrance to Breckinridge entrance road (1,400 LF).

Offsite force main improvements include a total of 7,500 LF of 20-inch force main (oversized from 8-inch to 20-inch) along Boy Scout Road, Ocoee Apopka Road and Marden Road.

Other:

All of the foregoing utilities systems will be completed by the District and then dedicated to the City for operation and maintenance.

There may be impact fee credits associated with the construction of the offsite utility improvements. Any such impact fee credits will be addressed through an acquisition agreement between the District and the Developer.

Hardscape, Landscape, and Irrigation:

The District will construct and/or install landscaping, irrigation and hardscaping within District common areas and rights-of-way. The irrigation system will consist of reclaimed water mains. Moreover, hardscaping will consist of entry features and signage.

The City has distinct design criteria requirements for planting and irrigation design. Therefore, this project will at a minimum meet those requirements but in most cases exceed the requirements with enhancements for the benefit of the community.

All such landscaping, irrigation and hardscaping will be owned, maintained and funded by the District.

Street Lights / Undergrounding of Electrical Utility Lines

Street lights are not included within the CIP, but instead may be leased through an agreement with the Duke Energy, in which case the District would fund the street lights through an annual operations and maintenance assessment.

The CIP does however include the undergrounding of electrical utility lines within right-of-way utility easements throughout the community. Any lines and transformers located in such areas would be owned by Duke Energy and not paid for by the District as part of the CIP.

Recreational Amenities:

In conjunction with the construction of the CIP, the District intends to construct recreational facilities, including picnic covered and outdoor seating areas, bike paths and racks, open air pavilion, viewing benches, dock, dog park, playground, community garden and walking paths. The District may or may not also finance additional amenities, parks and other common areas for the

benefit of the District. These improvements will be funded, owned and maintained by the District, or alternatively may be funded by the developer and turned over to a homeowners' association for ownership, operation and maintenance. All such improvements are considered common elements for the benefit of the District landowners.

Environmental Conservation/Mitigation

There are 1.18 acres of forested and herbaceous wetland impacts and 5.10 acres of surface water impacts associated with the proper construction of the District's infrastructure which will require 0.47 bank credits mitigation. The District will be responsible for the design, permitting, construction, maintenance, and government reporting of the environmental mitigation. These costs are included within the CIP.

Off-Site Improvements

Offsite roadway improvements include intersection improvements to Boy Scout Road/Ocoee-Apopka Road, to Boy Scout Road and Binion Road, and to residential intersections along Boy Scout Road. These improvements will consist of turn lane improvements, regrading and traffic signals or roundabouts.

There may be impact fee credits associated with the construction of the offsite improvements. Any such impact fee credits will be addressed through an acquisition agreement between the District and the Developer.

Professional Services

The CIP also includes various professional services. These include: (i) engineering, surveying and architectural fees, (ii) permitting and plan review costs, and (iii) development/construction management services fees that are required for the design, permitting, construction, and maintenance acceptance of the public improvements and community facilities.

The following table shows who will finance, own and operate the various improvements of the CIP.

TABLE 1A MASTER IMPROVEMENTS				
FACILITY	FUNDED BY	OWNED BY	MAINTAINED BY	
Stormwater Improvements	CDD	CDD/City	CDD/City	
Roadways	CDD	CDD/City	CDD/City	
Water, Sewer & Wastewater Utilities	CDD	CDD/City	CDD/City	
Lift Station	CDD	CDD/City	CDD/City	
Hardscape/Landscape & Irrigation	CDD	CDD	CDD	
Traffic Signalization	CDD	City	City	
Conservation Areas	CDD	CDD	CDD	
Amenities	CDD	CDD	CDD	
Offsite Roadways	CDD	City/County	City/County	
Offsite Utilities	CDD	City	City	
Undergrounding of Electric	CDD	CDD	CDD	

TABLE 1B RESIDENTIAL NEIGHBORHOOD IMPROVEMENTS				
FACILITY	FUNDED BY	OWNED BY	MAINTAINED BY	
Stormwater Improvements	CDD	CDD/City	CDD/City	
Roadways	CDD	CDD/City	CDD/City	
Water, Sewer & Wastewater Utilities	CDD	CDD/City	CDD/City	
Lift Station	CDD	CDD/City	CDD/City	
Hardscape/Landscape & Irrigation	CDD	CDD	CDD	

4. PERMITTING/CONSTRUCTION COMMENCEMENT

All necessary permits for the construction of the CIP have either been obtained or are currently under review by respective governmental authorities, and include the following:

<u>TABLE 2A – MASTER IMPROVEMENTS</u>			
PERMIT	STATUS		
City of Apopka – Comprehensive Plan and Annexation	Approved		
City of Apopka – Zoning and PD Agreement	Approved		
City of Apopka – Major Development Plan	Submitted, Under Review		
City of Apopka – Site Development Plans – Spine Road	To be Submitted		
City of Apopka – Site Development Plans – Offsite Utility	To Be Submitted		
Orange County E-Permit – Offsite Intersection	To Be Submitted		
SJRWMD – Environmental Resource Permit	Submitted, Under Review		
FEMA CLOMR	To be Submitted		
FDEP/ACOE Environmental Determination/Permit	To be Submitted		
FDEP Water Construction	To be Submitted		
FDEP Wastewater Construction	To Be Submitted		

TABLE 2B – RESIDENTIAL NEIGHBORHOOD IMPROVEMENTS			
PERMIT	STATUS		
City of Apopka – Comprehensive Plan and Annexation	Approved		
City of Apopka – Zoning and PD Agreement	Approved		
City of Apopka – Major Development Plan	Submitted, Under Review		
City of Apopka – Site Development Plans (per Parcel)	To be Submitted		
SJRWMD – Environmental Resource Permit	To be Submitted		
FEMA CLOMR	To be Submitted		
FDEP Water Construction	To be Submitted		
FDEP Wastewater Construction	To Be Submitted		

5. OPINION OF PROBABLE CONSTRUCTION COSTS

Table 3 show below presents, among other things, the Opinion of Probable Cost for the CIP. It is our professional opinion that the costs set forth in Table 3 are reasonable and consistent with market pricing, both for the Master Improvements and Residential Neighborhood CIP.

MASTER IMPROVEMENTS	COSTS
Stormwater Improvements	\$1,400,000.00
Roadways	\$2,900,000.00
Water, Sewer & Wastewater Utilities	\$750,000.00
Lift Station	\$500,000.00
Hardscape, Landscape & Irrigation	\$1,000,000.00
Traffic Signalization	\$1,500,000.00
Conservation Areas	\$200,000.00
Amenities	\$1,000,000.00
Offsite Roadways	\$2,500,000.00
Offsite Utilities	\$1,200,000.00
Undergrounding of Electric	\$520,000.00
Soft Costs for Master Improvements	\$1,347,000.00
Contingency	\$2,020,500.00
TOTAL MASTER COSTS	\$16,837,500.00

TABLE 3 COST ESTIMATE

RESID. NEIGHBORHOOD IMPROVEMENTS	COSTS
	TOTAL COST
Stormwater Improvements	\$2,464,489.27
Roadways	\$5,118,554.63
Water, Sewer & Wastewater Utilities	\$3,033,217.56
Lift Stations	\$2,654,065.37
Hardscape, Landscape & Irrigation	\$2,274,913.17
Soft Costs for Neighborhood Improvements	\$1,554,524.00
Contingency	\$2,331,786.00
TOTAL NEIGHBORHOOD COSTS	\$19,431,550.00

TOTAL FOR ENTIRE CIP

\$36,269,050.00

* The probable costs estimated herein do not include anticipated carrying cost, interest reserves or other anticipated CDD expenditures that may be incurred.

**Pursuant to that certain *CDD Development Agreement – Ridge at Apopka*, between the District and the developer, the developer will contribute certain work product and improvements to the District in lieu of the District imposing special assessments on certain parcels within the District.

The following Table 4 shows the relative allocation of costs to each of the developable parcels. Please note however that the allocation of Master Improvements is for illustrative purposes only because the Master Improvements function as a system of improvements benefitting the entire project, and any allocation of costs and/or assessments will be as provided in an assessment methodology report prepared by the District's assessment consultant. Neighborhood costs are specific to Parcels 2, 4 and 9.

Parcel	Land Use	Gross Acres	Units	Allocation Master Imp.	Allocation Res. Neigh. Imp.	% Allocation	Cost Allocation
Parcel 1	Commercial	29.2	100,000	\$ 374,947.81		1.03%	\$ 374,947.81
Parcel 2	Residential	79.2	313	\$ 3,332,869.40	\$ 9,750,850.00	36.07%	\$ 13,083,719.40
Parcel 3.1	Multi-Family	16.0	300	\$ 1,952,853.17		5.38%	\$ 1,952,853.17
Parcel 3.2	Office	8.1	75,000	\$ 281,210.86		0.78%	\$ 281,210.86
Parcel 3.3	Commercial	6.0	25,000	\$ 93,736.95		0.26%	\$ 93,736.95
Parcel 4	Residential	58.3	268	\$ 3,905,706.33	\$ 8,223,650.00	33.44%	\$ 12,129,356.33
Parcel 5	Industrial	78.2	1,500,000	\$ 3,254,755.28		8.97%	\$ 3,254,755.28
Parcel 6.1	Multi-Family	20.4	378	\$ 2,460,594.99		6.78%	\$ 2,460,594.99
Parcel 6.2	Commercial	8.4	150,000	\$ 562,421.71		1.55%	\$ 562,421.71
Future	Residential	40.0	44	\$ 618,403.50	\$ 1,457,050.00	5.72%	\$ 2,075,453.50
Total		343.8		\$ 16,837,500.00	\$19,431,550.00	100.00%	\$ 36,269,050.00

TABLE 4 COST ALLOCATION CHART

6. CONCLUSIONS

The CIP will be designed in accordance with current governmental regulations and requirements. The CIP will serve its intended function so long as the construction is in substantial compliance with the design.

It is further our opinion that:

- The estimated cost to the CIP as set forth herein is reasonable based on prices currently being experienced in Orange County, Florida, and is not greater than the lesser of the actual cost of construction or the fair market value of such infrastructure;
- All of the improvements comprising the CIP are required by applicable development approvals;
- The CIP is feasible to construct, there are no technical reasons existing at this time that would prevent the implementation of the CIP, and it is reasonable to assume that all necessary regulatory approvals will be obtained in due course;
- The reasonably expected economic life of the CIP is anticipated to be at least 20+ years;
- All of the assessable property within the District will receive a special benefit from the Master Improvements that is at least equal to such costs; and
- The single-family residential parcels will each receive a special benefit from their respective Residential Neighborhood Improvements that is at least equal to such costs.

The professional service for establishing the Construction Cost Estimate is consistent with the degree of care and skill exercised by members of the same profession under similar circumstances.

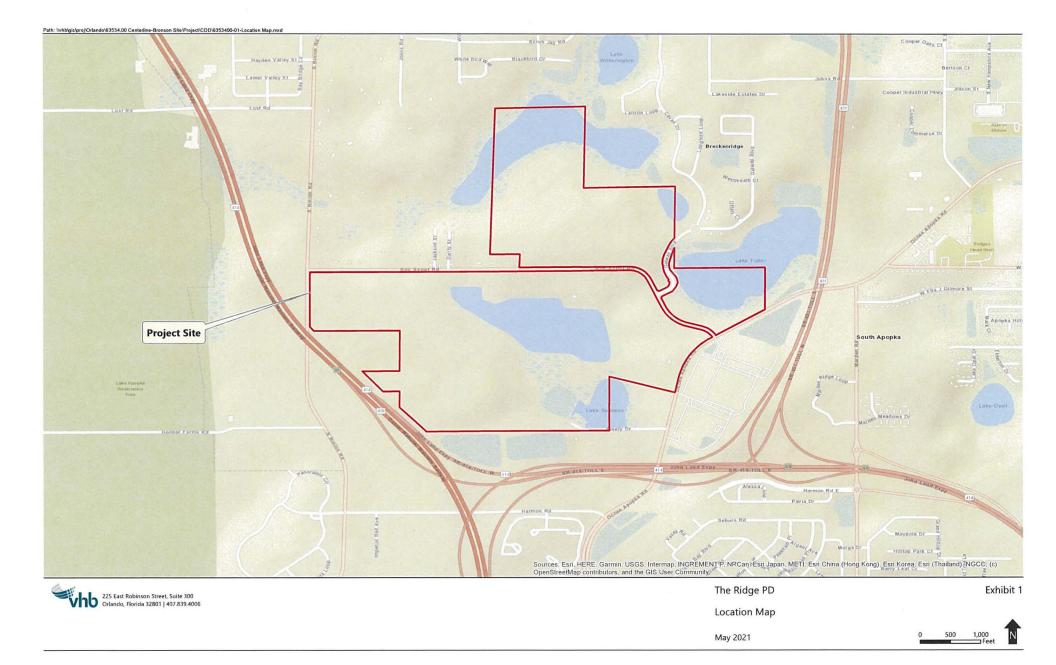
The CIP will be owned by the District or other governmental units and such CIP is intended to be available and will reasonably be available for use by the general public, including nonresidents of the District. All of the CIP is or will be located on lands owned or to be owned by the District or another governmental entity or on public easements in favor of the District or other governmental entity. The CIP, and any cost estimates set forth herein, do not include any earthwork, grading or other improvements on private lots or property. Regarding any fill generated by construction of the CIP, and that is not used as part of the CIP, such fill will only be placed on-site where the cost of doing so is less expensive than hauling such fill off-site.

Please note that the CIP as presented herein is based on the Major Development Plan as last submitted to City of Apopka in September, 2021 and that market conditions which are subject to change. Accordingly, the CIP, as used herein, refers to sufficient public infrastructure of the kinds described herein (i.e., stormwater/floodplain management, sanitary sewer, potable water, etc.) to support the development and sale of the planned residential units in the District, which (subject to true-up determinations) number and type of units may be changed with the development of the site. Stated differently, during development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans, and the District expressly reserves the right to do so.

VHB John Prowell, P.E. Date FL License No. 59469

John B. Digitally signed by John B. Prowell, PE Date: 2021.09.27 22:04:39 -04:00'

<u>Exhibit A</u>



LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTIONS 17 AND 18, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17. THENCE BUIN NORTH 88°47'33" FAST ALONG THE NORTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17 FOR A DISTANCE OF 1315.96 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 01°23'40" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1341.09 FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 89*15'43" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 1330.82 FEET TO THE EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 00°44'46" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 849.73 FEET TO THE WESTERLY RIGHT OF WAY LINE OF GALWAY BOULEVARD. BRECKINRIDGE PHASE 1, ACCORDING TO PLAT BOOK 64, PAGE 74 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT BEING A NON-TANGENT POINT OF A CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 495.00 FEET, A CENTRAL ANGLE OF 18*16'37", THE CHORD OF WHICH BEARS SOUTH 33*25'03" WEST FOR A DISTANCE OF 157.23 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY RIGHT OF WAY LINE FOR AN ARC LENGTH OF 157.90 FEET TO A POINT OF TANGENCY; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: SOUTH 24*16'44" WEST FOR A DISTANCE OF 163.85 FEET; THENCE RUN SOUTH 17*58'25" WEST FOR A DISTANCE OF 70.98 FEET; THENCE RUN SOUTH 01*37'19" WEST FOR A DISTANCE OF 88.67 FEET; THENCE RUN SOUTH 30*42'41" EAST FOR A DISTANCE OF 13.58 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 390.00 FEET, A CENTRAL ANGLE OF 27"54'38", THE CHORD OF WHICH BEARS SOUTH 14*29'08" EAST FOR A DISTANCE OF 188.11 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 189.98 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 28*26'27" EAST FOR A DISTANCE OF 76.12 FEET; THENCE RUN SOUTH 61*33'33" WEST FOR A DISTANCE OF 2.00 FEET: THENCE RUN SOUTH 15*14'28" WEST FOR A DISTANCE OF 12.59 FEET: THENCE RUN SOUTH 19*16'12" EAST FOR A DISTANCE OF 16.40 FEET; THENCE RUN SOUTH 65*31'52" EAST FOR A DISTANCE OF 11.39 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 95.00 FEET, A CENTRAL ANGLE OF 68*46'59", THE CHORD OF WHICH BEARS SOUTH 27*10'04" WEST FOR A DISTANCE OF 107.32 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 114.05 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 61*33'33" WEST FOR A DISTANCE OF 111.60 FEET; THENCE RUN NORTH 73*26'27" WEST FOR A DISTANCE OF 34.62 FEET TO A POINT HEREAFTER REFERRED TO AS POINT A, LYING ON THE NORTHERLY RIGHT OF WAY LINE OF BOY SCOUT ROAD, ACCORDING TO OFFICIAL RECORDS BOOK 1133, PAGE 608 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 24*58'39" WEST FOR A DISTANCE OF 217.41 FEFT TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 342.10 FEET, A CENTRAL ANGLE OF 65*18'17", THE CHORD OF WHICH BEARS NORTH 57*37'36" WEST FOR A DISTANCE OF 369.15 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 389.92 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 89*43'16" WEST FOR A DISTANCE OF 690.23 FEET; THENCE RUN NORTH 01*23'40" EAST FOR A DISTANCE OF 3.00 FEET; THENCE RUN SOUTH 89*43'16" WEST FOR A DISTANCE OF 912.02 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE RUN NORTH 02*03'11" EAST FOR A DISTANCE OF 220.18 FEET; THENCE RUN SOUTH 89*43'16" WEST FOR A DISTANCE OF 433.36 FEET TO THE WEST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 02*03'11" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 2408.71 FEET TO THE POINT OF BEGINNING.

CONTAINING: 5,215,102 SQUARE FEET OR 119.72 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH

COMMENCE AT THE AFOREMENTIONED POINT A: THENCE RUN SOUTH 24*58'39" EAST FOR A DISTANCE OF 141.34 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF SAID GALWAY BOULEVARD; THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 16"33'33" EAST FOR A DISTANCE OF 30.96 FEET: THENCE RUN NORTH 61"41'11" EAST FOR A DISTANCE OF 173.78 FEET; THENCE RUN NORTH 36*05'04" EAST FOR A DISTANCE OF 90.60 FEET; THENCE RUN NORTH 19*14'42" EAST FOR A DISTANCE OF 74.95 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE WESTERLY WITH A RADIUS OF 213.50 FEET, A CENTRAL ANGLE OF 25*16'34", THE CHORD OF WHICH BEARS NORTH 12*56'36" WEST FOR A DISTANCE OF 93.42 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 94.19 FEET TO A NON-TANGENT POINT; THENCE RUN NORTH 36*19'00" WEST FOR A DISTANCE OF 153.53 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE EASTERLY WITH A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 33*50'22", THE CHORD OF WHICH BEARS NORTH 01*03'14" EAST FOR A DISTANCE OF 174.62 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 177.18 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 17*58'25" EAST FOR A DISTANCE OF 149.75 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 405.00 FEET, A CENTRAL ANGLE OF 07'07'48", THE CHORD OF WHICH BEARS NORTH 21"32'19" EAST FOR A DISTANCE OF 50.37 FEET; THENCE RUN ALONG SAID CURVE FOR AN ARC LENGTH OF 50.40 FEET TO A NON-TANGENT POINT LYING ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 00°44'46" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 338.71 FEET TO THE NORTH LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 89*43'16" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 1322.50 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 00°26'42" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 690.44 FEET TO THE WESTERLY RIGHT OF WAY LINE OF OCOEE APOPKA ROAD AND A NON-TANGENT POINT OF A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 375.87 FEET, A CENTRAL ANGLE OF 06"25'02", THE CHORD OF WHICH BEARS SOUTH 56*26'10" WEST FOR A DISTANCE OF 42.08 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND SAID CURVE

FOR AN ARC LENGTH OF 42.10 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 59*38'41" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 791.31 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID BOY SCOUT ROAD AND A POINT HEREAFTER REFERRED TO AS POINT B, BEING A NON-TANGENT POINT OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 320.75 FEET, A CENTRAL ANGLE OF 44*12'53", THE CHORD OF WHICH BEARS NORTH 52*27'10" WEST FOR A DISTANCE OF 241.42 FEET: THENCE RUN NORTHWESTERLY ALONG SAID NORTHFRLY RIGHT OF WAY LINE AND SAID CURVE FOR AN ARC LENGTH OF 247.52 FEET TO A POINT OF TANGENCY; THENCE RUN ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 74*33'37" WEST FOR A DISTANCE OF 220.12 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 511.26 FEET, A CENTRAL ANGLE OF 49*34'58", THE CHORD OF WHICH BEARS NORTH 49*46'08" WEST FOR A DISTANCE OF 428.76 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 442.44 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 24*58'39" WEST FOR A DISTANCE OF 141.70 FEET TO THE POINT OF BEGINNING.

CONTAINING: 1,272,340 SQUARE FEET OR 29,21 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH

COMMENCE AT THE AFOREMENTIONED POINT B; THENCE RUN SOUTH 59*38'41" WEST FOR A DISTANCE OF 60.00 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF SAID OCOEE APOPKA ROAD WITH THE SOUTHERLY RIGHT OF WAY LINE OF SAID BOY SCOUT ROAD AND THE POINT OF BEGINNING: THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: SOUTH 59*38'41" WEST FOR A DISTANCE OF 31.35 FEET TO THE POINT OF CURVATURE OF A CONCAVE SOUTHEASTERLY WITH A RADIUS OF 984.93 FEET, A CENTRAL ANGLE OF 46*45'08", THE CHORD OF WHICH BEARS SOUTH 36°16'07" WEST FOR A DISTANCE OF 781.57 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 803.68 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 12*53'33" WEST FOR A DISTANCE OF 264.64 FEET TO THE NORTHERLY LINE OF A PARCEL AS DESCRIBED IN DEED BOOK 156, PAGE 168; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE RUN NORTH 74*37'52" WEST ALONG SAID NORTHERLY LINE FOR A DISTANCE OF 991.60 FEET TO THE WESTERLY LINE THEREOF; THENCE RUN SOUTH 00*22'08" WEST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 886.88 FEET TO THE SOUTH LINE OF SAID SECTION 17; THENCE RUN NORTH 89*59'43" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 1728.15 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 18; THENCE RUN SOUTH 89*54'43" WEST ALONG THE SOUTH LINE OF SAID SECTION 18 FOR A DISTANCE OF 936.11 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD 429, ACCORDING TO DEED BOOK 770, PAGE 209, OFFICIAL RECORDS BOOK 9046, PAGE 4349 & OFFICIAL RECORDS BOOK 9398, PAGE 1729 OF SAID PUBLIC RECORDS: THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 43*34'16" WEST FOR A DISTANCE OF 104.57 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 14808 00 FEET. A CENTRAL ANGLE OF 01*44'54" THE CHORD OF WHICH BEARS NORTH 44*26'37" WEST FOR A DISTANCE OF 451.84 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 451.86 FEET TO A NON-TANGENT POINT AND THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 18: THENCE RUN NORTH 00*33'55" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 264.76 FEET; THENCE DEPARTING SAID WEST LINE RUN SOUTH 89"58'55" WEST FOR A DISTANCE OF 241.14 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID STATE ROAD 429; THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 42*01'34" WEST FOR A DISTANCE OF 446.50 FEET; THENCE RUN NORTH 89*58'26" EAST FOR A DISTANCE OF 543.33 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 18: THENCE RUN NORTH 00"33'55" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 663.72 FEET; THENCE DEPARTING SAID WEST LINE RUN SOUTH 89*58'47" WEST FOR A DISTANCE OF 1250.31 FEET; THENCE RUN NORTH 38*59'13" WEST FOR A DISTANCE OF 91.06 FEET TO THE EAST RIGHT OF WAY LINE OF SOUTH BINION ROAD: THENCE RUN ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 00°14'15" EAST FOR A DISTANCE OF 742.29 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY WITH A RADIUS OF 5689.65 FEET, A CENTRAL ANGLE OF 01*30'53", THE CHORD OF WHICH BEARS NORTH 00*59'41" EAST FOR A DISTANCE OF 150.42 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 150.42 FEET TO A NON-TANGENT POINT LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID BOY SCOUT ROAD; THENCE RUN ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: SOUTH 89*58'43" EAST FOR A DISTANCE OF 2613.56 FEET; THENCE RUN NORTH 89*43'16" EAST FOR A DISTANCE OF 1345.54 FEET; THENCE RUN NORTH 00°22'08" EAST FOR A DISTANCE OF 3.00 FEET; THENCE RUN NORTH 89°43'16" EAST FOR A DISTANCE OF 691.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 282.10 FEET, A CENTRAL ANGLE OF 65*18'17", THE CHORD OF WHICH BEARS SOUTH 57*37'34" EAST FOR A DISTANCE OF 304.41 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 321.53 FEET TO A POINT OF TANGENCY: THENCE RUN SOUTH 24*58'39" EAST FOR A DISTANCE OF 500.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 571.26 FEET, A CENTRAL ANGLE OF 49*34'58", THE CHORD OF WHICH BEARS SOUTH 49*46'08" EAST FOR A DISTANCE OF 479.08 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 494.36 FEET TO A POINT OF TANGENCY: THENCE RUN SOUTH 74*33'37" EAST FOR A DISTANCE OF 220.12 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 260.75 FEET, A CENTRAL ANGLE OF 44°13'02", THE CHORD OF WHICH BEARS SOUTH 52°27'06" EAST FOR A DISTANCE OF 196.27 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 201.23 FEET TO THE POINT OF BEGINNING.

CONTAINING: 11,106,450 SQUARE FEET OR 254.97 ACRES OF LAND, MORE OR LESS.

COMBINED: 17.593.892 SQUARE FEET OR 403.90 ACRES OF LAND, MORE OR LESS.

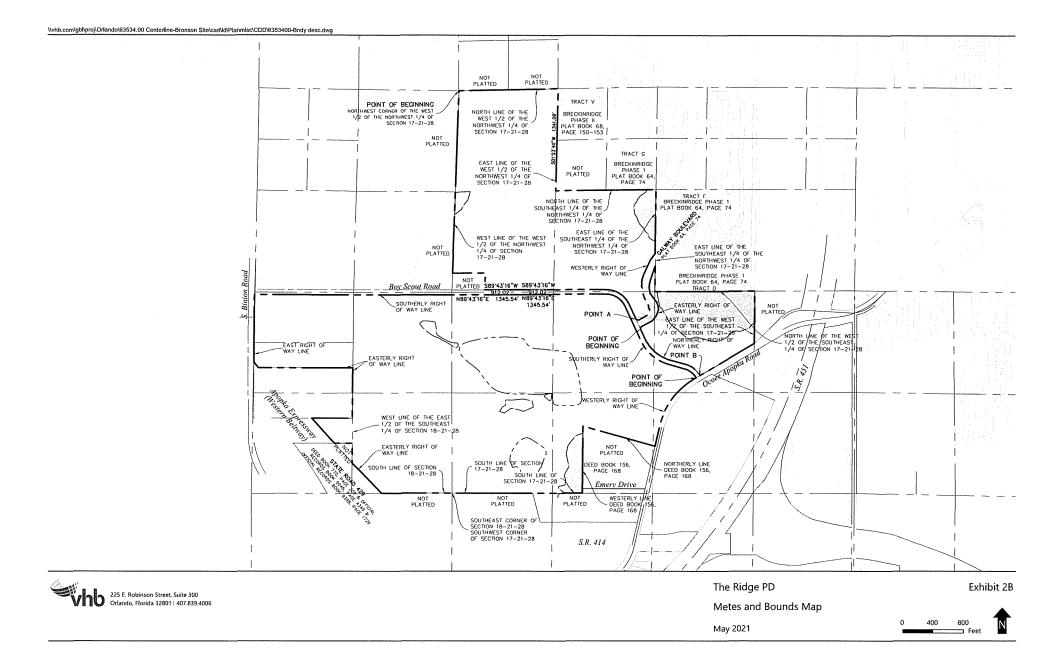


The Ridge PD

Exhibit 2A

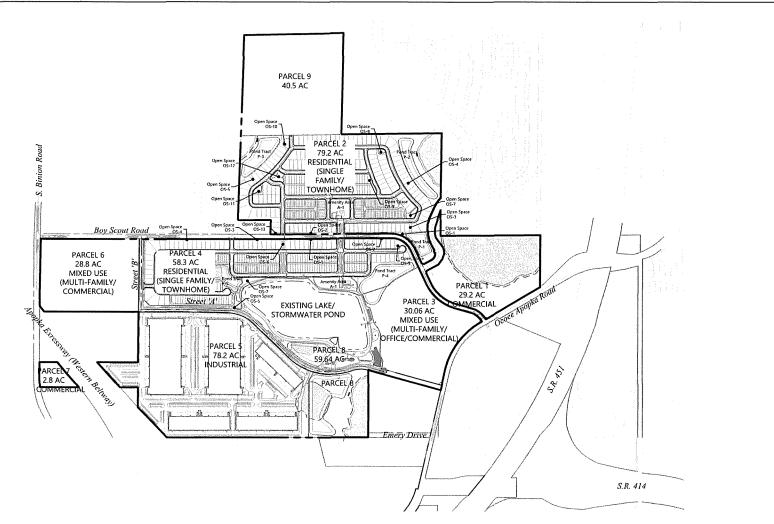
Metes and Bounds Description

May 2021



<u>Exhibit B</u>

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Vinb 225 E. Robinson Street, Suite 300 Orlando, Florida 32801 407.839.4006	The Ridge PD	Exhibit B
Orlando, Florida 32801 407.839.4006	Master Site Plan	
	September 2021	0 800 1,600 N

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

Master Special Assessment Methodology Report

September 28, 2021



Provided by:

Wrathell, Hunt and Associates, LLC 2300 Glades Road, Suite 410W Boca Raton, FL 33431 Phone: 561-571-0010 Fax: 561-571-0013 Website: www.whhassociates.com

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1.0 Introduction

1.1 Purpose

This Master Special Assessment Methodology Report (the "Report") was developed to provide a master financing plan and a master special assessment methodology for the Ridge at Apopka Community Development District (the "District"), located in the City of Apopka, Florida, as related to funding the costs of the acquisition and construction of public infrastructure improvements contemplated to be provided by the District.

1.2 Scope of the Report

This Report presents Projections for funding the District's public infrastructure improvements (the "Capital Improvement Plan") as described in the Engineer's Report of VHB dated September 28, 2021 (the "Engineer's Report"), as well as describes the method for the allocation of special benefits and the apportionment of special assessment debt resulting from the provision and funding of the Capital Improvement Plan with proceeds of indebtedness contemplated to be issued by the District.

1.3 Special Benefits and General Benefits

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

There is no doubt that the general public, property owners, and property outside the District will benefit from the provision of the Capital Improvement Plan. However, these benefits are only incidental since the Capital Improvement Plan is designed solely to provide special benefits peculiar to property within the District. Properties outside the District are not directly served by the Capital Improvement Plan and do not depend upon the Capital Improvement Plan to obtain or to maintain their development entitlements. This fact alone clearly distinguishes the special benefits which District properties receive compared to those lying outside of the District's boundaries. The Capital Improvement Plan will provide infrastructure and improvements which are all necessary in order to make the lands within the District developable and saleable. The installation of such improvements will cause the value of the developable and saleable lands within the District to increase by more than the sum of the financed cost of the individual components of the Capital Improvement Plan. Even though the exact value of the benefits provided by the Capital Improvement Plan is hard to estimate at this point, it is without doubt greater than the costs associated with providing same.

1.4 Organization of the Report

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

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

Section Four discusses the master financing program for the District.

Section Five discusses the master special assessment methodology for the District.

2.0 Development Program

2.1 Overview

The District serves the Ridge at Apopka development (the "Development" or "Ridge at Apopka"), a master planned, mixed-use development located in the City of Apopka, Florida. The land within the District covers approximately 403.90 +/- acres. The District is generally located east of S Binion Road, just north of the intersection of State Roads 429 (Western Beltway) and 414, and west of Ocoee Apopka Road.

2.2 The Development Program

The development of Ridge at Apopka is anticipated to be conducted by Apopka Centerline Development, LLC or its associates (the "Developer"). Based upon the information provided by the Developer, the current development plan for the District envisions a total of 1,303 residential dwelling units and 1,850,000 square feet of non-residential uses developed in multiple phases within seven (7) distinct geographical areas referred to as Parcels, although land use types and unit numbers may change throughout the development period. Table 1 in the *Appendix* illustrates the development plan for the District.

3.0 The Capital Improvement Plan

3.1 Overview

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

3.2 Capital Improvement Plan

The Capital Improvement Plan needed to serve the Development is planned to consist of public infrastructure improvements that are designed to serve and will benefit all Parcels within the District (the "Master Improvements"), which include stormwater improvements, roadways, water, sewer & wastewater utilities, lift stations, hardscape, landscape & irrigation, traffic signalization, conservation offsite areas, amenities. roadways. offsite utilities and undergrounding of electric transmission lines. The Capital Improvement Plan also includes public infrastructure improvements that are designed to serve and will benefit only those specific Parcels within the District which will be developed with single-family residential land uses (the "Residential Neighborhood Improvements"). which improvements, include stormwater roadways, water, sewer & wastewater utilities, lift stations and hardscape, landscape & irrigation. The Residential Neighborhood Improvements consist of three (3) separate projects, with the public infrastructure improvements which are designed to serve and will benefit all units and land use types planned to be developed within the Parcel 2 referred to the Parcel 2 Project, the public infrastructure improvements which are designed to serve and will benefit all units and land use types planned to be developed within the Parcel 4 referred to the Parcel 4 Project, and the public infrastructure improvements which are designed to serve and will benefit all units and land use types planned to be developed within the Parcel 9 referred to the Parcel 9 Project. All public infrastructure improvements are set forth in more detail in the Engineer's Report.

Even though the Capital Improvement Plan is anticipated to be developed in multiple phases and within multiple Parcels to coincide with and support the development of the land within the District, all of the public infrastructure improvements included in the Master Improvements will comprise an interrelated system of improvements, which means that all Master Improvements will serve the entire District and all Master Improvements will be interrelated such that such public infrastructure improvements will reinforce one another. At the time of this writing, the total costs of the Master Improvements are estimated to total \$16,837,500.

Similarly, all of the public infrastructure improvements included in the Parcel 2 Project, the Parcel 4 Project, and the Parcel 9 Project will comprise separate interrelated systems of improvements for Parcel 2, Parcel 3, and Parcel 9 respectively, which means that all public infrastructure improvements that comprise the Parcel 2 Project will serve all lands and all land use types within Parcel 2 and all will be interrelated such that all public infrastructure improvements that comprise the Parcel 2 Project will reinforce one another, all public infrastructure improvements that comprise the Parcel 4 Project will serve all lands and all land use types within Parcel 4 and all will be interrelated such that all public infrastructure improvements that comprise the Parcel 4 Project will reinforce one another, and all public infrastructure improvements that comprise the Parcel 9 Project will serve all lands and all land use types within Parcel 9 and all will be interrelated such that all public infrastructure improvements that comprise the Parcel 9 Project will reinforce one another. At the time of this writing, the total costs of the Parcel 2 Project are estimated to total \$9,750,850, total costs of the Parcel 4 Project are estimated to total \$8,223,650, and total costs of the Parcel 9 Project are estimated to total \$1,457,050.

Table 2 in the *Appendix* illustrates the specific components of the Capital Improvement Plan and their costs, which total \$36,269,050.

4.0 Financing Program

4.1 Overview

As noted above, the District is embarking on a program of public infrastructure improvements which will facilitate the development of lands within the District. Generally, construction of public infrastructure improvements is either funded by the Developer and then acquired by the District or funded directly by the District. The choice of the exact mechanism for providing public infrastructure improvements has not yet been made at the time of this writing, and the District may either acquire the public infrastructure from the Developer or construct it, or even partly acquire it and partly construct it.

Even though the actual financing plan may change to include multiple series of bonds, it is likely that in order to fully fund the costs of the Capital Improvement Plan as described in *Section 3.2* in one financing transaction, the District would have to issue approximately \$46,390,000 in par amount of special assessment bonds (the "Bonds").

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

4.2 Types of Bonds Proposed

The proposed financing plan for the District provides for the issuance of the Bonds in the principal amount of \$46,390,000 in one or more Series with various maturities to finance Capital Improvement Plan costs at \$36,269,050. The Bonds as planned under this master financing plan would be structured to be amortized in 30 annual installments following a 24-month capitalized interest period. Interest payments on the Bonds would be made every May 1 and November 1, and principal payments on the Bonds would be made every May 1 or November 1.

In order to finance the costs of the Capital Improvement Plan, the District would need to borrow more funds and incur indebtedness in the total amount of \$46,390,000. The difference is comprised of debt service reserve, capitalized interest, and costs of issuance, including the underwriter's discount. Preliminary sources and uses of funding for the Bonds are presented in Table 3 in the *Appendix*.

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

5.0 Assessment Methodology

5.1 Overview

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

5.2 Benefit Allocation

The current development plan for the District envisions the development of a total of 1,303 residential dwelling units and 1,850,000 square feet of non-residential uses developed in multiple phases, although unit numbers and land use types may change throughout the development period.

The public infrastructure improvements included in either component of the Capital Improvement Plan, that is the Master Improvements and the Residential Neighborhood Improvements, will comprise separate interrelated systems of improvements, which means that Master Improvements will serve the entire District and the three projects of Residential Neighborhood Improvements, the Parcel 2 Project, Parcel 4 Project, and Parcel 9 Project will exclusively and separately serve only those Parcels of the District. Public infrastructure improvements will be interrelated such that they will reinforce each other and their combined benefit will be greater than the sum of their individual benefits. All of the land uses within either the entire District, for the Master Improvements, or within Parcel 2 for the Parcel 2 Project, Parcel 4 for the Parcel 4 Project, and Parcel 9 for the Parcel 9 Project, will benefit from each public infrastructure improvement category, as the public infrastructure improvements provide basic infrastructure to all land within either the entire District, for the Master Improvements, or within Parcel 2, Parcel 4, and Parcel 9 for the Parcel 2 Project, Parcel 4 Project, and Parcel 9 Project respectively, and benefit all land within either the entire District or Parcel 2, Parcel 4, and Parcel 9 as separate integrated systems of improvements.

As stated previously, the public infrastructure improvements included in the Capital Improvement Plan have a logical connection to the special and peculiar benefits received by the land within the entire District, for the Master Improvements, or within Parcel 2, Parcel 4, and Parcel 9 for the Parcel 2 Project, Parcel 4 Project, and Parcel 9 Project respectively, as without such public infrastructure improvements, the development of the properties within the District would not be possible. Based upon the connection between the public infrastructure 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 nonad 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 the actual non-ad valorem assessment amount levied on that parcel.

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

The rationale behind the different ERU weights is supported by the fact that generally and on average land use types with greater densities/lower intensities of use of public infrastructure improvements will use and benefit from the public infrastructure improvements which are part of the Capital Improvement Plan less on a per residential unit/square foot basis than land use types with smaller densities/higher intensities of use of public infrastructure improvements. For instance, generally and on average, land use types with smaller lot sizes and thus greater densities will produce less storm water runoff on a per residential unit basis, may produce fewer vehicular trips, and may need less water/sewer capacity than land use types with greater lot sizes and thus lower densities. Similarly, generally and on average, land use types with lower intensities of use of public infrastructure improvements with greater lot sizes and thus lower densities.

less storm water runoff on a per square foot basis, may produce fewer vehicular trips, and may need less water/sewer capacity than land use types with greater intensities of use of public infrastructure improvements. Additionally, the value of the land use types with smaller densities/higher intensities of use of public infrastructure improvements is likely to appreciate by more in terms of dollars on a per residential unit/square foot basis than that of the land use types with greater densities/lower intensities of use of public infrastructure improvements. As the exact amount of the benefit and appreciation is not possible to be calculated at this time, the use of ERU measures serves as a reasonable approximation of the relative amount of benefit received from the District's public infrastructure improvements that are part of the Capital Improvement Plan.

Table 5 in the *Appendix* presents the apportionment of the assessment associated with the Bonds (the "Bond Assessment") resulting from funding of the Master Improvements to the land use types contemplated to be developed within the District in accordance with the ERU benefit allocation method presented in Table 4. Similarly, Table 6 in the *Appendix* presents the apportionment of the Bond Assessment resulting from funding of the Residential Neighborhood Improvements, separately for the Parcel 2 Project, Parcel 4 Project, and Parcel 9 Project, to the land use types contemplated to be developed within Parcel 2, Parcel 4, and Parcel 9 respectively, in accordance with the ERU benefit allocation method presented in Table 4.

Finally, Table 7 in the *Appendix* presents the Bond Assessment resulting from funding of the Master Improvements and Residential Neighborhood Improvements combined also presents the annual levels of the Bond Assessment annual debt service assessments per unit. Please note that the Bond Assessment for Parcel 2, Parcel 4, and Parcel 9 is based on the benefit received from both the Master Improvements and either the Parcel 2 Project, Parcel 4 Project, or Parcel 9 Project, while Bond Assessment for Parcels 1, 3, 5, and 6 is based only on the benefit received from the Master Improvements.

Note that Parcels 1, 3, 5 and 6 are not allocated any costs for Residential Neighborhood Improvements. This is fair and reasonable because any Residential Neighborhood Improvements necessary for these parcels will be provided by the individual landowner of that parcel.

No Bond Assessment is allocated herein to the amenities or other common areas planned for the development. Such amenities and common areas will be owned and operated by the District or homeowners'/property owners' association(s) for the benefit of the entire District, will be available for use by residents and landowners within the District, and are considered a common element for the exclusive benefit of residents and landowners. Accordingly, any benefit to the amenities and common areas flows directly to the benefit of all land within the District. As such, no Bond Assessment will be assigned to the amenities and common areas.

5.3 Assigning Bond Assessment

As the land in the District is not yet platted/has not obtained development approval for its intended final use and the precise location of the various land use types by lot or parcel is unknown, the Bond Assessment resulting from funding of the Master Improvements will initially be levied on all of the land in the District on an pro-rata gross acre basis. Thus, the Bond Assessment in the amount of \$21,536,037.61 will be preliminarily levied on approximately 403.90 +/- gross acres at a rate of \$53,320.22 per gross acre. The Bond Assessment resulting from funding of the Parcel 2 Project portion of the Residential Neighborhood Improvements will initially be levied on all of the land in the District that has been identified by the District Engineer as Parcel 2 on an pro-rata gross acre basis. Thus, the Bond Assessment in the amount of \$12,471,843.94 will be preliminarily levied on approximately 79.2 +/- gross acres at a rate of \$156,740.53 per gross acre. The Bond Assessment resulting from funding of the Parcel 4 Project portion of the Residential Neighborhood Improvements will initially be levied on all of the land in the District that has been identified by the District Engineer as Parcel 4 on an pro-rata gross acre basis. Thus, the Bond Assessment in the amount of \$10,518,475.77 will be preliminarily levied on approximately 58.3 +/- gross acres at a rate of \$180,419.82 per gross acre. Finally, the Bond Assessment resulting from funding of the Parcel 9 Project portion of the Residential Neighborhood Improvements will initially be levied on all of the land in the District that has been identified by the District Engineer as Parcel 9 on an pro-rata gross acre basis. Thus, the Bond Assessment in the amount of \$1,863,642.68 will be preliminarily levied on approximately 40.54 +/- gross acres at a rate of \$45,970.47 per gross acre.

When the land is platted/obtains development approval, the Bond Assessment will be allocated to each platted parcel/parcel which obtained development approval on a first platted-first assigned basis/first development approval obtained-first assigned basis based on the planned land use for that platted parcel/parcel which obtained development approval as reflected in Table 7 in the *Appendix*. Such

allocation of Bond Assessment from unplatted gross acres to platted parcels/parcels which obtained development approval will reduce the amount of Bond Assessment levied on unplatted gross acres within the District.

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

5.4 Lienability Test: Special and Peculiar Benefit to the Property

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

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

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

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

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

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

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

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

5.6 True-Up Mechanism

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

This mechanism is to be utilized to ensure that the Bond Assessment on a per ERU basis never exceeds the initially allocated assessment as contemplated in the adopted assessment methodology. Bond Assessment resulting from funding of the Master Improvements per ERU preliminarily equals \$17,259.21 (\$21,536,037.61 in Bond Assessment divided by 1,247.80 ERUs), and may change based on the final bond sizing. Bond Assessment per ERU for Residential Neighborhood Improvements preliminarily equals \$48,024.04 for Parcel 2 (\$12,471,843.94 in Bond Assessment divided by 259.70 ERUs), \$52,684.58 for Parcel 4 (\$10,518,475.77 in Bond Assessment divided by 199.65 ERUs), and \$50,368.72 for Parcel 9 (\$1,863,642.68 in Bond Assessment divided by 37.00 ERUs), and may change based on the final bond sizing. Such true-up tests for the Parcels 2, 4 and 9 are specific to the Parcels in question, and they are based on the acreages set forth in the legal descriptions attached hereto, subject to any changes to the boundaries of the Parcels that may result from development. If any changes to the above Bond Assessment per ERU figures occur, the Methodology is applied to the land based on the number of and land use type of units of particular land use type within each and every parcel as signified by the number of ERUs.

As the land in the District is platted/obtains development approval, the Bond Assessment is assigned to platted parcels based on the figures in Table 7 in the *Appendix*. If as a result of platting/obtaining development approval and apportionment of the Bond Assessment to the platted parcels/parcels which obtained development approval, the Bond Assessment per ERU for land that remains unplatted/has not obtained development approval remains equal to the per ERU figures above, then no true-up adjustment will be necessary.

If as a result of platting/obtaining development approval and apportionment of the Bond Assessment to the platted parcels/parcels which obtained development approval the Bond Assessment per ERU for land that remains unplatted/has not obtained development approval equals less than the per ERU figures above, (for instance as a result of a larger number of residential units or square feet of non-residential space) then the per ERU Bond Assessment for all parcels in the District or applicable portions of the District will be lowered if that state persists at the conclusion of platting/obtaining of development approval of all land within the District.

If, in contrast, as a result of platting/obtaining development approval and apportionment of the Bond Assessment to the platted parcels/parcels which obtained development approval the Bond Assessment per ERU for land that remains unplatted/has not obtained development approval equals more than the per ERU figures above¹, (for instance as a result of a smaller number of residential units or smaller number of square feet of non-residential

¹ For example, if the first platting in Parcel 2 includes 50 SF 60 lots, which equates to a total allocation of \$3,916,994.95 in Bond Assessment, then the remaining land in the District would be required to absorb \$42,473,005.05 in Bond Assessment. If the remaining unplatted land in Parcel 2 instead of being able to absorb 39 SF 60 lots would only be able to absorb 37 SF 60 lots and the same number of other residential units, and if the remaining parcels in the District would be able to absorb the exact numbers and land uses types as initially projected, then a true-up, payable by the owner of land which did not develop an additional 2 SF 60 lots would be due in the amount of \$156,679.80 in Bond Assessment plus applicable accrued interest to the extent described in this Section.

space), taking into account any future development plans for the unplatted land/land which has not obtained development approval – in the District's reasonable discretion and to the extent such future development plans are feasible, consistent with existing entitlements and governmental requirements, and reasonably expected to be implemented, then the difference in Bond Assessment plus applicable accrued interest (to the extent described below in this Section) will be collected from the owner(s) of the property which platting/development approval caused the increase of Bond Assessment per ERU to occur, in accordance with this Report, the applicable assessment resolution and/or a true-up agreement to be entered into between the District and the Developer, which will be binding on assignees.

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

In addition to platting of property/obtaining of development approval for property within the District, any planned sale of an unplatted parcel/parcel which did not obtain development approval 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/land which did not obtain development approval within the District remains equal to per ERU figures above. The test will be based upon the development rights as signified by the number of ERUs associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Bond Assessment transferred at sale.

5.7 Preliminary Assessment Roll

Based on the per gross acre assessment proposed in Section 5.2, the Bond Assessment in the amount of \$21,536,037.61 is proposed to be levied uniformly on a per gross acre basis over the area described in Exhibit "A", Bond Assessment in the amount of \$12,471,843.94 is proposed to be levied uniformly on a per gross acre basis over the area described in Exhibit "B", Bond Assessment

in the amount of \$10,518,475.77 is proposed to be levied uniformly on a per gross acre basis over the area described in Exhibit "C", and Bond Assessment in the amount of \$1,863,642.68 is proposed to be levied uniformly on a per gross acre basis over the area described in Exhibit "D". Excluding any capitalized interest period, debt service assessment shall be paid in thirty (30) annual installments.

5.8 Additional Items Regarding Bond Assessment Imposition and Allocation

This master assessment allocation methodology is intended to establish, without the need for a further public hearing, the necessary benefit and fair and reasonable allocation findings for a master assessment lien, which may give rise to one or more individual assessment liens relating to individual bond issuances necessary to fund all or a portion of the Capital Improvement Plan(s) referenced herein. Such assessment liens may be on certain areas within the District and effectively create individual assessment areas (e.g., Parcel 2, Parcel 4 and the Parcel 9, among others). All such liens shall be within the benefit limits established herein and using the allocation methodology described herein, and shall be described in one or more supplemental reports.

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

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

6.0 Additional Stipulations

6.1 Overview

Wrathell, Hunt and Associates, LLC was retained by the District to prepare a methodology to fairly allocate the special assessments related to the District's Capital Improvement Plan. Certain financing, development and engineering data was provided by members of District Staff and/or the Developer. The allocation Methodology described herein was based on information provided by those professionals. Wrathell, Hunt and Associates, LLC makes no representations regarding said information transactions beyond restatement of the factual information necessary for compilation of this Report. For additional information on the bond structure and related items, please refer to the Offering Statement associated with bond issuance.

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

Ridge at Apopka

Community Development District

Development Plan

Land Use Type	Number of Residential Units/Square Feet of Non- Residential
Residential	
Single Family	
SF 60	171
SF 55	81
SF 50	0
Bungalow 30-35	202
TH 25	76
TH 20	95
	625
Multi-Family	
MF	678
	678
Total Residential	1,303
Non-Residential	
Office	75,000
Commercial	275,000
Industrial	1,500,000
Total Non-Residential	1,850,000

Parcel Designation	Land Use Category	Number of Residential Units/Square Feet of Non- Residential
Parcel 1	Non-Residential Commercial	100,000
Parcel 2	Residential Single-Family	313
Parcel 3.1	Residential Multi-Family	300
Parcel 3.2	Non-Residential Office	75,000
Parcel 3.3	Non-Residential Commercial	25,000
Parcel 4	Residential Single-Family	268
Parcel 5	Non-Residential Industrial	1,500,000
Parcel 6	Residential Multi-Family	378
Parcel 6.1	Non-Residential Commercial	150,000
Parcel 7	Outside of District Boundaries	n/a
Parcel 8	Recreation	n/a
Parcel 9	Residential Single-Family	44

	Parcel 2 Single	Parcel 4 Single	Parcel 9 Single	Total Single
Land Use Type	Family	Family	Family	Family
SF 60	89	67	15	171
SF 55	69	0	12	81
SF 50	0	0	0	0
Bungalow 30-35	60	125	17	202
TH 25	0	76	0	76
TH 20	95	0	0	95
Total	313	268	44	625

Ridge at Apopka

Community Development District

Capital Improvement Plan

Improvement	Total Costs
Master Improvements	
Stormwater Improvements	\$1,400,000.00
Roadways	\$2,900,000.00
Water, Sewer & Wastewater Utilities	\$750,000.00
Lift Station	\$500,000.00
Hardscape, Landscape & Irrigation	\$1,000,000.00
Traffic Signalization	\$1,500,000.00
Conservation Areas	\$200,000.00
Amenities	\$1,000,000.00
Offsite Roadways	\$2,500,000.00
Offsite Utilities	\$1,200,000.00
Undergrounding of Electric Transmission Lines	\$520,000.00
Soft Costs for Master Improvements	\$1,347,000.00
Contingency	\$2,020,500.00
Total Master Improvements	\$16,837,500.00

	Parcel 2 Project	Parcel 4 Project	Parcel 9 Project	Total Costs
idential Neighborhood Improvements				
Stormwater Improvements	\$1,236,693.17	\$1,042,999.51	\$184,796.59	\$2,464,489.27
Roadways	\$2,568,516.59	\$2,166,229.76	\$383,808.29	\$5,118,554.63
Water, Sewer & Wastewater Utilities	\$1,522,083.90	\$1,283,691.71	\$227,441.95	\$3,033,217.56
Lift Stations	\$1,331,823.41	\$1,123,230.24	\$199,011.71	\$2,654,065.37
Hardscape, Landscape & Irrigation	\$1,141,562.93	\$962,768.78	\$170,581.46	\$2,274,913.17
Soft Costs for Neighborhood Improvements	\$780,068.00	\$657,892.00	\$116,564.00	\$1,554,524.00
Contingency	\$1,170,102.00	\$986,838.00	\$174,846.00	\$2,331,786.00
Total Residential Neighborhood Improvements	\$9,750,850.00	\$8,223,650.00	\$1,457,050.00	\$19,431,550.00

Grand Total

\$36,269,050.00

Table 3

Ridge at Apopka

Community Development District

Preliminary Sources and Uses of Funds

Sources	
Bond Proceeds:	
Par Amount	\$46,390,000.00
Total Sources	\$46,390,000.00
<u>Uses</u>	
Project Fund Deposits:	
Project Fund	\$36,269,050.00
Other Fund Deposits:	
Debt Service Reserve Fund	\$3,370,183.00
Capitalized Interest Fund	\$5,566,800.00
Delivery Date Expenses:	
Costs of Issuance	\$1,177,800.00
Rounding	\$6,167.00
Total Uses	\$46,390,000.00
-	

Ridge at Apopka

Community Development District

Benefit Allocation

	Number of Residential Units/Square Feet of Non-	ERU Weight per Residential Unit/1,000 Square Feet of	
Land Use Type	Residential	Non-Residential	Total ERU
Residential			
Single Family			
SF 60	171	1.20	205.20
SF 55	81	1.10	89.10
SF 50	0	1.00	0.00
Bungalow 30-35	202	0.65	131.30
TH 25	76	0.50	38.00
TH 20	95	0.40	38.00
	625	· -	501.60
Multi-Family			
MF	678	0.40	271.20
	678		271.20
Total Residential	1,303		772.80
Non-Residential			
Office	75,000	0.50	37.50
Commercial	275,000	0.50	137.50
Industrial	1,500,000	0.20	300.00
Total Non-Residential	1,850,000		475.00
Total			1,247.80

Ridge at Apopka

Community Development District

Assessment Apportionment - Master Improvements

Land Use Type	Number of Residential Units/Square Feet of Non- Residential	ERU Weight per Residential Unit/1,000 Square Feet of Non-Residential	Total ERU	Percent Share of Total ERUs	Master Improvements Cost Allocation	Maximum Total Bond Assessment Apportionment
Residential						
Single Family						
SF 60	171	1.20	205.20	0.16445	\$2,768,917.29	\$3,541,589.13
SF 55	81	1.10	89.10	0.07141	\$1,202,293.04	\$1,537,795.28
SF 50	0	1.00	0.00	0.00000	\$0.00	\$0.00
Bungalow 30-35	202	0.65	131.30	0.10523	\$1,771,729.24	\$2,266,133.79
TH 25	76	0.50	38.00	0.03045	\$512,762.46	\$655,849.84
TH 20	95	0.40	38.00	0.03045	\$512,762.46	\$655,849.84
	625		501.60	0.40199	\$6,768,464.50	\$8,657,217.88
Multi-Family						
MF	678	0.40	271.20	0.21734	\$3,659,504.73	\$4,680,696.75
-	678		271.20	0.21734	\$3,659,504.73	\$4,680,696.75
Total Residential	1,303		772.80	0.61933	\$10,427,969.23	\$13,337,914.62
Non-Residential						
Office	75,000	0.50	37.50	0.03005	\$506,015.59	\$647,220.24
Commercial	275,000	0.50	137.50	0.11019	\$1,855,390.49	\$2,373,140.87
Industrial	1,500,000	0.20	300.00	0.24042	\$4,048,124.70	\$5,177,761.89
Total Non-Residentia	1,850,000		475.00	0.38067	\$6,409,530.77	\$8,198,122.99
Total			1,247.80	1.00000	\$16,837,500.00	\$21,536,037.61

Ridge at Apopka

Community Development District

Assessment Apportionment - Residential Neighborhood Improvements - Parcel 2 Project

Land Use Type	Number of Residential Units/Square Feet of Non- Residential	ERU Weight per Residential Unit/1,000 Square Feet of Non-Residential	Total ERU	Percent Share of Total ERUs	Residential Neighborhood Improvements Cost Allocation	Maximum Total Bond Assessment Apportionment
Residential						
Single Family						
SF 60	89	1.20	106.80	0.41124	\$4,009,976.05	\$5,128,967.78
SF 55	69	1.10	75.90	0.29226	\$2,849,786.35	\$3,645,024.86
SF 50	0	1.00	0.00	0.00000	\$0.00	\$0.00
Bungalow 30-35	60	0.65	39.00	0.15017	\$1,464,317.10	\$1,872,937.67
TH 25	0	0.50	0.00	0.00000	\$0.00	\$0.00
TH 20	95	0.40	38.00	0.14632	\$1,426,770.50	\$1,824,913.63
Total	313		259.70	1.00000	\$9,750,850.00	\$12,471,843.94

Assessment Apportionment - Residential Neighborhood Improvements - Parcel 4 Project

Land Use Type	Number of Residential Units/Square Feet of Non- Residential	ERU Weight per Residential Unit/1,000 Square Feet of Non-Residential	Total ERU	Percent Share of Total ERUs	Residential Neighborhood Improvements Cost Allocation	Maximum Total Bond Assessment Apportionment
Residential						
Single Family						
SF 60	67	1.20	80.40	0.40270	\$3,311,702.78	\$4,235,839.98
SF 55	0	1.10	0.00	0.00000	\$0.00	\$0.00
SF 50	0	1.00	0.00	0.00000	\$0.00	\$0.00
Bungalow 30-35	125	0.65	81.25	0.40696	\$3,346,714.56	\$4,280,621.87
TH 25	76	0.50	38.00	0.19033	\$1,565,232.66	\$2,002,013.92
TH 20	0	0.40	0.00	0.00000	\$0.00	\$0.00
Total	268		199.65	1.00000	\$8,223,650.00	\$10,518,475.77

Assessment Apportionment - Residential Neighborhood Improvements - Parcel 9 Project

Land Use Type	Number of Residential Units/Square Feet of Non- Residential	ERU Weight per Residential Unit/1,000 Square Feet of Non-Residential	Total ERU	Percent Share of Total ERUs	Residential Neighborhood Improvements Cost Allocation	Maximum Total Bond Assessment Apportionment
Residential						
Single Family						
SF 60	15	1.10	16.50	0.44595	\$649,765.54	\$831,083.90
SF 55	12	1.00	12.00	0.32432	\$472,556.76	\$604,424.65
SF 50	0	0.65	0.00	0.00000	\$0.00	\$0.00
Bungalow 30-35	17	0.50	8.50	0.22973	\$334,727.70	\$428,134.13
TH 25	0	0.40	0.00	0.00000	\$0.00	\$0.00
TH 20	0	0.00	0.00	0.00000	\$0.00	\$0.00
Total	44		37.00	1.00000	\$1,457,050.00	\$1,863,642.68

Ridge at Apopka

Community Development District

Assessment Apportionment - Combined Master Improvements and Residential Neighborhood Improvements

Land Use Type	Number of Residential Units/Square Feet of Non- Residential	Maximum Total Bond Assessment Apportionment	Assessment Apportionment per Residential Unit/1,000	Maximum Annual Bond Assessment Debt Service per Residential Unit/1,000 Square Feet of Non- Residential - paid in March**
Residential				
Single Family - Parcel 2				
SF 60	89	\$6,972,251.01	\$78,339.90	\$6,186.20
SF 55	69	\$4,954,998.61	\$71,811.57	\$5,670.69
SF 50	0	\$0.00	\$0.00	\$0.00
Bungalow 30-35	60	\$2,546,046.72	\$42,434.11	\$3,350.86
TH 25	0	\$0.00	\$0.00	\$0.00
TH 20	95	\$2,480,763.47	\$26,113.30	\$2,062.07
	313	\$16,954,059.82		
Single Family - Parcel 4				
SF 60	67	\$5,623,480.16	\$83,932.54	\$6,627.83
SF 55	0	\$0.00	\$0.00	\$0.00
SF 50	0	\$0.00	\$0.00	\$0.00
Bungalow 30-35	125	\$5,682,932.38	\$45,463.46	\$3,590.08
TH 25	76	\$2,657,863.76	\$34,971.89	\$2,761.60
TH 20	0	\$0.00	\$0.00	\$0.00
	268	\$13,964,276.30		
Single Family - Parcel 9				
SF 60	15	\$1,141,749.61	\$76,116.64	\$6,010.64
SF 55	12	\$832,246.18	\$69,353.85	\$5,476.61
SF 50	0	\$0.00	\$0.00	\$0.00
Bungalow 30-35	17	\$618,848.36	\$36,402.84	\$2,874.59
TH 25	0	\$0.00	\$0.00	\$0.00
TH 20	0	\$0.00	\$0.00	\$0.00
	44	\$2,592,844.14		φ0.00
Multi-Family				
MF	678	\$4,680,696.75	\$6,903.68	\$545.16
	678	\$4,680,696.75		
Total Residential	1303	\$38,191,877.01		
Non-Residential				
Office	75,000	\$647,220.24	\$8,629.60	\$681.45
Commercial	275,000	\$2,373,140.87	\$8,629.60	\$681.45
Industrial	1,500,000	\$5,177,761.89	\$3,451.84	\$272.58
Total Non-Residential	1,850,000	\$8,198,122.99	φ0,-01.04	ψ212.00
	.,,		_	
Total		\$46,390,000.00		

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

** Includes maximum allowable costs of collection of 4.00%, early payment discount and assumes payment in March

Exhibit A

Bond Assessment, for Master Improvements, in the amount of \$21,536,037.61 is proposed to be levied on an equal pro-rata gross acre basis on the land described below:

A PARCEL OF LAND LYING IN SECTIONS 17 AND 18, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 88°47'33" EAST ALONG THE NORTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17 FOR A DISTANCE OF 1315.96 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 01°23'40" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1341.09 FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17: THENCE RUN NORTH 89°15'43" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 1330.82 FEET TO THE EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17: THENCE RUN SOUTH 00°44'46" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 849.73 FEET TO THE WESTERLY RIGHT OF WAY LINE OF GALWAY BOULEVARD, BRECKINRIDGE PHASE 1, ACCORDING TO PLAT BOOK 64, PAGE 74 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT BEING A NON-TANGENT POINT OF A CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 495.00 FEET, A CENTRAL ANGLE OF 18°16'37", THE CHORD OF WHICH BEARS SOUTH 33°25'03" WEST FOR A DISTANCE OF 157.23 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY RIGHT OF WAY LINE FOR AN ARC LENGTH OF 157.90 FEET TO A POINT OF TANGENCY; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: SOUTH 24°16'44" WEST FOR A DISTANCE OF 163.85 FEET; THENCE RUN SOUTH 17°58'25" WEST FOR A DISTANCE OF 70.98 FEET; THENCE RUN SOUTH 01°37'19" WEST FOR A DISTANCE OF 88.67 FEET; THENCE RUN SOUTH 30°42'41" EAST FOR A DISTANCE OF 13.58 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 390.00 FEET, A CENTRAL ANGLE OF 27°54'38", THE CHORD OF WHICH BEARS SOUTH 14°29'08" EAST FOR A DISTANCE OF 188.11 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 189.98 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 28°26'27" EAST FOR A DISTANCE OF 76.12 FEET; THENCE RUN SOUTH 61°33'33" WEST FOR A DISTANCE OF 2.00 FEET; THENCE RUN SOUTH 15°14'28" WEST FOR A DISTANCE OF 12.59 FEET; THENCE RUN SOUTH 19°16'12" EAST FOR A DISTANCE OF 16.40 FEET; THENCE RUN SOUTH 65°31'52" EAST FOR A DISTANCE OF 11.39 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 95.00 FEET, A CENTRAL ANGLE OF 68°46'59", THE CHORD OF WHICH BEARS SOUTH 27°10'04" WEST FOR A DISTANCE OF 107.32 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 114.05 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 61°33'33" WEST FOR A DISTANCE OF 111.60 FEET; THENCE RUN NORTH 73°26'27" WEST FOR A DISTANCE OF 34.62 FEET TO A POINT HEREAFTER REFERRED TO AS POINT A, LYING ON THE NORTHERLY RIGHT OF WAY LINE OF BOY SCOUT ROAD, ACCORDING TO OFFICIAL RECORDS BOOK 1133, PAGE 608 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 24°58'39" WEST FOR A DISTANCE OF 217.41 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 342.10 FEET, A CENTRAL ANGLE OF 65°18'17", THE CHORD OF WHICH BEARS NORTH 57°37'36" WEST FOR A DISTANCE OF 369.15 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 389.92 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 89°43'16" WEST FOR A DISTANCE OF 690.23 FEET; THENCE RUN NORTH 01°23'40" EAST FOR A DISTANCE OF 3.00 FEET; THENCE RUN SOUTH 89°43'16" WEST FOR A DISTANCE OF 912.02 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE RUN NORTH 02°03'11" EAST FOR A DISTANCE OF 220.18 FEET; THENCE RUN SOUTH 89°43'16" WEST FOR A DISTANCE OF 433.36 FEET TO THE WEST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 02°03'11" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 2408.71 FEET TO THE POINT OF BEGINNING.

CONTAINING: 5,215,102 SQUARE FEET OR 119.72 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH

COMMENCE AT THE AFOREMENTIONED POINT A: THENCE RUN SOUTH 24°58'39" EAST FOR A DISTANCE OF 141.34 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF SAID GALWAY BOULEVARD; THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 16°33'33" EAST FOR A DISTANCE OF 30.96 FEET; THENCE RUN NORTH 61°41'11" EAST FOR A DISTANCE OF 173.78 FEET; THENCE RUN NORTH 36°05'04" EAST FOR A DISTANCE OF 90.60 FEET: THENCE RUN NORTH 19°14'42" EAST FOR A DISTANCE OF 74.95 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE WESTERLY WITH A RADIUS OF 213.50 FEET, A CENTRAL ANGLE OF 25°16'34", THE CHORD OF WHICH BEARS NORTH 12°56'36" WEST FOR A DISTANCE OF 93.42 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 94.19 FEET TO A NON-TANGENT POINT: THENCE RUN NORTH 36°19'00" WEST FOR A DISTANCE OF 153.53 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE EASTERLY WITH A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 33°50'22", THE CHORD OF WHICH BEARS NORTH 01°03'14" EAST FOR A DISTANCE OF 174.62 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 177.18 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 17°58'25" EAST FOR A DISTANCE OF 149.75 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 405.00 FEET, A CENTRAL ANGLE OF 07°07'48", THE CHORD OF WHICH BEARS NORTH 21°32'19" EAST FOR A DISTANCE OF 50.37 FEET; THENCE RUN ALONG SAID CURVE FOR AN ARC LENGTH OF 50.40 FEET TO A NON-TANGENT POINT LYING ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 00°44'46" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 338.71 FEET TO THE NORTH LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 89°43'16" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 1322.50 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 00°26'42" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 690.44 FEET TO THE WESTERLY RIGHT OF WAY LINE OF OCOEE APOPKA ROAD AND A NON-TANGENT POINT OF A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 375.87 FEET, A CENTRAL ANGLE OF 06°25'02", THE CHORD OF WHICH BEARS SOUTH 56°26'10" WEST FOR A DISTANCE OF 42.08 FEET: THENCE RUN SOUTHWESTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND SAID CURVE FOR AN ARC LENGTH OF 42.10 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 59°38'41" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 791.31 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID BOY SCOUT ROAD AND A POINT HEREAFTER REFERRED TO AS POINT B, BEING A NON-TANGENT POINT OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 320.75 FEET, A CENTRAL ANGLE OF 44°12'53", THE CHORD OF WHICH BEARS NORTH 52°27'10" WEST FOR A DISTANCE OF 241.42 FEET; THENCE RUN NORTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE AND SAID CURVE FOR AN ARC LENGTH OF 247.52 FEET TO A POINT OF TANGENCY; THENCE RUN ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 74°33'37" WEST FOR A DISTANCE OF 220.12 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 511.26 FEET, A CENTRAL ANGLE OF 49°34'58", THE CHORD OF WHICH BEARS NORTH 49°46'08" WEST FOR A DISTANCE OF 428.76 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 442.44 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 24°58'39" WEST FOR A DISTANCE OF 141.70 FEET TO THE POINT OF BEGINNING.

CONTAINING: 1,272,340 SQUARE FEET OR 29.21 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH

COMMENCE AT THE AFOREMENTIONED POINT B: THENCE RUN SOUTH 59°38'41" WEST FOR A DISTANCE OF 60.00 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF SAID OCOEE APOPKA ROAD WITH THE SOUTHERLY RIGHT OF WAY LINE OF SAID BOY SCOUT ROAD AND THE POINT OF BEGINNING: THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: SOUTH 59°38'41" WEST FOR A DISTANCE OF 31.35 FEET TO THE POINT OF CURVATURE OF A CONCAVE SOUTHEASTERLY WITH A RADIUS OF 984.93 FEET. A CENTRAL ANGLE OF 46°45'08", THE CHORD OF WHICH BEARS SOUTH 36°16'07" WEST FOR A DISTANCE OF 781.57 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 803.68 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 12°53'33" WEST FOR A DISTANCE OF 264.64 FEET TO THE NORTHERLY LINE OF A PARCEL AS DESCRIBED IN DEED BOOK 156. PAGE 168: THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE RUN NORTH 74°37'52" WEST ALONG SAID NORTHERLY LINE FOR A DISTANCE OF 991.60 FEET TO THE WESTERLY LINE THEREOF; THENCE RUN SOUTH 00°22'08" WEST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 886.88 FEET TO THE SOUTH LINE OF SAID SECTION 17: THENCE RUN NORTH 89°59'43" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 1728.15 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 18: THENCE RUN SOUTH 89°54'43" WEST ALONG THE SOUTH LINE OF SAID SECTION 18 FOR A DISTANCE OF 936.11 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD 429, ACCORDING TO DEED BOOK 770, PAGE 209, OFFICIAL RECORDS BOOK 9046, PAGE 4349 & OFFICIAL RECORDS BOOK 9398, PAGE 1729 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 43°34'16" WEST FOR A DISTANCE OF 104.57 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 14808.00 FEET, A CENTRAL ANGLE OF 01°44'54", THE CHORD OF WHICH BEARS NORTH 44°26'37" WEST FOR A DISTANCE OF 451.84 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 451.86 FEET TO A NON-TANGENT POINT AND THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE RUN NORTH 00°33'55" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 264.76 FEET; THENCE DEPARTING SAID WEST LINE RUN SOUTH 89°58'55" WEST FOR A DISTANCE OF 241.14 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID STATE ROAD 429; THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 42°01'34" WEST FOR A DISTANCE OF 446.50 FEET; THENCE RUN NORTH 89°58'26" EAST FOR A DISTANCE OF 543.33 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE RUN NORTH 00°33'55" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 663.72 FEET; THENCE DEPARTING SAID WEST LINE RUN SOUTH 89°58'47" WEST FOR A DISTANCE OF 1250.31 FEET; THENCE RUN NORTH 38°59'13" WEST FOR A DISTANCE OF 91.06 FEET TO THE EAST RIGHT OF WAY LINE OF SOUTH BINION ROAD; THENCE RUN ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 00°14'15" EAST FOR A DISTANCE OF 742.29 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY WITH A RADIUS OF 5689.65 FEET. A CENTRAL ANGLE OF 01°30'53". THE CHORD OF WHICH BEARS NORTH 00°59'41" EAST FOR A DISTANCE OF 150.42 FEET; THENCE RUN

SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 150.42 FEET TO A NON-TANGENT POINT LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID BOY SCOUT ROAD; THENCE RUN ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: SOUTH 89°58'43" EAST FOR A DISTANCE OF 2613.56 FEET; THENCE RUN NORTH 89°43'16" EAST FOR A DISTANCE OF 1345.54 FEET; THENCE RUN NORTH 00°22'08" EAST FOR A DISTANCE OF 3.00 FEET; THENCE RUN NORTH 89°43'16" EAST FOR A DISTANCE OF 691.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 282.10 FEET, A CENTRAL ANGLE OF 65°18'17", THE CHORD OF WHICH BEARS SOUTH 57°37'34" EAST FOR A DISTANCE OF 304.41 FEET: THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 321.53 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 24°58'39" EAST FOR A DISTANCE OF 500.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 571.26 FEET, A CENTRAL ANGLE OF 49°34'58", THE CHORD OF WHICH BEARS SOUTH 49°46'08" EAST FOR A DISTANCE OF 479.08 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 494.36 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 74°33'37" EAST FOR A DISTANCE OF 220.12 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 260.75 FEET, A CENTRAL ANGLE OF 44°13'02", THE CHORD OF WHICH BEARS SOUTH 52°27'06" EAST FOR A DISTANCE OF 196.27 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 201.23 FEET TO THE POINT OF BEGINNING.

CONTAINING: 11,106,450 SQUARE FEET OR 254.97 ACRES OF LAND, MORE OR LESS.

COMBINED: 17,593,892 SQUARE FEET OR 403.90 ACRES OF LAND, MORE OR LESS.

Exhibit B

Bond Assessment, for Residential Neighborhood Improvements, in the amount of \$12,471,843.94.61 is proposed to be levied on an equal pro-rata gross acre basis on the land described below constituting Parcel 2:

PARCEL A:

THE SOUTH ONE-HALF (S 1/2) OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4), (LESS THE EAST TWENTY-FIVE FEET (E 25') OF THE SOUTH THREE HUNDRED AND FORTY FEET (S 340')) OF SECTION 17, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, LESS THE SOUTH 30 FEET THEREOF FOR BOY SCOUT ROAD.

ALSO LESS THE LAND CONTAINED IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1652, PAGE 737, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, TO WIT:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTH 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, SECTION 17, TOWNSHIP 21 SOUTH, RANGE 28 EAST; RUN NORTH 0° 19' 30" WEST 668.54 FEET; RUN THENCE EAST, NORTH 87° 27' 40" EAST 15 FEET; THENCE SOUTH 0° 19' 30" EAST 10 FEET; THENCE WEST, SOUTH 87° 27' 40" WEST 3 FEET; THENCE SOUTH 0° 19' 30" EAST TO THE SOUTH LINE OF THE SOUTH 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, SECTION 17, TOWNSHIP 21 SOUTH, RANGE 28 EAST; THENCE WEST TO THE SOUTH 1/4, SECTION 17, TOWNSHIP 21 SOUTH, RANGE 28 EAST; THENCE WEST TO THE POINT OF BEGINNING, LESS THE SOUTH 30 FEET IN BOY SCOUT ROAD.

PARCEL B:

THE NORTH ONE HALF (1/2) OF THE EAST ONE HALF (1/2) OF THE SOUTHWEST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF SECTION 17, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ALL IN ORANGE COUNTY, FLORIDA.

PARCEL C:

THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, LESS THE WEST 433 FEET OF THE SOUTH 220 FEET;

PARCEL D:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTH 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, SECTION 17, TOWNSHIP 21 SOUTH, RANGE 28 EAST; RUN NORTH 0°19'30" WEST 668.54 FEET; RUN THENCE EAST, NORTH 87°27'40" EAST 15 FEET; THENCE SOUTH 0°19'30" EAST 10 FEET; THENCE WEST, SOUTH 87°27'40" WEST 3 FEET; THENCE SOUTH 0°19'30" EAST TO THE SOUTH LINE OF THE SOUTH 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, SECTION 17, TOWNSHIP 21 SOUTH, RANGE 28 EAST; THENCE WEST TO THE POINT OF BEGINNING, LESS THE SOUTH 30 FEET IN BOY SCOUT ROAD.

PARCEL F:

BEGINNING AT THE SOUTHEAST CORNER OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 21 SOUTH, RANGE 28 EAST; RUN THENCE WEST 25 FEET, THENCE NORTH 340 FEET, THENCE EAST 25 FEET, THENCE SOUTH 340 FEET TO THE POINT OF BEGINNING;

AND

THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THAT PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 21 SOUTH, RANGE 28 EAST LYING NORTHERLY AND NORTHEASTERLY OF THE RIGHT OF WAY OF BOY SCOUT ROAD AND LYING NORTHERLY AND WESTERLY OF THE NORTH AND WEST RIGHT OF WAY LINES OF GALWAY BLVD. (TRACTS O AND S) ACCORDING TO THE PLAT OF BRECKENRIDGE PHASE 1 RECORDED IN PLAT BOOK 64, PAGE 74, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

THE ABOVE DESCRIBED TRACTS OF LAND CONTAINS 79.57 ACRES MORE OR LESS.

Exhibit C

Bond Assessment, for Residential Neighborhood Improvements, in the amount of \$10,518,475.77 is proposed to be levied on an equal pro-rata gross acre basis on the land described below constituting Parcel 4:

A PARCEL OF LAND LYING IN SECTIONS 17 & 18, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE NORTHEAST CORNER OF SOUTHEAST 1/4 OF SAID SECTION 18; THENCE RUN SOUTH 00°00'38" EAST ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 18 FOR A DISTANCE OF 33.00 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF BOY SCOUT ROAD AND THE POINT OF BEGINNING; THENCE RUN ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 89°43'16" EAST FOR A DISTANCE OF 1345.54 FEET; THENCE RUN NORTH 00°22'08" EAST FOR A DISTANCE OF 3.00 FEET; THENCE RUN NORTH 89°43'16" EAST FOR A DISTANCE OF 691.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 282.10 FEET, A CENTRAL ANGLE OF 65°18'17", THE CHORD OF WHICH BEARS SOUTH 57°37'34" EAST FOR A DISTANCE OF 304.41 FEET: THENCE RUN SOUTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 321.53 FEET TO A NON-TANGENT POINT; THENCE RUN SOUTH 24°58'39" EAST FOR A DISTANCE OF 241.59 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE RUN SOUTH 61°02'34" WEST FOR A DISTANCE OF 300.88 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 505.00 FEET, A CENTRAL ANGLE OF 18°58'09", THE CHORD OF WHICH BEARS SOUTH 51°33'30" WEST FOR A DISTANCE OF 166.43 FEET; THENCE RUN ALONG SAID CURVE FOR AN ARC LENGTH OF 167.19 FEET TO A NON-TANGENT POINT; THENCE RUN SOUTH 71°32'09" WEST FOR A DISTANCE OF 409.45 FEET; THENCE RUN NORTH 69°38'20" WEST FOR A DISTANCE OF 144.79 FEET; THENCE RUN NORTH 85°25'10" WEST FOR A DISTANCE OF 268.38 FEET; THENCE RUN NORTH 83°27'57" WEST FOR A DISTANCE OF 130.71 FEET: THENCE RUN NORTH 45°36'26" WEST FOR A DISTANCE OF 203.03 FEET; THENCE RUN NORTH 89°53'27" WEST FOR A DISTANCE OF 536.22 FEET; THENCE RUN SOUTH 71°09'55" WEST FOR A DISTANCE OF 261.11 FEET; THENCE RUN SOUTH 60°11'31" WEST FOR A DISTANCE OF 79.12 FEET; THENCE RUN SOUTH 28°41'04" WEST FOR A DISTANCE OF 73.35 FEET; THENCE RUN SOUTH 00°03'18" WEST FOR A DISTANCE OF 238.05 FEET TO A NON-TANGENT POINT OF A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 544.50 FEET. A CENTRAL ANGLE OF 18°33'50", THE CHORD OF WHICH BEARS NORTH 79°40'53" WEST FOR A DISTANCE OF 175.65 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 176.42 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 88°57'48" WEST FOR A DISTANCE OF 403.65 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY WITH A RADIUS OF 30065.00 FEET, A CENTRAL ANGLE OF 01°01'04", THE CHORD OF WHICH BEARS NORTH 89°28'20" WEST FOR A DISTANCE OF 533.99 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 534.00 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 89°58'51" WEST FOR A DISTANCE OF 158.91 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°32'40", THE CHORD OF WHICH BEARS NORTH 44°42'31" WEST FOR A DISTANCE OF 35.52 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 39.51 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 00°33'49" EAST FOR A DISTANCE OF 875.71 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE OF BOY SCOUT ROAD; THENCE RUN SOUTH 89°58'43" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 1237.18 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2,539,690 SQUARE FEET OR 58.30 ACRES OF LAND, MORE OR LESS.

Exhibit D

Bond Assessment, for Residential Neighborhood Improvements, in the amount of \$1,863,642.68 is proposed to be levied on an equal pro-rata gross acre basis on the land described below constituting Parcel 9:

SHIRLEY PARCEL

The Northwest 1/4 of the Northwest 1/4 of Section 17, Township 21 South, Range 28 East, Orange County, Florida.

Together with an Easement for ingress and egress over the East 30 feet of the following described property:

The West 1/2 of the SW 1/4 of the NW 1/4 of Section 17, Township 21 South, Range 28 East, Orange County, Florida, Less the West 433 feet of the South 220 feet, also subject to road right-of-way on South 30 feet.

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



RESOLUTION 2022-04

[SECTION 170.08 RESOLUTION FOR MASTER PROJECT AND NEIGHBORHOOD PROJECTS FOR PARCELS 2, 4 AND 9]

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

WHEREAS, the Ridge at Apopka Community Development District ("District") is a local unit of special-purpose government established by ordinance of the City of Apopka, 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 RIDGE AT APOPKA 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 September 28, 2021, and pursuant to Section 170.03, *Florida Statutes*, among other laws, the Board adopted Resolution 2021-26 ("Declaring Resolution"), and in doing so determined to undertake a capital improvement plan to install, plan, establish, construct or reconstruct, enlarge, equip, acquire, operate and/or maintain the District's infrastructure improvements planned for the District's Master Project and Parcel 2 Project, Parcel 4 Project and Parcel 9 Project (all four together, "Projects"); and
- c. The Projects are described in the Declaring Resolution and the District Engineer's Report dated September 28, 2021 ("Engineer's Report," attached hereto as Exhibit A and incorporated herein by this reference), and the plans and specifications for the Projects are on file in the offices of the District Manager at c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Records Office"); and

The Debt Assessment Process

- d. Also as part of the Declaring Resolution, the Board expressed an intention to issue bonds, notes or other specific financing mechanisms to provide a portion of the funds needed for the Projects, and further declared its intention to defray the whole or any part of the expense of the Projects by levying special assessments ("Debt Assessments") on specially benefited property within the District specifically all developable land within the District with respect to the Master Project, and all developable land within Parcels 2, 4 and 9 with respect to the applicable neighborhood projects for those parcels (together, "Assessment Areas"); and
- e. The Declaring Resolution was adopted in compliance with the requirements of Section 170.03, *Florida Statutes*, and prior to the time it was adopted, the requirements of Section 170.04, *Florida Statutes*, had been met; and
- f. As directed by the Declaring Resolution, said Declaring Resolution was published as required by Section 170.05, *Florida Statutes*, and a copy of the publisher's affidavit of publication is on file with the Secretary of the District; and

- g. As directed by the Declaring Resolution, the Board caused to be made a preliminary assessment roll as required by Section 170.06, *Florida Statutes*; and
- h. As required by Section 170.07, *Florida Statutes*, and as part of the Declaring Resolution, the Board fixed the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein could appear before the Board and be heard as to (i) the propriety and advisability of making the improvements, (ii) the cost thereof, (iii) the manner of payment therefore, and (iv) the amount thereof to be assessed against each specially benefited property or parcel, and the Board further authorized publication of notice of such public hearing and individual mailed notice of such public hearing in accordance with Chapters 170, 190, and 197, *Florida Statutes*; and
- i. Notice of the scheduled public hearing was given by publication and also by mail as required by Sections 170.07 and 197.3632, *Florida Statutes*, and affidavits as to such publication and mailings are on file in the office of the Secretary of the District; and
- j. On December 7, 2021, and at the time and place specified in the Declaring Resolution, the Board conducted such public hearing and heard and considered all complaints and testimony as to the matters described above; the Board further met as an "Equalization Board;" and the Board has made such modifications in the preliminary assessment roll as it deems necessary, just and right in the making of the final assessment roll; and

Equalization Board Additional Findings

- k. Having considered the estimated costs of the Projects, the estimated financing costs and all comments and evidence presented at such public hearing, the Board further finds and determines that:
 - i. It is necessary to the public health, safety and welfare and in the best interests of the District that: (1) the District provide the Projects as set forth in the Engineer's Report; (2) the cost of such Projects be assessed against the lands specially benefited by such Projects, and within the Assessment Areas, as set forth in the Assessment Report; and (3) the District issue bonds, notes or other specific financing mechanisms to provide funds for such purposes pending the receipt of such Debt Assessments; and
 - ii. The provision of said Projects, 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 Projects are as specified in the Engineer's Report and Assessment Report (defined below), and the amount of such costs is reasonable and proper; and
- iv. It is reasonable, proper, just and right to assess the cost of such Projects against the properties specially benefited thereby in the Assessment Areas, using the method determined by the Board and set forth in the *Master Special Assessment Methodology Report*, dated September 28, 2021 ("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 Projects benefit the Assessment Areas as set forth in the Assessment Report; and
- vi. Accordingly, the Debt Assessments as set forth in the Assessment Report constitute a special benefit to the applicable parcels of real property listed on said final assessment roll, and the benefit, in the case of each such parcel, will be equal to or in excess of the Debt Assessments imposed thereon, as set forth in **Exhibit B**; and
- vii. All developable property within the Assessment Areas is deemed to be benefited by the applicable Projects, 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 Projects 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 PROJECTS; ADOPTION OF ENGINEER'S REPORT.** The Engineer's Report identifies and describes the infrastructure improvements to be financed in part with the Bonds, and sets forth the cost of the Projects. The District hereby confirms that the Projects serve a proper, essential, and valid public purpose. The use of the Engineer's Report in connection with the sale of the Bonds is hereby authorized, approved and ratified, and the proper officers, employees and/or agents of the District are hereby authorized and directed to take such further action as may be necessary or desirable to cause the same to be made.

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

5. **ADOPTION OF ASSESSMENT REPORT.** The Assessment Report setting forth the allocation of Debt Assessments to the benefitted lands within the Assessment Areas 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 Projects within the Assessment Areas, all as specified in the final assessment roll set forth in Exhibit B, attached hereto, are hereby equalized, approved, confirmed and levied. As a point of clarification, the Debt Assessments include multiple (4) liens – one for the Master Project benefitting and attaching to all developable lands within the District, and one for each of the Parcel 2 Project, Parcel 4 Project, and Parcel 9 Project benefitting and attaching to all developable lands within Parcels 2, 4 and 9, respectively – all as set forth in Exhibit B.

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.
- b. *Adjustments to Debt Assessments.* The District may, by subsequent resolution, adjust the acreage assigned to particular parcel identification numbers listed on the final assessment roll to reflect accurate apportionment of acreage amongst individual parcel identification numbers. The District may make any other such acreage and boundary adjustments to parcels listed on the final assessment roll

as may be necessary and in the best interests of the District, as determined by the Board by subsequent resolution. Any such adjustment in the assessment roll shall be consistent with the requirements of law.

- c. **Contributions.** In connection with the issuance of a series of the Bonds, the project developer may request that any related Debt Assessments be reduced for certain product types. To accomplish any such requested reduction, and pursuant to the terms of an applicable acquisition agreement, and this resolution, the developer will agree to provide a contribution of infrastructure, work product, or land based on the lesser of cost basis or appraised value, comprising a portion of the applicable Project and to meet the minimum requirements set forth in the Assessment Report, if any. Any such contributions shall not be eligible for payment under the Bonds.
- d. *Impact Fee Credits.* The District may or may not be entitled to impact fee credits as a result of the development of the Projects, 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 Projects (e.g., land based on the lesser of cost basis or appraised value, infrastructure and/or work product), for completion of the Projects, 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 applicable Project consisting of bond financing costs, such as capitalized interest, funded reserves, and bond discount included in the estimated cost of the applicable Project, upon payment in full of any Debt Assessment during such period prior to the time such financing costs are incurred as may be specified by the District.
- c. Uniform Method; Alternatives. The District may elect to use the method of collecting Debt Assessments authorized by Sections 197.3632 and 197.3635, Florida Statutes ("Uniform Method"). The District has heretofore taken all required actions to comply with Sections 197.3632 and 197.3635, Florida Statutes. Such Debt Assessments may be subject to all of the collection provisions of Chapter 197, Florida Statutes. Notwithstanding the above, in the event the Uniform Method of collecting its Debt Assessments is not available to the District in any year, or if determined by the District to be in its best interests, and subject to the terms of any applicable trust indenture, the Debt Assessments may be collected as is otherwise permitted by law. In particular, the District may, in its sole discretion, collect Debt Assessments by directly billing landowners and enforcing said collection in any manner authorized by law. Any prejudgment interest on delinguent 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 applicable 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 applicable 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 applicable 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 applicable 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 applicable 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 a specific 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 Orange 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 7th DAY OF DECEMBER, 2021.

ATTEST:

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair

Exhibit A: District Engineer's Report, dated September 28, 2021

Exhibit B: Master Special Assessment Methodology Report, dated September 28, 2021

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT





Published Daily ORANGE County, Florida

Sold To: The Ridge at Apopka Community Development - CU80125110 2300 Glades Rd, Ste 410W Boca Raton,FL 33431-8556

<u>Bill To:</u>

The Ridge at Apopka Community Development - CU80125110 2300 Glades Rd, Ste 410W Boca Raton,FL 33431-8556

State Of Florida County Of Orange

Before the undersigned authority personally appeared Rose Williams, who on oath says that he or she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published at the ORLANDO SENTINEL in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of 11200-Misc. Legal, n/a was published in said newspaper in the issues of Nov 17, 2021; Nov 24, 2021.

Affiant further says that the said ORLANDO SENTINEL is a newspaper Published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, in said ORANGE County, Florida, for a period of one 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

Rose Williams

Sworn to and subscribed before me on this 25 day of November, 2021, by above Affiant, who is personally known to me (X) or who has produced identification ().

me Rollins

Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

Orlando Sentinel

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2021/2022 BUDGET; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.

The Board of Supervisors ("Board") of the Ridge at Apopka Community Development District ("District") will hold a public hearing on December 7, 2021 at 2:30 p.m., at the office of GrayRobinson, P.A., 301 East Pine Street, Suite 1400, Orlando, Florida 32801 for the purpose of hearing comments and objections on the adoption of the budget of the District for the fiscal year beginning October 1, 2021 through September 30, 2022 ("Fiscal Year 2021/2022"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it.

A copy of the agenda and proposed budget may be obtained at the offices of the District Manager, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010 ("District Manager's Office"), during normal business hours.

The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone.

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 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.

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

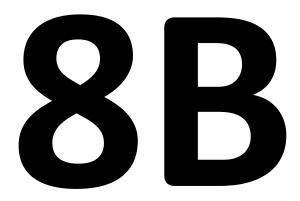
District Manager

OS7079918

11/17/2021 11/24/2021

7079918

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



RESOLUTION 2022-05

THE ANNUAL APPROPRIATION RESOLUTION OF THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT") RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGETS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has submitted to the Board of Supervisors ("Board") of the Ridge at Apopka Community Development District ("District") proposed budgets ("Proposed Budget") for the fiscal year beginning October 1, 2021 and ending September 30, 2022 ("Fiscal Year 2021/2022") along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

WHEREAS, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, the District Manager posted the Proposed Budget on the District's website at least two days before the public hearing; and

WHEREAS, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BUDGET

a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District's Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

- b. The Proposed Budget, attached hereto as **Exhibit "A,"** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* (**"Adopted Budget"**), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the Ridge at Apopka Community Development District for the Fiscal Year Ending September 30, 2022."
- d. The Adopted Budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2021/2022, the amounts identified below to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND See Exhibit A

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2021/2022 or within 60 days following the end of the Fiscal Year 2021/2022 may amend its Adopted Budget for that fiscal year as follows:

- a. The Board may authorize an increase or decrease in line item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may authorize an increase or decrease in line item appropriations within a fund if the total appropriations of the fund do not increase and if the aggregate change in the original appropriation item does not exceed \$10,000 or 10% of the original appropriation.
- c. By resolution, the Board may increase any appropriation item and/or fund to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.

d. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and Section 189.016, *Florida Statutes*, among other applicable laws. Among other procedures, the District Manager or Treasurer must ensure that any amendments to budget under subparagraphs c. and d. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

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

PASSED AND ADOPTED THIS 7TH DAY OF DECEMBER, 2021.

ATTEST:

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Ву:_____

lts:_____

EXHIBIT A: Adopted Budget

EXHIBIT A: Adopted Budget

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT PROPOSED BUDGET FISCAL YEAR 2022

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT TABLE OF CONTENTS

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General Fund Budget	1
Definitions of General Fund Expenditures	2

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT GENERAL FUND BUDGET FISCAL YEAR 2022

	E	roposed Budget Y 2022
REVENUES Landowner contribution Total revenues	\$	91,432 91,432
EXPENDITURES Professional & administrative Management/accounting/recording Legal Engineering Audit Arbitrage rebate calculation* Dissemination agent* Trustee* Telephone Postage Printing & binding Legal advertising Annual special district fee Insurance Contingencies/bank charges Website hosting & maintenance Website hosting & maintenance Website ADA compliance Total expenditures		48,000 25,000 2,000 - - 667 - 200 500 500 6,500 175 5,500 500 1,680 210 91,432
over/(under) expenditures Fund balance - beginning (unaudited) Fund balance - ending * These items will be realized when bonds are issued	\$	-

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT DEFINITIONS OF GENERAL FUND EXPENDITURES

EXPENDITURES	FY 2022	
Professional & administrative		
Management/accounting/recording	\$ 48,000	
Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of		
professionals to ensure compliance with all of the District's governmental requirements.		
WHA develops financing programs, administers the issuance of tax exempt bond		
financings, operates and maintains the assets of the community.		
Legal	25,000	
General counsel and legal representation, which includes issues relating to public finance,	-	
public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.		
Engineering	2,000	
The District's Engineer will provide construction and consulting services, to assist the		
District in crafting sustainable solutions to address the long term interests of the		
community while recognizing the needs of government, the environment and maintenance		
of the District's facilities.		
Audit	-	
Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.		
Arbitrage rebate calculation*	_	
To ensure the District's compliance with all tax regulations, annual computations are		
necessary to calculate the arbitrage rebate liability.		
Dissemination agent*	667	
The District must annually disseminate financial information in order to comply with the		
requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt		
& Associates serves as dissemination agent.		
Telephone	200	
Telephone and fax machine.		
Postage	500	
Mailing of agenda packages, overnight deliveries, correspondence, etc.		
Printing & binding	500	
Letterhead, envelopes, copies, agenda packages	0 500	
Legal advertising	6,500	
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.		
Annual special district fee	175	
Annual fee paid to the Florida Department of Economic Opportunity.		
Insurance	5,500	
The District will obtain public officials and general liability insurance.		
Contingencies/bank charges	500	
Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.		
Website hosting & maintenance	1 690	
Website ADA compliance	1,680 210	
Total expenditures	\$ 91,432	
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RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT





Published Daily ORANGE County, Florida

<u>Sold To:</u>

The Ridge at Apopka Community Development - CU80125110 2300 Glades Rd, Ste 410W Boca Raton,FL 33431-8556

<u>Bill To:</u>

The Ridge at Apopka Community Development - CU80125110 2300 Glades Rd, Ste 410W Boca Raton,FL 33431-8556

State Of Florida County Of Orange

Before the undersigned authority personally appeared Rose Williams, who on oath says that he or she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published at the ORLANDO SENTINEL in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of 11200-Misc. Legal, NOTICE OF RULE DEVELOPMENT was published in said newspaper in the issues of Nov 07, 2021.

Affiant further says that the said ORLANDO SENTINEL is a newspaper Published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, in said ORANGE County, Florida, for a period of one 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

Rose Williams

Sworn to and subscribed before me on this 8 day of November, 2021, by above Affiant, who is personally known to me (X) or who has produced identification ().

he Rollins

Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

Orlando Sentinel

NOTICE OF RULE DEVELOPMENT BY THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

In accord with Chapters 120 and 190, Florida Statutes, the Ridge at Apopka 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, prequalification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

The purpose and effect of the Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with recent changes to Florida law. The legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.011 (5), 190.011 (15) and 190.035, Florida Statutes (2020). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 112.31446, 112.3145, 119.0.7, 119.0701, 189.053, 189.069(2) (a)16, 190.006, 190.007, 190.008, 190.011(3), 190.011 (5), 190.011 (15), 190.033, 190.035, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.0113, 286.0114, 287.017, 287.055 and 287.084, Florida Statutes (2020).

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

District Manager Ridge at Apopka Community Development District 0\$7077083 11/7/2021

70770832



Published Daily ORANGE County, Florida

Sold To: The Ridge at Apopka Community Development - CU80125110 2300 Glades Rd, Ste 410W Boca Raton, FL, 33431-8556

Bill To:

The Ridge at Apopka Community Development - CU80125110 2300 Glades Rd, Ste 410W Boca Raton, FL, 33431-8556

State Of Illinois County Of Cook

Before the undersigned authority personally appeared Charlie Welenc, who on oath says that he or she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published at the ORLANDO SENTINEL in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of 11150-Public Hearing Notice, December 7, 2021 at 2:30 p.m. was published in said newspaper in the issues of Nov 08, 2021.

Affiant further says that the said ORLANDO SENTINEL is a newspaper Published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, in said ORANGE County, Florida, for a period of one 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

Charlie Welenc

Name of Affiant

Sworn to and subscribed before me on this 11 day of November, 2021, by above Affiant, who is personally known to me (X) or who has produced identification ().

Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

7077218



NOTICE OF RULEMAKING REGARDING THE RULES OF PROCEDURE OF THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

A public hearing will be conducted by the Board of Supervisors of the Ridge at Apopka Community Development District ("District") on December 7, 2021 at 2:30 p.m. at office of GrayRobinson, P.A., 301 East Pine Street, Suite 1400, Orlando, Florida 32801.

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 Ledger on November 7, 2021.

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

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

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

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

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



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

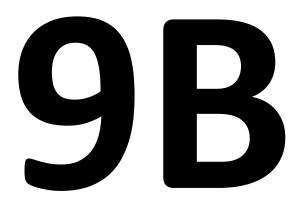
District Manager Ridge at Apopka Community Development District

OS7077218

11/8/2021

7077218

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



RESOLUTION 2022-06

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

WHEREAS, Ridge at Apopka Community Development District ("District") is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated within the City of Apopka, Orange County, Florida; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT:

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

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

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

PASSED AND ADOPTED this 7th day of December, 2021.

ATTEST:

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A: RULES OF PROCEDURE

RULES OF PROCEDURE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

EFFECTIVE AS OF DECEMBER 7, 2021

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Rule 1.0 General.

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

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

Rule 1.1 Board of Supervisors; Officers and Voting.

- (1) <u>Board of Supervisors.</u> The Board of Supervisors of the District ("Board") shall consist of five (5) members. Members of the Board ("Supervisors") appointed by ordinance or rule or elected by landowners must be citizens of the United States of America and residents of the State of Florida. Supervisors elected or appointed by the Board to elector seats must be citizens of the United States of America, residents of the State of Florida and of the District and registered to vote with the Supervisor of Elections of the county in which the District is located and for those elected, shall also be qualified to run by the Supervisor of Elections. The Board shall exercise the powers granted to the District under Florida law.
 - (a) Supervisors shall hold office for the term specified by Section 190.006 of the Florida Statutes. If, during the term of office, any Board member(s) vacates their office, the remaining member(s) of the Board shall fill the vacancies by appointment for the remainder of the term(s). If three or more vacancies exist at the same time, a quorum, as defined herein, shall not be required to appoint replacement Board members.
 - (b) Three (3) members of the Board shall constitute a quorum for the purposes of conducting business, exercising powers and all other purposes. A Board member shall be counted toward the quorum if physically present at the meeting, regardless of whether such Board member is prohibited from, or abstains from, participating in discussion or voting on a particular item.
 - (c) Action taken by the Board shall be upon a majority vote of the members present, unless otherwise provided in the Rules or required by law. Subject to Rule 1.3(10), a Board member participating in the Board meeting by teleconference or videoconference shall be entitled to vote and take all other action as though physically present.
 - (d) Unless otherwise provided for by an act of the Board, any one Board member may attend a mediation session on behalf of the Board. Any agreement resulting from such mediation session must be approved pursuant to subsection (1)(c) of this Rule.
- (2) <u>Officers.</u> 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) <u>Committees.</u> 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) <u>Record Book.</u> 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) <u>Meetings.</u> 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) <u>Voting Conflict of Interest.</u> 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, 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 1.2District Offices; Public Information and Inspection of Records; Policies; Service
Contract Requirements; Financial Disclosure Coordination.

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

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat. Law Implemented: §§ 112.31446(3), 112.3145(8)(a)1., 119.07, 119.0701, 190.006, Fla. Stat.

Rule 1.3 Public Meetings, Hearings, and Workshops.

- (1) Notice. Except in emergencies, or as otherwise required by statute or these Rules, at least seven (7) days public notice shall be given of any public meeting, hearing or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and in the county in which the District is located. "General circulation" means a publication that is printed and published at least once a week for the preceding year, offering at least 25% of its words in the English language, qualifies as a periodicals material for postal purposes in the county in which the District is located, is for sale to the public generally, is available to the public generally for the publication of official or other notices, and is customarily containing information of a public character or of interest or of value to the residents or owners of property in the county where published, or of interest or of value to the general public. The annual meeting notice required to be published by Section 189.015 of the Florida Statutes, shall be published in a newspaper not of limited subject matter, which is published at least five days a week, unless the only newspaper in the county is published less than five days a week. Each Notice shall state, as applicable:
 - (a) The date, time and place of the meeting, hearing or workshop;
 - (b) A brief description of the nature, subjects, and purposes of the meeting, hearing, or workshop;
 - (c) The District office address for the submission of requests for copies of the agenda, as well as a contact name and telephone number for verbal requests for copies of the agenda; and
 - (d) The following or substantially similar language: "Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (877) 276-0889. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770 or 1 (800) 955-8771, who can aid you in contacting the District Office."
 - (e) The following or substantially similar language: "A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based."

- (f) The following or substantially similar language: "The meeting [or hearing or workshop] may be continued in progress without additional notice to a time, date, and location stated on the record."
- (2) <u>Mistake.</u> 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) <u>Minutes.</u> 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) <u>Special Requests.</u> 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 prepay 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) <u>Public Comment.</u> 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) <u>Budget Hearing.</u> 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) <u>Public Hearings.</u> 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) <u>Participation by Teleconference/Videoconference</u>. 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) <u>Board Authorization.</u> 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) <u>Continuances.</u> 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) <u>Attorney-Client Sessions.</u> 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) <u>Internal Controls.</u> 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) <u>Adoption.</u> 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) <u>Commencement of Proceedings.</u> 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) <u>Notice of Rule Development.</u>
 - (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, 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) <u>Rule Development Workshops.</u> 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) <u>Rulemaking Materials.</u> 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 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) <u>Negotiated Rulemaking.</u> 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) <u>Rulemaking Record.</u> 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) <u>Petitions to Challenge Existing Rules.</u>

- (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) <u>Variances and Waivers.</u> A "variance" means a decision by the District to grant a modification to all or part of the literal requirements of a rule to a person who is subject to the rule. A "waiver" means a decision by the District not to apply all or part of a rule to a person who is subject to the rule. Variances and waivers from District rules may be granted subject to the following:
 - (a) Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person, and when application of the rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver. For purposes of this section, "principles of fairness" are violated when the literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule.
 - 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) <u>Rates, Fees, Rentals and Other Charges.</u> 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) <u>Purpose and Scope.</u> 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) <u>Board Authorization</u>. Except in cases of an Emergency Purchase, a competitive purchase governed by these Rules shall only be undertaken after authorization by the Board.
- (3) <u>Definitions.</u>
 - (a) "Competitive Solicitation" means a formal, advertised procurement process, other than an Invitation to Bid, Request for Proposals, or Invitation to Negotiate, approved by the Board to purchase commodities and/or services which affords vendors fair treatment in the competition for award of a District purchase contract.
 - (b) "Continuing Contract" means a contract for Professional Services entered into in accordance with Section 287.055 of the Florida Statutes, between the District and a firm, whereby the firm provides Professional Services to the District for projects in which the costs do not exceed two million dollars (\$2,000,000), for a study activity when the fee for such Professional Services to the District does not exceed two hundred thousand dollars (\$200,000), or for work of a specified nature as outlined in the contract with the District, with no time limitation except that the contract must provide a termination clause (for example, a contract for general District engineering services). Firms providing Professional Services under Continuing Contracts shall not be required to bid against one another.
 - (c) "Contractual Service" means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. Contractual Services do not include auditing services, Maintenance Services, or Professional Services as defined in Section 287.055(2)(a) of the Florida Statutes, and these Rules. Contractual Services also do not include any contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of any facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property entered into pursuant to Chapter 255 of the Florida Statutes, and Rules 3.5 or 3.6.

- (d) "Design-Build Contract" means a single contract with a Design-Build Firm for the design and construction of a public construction project.
- (e) "Design-Build Firm" means a partnership, corporation or other legal entity that:
 - 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.
- "Design Criteria Package" means concise, performance-oriented drawings (f) 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 performancebased 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.
- (I) "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:
 - 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;
 - 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 the threshold amount provided in Section 287.017 for CATEGORY TWO, as such categories may be amended or adjusted from time to time.
- (2) <u>Qualifying Procedures.</u> 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) <u>Public Announcement.</u> 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) <u>Competitive Selection.</u>

- (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) <u>Competitive Negotiation.</u>

- (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) <u>Contracts; Public Records.</u> 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) <u>Continuing Contract.</u> Nothing in this Rule shall prohibit a Continuing Contract between a consultant and the District.
- (8) <u>Emergency Purchase</u>. 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) <u>Definitions.</u>
 - (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) <u>Establishment of Auditor Selection Committee.</u> 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) <u>Establishment of Minimum Qualifications and Evaluation Criteria.</u> 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) <u>Minimum Qualifications.</u> 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) <u>Public Announcement.</u> 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) <u>Request for Proposals.</u> 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) <u>Committee's Evaluation of Proposals and Recommendation.</u> 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) <u>Board Selection of Auditor.</u>
 - (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. lf 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) <u>Contract.</u> 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) <u>Notice of Award.</u> 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) <u>Scope.</u> 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) <u>Procedure.</u> 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) <u>Scope.</u> 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) <u>Procedure.</u> 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 prequalification 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) <u>Suspension, Revocation, or Denial of Qualification</u>

- (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) <u>Scope.</u> 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) <u>Procedure.</u> 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) <u>Sole Source; Government.</u> 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) <u>Contracts; Public Records.</u> 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) <u>Emergency Purchases.</u> 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) <u>Exceptions.</u> 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) <u>Scope.</u> 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) <u>Procedure.</u>
 - (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.
 - <u>Qualifications-Based Selection.</u> 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) <u>Competitive Proposal-Based Selection.</u> 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:
 - 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 In consultation with the Design Criteria the District. 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 gualifications, 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 gualified 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) <u>Contracts; Public Records.</u> 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) <u>Emergency Purchase.</u> 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) <u>Exceptions.</u> 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) <u>Scope.</u> 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) <u>Required Bond.</u> 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) <u>Discretionary Bond.</u> 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) <u>Purpose and Scope.</u> 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) <u>Procedure.</u> 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 prequalified 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 nonmaterial 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) <u>Goods, Supplies, and Materials included in a Construction Contract Awarded</u> <u>Pursuant to Rule 3.5 or 3.6.</u> 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) <u>Exemption.</u> 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) <u>Renewal.</u> 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) <u>Emergency Purchases.</u> 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) <u>Scope.</u> 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) <u>Procedure.</u> 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) <u>Exemptions.</u> 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) <u>Renewal.</u> Contracts for the purchase of maintenance services subject to this Rule may be renewed for a maximum period of five (5) years.
- (5) <u>Contracts; Public Records.</u> 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) <u>Emergency Purchases.</u> 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) <u>Contracts; Public Records.</u> 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) <u>Filing.</u>
 - (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 District's costs, expenses, and attorney's fees associated with hearing and defending the protest. In the event the protest is successful, the protest is and protest.

- (d) The District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours.
- (2) <u>Contract Execution.</u> 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) <u>Informal Proceeding.</u> 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) <u>Formal Proceeding.</u> 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) <u>Intervenors.</u> Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (6) <u>Rejection of all Qualifications, Bids, Proposals, Replies and Responses after Receipt of Notice of Protest.</u> 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) <u>Settlement.</u> 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 December 7, 2021, except that no election of officers required by these Rules shall be required until after the next regular election for the Board.

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

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT





Published Daily ORANGE County, Florida

Sold To:

The Ridge at Apopka Community Development - CU80125110 2300 Glades Rd, Ste 410W Boca Raton,FL 33431-8556

<u>Bill To:</u>

The Ridge at Apopka Community Development - CU80125110 2300 Glades Rd, Ste 410W Boca Raton,FL 33431-8556

State Of Florida County Of Orange

Before the undersigned authority personally appeared Rose Williams, who on oath says that he or she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published at the ORLANDO SENTINEL in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of 11120-Advertisement for Bid, RAACDD RFP Annual Audit Services November 2021 was published in said newspaper in the issues of Nov 10, 2021.

Affiant further says that the said ORLANDO SENTINEL is a newspaper Published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, in said ORANGE County, Florida, for a period of one 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.

Rose Williams

Signature of Affiant

Name of Affiant

Sworn to and subscribed before me on this 11 day of November, 2021, by above Affiant, who is personally known to me (X) or who has produced identification ().

me Rollins

Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

Orlando Sentinel

RIDGE AT APOPKA COMMUNITY Development district request for Proposals for Annual Audit Services

The Ridge at Apopka 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, 2021, 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 Orange 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 ("District Manager"), in an envelope marked on the outside "Auditing Services, Ridge at Apopka Community Development District." Proposals must be received by 12:00 p.m., on November 22, 2021, at the office of the District Manager. Please direct all questions regarding this Notice to the District Manager.

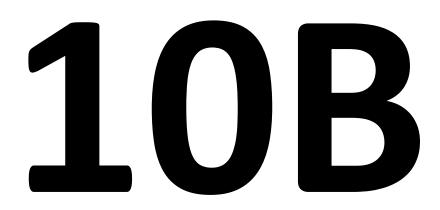
District Manager

OS7082907

11/10/2021

70829072

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT REQUEST FOR PROPOSALS FOR ANNUAL AUDIT SERVICES

The Ridge at Apopka 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 four (4) additional optional annual renewals. 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 Orange 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.

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District Manager

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

REQUEST FOR PROPOSALS

District Auditing Services for Fiscal Year 2022 Orange County, Florida

INSTRUCTIONS TO PROPOSERS

SECTION 1. DUE DATE. Sealed proposals must be received no later than **November 22, 2021**, at 12:00 p.m., at the offices of District Manager, located at 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 one (1) electronic copy and one (1) unbound copy 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 – Ridge at Apopka 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.

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT AUDITOR SELECTION EVALUATION CRITERIA

1. Ability of Personnel.

(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.

(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.

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

Total

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

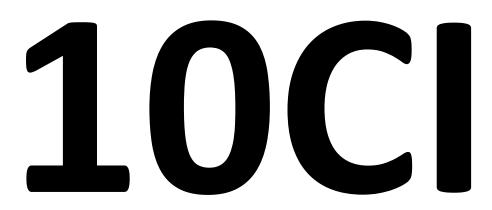
(20 Points)

(20 Points)

(100 Points)

(20 Points)***

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

PROPOSAL FOR AUDIT SERVICES

PROPOSED BY:

Berger, Toombs, Elam, Gaines & Frank

CERTIFIED PUBLIC ACCOUNTANTS, PL

600 Citrus Avenue, Suite 200 Fort Pierce, Florida 34950 (772) 461-6120

CONTACT PERSON:

J. W. Gaines, CPA, Director

DATE OF PROPOSAL:

November 22, 2021

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Certified Public Accountants PL

600 Citrus Avenue Suite 200 Fort Pierce, Florida 34950

772/461-6120 // 461-1155 FAX: 772/468-9278

November 22, 2021

Ridge at Apopka Community Development District Wrathell, Hunt and Associates, LLC 2300 Glades Road, Suite 410W Boca Raton, FL 33431

Dear District Manager:

Thank you very much for the opportunity to present our professional credentials to provide audit services for Ridge at Apopka Community Development District.

Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL has assembled a team of governmental and nonprofit specialists second to none to serve our clients. Our firm has the necessary qualifications and experience to serve as the independent auditors for Ridge at Apopka Community Development District. We will provide you with top quality, responsive service.

Experience

Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL is a recognized leader in providing services to governmental and nonprofit agencies throughout Florida. We have been the independent auditors for a number of local governmental agencies and through our experience in performing their audits, we have been able to increase our audit efficiency and; therefore, reduce costs. We have continually passed this cost savings on to our clients and will continue to do so in the future. As a result of our experience and expertise, we have developed an effective and efficient audit approach designed to meet or exceed the performance specifications in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States, and the standards for financial and compliance audits. We will conduct the audit in accordance with auditing standards generally accepted in the United States of America; "Government Auditing Standards" issued by the Comptroller General of the United States; the provisions of the Single Audit Act, Subpart F of Title 2 US Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, with minimal disruption to your operations. Our firm has frequent technical updates to keep our personnel informed and up-to-date on all changes that are occurring within the industry.



Ridge at Apopka Community Development District November 22, 2021

Our firm is a member of the Government Audit Quality Center, an organization dedicated to improving government audit quality. We also utilize the audit program software of a nationally recognized CPA firm to assure us that we are up to date with all auditing standards and to assist us maintain maximum audit efficiencies.

To facilitate your evaluation of our qualifications and experience, we have arranged this proposal to include a resume of our firm, including our available staff, our extensive prior governmental and nonprofit auditing experience and clients to be contacted.

You need a firm that will provide an efficient, cost-effective, high-quality audit within critical time constraints. You need a firm with the prerequisite governmental and nonprofit experience to perform your audit according to stringent legal and regulatory requirements, a firm that understands the complex nature of community development districts and their unique compliance requirements. You need a firm with recognized governmental and nonprofit specialists within the finance and governmental communities. And, certainly, you need a firm that will provide you with valuable feedback to enhance your current and future operations. Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL is that firm. J. W. Gaines is the person authorized to make representations for the firm.

Thank you again for the opportunity to submit this proposal to Ridge at Apopka Community Development District.

Very truly yours,

Berger Joontos Clam

Berger, Toombs, Elam, Gaines & Frank Certified Public Accountants PL Fort Pierce, Florida

PROFILE OF THE PROPOSER

Description and History of Audit Firm

Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL is a Treasure Coast public accounting firm, which qualifies as a small business firm, as established by the Small Business Administration (13 CFR 121.38), with offices in Fort Pierce and Stuart. We are a member of the Florida Institute of Certified Public Accountants and the American Institute of Certified Public Accountants. The firm was formed from the merger of Edwards, Berger, Harris & Company (originated in 1972) and McAlpin, Curtis & Associates (originated in 1949). J. W. Gaines and Associates (originated in 1979) merged with the firm in 2004. Our tremendous growth rate experienced over the last 71 years is directly attributable to the firm's unrelenting dedication to providing the highest quality, responsive professional services attainable to its clients.

We are a member of the Private Companies Practice Section (PCPS) of the American Institute of Certified Public Accountants (AICPA) to assure we meet the highest standards. Membership in this practice section requires that our firm meet more stringent standards than standard AICPA membership. These rigorous requirements include the requirement of a triennial peer review of our firm's auditing and accounting practice and annual Continuing Professional Education (CPE) for all accounting staff (whether CPA or non-CPA). For standard AICPA membership, only a quality review is required and only CPAs must meet CPE requirements.

We are also a member of the Government Audit Quality Center ("the Center") of the American Institute of Certified Public Accountants to assure the quality of our government audits. Membership in the Center, which is voluntary, requires our firm to comply with additional standards to promote the quality of government audits.

We have been extensively involved in serving local government entities with professional accounting, auditing and consulting services throughout the entire 71 year history of our firm. Our substantial experience over the years makes us uniquely qualified to provide accounting, auditing, and consulting services to these clients. We are a recognized leader in providing services to governmental and nonprofit agencies on the Treasure Coast and in Central and South Florida, with extensive experience in auditing community development districts and water control districts. We were the independent auditors of the City of Fort Pierce for over 37 years and currently, we are the independent auditors for St. Lucie County since 2002, and for 38 of the 42 years that the county has been audited by CPA firms. Additionally, we have performed audits of the City of Stuart, the City of Vero Beach, Indian River County and Martin County. We also presently audit over 75 Community Development Districts throughout Florida.

Our firm was founded on the belief that we are better able to respond to our clients needs through education, experience, independence, quality control, and personal service. Our firm's commitment to quality is reflected in our endeavor of professional excellence via continuing education, the use of the latest computer technology, professional membership in PCPS and peer review.

We believe our approach to audit engagements, intelligence and innovation teamed with sound professional judgment enables us to explore new concepts while remaining sensitive to the fundamental need for practical solutions. We take pride in giving you the assurance that the personal assistance you receive comes from years of advanced training, technical experience and financial acumen.

Professional Staff Resources

Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL has a total of 32 professional and administrative staff (including 14 professional staff with extensive experience servicing government entities). The work will be performed out of our Fort Pierce office with a proposed staff of one senior accountant and one or two staff accountants supervised by an audit manager and audit partner. With the exception of the directors of the firm's offices, the professional staff is not specifically assigned to any of our individual offices. The professional and administrative staff resources available to you through Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL are as follows:

	<u>Total</u>
Partners/Directors (CPA's)	5
Principals (CPA)	1
Managers (CPA)	1
Senior/Supervisor Accountants (2 CPA's)	3
Staff Accountants (1 CPA)	9
Computer Specialist	1
Paraprofessional	8
Administrative	4
Total – all personnel	32

Following is a brief description of each employee classification:

Staff Accountant – Staff accountants work directly under the constant supervision of the auditor-in-charge and, are responsible for the various testing of documents, account analysis and any other duties as his/her supervisor believes appropriate. Minimum qualification for a staff accountant is graduation from an accredited university or college with a degree in accounting or equivalent.

Senior Accountant – A senior accountant must possess all the qualifications of the staff accountant, in addition to being able to draft the necessary reports and financial statements, and supervise other staff accountants when necessary.

Managers – A manager must possess the qualifications of the senior accountant, plus be able to work without extensive supervision from the auditor-in-charge. The manager should be able to draft audit reports from start to finish and to supervise the audit team, if necessary.

Principal – A principal is a partner/director in training. He has been a manager for several years and possesses the technical skills to act as the auditor–in-charge. A principal has no financial interest in the firm.

Partner/Director – The director has extensive governmental auditing experience and acts as the auditor-in-charge. Directors have a financial interest in the firm.

Professional Staff Resources (Continued)

Independence – Independence of the public accounting firm, with respect to the audit client, is the foundation from which the public gains its trust in the opinion issued by the public accounting firm at the end of the audit process. This independence must be in appearance as well as in fact. The public must perceive that the accounting firm is independent of the audit entity to ensure that nothing would compromise the opinion issued by the public accounting firm. **Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL** is independent of Ridge at Apopka Community Development District, including its elected officials and related parties, at the date of this proposal, as defined by the following rules, regulations, and standards:

AuSection 220 – Statements on Auditing Standards issued by the American Institute of Certified Public Accountants;

ET Sections 101 and 102 – Code of Professional Conduct of the American Institute of Certified Public Accountants;

Chapter 21A-1, Florida Administrative Code;

Section 473.315, Florida Statutes; and,

Government Auditing Standards, issued by the Comptroller General of the United States.

On an annual basis, all members of the firm are required to confirm, in writing, that they have no personal or financial relationships or holding that would impair their independence with regard to the firm's clients.

Independence is a hallmark of our profession. We encourage our staff to use professional judgment in situations where our independence could be impaired or the perception of a conflict of interest might exist. In the governmental sector, public perception is as important as professional standards. Therefore, the utmost care must be exercised by independent auditors in the performance of their duties.

Ability to Furnish the Required Services

As previously noted in the Profile of the Proposer section of this document, our firm has been in existence for over 69 years. We have provided audit services to some clients for over 30 years continually. Our firm is insured against physical loss through commercial insurance and we also carry liability insurance. The majority of our audit documentation is stored electronically, both on our office network and on each employee laptop or computer assigned to each specific job. Our office computer network is backed up on tape, so in the event of a total equipment loss, we can restore all data as soon as replacement equipment is acquired. In addition, our field laptop computers carry the same data and can be used in the event of emergency with virtually no delay in completing the required services.

ADDITIONAL SERVICES PROVIDED

Arbitrage Rebate Services

Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL also provides arbitrage rebate compliance and related services to governmental issuers. The Tax Reform Act of 1986 requires issuers of most tax-exempt obligations to pay (i.e., "rebate") to the United States government any arbitrage profits. Arbitrage profits are earnings on the investment of bond proceeds and certain other monies in excess of what would have been earned had such monies been invested at a yield equal to the yield on the bonds.

Federal tax law requires that interim rebate calculations and payments are due at the end of every fifth bond year. Final payment is required upon redemption of the bonds. More frequent calculations may be deemed advisable by an issuer's auditor, trustee or bond counsel or to assure that accurate and current records are available. These more frequent requirements are usually contained in the Arbitrage or Rebate Certificate with respect to the bonds.

Our firm performs a comprehensive rebate analysis and includes the following:

- Verifying that the issue is subject to rebate;
- Calculating the bond yield;
- Identifying, and separately accounting for, all "Gross Proceeds" (as that term is defined in the Code) of the bond issue, including those requiring analysis due to "transferred proceeds" and/or "commingled funds" circumstances;
- Determining what general and/or elective options are available to Gross proceeds of the issue;
- Calculating the issue's excess investment earning (rebate liability), if any;
- Delivering appropriate documentation to support all calculations;
- Providing an executive summary identifying the methodology employed, major assumptions, conclusions, and any other recommendations for changes in recordkeeping and investment policies;
- Assisting as necessary in the event of an Internal Revenue Service inquiry; and,
- Consulting with issue staff, as necessary, regarding arbitrage related matters.

GOVERNMENTAL AUDITING EXPERIENCE

Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL has been practicing public accounting in Florida for 69 years. Our success over the years has been the result of a strong commitment to providing personalized quality service to our clients.

The current members of our firm have performed audits of over 900 community development districts, and over 1,800 audits of municipalities, counties and other governmental entities such as the City of Fort Pierce and St. Lucie County.

Our firm provides a variety of accounting, auditing, tax litigation support, and consulting services. Some of the professional accounting, auditing and management consulting services that are provided by our firm are listed below:

- Performance of annual financial and compliance audits, including Single Audits of state and federal financial assistance programs, under the provisions of the Single Audit Act, Subpart F of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), with minimal disruptions to your operations;
- Performance of special compliance audits to ascertain compliance with the applicable local, state and federal laws and regulations;
- Issuance of comfort letters and consent letters in conjunction with the issuance of taxexempt debt obligations, including compiling financial data and interim period financial statement reviews;
- Calculation of estimated and actual federal arbitrage rebates;
- Assistance in compiling historical financial data for first-time and supplemental submissions for GFOA Certificate of Achievement for Excellence in Financial Reporting;
- Preparation of indirect cost allocation systems in accordance with Federal and State regulatory requirements;
- Providing human resource and employee benefit consulting;
- Performance of automation feasibility studies and disaster recovery plans;
- Performance feasibility studies concerning major fixed asset acquisitions and utility plant expansion plans (including electric, water, pollution control, and sanitation utilities); and
- Assistance in litigation, including testimony in civil and criminal court.
- Assist clients who utilize QuickBooks software with their software needs. Our Certified QuickBooks Advisor has undergone extensive training through QuickBooks and has passed several exams to attain this Certification.

Continuing Professional Education

All members of the governmental audit staff of our firm, and audit team members assigned to this engagement, are in compliance with the Continuing Professional Education (CPE) requirements set forth in Government Auditing Standards issued by the Comptroller General of the United States. In addition, our firm is in compliance with the applicable provisions of the Florida Statutes that require CPA's to have met certain CPE requirements prior to proposing on governmental audit engagements.

GOVERNMENTAL AUDITING EXPERIENCE (CONTINUED)

The audit team has extensive experience in performing governmental audits and is exposed to intensive and continuing concentration on these types of audits. Due to the total number of governmental audits our team performs, each member of our governmental staff must understand and be able to perform several types of governmental audits. It is our objective to provide each professional employee fifty hours or more of comprehensive continuing professional education each year. This is accomplished through attending seminars throughout Florida and is reinforced through in-house training.

Our firm has made a steadfast commitment to professional education. Our active attendance and participation in continuing professional education is a major part of our objective to obtain the most recent knowledge on issues which are of importance to our clients. We are growing on the reputation for work that our firm is providing today.

Quality Control Program

Quality control requires continuing commitment to professional excellence. Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL is formally dedicated to that commitment.

To ensure maintaining the standards of working excellence required by our firm, we joined the Private Companies Practice Section (PCPS) of the American Institute of Certified Public Accountants (AICPA). To be a participating member firm of this practice section, a firm must obtain an independent Peer Review of its quality control policies and procedures to ascertain the firm's compliance with existing auditing standards on the applicable engagements.

The scope of the Peer Review is comprehensive in that it specifically reviews the following quality control policies and procedures of the participating firm:

- Professional, economic, and administrative independence;
- Assignment of professional personnel to engagements;
- Consultation on technical matters;
- Supervision of engagement personnel;
- Hiring and employment of personnel;
- Professional development;
- Advancement;
- Acceptance and continuation of clients; and,
- Inspection and review system.

We believe that our commitment to the program is rewarding not only to our firm, but primarily to our clients.

The external independent Peer Review of the elements of our quality control policies and procedures performed by an independent certified public accountant, approved by the PCPS of the AICPA, provides you with the assurance that we continue to conform to standards of the profession in the conduct of our accounting and auditing practice.

GOVERNMENTAL AUDITING EXPERIENCE (CONTINUED)

Our firm is also a member of Governmental Audit Quality Center (GAQC), a voluntary membership center for CPA firms that perform governmental audits. This center promotes the quality of governmental audits.

Our firm has completed successive Peer Reviews. These reviews included a representative sample of our firm's local governmental auditing engagements. As a result of these reviews, our firm obtained an unqualified opinion on our quality control program and work procedures. On page 31 is a copy of our most recent Peer Review report. It should be noted that we received a pass rating.

Our firm has never had any disciplinary actions by state regulatory bodies or professional organizations.

As our firm performs approximately one hundred fifty audits each year that are reviewed by federal, state or local entities, we are constantly dealing with questions from these entities about our audits. We are pleased to say that any questions that have been raised were minor issues and were easily resolved without re-issuing any reports.

Certificate of Achievement for Excellence in Financial Reporting (CAFR)

We are proud and honored to have been involved with the City of Fort Pierce and the Fort Pierce Utilities Authority when they received their first Certificates of Achievement for Excellence in Financial Reporting for the fiscal years ended September 30, 1988 and 1994, respectively. We were also instrumental in the City of Stuart receiving the award, in our first year of performing their audit, for the year ended September 30, 1999.

We also assisted St. Lucie County, Florida for the year ended September 30, 2003, in preparing their first Comprehensive Annual Financial Report, and St. Lucie County has received their Certificate of Achievement for Excellence in Financial Reporting every year since.

As continued commitment to insuring that we are providing the highest level of experience, we have had at least one employee of our firm serve on the GFOA – Special Review Committee since the mid-1980s. This committee is made up of selective Certified Public Accountants throughout the United States who have demonstrated their high level of knowledge and expertise in governmental accounting. Each committee member attends a special review meeting at the Annual GFOA Conference. At this meeting, the committee reports on the Certificate of Achievement Program's most recent results, future goals, and common reporting deficiencies.

We feel that our previous experience in assisting the City of Fort Pierce, the Fort Pierce Utilities Authority and St. Lucie County obtain their first CAFRs, and the City of Stuart in continuing to receive a CAFR and our firm's continued involvement with the GFOA, and the CAFR review committee make us a valued asset for any client in the field of governmental financial reporting.

GOVERNMENTAL AUDIT EXPERIENCE (CONTINUED)

<u>References</u>

Terracina Community Development District	Gateway Community Development District
Jeff Walker, Special District Services (561) 630-4922	Stephen Bloom, Severn Trent Management (954) 753-5841
The Reserve Community Development District	Port of the Islands Community Development District
Darrin Mossing, Governmental Management Services LLC	Cal Teague, Premier District Management
(407) 841-5524	(239) 690-7100 ext 101
In addition to the above, we have the following add	litional governmental audit experience:
Community Development Districts	
Aberdeen Community Development District	Alta Lakes Community Development District
Amelia Concourse Community Development District	Amelia Walk Communnity Development District
Aqua One Community Development District	Arborwood Community Development District
Arlington Ridge Community Development District	Armstrong Community Development District
Avalon Park West Community Development District	Bartram Springs Community Development District
Baytree Community Development District	Beaumont Community Development District
Bella Collina Community Development District	Boggy Branch Community Development District
Boggy Creek Community Development District	Bonnet Creek Community Development District
Buckeye Park Community Development District	Candler Hills East Community Development District
Capital Region Community Development District	Cedar Hammock Community Development District

GOVERNMENTAL AUDIT EXPERIENCE (CONTINUED)

Central Lake Community Development District
Cheval West Community Development District
Coconut Cay Community Development District
Connerton West Community Development District
Copperstone Community Development District
Deer Run Community Development District
DP1 Community Development District
Eagle Point Community Development District
Eastlake Oaks Community Development District
Eden Hills Community Development District
Estates at Cherry Lake Community Development District
Finley Woosd Community Development District
Gramercy Farms Community Development District
Greyhawk Landing Community Development District
Habitat Community Development District

Channing Park Community Development District

Clearwater Cay Community Development District

Colonial Country Club Community Development District

Copper Creek Community Development District

Creekside at Twin Creeks Community

Dowden West Community Development District

Durbin Crossing Community Development District

East Nassau Stewardship District

Easton Park Community Development District

Estancia at Wiregrass Community Development District

Evergreen Community Development District

Gateway Services Community Development District

Greenway Improvement District

Griffin Lakes Community Development District

Harmony Community Development District

GOVERNMENTAL AUDIT EXPERIENCE (CONTINUED)

- Harmony West Community Development District
- Heritage Harbor South Community Development District
- Heritage Lake Park Community Development District
- Heritage Palms Community Development District
- Highland Meadows II Community Development District
- Laguna Lakes Community Development District
- Lake Bernadette Community Development District
- Landings at Miami Community Development District
- Lexington Oaks Community Development District
- Lucaya Community Development District
- Magic Reserve Community Development District
- Marhsall Creek Community Development District
- Midtown Miami Community Development District
- Montecito Community Development District
- Narcoossee Community Development District

New Port Tampa Bay Community Development District Hawkstone Community Development District

- Heritage Isles Community Development District
- Heritage Landing Community Development District
- Heron Isles Community Development District
- Julington Creek Community Development District
- Lake Ashton Community Development District
- Lakeside Plantation Community Development District
- Legends Bay Community Development District
- Live Oak No. 2 Community Development District
- Madeira Community Development District
- Magnolia Creek Community Development District
- Meadow Pointe IV Community Development District
- Mira Lago West Community Development District
- Myrtle Creek Improvement District
- Naturewalk Community Development District
- **Overoaks Community Development District**

Pier Park Community Development District
Piney Z Community Development District
Port of the Islands Community Development District
Quarry Community Development District
Reserve #2 Community Development District
Reserve Community Development District
River Place on the St. Lucie Community Development District
Riverwood Estates Community Development
Rolling Oaks Community Development District
Sampson Creek Community Development District
Sandmine Road Community Development District
South Fork Community Development District
South Village Community Development District
St. John's Forest Community Development District
Stoneybrook South Community Development District
Storey Creek Community Development District
Tison's Landing Community Development District

GOVERNMENTAL AUDIT EXPERIENCE (CONTINUED)

Zephyr Ridge Community Development District

Town of Kindred II Community Development District	TPOST Community Development District
Triple Creek Community Development District	TSR Community Development District
Turnbull Creek Community Development District	Twin Creeks North Community Development District
Urban Orlando Community Development District	Venetian Community Development District
Verano #2 Community Development District	Viera East Community Development District
VillaMar Community Development District	Vizcaya in Kendall Community Development District
Waterset North Community Development District	West Port Community Development District
Westside Community Development District	WildBlue Community Development District
Willow Creek Community Development District	Willow Hammock Community Development District
Wiregrass Community Development District	Wiregrass II Community Development District

GOVERNMENTAL AUDIT EXPERIENCE (CONTINUED)

Other Governmental Organizations

City of Westlake

Florida Inland Navigation District

Fort Pierce Farms Water Control District

Indian River Regional Crime Laboratory, District 19, Florida

Viera Stewardship District

Office of the Medical Examiner, District 19

Rupert J. Smith Law Library of St. Lucie County

St. Lucie Education Foundation

Seminole Improvement District

Troup Indiantown Water Control District

Current or Recent Single Audits,

St. Lucie County, Florida Early Learning Coalition, Inc. Treasure Coast Food Bank, Inc. Gateway Services Community Development District

Members of our audit team have acquired extensive experience from performing or participating in over 2,100 audits of governments, independent special taxing districts, school boards, and other agencies that receive public money and utilize fund accounting.

Much of our firm's auditing experience is with compliance auditing, which is required for publicly financed agencies. In this type of audit, we do a financial examination and also confirm compliance with various statutory and regulatory guidelines.

Following is a summary of our other experience, including Auditor General experience, as it pertains to other governmental and fund accounting audits.

<u>Counties</u>

(Includes elected constitutional officers, utilities and dependent taxing districts)

Indian River Martin Okeechobee Palm Beach

Municipalities

City of Port St. Lucie City of Vero Beach Town of Orchid

GOVERNMENTAL AUDIT EXPERIENCE (CONTINUED)

Special Districts

Bannon Lakes Community Development District Boggy Creek Community Development District Capron Trail Community Development District **Celebration Pointe Community Development District Coquina Water Control District** Diamond Hill Community Development District **Dovera Community Development District** Durbin Crossing Community Development District Golden Lakes Community Development District Lakewood Ranch Community Development District Martin Soil and Water Conservation District Meadow Pointe III Community Development District Myrtle Creek Community Development District St. Lucie County – Fort Pierce Fire District The Crossings at Fleming Island St. Lucie West Services District Indian River County Mosquito Control District St. John's Water Control District Westchase and Westchase East Community Development Districts Pier Park Community Development District Verandahs Community Development District Magnolia Park Community Development District

Schools and Colleges

Federal Student Aid Programs – Indian River Community College Indian River Community College Okeechobee County District School Board St. Lucie County District School Board

State and County Agencies

Central Florida Foreign-Trade Zone, Inc. (a nonprofit organization affiliated with the St. Lucie County Board of County Commissioners)
Florida School for Boys at Okeechobee
Indian River Community College Crime Laboratory
Indian River Correctional Institution

FEE SCHEDULE

We propose the fee for our audit services described below to be \$3,075 for the years ended September 30, 2021, 2022, 2023, 2024, and 2025. The fee is contingent upon the financial records and accounting systems of Ridge at Apopka Community Development District being "audit ready" and the financial activity for the District is not materially increased. If we discover that additional preparation work or subsidiary schedules are needed, we will consult with your authorized representative. We can assist with this additional work at our standard rates should you desire.

SCOPE OF WORK TO BE PERFORMED

If selected as the District's auditors, we will perform a financial and compliance audit in accordance with Section 11.45, Florida Statutes, in order to express an opinion on an annual basis on the financial statements of Ridge at Apopka Community Development District as of September 30, 2021, 2022, 2023, 2024, and 2025. The audits will be performed to the extent necessary to express an opinion on the fairness in all material respects with which the financial statements present the financial position, results of operations and changes in financial position in conformity with generally accepted accounting principles and to determine whether, for selected transactions, operations are properly conducted in accordance with legal and regulatory requirements. Reportable conditions that are also material weaknesses shall be identified as such in the Auditors' Report on Internal Control over Financial Reporting and on Compliance and Other Matters. Other (non-reportable) conditions discovered during the course of the audit will be reported in a separate letter to management, which will be referred to in the Auditors' Report on Internal Reporting and on Compliance and Other Matters.

Our audit will be performed in accordance with standards for financial and compliance audits contained in *Government Auditing Standards*, as well as in compliance with rules and regulations of audits of special districts as set forth by the State Auditor General in Chapter 10.550, Local Governmental Entity Audits, and other relevant federal, state and county orders, statutes, ordinances, charter, resolutions, bond covenants, Administrative Code and procedures, or rules and regulations which may pertain to the work required in the engagement.

The primary purpose of our audit will be to express an opinion on the financial statements discussed above. It should be noted that such audits are subject to the inherent risk that errors or irregularities may not be detected. However, if conditions are discovered which lead to the belief that material errors, defalcations or other irregularities may exist or if other circumstances are encountered that require extended services, we will promptly notify the appropriate individual.

J. W. Gaines, CPA, CITP

Director - 41 years

Education

• Stetson University, B.B.A. – Accounting

Registrations

- Certified Public Accountant State of Florida, State Board of Accountancy
- Certified Information Technology Professional (CITP) American Institute of Certified Public Accountants

Professional Affiliations/Community Service

- Member of the American and Florida Institutes of Certified Public Accountants
- Affiliate member Government Finance Officers Association
- Past President, Vice President-Campaign Chairman, Vice President and Board Member of United Way of St. Lucie County, 1989 - 1994
- Past President, President Elect, Secretary and Treasurer of the Treasure Coast Chapter of the Florida Institute of Certified Public Accountants, 1988 - 1991
- Past President of Ft. Pierce Kiwanis Club, 1994 95, Member/Board Member since 1982
- Past President, Vice President and Treasurer of St. Lucie County Chapter of the American Cancer Society, 1980 -1986
- Member of the St. Lucie County Chamber of Commerce, Member Board of Directors, Treasurer, September 2002 - 2006, Chairman Elect 2007, Chairman 2008, Past Chairman 2009
- Member Lawnwood Regional Medical Center Board of Trustees, 2000 Present, Chairman 2013 - Present
- Member of St. Lucie County Citizens Budget Committee, 2001 2002
- Member of Ft. Pierce Citizens Budget Advisory Committee, 2010 2011
- Member of Ft. Pierce Civil Service Appeals Board, 2013 Present

Professional Experience

- Miles Grant Development/Country Club Stuart, Florida, July 1975 October 1976
- State Auditor General's Office Public Accounts Auditor November 1976 through September 1979
- Director Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants PL, responsible for numerous government and nonprofit audits.
- Over 40 years experience in all phases of public accounting and auditing experience, with a concentration in financial and compliance audits. Mr. Gaines has been involved in all phases of the audits listed on the preceding pages.

J. W. Gaines, CPA, CITP (Continued) Director

Continuing Professional Education

 Has participated in numerous continuing professional education courses provided by nationally recognized sponsors over the last two years to keep abreast of the latest developments in accounting and auditing such as:

Governmental Accounting Report and Audit Update Analytical Procedures, FICPA Annual Update for Accountants and Auditors Single Audit Sampling and Other Considerations

David S. McGuire, CPA, CITP

Accounting and Audit Principal – 18 years Accounting and Audit Manager – 4 years Staff Accountant – 11 years

Education

- University of Central Florida, B.A. Accounting
- Barry University Master of Professional Accountancy

Registrations

- Certified Public Accountant State of Florida, State Board of Accountancy
- Certified Information Technology Professional (CITP) American Institute of Certified Public Accountants
- Certified Not-For-Profit Core Concepts 2018

Professional Affiliations/Community Service

- Member of the American and Florida Institutes of Certified Public Accountants
- Associate Member, Florida Government Finance Office Associates
- Assistant Coach St. Lucie County Youth Football Organization (1994 2005)
- Assistant Coach Greater Port St. Lucie Football League, Inc. (2006 2010)
- Board Member Greater Port St. Lucie Football League, Inc. (2011 2017)
- Treasurer, AIDS Research and Treatment Center of the Treasure Coast, Inc. (2000 2003)
- Board Member/Treasurer, North Treasure Coast Chapter, American Red Cross (2004 – 2010)
- Member/Board Member of Port St. Lucie Kiwanis (1994 2001)
- President (2014/15) of Sunrise Kiwanis of Fort Pierce (2004 2017)
- St. Lucie District School Board Superintendent Search Committee (2013 present)
- Board Member Phrozen Pharoes (2019-2021)

Professional Experience

- Twenty-eight years public accounting experience with an emphasis on nonprofit and governmental organizations.
- Audit Manager in-charge on a variety of audit and review engagements within several industries, including the following government and nonprofit organizations:

St. Lucie County, Florida 19th Circuit Office of Medical Examiner Troup Indiantown Water Control District Exchange Club Center for the Prevention of Child Abuse, Inc. Healthy Kids of St. Lucie County Mustard Seed Ministries of Ft. Pierce, Inc. Reaching Our Community Kids, Inc. Reaching Our Community Kids - South St. Lucie County Education Foundation, Inc. Treasure Coast Food Bank, Inc. North Springs Improvement District

• Four years of service in the United States Air Force in computer operations, with a top secret (SCI/SBI) security clearance.

David S. McGuire, CPA, CITP (Continued)

Accounting and Audit Principal

Continuing Professional Education

 Mr. McGuire has attended numerous continuing professional education courses and seminars taught by nationally recognized sponsors in the accounting auditing and single audit compliance areas. He has attended courses over the last two years in those areas as follows:

Not-for-Profit Auditing Financial Results and Compliance Requirements Update: Government Accounting Reporting and Auditing Annual Update for Accountants and Auditors

David F. Haughton, CPA

Accounting and Audit Manager - 30 years

Education

• Stetson University, B.B.A. – Accounting

Registrations

• Certified Public Accountant – State of Florida, State Board of Accountancy

Professional Affiliations/Community Service

- Member of the American and Florida Institutes of Certified Public Accountants
- Former Member of Florida Institute of Certified Public Accountants Committee on State and Local Government
- Affiliate Member Government Finance Officers Association (GFOA) for over 10 years
- Affiliate Member Florida Government Finance Officers Association (FGFOA) for over 10 years
- Technical Review 1997 FICPA Course on State and Local Governments in Florida
- Board of Directors Kiwanis of Ft. Pierce, Treasurer 1994-1999; Vice President 1999-2001

Professional Experience

- Twenty-seven years public accounting experience with an emphasis on governmental and nonprofit organizations.
- State Auditor General's Office West Palm Beach, Staff Auditor, June 1985 to September 1985
- Accounting and Audit Manager of Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants PL, responsible for audit and accounting services including governmental and not-for-profit audits.
- Over 20 years of public accounting and governmental experience, specializing in governmental and nonprofit organizations with concentration in special districts, including Community Development Districts which provide services including water and sewer utilities. Governmental and non-profit entities served include the following:

Counties:

St. Lucie County

Municipalities:

City of Fort Pierce City of Stuart

David F. Haughton, CPA (Continued)

Accounting and Audit Manager

Professional Experience (Continued)

Special Districts:

Bluewaters Community Development District Country Club of Mount Dora Community Development District Fiddler's Creek Community Development District #1 and #2 Indigo Community Development District North Springs Improvement District Renaissance Commons Community Development District St. Lucie West Services District Stoneybrook Community Development District Summerville Community Development District Terracina Community Development District Thousand Oaks Community Development District Tree Island Estates Community Development District Valencia Acres Community Development District

Non-Profits:

The Dunbar Center, Inc. Hibiscus Children's Foundation, Inc. Hope Rural School, Inc. Maritime and Yachting Museum of Florida, Inc. Tykes and Teens, Inc. United Way of Martin County, Inc. Workforce Development Board of the Treasure Coast, Inc.

- While with the Auditor General's Office he was on the staff for the state audits of the Martin County School District and Okeechobee County School District.
- During 1997 he performed a technical review of the Florida Institute of Certified Public Accountants state CPE course on Audits of State and Local Governments in Florida. His comments were well received by the author and were utilized in future updates to the course.

Continuing Professional Education

During the past several years, he has participated in numerous professional development training programs sponsored by the AICPA and FICPA, including state conferences on special districts and governmental auditing in Florida. He averages in excess of 100 hours bi-annually of advanced training which exceeds the 80 hours required in accordance with the continuing professional education requirements of the Florida State Board of accountancy and the AICPA Private Companies Practice Section. He has over 75 hours of governmental CPE credit within the past two years.

Matthew Gonano, CPA

Senior Staff Accountant - 10 years

Education

- University of North Florida, B.B.A. Accounting
- University of Alicante, Spain International Business
- Florida Atlantic University Masters of Accounting

Professional Affiliations/Community Service

- American Institute of Certified Public Accountants
- Florida Institute of Certified Public Accountants

Professional Experience

- Senior Accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.
- Performed audits of nonprofit and governmental organizations in accordance with Governmental Accounting Auditing Standards (GAAS)
- Performed Single Audits of nonprofit organizations in accordance with OMB Circular A-133, Audits of State, Local Governments, and Non-Profit Organizations.

Continuing Professional Education

• Mr. Gonano has participated in numerous continuing professional education courses.

Personnel Qualifications and Experience

Paul Daly

Staff Accountant – 9 years

Education

• Florida Atlantic University, B.S. – Accounting

Professional Experience

• Staff Accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

Continuing Professional Education

• Working to attain the requirements to take the Certified Public Accounting (CPA) exam.

Personnel Qualifications and Experience

Melissa Marlin, CPA

Senior Staff Accountant - 8 years

Education

- Indian River State College, A.A. Accounting
- Florida Atlantic University, B.B.A. Accounting

Professional Experience

• Staff accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

Continuing Professional Education

 Mrs. Marlin participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.

Personnel Qualifications and Experience

Bryan Snyder

Staff Accountant - 5 years

Education

• Florida Atlantic University, B.B.A. – Accounting

Professional Experience

- Accountant beginning his professional auditing career with Berger, Toombs, Elam, Gaines, & Frank.
- Mr. Snyder is gaining experience auditing governmental & nonprofit entities.

- Mr. Snyder participates in numerous continuing education courses and plans on working to acquire his CPA certificate.
- Mr. Snyder is currently studying to pass the CPA exam.

Maritza Stonebraker, CPA

Staff Accountant – 4 years

Education

• Indian River State College, B.S.A. – Accounting

Professional Experience

• Staff Accountant beginning her professional auditing career with Berger, Toombs, Elam, Gaines, & Frank.

Continuing Professional Education

• Mrs. Stonebraker participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.

Jonathan Herman, CPA

Senior Staff Accountant - 7 years

Education

- University of Central Florida, B.S. Accounting
- Florida Atlantic University, MACC

Professional Experience

 Accounting graduate with five years experience with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

Continuing Professional Education

• Mr. Herman participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.

Personnel Qualifications and Experience

Sean Stanton, CPA

Staff Accountant - 4 years

Education

- University of South Florida, B.S. Accounting
- Florida Atlantic University, M.B.A. Accounting

Professional Experience

• Staff accountant with Berger, Toombs, Elam, Gaines, & Frank auditing governmental and non-profit entities.

Continuing Professional Education

• Mr. Stanton participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.

Personnel Qualifications and Experience

Taylor Nuccio

Staff Accountant - 3 years

Education

♦ Indian River State College, B.S.A. – Accounting

Professional Experience

• Staff Accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

- Ms. Nuccio participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.
- Ms. Nuccio is currently working towards completing an additional 30 hours of education to qualify to sit for CPA exam.

Personnel Qualifications and Experience

Tifanee Terrell

Staff Accountant

Education

• Florida Atlantic University, M.B.A. – Accounting

Professional Experience

• Staff Accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

- Ms. Terrell participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.
- Ms. Terrell is currently working towards completing an additional 30 hours of education to qualify to sit for CPA exam.

Personnel Qualifications and Experience

Mathew Spinosa

Staff Accountant

Education

• Indian River State College, B.S.A. – Accounting

Professional Experience

• Staff Accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

- Mr. Spinosa participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.
- Mr. Spinosa is currently working towards completing an additional 30 hours of education to qualify to sit for CPA exam.

Personnel Qualifications and Experience

Dylan Dixon

Staff Accountant

Education

◆ Indian River State College, A.A. – Accounting

Professional Experience

• Staff Accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

- Mr. Dixon is currently pursuing a bachelor's degree in Accounting.
- Mr. Dixon participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.
- Mr. Dixon is currently working towards completing an additional 30 hours of education to qualify to sit for CPA exam.



Judson B. Baggett MBA, CPA, CVA, Partner Marci Reutimann CPA, Partner

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 용 (813) 782-8606

Report on the Firm's System of Quality Control

To the Partners

October 30, 2019

Berger, Toombs, Elam, Gaines & Frank, CPAs, PL and the Peer Review Committee of the Florida Institute of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Berger, Toombs, Elam, Gaines & Frank, CPAs, PL, (the firm), in effect for the year ended May 31, 2019. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control, and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including a compliance audit under the Single Audit Act.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Berger, Toombs, Elam, Gaines & Frank, CPAs, PL, in effect for the year ended May 31, 2019, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass, pass with deficiency(ies)*, or *fail.* Berger, Toombs, Elam, Gaines & Frank, CPAs, PL has received a peer review rating of *pass.*

Babast, Reutiman & aboariates, CPAS PA BAGGETT, REUTIMANN& ASSOCIATES, CPAS, PA

Member American Institute of Certified Public Accountants (AICPA) and Florida Institute of Certified Public Accountants (FICPA) National Association of Certified Valuation Analysts (NACVA)

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT REQUEST FOR PROPOSALS

District Auditing Services for Fiscal Year 2021 Orange County, Florida

INSTRUCTIONS TO PROPOSERS

SECTION 1. DUE DATE. Sealed proposals must be received no later than November 22, 2021, at 12:00 p.m., at the offices of District Manager, located at 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 one (1) electronic copy and one (1) unbound copy 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 – Ridge at Apopka 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.

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT AUDITOR SELECTION EVALUATION CRITERIA

1. Ability of Personnel.

(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.

(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.

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

4. Ability to Furnish the Required Services.

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.

Total

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

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

(20 Points)

(20 Points)

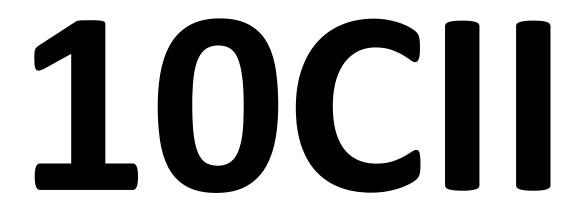
(100 Points)

(20 Points)***

(20 Points)

(20 Points)

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT





Proposal to Provide Financial Auditing Services:

RIDGE AT APOPKA

COMMUNITY DEVELOPMENT DISTRICT

Proposal Due: November 22, 2021 12:00PM

Submitted to:

Ridge at Apopka 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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November 22, 2021

Ridge at Apopka 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 four (4) additional annual renewals.

Grau & Associates (Grau) welcomes the opportunity to respond to the Ridge at Apopka 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 (<u>tgrau@graucpa.com</u>) or Racquel McIntosh, CPA (<u>rmcintosh@graucpa.com</u>) at 561.994.9299. We thank you for considering our firm's qualifications and experience.

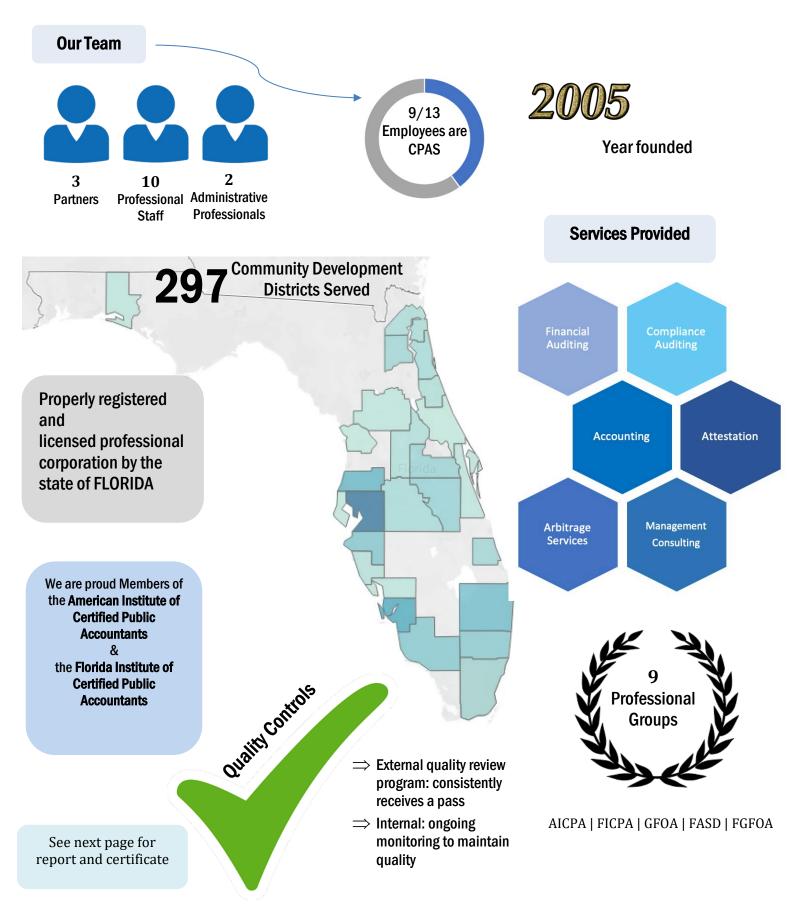
Very truly yours, Grau & Associates

Antonio J. Grau

Firm Qualifications



Grau's Focus and Experience









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.



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

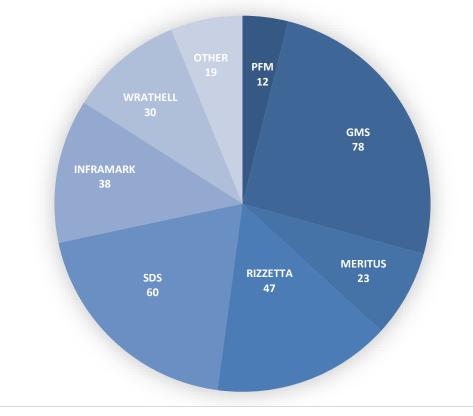
3800 Esplanade Way, Suite 210 | Tallahassee, FL 32311 | 800.342.3197, in Florida | 850.224.2727 | Fax: 850.222.8190 | www.ficpa.org



Firm & Staff Experience



GRAU 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

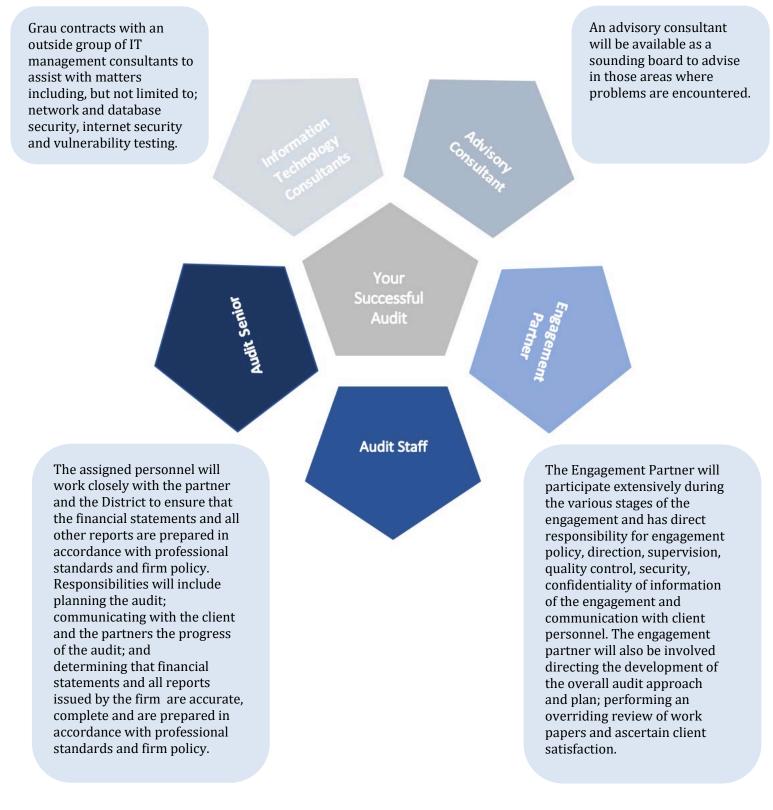
"Here at Grau & Associates, staying up to date with the current technological landscape is one of our top priorities. Not only does it provide a more positive experience for our clients, but it also allows us to perform a more effective and efficient audit. With the every changing technology available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







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 Dunes Community Development District Fishhawk Community Development District (I,II,IV) Grand Bay at Doral Community Development District Heritage Harbor North 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 St. Lucie West Services District Ave Maria Stewardship Community District Rivers Edge II Community Development District Bartram Park Community Development District Bay Laurel Center Community Development District

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>
Government Accounting and Auditing
Accounting, Auditing and Other
Total Hours

Hours 24 58 82 (includes of 4 hours of Ethics CPE)





Racquel C. McIntosh, CPA *Partner*

Contact : mcintosh@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

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

Professional Education (over the last two years)

<u>Course</u>

Government Accounting and Auditing Accounting, Auditing and Other Total Hours Westchase Community Development District Monterra Community Development District Palm Coast Park Community Development District Long Leaf Community Development District Watergrass Community Development District

FICPA State & Local Government Committee FGFOA Palm Beach Chapter

> Hours 38 56 94 (includes of 4 hours of Ethics CPE)



References



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



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 <u>commit all firm resources</u> to provide the level and quality of services (as described below) which not only meet the requirements set forth in the RFP but will <u>exceed those expectations</u>. Grau & Associates fully understands the scope of professional services and work products requested. Our audit will follow the Auditing Standards of the AICPA, <i>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 of 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.

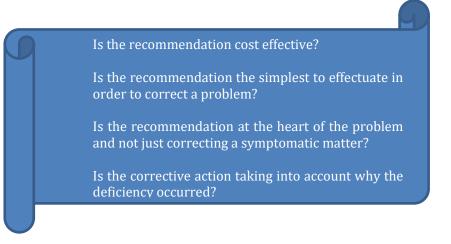
In preparing this management letter, we will initially review any draft comments or recommendations with management. In addition, we will take necessary steps to ensure that matters are communicated to those charged with governance.

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:



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



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 \$1,000.



Supplemental Information



PARTIAL LIST OF CLIENTS

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

Current Arbitrage Calculations

We look forward to providing Ridge at Apopka 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 <u>www.graucpa.com</u>.



RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

AUDITOR EVALUATION MATRIX

Ability of Personnel	Proposer's Experience	Understanding of Scope of Work	Ability to Furnish Required Services	Price	TOTAL POINTS
20 POINTS	20 POINTS	20 POINTS	20 POINTS	20 POINTS	100 POINTS
	Personnel	PERSONNEL EXPERIENCE	PERSONNEL EXPERIENCE SCOPE OF WORK	PERSONNEL EXPERIENCE SCOPE OF WORK REQUIRED SERVICES	PERSONNEL EXPERIENCE SCOPE OF WORK REQUIRED SERVICES PRICE

Completed by: _______Board Member's Signature

Date: _____

Printed Name of Board Member

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT





Published Daily ORANGE County, Florida

Sold To:

The Ridge at Apopka Community Development - CU80125110 2300 Glades Rd, Ste 410W Boca Raton,FL 33431-8556

<u>Bill To:</u>

The Ridge at Apopka Community Development - CU80125110 2300 Glades Rd, Ste 410W Boca Raton,FL 33431-8556

State Of Florida County Of Orange

Before the undersigned authority personally appeared Rose Williams, who on oath says that he or she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published at the ORLANDO SENTINEL in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of 11200-Misc. Legal, n/a was published in said newspaper in the issues of Nov 07, 2021.

Affiant further says that the said ORLANDO SENTINEL is a newspaper Published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, in said ORANGE County, Florida, for a period of one 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

Rose Williams

Name of Affiant

Sworn to and subscribed before me on this 8 day of November, 2021, by above Affiant, who is personally known to me (X) or who has produced identification ().

he Rollins

Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped



REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES FOR THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

RFQ Engineering Services for The Ridge at Apopka Community Development District ("District"), located in Orange County, Florida, announces that professional announces that professional engineering services will be required on a continuing basis for the District's stormwater systems, and other public 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 pust: 1) hold applicable federal state must: 1) hold applicable federal, state and local licenses; 2) be authorized to do business in Florida in accordance 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 adequarcy of the Applicant's ability and adequacy of the Applicant's 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 District Engineer for any community development districts and past experience with Orange County; e) the geographic location of the Applicant's headquarters and offices; f) the current and projected workloads of the Applicant; and g) the volume of work previously awarded to the Applicant by the District. Further, each Applicant must identify the specific individual affiliated with the Applicant who would be handling District meetings, construction services, and other engineering tasks. The District will review all Applicants and will comply with Florida law, including the Consultant's Competitive Negotiations 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 November 29, 2021 to the attention of Wrathell, Hunt & Associates, LLC (by email to: gillyardd@whhassociates. com) ("District Manager's Office"). The Board shall select and rank the Applicants using the requirements set 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). on file with the District Manager, must

OS7080272

11/07/2021

70802722

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES FOR THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

RFQ for Engineering Services

The Ridge at Apopka Community Development District ("**District**"), located in Orange 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 with Orange County; e) the geographic location of the Applicant's headquarters and offices; f) the current and projected workloads of the Applicant; and g) the volume of work previously awarded to the Applicant by the District. Further, each Applicant must identify the specific individual affiliated with the Applicant who would be handling District meetings, construction services, and other engineering tasks.

The District will review all Applicants and will comply with Florida law, including the Consultant's Competitive Negotiations Act, Chapter 287, *Florida Statutes* ("**CCNA**"). All Applicants interested must submit electronic copies of Standard Form No. 330 and the Qualification Statement by 12:00 p.m., on November 29, 2021 to the attention of Wrathell, Hunt & Associates, LLC (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).

RIDGE AT APOPKA 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.

(Weight: 20 Points)

3) Geographic Location

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.

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT





December 2, 2021

Ref: 63534.00

Ms. Daphne Gillyard Director of Administrative Services Wrathell, Hunt and Associates, LLC 2300 Glades Road, Suite 410W Boca Raton, Florida 33431

Re: The Ridge at Apopka – Community Development District Response to Request for Qualifications (RFQ) for Engineering Services Qualification Statement

Dear Ms. Gillyard,

VHB is pleased to submit this Qualification Statement in response to the RFQ for Engineering Services for The Ridge at Apopka Community Development District.

VHB holds applicable federal, state and local licenses and is authorized to do busines in Florida in accordance with Florida law. Please see the attached VHB company profile that includes information about VHB's services and office locations.

VHB has served as District Engineer for other CDD's in Central Florida, most recently serving for the Randal Park CDD. Please note that if VHB is selected, John Prowell, PE will serve as the District Engineer for The Ridge at Apopka.

Should you have any further questions on VHB's qualifications or services, VHB will be available for questions at the next CDD meeting on December 7, 2021.

Sincerely,

VANASSE HANGEN BRUSTLIN, INC.

John Prowell, P.E. Director of Land Development jprowell@vhb.com

> 225 E. Robinson Street, Suite 300 Landmark Center Two Orlando, Florida 32801 P 407.839.4006 F 407.839.4008

Engineers | Scientists | Planners | Designers

Who We Are

VHB's passionate professionals include engineers, scientists, planners, and designers who partner with public and private clients in the transportation, real estate, institutional, and energy industries, as well as federal, state, and local governments.

Together, we work to improve mobility, enhance communities and economic vitality, and balance development and infrastructure needs with environmental stewardship.

We're a team—1,600 strong—eager to deliver value by embracing our clients' goals, anticipating challenges, building lasting partnerships, and always providing an exceptional experience.

We're passionate about making meaningful contributions to the world through the work we do; and we are proud, yet humbled, to have been doing this for over 40 years.

VHB's innovative thinking leads to creative, practical solutions for our clients.

We bring collective knowledge, technical excellence, and a wide network of trusted relationships across our footprint to deliver value. When you have a team with such broad and deep experience, it's only natural to look at projects from every angle and ask the types of questions that lead to better solutions. That's what we do at VHB—we help our clients make the right decisions to move their projects forward.

Our team has an open-minded approach to projects, and we are committed to listening and truly understanding our clients' needs—we see the whole picture, not just one piece. We integrate the right people and resources from our five core service areas to help clients initiate and complete intricate, challenging, and significant projects.

Transportation Planning & Engineering

Transportation is constantly on everyone's minds: will I make the train, can my child ride her bike to the library, will the school bus be on time, will there be enough parking at the store? For stewards of transportation infrastructure, it's a demanding balance between maintaining safe, high-quality facilities and assets with tighter and tighter budgets. We know the challenges facing our transportation clients, and we know what it takes to deliver smart solutions that keep people moving. Our transportation practice is focused on sustainable planning, design, construction, and operation for all modes.

Related Services | Roadway & Highway Engineering | Transit & Rail | Aviation | Bridge Design & Engineering | Bicycle/ Pedestrian Planning & Engineering | Traffic Engineering | Alternative Delivery

Land Development

When it's time to grow, add, expand, or move, clients look for someone they can trust. At VHB, it's our priority to understand operating environments and infrastructure challenges so we can navigate site permitting and approvals. We provide solutions designed to get customers, visitors, and employees in and out with ease—so clients can focus on their business, their

VHB



community, and the bottom line. Bringing together the right skills and experience, our team delivers creative and practical solutions that bring value to our clients and provide confidence that their projects are not only moving forward, but that everything is going smoothly.

Related Services | Civil Engineering | Community Planning | Due Diligence Research & Analysis | Land Survey | Land Use Planning, Engineering & Analysis | Stormwater Design & Engineering | Utilities Design | Master Planning

Planning & Design

Our planners and designers routinely sit around the table with leaders and citizens of local communities, developers, and regulators to brainstorm, plan, revise, revisit, and wrestle with all sorts of ideas. Where will we live? Where will we shop? How will we cross the street? Can we make it functional and beautiful? Can we just make it better? We listen to hundreds of questions like this before identifying the right answers. Together, we find the most compelling idea: the one that unites everyone around a vision of how to make the neighborhood, town, or project more than they ever imagined.

Related Services | Community Planning | Comprehensive Plans | Entitlement Services | Landscape Architecture | Public Outreach | Zoning Analysis

Environmental

Balancing development and infrastructure needs with stewardship of the environment is what we do—we see the big picture and understand how to move projects through tough regulatory processes. Air, noise, stormwater, groundwater, wetlands, coastal/tidal zones, wildlife, endangered species, compliance—our experience is broad. VHB focuses on navigating the regulatory waters so clients can focus on completing their projects.

Related Services | Environmental Assessment & Compliance | Natural Resource Assessment & Analysis | NEPA Documentation & Analysis | Water Resources Analysis | Wetlands Delineation, Mitigation & Permitting | Climate Adaptation Planning

Applied Technologies

How can I communicate this data in a more user friendly way? Am I using the right tools and resources to provide the best results? Is there a way to do this better or faster for my client? We are always looking for ways to provide clients with better service and smarter solutions that can save them time and money and help to move their projects forward. Thinking about new ways to use technology allows us to find creative solutions that enhance our clients' experience working with us, as well as the products we deliver. We foster a culture of innovation, where our professionals understand the challenges clients face and know how to use technology effectively to get better results.

Related Services | Application Development | GIS/Geospatial Services | Visualization | Workflow/Process Automation | Systems Integration | Cartography/Mapping | Analysis | Video | Asset Management | Planning | Data Collection | 3D/4D Modeling | Photo Simulation

VHB @ a Glance



1,600 passionate professionals including engineers, scientists, planners, and designers



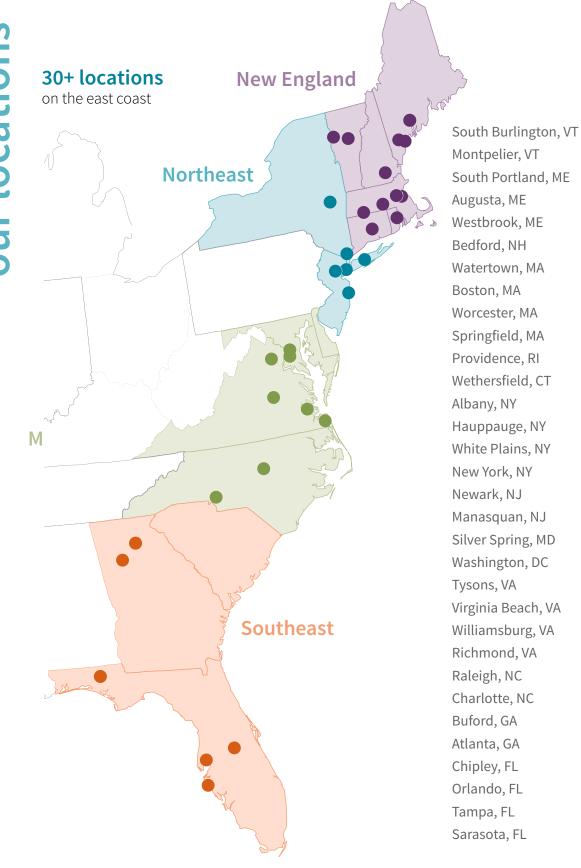
56 on ENR Top 500 Design Firms List

Core Services

Transportation Planning & Engineering Land Development Planning & Design Environmental Applied Technologies

Markets

Transportation Agencies Real Estate State and Local Governments Institutions Federal Government Energy our locations



South Portland, ME Wethersfield, CT White Plains, NY Silver Spring, MD Virginia Beach, VA Williamsburg, VA

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



Ridge at Apopka 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
	weight factor	25	25	20	15	5	5	5	100
	NAME OF RESPONDENT								
1	VHB								

Board Member's Signature

Date

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



RESOLUTION 2022-07

A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE PRIMARY ADMINISTRATIVE OFFICE AND PRINCIPAL HEADQUARTERS OF THE DISTRICT AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, the District additionally desires to specify the location of the District's principal headquarters for the purpose of establishing proper venue under the common law home venue privilege applicable to the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE **RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT:**

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

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

County, Florida.

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

PASSED AND ADOPTED this 7th day of December, 2021.

ATTEST:

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



RESOLUTION 2022-08

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT FOR FISCAL YEAR 2021/2022 AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

WHEREAS, the Board desires to adopt the Fiscal Year 2021/2022 meeting schedule attached as **Exhibit A**.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT:

1. **ADOPTING FISCAL YEAR 2021/2022 ANNUAL MEETING SCHEDULE.** The Fiscal Year 2021/2022 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

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

PASSED AND ADOPTED this 7th day of December, 2021.

ATTEST:

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EXHIBIT "A"

Ridge A	AT APOPKA COMMUNITY DEVELOPMENT DISTRICT	
BOARD OF SUP	ERVISORS FISCAL YEAR 2021/2022 MEETING SCI	HEDULE
	LOCATION <mark>TBD</mark>	
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
January <u> </u>	Regular Meeting	: AM/PN
February <mark></mark> , 2022	Regular Meeting	: AM/PN
March, 2022	Regular Meeting	: AM/PN
April <u> </u> , 2022	Regular Meeting (presentation of FY2023 proposed budget)	: AM/PN
May <mark></mark> , 2022	Regular Meeting	: AM/PN
June <mark></mark> , 2022	Regular Meeting	: AM/PN
July <mark></mark> , 2022	Regular Meeting	: AM/PN
August <mark></mark> , 2022	Public Hearing and Regular Meeting (adoption of FY2023 budget)	: AM/PM
September, 2022	Regular Meeting	: AM/PM

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT





MEMORANDUM

То:	District Manager District Engineer
From:	District Counsel
Date:	October 12, 2021
Subject:	Stormwater Management Needs Analysis (Chapter 2021-194, Laws of Florida/HB53)

We are writing with an update regarding the new law requiring special districts that either own or operate stormwater management systems, stormwater management programs or wastewater services to create a 20-year needs analysis of such system(s).

The Office of Economic and Demographic Research ("OEDR") recently promulgated additional details and an excel template for reporting the stormwater needs analyses (attached hereto for reference). Similar documents for the wastewater needs analyses will be available soon at which time we will again supplement this memorandum.

A brief summary of the new law and its requirements were set forth in our previous memorandum, attached to this memorandum for your reference in **Exhibit A**. Please feel free to contact us with any questions.

When is the deadline?

For both wastewater and stormwater, the first analysis must be submitted by **June 30, 2022** and updated every five (5) years thereafter. The needs analysis, along with the methodology and any supporting data necessary to interpret the results, must be submitted to the county in which the largest portion of the service area or stormwater system is located.

What steps should the District take?

- District engineers should review the stormwater needs analysis excel workbook and submit a work authorization for approval by the District's Board prior to commencing work. We recommend presenting the work authorization to the Board as soon as is practical, but no later than the first quarter of 2022.
- District managers should review the stormwater needs analysis excel workbook and start entering information that is readily available. The district manager may be able to complete the "background information" section and provide data on stormwater O&M expenditures, among other assistance.
- Once the work authorization is approved, the district manager should work with the district engineer to complete the remainder of the stormwater needs analyses with the final version submitted to the District no later than May 15, 2022.



• In some cases, districts may require outside consulting or evaluation to complete the needs analyses. Since the necessity of this additional step may not be immediately apparent, we recommend that district managers begin coordinating with their engineers as soon as possible.

Stormwater Needs Analysis Resources from OEDR

- OEDR website <u>http://edr.state.fl.us/Content/natural-resources/stormwaterwastewater.cfm</u>
- Excel Workbook (stormwater needs analysis reporting template) <u>http://edr.state.fl.us/Content/natural-resources/Stormwater_Needs_Analysis.xlsx</u> (last updated October 8, 2021)
- PDF Version for (essentially the same as the Excel workbook) <u>http://edr.state.fl.us/Content/natural-resources/Stormwater_Needs_Analysis.pdf</u> (last updated October 8, 2021)

Wastewater Needs Analysis Resources from OEDR

• Forthcoming.

Exhibit A



MEMORANDUM

То:	District Manager, District Engineer
From:	District Counsel
Date:	September 7, 2021
Subject:	Wastewater Services and Stormwater Management Needs Analysis (Chapter 2021-194, Laws of Florida/HB53)

We are writing to inform you of a new law requiring special districts that either own or operate stormwater management systems, stormwater management programs or wastewater services to create a 20-year needs analysis of such system(s). The requirements relating to wastewater services are found in Section 4 of Chapter 2021-194, Laws of Florida, creating Section 403.9301, Florida Statutes, and the requirements relating to stormwater management programs and systems are found in Section 5 of Chapter 2021-194, Laws of Florida, creating Section 403.9302, Florida Statutes (attached hereto for reference).

A brief summary of the new law and its requirements is set forth below. Please feel free to contact us with any questions.

What is required?

The Office of Economic and Demographic Research ("OEDR") is expected to promulgate additional details about the requirements of the needs analyses. However, certain general requirements are set forth in the new law.

For wastewater services, the needs analysis must include:

- a) A detailed description of the facilities used to provide wastewater services.
- b) The number of current and projected connections and residents served calculated in 5-year increments.
- c) The current and projected service area for wastewater services.
- d) The current and projected cost of providing wastewater services calculated in 5-year increments.
- e) The estimated remaining useful life of each facility or its major components.
- f) The most recent 5-year history of annual contributions to, expenditures from, and balances of any capital account for maintenance or expansion of any facility or its major components.
- g) The local government's plan to fund the maintenance or expansion of any facility or its major components. The plan must include historical and estimated future revenues and expenditures with an evaluation of how the local government expects to close any projected funding gap.

For stormwater management programs and stormwater management systems, the needs analysis must include:

- a) A detailed description of the stormwater management program or stormwater management system and its facilities and projects.
- b) The number of current and projected residents served calculated in 5-year increments.



- c) The current and projected service area for the stormwater management program or stormwater management system.
- d) The current and projected cost of providing services calculated in 5-year increments.
- e) The estimated remaining useful life of each facility or its major components.
- f) The most recent 5-year history of annual contributions to, expenditures from, and balances of any capital account for maintenance or expansion of any facility or its major components.
- g) The local government's plan to fund the maintenance or expansion of any facility or its major components. The plan must include historical and estimated future revenues and expenditures with an evaluation of how the local government expects to close any projected funding gap.

When is the deadline?

For both wastewater and stormwater, the first analysis must be created by **June 30, 2022**, and the analysis must be updated every five (5) years thereafter. The needs analysis, along with the methodology and any supporting data necessary to interpret the results, must be submitted to the county in which the largest portion of the service area or stormwater system is located.

What steps should districts take?

District engineers and district managers should begin by evaluating what information is already available to the district, and what new information may need to be gathered. Each district should approve a work authorization for their district engineer to create the needs analysis report and should consider proposals for any outside consulting or evaluation that may be necessary, though in most cases we expect this will not be required. In order to provide ample time for completion of the necessary needs analysis reports, we recommend presenting these items for board consideration no later than the first quarter of 2022, or as soon thereafter as is practical. OEDR is anticipated to provide further guidelines for the reporting requirements, none of which we expect to be particularly burdensome, and which will likely include information readily available to districts' engineering and/or environmental professionals. Once we receive further guidance, we will supplement this informational memorandum.

CHAPTER 2021-194

Committee Substitute for Committee Substitute for Committee Substitute for House Bill No. 53

An act relating to public works; amending s. 255.0991, F.S.; revising a prohibition relating to any solicitation for construction services paid for with state appropriated funds; amending s. 255.0992, F.S.; revising the definition of the term "public works project"; prohibiting the state or any political subdivision that contracts for a public works project from taking specified action against certain persons that are engaged in a public works project or have submitted a bid for such a project; providing applicability; amending s. 403.928, F.S.; requiring the Office of Economic and Demographic Research to include an analysis of certain expenditures in its annual assessment; creating s. 403.9301, F.S.; providing definitions; requiring counties, municipalities, and special districts that provide wastewater services to develop a needs analysis that includes certain information by a specified date; requiring municipalities and special districts to submit such analyses to a certain county; requiring the county to file a compiled document with the coordinator of the Office of Economic and Demographic Research by a specified date: requiring the office to evaluate the document and include an analysis in its annual assessment; providing applicability; creating s. 403.9302, F.S.; providing definitions; requiring counties, municipalities, and special districts that provide stormwater management to develop a needs analysis that includes certain information by a specified date; requiring municipalities and special districts to submit such analyses to a certain county; requiring the county to file a compiled document with the Secretary of Environmental Protection and the coordinator of the Office of Economic and Demographic Research by a specified date; requiring the office to evaluate the document and include an analysis in its annual assessment; providing applicability; providing a determination and declaration of important state interest; providing an effective date.

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

Section 1. Subsection (2) of section 255.0991, Florida Statutes, is amended to read:

255.0991 Contracts for construction services; prohibited local government preferences.—

(2) For <u>any</u> a competitive solicitation for construction services <u>paid for</u> <u>with any</u> in which 50 percent or more of the cost will be paid from stateappropriated funds which have been appropriated at the time of the competitive solicitation, a state college, county, municipality, school district, or other political subdivision of the state may not use a local ordinance or regulation to prevent a certified, licensed, or registered contractor,

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subcontractor, or material supplier or carrier, from participating in the bidding process that provides a preference based upon:

(a) The contractor's Maintaining an office or place of business within a particular local jurisdiction;

(b) The contractor's Hiring employees or subcontractors from within a particular local jurisdiction; or

(c) The contractor's Prior payment of local taxes, assessments, or duties within a particular local jurisdiction.

Section 2. Paragraph (b) of subsection (1) and subsections (2) and (3) of section 255.0992, Florida Statutes, are amended to read:

255.0992 Public works projects; prohibited governmental actions.—

(1) As used in this section, the term:

(b) "Public works project" means an activity <u>exceeding \$1 million in</u> <u>value that is of which 50 percent or more of the cost will be paid for with any</u> from state-appropriated funds that were appropriated at the time of the competitive solicitation and which consists of the construction, maintenance, repair, renovation, remodeling, or improvement of a building, road, street, sewer, storm drain, water system, site development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or other facility, project, or portion thereof that is owned in whole or in part by any political subdivision.

(2)(a) Except as required by federal or state law, the state or any political subdivision that contracts for a public works project may not <u>take the following actions:</u>

(a) Prevent a certified, licensed, or registered contractor, subcontractor, or material supplier or carrier, from participating in the bidding process based on the geographic location of the company headquarters or offices of the contractor, subcontractor, or material supplier or carrier submitting a bid on a public works project or the residences of employees of such contractor, subcontractor, or material supplier or carrier.

(b) Require that a contractor, subcontractor, or material supplier or carrier engaged in <u>a public works such</u> project:

1. Pay employees a predetermined amount of wages or prescribe any wage rate;

2. Provide employees a specified type, amount, or rate of employee benefits;

3. Control, limit, or expand staffing; or

4. Recruit, train, or hire employees from a designated, restricted, or single source.

(c)(b) The state or any political subdivision that contracts for a public works project may not Prohibit any contractor, subcontractor, or material supplier or carrier able to perform such work <u>that</u> who is qualified, licensed, or certified as required by state <u>or local</u> law to perform such work from <u>receiving information about public works opportunities or from</u> submitting a bid on the public works project. This paragraph does not apply to vendors listed under ss. 287.133 and 287.134.

(3) This section does not apply to <u>the following:</u>

(a) Contracts executed under chapter 337.

(b) A use authorized by s. 212.055(1) which is approved by a majority vote of the electorate of the county or by a charter amendment approved by a majority vote of the electorate of the county.

Section 3. Paragraph (e) is added to subsection (1) of section 403.928, Florida Statutes, to read:

403.928 Assessment of water resources and conservation lands.—The Office of Economic and Demographic Research shall conduct an annual assessment of Florida's water resources and conservation lands.

(1) WATER RESOURCES.—The assessment must include all of the following:

(e) Beginning with the assessment due January 1, 2022, an analysis of the expenditures necessary to repair, replace, and expand water-related infrastructure. As part of this analysis, the office shall periodically survey public and private utilities.

Section 4. Section 403.9301, Florida Statutes, is created to read:

403.9301 Wastewater services projections.—

(1) The Legislature intends for each county, municipality, or special district providing wastewater services to create a 20-year needs analysis.

(2) As used in this section, the term:

(a) "Domestic wastewater" has the same meaning as provided in s. <u>367.021.</u>

(b) "Facility" means any equipment, structure, or other property, including sewerage systems and treatment works, used to provide wastewater services.

(c) "Treatment works" has the same meaning as provided in s. 403.031(11).

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(d) "Wastewater services" means service to a sewerage system, as defined in s. 403.031(9), or service to domestic wastewater treatment works.

(3) By June 30, 2022, and every 5 years thereafter, each county, municipality, or special district providing wastewater services shall develop a needs analysis for its jurisdiction over the subsequent 20 years. In projecting such needs, each local government shall include the following:

(a) A detailed description of the facilities used to provide wastewater services.

(b) The number of current and projected connections and residents served calculated in 5-year increments.

(c) The current and projected service area for wastewater services.

(d) The current and projected cost of providing wastewater services calculated in 5-year increments.

(e) The estimated remaining useful life of each facility or its major components.

(f) The most recent 5-year history of annual contributions to, expenditures from, and balances of any capital account for maintenance or expansion of any facility or its major components.

(g) The local government's plan to fund the maintenance or expansion of any facility or its major components. The plan must include historical and estimated future revenues and expenditures with an evaluation of how the local government expects to close any projected funding gap.

(4) Upon completing the requirements of subsection (3), each municipality or special district shall submit its needs analysis, as well as the methodology and any supporting data necessary to interpret the results, to the county within which the largest portion of its service area is located. Each county shall compile all analyses submitted to it under this subsection into a single document and include its own analysis in the document. The county shall file the compiled document with the coordinator of the Office of Economic and Demographic Research no later than July 31, 2022, and every 5 years thereafter.

(5) The Office of Economic and Demographic Research shall evaluate the compiled documents from the counties for the purpose of developing a statewide analysis for inclusion in the assessment due January 1, 2023, pursuant to s. 403.928.

(6) This section applies to a rural area of opportunity as defined in s. 288.0656 unless the requirements of this section would create an undue economic hardship for the county, municipality, or special district in the rural area of opportunity.

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Section 5. Section 403.9302, Florida Statutes, is created to read:

403.9302 Stormwater management projections.—

(1) The Legislature intends for each county, municipality, or special district providing a stormwater management program or stormwater management system to create a 20-year needs analysis.

(2) As used in this section, the term:

(a) "Facility" means any equipment, structure, or other property, including conveyance systems, used or useful in connection with providing a stormwater management program or stormwater management system.

(b) "Stormwater management program" has the same meaning as provided in s. 403.031(15).

(c) "Stormwater management system" has the same meaning as provided in s. 403.031(16).

(3) By June 30, 2022, and every 5 years thereafter, each county, municipality, or special district providing a stormwater management program or stormwater management system shall develop a needs analysis for its jurisdiction over the subsequent 20 years. In projecting such needs, each local government shall include the following:

(a) A detailed description of the stormwater management program or stormwater management system and its facilities and projects.

(b) The number of current and projected residents served calculated in 5year increments.

(c) The current and projected service area for the stormwater management program or stormwater management system.

(d) The current and projected cost of providing services calculated in 5year increments.

(e) The estimated remaining useful life of each facility or its major components.

(f) The most recent 5-year history of annual contributions to, expenditures from, and balances of any capital account for maintenance or expansion of any facility or its major components.

(g) The local government's plan to fund the maintenance or expansion of any facility or its major components. The plan must include historical and estimated future revenues and expenditures with an evaluation of how the local government expects to close any projected funding gap.

(4) Upon completing the requirements of subsection (3), each municipality or special district shall submit its needs analysis, as well as the

5

methodology and any supporting data necessary to interpret the results, to the county within which the largest portion of its stormwater management program or stormwater management system is located. Each county shall compile all analyses submitted to it under this subsection into a single document and include its own analysis in the document. The county shall file the compiled document with the Secretary of Environmental Protection and the coordinator of the Office of Economic and Demographic Research no later than July 31, 2022, and every 5 years thereafter.

(5) The Office of Economic and Demographic Research shall evaluate the compiled documents from the counties for the purpose of developing a statewide analysis for inclusion in the assessment due January 1, 2023, pursuant to s. 403.928.

(6) This section applies to a rural area of opportunity as defined in s. 288.0656 unless the requirements of this section would create an undue economic hardship for the county, municipality, or special district in the rural area of opportunity.

Section 6. <u>The Legislature determines and declares that this act fulfills</u> <u>an important state interest.</u>

Section 7. This act shall take effect July 1, 2021.

Approved by the Governor June 29, 2021.

Filed in Office Secretary of State June 29, 2021.

TEMPLATE FOR LOCAL GOVERNMENTS AND SPECIAL DISTRICTS FOR PERFORMING A STORMWATER NEEDS ANALYSIS PURSUANT TO SECTION 5 OF SECTION 403.9302, FLORIDA STATUTES

INTRODUCTION

As part of the 2021 regular session, the Legislature recognized the need for a long-term planning process for stormwater and wastewater. Section 403.9302, Florida Statutes, requires a 20-year needs analysis from the local governments providing stormwater services. Because this planning document is forward-looking, it will necessarily include a large number of assumptions about future actions. These assumptions should be based on any available information coupled with best professional judgment of the individuals completing the document. Completing this template by June 30, 2022, will fulfill the statutory requirements for the first round of 20-year needs analyses for stormwater. The template was generated by EDR in cooperation with local governments, Special Districts, the Florida Department of Environmental Protection (DEP), the Water Management Districts, the Florida Stormwater Association, private consultants, and others. Use of this tool will help ensure that information is compiled consistently for the Office of Economic & Demographic Research's (EDR) report to the Legislature.

For the purposes of this document, a stormwater management program and a stormwater management system are as defined in statute (s. 403.031(15) and (16), F.S., respectively; language provided here:

https://www.flsenate.gov/Laws/Statutes/2021/403.031). Plainly speaking, the "program" is the institutional framework whereby stormwater management activities (MS4 NPDES permit activities, and other regulatory activities, construction, operation and maintenance, *etc.*) are carried out by the public authority. The "system" comprises the physical infrastructure that is owned and/or operated by the local government or special district that specifically is intended to control, convey or store stormwater runoff for treatment and flood protection purposes.

For the purposes of this document, the following guiding principles have been adopted:

• Stormwater systems or facilities owned and operated by any of the following are excluded from reporting requirements for local governments and special districts:

- o Private entities or citizens
- o Federal government
- o State government, including the Florida Department of Transportation (FDOT)
- o Water Management Districts
- o School districts
- o State universities or Florida colleges

• Local government expenditures associated with routine operation and maintenance are fully funded prior to commencing new projects and initiatives.

• Local government submissions will include the activities of dependent special districts. Only independent special districts report separately. For a list of all special districts in the state and their type (*i.e.*, dependent or independent), please see the Department of Economic Opportunity's Official List of Special Districts at the following link: http://specialdistrictreports.floridajobs.org/webreports/alphalist.aspx.

• With respect to federal and state statutes and rulemaking, current law and current administration prevails throughout the 20-year period. In other words, the state's present legal framework (*i.e.*, the status quo) continues throughout the period.

GENERAL INSTRUCTIONS FOR USING THE TEMPLATE

Instructions for submitting the template are still under development. Additional information regarding submission and answers to frequently asked questions will be posted on EDR's website, along with other useful materials, here: http://edr.state.fl.us/Content/natural-resources/stormwaterwastewater.cfm The statutory language forms the titles for each part. This template asks that you group your recent and

projected expenditures in prescribed categories. A detailed list of the categories is provided in part 5.0. The same project should not appear on multiple tables in the jurisdiction's response unless the project's expenditures are allocated between those tables. All expenditures should be reported in \$1,000s (*e.g.*, five hundred thousand dollars should be reported as \$500).

For any jurisdiction that is contracting with another jurisdiction where both could be reporting the same expenditure, please contact EDR for additional guidance. In situations where a reporting jurisdiction contracts with a non-reporting jurisdiction, (*i.e.*, FDOT, the water management districts, the state or federal government), the reporting jurisdiction should include the expenditures.

When reporting cost information, please only include the expenditures that have flowed, are flowing, or will likely flow through your jurisdiction's budget. While necessary to comply with the statute, the concept of "future expenditures" should be viewed as an expression of identified needs.

These projections are necessarily speculative and do not represent a firm commitment to future budget actions by the jurisdiction.

This Excel workbook contains three worksheets for data entry. (Along the bottom of the screen, the three tabs are highlighted green.) Empty cells with visible borders are unlocked for data entry. In the first tab, titled "Background through Part 4," the information requested is either text, a dropdown list (*e.g.*, Yes or No), or a checkbox. The next tab, "Part 5 through Part 8," contains tables for expenditure or revenue data as well as some follow-up questions that may have checkboxes, lists, or space for text.

In Part 5 and Part 6, the expenditure tables have space for up to 5 projects. More projects can be listed in the "Additional Projects" tab. This tab contains a table with space for up to 200 additional projects. In order for these additional projects and expenditures to be correctly classified and included in the final totals, each project must be assigned a Project Type and Funding Source Type the from the dropdown lists in columns B and C.

Links to Template Parts:
Background Information
Part 1
Part 2
Part 3
Part 4
Part 5
Part 6
Part 7
Part 8
Additional Projects - This table contains additional rows for projects that do not fit into the main tables in
Parts 5 and 6

		our contact and location information, then proceed to	
		overnment:	
Name of s	stormw	ater utility, if applicable:	
Contact P	erson		
N	lame:		
Ρ	osition	/Title:	
E	mail Ac	dress:	
Р	hone N	umber:	
Indicate t	he Wat	er Management District(s) in which your service area	is located.
		Northwest Florida Water Management District (NW	/FWMD)
Suwannee River Water Manage		Suwannee River Water Management District (SRWI	ND)
		St. Johns River Water Management District (SJRWM	1D)
		Southwest Florida Water Management District (SW	FWMD)
South Florida Water Manageme		South Florida Water Management District (SFWMD)

Municipality
County
Independent Special District

Part 1.0 Detailed description of the stormwater management program (Section 403.9302(3)(a), F.S.)

The stormwater management program, as defined in the Introduction, includes those activities associated with the management, operation and maintenance, and control of stormwater and stormwater management systems, including activities required by state and federal law. The detailed program description is divided into multiple subparts consisting of narrative and data fields.

Part 1.1 Narrative Description:

Please provide a brief description of the current institutional strategy for managing stormwater in your jurisdiction. Please include any mission statement, divisions or departments dedicated solely or partly to managing stormwater, dedicated funding sources, and other information that best describes your approach to stormwater:

On a scale of 1 to 5, with 5 being the highest, please indicate the importance of each of the following goals for your program:						se indicate the importance of each of the following goals for your program:
0	1	2	3	4	5	
						Drainage & flood abatement (such as flooding events associated with rainfall and hurricanes)
						Water quality improvement (TMDL Process/BMAPs/other)
						Reduce vulnerability to adverse impacts from flooding related to increases in frequency and duration of rainfall events, storm surge and sea level rise
						Other:

Part 1.2 Current Stormwater Program Activities:

 Does your jurisdict 	ion have an NPDES Municipal Separate Storm Sewer System (MS4) Permit?	
If yes, is yo	our jurisdiction regulated under Phase I or Phase II of the NPDES Program	
• Does your jurisdict	ion have a dedicated stormwater utility?	
lf no, do ye	ou have another funding mechanism?	
If	yes, please describe your funding mechanism.	
 Does your jurisdict 	ion have a Stormwater Master Plan or Plans?	
If Yes:		
He	ow many years does the plan(s) cover?	
	e there any unique features or limitations that are necessary to understand what the ot address?	e plan does or
Γ		
וס	ease provide a link to the most recently adopted version of the document (if it is pub	lished online).
		instica offinite).
· · · · · · · · · · · · · · · · · · ·	ion have an asset management (AM) system for stormwater infrastructure?	
• Does your jurisdict		
	s it include 100% of your facilities?	

An illicit discharge inspection and elimination program?A public education program?A program to involve the public regarding stormwater issues?A "housekeeping" program for managing stormwater associated with vehicle maintenance yards, chemical storage, fertilizer management, etc. ?A stormwater ordinance compliance program (i.e., for low phosphorus fertilizer)?Water quality or stream gage monitoring?A geospatial data or other mapping system to locate stormwater infrastructure (GIS, etc.)?A system for managing stormwater complaints?	A construction sediment and erosion control program for ne	ew construction (plans review
A public education program? A program to involve the public regarding stormwater issues? A "housekeeping" program for managing stormwater associated with vehicle maintenance yards, chemical storage, fertilizer management, etc. ? A stormwater ordinance compliance program (<i>i.e.,</i> for low phosphorus fertilizer)? Water quality or stream gage monitoring? A geospatial data or other mapping system to locate stormwater infrastructure (GIS, etc.)? A system for managing stormwater complaints?	and/or inspection)?	
A program to involve the public regarding stormwater issues? A A "housekeeping" program for managing stormwater associated with vehicle maintenance yards, chemical storage, fertilizer management, etc. ? A A stormwater ordinance compliance program (i.e., for low phosphorus fertilizer)? Water quality or stream gage monitoring? A geospatial data or other mapping system to locate stormwater infrastructure (GIS, etc.)? A A system for managing stormwater complaints? D	An illicit discharge inspection and elimination program?	
A "housekeeping" program for managing stormwater associated with vehicle maintenance yards, chemical storage, fertilizer management, <i>etc.</i> ? A stormwater ordinance compliance program (<i>i.e.</i> , for low phosphorus fertilizer)? Water quality or stream gage monitoring? A geospatial data or other mapping system to locate stormwater infrastructure (GIS, <i>etc.</i>)? A system for managing stormwater complaints?	A public education program?	
yards, chemical storage, fertilizer management, <i>etc.</i> ? A stormwater ordinance compliance program (<i>i.e.</i> , for low phosphorus fertilizer)? Water quality or stream gage monitoring? A geospatial data or other mapping system to locate stormwater infrastructure (GIS, <i>etc.</i>)? A system for managing stormwater complaints?	A program to involve the public regarding stormwater issue	ès?
A stormwater ordinance compliance program (i.e., for low phosphorus fertilizer)? Water quality or stream gage monitoring? A geospatial data or other mapping system to locate stormwater infrastructure (GIS, etc.)? A system for managing stormwater complaints?	A "housekeeping" program for managing stormwater assoc	iated with vehicle maintenance
Water quality or stream gage monitoring? A geospatial data or other mapping system to locate stormwater infrastructure (GIS, etc.)? A system for managing stormwater complaints?	yards, chemical storage, fertilizer management, etc. ?	
A geospatial data or other mapping system to locate stormwater infrastructure (GIS, etc.)? A system for managing stormwater complaints?	A stormwater ordinance compliance program (i.e., for low p	phosphorus fertilizer)?
A system for managing stormwater complaints?	Water quality or stream gage monitoring?	
	A geospatial data or other mapping system to locate stormy	water infrastructure (GIS, etc.)?
Other specific activities?	A system for managing stormwater complaints?	
other specific activities?	Other specific activities?	

Notes or Comments on any of the above:

Part 1.3 Current Stormwater Program Operation and Maintenance Activities

Please provide answers to the following questions regarding the operation and maintenance activities undertaken by your stormwater management program.

Does your jurisdiction typically assume maintenance responsibility for stormwater systems associated

• with new private development (*i.e.*, systems that are dedicated to public ownership and/or operation upon completion)?

Notes or Comments on the above:

•	Does your stormwater operation an	d maintenance program imple	ement any of the following	(answer Yes/No)
---	-----------------------------------	-----------------------------	----------------------------	-----------------

Routine mowing of turf associated with stormwater ponds, swales, canal/lake banks, etc. ?	
Debris and trash removal from pond skimmers, inlet grates, ditches, etc. ?	
Invasive plant management associated with stormwater infrastructure?	
Ditch cleaning?	
Sediment removal from the stormwater system (vactor trucks, other)?	
Muck removal (dredging legacy pollutants from water bodies, canal, etc.)?	
Street sweeping?	
Pump and mechanical maintenance for trash pumps, flood pumps, alum injection, etc. ?	
Non-structural programs like public outreach and education?	_
Other specific routine activities?	

Part 2. Detailed description of the stormwater management system and its facilities and projects (continued Section 403.9302(3)(a), F.S.]

A stormwater management system, as defined in the Introduction, includes the entire set of site design features and structural infrastructure for collection, conveyance, storage, infiltration, treatment, and disposal of stormwater. It may include drainage improvements and measures to prevent streambank channel erosion and habitat degradation. This section asks for a summary description of your stormwater management system. It is not necessary to provide geospatial asset data or a detailed inventory. For some, it may be possible to gather the required data from your Asset Management (AM) system. For others, data may be gathered from sources such as an MS4 permit application, aerial photos, past or ongoing budget investments, water quality projects, or any other system of data storage/management that is employed by the jurisdiction.

Please provide answers to the following questions regarding your stormwater system inventory. Enter zero (0) if your system does not include the component.

	Number	Unit of Measuremen
stimated feet or miles of buried culvert:		
stimated feet or miles of open ditches/conveyances (lined and unlined) that are maintained by the		
tormwater program:		
stimated number of storage or treatment basins (<i>i.e.,</i> wet or dry ponds):		
stimated number of gross pollutant separators including engineered sediment traps such as baffle		
boxes, hydrodynamic separators, <i>etc.</i> :		
Number of chemical treatment systems (e.g., alum or polymer injection):		
Number of stormwater pump stations:		
Number of dynamic water level control structures (<i>e.g.</i> , operable gates and weirs that control canal		
vater levels):		
Number of stormwater treatment wetland systems:		
Dther:		_
		7

Which of the following green infrastructure best management practices do you use to manage water flow and/or improve water quality (answer Yes/No):

	Best Management Practice	Current	Planned
	Tree boxes		
	Rain gardens		
	Green roofs		
	Pervious pavement/pavers		
	Littoral zone plantings		
	Living shorelines		
Other B	est Management Practices:		

Please indicate which resources or documents you used when answering these questions (check all that apply).

Asset management system
GIS program
MS4 permit application
Aerial photos
Past or ongoing budget investments
Water quality projects
Other(s):

Part 3. The number of current and projected residents served calculated in 5-year increments (Section 403.9302(3)(b), F.S.)

Counties and municipalities: Instead of requiring separate population projections, EDR will calculate the appropriate population estimates for each municipality or the unincorporated area of the county. If your service area is less than or more than your local government's population, please describe in the first text box provided below for part 4.0.

Independent Special Districts:

If an independent special district's boundaries are completely aligned with a county or a municipality, identify that jurisdiction here:

Any independent special district whose boundaries do not coincide with a county or municipality must submit a GIS shapefile with the current and projected service area. EDR will calculate the appropriate population estimates based on that map. Submission of this shapefile also serves to complete Part 4.0 of this template.

Part 4.0 The current and projected service area for the stormwater management program or stormwater management system (Section 403.9302(3)(c), F.S.)

Rather than providing detailed legal descriptions or maps, this part of the template is exception-based. In this regard, if the stormwater service area is less than or extends beyond the geographic limits of your jurisdiction, please explain.

Similarly, if your service area is expected to change within the 20-year horizon, please describe the changes (*e.g.*, the expiration of an interlocal agreement, introduction of an independent special district, *etc.*).

Proceed to Part 5

Part 5.0 The current and projected cost of providing services calculated in 5-year increments (Section 403.9302(3)(d), F.S.)

Given the volume of services, jurisdictions should use the template's service groupings rather than reporting the current and projected cost of each individual service. Therefore, for the purposes of this document, "services" means:

- 1. Routine operation and maintenance (inclusive of the items listed in Part 1.3 of this document, ongoing administration, and non-structural programs)
- 2. Expansion (that is, improvement) of a stormwater management system.

Expansion means new work, new projects, retrofitting, and significant upgrades. Within the template, there are four categories of expansion projects

- 1. Flood protection, addressed in parts 5.2 and 5.3... this includes capital projects intended for flood protection/flood abatement
- 2. Water quality, addressed in part 5.2 and 5.3... this includes stormwater projects related to water quality improvement, such as BMAPs; projects to benefit natural systems through restoration or enhancement; and stormwater initiatives that are part of aquifer recharge projects
- 3. Resiliency, addressed in part 5.4... this includes all major stormwater initiatives that are developed specifically to address the effects of climate change, such as sea level rise and increased flood events
- 4. End of useful life replacement projects, addressed in part 6.0... this includes major expenses associated with the replacement of aging infrastructure

While numbers 3 and 4 have components that would otherwise fit into the first two categories, they are separately treated given their overall importance to the Legislature and other policymakers.

Expansion projects are further characterized as currently having either a committed funding source or no identified funding source. Examples of a committed funding source include the capacity to absorb the project's capital cost within current budget levels or forecasted revenue growth; financing that is underway or anticipated (bond or loan); known state or federal funding (appropriation or grant); special assessment; or dedicated cash reserves for future expenditure.

All answers should be based on local fiscal years (LFY, beginning October 1 and running through September 30). Please use nominal dollars for each year, but include any expected cost increases for inflation or population growth. Please check the EDR website for optional growth rate schedules that may be helpful.

If you have more than 5 projects in a particular category, please use the "Additional Projects" tab. There, you can use dropdown lists to choose the project category and whether there is a committed funding source, then enter the project name and expenditure amounts.

Part 5.1 Routine Operation and Maintenance

Please complete the table below, indicating the cost of operation and maintenance activities for the current year and subsequent five-year increments throughout the 20-year horizon. Your response to this part should exclude future initiatives associated with resiliency or major expenses associated with the replacement of aging infrastructure; these activities are addressed in subparts 5.4 and 6.0. However, do include non-structural programs like public outreach and education in this category.

If specific cost data is not yet available for the current year, the most recent (2020-21) O&M value can be input into the optional growth rate schedules (available on EDR's website as an Excel workbook). The most recent O&M value can be grown using the provided options for inflation, population growth, or some other metric of your choosing. If the growth in your projected total O&M costs is more than 15% over any five-year increment, please provide a brief explanation of the major drivers.

Routine Operation and Maintenance	Expenditures (in \$thousands)					
	LFY 2021-2022	2022-23 to	2027-28 to	2032-33 to	2037-38 to	
	LFT 2021-2022	2026-27	2031-32	2036-37	2041-42	
Operation and Maintenance Costs						
Brief description of growth greater than 15% or	ver any 5-year per	od:				

Part 5.2 Future Expansion (Committed Funding Source)

Please list expansion projects and their associated costs for the current year and subsequent five-year increments throughout the 20-year planning horizon. In this section, include stormwater system expansion projects or portions of projects with a committed funding source. If you include a portion of a project that is not fully funded, the project's remaining cost must be included in part 5.3, Expansion Projects with No Identified Funding Source.

Though many, if not most, stormwater projects benefit both flood protection and water quality, please use your best judgment to either allocate costs or simply select the primary purpose from the two categories below.

5.2.1 Flood Protection (Committed Funding Source): Provide a list of all scheduled new work, retrofitting and upgrades related to flood protection/flood abatement. Include infrastructure such as storage basins, piping and other conveyances, land purchases for stormwater projects, etc. Also include major hardware purchases such as vactor/jet trucks.

5.2.2 Water Quality Projects (Committed Funding Source): Please provide a list of scheduled water quality projects in your jurisdiction, such as treatment basins, alum injection systems, green infrastructure, water quality retrofits, *etc.*, that have a direct stormwater component. The projected expenditures should reflect only those costs.

• If you are party to an adopted BMAP, please include the capital projects associated with stormwater in this table. Include BMAP project number, cost to your jurisdiction, and year(s) that capital improvement costs are to be incurred. For reference, DEP publishes a complete list of adopted BMAP projects as an appendix in their Annual STAR Report.

Expansion Projects with a Committed Funding Source

5.2.1 Flood Protection		Exp	penditures (in \$tho	ousands)	
Project Name	LFY 2021-2022	2022-23 to	2027-28 to	2032-33 to	2037-38 to
	LFT 2021-2022	2026-27	2031-32	2036-37	2041-42

5.2.2 Water Quality		Exp	penditures (in \$tho	usands)	
Project Name (or, if applicable, BMAP Project	LFY 2021-2022	2022-23 to	2027-28 to	2032-33 to	2037-38 to
Number or ProjID)	LFT 2021-2022	2026-27	2031-32	2036-37	2041-42

Part 5.3 Future Expansion with No Identified Funding Source

Please provide a list of known expansion projects or anticipated need(s) without formal funding commitments(s), formal pledges, or obligations. If you included a portion of a project that was partially covered by a committed source in part 5.2 above, list the projects and their remaining costs below.

5.3.1 Future Flood Protection with No Identified Funding Source: Please provide a list of future flood protection/flood abatement projects, associated land purchases, or major hardware purchases that are needed in your jurisdiction over the next 20 years. Future needs may be based on Master Plans, Comprehensive Plan Elements, Water Control Plans, areas of frequent flooding, hydrologic and hydraulic modeling, public safety, increased frequency of maintenance, desired level of service, flooding complaints, *etc.*

5.3.2 Future Water Quality Projects with no Identified Funding Source: Please provide a list of future stormwater projects needed in your jurisdiction over the next 20 years that are primarily related to water quality issues. Future needs may be based on proximity to impaired waters or waters with total maximum daily loads (TMDLs), BMAPs, state adopted Restoration Plans, Alternative Restoration Plans, or other local water quality needs.

- If you are party to an adopted BMAP, please list capital projects associated with stormwater. Include BMAP project number, cost to your jurisdiction, and year(s) that capital improvement costs are to be incurred.
- List other future water quality projects, including those in support of local water quality goals as well as those identified in proposed (but not yet adopted) BMAPs.

/ . . .

. .

Expansion Projects with No Identified Funding Source

5.3.1 Flood Protection		Exp	penditures (in Ștho	usands)	
Broject Name	LFY 2021-2022	2022-23 to	2027-28 to	2032-33 to	2037-38 to
Project Name	LFY 2021-2022	2026-27	2031-32	2036-37	2041-42

5.3.2 Water Quality	Expenditures (in \$thousands)				
Project Name (or, if applicable, BMAP Project	157 2021 2022	2022-23 to	2027-28 to	2032-33 to	2037-38 to
Number or ProjID)	Dr ProjID)		2031-32	2036-37	2041-42

Stormwater 20-Year Needs Analysis

Please indicate which resources or documents	you used to complete	table 5.3 (check all that apply).
--	----------------------	-----------------------------------

	Stormwater Master Plan				
_					
	Basin Studies or Engineering Reports				
	Adopted BMAP	Adopted BMAP			
_					
	Adopted Total Maximum Daily Load				
	Pagional or Pacin specific Water Qua	ity Improvement Plan or Restoration Plan			
	Regional of Basin-specific Water Qua				
	Specify:				
	Specify:				
	Other(s):				
	other(s).				

Part 5.4 Stormwater projects that are part of resiliency initiatives related to climate change

Please list any stormwater infrastructure relocation or modification projects and new capital investments specifically needed due to sea level rise, increased flood events, or other adverse effects of climate change. When aggregating, include O&M costs for these future resiliency projects and investments in this table (not in part 5.1). If your jurisdiction participates in a Local Mitigation Strategy (LMS), also include the expenditures associated with your stormwater management system in this category (for example, costs identified on an LMS project list).

Resiliency Projects with a Com	mitted Funding Source	Expe	enditures (in \$thou	sands)	
Project Name	157 2021 2022	2022-23 to	2027-28 to	2032-33 to	2037-38 to
	LFY 2021-2022	2026-27	2031-32	2036-37	2041-42
Reciliancy Projects with No Identified Funding Source Expanditures (in Sthousands)					

Resiliency Projects with No Identified Funding Source		Expenditures (în Șthousands)			
Project Name	1 57 2021 2022	2022-23 to	2027-28 to	2032-33 to	2037-38 to
	LFY 2021-2022	2026-27	2031-32	2036-37	2041-42

Has a vuln	erability assessment been completed for your jurisdicti	on's storm water system?			
	If no, how many facilities have been assessed?				
 Does your 	jurisdiction have a long-range resiliency plan of 20 yea	rs or more?			
	If yes, please provide a link if available:				
			-		
	If no, is a planning effort currently underway?				

Part 6.0 The estimated remaining useful life of each facility or its major components (Section 403.9302(3)(e), F.S.)

Rather than reporting the exact number of useful years remaining for individual components, this section is constructed to focus on infrastructure components that are targeted for replacement and will be major expenses within the 20-year time horizon. Major replacements include culverts and pipe networks, control structures, pump stations, physical/biological filter media, *etc*. Further, the costs of retrofitting when used in lieu of replacement (such as slip lining) should be included in this part. Finally, for the purposes of this document, it is assumed that open storage and conveyance systems are maintained (as opposed to replaced) and have an unlimited service life.

In order to distinguish between routine maintenance projects and the replacement projects to be included in this part, only major expenses are included here. A major expense is defined as any single replacement project greater than 5% of the jurisdiction's total O&M expenditures over the most recent five-year period (such as a project in late 2021 costing more than 5% of the O&M expenditures for fiscal years 2016-2017 to 2020-2021).

If you have more than 5 projects in a particular category, please use the "Additional Projects" tab. There, you can use dropdown lists to choose the project category and whether there is a committed funding source, then enter the project name and expenditure amounts.

End of Useful Life Replacement Projects with a Committed Funding Source

	Expenditures (in \$thousands)				
Project Name	LFY 2021-2022	2022-23 to	2027-28 to	2032-33 to	2037-38 to
Project Name	LFT 2021-2022	2026-27	2031-32	2036-37	2041-42

End of Useful Life Replacement Projects with No Identified Funding Source

Expenditures (in \$thousands)

Project Name	LFY 2021-2022	2022-23 to	2027-28 to	2032-33 to	2037-38 to		
	LFT 2021-2022	2021-2022 2026-27		2036-37	2041-42		

Part 7.0 The most recent 5-year history of annual contributions to, expenditures from, and balances of any capital account for maintenance or expansion of any facility or its major components. (Section 403.9302(3)(f), F.S.)

This part of the template also addresses a portion of s. 403.9302(3)(g), F.S., by including historical expenditures. Many local governments refer to these as "actual" expenditures.

Consistent with expenditure projections, the jurisdiction's actual expenditures are categorized into routine O&M, expansion, resiliency projects, and replacement of aging infrastructure. Additionally, the table includes space for reserve accounts. EDR's interpretation of subparagraph 403.9302(3)(f), F.S., is that "capital account" refers to any reserve account developed specifically to cover future expenditures.

Note that for this table:

- Expenditures for local fiscal year 2020-21 can be estimated based on the most current information if final data is not yet available.
- Current Year Revenues include tax and fee collections budgeted for that fiscal year as well as unexpended balances from the prior year (balance forward or carry-over) unless they are earmarked for the rainy day or a dedicated reserve as explained in the following bullets.
- Bond proceeds should reflect only the amount expended in the given year.
- A reserve is a dedicated account to accumulate funds for a specific future expenditure.
- An all-purpose rainy day fund is a type of working capital fund typically used to address costs associated with emergencies or unplanned events.

The sum of the values reported in the "Funding Sources for Actual Expenditures" columns should equal the total "Actual Expenditures" amount. The cells in the "Funding Sources for Actual Expenditures" section will be highlighted red if their sum does not equal the "Actual Expenditures" total.

If you do not have a formal reserve dedicated to your stormwater system, please enter zero for the final two reserve columns.

Routine O&M

	Total	F	unding Sources fo	r Actual Expenditu	ires		
	Actual Expenditures	Amount Drawn from Current Year Revenues	Amount Drawn from Bond Proceeds	Amount Drawn from Dedicated Reserve	Amount Drawn from All-Purpose Rainy Day Fund	Contributions to Reserve Account	Balance of Reserve Account
2016-17							
2017-18							
2018-19							
2019-20							
2020-21							

Expansion

	Total	F	unding Sources fo	r Actual Expenditu	res		
		Amount Drawn	Amount Drawn	Amount Drawn	Amount Drawn	Contributions to	Balance of
	Actual Expenditures	from Current	from Bond	from Dedicated	from All-Purpose	Reserve Account	Reserve Account
		Year Revenues	Proceeds	Reserve	Rainy Day Fund	ıd	
2016-17							
2017-18							
2018-19							
2019-20							
2020-21							

Resiliency

	Total	F	unding Sources fo	r Actual Expenditu	ires			
	Actual Expenditures	Amount Drawn from Current	Amount Drawn from Bond	Amount Drawn from Dedicated	Amount Drawn from All-Purpose		Contributions to	Balance of
	Actual Experiortures	Year Revenues		Reserve	Rainy Day Fund	' Reserve Ac	Reserve Account	Reserve Account
2016-17								
2017-18								
2018-19								
2019-20								
2020-21								

Replacement of Aging Infrastructure

	Total	F	Funding Sources for Actual Expenditures				
	Actual Expenditures	Amount Drawn from Current Year Revenues	Amount Drawn from Bond Proceeds	Amount Drawn from Dedicated Reserve	Amount Drawn from All-Purpose Rainy Day Fund	Contributions to Reserve Account	
2016-17					ii		
2017-18							
2018-19							
2019-20							
2020-21							

Part 8.0 The local government's plan to fund the maintenance or expansion of any facility or its major components. The plan must include historical and estimated future revenues and expenditures with an evaluation of how the local government expects to close any projected funding gap (Section 403.9302(3)(g), F.S.)

In this template, the historical data deemed necessary to comply with s. 403.9302(3)(g), F.S., was included in part 7.0. This part is forward looking and includes a funding gap calculation. The first two tables will be auto-filled from the data you reported in prior tables. To do this, EDR will rely on this template's working definition of projects with committed funding sources, *i.e.*, EDR assumes that all committed projects have committed revenues. Those projects with no identified funding source are considered to be unfunded. EDR has automated the calculation of projected funding gaps based on these assumptions.

Committed Funding Source	2022-23 to	2027-28 to	2032-33 to	2037-38 to
	2026-27	2031-32	2036-37	2041-42
Maintenance	0	0	0	0
Expansion	0	0	0	0
Resiliency	0	0	0	0
Replacement/Aging Infrastructure	0	0	0	0
Total Committed Revenues (=Total Committed Projects)	0	0	0	0

No Identified Funding Source	2022-23 to	2027-28 to	2032-33 to	2037-38 to
No Identified Fullding Source	2026-27	2031-32	2036-37	2041-42
Maintenance	0	0	0	0
Expansion	0	0	0	0
Resiliency	0	0	0	0
Replacement/Aging Infrastructure	0	0	0	0
Projected Funding Gap (=Total Non-Committed Needs)	0	0	0	0

For any specific strategies that will close or lessen a projected funding gap, please list them in the table below. For each strategy, also include the expected new revenue within the five-year increments.

Strategies for New Funding Sources	2022-23 to	2027-28 to	2032-33 to	2037-38 to
Strategies for New Funding Sources	2026-27	2031-32	2036-37	2041-42
Total	0	0	0	0
Remaining Unfunded Needs	0	0	0	0

Additional Table Rows

Choose from the drop-down lists for Project Type and Funding Source Type, then fill in the project name and expenditure estimates. Rows that are highlighted RED are either missing information in a "Project & Type Information" column or have zero expenditures. Link to aggregated table to crosscheck category totals and uncategorized projects.

	Project & Type Information			Expenditu	ures (in \$thou	sands)	
Project Type	Funding Source Type	Draiget News	157 2021 2022	2022-23 to	2027-28 to	2032-33 to	2037-38 to
(Choose from dropdown list)	(Choose from dropdown list)	Project Name	LFY 2021-2022	2026-27	2031-32	2036-37	2041-42

	Project & Type Information			Expendit	ures (in \$thou	sands)	
Project Type	Funding Source Type	Funding Source Type		2022-23 to	o 2027-28 to 2032-33 to		
(Choose from dropdown list)	(Choose from dropdown list)	Floject Name	LFY 2021-2022	2026-27	2031-32	2036-37	2041-42
		1					
		1					

	Project & Type Information			Expendit	ures (in \$thou	sands)	
Project Type	Funding Source Type	Project Name	LFY 2021-2022	2022-23 to	2027-28 to 2032-33 to		
(Choose from dropdown list)	(Choose from dropdown list)	Floject Name	LI 1 2021-2022	2026-27	2031-32	2036-37	2041-42
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	Project & Type Information			Expendit	ures (in \$thou	sands)	
Project Type	Funding Source Type	Project Name	LFY 2021-2022	2022-23 to	2027-28 to 2032-33 to		
(Choose from dropdown list)	(Choose from dropdown list)	Floject Name	LI 1 2021-2022	2026-27	2031-32	2036-37	2041-42
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Project & Type Information				Expenditures (in \$thousands)						
Project Type	Funding Source Type	Funding Source Type		2022-23 to 2027-28 to 2032-33 to						
(Choose from dropdown list)	(Choose from dropdown list)	Project Name	LFY 2021-2022	2026-27	2031-32	2036-37	2041-42			
		1								
		1								
					<u> </u>					
		1								

Project & Type Information			Expenditures (in \$thousands)					
Project Type	Funding Source Type	Project Name	LFY 2021-2022	2022-23 to	2027-28 to	2032-33 to	2037-38 to	
(Choose from dropdown list)	(Choose from dropdown list)		LFY 2021-2022	2026-27	2031-32	2036-37	2041-42	

Project & Type Information			Expenditures					
Project Type	Funding Source Type		LFY 2021-2022	2022-23 to	2027-28 to	2032-33 to	2037-38 to	
				2026-27	2031-32	2036-37	2041-42	
Expansion Projects, Flood Protection	Committed Funding Source	Aggregated Total	0	0	0	0	0	
Expansion Projects, Water Quality	Committed Funding Source	Aggregated Total	0	0	0	0	0	
Resiliency Projects	Committed Funding Source	Aggregated Total	0	0	0	0	0	
End of Useful Life Replacement Projects	Committed Funding Source	Aggregated Total	0	0	0	0	0	
Expansion Projects, Flood Protection	No Identified Funding Source	Aggregated Total	0	0	0	0	0	
Expansion Projects, Water Quality	No Identified Funding Source	Aggregated Total	0	0	0	0	0	
Resiliency Projects	No Identified Funding Source	Aggregated Total	0	0	0	0	0	
End of Useful Life Replacement Projects	No Identified Funding Source	Aggregated Total	0	0	0	0	0	
Total of Projects without Project Type and/or Funding Source Type			0	0	0	0	0	

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



RESOLUTION 2022-09

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT DIRECTING THE CHAIRMAN AND DISTRICT STAFF TO REQUEST THE PASSAGE OF AN ORDINANCE BY THE CITY OF APOPKA, FLORIDA, AMENDING THE DISTRICT'S BOUNDARIES, AND AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY IN FURTHERANCE OF THAT PROCESS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Ridge at Apopka Community Development District ("District") is a unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, *Florida Statutes* ("Uniform Act"), and City of Apopka Ordinance No. 2859 ("Ordinance"); and

WHEREAS, pursuant to the Uniform Act, the District is authorized to construct, acquire, and maintain infrastructure improvements and services; and

WHEREAS, the District presently consists of approximately 403.90 acres, more or less, as more fully described in the Ordinance; and

WHEREAS, the District desires to amend its boundaries to add certain lands ("Expansion Parcel"), as depicted in the attached Exhibit A, resulting in an amended boundary ("Boundary Amendment"); and

WHEREAS, the Boundary Amendment is in the best interest of the District, and the area of land within the amended boundaries of the District will continue to be of sufficient size, sufficiently compact, and sufficiently contiguous to be developable as one functionally related community; and

WHEREAS, the Boundary Amendment of the District's boundaries will allow the District to continue to be the best alternative available for delivering community development services and facilities to the lands within the District, as amended; and

WHEREAS, Boundary Amendment is not inconsistent with either the State or local comprehensive plan and will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

WHEREAS, the area of land that will lie in the amended boundaries of the District will continue to be amenable to separate special district government; and

WHEREAS, in order to seek a Boundary Amendment ordinance pursuant to Chapter 190, *Florida Statutes*, the District desires to authorize District staff, including but not limited to legal,

engineering, and managerial staff, to provide such services as are necessary throughout the pendency of the process; and

WHEREAS, the retention of any necessary consultants and the work to be performed by District staff may require the expenditure of certain fees, costs, and other expenses by the District as authorized by the District's Board of Supervisors ("Board"); and

WHEREAS, the Developer has agreed to provide sufficient funds to the District to reimburse the District for any expenditures including, but not limited to, legal, engineering and other consultant fees, filing fees, administrative, and other expenses, if any; and

WHEREAS, the District hereby desires to request a Boundary Amendment in accordance with Chapter 190, *Florida Statutes*, by taking such actions as are necessary in furtherance of the same.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT:

1. RECITALS. The recitals as stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

2. AUTHORIZATION FOR BOUNDARY AMENDMENT. Pursuant to Chapter 190, *Florida Statutes,* the Board hereby authorizes the Chairman and District Staff to proceed in an expeditious manner with the preparation and filing of any documentation with the City of Apopka, Florida, as necessary to seek the amendment of the District's boundaries and to add those lands depicted in **Exhibit A.** The Board further authorizes the prosecution of the procedural requirements detailed in Chapter 190, *Florida Statutes,* for the Boundary Amendment.

3. AUTHORIZATION FOR AGENT. The Board hereby authorizes the District Chairman, District Manager and District Counsel to act as agents of the District with regard to any and all matters pertaining to the petition to the City of Apopka, Florida, to amend the boundaries of the District. District Staff, in consultation with the District Chairman, is further authorized to revise **Exhibit A** in order to address any further boundary adjustments as may be identified by the District Engineer. The District Manager shall ensure that the final versions of **Exhibit A** as confirmed by the Chairman is attached hereto.

4. EFFECTIVE DATE. This Resolution shall become effective upon its passage.

[CONTINUED ON NEXT PAGE]

PASSED AND ADOPTED this 7th day of December, 2021.

ATTEST:

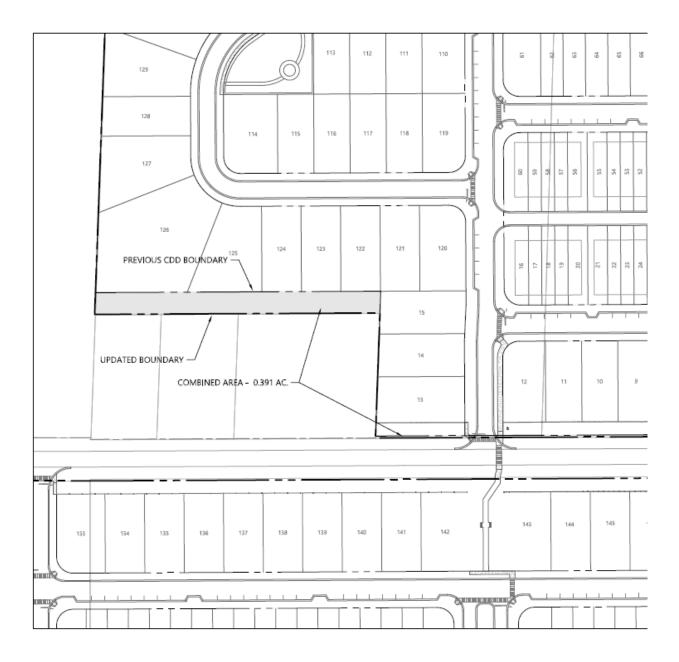
RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Depiction of Boundary Amendment Parcel

Exhibit A: Depiction of Boundary Amendment Parcel



RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



BOUNDARY AMENDMENT FUNDING AGREEMENT

This Agreement is made and entered into this 7th day of December, 2021, by and between:

Ridge at Apopka Community Development District, a local unit of specialpurpose government established pursuant to Chapter 190, *Florida Statutes*, being situated in the City of Apopka, Florida, and whose mailing address is c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("**District**"); and

Apopka Centerline Development, LLC, a Florida limited liability company, the primary developer of lands within the boundary of the District, and whose address is 15499 SW 12th Street, Suite 507, Sunrise, Florida 33326 ("Landowner").

RECITALS

WHEREAS, the District was established pursuant to Chapter 190, *Florida Statutes* ("Act") and by Ordinance No. 2859, adopted by the Board of City Council for the City of Apopka, Florida, for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure ("Ordinance"); and

WHEREAS, pursuant to the Act, the District is authorized to construct, acquire, and maintain infrastructure improvements and services; and

WHEREAS, the District presently consists of approximately 403.90 acres of land; and

WHEREAS, the District desires to amend its boundaries ("**Boundary Amendment**") to add certain lands to the District's boundaries, of which Landowner is the sole landowner; and

WHEREAS, pursuant to Resolution 2022-____ the District has authorized the Boundary Amendment, and, in consideration, the Landowner has agreed to fund all managerial, engineering, legal and other fees and costs that the District incurs in connection with the Boundary Amendment ("**Amendment Expenses**"); and

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **PROVISION OF FUNDS.** The Landowner agrees to make available to the District such monies as are necessary to fund the Amendment Expenses and enable the District to effect the Boundary Amendment. The Landowner will make such funds available on a monthly basis, within thirty (30) days of a written request by the District. The District Manager shall

require consultants to provide invoices for the Amendment Expenses separate from other services provided to the District.

2. **DISTRICT USE OF FUNDS.** The District agrees to use the Amendment Expenses solely for the Boundary Amendment. The District agrees to use its good faith best efforts to proceed in an expeditious manner to effect the Boundary Amendment. The District shall not have any obligation to reimburse or repay the Landowner for funds made available to the District under this Agreement.

3. **DEFAULT.** A default by either party under this Agreement shall entitle the other to all remedies available at law or in equity, which may include, but not be limited to, the right of actual damages (but not consequential, special or punitive damages), injunctive relief and/or specific performance.

4. **ENFORCEMENT OF AGREEMENT.** In the event that either party is required to enforce this Agreement by court proceedings or otherwise, then the prevailing party shall be entitled to recover all fees and costs incurred, including reasonable attorneys' and paralegals' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

5. **AGREEMENT.** This instrument shall constitute the final and complete expression of the agreement between the parties relating to the subject matter of this Agreement.

6. **AMENDMENTS.** Amendments to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing that is executed by both of the parties hereto.

7. **AUTHORIZATION.** The execution of this Agreement has been duly authorized by the appropriate body or official of all parties to this Agreement, each party has complied with all the requirements of law, and each party has full power and authority to comply with the terms and provisions of this instrument.

8. **NOTICES.** All notices, requests, consents and other communications under this Agreement ("**Notices**") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, or overnight delivery service, to the parties, at the addresses set forth above. Except as otherwise provided in this Agreement, any Notice shall be deemed received only upon actual delivery at the address set forth in this Agreement. Notices delivered after 5:00 p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Agreement would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays, and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for the parties may deliver Notice on behalf of the parties. Any party or other person to whom Notices are to be sent or copied may notify the

other parties and addresses of any change in name or address to which Notices shall be sent by providing the same on five (5) days written notice to the parties and addresses set forth in this Agreement.

9. **THIRD PARTY BENEFICIARIES.** This Agreement is solely for the benefit of the formal parties to this Agreement and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal party to this Agreement. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or corporation other than the parties to this Agreement any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof; and all of the provisions, representations, covenants and conditions contained in this Agreement shall inure to the sole benefit of and shall be binding upon the parties to this Agreement and their respective representatives, successors, and assigns.

10. **ASSIGNMENT.** Neither party may assign this Agreement or any monies to become due hereunder without the prior written approval of the other party.

11. **CONTROLLING LAW.** This Agreement and the provisions contained herein shall be construed, interpreted, and controlled according to the laws of the State of Florida.

12. **TERMINATION.** Either party may terminate this Agreement upon a breach by the other party, notice of which breach shall be provided to all parties at the addresses noted above, and only after the breaching party is provided fifteen (15) calendar day's period to cure said breach.

13. **PUBLIC RECORDS.** Landowner understands and agrees that all documents of any kind provided to the District or to District Staff in connection with the work contemplated under this Agreement may be public records and will be treated as such in accord with Florida law.

14. **ARM'S LENGTH TRANSACTION.** This Agreement has been negotiated fully between the parties as an arm's length transaction. The parties participated fully in the preparation of this Agreement with the assistance of their respective counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the parties are each deemed to have drafted, chosen, and selected the language, and doubtful language will not be interpreted or construed against any party.

15. **SOVEREIGN IMMUNITY.** Landowner agrees that nothing in this Agreement shall constitute or be construed as a waiver of the District's limitations on liability contained in Section 768.28, Florida Statutes, or other statutes or law.

16. **HEADINGS FOR CONVENIENCE ONLY.** The descriptive headings in this Agreement are for convenience only and shall not control nor affect the meaning or construction of any of the provisions of this Agreement.

17. **COUNTERPARTS**. This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be an original; however, all such counterparts together shall constitute but one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

18. **EFFECTIVE DATE.** The Agreement shall be effective after execution by both parties to this Agreement and shall remain in effect unless terminated by either of the parties.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the parties execute this Agreement the day and year first written above.

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT

By: _	 	 	
lts:			
its		 	

APOPKA CENTERLINE DEVELOPMENT, LLC

By:			
lts:			

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT FINANCIAL STATEMENTS UNAUDITED OCTOBER 31, 2021

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT BALANCE SHEET GOVERNMENTAL FUNDS OCTOBER 31, 2021

		Total	
	General	Governme	ntal
	Fund	Funds	
ASSETS			
Due from Landowner	\$ 20,209	\$ 20,2	09
Total assets	\$ 20,209	\$ 20,2	09
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	\$ 10,209	\$ 10,2	09
Landowner advance	10,000	10,0	
Total liabilities	20,209	20,2	
DEFERRED INFLOWS OF RESOURCES			
Deferred receipts	10,209	10,2	09
Total deferred inflows of resources	10,209	10,2	
Fund balances:			
Unassigned	(10,209)	(10,2	09)
Total fund balances	(10,209)	(10,2	<u> </u>
Total liabilities, deferred inflows of resources			
and fund balances	\$ 20,209	\$ 20,2	09
	<u>.</u>	·	_

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT GENERAL FUND STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES FOR THE PERIOD ENDED OCTOBER 31, 2021

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Landowner contribution	\$ -	\$ -	\$ 91,432	0%
Total revenues		-	91,432	0%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording	4,000	4,000	48,000	8%
Legal	-	-	25,000	0%
Engineering	-	-	2,000	0%
Dissemination agent*	-	-	667	0%
Telephone	16	16	200	8%
Postage	-	-	500	0%
Printing & binding	42	42	500	8%
Legal advertising	-	-	6,500	0%
Annual special district fee	-	-	175	0%
Insurance	-	-	5,500	0%
Contingencies/bank charges	-	-	500	0%
Website hosting & maintenance	-	-	1,680	0%
Website ADA compliance	-	-	210	0%
Total professional & administrative	4,058	4,058	91,432	4%
Excess/(deficiency) of revenues				
over/(under) expenditures	(4,058)	(4,058)	-	
Fund balances - beginning Fund balances - ending *These items will be realized when bonds are issued	(6,151) \$ (10,209)	(6,151) \$ (10,209)	<u>-</u> \$	

*These items will be realized when bonds are issued

RIDGE AT APOPKA COMMUNITY DEVELOPMENT DISTRICT



1 2 3	RIDGE A	DF MEETING T APOPKA ELOPMENT DISTRICT			
4 5	An Organizational Meeting of the Ridge at Apopka Community Development District was				
6	held on September 28, 2021, at 2:30 p.m., at	the office of GrayRobinson, P.A., 301 East Pine			
7	Street, Suite 1400, Orlando, Florida 32801.				
8					
9 10	Present at the meeting were:				
11 12 13 14 15 16	Ernesto Mitsumasu (via telephone) Craig Perry Kevin Walsh Dean Perry Thomas Pagnotta (via telephone)	Chair Vice Chair Assistant Secretary Assistant Secretary Assistant Secretary			
10 17 18	Also present were:				
19 20 21 22 23 24 25	Craig Wrathell Kristen Suit Jere Earlywine John Prowell (via telephone) Bob Gang (via telephone) Alex _	District Manager Wrathell, Hunt and Associates, LLC (WHA) District Counsel VHB Engineering Bond Counsel Centerline Construction			
26 27 28	FIRST ORDER OF BUSINESS	Call to Order/Roll Call			
29	Mr. Wrathell called the meeting to orc	ler at 2:39 p.m. The five initial Board Members			
30	named on the petition to create the CDD wer	e Mr. Craig Perry, Mr. Dean Perry, Mr. Ernesto			
31	Mitsumasu, Mr. Kevin Walsh and Mr. Thomas Pagnotta.				
32	Mr. Wrathell stated Mr. Craig Perry, M	1r. Dean Perry and Mr. Walsh were present, in			
33	person. Mr. Mitsumasu and Mr. Pagnotta were	attending via telephone.			
34					
35 36 37	SECOND ORDER OF BUSINESS There were no public comments.	Public Comments			
38					
39	GENERAL DISTRICT ITEMS				

40 41 42 43	THIR	D ORDI	ER OF BUSINESS	Administration of Oath of Office to Initial Board of Supervisors (the following will also be provided in a separate package)
44		Mr.	Wrathell, a Notary of the State o	f Florida and duly authorized, administered the
45	Oath	of Off	ice to Mr. Craig Perry, Mr. Dean P	Perry and Mr. Walsh. He noted that the Oath of
46	Offic	e was a	idministered to Mr. Mitsumasu and	d Mr. Pagnotta by a Notary prior to the meeting.
47	Mr. V	Wrathe	ll provided and briefly explained the	e following items:
48	Α.	Guid	e to Sunshine Amendment and Co	de of Ethics for Public Officers and Employees
49	В.	Men	nbership, Obligations and Respons	ibilities
50	C.	Chap	oter 190, Florida Statutes	
51	D.	Fina	ncial Disclosure Forms	
52		١.	Form 1: Statement of Financial	Interests
53		н.	Form 1X: Amendment to Form	1, Statement of Financial Interests
54		III.	Form 1F: Final Statement of Fin	ancial Interests
55	Ε.	Form	n 8B: Memorandum of Voting Conf	flict
56		Mr. I	Earlywine stated any gifts to Board	Supervisors worth over \$100 must be disclosed.
57		Per t	he Board's preference, Mr. Wrath	nell confirmed that electronic agendas would be
58	emai	iled to E	Board Members.	
59				
60 61 62 63 64	FOU		DER OF BUSINESS Wrathell presented Resolution 202	Consideration of Resolution 2021-01, Designating Certain Officers of the District, and Providing for an Effective Date 21-01. Mr. Craig Perry nominated the following
65	slate	of offic	ers:	
66			Ernesto Mitsumasu	Chair
67			Craig Perry	Vice Chair
68			Craig Wrathell	Secretary
69			Kevin Walsh	Assistant Secretary
70			Dean Perry	Assistant Secretary
71			Thomas Pagnotta	Assistant Secretary
72			Cindy Cerbone	Assistant Secretary

73	Kristen Suit	Assistant Secretary
74	Craig Wrathell	Treasurer
75	Jeff Pinder	Assistant Treasurer
76	No other nominations were made.	
77		
78	On MOTION by Mr. Craig Perry and	seconded by Mr. Dean Perry, with all in
79	, , , ,	ting Certain Officers of the District, as
80	nominated, and Providing for an Effe	ctive Date, was adopted.
81 82		
83	FIFTH ORDER OF BUSINESS	Consideration of Resolution 2021-02,
84		Designating a Date, Time and Location for
85		Landowners' Meeting of the District, and
86		Providing for an Effective Date
87		
88	Mr. Wrathell presented Resolution 20	21-02.
89		
90	On MOTION by Mr. Craig Perry and	seconded by Mr. Dean Perry, with all in
91	_	ng a Date, Time and Location of December
92	-	GrayRobinson, P.A., 301 East Pine Street,
93		r the Landowners' Meeting of the District,
94 95	and Providing for an Effective Date, w	
95 96		
97	ORGANIZATIONAL MATTERS	
98	SIXTH ORDER OF BUSINESS	Consideration of the Following
99 99	SIATH ORDER OF BOSINESS	Organizational Matters:
100		• · 8 ·································
101	A. Resolution 2021-03, Appointing and	Fixing the Compensation of the District Manager
102	and Methodology Consultant; Provid	ing an Effective Date
103	Agreement for District Management	gement Services: Wrathell, Hunt and Associates,
104	LLC	
105	Mr. Wrathell presented Resolution 20	21-03. He reviewed the Fee Schedule on Page 15
106	of the Agreement for District Management	Services; the item numbers on the Fee Schedule
107	would be corrected. The number of bond issu	ances was discussed.
108		

109 110 111 112 113 114 115		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2021-03, Appointing and Fixing the Compensation of Wrathell, Hunt and Associates, LLC, as the District Manager and Methodology Consultant; Providing an Effective Date, as amended to correct the numbering of the items on the Fee Schedule, was adopted.
115	В.	Resolution 2021-04, Appointing District Counsel for the District, and Authorizing
117		Compensation; and Providing for an Effective Date
118		• Fee Agreement: K.E. Law Group, PLLC
119		Mr. Wrathell presented Resolution 2021-04.
120		
121 122 123 124		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2021-04, Appointing K.E. Law Group, PLLC as District Counsel for the District, and Authorizing Compensation; and Providing for an Effective Date, was adopted.
125 126		
127	С.	Resolution 2021-05, Designating a Registered Agent and Registered Office of the
128		District; and Providing for an Effective Date
129		Mr. Wrathell presented Resolution 2021-05.
130		
131 132 133 134 135		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2021-05, Designating Wrathell, Hunt and Associates, LLC, as Registered Agent and 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Registered Office of the District; and Providing for an Effective Date, was adopted.
136 137		
138	D.	Resolution 2021-06, Appointing an Interim District Engineer for the Ridge at Apopka
139		Community Development District, Authorizing its Compensation and Providing for an
140		Effective Date
141		• Interim Engineering Services Agreement: VHB
142		Mr. Wrathell presented Resolution 2021-06 and the Interim Engineering Services
143	Agree	ment with VHB.
144		

145		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in
145		favor, Resolution 2021-06, Appointing an Interim District Engineer for the
147		Ridge at Apopka Community Development District, Authorizing its
148		Compensation and Providing for an Effective Date, was adopted.
149		
150		
151	Ε.	Authorization of Request for Qualifications (RFQ) for Engineering Services
152		Mr. Wrathell presented the RFQ for District Engineering Services.
153		
154		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in
155		favor, the Request for Qualifications for District Engineering Services and
156		authorizing Staff to advertise, was approved.
157		
158	-	Decid Member Commencetions 100 00C (0) F C
159	F.	Board Member Compensation: 190.006 (8), F.S.
160		The Board Members declined Supervisor compensation.
161	G.	Resolution 2021-07, Designating the Primary Administrative Office and Principal
162		Headquarters of the District; Designating the Location of the Local District Records
163		Office; and Providing an Effective Date
164		This item was deferred to the next meeting.
165	н.	Resolution 2021-08, Setting Forth the Policy of the Ridge at Apopka Community
166		Development District Board of Supervisors with Regard to the Support and Legal
167		Defense of the Board of Supervisors and District Officers and Providing for an Effective
168		Date
169		• Authorization to Obtain General Liability and Public Officers' Insurance
170		Mr. Wrathell presented Resolution 2021-08. The Resolution sets forth the CDD's Policy
171	for th	e support and legal defense of Board Members and Staff.
172		
173		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in
174		favor, Resolution 2021-08, Setting Forth the Policy of the Ridge at Apopka
175		Community Development District Board of Supervisors with Regard to the
176		Support and Legal Defense of the Board of Supervisors and District Officers
177		and Providing for an Effective Date, was adopted.
178		
179		

180 181 182 183		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, authorizing Staff to obtain General Liability and Public Officers' insurance and authorizing the Chair to execute, was approved.
184 195		Possibilition 2021 00 Providing for the Public's Opportunity to Po Heard, Designating
185	Ι.	Resolution 2021-09, Providing for the Public's Opportunity to Be Heard; Designating
186		Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be
187		Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for
188		Severability and an Effective Date
189		Mr. Wrathell presented Resolution 2021-09.
190		
191 192 193 194 195		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2021-09, Providing for the Public's Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date, was adopted.
196		
197 198	J.	Resolution 2021-10, Providing for the Appointment of a Records Management Liaison
199	5.	Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a
200		Records Retention Policy; and Providing for Severability and Effective Date
201		Mr. Wrathell presented Resolution 2021-10. Management retains all files in perpetuity.
202		
203 204 205 206 207 208		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2021-10, 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.
209 210		
210	к.	Resolution 2021-11, Granting the Chair and Vice Chair the Authority to Execute Real
212		and Personal Property Conveyance and Dedication Documents, Plats and Other
213		Documents Related to the Development of the District's Improvements; Approving
214		the Scope and Terms of Such Authorization; Providing for a Severability Clause; and
215		Providing an Effective Date

- Mr. Wrathell presented Resolution 2021-11. This grants the Chair or the Vice Chair, in concert with the District Engineer, District Counsel and Staff, the authority to execute certain documents, between meetings, to avoid construction delays.
- 219

215		
220		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in
221		favor, Resolution 2021-11, Granting the Chair and Vice Chair, the Authority to
222		Execute Real and Personal Property Conveyance and Dedication Documents,
223		Plats and Other Documents Related to the Development of the District's
224		Improvements; Approving the Scope and Terms of Such Authorization;
225		Providing for a Severability Clause; and Providing an Effective Date, was
226		adopted.
227		
228		
229	L.	Resolution 2021-12, Ratifying, Confirming and Approving the Recording of the Notice
230		of Establishment for the Ridge at Apopka Community Development District
231		Mr. Wrathell presented Resolution 2021-12.
232		
233		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in
234		favor, Resolution 2021-12, Ratifying, Confirming and Approving the Recording
235		of the Notice of Establishment for the Ridge at Apopka Community
236		Development District, was adopted.
237		
238		
239	М.	Authorization of Request for Proposals (RFP) for Annual Audit Services
240		Designation of Board of Supervisors as Audit Committee
241		Mr. Wrathell presented the RFP For Annual Audit Services.
242		
243		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in
244		favor, the Request for Proposals for Annual Auditing Services and Ranking
245		Criteria, authorizing the District Manager to advertise and designating the
246		Board of Supervisors as the Audit Selection Committee, was approved.
247		
248		
249	N.	Strange Zone, Inc., Quotation #M21-1017 for Website Creation & Development,
250		Website Maintenance, Website Hosting & Email, Domain Registration, SSL Certificates
251		Mr. Wrathell presented the Strange Zone, Inc. (SZI) proposal for website creation and
252	annu	al maintenance, hosting, email domain registration and SSL certificates.
252	annu	

253 254 255		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the Strange Zone, Inc., Quotation #M21-1017 for Website Creation & Development, Website Maintenance, Website Hosting & Email, Domain
256		Registration and SSL Certificates, in the amount of \$1,679.99, was approved.
257		
258	•	
259	0.	ADA Site Compliance Proposal for Technological Auditing, Accessibility Policy and
260		Compliance Shield, Technical Support
261		Mr. Wrathell stated that Management engaged ADA Site Compliance (ADASC) to assist
262	in bri	nging the CDD website into compliance with the Americans with Disabilities Act (ADA)
263	requir	ements for websites and to affix an ADA Site Compliance seal on the homepage.
264		
265 266 267 268		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, 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.
269		
270	_	
271	Ρ.	Resolution 2021-13, Designating the Date, Time and Place of a Public Hearing and
272		Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of
273		Procedure of the District; and Providing an Effective Date
274		I. Rules of Procedure
275		II. Notices
276		Notice of Rule Development
277		Notice of Rulemaking
278		Mr. Wrathell presented Resolution 2021-13.
279		
280		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in
281		favor, Resolution 2021-13, Designating December 7, 2021 at 2:30 p.m., at the
282		office of GrayRobinson, P.A., 301 East Pine Street, Suite 1400, Orlando, Florida
283		32801, as the Date, Time and Place of a Public Hearing and Authorization to
284 285		Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure
285		of the District; and Providing an Effective Date, was adopted.
286 287		
207		

288	Q.	Resolution 2021-14, Designating Dates, Times and Locations for Regular Meetings of		
289		the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an		
290		Effective Date		
291		This item was deferred.		
292	R.	Resolution 2021-15, Approving the Florida Statewide Mutual Aid Agreement;		
293		Providing for Severability; and Providing for an Effective Date		
294		Mr. Wrathell presented Resolution 2021-15. In the event of an emergency or natural		
295	disaste	er, the CDD may request assistance from other local governments.		
296				
297 298 299 300		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2021-15, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date, was adopted.		
301 302				
303	BANKI	NG MATTERS		
304 305 306	SEVEN	ITH ORDER OF BUSINESS Consideration of the Following Banking Matters:		
307	Α.	Resolution 2021-16, Designating a Public Depository for Funds of the Ridge at Apopka		
308		Community Development District and Providing an Effective Date		
309		Mr. Wrathell presented Resolution 2021-16. Management recommended Truist Bank as		
310	the Qu	alified Public Depository for the CDD's accounts.		
311				
312 313	ĺ	On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in		
314 315		favor, Resolution 2021-16, Designating a Public Depository for Funds of the Ridge at Apopka Community Development District and Providing an Effective Date, was adopted.		
314 315 316		Ridge at Apopka Community Development District and Providing an Effective		
314 315	в.	Ridge at Apopka Community Development District and Providing an Effective		
314 315 316 317	в.	Ridge at Apopka Community Development District and Providing an Effective Date, was adopted.		
314 315 316 317 318	В.	Ridge at Apopka Community Development District and Providing an Effective Date, was adopted. Resolution 2021-17, Directing the District Manager to Establish a Local Bank Account		

322	Mitsu	Mitsumasu. Mr. Craig Perry was agreeable with Staff opening the account with a \$10,000		
323	depos	deposit.		
324				
325 326 327 328 329 330		On MOTION by Mr. Craig Perry and second favor, Resolution 2021-17, Directing the Di Bank Account and Appoint Signors on the A Date, was adopted.	strict Manager to Establish a Local	
331	BUDG	ETARY MATTERS		
332 333 334	EIGHT		Consideration of the Following Budgetary Matters:	
335	Α.	Resolution 2021-19, Approving a Propose	d Budget for Fiscal Year 2021/2022 and	
336		Setting a Public Hearing Thereon Pursuant	to Florida Law and Providing an Effective	
337		Date		
338		Mr. Wrathell presented Resolution 2021-19 and the proposed Fiscal Year 2022 budget.		
339				
340 341 342 343 344 345		On MOTION by Mr. Craig Perry and secon- favor, Resolution 2021-18, Approving a 2021/2022 and Setting a Public Hearing Th December 7, 2021 at 2:30 p.m., at the offi Pine Street, Suite 1400, Orlando, Florida Date, was adopted.	Proposed Budget for Fiscal Year nereon Pursuant to Florida Law for ce of GrayRobinson, P.A., 301 East	
346	Ľ	<u> </u>	,	
347 348	в.	Fiscal Year 2021/2022 Budget Funding Agree	ement	
349		Mr. Wrathell presented the Fiscal Year 20	021/2022 Budget Funding Agreement and	
350	recommended approval in substantial form. The Developer would provide funding on an a		eveloper would provide funding on an as-	
351	needed basis.			
352				
353 354 355		On MOTION by Mr. Craig Perry and secon favor, the Fiscal Year 2020/2021 Budget form, was approved.	-	
356 357				

358	С.	Resolution 2021-20, Adopting the Alternative Investment Guidelines for Investing
359		Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in
360		Accordance with Section 218.415(17), Florida Statutes
361		Mr. Wrathell presented Resolution 2021-20.
362		
363 364 365 366 367		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2021-20, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes, was adopted.
368 369		
370	D.	Resolution 2021-21, Authorizing the Disbursement of Funds for Payment of Certain
371		Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing
372		the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without
373		Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and
374		Providing for an Effective Date
375		Mr. Wrathell presented Resolution 2021-21.
376		
377 378 379 380 381 382 383		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2021-21, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date, was adopted.
384 385		
386	Ε.	Resolution 2021-22, Adopting a Policy for Reimbursement of District Travel Expenses;
387		and Providing for Severability and an Effective Date
388		Mr. Wrathell presented Resolution 2021-22.
389		
390 391 392 393		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2021-22, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date, was adopted.

394	F.	Resolution 2021-23, Adopting Prompt Payment Policies and Procedures Pursuant to		
395		Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an		
396		Effective Date		
397		Mr. Wrathell presented Resolution 2021-23. Discussion ensued regarding a master site		
398	contra	ict, payment performance bonds, permit requirements, sales tax exemption and advance		
399	fundin	g by the Developer.		
400				
401 402 403 404		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2021-23, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.		
405 406				
407	G.	Resolution 2021-24, Adopting an Internal Controls Policy Consistent with Section		
408		218.33, Florida Statutes; Providing an Effective Date		
409		Mr. Wrathell presented Resolution 2021-24. District Management already has Internal		
410	Contro	ol policies in place as part of the annual audit process.		
411				
412 413 414		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2021-24, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date, was adopted.		
415 416 417	Н.	Consideration of E-Verify Requirements Memorandum		
418		Mr. Earlywine presented the KE Law Group, PLLC Memorandum regarding E-Verify		
419	requirements. Any public employer, whether they have employees or not, must enter into			
420	Memorandum of Understanding (MOU) Agreement with the Department of Homeland Securit			
421	(DHS) and all of the CDD's contractors must comply with the program as well.			
422				
423 424 425 426 427 428		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the KE Law Group PLLC Memorandum of Understanding (MOU), regarding E-Verify requirements and Authorizing the Chair or Vice Chair to execute the DHS E-Verify Memorandum of Understanding for Employers, was approved.		

429	BOND	FINANCING RELATED MATTERS		
430 431 432	NINTH	ORDER OF BUSINESS	Consideration of the Following Bond Financing Related Matters:	
433	Α.	Bond Financing Team Funding Agreement		
434		Mr. Wrathell presented the Bond Financing	Team Funding Agreement.	
435				
436 437 438 439 440		On MOTION by Mr. Craig Perry and second favor, the Bond Financing Team Funding Apopka CDD and Apopka Centerline Dev was approved.	Agreement between the Ridge at	
441 442	В.	Engagement of Bond Financing Professiona	lls	
443		I. Underwriter: FMSbonds, Inc.		
444		Mr. Wrathell presented the Agreement	: for Underwriter Services & Rule G-17	
445	Disclos	ure letter from FMSbonds, Inc. (FMSbonds).	The Underwriter's fee would be up to 2% of	
446	the pa	r amount of any bonds issued.		
447				
448 449 450		On MOTION by Mr. Craig Perry and second favor, the FMSbonds Agreement for L Disclosure Letter, was approved.	-	
451 452 453	н.	Bond Counsel: Greenberg Traurig, P.A.		
454		Mr. Wrathell presented the Greenberg Tr	aurig, P.A., proposal. The fee for the initial	
455	bond is	ond issuance would be \$55,000.		
456				
457 458 459 460		On MOTION by Mr. Craig Perry and second favor, the Greenberg Traurig, P.A. Engagen was approved.		
460 461 462	III.	Trustee, Paying Agent and Registrar: U.S. B	ank, N.A.	
463		Mr. Wrathell presented the U.S. Bank, N.A.,	proposal.	
464				

465 466 467 468		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the U.S. Bank, N.A., Engagement Letter to serve as Trustee, Paying Agent and Registrar, was approved.
469		
470	C.	Resolution 2021-25, Designating a Date, Time, and Location of a Public Hearing
471		Regarding the District's Intent to Use the Uniform Method for the Levy, Collection,
472		and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section
473		197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing;
474		and Providing an Effective Date
475		Mr. Wrathell presented Resolution 2021-25 and read the title.
476		
477 478 479 480 481 482 483 483		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2021-25, Designating December 7, 2021 at 2:30 p.m., at the office of GrayRobinson, P.A., 301 East Pine Street, Suite 1400, Orlando, Florida 32801, as the Date, Time, and Location for a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date, was adopted.
485 486		
487	D.	Presentation of Engineer's Report
488		Mr. Prowell, of VHB, presented the Engineer's Report, dated September 28, 2021.
489		The following question was asked and answered:
490		Mr. Earlywine: Is it your opinion that the costs are reasonable and the plan is feasible to
491	const	ruct; correct?
492		Mr. Prowell: Correct.
493		
494 495 496		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the Engineer's Report, dated September 28, 2021, in substantial form, was approved.
497 408		
498 499	Ε.	Presentation of Master Special Assessment Methodology Report

500 Mr. Wrathell presented the Master Special Assessment Methodology Report, dated 501 September 28, 2021. The maximum par amount of bonds is \$46,390,000. Mr. Earlywine stated 502 the only change to the Engineer's Report and the Master Methodology Report was the addition 503 of legal descriptions for Parcels 2, 4 and 9.

504

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in
favor, the Master Special Assessment Methodology Report, dated September
28, 2021, in substantial form, was approved.

509 510 Resolution 2021-26, Declaring Special Assessments; Designating the Nature and F. Location of the Proposed Improvements; Declaring the Total Estimated Cost of the 511 512 Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in 513 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 514 515 Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication 516 of this Resolution; and Addressing Conflicts, Severability and an Effective Date

- 517 Mr. Wrathell presented Resolution 2021-26 and read the title. The Public Hearing was 518 set for December 7, 2021 at 2:30 p.m.
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On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2021-26, 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, was adopted.

- 528 529
- 530

531G.Resolution 2021-27, Authorizing the Issuance of Not to Exceed \$46,390,000 Aggregate532Principal Amount of Ridge at Apopka Community Development District Special533Assessment Bonds, in One or More Series, to Pay All or a Portion of the Costs of534Planning, Financing, Construction and/or Acquisition, Equipping and Installation of

Master and Neighborhood Public Infrastructure Improvements Described Herein and 535 536 Located in the City of Apopka, and Associated Professional Fees and Incidental Costs 537 Related Thereto Pursuant to Chapter 190, Florida Statutes, as Amended; Appointing a 538 Trustee; Approving the Form of and Authorizing the Execution and Delivery of a Master Trust Indenture; Providing That Such Bonds Shall Not Constitute a Debt, 539 Liability or Obligation of Ridge at Apopka Community Development District, the City of 540 Apopka, Florida, Orange County, Florida or the State of Florida or of any Political 541 542 Subdivision Thereof, But Shall Be Payable From Special Assessments Assessed and Levied on the Property Within the District Benefited by the Improvements and Subject 543 544 To Assessment; Providing for the Judicial Validation of Such Bonds; and Providing for **Other Related Matters** 545 546 Mr. Gang presented Resolution 2021-27. The Resolution accomplishes the following: 547 \geq Commences the bond validation process and authorizes the issuance of the maximum amount of bonds up to \$46,390,000. 548 549 \geq Approves the forms of the Master Trust Indenture. 550 \geq Appoints US Bank as Trustee. 551 552 On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2021-27, Authorizing the Issuance of Not to Exceed 553 554 \$46,390,000 Aggregate Principal Amount of Ridge at Apopka Community 555 Development District Special Assessment Bonds, in One or More Series, to Pay 556 All or a Portion of the Costs of Planning, Financing, Construction and/or 557 Acquisition, Equipping and Installation of Master and Neighborhood Public 558 Infrastructure Improvements Described Herein and Located in the City of Apopka, and Associated Professional Fees and Incidental Costs Related Thereto 559 560 Pursuant to Chapter 190, Florida Statutes, as Amended; Appointing a Trustee; 561 Approving the Form of and Authorizing the Execution and Delivery of a Master 562 Trust Indenture; Providing That Such Bonds Shall Not Constitute a Debt, Liability or Obligation of Ridge at Apopka Community Development District, 563 the City of Apopka, Florida, Orange County, Florida or the State of Florida or of 564 565 any Political Subdivision Thereof, But Shall Be Payable From Special 566 Assessments Assessed and Levied on the Property Within the District Benefited 567 by the Improvements and Subject To Assessment; Providing for the Judicial Validation of Such Bonds; and Providing for Other Related Matters, was 568 569 adopted. 570

571 572	TENT	H ORDER OF BUSINESS	Staff Reports	
573	Α.	District Counsel: KE Law Group, PLL	c	
574		Mr. Earlywine stated the assessment public hearing would occur in December, the Bo		
575	Valid	ation Hearing would be in January and	bonds would be issued in February.	
576	В.	District Engineer (Interim): VHB		
577		There was no report.		
578	C.	District Manager: Wrathell, Hunt ar	nd Associates, LLC	
579		• NEXT MEETING DATE: Decer	nber 7, 2021 at 2:30 p.m.	
580		• QUORUM CHECK		
581		The next meeting would be held on	December 7, 2021.	
582				
583 584	ELEV	ENTH ORDER OF BUSINESS	Board Members' Comments/Requests	
585		There were no Board Members' con	iments or requests.	
586				
587 588	TWE	LFTH ORDER OF BUSINESS	Public Comments	
589		There were no public comments.		
590				
591	THIR	TEENTH ORDER OF BUSINESS	Adjournment	
592 593		There being nothing further to discu	ss, the meeting adjourned.	
594				
595 596		On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the meeting adjourned at 4:15 p.m.		
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608	Secretary/Assistant Secretary	Chair/Vice Chair