

**LAKESIDE PLANTATION
COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
REGULAR MEETING
JANUARY 13, 2011**

**LAKESIDE PLANTATION
COMMUNITY DEVELOPMENT DISTRICT
AGENDA
JANUARY 13, 2011 at 7:00 PM**

Lakeside Plantation Clubhouse
Located at 2200 Plantation Boulevard, North Port, Florida 34289

District Board of Supervisors	Chairman Vice Chairman Supervisor Supervisor Supervisor	Bill Capozzi Bob Babik Judy Cabrera Jane Gallo Patricia Durham
Assistant District Manager	District Management Services, LLC	Peter Altman
District Attorney	Shumaker, Loop & Kendrick, LLP	Jeffrey Russell
District Engineer	DMK	Dorian Popescu Sr.

All cellular phones and pagers must be turned off while in the meeting room

AGENDA: The agenda is available from the District's Local Office, and soon to be on the District's website. There shall be an official agenda for every meeting of the Board of Supervisors that will be created by the Chairman and District Manager and distributed seven (7) days in advance of the meeting, which shall determine the order of business conducted at the meeting. Any Supervisors or Staff that would like to add an item to the agenda must contact the District Manager at least 7 days prior to the meeting. The decision to list the item will be at the discretion of the Chair. Agenda will be split into allocated time frames for each section. If an agenda item can not be resolved or answered within the allocated time frame, the agenda item can be continued until the next meeting. Items not listed on the agenda raised at a meeting will not be considered until the next meeting unless deemed time sensitive.

CONSENT ITEMS: These are items which are not discussed individually and are voted on as a group. The consent items considers non-controversial, no policy implications, and is approved without discussion. A Board Member may remove an item from the consent items to be considered, which is followed by Board vote on the remainder of the consent items.

REGULAR AGENDA ITEMS: These are items which the Board will discuss individually in the order and time frame listed on the agenda.

WHO MAY SPEAK: The public is encouraged to offer comment to the Board at the meeting on an agenda item during the Audience Comments portion of the meeting. Please complete a public comment card and give it to the District Manager prior to the agenda item being discussed.

ADDRESSING THE BOARD: When your name is called, please stand and state, for the record, your name and address. All comments shall be directed to the Board, not to a particular member thereof or to the general public. Persons addressing the Board during general public comment shall limit their remarks to three (3) minutes. To conserve time, delegation speakers will be selected by the Chairman to address the board on behalf of groups containing more than 5 individuals who share a similar opinion and/or comment.

DECORUM: Any person making personal, impertinent or slanderous remarks or who becomes boisterous while addressing the Board or while attending the Board meeting will be asked to refrain and/or asked to leave from the room, if appropriate.

ADA COMPLIANCE: Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the District's Local Office at least 48 hours before the meetings. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770, who can aid you in contacting the District Office.

APPEALING A DECISION: If any person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made, at his or her own expense, and which record includes the testimony and evidence on which the appeal is based.

Board of Supervisors
Lakeside Plantation Community Development District

Dear Board Members:

The Regular Meeting of the Board of Supervisors of the Lakeside Plantation Development District will be held on **Thursday, January 13, 2011 at 7:00 p.m.**, EST at the Lakeside Plantation Clubhouse, located at 2200 Plantation Boulevard, North Port, Florida 34289. Included below is the agenda:

- 7:00 PM Call to Order**
A. Review of Meeting Guidelines – Rules of Civility
B. Roll Call
C. Pledge of Allegiance
- 7:05 PM Reorganization**
A. Resolution 2011-01; Re-Designation of Officers.....Tab 1
- 7:15 P.M. Audience Comments on Agenda items Only**
- 7:20 PM Business Administration**
A. Review of Minutes of Board of Supervisors Meeting on November 11, 2010.....Tab 2
- 7:25 PM Old Business**
A. Golf Cart Update and Proposed Resolution 2011-02.....Tab 3
B. Update on Standard Pacific Engineering inspectionTab 4
C. Signage Update and Consideration of Resolution 2011-03.....Tab 5
D. Update on Road Paving – Villas and Carriage Homes.....Tab 6
E. Review and Consideration of District Counsel Services, Resolution 2011-04.....Tab 7
E. Wrathell Hart & Hunt ClaimTab 8
F. Consideration of Resolution 2011-05 Amending the FY2011 Operating BudgetTab 9
G. Discussion and Reconsideration of Access Card PolicyTab 10
- 8:15 PM Business Items**
A. Discussion of Office HoursTab 11
B. Discussion of Landscape Enhancement PlanTab 12
B. Discussion of Street Lights and SignsTab 13
B. Discussion of Sidewalks.....Tab 14
- 8:50 PM Staff Reports**
A. District Counsel
B. District Engineer
C. District Manager Reports
1. Financial Statements Period Ending November 30, 2010Tab 15
2. Operations & Amenity UpdateTab 16
- 9:05 PM Supervisor Comments and Requests**
Bob Babik
Judy Cabrera
Bill Capozzi
Patricia Durham
Jane Gallo
- 9:15 PM Audience Comments on Non Agenda Items**
- 9:30 PM Ajournement**

We look forward to seeing you at the meeting. In the meantime, if you have any questions please do not hesitate to call us at (813) 873-7300.

Sincerely,



Brian K. Lamb,
District Manager

GENERAL AND PROCEDURAL RULES

1.1 General

- The **Lakeside Plantation Community Development District** (the District” was created pursuant to the provisions of Chapter 190, Florida Statutes (1989) and was established to provide for the ownership, operation, maintenance, and provision of various capital facilities and services within its jurisdiction. The purpose of these rules (the “Rules”) is to describe the general operations of the District.

- Definitions locations within any section of these Rules shall be applicable within all other sections, unless specifically stated to the contrary.

Specific Authority: 190.011, 120.53(1) (a)

Law Implemented: 190.011, 120.53(1) (a)

1.2 Board of Supervisors; Officers and Voting

Board of Supervisors:

The Board of Supervisors of the District (the “Board”) shall exercise the powers granted to the District. The Board shall consist of five members. Members of the Board must be resident of Florida and citizens of the United States.

Term of Officers:

Board members shall hold office pursuant to Section 190.006, Florida Statutes. If, during the term of office of any board member (s), one or more vacancies occur, the remaining member(s) of the Board shall fill the vacancies by appointment for the remainder of the unexpired term(s).

Vacancies: Quorum:

Three members of the Board shall constitute a quorum for the purposes of conducting its business and exercising the powers and for all other purposes. However, if three or more vacancies occur at the same time, a quorum is not necessary to fill the vacancies. Action taken by the Board shall be by majority vote of the members present, unless otherwise provided in these Rules or required by law.

Officers:

At the first Board meeting held after each election or appointment, where the newly elected/appointed member(s) take office, the Board shall select a chairman, vice chairman, treasurer, assistant secretary, and secretary.

The term of office of the chairman shall be two years. The chairman must be a member of the Board. If the chairman resigns from that office or ceases to be a member of the Board, the Board shall select a new chairman. The chairman shall be authorized to sign checks and warrants for the District, countersigned by the treasurer or other persons authorized by the Board. The chairman shall convene and conduct all meetings of the Board. In the event the chairman is unable to attend a meeting the vice chairman shall convene and conduct the meeting.

The Vice Chairmen 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 term of office for the vice-chairman shall be two years, coincident to that of the chairman. If the vice chairman resigns from that office or ceases to be a member of the Board, the Board shall select a new vice chairman. The vice chairman shall be authorized to sign checks and warrants for the District countersigned by the treasurer or other person authorized by the Board.

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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 the Board meetings and may have other duties assigned by the Board from time to time. The District Manager may serve as secretary.

The treasurer need not be a member of the Board must be a resident of Florida. The treasurer shall perform duties described in Section 190.007(2) and (3), Florida Statutes, as well as those assigned by the Board from time to time. The treasurer shall serve at the pleasure of the Board.

Committees:

The Board may establish committees of the Board, either on a permanent or temporary basis, to perform specifically designated functions. Committees may include individuals who are not members of the Board. Such functions may include, but are not limited to, contract negotiations, personnel matters, and budget preparation.

Record Book:

The Board shall keep a permanent record book entitled "Record of Proceedings of the Lakeside Plantation CDD Board, in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, bonds, and corporate acts.

Meetings:

The Board shall establish a schedule of regular meetings and may also meet upon call of the chairman or three board members. Nothing in these Rules shall prevent the Board from holding other meetings, as it deems necessary and in conformance with applicable law and these Rules or from canceling any regular scheduled meetings. A regular or special meeting may be cancelled, provided that notice of cancellation shall be given in substantially the same manner as notice for the meeting or in such other manner as may provide substantially equivalent notice of cancellation. All meetings of the board shall be open to the public in accordance with the provisions of Chapter 286, Florida Statutes.

Voting Conflict of Interest:

The Board shall comply with Section 112.3143, Florida Statutes, so as to ensure the proper disclosure of conflicts of interests on matters coming before the Board for a vote. Nothing in this Rule shall prohibit the Board member with a voting conflict of interest from voting on a matter. For the purposes of this section, "voting conflict of interest" shall mean any matter coming before the Board for a vote which would inure to a Board member's special private gain, or which a Board member knows would inure to the special private gain of a relative, a business associate, any persons by whom a Board member is retained, or the parent organization or subsidiary of a corporation by which a

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member is retained. However, it shall not be a conflict of interest for a Board member to be a stockholder, officer or employee of any landowner in the District.

- 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. The member may then vote. The board's secretary shall prepare a memorandum of voting conflict, which shall then be signed by the board member, filed with the Board's secretary, and attached to the minutes of the meeting within 15 days of the meeting.
- If a Board member inadvertently votes on a matter and later learns he or she has a conflict thereon, the member shall immediately notify the board's secretary. Within fifteen days (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 shall immediately be provided to other Board members and shall be read publicly at the next meeting held subsequent to the filing of the written memorandum. The board member's vote is unaffected by this filing.

Specific Authority: 190.001, 120.53(1) (d)

Law Implemented: 190.006(1), 190.006(4), 190.006(5), 190.006(6), 190.006(7), 190.006(9), 190.007, 112.3143, 120.53(1) (d).

1.3 Public Information and inspection Records

Public Records:

All district public records within the meaning of Chapter 119, Florida Statutes, and not otherwise restricted by law, including the “Record of Proceedings of the Lakeside Plantation CDD” may be copied or inspected during regular business hours.

Charges of Public Records Requests:

All requests for obtaining copies of Lakeside Plantation CDD records are subject to the following fee schedule:

- **Page Copies:** A charge of fifteen cents (\$.15) per side and twenty cents (\$.20) for the double-sided copies.
- **Certified Copies:** A charge of one dollar (\$1.00) per page
- **Time Charges:** If the nature or volume of public records requested to be inspected, examined or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance, a special service charge, which shall be reasonable and based on the technical cost incurred, may be charged in addition to the actual cost of duplication. If more than thirty minutes is used by a Supervisor to fulfill a records request, the additional time will be charged at ten dollars (\$10.00) per hour.
- **Income:** any compensation would be income for the CDD and not the particular supervisor to whom the request was made.
- **Management Company:** As the official record keeper of the CDD records, the management company will assist in responses and preparing necessary notices and codify the rule in the District’s Operating Rules and Procedures.

All payments to the CDD will be via check payable to the Lakeside Plantation CDD.

Bulletin Board Use & Control

The use and management of the CDD bulleting boards are managed by this policy. The Bulletin Board serves as an additional means of communication by the CDD with the residents of Lakeside Plantation.

- **CDD Material:** Only CDD governmental and informational material may be posted on the bulleting board. This includes but is not limited to: meeting notices, CDD community notices CDD official newsletter, CDD committee member's lists and meeting announcements, CDD contact information, etc.

- **Material Removal:** Stale or the party who posts the notice must remove outdated material in a timely fashion.

- **Non-CDD Materials:** No non-CDD material, announcements, flyers, business cards, political announcements, etc., can be attached (Inside or outside) to the CDD bulletin board. Such items will be removed and destroyed.

- **Bulleting Board Keys:** the chairman of the CDD controls Keys to the official CDD Bulletin Boards. The Chairman, vice chairman and the Chair of the Pool and Maintenance Committee will be issued keys to the CDD Bulletin Board. Upon changes in office, those individuals issued keys must return the keys to the current CDD Chairman. Keys should not be duplicated or passed around.

Questions concerning use of the CDD bulletin boards should be referred to the CDD Chairperson.

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CDD Web Site Content & Posting:

The following policy reflects the materials that can or cannot be displayed, calendared, and announced on the official Community Development District's Web site, www...

- **CDD Business:** CDD business materials and documents may be housed and displayed on the CDD Web Site.
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- **Lakeside Plantation Community Social Events:** Announcements of Lakeside Plantation Community sponsored social events can be displayed and calendared on the CDD Web site.
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- **Non-Lakeside Plantation Community Events/Functions:** No non-Lakeside Plantation community sponsored function or activity can be displayed or calendared on the official CDD Web Site without prior approval of the CDD BOS.

1.4 **Meetings and Workshops**

Notice:

Except in emergencies, or as otherwise provided in these Rules, at least seven days public notice shall be given of any meeting or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and shall state:

- The date, time and place of the meeting or workshop
- A brief description of the nature, subjects and purposes of the meeting or workshop
- The address where persons may obtain a copy of the agenda
- The notice shall state that if a person decides to seek review of any official decision made at the Board meeting, a record of the proceedings will be required and the person intending to appeal will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence necessary for the appeal.

Agenda:

The District Manager, under the supervision of the chairman or those members calling for a Board meeting, shall prepare a notice of the meeting or workshop and an agenda. The notice and agenda shall be available to the public at least seven days before the meeting or workshop except in an emergency. The agenda may be changed before or at the meeting or workshop for good cause stated by the presiding officer and recorded in the minutes of the meeting.

Agenda Format:

The District may use the following format in preparing its agenda for its regular meeting:

1. Roll Call
2. Review of Minutes
3. Special Advertised Public Hearings
4. Specific Items of Old Business
5. Committee Reports
 - a. Finance Committee
 - b. Construction Committee
 - c. Other committees
6. Attorney's report
7. Manager's report
8. Supervisor's Requests and Comments
9. Review of Invoices and Funding Requests
10. Specific items of New Business
11. Adjournment

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Minutes:

The secretary shall be responsible for keeping the minutes of each meeting of the Board. Minutes shall be corrected and approved by the Board at a subsequent meeting.

There shall be no “standing request” and each time a notice or agenda is desired, a separate request must be levied.

Emergency Meeting:

The chairman, or the vice chairman if the chairman is unavailable, may convene an emergency meeting of the Board without first having complied with regular operating rules to act on emergency matters that may affect the public health, safety, or welfare. Whenever possible, the chairman shall make reasonable efforts to notify all Board members of an emergency meeting 24 hours in advance. Reasonable efforts may include telephone notification. 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. Whenever an emergency meeting is called, the district Manager shall be responsible for notifying at least on major newspaper of general circulation in the district. The Board at a regularly noticed meeting subsequently held may ratify actions taken at an emergency meeting

Public comments:

Resident speaking – Non-Board Members at CDD Meetings:

This policy is designed to permit additional resident input to the Board of supervisors before the Board votes on agenda items at their meetings.

- **Limits:** Each speaker is allowed to speak one time and for a maximum of three minutes in each of the two owner agenda items or as otherwise allowed by the Chairman.

- **Decorum:** Each owner/speaker will maintain meeting decorum and not speak of any person or in any derogatory manner.

- **Management:** The chairperson shall determine the speaker rotation, timing and time limit.

- **Rules of Order:** Owners/speakers are not allowed to make motions or vote at CDD meetings.

Budget Hearings:

Notice of hearing on the annual budget shall be in accordance with Section 190.008, Florida Statutes.

Communications Media Technology:

A meeting of the Board may be conducted by or in conjunction with Communications Media Technology (CMT, including teleconferences or videoconferences. All evident, testimony and argument presented shall be afforded equal consideration, regardless of the method of communications.

Definitions:

- a. "Access Point" means a designated place where a person interested in attending a CMT meeting may go for purposes of attending such meeting.
 - b. "Attend" means having access to communications media technology network being used to conduct a meeting, or being used to take evidence, testimony or argument relevant in any issued being considered at a meeting.
 - c. "CMT meeting" means a meeting that is conducted by means of or in conjunction with communications media technology.
 - d. "Communications media technology" means the electronic transmission of printed matter, audio, full-motion video, freeze frame video, compressed video, and digital video by any method available.
 - e. "In conjunction with communications media technology" means that CMT access is being provided to a meeting otherwise being held with the collective, physical presence of the members of the Board in one place.
 - f. "By means of communication media technology" means that a meeting is being conducted entirely by means of communications media technology and that the members of the Board conducting such meeting may not be collectively, physically, and together in one place.
- Nothing in this rule shall be construed to permit the District to conduct any meeting otherwise subject to the provisions of Section 286.011, Florida Statutes, by means of communications media technology without making provisions for the attendance at that meeting or workshop of any member of the public who deserves to attend.
 - The District may not limit the points of access provided to the public to places not normally open to the public. The district shall provide at least one access point in a location, which is ordinarily open to the public. Any official action taken at a CMT meeting to which at least one access point is not provided shall be void and of not effect as being violative of the public's right of access.
 - No meeting shall be conducted entirely by means of communications media technology if the available technology is insufficient to permit all interested persons to attend. If, during the course of a CMT meeting, technical problems

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develop with the communications network that prevent interested persons from attending, the district shall terminate the meeting until such problems have been corrected.

- Notice of a CMT meeting shall be in the same manner as a meeting without CMT. The notice shall plainly state that such a meeting is to be conducted by means of or in conjunction with CMT and identify the type of CMT to be used. The notice shall also describe how interested persons may attend, and include the address or addresses of all access points.

Continuances:

Any meeting of the Board of any item or matter included on the agenda for a meeting or discussed by the Board at a meeting may be continued without re-notice or re-advertising provided that the continuance is to a specified date, time and location publicly announced at the Board meeting where the item or matter came before the Board.

Specific Authority: 190.055(5), 120.53(1) (d)

Law Implemented: 190.007(1), 190.008, and 120.53(1) (d), 286.0105.120.54 (1)

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1.5 Administrative

Salary Administration:

Introduction:

The following guidelines are for new and existing employees in administering beginning salary and future increases for all employees.

All new employees will be hired with a probation period of (90) days. At the end of that period they should be evaluated to determine if they meet the standard requirements of the position and will remain in employment with the Lakeside Plantation CDD

Basis of Salary Increase:

The starting rate for new employees will be at a rate of \$.50 less that the salary of existing employees within that job classification until the end of the probation period. At that time they will be brought up to the rate of other employees within that classification.

Annual Increases:

Yearly increases will be reviewed and evaluated by the Board of Supervisors each December based upon merit and increases in the annual consumer price index (CPI-W) For urban wage earners and clerical workers but should not exceed 5%. Pay increases will become effective in January of each calendar year.

Employees based on their anniversary date who have not completed (90) days of service from the time of their hire until December, will not be entitled to the increased until they have completed their first six months of service.

Hiring Practice of New Employees:

A general application should be used for the hiring of all new applicants.

A background check, which includes (credit report and criminal report) along with DRUG TEST SHOULD BE STANDFARD PROCEDURE ON ALL NEW EMPLOYEES.

1.6 Rulemaking Proceedings

Commencement of Proceedings:

Proceedings held for adoption, amendment, or repeal of a District rule shall be conducted according to the applicable provisions of chapter 120, Florida Statutes and these Rules. If the Florida Legislature amends Chapter 120, Fla. Stat., so that the provisions of chapter 120 conflict with these Rules, Chapter 120, Fla. Stat. shall control. Rulemaking proceedings shall be deemed to have been initiated upon publication of notice by the district.

Notice of Rule Development:

Except when the intended action is the repeal of a rule, the district shall provide notice of the development of proposed rules by publication of a notice of rule development and as require by Chapter 120 Florida statutes before providing notice of a proposed rule. The notice of rule development shall indicate the subject area to be addressed by rule development, provide a short, plain explanation of the purpose and effect of the proposed rule, cite the specific legal authority for the proposed rule, and shall include the preliminary text of the proposed rule, if available, or a statement of how a person may promptly obtain a copy, without cost.

Notice of Proceedings and Proposed Rules:

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 actions: if available, the full text of the proposed rule or amendment and/or summary thereof; 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 or the Laws of Florida 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), 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 must state the procedure for requesting a public hearing on the proposed rule unless one is otherwise schedule. Except when the intended action is the repeal of a rule, the notice shall include a reference both to the date on which and to the place where the notice of rule development that is required as referenced above appeared. The notice shall be published in a newspaper of general circulation in the district 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. The notice shall be mailed to all persons named in the proposed rule and to all persons who, at least 14 days prior to such mailing, have made requests of the district for advance notice e of its proceedings.

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The district shall also give such notice as is prescribed by rules to those particular classes of persons to whom the intended action is directed.

Rule Development Workshops

Whenever requested in writing by any affected person, the District must either conduct a rule development workshop prior to proposing rules for adoption or the District Chair must explain in writing why a workshop is unnecessary. The District may initiate a rule development workshop but is not required to do so.

Petitions to Initiate Rulemaking:

All petitions for the initiation of rulemaking proceedings pursuant to Section 120.54(7), Florida Statutes, must contain the name and address of the Petitioner, specific action requested, specific reason for adoption amendment, or repeal, the date submitted, and shall specify the text of the proposed rule and the facts showing that the Petition is regulated by the District or has a substantial interest in the rule or action requested. Petitions to initiate rulemaking shall be filed with the District. The Board shall then act on the petition in accordance with Section 120.54(7), Florida Statutes, and Chapter 28 103, Florida Administrative Code, except that copies of the petition shall not be sent to the Administrative Procedures committee, and notice may be given in a newspaper of general circulation in the county in which the district is located.

Rulemaking Materials:

After the publication of the notice to initiate rulemaking, the Board shall make available for public inspection and shall provide, upon request and payment of cost of copies, the following materials:

- The text of the proposed rule, or any amendment or repeal of any existing rules;
- A detailed written statement of the facts and circumstance justifying the proposed rule;
- A copy of the statement of estimated regulatory costs if required by Section 120.541; and
- The published notice.

Rulemaking Proceedings – No hearing:

When no hearing is requested and the Board chooses not to initiate a hearing on its own, or if the rule related exclusively to organization, practice, or procedure, the Board may direct the proposed rule be filed with the district Office no less than twenty-eight (28) days following notice. The Board may give such direction either before initiating the rule-adoption process or after the expiration of the twenty-one (21) days during which affected persons may request a hearing.

Rulemaking Proceedings – Hearing:

If the proposed rule does not relate exclusively to organization, practice, or procedures, the district shall provide (upon request) 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. Any affected person may request a hearing within twenty one (21) days after the date of publication of the notice to intent to adopt, amend, or repeal a rule.

Request for a Public Hearing:

- a. A request for a public hearing shall be in writing and shall specify how the person requesting the public hearing would be affected by the proposed rule. The request shall be submitted to the district within twenty-one (21) days after notice of intent to adopt, amend, or repeal the rule is published as required by law, in accord with the procedures for submitting requests for public hearing stated in the notice of intent to adopt, amend, or repeal the rule.
- b. If the notice of intent to adopt, amend, or repeal a rule did not notice a public hearing and the District determine to hold a public hearing, the district shall publish notice of a public hearing in a newspaper of general circulation within the District 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.
- c. Any person may submit written statements within a specified period of time prior to or following the public hearing. All timely submitted written statements shall be considered by the district and made a part of the rulemaking record.

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 rule shall be published as soon as practical in the Florida Administrative Weekly and a newspaper of general circulation in the District. The District may use any procedure which is fair under the circumstances in the adoption of an emergency rule as long as it protects the public interest as determined by the District and otherwise complies with these provisions. An emergency rule adopted pursuant hereto shall not be effective for a period of longer than 90 days.

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Negotiated Rulemaking:

The district may use negotiated rulemaking in developing and adopting rules pursuant to Section 120.54, Florida Statutes.

Variations and Waivers:

Variations and waivers from District rules may be granted subject to the provisions and limitations contained in Section 120.542, Florida Statutes.

Specific Authority: 190.01(5), 190.01(15), 120.54, 190.035

Law Implemented: 120.54, 190.035(2)

1.7 Declaratory Statements

Definition:

A declaratory statement is a means of resolving a controversy or answering questions or doubts concerning the applicability of any statutory provision, rule, or order as it does or may apply to a petitioner in that person's particular circumstances only.

Petitioner:

Any substantially affected person may petition the Board for a declaratory statement as to the applicability to the petitioner of any District regulation, order, rule, resolution or statutory provision. The potential impact upon petitioner's interest must be alleged in order for petitioner to show the existence of a controversy, question, or doubt. The petition shall conform to the requirements of Section 28-4.001(2), Florida Administrative code.

Notice:

The District shall give notice of each petition, briefly stating the question presented, in the Florida Administrative Weekly. The notice may take the following form:

NOTICE IS HEREBY GIVEN that pursuant to (relevant statute and rule); the Lakeside Plantation Community Development District has received a Petition for Declaratory Statement from (name of petitioner). Petitioner seeks a response from the district as to (description of petition). A copy of the Petition may be obtained by (method of contact).

The District shall similarly give notice to the disposition of each petition, briefly explaining the District's response.

Disposition of Petition:

The petition may be placed on the agenda of the next Board meeting for which the agenda has not been finalized. The Board, in its discretion, may consider any oral testimony presented at the Board meeting. The board shall issue an order within forty five (45) days following consideration of the petition. The order shall only be applicable to the petitioner.

Fees and Costs:

The district may charge reasonable fees as condition of and in connection with processing any request for a declaratory statement, including reimbursement of costs incurred by the district.

Specific Authority: 190.011(5), 190.011(15) Law Implemented: 120.565

1.8 Proceedings Regarding Decision Determining Substantial Interests

Conduct of Proceedings:

Except as otherwise specifically provided by the Rules, a proceeding may be held by the district in response to a written request submitted by a substantially affected person. The district must receive the written request within fourteen (14) calendar days after the date upon which written notice of district t action or decision is effected. Upon timely receipt of such requests from a substantially affected person, the district may but shall not be obligated to schedule a hearing to consider the District action or decision. The district shall post the date and time of the hearing not less than seven (7) calendar days prior to the date of the hearing. If a hearing is held in accordance with such notice, the Chairman shall designate the board, any member of the Board (including the chairman), the District Manager, the District General counsel, or other person or group of persons to conduct the hearing.

The person or persons conducting the hearing may:

1. Administer oaths and affirmations;
 2. Rule upon offers of proof and receive relevant evidence;
 3. Regulate the course of the hearing, including any prehearing matters;
 4. Enter orders;
 5. Make or receive offers of settlement, stipulation, and adjustment where legally permissible
- a. Within fifteen (15) calendar days after the hearing, the person (or persons) conducting the hearing shall file a recommendation with the district which may include, as deemed appropriate by such person(s), a (i) caption, (ii) time and place of hearing, (iii) appearances entered at the hearing, (iv) statement of the issues, if any, (v) findings of fact and conclusions of law, where appropriate, and (vi) recommendation for final District action or decision (if the hearing was conducted by persons other than the Board)
 - b. The district shall issue is final notice of action or decision within forty five (45) calendar days.
 1. After the hearing is concluded, if conducted by the Board;
 2. After as recommendation is submitted to the Board if the hearing is conducted by a person(s) other than the Board; or
 3. After the board receives written and oral material it authorized to be submitted, if any, if there was no hearing.
 - c. The Final Order shall only be applicable to the Petitioner.

Specific Authority: 190.011(5), 190.011(15) Law Implemented: 190.011(11)

1.9 Procedures Applicable to Contracts Awarded Under Consultants' Competitive Negotiations Act.

In accordance with Section 190.033(2), Florida Statutes, and subject to requirements of Section 287.055, Florida Statutes, the following procedures shall apply to engineering, architecture, landscape architecture or registered surveying and mapping service obtained by the Board.

Definitions:

- a. "Professional services" means services within the scope of the practice of architecture, professional engineering, landscape architecture or registered land surveying and mapping, as defined by the laws of Florida, or services performed by any architect, professional engineer, landscape architect or registered land surveyor. In connection with the firm's or an individual's professional employment of practice
- b. "Project" means each occasion when professional services are required to be purchased on connection with (i) project, the basic construction cost of which is estimated by the District to exceed the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY FIVE, or (ii) a planning or study activity when the fee for professional services is estimated by the district to exceed the threshold amount provided in section 287.017 for CATEGORY TWO, However, in the cases of valid public emergency certified by the Board or the Chairman of the Board, the District shall not be obligated to comply with the requirements of section 1.9.
- c. A "continuing contract" is a contract for professional services entered into in accordance with section 287.055, Florida Statutes, between the district and a firm whereby the firm provides professional services to the District for (i) individual projects in which construction costs do not exceed \$500,000, (ii) for individual study activities when the fee for such professional service does not exceed \$25,000 or (iii) for continuing work required by the District of a specified nature (as authorized by the contract with the District) with no time limitation, except that the contract shall provide a termination clause.
- d. "Emergency purchase" is a purchase necessitated by a sudden unexpected turn of events (e.g., 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 (or the Chairman of the Board) certifies a delay incident to a competitive selection process for professional services would be detrimental to the interests of the district.
- e. "District Representative" means the person or group designated by the chairman of the board to administer the selection process. The District Representative may be the Chairman, the Board, any member or committee of the Board, District, Counsel, District Manager, or any other entity, person or group of persons.

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- f. "Firm" means an individual, firm, partnership, corporation, association, or other legal entity permitted by law to practice architecture, engineering, or surveying and mapping in the state.

Qualifying Procedures:

In order to be eligible to provide professional services to the district, a firm must first be certified by the District as qualified to render the required service the qualification factors considered by the District may include:

- a. The firm holds the required applicable state and local professional license which is in good standing
- b. The firm holds all required applicable federal licenses, if any, which are in good standing.
- c. If a firm is a corporation, such firm holds a current and active Florida corporate charter or if a foreign corporation is active and in good standing in its state of incorporation and is authorized to do business in Florida in accordance with Chapter 607, Florida Statutes.
- d. The capability, adequacy of personnel, past record and experience of the firm.
- e. Other prequalification requirements set forth in the project, contract documents or established by the Board, including historical materials respecting the firm's business relationships with the District or other entities for which it has provided professional services.

Public Announcement:

Prior to a public announcement that professional services are required for a project, the Board shall determine whether the project exceeds the threshold requirements of sections 287.055 and 287.017, Florida Statutes, Except in cases of valid public emergencies, the District shall publicly announce each occasion when professional services are required to be purchased for a project (exceeding the threshold requirements specified above) by publishing a notice providing a general description of the project and how interested firms may apply for considerations. The notice shall appear in a newspaper or general circulation in the district. The District may maintain a list of persons interested in receiving such notices. The district shall make a good faith effort to provide written notice by United States mail, to persons who provide their name and address to the district office for inclusion on the list. However, the failure of a person to receive the notice shall not invalidate any contract awarded in accordance with these Rules and shall not be a basis for a protest of any contract award. The board has the right to reject any and all bids in its sole and absolute discretion, whether or not reasonable, and such reservation shall be included in the public announcement. Bidders not receiving a contract award shall not be entitled to recover any costs of bid preparation or submittal from the district.

Competitive selection:

- For each proposed project, the district representative shall review and evaluate the data submitted in response to the notice described above regarding qualifications and performance ability, as well as any performance data and states of qualifications on file.
- The district representative shall, following the review, select and short list no fewer than three (3) firms, ranked in order of preference, deemed to be the most capable and qualified to perform the required professional services, after considering these and other appropriate criteria:
 - o 1. The ability and adequacy of the professional personnel
 - o 2. Past performance for the district in other professional employment contracts
 - o 3. Willingness and ability to meet time and budget requirements
 - o 4. Geographic locations of the firm's headquarters or office in relation to the project
 - o 5. Current and anticipated workloads of the firms.
 - o 6. Volume of work previously awarded to the firm
 - o 7. Quantity of hours proposed to accomplish the project
 - o 8. Whether a firm is a certified minority business

Nothing in these Rules shall prevent the district from evaluating and eventually selecting a firm if less than three responses, including responses indicating a desire not to submit a formal proposal on a project, are received.

- If any person or entity other than the full Board administers the selection process, the selection evaluations will be presented to the full board with a recommendation that competitive negotiations be instituted with the selected firms in order of preference listed. The board shall make the final determination of the most capable and qualified firms and the order of preference
- As a part of a firm's initial response, the district may require the inclusion of the firm's proposal regarding compensation. However, such compensation proposals shall remain sealed until the firm is selected for and competitive negotiation commences. Upon finalization of negotiations, unopened compensation proposals shall be returned to the firms submitting them.

Competitive Negotiations

- Following the selection process, and after the Board has authorized the beginning of competitive negotiations, the District representative shall begin negotiations with the firm ranked highest to perform the required professional services. The purposes of such negotiations shall be to finalize an agreement at fair, competitive and reasonable compensation levels. In making such determination, the district representative (or the board) shall conduct a detailed analysis of the cost of the professional services required, in addition to considering the scope and complexity of the services provided.

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- In negotiating a lump-sum or cost-plus-fixed-fee professional contract for more than the threshold amount provided in section 287.017, Florida Statutes, for CATEGORY FOUR, the firm receiving the award shall be required to execute a truth-in-negotiating 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 certificate is required must contain a provision that “the original contract price and any additions thereto shall be adjusted to exclude any significant any significant sums by which the board determines the contract prices was increased due to inaccurate, incomplete or noncurrent wage rates and other factual unit costs.” All such contract adjustments shall be made within one year following the end of the contract.
- If the district representative is unable to negotiate a satisfactory agreement with the firm initially determined to be the most qualified at a price deemed by the district to be fair, competitive and reasonable then (unless directed otherwise by the board) negotiations with that firm shall be terminated and the district representative shall immediately begin negotiations with the second most qualified firm. If the district representative determines it is unable to negotiate a satisfactory agreement with the second firm, those negotiations shall be terminated and negotiations with the third most qualified firm shall be undertaken.
- If the district representative determines it is unable to negotiate a satisfactory agreement with any of the selected firms, additional firms may be selected by the district, in order of their competence and qualifications, and negotiations shall continue, beginning with the first-ranked firm on the list, until an agreement is reached or the list of firms is exhausted.
- Once an agreement with a firm is reached, notice of the award shall be provided to all qualified firms having formally applied for consideration by posting the notice in the district office for seven (7) days, and by sending a copy by US mail or by hand delivery to those firms.

Continuing Contract

Nothing in this Rue shall prohibit a continuing contract between a firm or an individual and the district.

Prohibition against Contingent Fees

Each contract entered into by the District for professional services must contain a specific prohibition against contingent fees as required by section 287.055(6), Florida Statutes

Emergency Purchase:

The district may make an emergency purchase without complying with these rules. The fact that an emergency purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting and ratified by the board at such meeting.

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Conflicts:

In the event of any conflict of inconsistency between these rules and section 287.055, Florida Statutes or other applicable statute or governmental regulation, such applicable statutes and regulations shall control. In the event of any conflict or inconsistency between these rules and any contract for professional services, these rules shall control.

Specific Authority: 190.011(5), 287.055(3) (d)

Law Implemented: 190.011(3), 287.055, 190.011(2), and 190.033

1.10 Procedure For Purchasing Contractual Services

Scope:

All purchases for contractual services (except for maintenance services) may (but are not required to) be made by competitive Invitation to Bid. If state or federal law prescribes with whom the district must contract, or established the rate of payment, then these rules shall not apply. A contract involving goods, supplies and materials plus contractual services may, in the discretion of the board, be treated as a contract for goods, supplies, and materials.

Definitions:

- a. "Contractual services" means rendering time and effort rather than furnishing specific goods or commodities. Contractual services do not include legal (including attorneys, paralegals, court reporters and expert witnesses, including appraisers), artistic, auditing, health, or academic program services, or professional services (as defined in section 287.055(2) (a) Florida Statutes and these rules) and shall generally be considered the services reference by section 287.012(7), Florida Statutes. Contractual services do not include the extension of an existing contract for services if such extension is provided for in the contract terms.
- b. "Invitation to Bid" is a solicitation for sealed bids with the contract title, date, and hour of the public bid opening designated specifically. It includes a description of the services sought, applicable terms and conditions, evaluation criteria, including but not limited to price, and provides for a manual signature of an authorized representative.
- c. "Request for Proposal or Qualification" is a solicitation for sealed proposals for qualifications with the title, date and jour of the public opening designated and requiring the manual signature of an authorized representative. It provides a statement for services sought, applicable terms and conditions, and evaluation criteria, including but not limited to price. It may provide general information, applicable laws and rules, statement of work, functional or general specifications, proposal instructions, work detail analysis and evaluation criteria, as necessary.
- d. "Responsive bid or proposal" means a bid or proposal which conforms in all material respects to an Invitation to Bid or Request for Proposal and these rules and who cost component are appropriately balanced. A bit or proposal is not responsive if the person or firm submitting the bid or proposal fails to meet any requirement relating to the qualification, financial stability, or licensing of the bidder or proposer.
- e. "Lowest responsible bid or proposal" means, as determined in the sole and absolute discretion of the board, whether or not reasonable, the bid (i) submitted by the person or firm capable and qualified in all respects to perform fully the contract requirements who has the integrity and reliability to assure good faith performance, (ii) is responsive to the Invitation to Bid or Request for Proposal as determined by the Board, and (iii) is the lowest cost to the district. The board

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- may waive minor variations in the bid. The board may correct mistakes in arithmetic extension of pricing. Bids may not be modified after opening.
- f. "Proposal most advantageous to the district" means, as determined in the sole and absolute discretion of the board, whether or not reasonable, the proposal (i) submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements who has the integrity and reliability to assure good faith performance, (ii) the most responsive to the Request for Proposal as determined by the board, and (iii) which is for a cost to the district deemed reasonable by the board. The board may waive minor variations in the proposal. The board may correct mistakes in arithmetic extension of pricing. Proposals may not be modified after opening. To assure full understanding of the responsiveness to the solicitation requirements, discussions may be conducted with qualified proposers. The proposers shall be accorded fair and equal treatment prior to the submittal date with respect to any opportunity for discussion and revision or proposals.

Procedures:

When a purchase of contractual services is within the scope of this rule (and the district has elected to follow this procedure), the following procedures shall be followed:

- a. The board shall cause to be prepared a notice of Invitation to Bid or Request for Proposal or qualifications, as appropriate.
- b. Notice of Invitation to Bid or Request for Proposal or Qualifications shall be advertised at least once in a newspaper of general circulation in the district and posted in the district office. The notice shall allow at least seven (7) days following the date of publication for submittal of bids or proposals unless the board, for good cause, determines a shorter period of time is appropriate, which shorter time period shall be specified in the advertisement of the invitation or request.
- c. The district may maintain a list of persons interested in receiving notices of invitations to bid or requests for proposals for qualifications. The district shall make a good faith effort to provide written notice, by US mail, to persons who provide their name and address to the district office for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with these rules and shall not be a basis for a protest of nay contract award.
- d. Bids or proposals shall be opened at the time and place noted on the Invitation to Bid and Request for Proposal or Qualification. Bids and proposals shall be evaluated in accordance with the invitation or request and these rules.
- e. If only one response to an Invitation to Bid or Request for Proposal is received, the district may proceed with the procurement for contractual services from such bidder or proposer. If no response to an Invitation to Bid or Request for Proposal is received, the District may take whatever steps are reasonably necessary in order to proceed with the procurement of the needed contractual services.
- f. The board in its sole and absolute discretion, whether or not reasonable, has the right to reject any or all bids or proposals. The reservation regarding the right to

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- reject shall be included in all solicitations and advertisements. If the bids or proposals exceed the amount of funds available to or allocated by the district for this purchase, the bids or proposals may be rejected. Bidders and proposers not receiving a contract award shall not be entitled to recover any costs of bid or proposal preparation or submittal from the district.
- g. The district may accept the lowest responsive and responsible bid or proposal or the most advantageous to the district, as appropriate. The board may require bidders to furnish bid, performance and/or other bonds with a responsible surety to be approved by the board.

Notice:

Notice of contract award, including the rejection of some of all bids or proposals, shall be provided in writing to all bidders or proposers by US mail or by hand delivery, and by posting same in the district office for seven (7) days.

Contract Renewal:

Renewal of a contract for contractual services shall be in writing and shall be subject to the same terms and conditions set forth in the initial contract, unless otherwise provided in the initial contract. Renewal shall be contingent upon satisfactory performance evaluations by the district.

Contract Manager and Contract Administrator:

The board may designate a representative to function as contract manger, which shall be responsible for enforcing performance of the contract terms and conditions and serve as a liaison with the contractor. The board may also designate a representative to function as a contract administrator, who shall be responsible for maintaining all contract files and financial information. One person may serve as both contract manager and administrator.

Emergency purchase:

The district may make an emergency purchase of contractual services 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 meet5ing and ratified at such meeting.

Continuing contract:

Nothing in this rule shall prohibit a continuing contract between a firm or an individual and the district.

. Specific Authority: 190.011(5) Law Implemented: 190.011(3), 190.033

1.11 Purchase of Goods, Supplies or Materials

Scope:

The purchase of goods, supplies or materials exceeding the amount provided in section 287.017, Fla. Stat for Category Four, as such category may be amended from time to time, shall be purchased under the terms of section 190.033(1), Fla. Stat and these rules. Contracts for purchases of goods, supplies, or materials shall not be divided solely in order to avoid the requirements of these rules.

Definitions:

- a. "Goods, supplies and materials does not include printing, insurance, advertising legal notices, or legal services, including attorney, paralegal, expert witness, appraisal or mediator services.
- b. "Purchase" means acquisition by sale, rent, lease, lease/purchase, license agreement, 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 government entity or political subdivision of the state.

Procedures:

When a purchase of goods, supplies or materials is within the scope of this rule, the following is appropriate:

- a. The board shall cause to be prepared an Invitation to Bid or Request for Proposal or Qualifications, as appropriate
- b. Notice of Invitation to Bid or Request for Proposal or Qualifications shall be advertised at least once in a newspaper of general circulation in the district and posted in the district office. The notice shall allow at least seven (7) days following the date of publication for submittal of bids or proposals unless the board, for good cause, determines a shorter period of time is appropriate, which shorter time period shall be specified in the advertisement of the invitation or request.
- c. The district may maintain a list of persons interested in receiving notices of invitations to bid or requests for proposals for qualifications. The district shall make a good faith effort to provide written notice, by US mail, to persons who provide their name and address to the district office for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with these rules and shall not be a basis for a protest of nay contract award.
- d. Bids or proposals shall be opened at the time and place noted on the Invitation to Bid and Request for Proposal or Qualification. Bids and proposals shall be evaluated in accordance with Section 190.033(1), Fla. Stat, the invitation or request and these rules.
- e. The Lowest responsive and responsible bid or proposal shall be accepted unless the board rejects all bids, because they are too high or the board determines it is in the best interests of the district to reject all bids. The board may require bidders

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- to furnish bid, performance and/or other bonds with a responsible surety acceptable to the board. Bidders not receiving a contact award shall not be entitled to recover any costs of bid preparation or submittal from the district.
- f. Notice of award, including rejection of some or all bids, shall be provided by posting the notice in the district office for seven (7) days and by providing a copy to all bidders by US mail or by hand delivery.
 - g. If only one response to an Invitation to Bid or Request for Proposal is received, the district may proceed with the procurement for goods, supplies or materials. If no response to an Invitation to Bid or Request for Proposal is received, the District may take whatever steps are reasonably necessary in order to proceed with the procurement of the needed contractual services.
 - h. 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 and ratified at such meeting.

. Specific Authority: 190.01(5) Law Implemented 190.033

1.12 Contracts for Construction of Authorized Project

Scope:

All contracts for the construction of any district project authorized by Chapter 190, Fla. Stat, 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, Fla. Stat, as that amount may be amended from time to time, shall be procured under the terms of these rules and comply with the bidding procedures of chapter 190 and Section 255.20, Fla. Stat, as the same may be amended from time to time. The construction of such projects may include the purchase of contractual services and/or goods, supplies or materials as defined in Section 190.033(1), Fla Stat, and by these rules. Where a contract for construction of such a project includes goods, supplies, or materials and/or contractual services, the district may, in its sole discretion, award the contract according to the rules in this subsection in lieu of separately bidding for construction, goods, supplies, or materials and contractual services. In the event of a conflict between these rules and chapter 190 and/or section 255.20, Fla. Stat, chapter 190 and Section 255.20 shall control. A project shall not be divided solely to avoid this threshold-bidding requirement.

Procedures:

- a. Notice of Invitation to Bid or Request for Proposal or Qualifications shall be advertised at least once in a newspaper of general circulation in the district. The notice shall allow at least twenty one (21) days following the date of such advertisement is first published for submittal of bids, unless the board, for good cause, determines a shorter period of time is appropriate, which shorter time shall be specified in the advertisement of the invitation or request. Any project calculated to cost more than \$500,000 must be noticed at least thirty (30) days prior to the date for submittal of bids.
- b. The district may maintain a list of persons interested in receiving notices of invitations to bid or requests for proposals for qualifications. The district shall make a good faith effort to provide written notice, by US mail, to persons who provide their name and address to the district office for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with these rules and shall not be a basis for a protest of nay contract award.
- c. In order to be eligible to submit a bid or proposal, a firm or individual must, at the time of bid or proposal submission:
 1. Hold the required applicable state and local contractor or processional license in good standing
 2. Hold all required applicable federal licenses in good standing, if any,
 3. If the bidder is a corporation, hold a current and active Florida corporate charter or, if incorporated in another state, have a current active charter from such state of incorporation and be authorized to

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do business in Florida in accordance with Chapter 607, Florida Statutes.

4. Meet any prequalification requirements set forth in the Invitation to Bid or Request for Proposal.
 1. Evidence of compliance with this provision of the rules shall be submitted pursuant to the requirements of the Invitation to Bid or Request for Proposal.
 - d. Bids or proposals shall be opened at the time and place noted on the Invitation to Bid and Request for Proposal or Qualification. Bids and proposals shall be evaluated in accordance with the invitation or request and these rules. The District Representative shall evaluate the bids and make a recommendation to the District.
 - e. The Lowest responsive and responsible bid or proposal shall be accepted unless the board rejects all bids, because they are too high or the board determines it is in the best interests of the district to reject all bids. The board may require bidders to furnish bid, performance and/or other bonds with a responsible surety acceptable to the board. If the Board receives fewer than three responses to an Invitation to Bid or Request for Proposal, the Board may (in its sole and absolute discretion, whether or not reasonable) re-advertise for additional bids. In such circumstances, the originally received bids will be deemed rejected. Bidders not receiving a contract award shall not be entitled to recover any costs of bid preparation or submittal from the district.
 - f. To assist in the determination of whether a prospective bidder will be qualified, the district representative may invite public presentation by firms (prior to the date for submitting bids) regarding their qualifications, approach to the projects, and ability to perform the contract in all respects.
 - g. In determining whether a bidder will be qualified, the District may consider all relevant information, including but not limited to the following:
 1. The ability and adequacy of the bidder's personnel
 2. Past or current performance for the district and other contracts of the bidder
 3. Ability to meet time and budget requirements
 4. Geographic location of the bidder's headquarters or office in relation to the project.
 5. Current and projected workloads of the bidder
 6. Volume of work previously awarded to the bidder
 7. Additional factors described in the Invitation to Bid or Request for Proposal
 8. Whether a bidder or proposer is a certified minority business enterprise.
 6. Notice of contract award, or intent to award (or notice of rejection of some or all bids), shall be provided by posting the notice in the district office for seven (7) days and by providing a copy to all bidders by US mail or by hand delivery.
- .. Specific Authority: 190.01(5) Law Implemented 190.033

1.13 Contracts for Maintenance Services

Scope:

All contracts for the construction of any district project authorized by Chapter 190, Fla Stat, 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, Fla. Stat, as that amount may be amended from time to time, shall be procured under the terms of these rules and comply with the bidding procedures of chapter 190 and Section 255.20, Fla. Stat, as the same may be amended from time to time. The construction of such projects may include the purchase of contractual services and/or goods, supplies or materials as defined in Section 190.033(1), Fla Stat, and by these rules. Where a contract for construction of such a project includes goods, supplies, or materials and/or contractual services, the district may, in its sole discretion, award the contract according to the rules in this subsection in lieu of separately bidding for construction, goods, supplies, or materials and contractual services. In the event of a conflict between these rules a chapter 190 and/or section 255.20, Fla. Stat, chapter 190 and Section 255.20 shall control. A project shall not be divided solely to avoid this threshold-bidding requirement.

Procedures:

- a. Notice of Invitation to Bid or Request for Proposal or Qualifications shall be advertised at least once in a newspaper of general circulation in the district. The notice shall allow at least twenty one (21) days following the date of such advertisement is first published for submittal of bids, unless the board, for good cause, determines a shorter period of time is appropriate, which shorter time shall be specified in the advertisement of the invitation or request. Any project calculated to cost more than \$500,000 must be noticed at least thirty (30) days prior to the date for submittal of bids.
- b. The district may maintain a list of persons interested in receiving notices of invitations to bid or requests for proposals for qualifications. The district shall make a good faith effort to provide written notice, by US mail, to persons who provide their name and address to the district office for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with these rules and shall not be a basis for a protest of nay contract award.
- c. In order to be eligible to submit a bid or proposal, a firm or individual must, at the time of bid or proposal submission:
 1. Hold the required applicable state and local contractor or processional license in good standing
 2. Hold all required applicable federal licenses in good standing, if any,
 3. If the bidder is a corporation, hold a current and active Florida corporate charter or, if incorporated in another state, have a current active charter from such state of incorporation and be authorized to

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do business in Florida in accordance with Chapter 607, Florida Statutes.

4. Meet any prequalification requirements set forth in the Invitation to Bid or Request for Proposal.
 1. Evidence of compliance with this provision of the rules shall be submitted pursuant to the requirements of the Invitation to Bid or Request for Proposal.
 - d. Bids or proposals shall be opened at the time and place noted on the Invitation to Bid and Request for Proposal or Qualification. Bids and proposals shall be evaluated in accordance with the invitation or request and these rules. The District Representative shall evaluate the bids and make a recommendation to the District.
 - e. The Lowest responsive and responsible bid or proposal shall be accepted unless the board rejects all bids, because they are too high or the board determines it is in the best interests of the district to reject all bids. The board may require bidders to furnish bid, performance and/or other bonds with a responsible surety acceptable to the board. If the Board receives fewer than three responses to an Invitation to Bid or Request for Proposal, the board may (in its sole and absolute discretion, whether or not reasonable) re-advertise for additional bids. In such circumstances, the originally received bids will be deemed rejected. Bidders not receiving a contact award shall not be entitled to recover any costs of bid preparation or submittal from the district.
 - f. To assist in the determination of whether a prospective bidder will be qualified, the district representative may invite public presentation by firms (prior to the date for submitting bids) regarding their qualifications, approach to the projects, and ability to perform the contract in all respects.
 - g. In determining whether a bidder will be qualified, the District may consider all relevant information, including but not limited to the following:
 1. The ability and adequacy of the bidder's personnel
 2. Past or current performance for the district and other contracts of the bidder
 3. Ability to meet time and budget requirements
 4. Geographic location of the bidder's headquarters or office in relation to the project.
 5. Current and projected workloads of the bidder
 6. Volume of work previously awarded to the bidder
 7. Additional factors described in the Invitation to Bid or Request for Proposal
 8. Whether a bidder or proposer is a certified minority business enterprise.
 7. Notice of contract award, or intent to award (or notice of rejection of some or all bids), shall be provided by posting the notice in the district office for seven (7) days and by providing a copy to all bidders by US mail or by hand delivery.
- .. Specific Authority: 190.01(5) Law Implemented 190.033

1.13 Contracts for Maintenance Services

Scope:

All contracts for maintenance services of any district facility of project shall be obtained under the terms of these rules if the costs exceed the amount provided in sections 287.017, Fla. Stat, for CATEGORY FOUR, as such category may be amended from time to time. A contract for maintenance services for any District facility or project may involve the purchase of contractual services and/or goods, supplies or materials. Where a contract for maintenance services for a facility or project includes goods, supplies or materials and/or contractual services, the district may, in its sole and absolute discretion, whether or not reasonable, award the contract according to the rules in this subsection in lieu of separately bidding for maintenance, goods, supplies, or materials. And contractual services. However, a project shall not be divided solely in order to avoid the threshold bidding requirements.

Procedures:

- a. Notice of Invitation to Bid or Request for Proposal or Qualifications shall be advertised at least once in a newspaper of general circulation in the district. The notice shall allow at least seven (7) days following the date of such advertisement is first published for submittal of bids, unless the board, for good cause, determines a shorter period of time is appropriate, which shorter time shall be specified in the advertisement of the invitation or request.
- b. The district may maintain a list of persons interested in receiving notices of invitations to bid or requests for proposals for qualifications. The district shall make a good faith effort to provide written notice, by US mail, to persons who provide their name and address to the district office for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with these rules and shall not be a basis for a protest of any contract award.
- c. In order to be eligible to submit a bid or proposal, a firm or individual must, at the time of bid or proposal submission:
 1. Hold the required applicable state and local license in good standing
 2. Hold all required applicable federal licenses in good standing, if any,
 3. If the bidder is a corporation, hold a current and active Florida corporate charter or, if incorporated in another state, have a current active charter from such state of incorporation and be authorized to do business in Florida in accordance with Chapter 607, Florida Statutes.
 4. Meet any prequalification requirements set forth in the Invitation to Bid or Request for Proposal.
 1. Evidence of compliance with this provision of the rules shall be submitted pursuant to the requirements of the Invitation to Bid or Request for Proposal.

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- d. Bids or proposals shall be opened at the time and place noted on the Invitation to Bid and Request for Proposal or Qualification. Bids and proposals shall be evaluated in accordance with the invitation or request and these rules.
- e. To assist in the determination of whether a bidder is qualified, the district representative (as defined in these rules) May invite public presentation by firms (Prior to the date for submitting bids) regarding their qualifications, approach to the project, and ability to perform the contract in all respects.
- f. In determining whether a bidder is qualified, the district may consider all relevant information, including but not limited to the following:
 - 1. The ability and adequacy of the bidder's personnel
 - 2. Past or current performance for the district and other contracts of the bidder
 - 3. Ability to meet time and budget requirements
 - 4. Geographic location of the bidder's headquarters or office in relation to the project.
 - 5. Current and projected workloads of the bidder
 - 6. Volume of work previously awarded to the bidder
 - 7. Additional factors described in the Invitation to Bid or Request for Proposal
 - 8. Whether a bidder or proposer is a certified minority business enterprise.
- g. In evaluating the bids or proposals, the Board shall have the right to accept that bid which the board determines, in the exercise of its reasonable judgment, is in the best interest of the district, or the board may reject all bids because they are too high or because the board determines it is in the best interests of the district to reject all bids. The board may require bidders to furnish bid, performance and/or other bonds with a responsible surety to be approved by the board. Bidders not receiving a contract award shall not be entitled to recover any costs of bid preparation or submittal from the district.
- h. Notice of contract award, or intent to award (or notice of rejection of some or all bids), shall be provided by posting the notice in the district office for seven (7) days and by providing a copy to all bidders by US mail or by hand delivery.

. Specific Authority: 190.011(5 Law Implemented 190.033

1.14 Purchase of Insurance:

Scope:

The purchase of life, health, accident, hospitalization, legal expense or annuity insurance, or all of any kind of such insurance for the officers and/or employees of the district, and for health, accident, hospitalization and legal expense insurance for the dependents of such officers and employees upon a group insurance plan by the district, shall be governed by these rules. Nothing in this rule shall require the district to purchase insurance not otherwise required by applicable law.

Procedures:

- a. For a purchase of insurance within the scope of this rule, the following procedures shall be followed:
- b. The board shall cause to be prepared a notice of Invitation to Bid.
- c. Notice of Invitation to Bid or Request for Proposal or Qualifications shall be advertised at least once in a newspaper of general circulation in the district. The notice shall allow at least seven (7) days following the date of such advertisement is first published for submittal of bids, unless the board, for good cause, determines a shorter period of time is appropriate, which shorter time shall be specified in the advertisement of the invitation or request.
- d. The district may maintain a list of persons interested in receiving notices of invitations to bid or requests for proposals for qualifications. The district shall make a good faith effort to provide written notice, by US mail, to persons who provide their name and address to the district office for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with these rules and shall not be a basis for a protest of any contract award.
- e. Bids shall be opened at the time and place noted on the Invitation to bid.
- f. If only one response to an Invitation to Bid 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.
- g. The board has the right to reject any and all bids in its sole and absolute discretion, whether or not reasonable, and such reservations shall be included in all solicitations and advertisements.
- h. Simultaneously with the review of submitted bids, the district may undertake negotiations with those companies, which have submitted reasonable and timely bids and, in the opinion of the board, 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 district officers, employees, or their dependents, the geographic location of the company's headquarters and offices in relation to the district, past performance for 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

LAKESIDE PLANTATION CDD

- Invitation to bid best meets the overall need of the district, its officers, employees and/or dependents.
- i. Notice of the award, or intent to award, including rejection of some or all bids, shall be provided in writing to all bidders by US mail or by hand delivery, and by posting the notice in the district office for seven (7) days.
- . Specific Authority: 190.011(5) Law Implemented 112.08`

1.15 Protests With Respect To Contracts Awarded Or Bid Documents

The resolution of any protests regarding bid documents or the decision to award a contract for a bid or proposal shall be in accordance with this section 1.15

Notice:

The district shall give all bidders or proposers written notice of a decision to award (or reject all bids) by posting the notice in the district office for seven (7) days, with a copy being provided to all submitting firms by US mail or by hand delivery. The notice shall include the following statements: "Failure to file a written protest with the district within three (3) calendar days following the date of receipt of notice of the District's decision to award a contract shall constitute a waiver of any objection to the award of such contract".

Filing:

- a. Any firm or person who is affected adversely by a district decision to award a contract shall file with the district a written notice or protest within three (3) calendar days after the posting of the final bid tabulation or after receipt of the notice of the district's decision, and shall file a formal written protest with the district within seven (7) calendar days after the date of timely filing the initial notice of protest. For purposes of this rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the district. Failure to timely file a notice or protest or failure to timely file a formal written protest shall constitute a waiver of any right to object to or protest the district's decision or contract award. The formal written protest shall state with particularity the facts and law upon which the protest is based.
- b. With respect to a protest regarding the bid documents, including specifications, or other requirements contained in an Invitation to Bid or in a Request for Proposals, the notice of protest shall be filed in writing within seventy two (72) hours after the receipt of the proposed project plans and specifications or other contract 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 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 or any right to object to or protest with respect to the aforesaid plans, specifications or contract documents.

Award Process:

Upon receipt of a timely filed notice of protest, the district shall abate the contract award process until the protest is resolved by final board action. However, if the district determines particular facts and circumstances require the continuance of the contract award process without delay in order to avoid an immediate and serious danger to the public health, safety, or welfare, the contract award process may continue. In such circumstances, the contract awarded shall be conditioned on the outcome of the protest.

LAKESIDE PLANTATION CDD

Informal Proceeding:

If the board determines a protest does not involve a disputed issued of material fact, the board may (but is not obligated to) schedule an informal proceeding to consider the protest. The board shall at a time and place determine such informal proceeding. Notice of such proceeding shall be posed in the office of the district not less than three (3) calendar days prior to such informal proceeding, with copy being mailed to the protestant and any substantially affected persons or parties. Within fifteen (15) calendar days following the informal proceeding, the board shall issue a written decision setting for the factual, legal, and policy grounds for its decision.

Formal Proceedings:

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 above (if available), the district shall schedule a formal hearing to resolve the protest.

Specific Authority: 120.53(5), 190.011(5)

Law Implemented 120.153 (5), 190.033

1.16Effective Date

These rules shall be effective 09/30/08, except that no election of officers required by these rules shall be required until after the next regular election for the board of supervisors.

RESOLUTION 2011-01

A RESOLUTION OF THE BOARD OF SUPERVISORS DESIGNATING THE OFFICERS OF LAKESIDE PLANTATION COMMUNITY DEVELOPMENT DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Lakeside Plantation Community Development District (hereinafter the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Sarasota County, Florida (hereinafter "F.S."); and

WHEREAS, the Board of Supervisors has changed its members due to resignation/reappointment; and

WHEREAS, the Board of Supervisors (hereinafter the "Board"), now desires to reorganize by designating the Officers of the District per F.S. 190.006(6).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LAKESIDE PLANTATION COMMUNITY DEVELOPMENT DISTRICT:

- Section 1.** _____ is appointed Chairman.
_____ is appointed Vice Chairman.
Brian Lamb _____ is appointed Secretary.
Steve Connolly _____ is appointed Treasurer.
Peter Altman _____ is appointed Assistant Secretary.
_____ is appointed Assistant Secretary.
_____ is appointed Assistant Secretary.
_____ is appointed Assistant Secretary.

Section 2. This Resolution shall become effective immediately upon its adoption and shall supersede any previously adopted resolutions designating said Officers.

PASSED AND ADOPTED THIS 13th DAY OF JANUARY, 2011.

**LAKESIDE PLANTATION
COMMUNITY DEVELOPMENT DISTRICT**

CHAIRMAN/VICE CHAIRMAN

ATTEST:

SECRETARY/ASST. SECRETARY

**LAKESIDE PLANTATION
COMMUNITY DEVELOPMENT DISTRICT**

November 11, 2010 Minutes of Meeting

Minutes of Regular Board of Supervisors Meeting

The regular meeting of the Lakeside Plantation Community Development District was held on Thursday, November 11, 2010 at 7:00 p.m., at the Lakeside Plantation Clubhouse, 2200 Plantation Boulevard, North Port, Florida 34289.

1. CALL TO ORDER

Mr. Altman called the regular meeting of the Board of Supervisors of the Lakeside Plantation Community Development District to order on Thursday, November 11, 2010 at 7:00 p.m.

- A. Overview of Meeting Guidelines
- B. Roll Call
- C. Pledge of Allegiance

Board Members Present and constituting a quorum:

Bill Capozzi	Chairman
Bob Babik	Vice-Chair
Ron Bock	Assistant Secretary
Gwynne Balson	Assistant Secretary
David Polk	Assistant Secretary

Staff members present:

Peter Altman	District Manager, District Management Services, LLC
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District Attorney:

RECORDING INAUDIBLE UNTIL 1:25:25 (13 mins after the mtg began) THE FOLLOWING WAS TAKEN FROM NOTES

2. AUDIENCE COMMENTS ON AGENDA COMMENTS

Resident Judy Cabrera discussed reserves. Resident Liz Hughes requested delay in major expenses until the new Board.

3. BUSINESS ADMINISTRATION

Approval of the minutes of the September 23, 2010 meeting and the October 14, 2010 meeting.

MOTION TO:	Approve the minutes of the September 23, 2010 meeting and the October 14, 2010 meeting with corrections
MADE BY:	Supervisor Capozzi
SECONDED BY:	Supervisor Balson
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 motion passed

Supervisor Polk requested the Shade structure at \$1,800 to be on next month's agenda.

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4. OLD BUSINESS

A. Report on status of low speed vehicles/golf cart

Supervisor Capozzi reported on the Golf Cart discussion with the City.

(taken from the recording)

The City is looking at the statutes and trying to determine if something could be done with the language. This item may be on the City's agenda for next month. They will try to look the other way but if they get a complaint they have to come out. We may have to face the reality that it could be a \$166 fine every time. We ask the residents to please behave until we can get a ruling from the City. I hope to have a better report at the next meeting. If I receive any information before the next meeting I will pass it on to the management company so they can send it out to the supervisor. This item to remain on next month's agenda as old business.

The discussion then turned to the fact that if the use of golf carts was approved there would be an added expense to put up the signs on every street corner stating that the street is approved for golf cart use. This would be about 20 signs at a price of about \$5,000, about the same price as buying a used, certified, registered vehicle. It was requested that if the City approved the use of golf carts that the Board would then review this issue to decide how to address the added costs.

B. Completion of clubhouse renovations

Renovations discussed was in our budget for the current year was about \$6,000, for the clubhouse it was \$5,500 put in the budget for renovations. The following fiscal year there is a substantial amount in the budget of the Reserve Study. We are attempting to get with the interior design expert as the Board had requested and anticipate putting this item on the next agenda for the new Board to consider as well. Question arose as to what has been spent to date on all of the renovations, it was unclear if we were still under budget. The response was that there is a break down and it would be sent to the supervisor. This item will continue to be left on the agenda for the next meeting as old business.

C. Update on Standard Pacific Engineering inspection

Discussion ensued regarding the paving assessments that were done at the approval of the Board at the previous meeting. The engineer has completed their report and indicates their findings and also provides a direction for the completion of the paving identifying a crack as could be expected after 5 years. Clarification was made to an email sent out by Debra of Standard Pacific stating that there was plenty of asphalt on the paving. However, the report states that the original specifications called for 1-1/2 inches of S-1 pavement and 1 lip and during the initial construction of the roadway only 3/4 of the asphalt was applied. So, they didn't have more, they had less. This Board has not tried to stop Standard Pacific from doing the pavement, we just wanted to make sure that the roads were in good enough condition so that when we got them there were no additional repairs in the short term.

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MOTION TO:	Encourage Standard Pacific to complete the road as quickly as possible following the guidelines of our engineer
MADE BY:	Supervisor Capozzi
SECONDED BY:	Supervisor Bock
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 motion passed

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D. Signage Update

This item has not been completed and will remain on the agenda as old business.

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E. Road paving – Villas and Carriage Homes

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Discussion ensued summarizing the proposed expenses and the affect on the budget and the reserves should it be decided that the paving should be done. Supervisor Balson raised a question regarding the fact that the bids for this project are not current. The bids for the paving were from November 19, 2009, September 23, 2010 and January 8, 2010. She is requesting that the Board be provided with accurate and up-to-date bids, within a 4 week time period, before voting on whether or not to go ahead with the paving. Supervisor Balson is also requesting that a review of the condition of the road be done by DMK prior to considering paving the roads. Discussion ensued regarding whether there was a real need for this review considering that the roads are not crumbling. Supervisor Balson clarified that the review would be done in order to determine specifically how the road needed to be paved.

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MOTION TO:	Have DMK review the condition of the road prior to considering paving – not to exceed \$2,500
MADE BY:	Supervisor Balson
SECONDED BY:	Supervisor Polk
DISCUSSION:	None further
RESULT:	Called to Vote: motion FAILED 2/3 motion failed

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MOTION TO:	Proceed with paving the roads engaging the engineer to review and approve of the process with DMS getting new bids and select the firm – not to exceed \$60,000
MADE BY:	Supervisor Babik
SECONDED BY:	Supervisor Polk
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 4/1 motion passed

130 F. Update on camera installation and access card system

131 There are a couple of bids to redo the 2 cameras and convert them to night cameras and put 5 cameras in
132 the parking lot. It was suggested that this item be placed on the agenda for the next meeting in order to
133 have a general discussion of the need to have a total overview of the entire security system looking at
134 cameras, lighting and floodlights, etc.

135

136 5. **BUSINESS ITEMS**

137

138 A. Year End Report

139 Supervisor Capozzi expressed concerns that the Reserve Study has never been approved by the Board.
140 Supervisor Capozzi was even more concerned that the community has had ZERO input into this Reserve
141 Study and requests that they be given the time to review it thoroughly and make recommendations to the
142 Board about where this Reserve Study works for Lakeside and where it needs to be amended. Response
143 came forward that the Reserve Study is something that has already been paid for, whether it is accepted or
144 not it has already been paid for. It is nothing more than a budgeting tool that gives advice of what should
145 be done in the future. It was suggested that it should be reviewed in April when preparing the next budget
146 in order to decide whether or not to include what is suggested in the Reserve Study. It was suggested that
147 the Reserve Study be put on the agenda for the next meeting

148

149 B. Financial Statements

150 Supervisor _____ began the discussion by mentioning that the budget and financial statements that
151 were provided today are still under review and subject to change and therefore would not be officially
152 presented to the Board for approval today. The Board was directed to the revenues, as far as the
153 assessments we've collected \$660,000 and the budget was \$651,000 so everything was fully collected that
154 was expected from the property tax assessments. The other revenues were slightly above as well. As far
155 as the expenditures are concerned, of the \$690,000 that was budgeted, as of the date of these financial
156 statements \$658,000 has been spent which is about \$32,000 under budget. Again, that number may shift
157 somewhat. The bottom line is that it appears that we will be under budget.

158

159 C. Upcoming Events

160 _____ Speedway on the 12th, \$10 trip to the races. Nov. 19th murder mystery with a number of the
161 residents attending. _____ has started and decided to send needed items to the military serving overseas.
162 In addition, Lakeside is now hosting a toddler music club Friday mornings at 10am which is designed to
163 teach developmentally appropriate music skills to toddlers between the ages of 0-5 years old.

164

165 D. Swimming Pool Status

166 The status of the pool was brought up. The pool is done, they are balancing the chemicals. We are trying
167 to get it opened for the weekend. They haven't turned the heat on yet because we are waiting on the pool
168 company to tell us it is OK. There were some soft spots found in the shallow end so it was good that this
169 work was done at this time as they were able to take care of that as well.

170 D. Renaming of Lake

171 There was a resident who passed away last week, John Wilson and it was suggested that the retention
172 pond/lake be renamed from an unknown number to “Lake Wilson”.
173

174	MOTION TO:	Rename a lake after a resident who passed away – Lake
175		Wilson
176	MADE BY:	Supervisor Capozzi
177	SECONDED BY:	Supervisor Polk
178	DISCUSSION:	None further
179	RESULT:	Called to Vote: motion PASSED
180		5/0 motion passed

181
182 F. Room Rental Fee

183 Supervisor Balson questioned the Board as to when the rate for the room rental fee changed from \$10 per
184 hour to \$5 per hour. It was suggested that it was in late 2008 or early 2009. Supervisor Balson then
185 requested information on the use of the clubhouse for “Java with Joe” in the card room and questioned
186 whether payment was received.

187
188 Supervisor Balson then thanked the residents for the record voter turnout and mentioned that she would
189 like to see at least a third of those numbers at future Board meetings. She also thanked them for their
190 support over the last 4 years. Supervisor Balson then mentioned that she went to the Fire Marshall as she
191 had been physically present at the clubhouse when prior inspections were done. The inspections implied
192 in the posted bits and pieces concerned her so she went and asked and found no fire code violations. She
193 also wanted to wish the new Board members well.

194
195 **6. AUDIENCE COMMENTS**

196 Discussion ensued regarding the meeting scheduled for December 9th and whether there would be a
197 quorum due to one of the newly elected supervisors mentioning that they would not be present. It will be
198 decided at the next Board meeting whether or not a quorum would be present.

199
200 Oath of office ceremony scheduled for Wednesday, November 17, 2010 at 1:00 p.m. Ad placed, light
201 refreshments requested.

202
203 Resident Derek Thompson thanked the Board for keeping Lakeside under budget again and not raising
204 the rates for the past four years. Also wanted everyone in the room to appreciate and thank Supervisor
205 Bock for his steadiness and purpose as a member of the Board and always looking out for the best
206 interests of the Lakeside community. Supervisor Capozzi then thanked outgoing members for their years
207 of service, David Polk, Gwynne Balson and Ronald Bock.
208

209 **8. ADJOURNMENT:**
210

211	MOTION TO:	Adjourn the meeting of the Board of Supervisors for
212		Lakeside Plantation CDD for November 11, 2010.
213	MADE BY:	Supervisor Capozzi
214	SECONDED BY:	Supervisor Babik
215	DISCUSSION:	None further
216	RESULT:	Called to Vote: motion PASSED
217		5/0 - Motion passed unanimously

218
219 **These minutes were done in summary format.*

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

223 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed**
224 **meeting held on _____.**

225
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229 _____

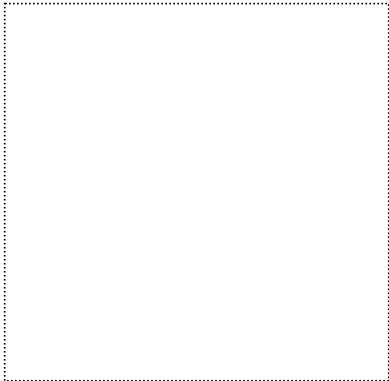
230 **Signature**

231
232 _____

233 **Printed Name**

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235 **Title:**
236 **Secretary**
237 **Assistant Secretary**

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Signature

Printed Name

Title:
 Chairman
 Vice Chairman

Recorded by Records Administrator

Signature

Date

RESOLUTION 2011-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF LAKESIDE PLANTATION COMMUNITY DEVELOPMENT DISTRICT ESTABLISHING THE DISTRICT-OWNED STREET NETWORK AS GOLF CART FRIENDLY, AUTHORIZING THE CHAIR AND/OR DISTRICT MANAGER TO PETITION THE COMMISSIONERS OF THE CITY OF NORTHPORT, FLORIDA TO ACCEPT THE GOLF CART FRIENDLY POLICY AND AUTHORIZING THE ACQUISITION OF A STREET LEGAL MOTORIZED GOLF CART OR SIMILAR VEHICLE IF THE CITY OF NORTHPORT, FLORIDA DECLINES THE DISTRICT'S REQUEST AND THE DISTRICT RECEIVES MORE THAN ONE WARNING CITATION OR FINE FOR THE USE OF ITS EXISTING GOLF CART; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Lakeside Plantation Community Development District (the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Sarasota County, Florida; and

WHEREAS, Section 190.011(5), Florida Statutes, authorizes the District to adopt resolutions which may be necessary for the conduct of District business; and

WHEREAS, to conduct the business of the District in an efficient manner, the District requires mobility in discharging its maintenance function throughout the community; and

WHEREAS, the Board determines this Resolution is in the best interest of the District and is necessary for the efficient conduct of District business; the health, safety, and welfare of the residents within the District; and the preservation of District assets or facilities; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LAKESIDE PLANTATION COMMUNITY DEVELOPMENT DISTRICT:

Section 1: All streets within the boundaries of the District that are owned and maintained by the District are golf cart friendly.

Section 2: The Board of Supervisors of the District instructs the Chairman and/or District Manager to present to the Supervisor of the City of North Port, Florida its desire to deem the sections of Plantation Boulevard contained within the District as golf cart friendly.

Section 3: The Board of Supervisors of the District authorizes the Chairman to spend up to \$10,000.00 towards the purchase of a street legal, registered golf cart or other similar utility vehicle that is authorized for use on Plantation Boulevard under the following conditions:

- A. The City Board of Commissioners rejects the request on behalf of the District for dedication of Plantation Boulevard as golf cart friendly.

B. If the District receives either two warnings, two tickets, two citations, or a combination of any of the two documents referenced above.

This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 13th DAY OF JANUARY, 2011.

Attest:

**Lakeside Plantation
Community Development District**

By: _____
Name: _____
Secretary/Assistant Secretary

By: _____
Chair, Board of Supervisors

RESOLUTION 2011-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF LAKESIDE PLANTATION COMMUNITY DEVELOPMENT DISTRICT REGARDING SIGNAGE IMPROVEMENTS, AUTHORIZING THE DISBURSEMENT OF FUNDS FOR PAYMENT OF REPLACEMENT SIGNAGE AS REQUIRED BY LOCAL GOVERNING AUTHORITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Northport, Florida has authority through its zoning and land-use powers to establish standards for entryway signage; and

WHEREAS, Section 190.011(5), Florida Statutes, authorizes the District to adopt resolutions which may be necessary for the conduct of District business; and

WHEREAS, the City of Northport, Florida has outlawed the use of pole signs, which has caused the District’s entry signage to become non-conforming; and

WHEREAS, the Board determines this Resolution is in the best interest of the District and is necessary for the efficient conduct of District business; the health, safety, and welfare of the residents within the District; and the preservation of District assets or facilities; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LAKESIDE PLANTATION COMMUNITY DEVELOPMENT DISTRICT:

Section 1. Purchase of Sign: The Board hereby authorizes H&H Signs of Venice, Florida to erect an entry monument sign at the entrance of Toledo Blade and Plantation Boulevard, with the following specifications:

- A. Overall Height –96”
- B. Overall Width –144”
- C. Wall Section – 60” H x 90” W x 10” D
- D. Columns – 18” Diameter 60” High
- E. Wall Base – 12” H x 144” W x 24” D
- F. Pergola Cross Hatch Boards – (3) 150” L x 18” H x 2” Thick

Section 2. Additional Required Actions:

- A. The existing sign must be removed.
- B. A permit must be obtained.
- C. An engineer’s certified drawing must be obtained.

Section 3: The total amount paid under such contract or agreement, including the current invoice, must be equal to or less \$9,797.00

This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 13th DAY OF JANUARY, 2011.

Attest:

**Lakeside Plantation
Community Development District**

By: _____

By: _____

Name: _____
Secretary/Assistant Secretary

Chair, Board of Supervisors

Print

From: John Hinshaw (john@hhsigns.com)
To: billcapcdd@yahoo.com;
Date: Wed, December 29, 2010 4:56:13 PM
Cc: ali@hhsigns.com;
Subject: Quote- budget estimate on entry monument sign

Bill;

Per your request to have a monument sign that shares the design of the arbor, we submit the enclosed conceptual sketch. The sketch is a concept drawing and not necessarily in proper proportion. The columns and caps to match existing pergola structure. – 3 horizontal cross hatch boards connecting the columns to emulate the pergola design. Integrated, raised, polished and painted letters & graphics for durability and vandal resistance.

1. Overall Height - approximately 96"
2. Overall Width - approximately 144"
3. Wall Section - 60" H x 90" W x 10" D
4. Columns - 18" Diameter approximately 60" High
5. Wall Base - 12" H x 144" W x 24" D
6. Pergola Cross Hatch Boards - (3) approximately 150" L x 18" H x 2" Thick

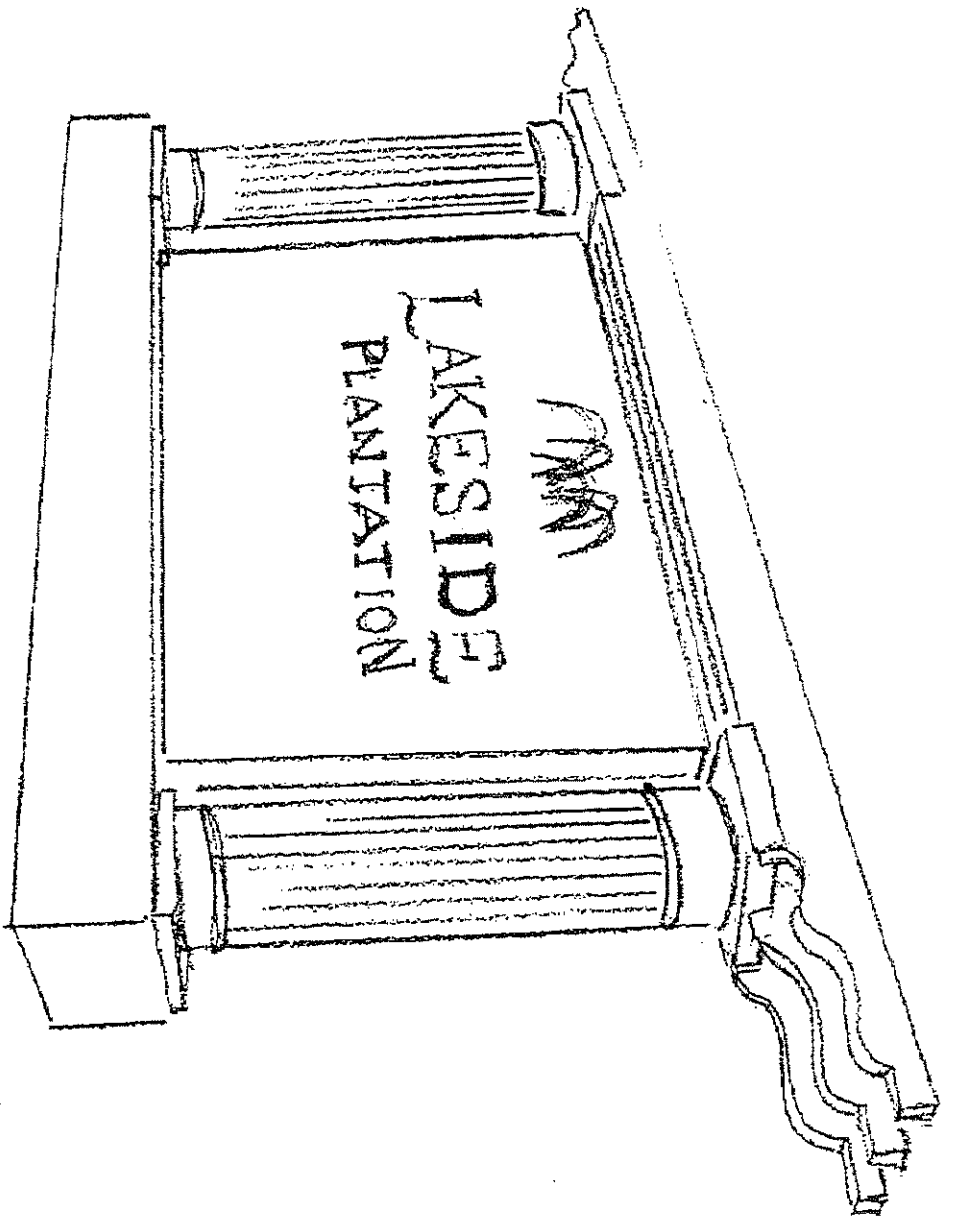
Budget estimate is \$7,500.00 Installed + sales tax

+ permit cost & services (approximately \$350.00- we charge \$100.00 + actual permit cost)

+ possible required engineer certified drawing (estimated at \$300.00) NOTE: This could affect the footer costs.

John Hinshaw
H&H Sign CONTRACTORS, Inc.
426 E. VENICE AVE
VENICE, FL 34285
941-485-0556
FAX 941-484-8933
john@hhsigns.com
www.hhsigns.com
www.signs-above.com

Print Form Submit by Email FAX: 941-484-8933 Date



COMMENTS

FILE NAME

SIGN SIZE

MATERIALS

TEXT COLOR

BACKGROUND

Approved by

ORDER ON HOLD until form is signed and returned.

AS SUBMITTED CORRECTIONS REQUIRED

CUSTOMER

SO# SALES REP

**426 E. Venice Ave.
Venice, FL 34285**

www.hhsigns.com

E-mail: sales@hhsigns.com

with your signature you agree to terms as stated on page 1 of H & H Signs, Inc. Product guide.

Phone: 941-484-8933
Fax: 941-484-8933

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Quotation

Number:

8210

Quote Date:

Aug 19, 2010

Page:

1

264 Bahama St., Venice, Florida 34285
Phone: 941-488-1314
Fax: 941-485-8328

Quoted to:

Site Information:

Lakeside Plantation
2200 Plantation Blvd. N.
North Port, FL 34287

Attn: Robert Babik

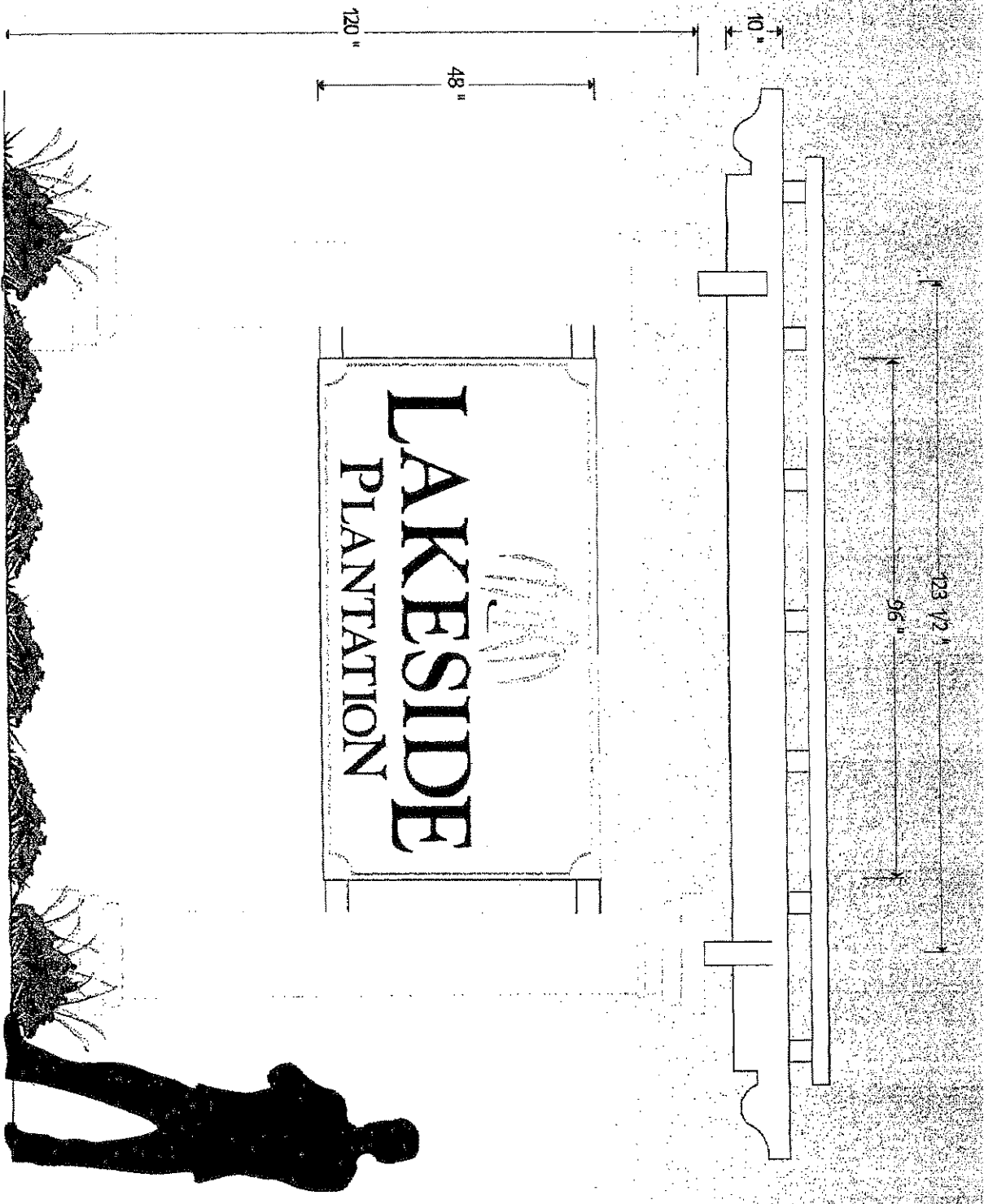
Phone Number	Fax Number	Payment Terms	Sales Rep
941-626-1820	941-876-4392	50% Down, balance on completion	Tram Pickett

Description	Amount
- Remove existing sign faces.	
- Fabricate & install (1) new 48" x 96" double face sign per drawing. Construction as follows: Lettering: 1/4" Aluminum stud mounted letters with baked enamel finish. Sign Faces: .125 Aluminum welded to frame with simulated stucco textured finish. Frame: 4" x 4" x 1/4" wall sq. tube aluminum. - (1) Piece wood top detail supplied by customer - Installed by Berlin Sign Co. Columns: 16" x 120" Dia. split fiberglass with std tuscan capital & base	9,797.00
	+ permit
* PRICE DOES NOT INCLUDE PERMIT FEE, TO BE BILLED AT COST.	

Will I Coffey
ACCEPTED BY:

10-7-10
DATE

Subtotal	9797.00
Sales Tax	637.82
Permit	
Total	10,434.82



CUSTOMER'S NAME:
ADDRESS:
PHONE #:

Lakeside Plantation

DATE: Aug 19, 2010
Salesman: [Blank]
SALESMAN: [Blank]
Team: [Blank]

Notes:

Drawn by: GENE

Berlin Sign Company
 264 BAHAMA ST., VENICE, FL. 33285
 941-488-1314
 FAX 485-8328

THIS DRAWING REPRESENTS \$150. AND IS NOT TO BE COPIED IN ANY WAY WITHOUT WRITTEN PERMISSION!
 BERLIN SIGN COMPANY Will Endeavor To Closely Match Colors, Including Pms, Where Specified. We Cannot Guarantee Exact Matches Due To Varying Compatibility Of Surface Materials And Paints Used.

RESOLUTION 2011-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF LAKESIDE PLANTATION COMMUNITY DEVELOPMENT DISTRICT DIRECTING THE DISTRICT MANAGER TO PROVIDE NOTICE OF TERMINATION OF SERVICES TO THE DISTRICT'S CURRENT LEGAL COUNSEL AND AUTHORIZING THE DISTRICT MANAGER TO SOLICIT LETTERS OF INTEREST FROM ATTORNEYS AND/OR LEGAL FIRMS WITH EXPERIENCE IN GOVERNMENT LAW; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Lakeside Plantation Community Development District (the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Sarasota County, Florida; and

WHEREAS, Section 190.011(5), Florida Statutes, authorizes the District to adopt resolutions which may be necessary for the conduct of District business; and

WHEREAS, the Board of Supervisors of the District (the "Board") desires to seek new legal counsel; and

WHEREAS, to conduct the business of the District, it is necessary to retain the services of legal counsel; and

WHEREAS, the Board determines this Resolution is in the best interest of the District to discontinue its relationship with its current legal counsel and provide for the selection of a replacement firm.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LAKESIDE PLANTATION COMMUNITY DEVELOPMENT DISTRICT:

Section 1. The Board hereby directs the District Manager to provide notice of termination of services to Shumaker, Loop & Kendrick LLP, effective _____.

Section 2: The Board directs the District Manager to solicit letters of interest from attorneys and/or legal firms with experience in government law, make recommendations to include a summary of fees, and issue a Request for Proposal, if required, at the next Board meeting.

This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 13th DAY OF JANUARY, 2011.

Attest:

**Lakeside Plantation
Community Development District**

By: _____

By: _____

Name: _____
Secretary/Assistant Secretary

Chair, Board of Supervisors

RESOLUTION 2011-05

A RESOLUTION OF THE LAKESIDE PLANTATION COMMUNITY DEVELOPMENT DISTRICT AMENDING ITS OPERATING BUDGET FOR THE FISCAL YEAR 2011 WHICH BEGAN ON OCTOBER 1, 2010 AND ENDS ON SEPTEMBER 30, 2011.

WHEREAS, the Board of Supervisors, hereinafter referred to as the “Board” of the Lakeside Plantation Community Development District, hereinafter referred to as “District”, adopted an Operating Budget for Fiscal Year 2011; and

WHEREAS, the Board desires to change budgeted funds for revenues and expenses previously approved for the Fiscal Year 2011 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LAKESIDE PLANTATION COMMUNITY DEVELOPMENT DISTRICT.

1. The following Budget is amended in accordance with Exhibit “A”, attached:
2. This resolution shall become effective this 13th day of January, 2011 and be reflected the monthly and Fiscal Year End September 30, 2011 Financial Statements and Audit Report of the District.

PASSED AND ADOPTED THIS 13th DAY OF JANUARY, 2011.

**LAKESIDE PLANTATION
COMMUNITY DEVELOPMENT DISTRICT**

CHAIRMAN

ATTEST:

SECRETARY/ASSISTANT SECRETARY

EXHIBIT A
Lakeside Plantation
Community Development District
Fiscal Year 2011 Amended Operating Budget
General Fund

	Fiscal Year 2011 Adopted Operating Budget	Fiscal Year 2011 Amended Operating Budget	Increase / (Decrease) from FY 2011 Adopted to Amended
REVENUES			
Other Miscellaneous Revenues			
Tennis Club	12,000	12,000	-
Activities	9,000	9,000	-
Clubhouse Rentals	1,000	1,000	-
Miscellaneous	-	-	-
Interest Earnings	750	750	-
Special Assessments			
Operations & Maintenance Assmts - Levied On Roll (1)	651,844	651,844	-
Carry Forward Fund Balance			
Carry Forward Fund Balance - Capital Reserves	-	90,000	90,000
Total Revenues	\$ 674,594	\$ 764,594	\$ 90,000
EXPENDITURES			
Legislative			
Supervisor Fees	9,000	9,000	-
Payroll Taxes	-	-	-
Total Legislative	\$ 9,000	\$ 9,000	\$ -
Financial & Administrative			
District Manager	45,500	45,500	-
District Engineer	7,000	7,000	-
Disclosure Report	1,000	1,000	-
Trustee Fees	2,500	2,500	-
Assessment Roll	-	-	-
Audit Fees	8,000	8,000	-
Arbitrage Rebate Calculation	1,575	1,575	-
Postage, Phone, Faxes, Copies	500	500	-
Capital Reserve Analysis	-	-	-
Printing & Binding	-	-	-
Public Communications	500	500	-
Public Officials Insurance	-	-	-
General Liability Insurance	6,000	6,000	-
Legal Advertising	1,500	1,500	-
Bank Fees	-	-	-
Dues, Licenses & Fees	175	175	-
Other Current Charges	1,200	1,200	-
Total Financial & Administrative	\$ 75,450	\$ 75,450	\$ -
Legal Counsel			
District Counsel	12,000	12,000	-
Total Legal Counsel	\$ 12,000	\$ 12,000	\$ -
Electric Utility Services			
Electric Utility Services - Entrance Feature	8,000	8,000	-
Electric Utility Services - Clubhouse & Tennis Courts	11,500	11,500	-
Electric Utility Services - Pool	20,000	20,000	-
Total Electric Utility Services	\$ 39,500	\$ 39,500	\$ -
Gas Utility Services			
Gas Utility Services - Clubhouse	150	150	-
Total Gas Utility Services	\$ 150	\$ 150	\$ -
Garbage/Solid Waste Control Services			
Garbage Collection	2,000	2,000	-
Total Garbage/Solid Waste Control Services	\$ 2,000	\$ 2,000	\$ -
Water-Sewer Combination Services			
Water Utility Services - Entrance Feature	6,500	6,500	-
Water Utility Services - Clubhouse	3,000	3,000	-
Water Utility Services - Tennis Courts & Pool	6,200	6,200	-
Total Water-Sewer Combination Services	\$ 15,700	\$ 15,700	\$ -

Lakeside Plantation
Community Development District
Fiscal Year 2011 Amended Operating Budget
General Fund

	Fiscal Year 2011 Adopted Operating Budget	Fiscal Year 2011 Amended Operating Budget	Increase / (Decrease) from FY 2011 Adopted to Amended
Other Physical Environment			
Lake Maintenance	11,000	11,000	-
Lake Bank Restoration	10,000	10,000	-
Entrance Feature Repairs & Maintenance	7,500	7,500	-
Common Area Renewal & Maintenance	12,500	12,500	-
Landscape Maintenance - Contract	75,500	75,500	-
Landscape Maintenance - Other	-	-	-
Plant Replacement Program	10,000	10,000	-
Irrigation Maintenance	2,500	2,500	-
Miscellaneous Tools, Equipment and Supplies	3,000	3,000	-
Total Other Physical Environment	\$ 132,000	\$ 132,000	\$ -
Road & Street Facilities			
Street Light/ Decorative Light Maintenance	16,000	16,000	-
Road & Street Repairs & Maintenance	10,000	10,000	-
Total Road & Street Facilities	\$ 26,000	\$ 26,000	\$ -
Parks & Recreation			
Personnel Services (1)	144,598	144,598	-
Payroll Taxes	-	-	-
Health Insurance	-	-	-
Worker's Compensation Insurance	-	-	-
Temp Services	-	-	-
Travel Reimbursement	-	-	-
Clubhouse - Activities	19,000	19,000	-
Clubhouse - Licenses/Fees	600	600	-
Clubhouse - General Supplies	3,000	3,000	-
Clubhouse - Maintenance	6,500	6,500	-
Clubhouse - Renewal & Replacements	5,500	5,500	-
Clubhouse - Office Supplies	3,500	3,500	-
Clubhouse - Pest Control	900	900	-
Clubhouse - Security	2,000	2,000	-
Clubhouse - AED	500	500	-
Clubhouse - Telephone & Internet Service	3,000	3,000	-
Clubhouse - Exercise Equipment	7,000	7,000	-
Clubhouse - Furniture	2,500	2,500	-
Clubhouse - Janitorial Supplies	1,600	1,600	-
Clubhouse Improvements	6,000	6,000	-
Pool Furniture	2,600	2,600	-
Pool Maintenance - Contract	-	-	-
Pool Maintenance - Other	7,000	7,000	-
Pool Resurfacing	30,000	30,000	-
Hot Tub Chlorination	1,500	1,500	-
Tennis Courts - Maintenance	3,500	3,500	-
Tennis Courts - Programs	4,000	4,000	-
Total Parks & Recreation	\$ 254,798	\$ 254,798	\$ -
Other Expenditures			
Contingencies	44,112	50,687	6,575
Property Taxes	45,000	-	(45,000)
Capital Expenditures	-	88,425	88,425
Property Insurance	9,500	9,500	-
Permit Fees	-	-	-
Property Appraiser Collection Fees	-	-	-
Tax Collector Collection Fees	9,384	9,384	-
Total Other Expenditures	\$ 107,996	\$ 157,996	\$ 50,000
Reserves			
Operating Reserves	-	-	-
Capital Reserves	-	40,000	40,000
Total Reserves	\$ -	\$ 40,000	\$ 40,000
Total Expenditures	\$ 674,594	\$ 764,594	\$ 90,000
Excess of Revenues Over (Under) Expenditures	\$ -	\$ -	\$ -

Notations:

(1) Contingency funds are currently intended to address the capital reserve expenses planned for the Fiscal Year 2011, to include pavement resurfacing and fountain/entrance repairs.