

DARBY

Community Development District

MAY 12, 2026

AGENDA

Darby
Community Development District
475 West Town Place
Suite 114
St. Augustine, Florida 32092
1-877-304-9269 Code: 6259765

May 6, 2026

Board of Supervisors
Darby Community Development District

Dear Board Members:

The Audit Committee Meeting of the Darby Community Development District will be held **Tuesday, May 12, 2026 at 10:30 a.m.** located at 1000 Riverside Ave., Suite 600, Jacksonville, Florida 32204. Immediately following will be the regular meeting.

Audit Committee Meeting

- I. Roll Call
- II. Review and Selection of Audit RFP Criteria
- III. Other Business
- IV. Adjournment

Regular Meeting

- I. Roll Call
- II. Audience Comments (*regarding agenda items listed below*)
- III. Organizational Matters
 - A. Acceptance of Resignation Letter from Supervisor Acevedo
 - B. Appointment of New Supervisor to Fill Unexpired Term of Office
 - C. Consideration of Resolution 2026-03, Election of Officers
- IV. Consideration of Minutes of the March 10, 2026 Meeting
- V. Acceptance of Audit Committee's Recommendation; Approval of Audit Criteria and Authorization for Staff to Publish an RFP for Auditing Services

- VI. Ratification of Addendum with Integrated Access Solutions to Security Camera Installation Services Proposal
- VII. Consideration of Proposal from GMS for Field Management, Field Operations Management, Janitorial, Pool Maintenance and Pool Chemicals for Fiscal Year 2027
- VIII. Consideration of Resolution 2026-04, Approving the Proposed Budget for Fiscal Year 2027 and Setting a Public Hearing Date for Adoption (July 14, 2026)
- IX. Consideration of Resolution 2026-05, Setting a Public Hearing Date to Adopt Revised Rules of Procedure
- X. Consideration of Resolution 2026-06, Setting a Landowners' Meeting and Election
- XI. Staff Reports
 - A. Attorney
 - B. Engineer
 - C. Manager
 - 1. Annual Form 1 Filing & Annual Ethics Training
 - 2. Report on the Number of Registered Voters (75)
 - D. Operations & Amenities - Report
- XII. Supervisors Requests
- XIII. Audience Comments
- XIV. Financial Statements as of March 31, 2026
- XV. Check Register
- XVI. Next Scheduled Meeting – July 14, 2026 @ 10:30 a.m.
- XVII. Adjournment

SECOND ORDER OF BUSINESS

**DARBY COMMUNITY DEVELOPMENT DISTRICT
AUDITOR SELECTION
EVALUATION CRITERIA**

1. Ability of Personnel. (20 Points)

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

2. Proposer’s Experience. (20 Points)

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

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

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

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

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

5. Price. (20 Points)***

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

Total (100 Points)

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

THIRD ORDER OF BUSINESS

A.

Good morning, Sarah and Daniel.

I just wanted to give you an early heads up that I've decided to take on a new professional adventure and will be departing from DLP Capital on 4/24. There is some time before the next Darby CDD meeting, but I just wanted to give you a heads up for noticing the next one. I imagine someone else will be appointed from DLP Capital to fill in for me, and so I'm copying Kim Harris here who can assist with coordination.

It was a pleasure working with you.

Best,
Shannon
586-747-7942 (cell)

--



An Inc. 5000 Fastest Growing
Company 13 years in a row.

Shannon Acevedo

Sr. Development Director
DLP Capital



 Office: 484.403.1191

 shannon.acevedo@dlpcapital.com

 dlpcapital.com

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C.

RESOLUTION 2026-03

**A RESOLUTION DESIGNATING OFFICERS OF THE DARBY
COMMUNITY DEVELOPMENT DISTRICT**

WHEREAS, the Board of Supervisors of the Darby Community Development District at a regular business meeting held on May 12, 2026 desires to elect the below recited persons to the offices specified.

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

1. The following persons were elected to the offices shown, to wit:

_____	Chairman
_____	Vice-Chairman
<u>Daniel Laughlin</u>	Secretary
<u>Daniel Laughlin</u>	Treasurer
<u>James Oliver</u>	Assistant Treasurer
<u>Marilee Giles</u>	
<u>Darrin Mossing</u>	
<u>Matthew Biagetti</u>	
<u>Marilee Giles</u>	Assistant Secretary
<u>James Oliver</u>	
<u>Darrin Mossing</u>	
<u>Matthew Biagetti</u>	

PASSED AND ADOPTED THIS 12TH DAY OF MAY, 2026.

Chairman / Vice Chairman

Secretary / Assistant Secretary

FOURTH ORDER OF BUSINESS

MINUTES OF MEETING
DARBY
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Darby Community Development District was held Tuesday, March 10, 2026 at 10:38 a.m. at the offices of Corner Lot Development, 1000 Riverside Avenue, Suite 600, Jacksonville, Florida

Present and constituting a quorum were:

George Leone	Chairman
Shannon Acevedo	Vice Chair
Andre Green	Supervisor
Justin Holmes	Supervisor

Also present were:

Daniel Laughlin	District Manger
Wes Haber	District Counsel <i>by telephone</i>
Beth Leaptrott	Engineer, Connelly & Wicker <i>by telephone</i>
Kelly Mullins	GMS

Following is a summary of the actions taken at the March 10, 2026 Darby Community Development District meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Laughlin called the meeting to order at 10:38: a.m. and called the roll.

SECOND ORDER OF BUSINESS

Audience Comments

There being no comments, the next item followed.

THIRD ORDER OF BUSINESS

Consideration of Minutes of the December 17, 2025 Meeting

Mr. Laughlin presented the December 17, 2025 meeting minutes and asked for any comments, corrections, or changes. The Board had no changes.

On MOTION by Mr. Green seconded by Mr. Leone with all in favor the minutes of the December 17, 2025 meeting were approved as presented.

FOURTH ORDER OF BUSINESS

Ratification of Agreement with GMS for Facility Management, Pool Maintenance, Janitorial and Field Operations Management Services

On MOTION by Mr. Leone seconded by Ms. Acevedo with all in favor the agreement with GMS for facility management, pool maintenance, janitorial and field operations management services was ratified.

FIFTH ORDER OF BUSINESS

Acceptance of Initial Public Facilities Report

Mr. Laughlin stated this is something required by the state to be done every seven years and is an overview of the public facilities within the district.

On MOTION by Mr. Leone seconded by Mr. Green with all in favor the initial public facilities report was accepted.

SIXTH ORDER OF BUSINESS

Public Hearing Adopting Policies & Rates Regarding District Amenity Facilities, Resolution 2026-02

Mr. Laughlin stated next is a public hearing to adopt policies and rates regarding the district amenity facilities. We previously approved the policies for the amenity center and in order to implement the rental rates and non-resident rate we have to have a public hearing.

On MOTION by Mr. Green seconded by Mr. Leone with all in favor the public hearing was opened.

There being no public present to comment, the board took the following action.

On MOTION by Mr. Green seconded by Mr. Leone with all in favor the public hearing was closed.

Mr. Laughlin stated this is just for the rates. We have the policies in here and this also deals with the suspension policy and lays out the process of suspension as well as the rates. There is a non-resident user fee of \$3,000 per year. This is required and allows non-residents to pay the non-resident user rate to gain access to the amenity center. We have access card replacement of \$30. They get two access cards as part of the initial move-in and if they lose it and need to replace it, they will pay the \$30. We will change the Gathering Room to the Pavillion Area that is what it should read. We discussed before; we don't have to have rentals but for now we will see if people want to rent the pavilion for a pool party. I will change that to say \$50 for four hours and change it to the pavilion area. It doesn't give them exclusive rights to the pool. There is the deposit of \$150 and if there is no damage or anything we refund the \$150.

On MOTION by Ms. Acevedo seconded by Mr. Leone with all in favor Resolution 2026-02 was approved in substantial form with the changes mentioned on the record.

SEVENTH ORDER OF BUSINESS

Appointment of Audit Committee

On MOTION by Mr. Leone seconded by Mr. Green with all in favor the board members were appointed to serve as the audit committee.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Haber stated I'm working with Justin to complete the amenity acquisition.

B. Engineer

There being no comments, the next item followed.

C. Manager

There being no comments, the next item followed.

D. Operations & Amenities – Report

Ms. Mullins gave an overview of operations report, copy of which was included in the agenda package.

NINTH ORDER OF BUSINESS

Supervisors Requests

There being no comments, the next item followed.

TENTH ORDER OF BUSINESS

Audience Comments

There being no comments, the next item followed.

ELEVENTH ORDER OF BUSINESS

Financial Statements as of January 31, 2026

A copy of the financials was included in the agenda package.

TWELFTH ORDER OF BUSINESS

Check Register

On MOTION by Mr. Leone seconded by Ms. Acevedo with all in favor the check register was approved.

THIRTEENTH ORDER OF BUSINESS

Next Meeting Scheduled – May 12, 2026 at 10:30 a.m.

Mr. Laughlin stated the next meeting is scheduled for May 12, 2026 at 10:30 a.m. in the same location.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Leone seconded by Mr. Green with all in favor the meeting adjourned at 10:55 a.m.

Secretary/Assistant Secretary

Chairman/Vice Chairman

SIXTH ORDER OF BUSINESS

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Do Not Disclose**

**ADDENDUM TO SECURITY CAMERA INSTALLATION SERVICES PROPOSAL BETWEEN THE
DARBY COMMUNITY DEVELOPMENT DISTRICT AND INTEGRATED ACCESS SOLUTIONS LLC**

District:	Darby Community Development District	Contractor:	Integrated Access Solutions LLC
Mailing Address:	475 West Town Place, Suite 114 St. Augustine, FL 32092	Mailing Address:	2227 Crystal Cove Drive Green Cove Springs, FL 32043
Phone:	(904) 940-5899	Phone:	(904) 404-7047

The following provisions govern the proposal submitted by the Contractor, and attached hereto as **Exhibit A** (hereinafter referred to as the “Proposal,” and as modified by this Addendum, the “Agreement”) for all security camera installation services at the Darby Amenity Center, including, without limitation, all materials and labor (“Services”):

1. Compensation due from the District for the Services and materials identified in the Proposal shall total **Four Thousand Eight Hundred Thirty-Seven Dollars and 75/100 Cents (\$4,837.75)**. The District shall pay Contractor fifty percent of the Agreement price after execution of this Agreement, and fifty percent of the Agreement price after Contractor’s completion, and District’s acceptance of, the Services.
2. The Contractor or any subcontractor performing the work described in this Agreement shall maintain throughout the term of this Agreement the following insurance:
 - a. Worker’s Compensation Insurance in accordance with the laws of the State of Florida.
 - b. Commercial General Liability Insurance covering the Contractor’s legal liability for bodily injuries, with limits of not less than \$1,000,000 combined single limit bodily injury and property damage liability, including Independent Contractors Coverage for bodily injury and property damage in connection with subcontractors’ operation; and,
 - c. If any automobiles are to be used on the District’s property, Automobile Liability Insurance for bodily injuries in limits of not less than \$1,000,000 combined single limit bodily injury and for property damage, providing coverage for any accident arising out of or resulting from the operation, maintenance, or use by the Contractor of any owned, non-owned, or hired automobiles, trailers, or other equipment required to be licensed.

The District, its staff, consultants, agents and supervisors shall be named as additional insureds and certificate holders. The Contractor shall furnish the District with the Certificate of Insurance evidencing compliance with this requirement. No certificate shall be acceptable to the District unless it provides that any change or termination within the policy periods of the insurance coverage, as certified, shall not be effective within thirty (30) days of prior written notice to the District. Insurance coverage shall be from a reputable insurance carrier, licensed to conduct business in the State of Florida. If the Contractor fails to have secured and maintained the required insurance, the District has the right (without any obligation to do so, however), to secure such required insurance in which event, the Contractor shall pay the cost for that required insurance and shall furnish, upon demand, all information that may be required in connection with the District’s obtaining the required insurance.

3. The Contractor warrants to the District that the materials and workmanship furnished under this Agreement shall be of good quality, and free from faults and defects. If any such workmanship or materials are found to be defective, deficient, or not in accordance with the Agreement, and without intending to limit any other remedies, the Contractor shall correct, remove, and replace such workmanship or materials promptly at the Contractor’s expense after receipt of a written notice from

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the District. The Services, all labor, and materials provided by the Contractor pursuant to this Agreement shall be warranted for workmanship for a period of ninety (90) days after final completion and acceptance by the District.

4. Contractor shall use reasonable care in performing the Services and shall be responsible for any harm of any kind to persons or property resulting from Contractor's actions or inactions. Contractor shall defend, indemnify, and hold harmless the District and the District's officers, staff, representatives, and agents, from any and all liabilities, damages, claims, losses, costs, or harm of any kind, including, but not limited to, reasonable attorney's fees, paralegal fees and expert witness fees and costs, to the extent caused, wholly or in part, by any acts or omissions of the Contractor and persons employed or utilized by the Contractor in the performance of the Agreement.
5. In all matters relating to the Agreement, the Contractor shall be acting as an independent contractor. Neither the Contractor nor employees of the Contractor, if any, are employees of the District under the meaning or application of any Federal or State Unemployment or Insurance Laws or Old Age Laws or otherwise. The Contractor agrees to assume all liabilities or obligations imposed by any one or more of such laws with respect to employees of the Contractor, if there are any, in the performance of the Agreement. The Contractor shall not have any authority to assume or create any obligation, express or implied, on behalf of the District and the Contractor shall have no authority to represent the District as an agent, employee, or in any other capacity.
6. In performing its obligations under the Agreement, Contractor and each of its employees, agents, subcontractors, or anyone directly or indirectly employed by Contractor shall comply with, and all Services rendered shall comply with all applicable laws, ordinances, rules, regulations, and orders of any public or governmental authority having appropriate jurisdiction. Contractor shall initiate, maintain, and supervise all safety precautions and programs in connection with its obligations herein. Contractor shall take all reasonable precautions for the safety of and shall provide all reasonable protection to prevent damage, injury, or loss to all of its employees, agents and subcontractors performing its obligations herein and other persons who may be affected, and any material, equipment, and other property.
7. Contractor agrees that nothing in the Agreement shall be deemed as a waiver of the District's sovereign immunity or the District's limits of liability as set forth in Section 768.28, *Florida Statutes* or other law, and nothing in this Agreement shall inure to the benefit of any third party for the purpose of allowing any claim which would otherwise be barred under such limitations of liability or by operation of law.
8. Contractor understands and agrees that all documents of any kind provided to the District in connection with the Agreement may be public records, and, accordingly, Contractor agrees to comply with all applicable provisions of Florida law in handling such records, including but not limited to Section 119.0701, *Florida Statutes*. Contractor acknowledges that the designated public records custodian for the District is Daniel Laughlin ("Public Records Custodian"). Among other requirements and to the extent applicable by law, the Contractor shall 1) keep and maintain public records required by the District to perform the service; 2) upon request by the Public Records Custodian, provide the District with the requested public records or allow the records to be inspected or copied within a reasonable time period at a cost that does not exceed the cost provided in Chapter 119, *Florida Statutes*; 3) ensure that public records which are exempt or confidential, and exempt from public records disclosure requirements, are not disclosed except as authorized by law for the duration of the contract term and following the contract term if the Contractor does not transfer the records to the Public Records Custodian of the District; and 4) upon completion of the contract, transfer to the District, at no cost, all public records in Contractor's possession or, alternatively, keep,

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maintain and meet all applicable requirements for retaining public records pursuant to Florida laws. When such public records are transferred by the Contractor, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the District in a format that is compatible with Microsoft Word or Adobe PDF formats.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT 475 WEST TOWN PLACE, SUITE 114, ST. AUGUSTINE, FLORIDA 32092, PHONE (904) 940-5850, OR EMAIL DLAUGHLIN@GMSNF.COM.

9. The Contractor shall comply with and perform all applicable provisions of Section 448.095, *Florida Statutes*. Accordingly, to the extent required by Florida Statute, Contractor shall register with and use the United States Department of Homeland Security's E-Verify system to verify the work authorization status of all newly hired employees. The District may terminate this Agreement immediately for cause if there is a good faith belief that the Contractor has knowingly violated Section 448.09(1), *Florida Statutes*. By entering into this Agreement, the Contractor represents that no public employer has terminated a contract with the Contractor under Section 448.095(2)(c), *Florida Statutes*, within the year immediately preceding the date of this Agreement.
10. The District may terminate the Agreement immediately for cause, or for any or no reason upon thirty (30) days written notice by either party. Contractor shall not be entitled to lost profits or any other damages of any kind resulting from any such termination by the District, provided however that Contractor shall be entitled to payment for any work provided through the effective date of termination, subject to any offsets.
11. The Contractor agrees to comply with Section 20.055(5), *Florida Statutes*, to cooperate with the inspector general in any investigation, audit, inspection, review or hearing pursuant such section and to incorporate in all subcontracts the obligation to comply with Section 20.055(5), *Florida Statutes*.
12. The Contractor acknowledges that, in addition to all laws and regulations that apply to this Agreement, the following provisions of Florida law ("Public Integrity Laws") apply to this Agreement:
 - a. Section 287.133, Florida Statutes, titled Public entity crime; denial or revocation of the right to transact business with public entities;
 - b. Section 287.134, Florida Statutes, titled Discrimination; denial or revocation of the right to transact business with public entities;
 - c. Section 287.135, Florida Statutes, titled Prohibition against contracting with scrutinized companies;
 - d. Section 287.137, Florida Statutes, titled Antitrust violations; denial or revocation of the right to transact business with public entities; denial of economic benefits; and
 - e. Section 287.138, Florida Statutes, titled Contracting with entities of foreign countries of concern prohibited.

The Contractor acknowledges that the Public Integrity Laws prohibit entities that meet certain criteria from bidding on or entering into or renewing a contract with governmental entities, including with the District ("Prohibited Criteria"). The Contractor acknowledges that the District may terminate this

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Agreement if the Contractor is found to have met the Prohibited Criteria or violated the Public Integrity Laws.

The Contractor certifies that in entering into this Agreement, neither it nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity, meets any of the Prohibited Criteria, and in the event such status changes, Contractor shall immediately notify the District. By entering into this Agreement, Contractor agrees that any renewal or extension of this Contract shall be deemed a recertification of such status.

- 13. The Contractor does not use coercion for labor or services as defined in Section 787.06, Florida Statutes, and the Contractor has complied, and agrees to comply, with the provisions of Section 787.06, Florida Statutes.
- 14. To the extent any of the provisions of this Addendum are in conflict with the provisions of the Proposal, this Addendum controls.
- 15. The Agreement shall be deemed effective as of the date of the full execution of this Addendum.

INTEGRATED ACCESS SOLUTIONS LLC

By: *[Signature]*
 Its: Operations Manager
 Date: 3/26/2026

DARBY COMMUNITY DEVELOPMENT

DISTRICT
 By: *George Leone*
 Its: CLDG
 Date: 2026-03-28






Exhibit A: Proposal

**Confidential and Exempt Security Document Pursuant to Section 119.071(3), Fla. Stat. –
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**Exhibit A
Proposal**

Areas & Items

Pool House

Items	Sell Price	Qty	Total
 Optiview 4-Channel Network Video Recorder	\$989.99	x1	\$989.99
 Optiview 8MP Low Light Armor Ball Security Camera	\$325.00	x4	\$1,300.00
 IAS Cat6 Data Cable Complete	\$175.00	x4	\$700.00
 Vertical Cable Modular Plug (RJ45)	\$1.78	x8	\$14.24
 Optiview Junction Box for Network Armor Dome Cameras	\$34.00	x4	\$136.00
Pool House Total :			\$3,140.23

Financial Summary

Total Parts	\$3,140.23
Total Labor	\$1,360.00
Subtotal	\$4,500.23
Sales Tax	\$337.52

Parts: 7.5% Labor: 7.5%

Proposal Total \$4,837.75

SEVENTH ORDER OF BUSINESS



Governmental Management Services

Serving Florida's New Communities

April 30, 2026

Daniel Laughlin
Darby Community Development District
475 West Town Place, Suite 114
World Golf Village
St. Augustine, Florida 32092

Re: Facility Management, Field Operations Management, Janitorial, Pool Maintenance and Pool Chemicals

Dear Daniel:

Please consider this proposal for Governmental Management Services to provide the following services for the Darby Community Development District:

<u>Services</u>	<u>FY 2026 Budget</u>	<u>FY 2027 Proposed Fees</u>
Facility Management (2 Days Per Week)	\$10,000	\$10,700
Field Operations Management (1 Day Per Week)	\$12,000	\$12,840
Janitorial (2 Days Per Week)	\$6,000	\$5,350
Janitorial Supplies(As needed)	\$0	\$1,000
Pool Maintenance (2/Winter - 3/Summer)	\$6,000	\$9,900
Pool Chemicals	\$5,000	\$5,350

See Exhibit A for Scope of Services

The ownership and management at Governmental Management Services would like to thank the Board of Supervisors in advance for your consideration of our request to provide the outlined services for your community.

Sincerely,

Alison Mossing

Director of Amenity Management Services



Governmental Management Services

Serving Florida's New Communities

Exhibit A

Scope of Services

Facility Management

- Greet residents entering the Amenity Center and address questions/concerns in a professional manner
- Must be familiar with and enforce Amenity Center rules and policies, including age verification for gym and pool usage
- Issue access cards to eligible residents after providing address verification and photo ID
- Manage the facility rental process by handling resident inquiries, maintaining schedule and collecting deposit and rental payment
- Communicate updates to residents via email blast and bulletin boards
- Conduct hourly rounds of the Amenity Center and pool deck to monitor usage, cleanliness and report any issues to the Field Operations Manager and/or District Manager
- Plan and execute special events
- Check pool chemicals and add to pool maintenance log
- Coordinate and meet vendors on site for services
- Attend monthly Board of Supervisors meetings and prepare Operations Reports for the agenda
- Various other tasks assigned by management

Field Operations Management

- Provide oversight of the landscape maintenance contractor
- Provide oversight of the lake maintenance contractor
- Provide oversight of all other maintenance contractors such as security, outside pest control, tree services, sidewalk repairs, road maintenance, FPL, site inspections, etc.
- Periodically inspect lakes, and structures for needed maintenance, issues, and repairs.
- Maintain and monitor the field operations Board of Supervisors adopted annual budget.
- Conduct onsite meetings with CDD service providers.
- Monitor all CDD field-related utility accounts.
- Provide Operations Memorandum for field-related activity to Board of Supervisors monthly agenda package one week before scheduled CDD meeting.
- Attend all District Board of Supervisor meetings with representation of CDD management activities.
- Receive and respond to resident emails, and phone calls about CDD property-related issues.
- Prepare an Emergency Action Plan for significant weather events.



Governmental Management Services

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- Oversee & assist maintenance personnel with CDD projects on site
- Provide oversight, proposals if needed of future capital projects.
- Maintain all the entry monuments and CDD signage, including outside contracting for repairs and pressure-washing as needed.
- Inspect & maintain all sunshade structures & sails, including outside contracting for repairs & pressure washing as needed.
- Perform lighting inspections for all district-owned interior and exterior lighting.
- Monitor all gates and doors for proper operating conditions.
- Monitor the pool decks, and outdoor pool furniture, obtain proposals for services and repair as needed.
- Maintain an aesthetically pleasing CDD community as possible within budget & approvals.

Janitorial

- Clean and sanitize all restroom sinks and mirrors
- Clean and sanitize all restroom toilets
- Sweep and mop all restrooms as needed
- Restock all paper products, including toilet paper and paper towels
- Restock all soap dispensers
- Empty and replace liners in all garbage cans
- Police pool deck for trash
- Wipe down all tables and pool furniture
- Clean and sanitize any water fountains
- Janitorial supplies will be purchased as needed

Pool Maintenance

- Check water quality and fill out log sheet as required by FL Code Chapter 64E
- Manually skim, brush, vacuum and clean tile as necessary
- Conduct tests for free available chlorine, combined chlorine, pH, acid demand, base demand, total alkalinity, calcium hardness, cyanuric acid and temperature as needed to maintain water quality levels within requirements of Chapter 64 E99.004(d) maintain saturation index within +0.3 to -0.3 for proper water balance
- Operate filtration and recirculation system, cleaning when necessary
- Maintain pool at proper water level
- Check all valves for leaks, all bolts for snug fit, respond to variations in the sounds of electric motors, check GFCI for proper operation, clean strainers, maintain proper flow rates, and keep equipment in clean condition
- All pool chemicals to perform the standard maintenance shall be included in the monthly billing for chemicals



Governmental Management Services

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- Any chemicals required for special treatment of stains, metals sequestering, foam removal, phosphate and nitrate removal, mustard and black algae treatment and super chlorination shall be used as needed and billed separately.

Orlando
219 E. Livingston St.
Orlando, FL 32801

St. Augustine
475 West Town Place
Suite 114
St. Augustine, FL 32092

Palm Coast
393 Palm Coast Pkwy SW, #4
Palm Coast, FL 32137

Ft. Lauderdale
5385 N. Nob Hill Rd.
Sunrise, FL 33351

Tampa
18842 N. Dale Mabry Hwy
Lutz, FL 33548

Knoxville
1001 Bradford Way
Kingston, TN 37763

EIGHTH ORDER OF BUSINESS

RESOLUTION 2026-04
[FY 2027 BUDGET APPROVAL RESOLUTION]

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE DARBY COMMUNITY DEVELOPMENT DISTRICT APPROVING PROPOSED BUDGET(S) FOR FY 2027; SETTING A PUBLIC HEARING THEREON AND DIRECTING PUBLICATION; ADDRESSING TRANSMITTAL AND POSTING REQUIREMENTS; ADDRESSING SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, for the fiscal year beginning October 1, 2026, and ending September 30, 2027 (“**FY 2027**”), the District Manager prepared and submitted to the Board of Supervisors (“**Board**”) of the Darby Community Development District (“**District**”) prior to June 15, 2026, the proposed budget(s) attached hereto as **Exhibit A (“Proposed Budget”)**; and

WHEREAS, the Board now desires to set the required public hearing on the Proposed Budget.

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

1. PROPOSED BUDGET APPROVED. The Proposed Budget attached hereto as **Exhibit A** is hereby approved preliminarily.

2. SETTING A PUBLIC HEARING; DIRECTING PUBLICATION. A public hearing on said approved Proposed Budget is hereby declared and set for the following date, time, and location, and District staff is directed to provide notice of the same in accordance with Florida law:

DATE: July 14, 2026
TIME: 10:30 a.m.
LOCATION: 1000 Riverside Ave., Suite 600
Jacksonville, FL 32204

3. TRANSMITTAL TO LOCAL GENERAL PURPOSE GOVERNMENT; POSTING OF PROPOSED BUDGET. The District Manager is hereby directed to (i) submit a copy of the Proposed Budget to the applicable local general-purpose government(s) at least 60 days prior to its adoption, and (ii) post the approved Proposed Budget on the District’s website in accordance with Chapter 189, Florida Statutes.

4. SEVERABILITY; EFFECTIVE DATE. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 12th DAY OF MAY, 2026.

ATTEST:

DARBY COMMUNITY DEVELOPMENT DISTRICT

Secretary / Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Proposed Budget

Exhibit A
FY 2027 Proposed Budget

Darby
Community Development District

Proposed Budget
FY 2027

May 12, 2026



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Darby
Community Development District
Proposed Budget
General Fund

Description	Adopted Budget FY2026	Actuals Thru 3/31/26	Projected Next 6 Months	Projected Thru 9/30/26	Proposed Budget FY 2027
REVENUES:					
Special Assessments-Tax Roll	\$94,867	\$93,996	\$871	\$94,867	\$262,648
Special Assessments-Direct	158,635	37,007	\$121,628	158,635	199,741
Interest Earned	-	1,977	1,200	3,177	3,000
Carry Forward Surplus	87,636	-	-	-	-
TOTAL REVENUES	\$341,137	\$132,979	\$123,699	\$256,678	\$465,389

EXPENDITURES:

Administrative:

Supervisor Fees	\$12,000	\$-	\$-	\$-	\$12,000
FICA Taxes	918	-	-	-	918
Engineer	12,000	705	11,295	12,000	12,000
Attorney	25,000	2,842	5,158	8,000	25,000
Annual Audit	3,400	-	3,400	3,400	3,600
Assessment Administration	7,500	-	-	-	7,950
Arbitrage Rebate	600	-	450	450	450
Trustee Fees	5,200	2,328	3,531	5,859	5,900
District Management Fees	50,085	25,043	25,043	50,085	53,090
Dissemination Agent	7,875	3,938	3,750	7,688	8,348
Information Technology	2,003	1,002	1,002	2,003	2,124
Website Maintenance	1,336	668	668	1,336	1,416
Telephone	500	21	79	100	300
Postage & Delivery	1,500	66	1,434	1,500	1,500
Insurance General Liability and Public Officials Insurance	5,500	5,512	-	5,512	6,063
Printing & Binding	1,200	48	1,152	1,200	1,200
Legal Advertising	5,000	698	952	1,650	3,000
Other Current Charges	1,200	710	490	1,200	1,200
Office Supplies	1,197	0	600	600	1,197
Dues, Licenses & Subscriptions	175	175	-	175	175
TOTAL ADMINISTRATIVE	\$144,189	\$43,755	\$59,003	\$102,758	\$147,430

Operations & Maintenance

Landscape Maintenance	\$39,468	\$18,810	\$18,900	\$37,710	\$40,652
Landscape Contingency	10,000	2,919	7,081	10,000	10,000
Lake Maintenance	7,000	-	-	-	7,000
Field Operations Management	12,000	5,000	6,000	11,000	12,840
Repairs & Maintenance	13,000	-	-	-	13,000
Irrigation Repairs	4,000	391	3,609	4,000	4,000
Electric	35,000	327	2,400	2,727	20,000
Water, Sewer, & Irrigation	15,000	5,338	9,662	15,000	30,000
Total Operations & Maintenance	\$135,468	\$32,785	\$47,652	\$80,437	\$137,492

Darby
Community Development District
Proposed Budget
General Fund

Description	Adopted Budget FY2026	Actuals Thru 3/31/26	Projected Next 6 Months	Projected Thru 9/30/26	Proposed Budget FY 2027
<u>Amenity Maintenance</u>					
Insurance	\$25,000	\$-	-	\$-	\$25,000
Facility Management	10,000	4,167	5,000	9,167	10,700
Pool Maintenance	6,000	2,167	3,000	5,167	9,900
Pool Chemicals	5,000	1,806	2,500	4,306	5,350
Pool Permits	530	-	530	530	530
Cable	2,200	-	1,100	1,100	2,200
Janitorial	6,000	1,806	2,500	4,306	5,350
Janitorial Supplies	-	-	-	-	1,000
Facility Maintenance	5,000	878	1,500	2,378	5,000
Pest Control	1,000	-	-	-	1,000
Refuse	750	104	-	104	750
Electric	-	-	-	-	-
Water, Sewer, & Irrigation	-	-	-	-	-
Security	-	-	336	336	576
Contingency	-	-	46,090	46,090	-
Total Amenity Maintenance	\$61,480	\$10,927	\$62,556	\$73,483	\$67,356
<u>Reserve</u>					
Capital Reserve	\$ -	\$-	\$-	\$-	\$-
Total Reserve	\$-	\$-	\$-	\$-	\$-
TOTAL EXPENDITURES	\$341,137	\$87,466	\$169,211	\$256,678	\$352,278
<u>Other Sources/(Uses)</u>					
Interfund Transfer In/(Out)	-	-	-	-	-
TOTAL OTHER SOURCES/(USES)	\$-	\$-	\$-	\$-	\$-
EXCESS REVENUES (EXPENDITURES)	\$0	\$45,512	-\$45,512	\$0	\$113,111

Darby

Community Development District

Budget Narrative

REVENUES

Special Assessments-Tax Roll

The District will levy a Non-Ad Valorem assessment on all sold and platted parcels within the District in order to pay for the operating expenditures during the Fiscal Year or direct bill developers to cover operating expenses.

Interest

The District earns interest on the monthly average collected balance for each of their investment accounts.

Expenditures - Administrative

Supervisors Fees

Chapter 190 of the Florida Statutes allows for members of the Board of Supervisors to be compensated \$200 per meeting in which they attend. The budgeted amount for the fiscal year is based on all supervisors attending 12 meetings.

FICA Taxes

Payroll taxes on Board of Supervisor's compensation. The budgeted amount for the fiscal year is calculated at 7.65% of the total Board of Supervisor's payroll expenditures.

District Engineering Fees

The District's engineer will provide general engineering services to the District, i.e. attendance and preparation for monthly board meetings, review of invoices, and other specifically requested assignments.

Attorney

The District's Attorney, will be providing general legal services to the District, i.e., attendance and preparation for monthly Board meetings, review of contracts, review of agreements and resolutions, and other research assigned as directed by the Board of Supervisors and the District Manager.

Annual Audit

The District is required to conduct an annual audit of its financial records by an Independent Certified Public Accounting Firm. The budgeted amount for the fiscal year is based on contracted fees from the previous year engagement plus anticipated increase.

Assessment Roll Administration

GMS, LLC provides assessment services for closing lot sales, assessment roll services with the local Tax Collector and financial advisory services.

Arbitrage Rebate

The District is required to annually have an arbitrage rebate calculation on the District's Series 2024 Special Assessment Revenue Bonds. The District will contract with an Independent Certified Accounting Firm to calculate the rebate liability and submit a report to the District.

Trustee Fees

The District bonds will be held and administered by a Trustee. This represents the trustee annual fee.

District Management Fees

The District receives Management, Accounting and Administrative services as part of a Management Agreement with Governmental Management Services, LLC. The budgeted amount for the fiscal year is based on the contracted fees outlined in Exhibit "A" of the Management Agreement.

Dissemination Agent

The District is required by the Security and Exchange Commission to comply with Rule 15(c)(2)-12(b)(5), which relates to additional reporting requirements for un-rated bond issues.

Information Technology

The District processes all of its financial activities, i.e. accounts payable, financial statements, etc. on a main frame computer leased by Governmental Management Services, LLC.

Darby

Community Development District

Budget Narrative

Expenditures - Administrative (continued)

Website Maintenance

Per Chapter 2014-22, Laws of Florida, all Districts must have a website to provide detailed information on the CDD as well as links to useful websites regarding Compliance issues. This website will be maintained by GMS, LLC and updated monthly.

Telephone

Phone, internet, and Wi-Fi service for Office.

Postage and Delivery

Actual postage and/or freight used for District mailings including agenda packages, vendor checks and other correspondence.

Insurance General Liability and Public Officials

The District's General Liability & Public Officials Liability Insurance policy is with a qualified entity that specializes in providing insurance coverage to governmental agencies. The amount is based on estimated premium.

Printing and Binding

Copies used in the preparation of agenda packages, required mailings, and other special projects.

Legal Advertising

The District is required to advertise various notices for monthly Board meetings and other public hearings in a newspaper of general circulation.

Current Other Charges

This includes monthly bank charges, amortization schedule fees, and any other miscellaneous expenses that incur during the year.

Office Supplies

Supplies used in the preparation and binding of agenda packages, required mailings, and other special projects.

Due, Licenses & Subscriptions

The District is required to pay an annual fee to the Florida Department of Commerce for \$175.

Expenditures - Operations

Landscape Maintenance

The District has contracted with Core Outdoors to maintain the common areas of the District.

Vendor	Monthly	Annual
Core Outdoors	\$ 3,388	\$ 40,652

Landscape Contingency

Other landscape costs not under contract, which includes landscape light repairs, tree removals, tree trimmings, additional mulching and new

Lake Maintenance

The District has contracted with vendor maintain the water quality in all the lakes in the Community.

Field Operations Manager

The District has contracted with Governmental Management Services to provide Field Operations services, to include supervision of operating and maintaining District's common areas and management of O&M related vendor contracts.

Repair & Maintenance

Cost of labor (when outsourced) and supplies for routine repairs and maintenance of the District's common areas.

Irrigation Repairs

Cost of miscellaneous repairs and maintenance to irrigation system.

Electric

The estimated cost for common area electric meters throughout the District with JEA.

Meter	Location	Monthly	Annual
26180703	10932 Darbywood TL	\$500.00	\$6,000.00
	Contingency	\$1,166.67	\$14,000.00
		\$1,666.67	\$20,000.00

Darby

Community Development District

Budget Narrative

Water/Sewer/Irrigation

The District has various utility accounts with JEA for water, sewer, and irrigation used by the district.

Meter	Location	Monthly	Annual
100144214	10934 Darbywood Tl-Water	\$100.00	\$1,200.00
100144214	10934 Darbywood Tl-Sewer	\$300.00	\$3,600.00
514074237	10807 Darbywood Tl Apt IR01	\$90.00	\$1,080.00
99295197	10936 Darbywood Tl APT IR01	\$300.00	\$3,600.00
514089472	10989 Darbywood Tl Apt IR01	\$450.00	\$5,400.00
	Contingency	\$1,260.00	\$15,120.00
		\$2,500.00	\$30,000.00

Expenditures – Amenity

Insurance

The District's Property Insurance policy is with the EGIS, who specializes in providing insurance coverage to governmental agencies. The amount budgeted represents the estimated premium for property insurance related to two Amenity Centers and other district property facilities and capital assets.

Facility Management

Cost to provide management services for the Amenity Center.

Pool Maintenance

The estimated amount based on proposed contract with Governmental Management Services to provide maintenance of the Amenity Center swimming pool.

Pool Chemicals

The estimated amount based on proposed contract with Riverside Management Services and Poolsure to provide chemicals to maintain the Amenity Center swimming pool.

Pool Permits

Represents Permit Fees paid to the Department of Health for the swimming pool and spray ground area.

Cable

The District has various accounts to provide internet services for amenity center and gym.

Janitorial

The District will contract with Governmental Management Services to provide janitorial services for Amenity Center and will also include area maintenance services.

Vendor	Monthly	Annual
Governmental Mgmt Srvc	\$ 446	\$ 5,350

Janitorial Supplies

Purchase of janitorial supplies for cleaning as needed.

Facility Maintenance

Cost of labor (when outsourced) and supplies for routine repairs and maintenance of the District's common areas and Amenity Centers, to include painting, pressure washing, carpet cleaning and replacement of lighting in and around the facilities.

Pest Control

The District is contracted with Freedom Pest Control for pest control services

Refuse

The estimated cost of garbage disposal service will be provided by local company for the District.

Electric

The estimated cost for Amenity Center electric meters with JEA.

Water/Sewer/Irrigation

The estimated cost for water, sewer, and irrigation used by the amenity center provided by JEA.

Security

The monthly cost for Access Control - PDK Licensing by Integrated Access Solutions.

Darby
Community Development District
Proposed Budget

Debt Service Series 2024A-1 Special Assessment Revenue Bonds

Description	Approved Budget FY2026	Actuals Thru 3/31/26	Projected Next 6 Months	Projected Thru 9/30/26	Proposed Budget FY 2027
REVENUES:					
Special Assessments-Tax Roll	\$142,980	\$140,866	\$2,114	\$142,980	\$258,066
Special Assessments-Direct	115,085	42,725	72,360	115,085	-
Interest Earnings	10,000	8,478	6,000	14,478	10,000
Carry Forward Surplus ⁽¹⁾	173,966	172,770	-	172,770	204,562
TOTAL REVENUES	\$442,031	\$364,840	\$80,474	\$445,314	\$472,629

EXPENDITURES:					
Interest 11/1	\$102,581	\$102,581	\$-	\$102,581	\$101,381
Interest 5/1	102,581	-	102,581	102,581	101,381
Principal 5/1	50,000	-	50,000	50,000	55,000
TOTAL EXPENDITURES	\$255,163	\$102,581	\$152,581	\$255,163	\$257,763

Other Sources/(Uses)					
Transfer In	\$-	\$15,720	\$-	\$15,720	\$-
Transfer (Out)	\$-	\$(1,309)	\$-	\$(1,309)	\$-
TOTAL OTHER SOURCES/(USES)	\$-	\$14,411	\$-	\$14,411	\$-

EXCESS REVENUES (EXPENDITURES)	\$186,869	\$276,669	\$(72,107)	\$204,562	\$214,866
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⁽¹⁾ Carry Forward is Net of Reserve Requirement Interest Due 11/1/27 \$100,061

Gross Assessments	\$ 278,991
Less: Discounts & Collections 7.5%	<u>20,924</u>
Net Assessments	<u>\$ 258,066</u>

Product	Assessable Units	Total Gross Assessment	FY26 Gross Per Unit	FY27 Gross Per Unit	Increase/ (Decrease)
On Roll					
SF - 40'	214	\$ 170,949.62	\$ 798.83	\$ 798.83	
SF - 50'	65	\$ 64,904.45	\$ 998.53	\$ 998.53	\$ -
SF - 80'	27	\$ 43,136.55	\$ 1,597.65	\$ 1,597.65	\$ -
Total	306	\$ 278,991			

Darby
Community Development District
AMORTIZATION SCHEDULE
Debt Service Series 2024A-1 Special Assessment Revenue Bonds

Period	Outstanding Balance	Coupons	Principal	Interest	Annual Debt Service
11/01/26	3,520,000	4.800%	-	101,381	101,381
05/01/27	3,520,000	4.800%	55,000	101,381	
11/01/27	3,465,000	4.800%	-	100,061	256,443
05/01/28	3,465,000	4.800%	55,000	100,061	
11/01/28	3,410,000	4.800%	-	98,741	253,803
05/01/29	3,410,000	4.800%	60,000	98,741	
11/01/29	3,350,000	4.800%	-	97,301	256,043
05/01/30	3,350,000	4.800%	65,000	97,301	
11/01/30	3,285,000	4.800%	-	95,741	258,043
05/01/31	3,285,000	4.800%	65,000	95,741	
11/01/31	3,220,000	5.625%	-	94,181	254,923
05/01/32	3,220,000	5.625%	70,000	94,181	
11/01/32	3,150,000	5.625%	-	92,213	256,394
05/01/33	3,150,000	5.625%	75,000	92,213	
11/01/33	3,075,000	5.625%	-	90,103	257,316
05/01/34	3,075,000	5.625%	80,000	90,103	
11/01/34	2,995,000	5.625%	-	87,853	257,956
05/01/35	2,995,000	5.625%	80,000	87,853	
11/01/35	2,915,000	5.625%	-	85,603	253,456
05/01/36	2,915,000	5.625%	85,000	85,603	
11/01/36	2,830,000	5.625%	-	83,213	253,816
05/01/37	2,830,000	5.625%	90,000	83,213	
11/01/37	2,740,000	5.625%	-	80,681	253,894
05/01/38	2,740,000	5.625%	95,000	80,681	
11/01/38	2,645,000	5.625%	-	78,009	253,691
05/01/39	2,645,000	5.625%	105,000	78,009	
11/01/39	2,540,000	5.625%	-	75,056	258,066
05/01/40	2,540,000	5.625%	110,000	75,056	
11/01/40	2,430,000	5.625%	-	71,963	257,019
05/01/41	2,430,000	5.625%	115,000	71,963	
11/01/41	2,315,000	5.625%	-	68,728	255,691
05/01/42	2,315,000	5.625%	120,000	68,728	
11/01/42	2,195,000	5.625%	-	65,353	254,081
05/01/43	2,195,000	5.625%	130,000	65,353	
11/01/43	2,065,000	5.625%	-	61,697	257,050
05/01/44	2,065,000	5.625%	135,000	61,697	
11/01/44	1,930,000	6.000%	-	57,900	254,597
05/01/45	1,930,000	6.000%	145,000	57,900	
11/01/45	1,785,000	6.000%	-	53,550	256,450
05/01/46	1,785,000	6.000%	155,000	53,550	
11/01/46	1,630,000	6.000%	-	48,900	257,450
05/01/47	1,630,000	6.000%	165,000	48,900	
11/01/47	1,465,000	6.000%	-	43,950	257,850
05/01/48	1,465,000	6.000%	175,000	43,950	
11/01/48	1,290,000	6.000%	-	38,700	257,650
05/01/49	1,290,000	6.000%	185,000	38,700	
11/01/49	1,105,000	6.000%	-	33,150	256,850
05/01/50	1,105,000	6.000%	195,000	33,150	
11/01/50	910,000	6.000%	-	27,300	255,450
05/01/51	910,000	6.000%	205,000	27,300	
11/01/51	705,000	6.000%	-	21,150	253,450
05/01/52	705,000	6.000%	220,000	21,150	
11/01/52	485,000	6.000%	-	14,550	255,700
05/01/53	485,000	6.000%	235,000	14,550	
11/01/53	250,000	6.000%	-	7,500	257,050
05/01/54	250,000	6.000%	250,000	7,500	257,500
Total			\$3,520,000	\$3,749,059	\$7,269,059

Darby
Community Development District
Proposed Budget

Debt Service Series 2024A-2 Special Assessment Revenue Bonds

Description	Approved Budget FY2026	Actuals Thru 3/31/26	Projected Next 6 Months	Projected Thru 9/30/26	Proposed Budget FY 2027
REVENUES:					
Special Assessments - Direct	\$380,994	\$-	\$432,106	\$432,106	\$380,994
Interest Earnings	30,000	16,104	8,280	24,384	20,000
Prepayments	-	1,438,663	-	1,438,663	-
Carry Forward Surplus ⁽¹⁾	1,777,924	1,392,305	-	1,392,305	335,935
TOTAL REVENUES	\$2,188,918	\$2,847,071	\$440,386	\$3,287,457	\$736,929
EXPENDITURES:					
Interest 11/1	\$232,063	\$148,931	\$-	\$148,931	\$91,944
Special Call - 11/1	\$1,315,000	1,175,000	-	1,175,000	460,000
Interest 2/1	\$-	11,236	-	11,236	-
Special Call - 2/1	-	765,000	-	765,000	-
Interest 5/1	190,497	-	91,944	91,944	91,944
Special Call 5/1	-	-	745,000	745,000	-
TOTAL EXPENDITURES	\$1,737,559	\$2,100,167	\$836,944	\$2,937,111	\$643,888
Other Sources/(Uses)					
Transfer In	\$-	\$1,309	\$-	\$1,309	\$-
Transfer (Out)		(15,720)	-	(15,720)	-
TOTAL OTHER SOURCES/(USES)	\$-	\$(14,411)	\$-	\$(14,411)	\$-
EXCESS REVENUES (EXPENDITURES)	\$451,359	\$732,493	\$(396,558)	\$335,935	\$93,042

⁽¹⁾ Carry Forward is Net of Reserve Requirement

Interest Due 11/1/27 \$91,944

Darby
Community Development District
AMORTIZATION SCHEDULE
Debt Service Series 2024A-2 Special Assessment Revenue Bonds

Period	Outstanding Balance	Coupons	Principal	Interest	Annual Debt Service
05/01/24	\$9,765,000	5.875%	\$-	\$130,675	\$-
11/01/24	9,765,000	5.875%	1,540,000	286,847	1,957,522
05/01/25	8,225,000	5.875%	3,155,000	241,609	
11/01/25	5,070,000	5.875%	1,940,000	148,931	148,931
05/01/26	3,130,000	5.875%	-	91,944	
11/01/26	3,130,000	5.875%	-	91,944	183,888
05/01/27	3,130,000	5.875%	-	91,944	
11/01/27	3,130,000	5.875%	-	91,944	183,888
05/01/28	3,130,000	5.875%	-	91,944	
11/01/28	3,130,000	5.875%	-	91,944	183,888
05/01/29	3,130,000	5.875%	-	91,944	
11/01/29	3,130,000	5.875%	-	91,944	183,888
05/01/30	3,130,000	5.875%	-	91,944	
11/01/30	3,130,000	5.875%	-	91,944	183,888
05/01/31	3,130,000	5.875%	-	91,944	
11/01/31	3,130,000	5.875%	-	91,944	183,888
05/01/32	3,130,000	5.875%	-	91,944	
11/01/32	3,130,000	5.875%	-	91,944	183,888
05/01/33	3,130,000	5.875%	-	91,944	
11/01/33	3,130,000	5.875%	-	91,944	183,888
05/01/34	3,130,000	5.875%	-	91,944	
11/01/34	3,130,000	5.875%	-	91,944	183,888
05/01/35	3,130,000	5.875%	3,130,000	91,944	3,221,944
Total			\$3,130,000	\$1,895,863	\$5,025,863

NINTH ORDER OF BUSINESS

RESOLUTION 2026-05

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

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

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

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

SECTION 1. A Public Hearing will be held to adopt Rules of Procedure on July 14, 2026, at 10:30 a.m., at 1000 Riverside Ave., Suite 600, Jacksonville, FL 32204.

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

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

PASSED AND ADOPTED this 12th day of May, 2026.

ATTEST:

**DARBY COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

**RULES OF PROCEDURE
DARBY COMMUNITY DEVELOPMENT DISTRICT
RULE NO. _____**

EFFECTIVE AS OF _____, 2026

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Rule 1.0 General.

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

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

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

Rule 1.1 Board of Supervisors; Officers and Voting.

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

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

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

- (g) The Chairperson, Vice-Chairperson, and any other person authorized by District Resolution may sign checks and warrants for the District, countersigned by the Treasurer or other persons authorized by the Board.
- (3) Committees. The Board may establish committees of the Board, either on a permanent or temporary basis, to perform specifically designated functions. Committees may include individuals who are not members of the Board. Such functions may include, but are not limited to, review of bids, proposals, and qualifications, contract negotiations, personnel matters, and budget preparation.
- (4) Record Book. The Board shall keep a permanent record book entitled “**Record of Proceedings**,” in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, and corporate acts. The Records of Proceedings shall be located at a District office and shall be available for inspection by the public.
- (5) Meetings. For each fiscal year, the Board shall establish a schedule of regular meetings, which shall be published in a newspaper of general circulation within the county or counties in which the District is located and filed with the local general-purpose governments within whose boundaries the District is located. All meetings of the Board and committees serving an advisory function shall be open to the public in accord with the provisions of Chapter 286 of the Florida Statutes.
- (6) Votes Required. No Board member who is present at any meeting of the District Board at which an official decision, ruling, or other official act is to be taken or adopted may abstain from voting in regard to any such decision, ruling, or act; and a vote shall be recorded or counted for each such Board member present, except when, with respect to any such member, there is, or appears to be, a possible conflict of interest under the provisions of s. 112.311, s. 112.313, or s. 112.3143 of the Florida Statutes.
- (7) Voting Conflict of Interest. The Board shall comply with Section 112.3143 of the Florida Statutes, so as to ensure the proper disclosure of conflicts of interest on matters coming before the Board for a vote. For the purposes of this section, “**voting conflict of interest**” shall be governed by the Florida Constitution and Chapters 112 and 190 of the Florida Statutes, as amended from time to time. Generally, a voting conflict exists when a Board member is called upon to vote on an item which would inure to the Board member’s special private gain or loss or the Board member knows would inure to the special private gain or loss of a principal by whom the Board member is retained, the parent organization or subsidiary of a corporate principal, a business associate, or a relative including only a father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law.
 - (a) When a Board member knows the member has a conflict of interest on a matter coming before the Board, the member should notify the Board’s

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

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

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

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

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

Law Implemented: §§ 112.3143, 190.006, 190.007, 286.012, Fla. Stat.

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

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

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

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

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

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

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

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

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

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

Rule 1.3 Public Meetings, Hearings, and Workshops.

- (1) Notice. Except in emergencies, or as otherwise authorized or required by statute or these Rules, at least seven (7) days', but not more than thirty (30) days' public notice shall be given of any public meeting, hearing or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation within the county or counties in which the District is located. A newspaper is deemed to be a newspaper of "**general circulation**" in the county in which the District is located if such newspaper has been in existence for two (2) years at the time of publication of the applicable notice (unless no newspaper within the county has been published for such length) and satisfies the criteria of section 50.011(1) of the Florida Statutes, or if such newspaper is a direct successor of a newspaper which has been so published, as such provisions may be amended from time to time by law. The annual meeting notice required to be published by Section 189.015 of the Florida Statutes, shall be published as provide in Chapter 50 of the Florida Statutes, and such notice published consistent therewith shall satisfy the requirement to give at least seven (7) days' public notice as required herein. Each Notice shall state, as applicable:
- (a) The date, time and place of the meeting, hearing or workshop;
 - (b) A brief description of the nature, subjects, and purposes of the meeting, hearing, or workshop;
 - (c) The District office address for the submission of requests for copies of the agenda, as well as a contact name and telephone number for verbal requests for copies of the agenda; and
 - (d) The following or substantially similar language: "Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (904) 940-5850. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770 or 1 (800) 955-8771, who can aid you in contacting the District Office."
 - (e) The following or substantially similar language: "A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based."

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

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

- (2) Mistake. In the event that a meeting is held under the incorrect assumption that notice required by law and these Rules has been given, the Board at its next properly noticed meeting shall cure such defect by considering the agenda items from the prior meeting individually and anew.
- (3) Agenda. The District Manager, under the guidance of District Counsel and the Chairperson or Vice-Chairperson, shall prepare an agenda of the meeting/hearing/workshop. The agenda and any meeting materials available in an electronic format, excluding any i) confidential and ii) confidential and exempt information, shall be available to the public at least seven (7) days before the meeting/hearing/workshop, except in an emergency. Meeting materials shall be defined as, and limited to, the agenda, meeting minutes, resolutions, and agreements of the District that District staff deems necessary for Board approval. Inclusion of additional materials for Board consideration other than those defined herein as “meeting materials” shall not convert such materials into “meeting materials.” For good cause, the agenda may be changed after it is first made available for distribution, and additional materials may be added or provided under separate cover at the meeting. The requirement of good cause shall be liberally construed to allow the District to efficiently conduct business and to avoid the expenses associated with special meetings.

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

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

Adjournment

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

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

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

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

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

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

Rule 1.4 Internal Controls to Prevent Fraud, Waste and Abuse

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

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

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

Rule 2.0 Rulemaking Proceedings.

- (1) Commencement of Proceedings. Proceedings held for adoption, amendment, or repeal of a District rule shall be conducted according to these Rules, in accordance with the requirements of Section 190.011(5) of the Florida Statutes, and Chapter 120 of the Florida Statutes, including but not limited to Section 120.81(2)(b) of the Florida Statutes. Rulemaking proceedings shall be deemed to have been initiated upon publication of a Notice of Rule Development by the District as required by Section 2 of this Rule. A “**rule**” is a District statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedure or practice requirements of the District. Nothing herein shall be construed as requiring the District to consider or adopt rules unless required by Chapter 190 of the Florida Statutes. Policies adopted by the District which do not consist of rates, fees, rentals or other monetary charges may be, but are not required to be, implemented through rulemaking proceedings.

- (2) Requirements of a Rule. All District rules as drafted shall:
 - (a) Contain only one subject;
 - (b) Include readable language, meaning it avoids i) the use of obscure words and unnecessarily long or complicated constructions, and ii) the use of unnecessary technical or specialized language that is understood only by members of particular trades or professions;
 - (c) Be indefinite such that the rule does not include a provision whereby the rule, or a portion thereof, automatically expires or is repealed on a specific date or at the end of a specified period, unless otherwise expressly authorized by law; and
 - (d) Only incorporate material by reference in compliance with Section 120.54(1)(i) of the Florida Statutes.

- (3) Statement of Estimated Regulatory Costs. Before adopting, amending, or repealing any rule, other than an emergency rule, the District may prepare a statement of estimated regulatory costs (“**SERC**”) based on the factors set forth in Section 120.541(2) of the Florida Statutes. The District shall prepare a SERC for a proposed rule if in accordance with the requirements of Section 120.541(2) of the Florida Statutes if: i) the proposed rule will have an adverse economic impact on small business; or ii) the proposed rule is likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in the state within one (1) year after implementation of the rule.

- (4) Notice of Rule Development.

- (a) Except when the intended action is the repeal of a rule, the District shall provide notice of the development of a proposed rule (“**Notice of Rule Development**”) setting forth the following:
 - (i) the subject area to be addressed by rule development;
 - (ii) A short, plain explanation of the purpose and effect of the proposed rule;
 - (iii) The grant of rulemaking authority for the proposed rule;
 - (iv) The law being implemented;
 - (v) The proposed rule number; and
 - (vi) If available, either the preliminary text of the proposed rule and any incorporated documents, or a statement of how a person may promptly obtain, without cost, a copy of any preliminary draft of such rule or documents.
- (b) The Notice of Rule Development shall be published in a newspaper of general circulation within the county or counties in which the District is located at least seven (7) days prior to the Notice of Rulemaking required by Section 5 of this Rule, and at least thirty-five (35) days prior to the intended action.

(5) Notice of Rulemaking.

- (a) Prior to the adoption, amendment, or repeal of any rule other than an emergency rule, the District shall provide notice of its intended action (the “**Notice of Rulemaking**”) setting forth the following:
 - (i) A short, plain explanation of the purpose and effect of the proposed rule;
 - (ii) The proposed rule number;
 - (iii) A summary of the proposed rule or amendment;
 - (v) The grant of rulemaking authority for the proposed rule;
 - (vi) The law being implemented or interpreted;
 - (vii) The name, e-mail address, and telephone number of the agency employee who may be contacted regarding the intended action;

- (viii) A concise summary of the District's statement of the estimated regulatory costs, if one has been prepared, based on the factors set forth in Section 120.541(2) of the Florida Statutes, that describes the regulatory impact of the rule in readable language;
 - (ix) The District's website where the statement of estimated regulatory costs can be viewed, in its entirety, if one has been prepared;
 - (x) 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;
 - (xi) A statement as to whether, based on the SERC or other information expressly relied upon and described by the District if no statement of regulatory costs is required, the proposed rule is expected to require legislative ratification pursuant to Section 120.541(3) of the Florida Statutes;
 - (x) The date, time, and location of the public hearing on the proposed rule;
 - (xi) The name, address, and telephone number of the District contact person who can provide information about the public hearing; and
 - (xii) A reference to both the date on which and the place where the Notice of Rule Development required by Section 4 of this Rule appeared, except when the intended action is the repeal of a rule.
- (b) The Notice of Rulemaking shall be published in a newspaper of general circulation within the county or counties in which the District is located at least seven (7) days after the Notice of Rule Development required by Section 4 of this Rule, and at least twenty-eight (28) days prior to the intended action. If the Notice of Rulemaking is not published within one-hundred eighty (180) days of the publication of the Notice of Rule Development, then the District's Board shall approve a concise statement at least seven (7) days prior to the conclusion of the one-hundred eighty (180) day timeframe identifying the reason for the delay, which may be supplemented quarterly until the District has adopted the proposed rule.
- (c) The Notice of Rulemaking shall be mailed or delivered electronically to all persons named in the proposed rule and to all persons who, at least fourteen (14) days before publication of the notice, have made requests of the District for advance notice of its rulemaking proceedings. Any person may file a written request with the District Manager to receive notice of the District's rulemaking proceedings. Such persons must furnish a mailing address or e-

mail address, and may be required to pay the cost of copying and mailing as applicable.

- (d) As of the date of publication of the Notice of Rulemaking, the Board shall make available for public inspection and shall provide, upon request and payment of the cost of copies, the proposed rule, including all material proposed to be incorporated by reference.

(6) Modification of Rules.

(a) Technical Changes.

- (i) Prior to rule adoption, the District shall publish a notice of correction (“**Notice of Correction**”) if any of the information that is required to be included in the Notice of Rulemaking, including technical changes that correct citations or grammatical, typographical or similar errors that do not otherwise affect the substance of the rule, is omitted or is incorrect. A Notice of Correction cannot be used to make substantive changes to the rule text. The Notice of Correction shall be published in a newspaper of general circulation within the county or counties in which the District is located at least seven (7) days prior to the intended action.
- (ii) After rule adoption, a technical change to a rule may be approved at any time by the District. Promptly thereafter, a Notice of Correction shall be published by the District in the manner set forth in Section 6(a)(i) of this Rule.

(b) Substantive Changes.

- (i) Prior to rule adoption, the District shall publish a notice of change (“**Notice of Change**”) if there is any substantive change, other than a technical change that corrects citations or grammatical, typographical or similar errors that do not otherwise affect the substance of the rule, to a proposed rule, including any material incorporated by reference, or to a SERC. The Notice of Change must address a summary of the change and shall be published in a newspaper of general circulation within the county or counties in which the District is located at least twenty-one (21) days prior to the intended action. The Notice of Change shall also be sent to those persons set forth in Section 5(C) of this Rule that have made requests of the District for advance notice of its rulemaking proceedings. Any substantive change must be either be:

1. Supported by the record of the public hearing held on the proposed rule;

2. In response to written materials submitted to the District; or
3. In response to an objection with the proposed rule by the District Board.

(ii) After rule adoption, a substantive change to a rule shall be effectuated by initiating rulemaking as set forth in this Rule.

(7) Withdrawal of Proposed Rules.

- (a) Prior to the adoption of a rule, the District may elect to withdraw the proposed rule in whole or in part. After a rule has become effective, the District may only amend or repeal the rule through initiating the rulemaking procedures set forth in this Rule.
- (b) Prior to the adoption of a rule, the District shall withdraw the proposed rule if the District has either failed to adopt such rule within one-hundred eighty (180) days of the publication of the Notice of Rule Development required by Section 4 of this Rule or to approve a concise statement at least seven (7) days prior to the conclusion of the one-hundred eighty (180) day timeframe identifying the reason for the delay, which may be supplemented quarterly until the District has adopted the proposed rule.
- (c) In the event of a withdrawal of a proposed rule, the District shall publish a notice (“**Notice of Rule Withdrawal**”) in a newspaper of general circulation within the county or counties in which the District is located, and shall provide notice to those persons set forth in Section 5(c) of this Rule that have made requests of the District for advance notice of its rulemaking proceedings.
- (d) Within fifteen (15) days after the end of each calendar quarter, the District shall compile and post on its website a list of each failure to publish a Notice of Rulemaking within the timeframe prescribed by Section 5(b) of this Rule, which list shall include the information set forth in Section 120.54(3)(d)(7) of the Florida Statutes. The District is only required to provide such posting in any calendar quarter(s) in which there is an actual failure to timely publish a Notice of Rulemaking, if any.

(8) Rule Development Workshops.

- (a) Whenever requested in writing by any affected person, the District must conduct a rule development workshop prior to proposing rules for adoption for the purposes of rule development or information gathering for the preparation of the SERC, unless the Chairperson explains in writing why a workshop is unnecessary. The District may initiate a rule development workshop, but is not required to do so.

- (b) If a workshop is held, the District must ensure that the person(s) responsible for preparing the rule and the SERC, if applicable, are available to explain the District's proposed rule and to respond to questions or comments regarding the rule being developed.
 - (c) The notice of any workshop shall be published in a newspaper of general circulation within the county or counties in which the District is located at least fourteen (14) days prior to the workshop setting forth the following:
 - (i) The place, date, and time of the workshop;
 - (ii) The subject area that will be addressed; and
 - (iii) The District Manager's contact information.
- (9) Petitions to Initiate Rulemaking.
- (a) All Petitions to Initiate Rulemaking Proceedings must contain the name, address, and telephone number of the petitioner, the specific action requested, the specific reason for adoption, amendment, or repeal, the date submitted, the text of the proposed rule, and the facts showing that the petitioner is regulated by the District or has a substantial interest in the rulemaking. District staff shall forward a copy of the petition to the District's Board within seven (7) days of its receipt.
 - (b) If the petition is directed to an adopted rule, within thirty (30) days following the date of filing a petition, the District shall either i) initiate rulemaking proceedings, ii) otherwise comply with the requested action, or iii) deny the petition with a written statement of its reasons for the denial.
 - (c) If the petition is directed to an unadopted rule, within thirty (30) days following the date of filing a petition, the District shall either i) initiate rulemaking, or ii) set a public hearing to consider whether the public interest is served adequately by the application of the proposed rule on a case-by-case basis, as contrasted with its formal adoption as a rule.
 - (i) If the District elects to hold a public hearing, notice of the public hearing ("**Notice of Rulemaking Petition Public Hearing**") shall be published in a newspaper of general circulation within the county or counties in which the District is located. The public hearing shall be held by the District within thirty (30) days after publication of the Notice of Rulemaking Petition Public Hearing.
 - (ii) Not later than thirty (30) days following the date of the public hearing held pursuant to Section 9(c)(i) of this Rule, the District

shall either i) initiate rulemaking proceedings, ii) otherwise comply with the requested action, or iii) deny the petition with a written statement of its reasons for the denial.

1. If the District decides to initiate rulemaking it shall proceed with the rulemaking process as set forth in this Rule.
2. If the District decides to not initiate rulemaking or otherwise comply with the requested action, the District shall publish a statement of its reasons for not initiating rulemaking or otherwise complying with the requested action and of any changes it will make in the scope or application of the unadopted rule (the “**Notice of Denial of Rulemaking Petition**”). The Notice of Denial of Rulemaking Petition shall be published in a newspaper of general circulation within the county or counties in which the District is located.

(d) Nothing in this Rule shall be construed as requiring the District to adopt, amend, or repeal a rule as initiated by petition.

(10) Public Hearing.

(a) The District may, or, upon the written request of any affected person received within twenty-one (21) days after the date of publication of the Notice of Rulemaking, shall, provide a public hearing for the presentation of evidence, argument, and oral statements, within the reasonable conditions and limitations imposed by the District to avoid duplication, irrelevant comments, unnecessary delay, or disruption of the proceedings. When a public hearing is held, the District shall ensure that staff is available to explain the proposed rule and to respond to questions or comments regarding the proposed rule. Written statements may be submitted by any person prior to or at the public hearing. All timely submitted written statements shall be considered by the District and made part of the rulemaking record.

(b) The District shall publish notice of the public hearing (“**Notice of Public Hearing**”) in a newspaper of general circulation within the county or counties in which the District is located, either in the text of the Notice of Rulemaking or in a separate publication at least seven (7) days before the scheduled public hearing. The Notice of Public Hearing shall include the following information:

- (i) The date, time, and location of the public hearing; and
- (ii) The name, address, and telephone number of the District contact person who can provide information about the public hearing.

(11) Emergency Rule Adoption.

- (a) 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 or if the Legislature authorizes the District to adopt emergency rules. 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.
- (b) At the time or prior to the adoption of an emergency rule, the District shall post on its website a notice regarding its adoption of the emergency rule (the “**Notice of Emergency Rule**”) which includes the specific facts and reasons for finding an immediate danger to the public health, safety, or welfare and its reasons for concluding that procedure used is fair under the circumstances. The Notice of Emergency Rule shall thereafter be promptly published in a newspaper of general circulation within the county or counties in which the District is located, and shall include the following information:
 - (i) The full text of the rule(s); and
 - (ii) The District’s findings of immediate danger, necessity, and procedural fairness or a citation to the grant of emergency rulemaking authority.
- (c) An emergency rule shall be effective immediately upon adoption by the District, or on a date less than twenty (20) days thereafter if specified in the emergency rule if the District finds that a later effective date is necessary because of immediate danger to the public health, safety, or welfare. An emergency rule may not be effective for a period of more than ninety (90) days after adoption and may not be renewable, unless the District has initiated rulemaking to adopt rules addressing the subject of the emergency rule and either i) a challenge to the proposed rules has been filed and remains pending or ii) the proposed rules are awaiting ratification by the Legislature, if applicable. Nothing in this paragraph prohibits the District from adopting a rule identical to the emergency rule through the non-emergency rulemaking procedures set forth in this Rule.
 - (i) If an emergency rule is being renewed in accordance with Section 11(d) of this Rule, notice of the renewal of the emergency rule (the “**Notice of Renewal of Emergency Rule**”) shall be published before the expiration of the existing emergency rule. The Notice of Renewal of Emergency Rule shall be published in a newspaper of general circulation within the county or counties in which the

District is located and shall include the specific facts and reasons for such renewal.

- (ii) For emergency rules with an effective period of longer than ninety (90) days which are intended to replace an existing rule, the Rulemaking Record for the existing rule, as required by Section 13 of this Rule, shall specifically identify the emergency rule that is intended to supersede the existing rule as well as the date that the emergency rule was adopted by the District.
- (d) The District may supersede an emergency rule in effect through the adoption of another emergency rule before the superseded rule expires. The District shall post on its website and publish a Notice of Emergency Rule, in accordance with Section 11(b) of this Rule, identifying the reason for adopting the superseding rule. The superseding rule shall not be in effect longer than the duration of the effective period of the superseded rule.
- (e) The District may make technical changes to an emergency rule within the first seven (7) days after the rule is adopted, and such changes shall be published in a Notice of Correction as set forth in Section 6(a) of this Rule.
- (f) The District may repeal an emergency rule before it expires by publishing a notice (“**Notice of Repeal of Emergency Rule**”) in a newspaper of general circulation within the county or counties in which the District is located. The Notice of Repeal of Emergency Rule shall include the following information:
 - (i) The full text of the emergency rule and a summary thereof;
 - (ii) The rule number; and
 - (iii) A short and plain explanation as to why the conditions specified in the Notice of Emergency Rule no longer require the emergency rule.
- (12) Negotiated Rulemaking. The District may use negotiated rulemaking in developing and adopting rules pursuant to Section 120.54(2)(d) of the Florida Statutes, except that any notices required under Section 120.54(2)(d) of the Florida Statutes, may be published in a newspaper of general circulation within the county or counties in which the District is located.
- (13) Rulemaking Record. In all rulemaking proceedings, the District shall compile and maintain a rulemaking record (“**Rulemaking Record**”) which shall be on file with the District at least twenty-one (21) days prior to the proposed adoption date of the rule. The Rulemaking Record shall include, as applicable:
 - (a) A copy of the rule;

- (b) Any material incorporated by reference in the rule;
- (c) A detailed written statement of the facts and circumstances justifying the proposed rule;
- (d) Any SERC for the rule, if required by Section 120.54(3)(b)1. of the Florida Statutes or otherwise prepared, and any information created or used by the District in determining whether a SERC is required;
- (e) A statement of the extent to which the proposed rule relates to federal standards on rules on the same subject;
- (f) The Notice of Rule Development, Notice of Rulemaking, and notice(s) of any workshops held pursuant to Section 8 of this Rule; and
- (g) If an emergency rule is intended to supersede an existing rule, the emergency rule number and the date that the emergency rule was adopted by the District.

(14) Petitions to Challenge Rules.

- (a) Any person substantially affected by a proposed or existing rule may seek an administrative determination of the invalidity of the rule on the ground that the rule is an invalid exercise of the District's authority.
 - (i) A petition alleging the invalidity of a proposed rule shall be filed within twenty-one (21) days after the date of publication of Notice of Rulemaking, within ten (10) days after the final public hearing is held on the proposed rule; within twenty (20) days after the SERC or revised SERC has been prepared and made available as provided in Section 120.541(1)(d) of the Florida Statutes, if applicable; or within twenty (20) days after the date of publication of the Notice of Rule Withdrawal required by Section 7(c) of this Rule.
 - (ii) A petition alleging the invalidity of an existing rule may be filed at any time during which the rule is in effect.
- (b) The petition seeking an administrative determination must state with particularity the provisions alleged to be invalid with sufficient explanation of the facts or grounds for the alleged invalidity and facts sufficient to show that the person challenging a proposed or existing rule is substantially affected by it. A person who is not substantially affected by the proposed rule as initially noticed, but who is substantially affected by the rule as a result of a change, may challenge any provision of the resulting proposed rule.

- (c) The petition shall be filed with the District. Within ten (10) days after receiving the petition, or seven (7) days if the challenge relates to an emergency rule, the Chairperson shall, if the petition complies with the requirements of subsection (b) of this section, designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer who shall conduct a hearing within thirty (30) days thereafter, or fourteen (14) days if the challenge relates to an emergency rule, unless the petition is withdrawn or a continuance is granted by agreement of the parties. The failure of the District to follow the applicable rulemaking procedures or requirements in this Rule shall be presumed to be material; however, the District may rebut this presumption by showing that the substantial interests of the petitioner and the fairness of the proceedings have not been impaired.
- (d) At the hearing, the petitioner and the District shall be adverse parties. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (e) Hearings held under this section shall be de novo in nature. For proposed rules, the petitioner has the burden to prove by a preponderance of the evidence that it would be substantially affected by the proposed rule, and the District has the burden to prove by a preponderance of the evidence that the proposed rule is not an invalid exercise of delegated legislative authority as to the objections raised. For existing rules, the petitioner has a burden of proving by a preponderance of the evidence that the existing rule is an invalid exercise of District authority as to the objections raised. During the hearing, the hearing officer may:
 - (i) Administer oaths and affirmations;
 - (ii) Rule upon offers of proof and receive relevant evidence;
 - (iii) Regulate the course of the hearing, including any pre-hearing matters;
 - (iv) Enter orders; and
 - (v) Make or receive offers of settlement, stipulation, and adjustment.
- (f) Within thirty (30) days after the hearing, or fourteen (14) days of the challenge relate to an emergency rule, the hearing officer shall render a decision and state the reasons therefor in writing. The hearing officer's order shall be considered final agency action. The hearing officer may declare all or part of a proposed or existing rule invalid. For a proposed rule, the proposed rule or provision thereof declared invalid shall not be adopted unless the decision of the hearing officer is reversed on appeal. In

the event part of a proposed rule is declared invalid, the District may, in its sole discretion, withdraw the proposed rule in its entirety. For an existing rule, the rule or part thereof declared invalid shall become void when the time for filing an appeal expires. In the event that a proposed or existing rule has been declared invalid in whole or part, the District shall promptly publish notice of such occurrence published in a newspaper of general circulation within the county or counties in which the District is located.

- (15) Variations and Waivers. A “**variance**” means a decision by the District to grant a modification to all or part of the literal requirements of a rule to a person who is subject to the rule. A “**waiver**” means a decision by the District not to apply all or part of a rule to a person who is subject to the rule. Variations and waivers from District rules may be granted subject to the following:
- (a) Variations and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person, and when application of the rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, “**substantial hardship**” means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver. For purposes of this section, “**principles of fairness**” are violated when the literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule.
 - (b) A person who is subject to regulation by a District rule may file a petition with the District, requesting a variance or waiver from the District’s rule. Each petition shall specify:
 - (i) The rule from which a variance or waiver is requested;
 - (ii) The type of action requested;
 - (iii) The specific facts that would justify a waiver or variance for the petitioner; and
 - (iv) The reason why the variance or the waiver requested would serve the purposes of the underlying statute.
 - (c) The District shall review the petition and may request only that information needed to clarify the petition or to answer new questions raised by or directly related to the petition. If the petitioner asserts that any request for additional information is not authorized by law or by rule of the District, the District shall proceed, at the petitioner’s written request, to process the petition.

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

(16) Review of Adopted Rules.

- (a) By January 1, 2026, District staff shall prepare a report that summarizes the District’s existing rules anticipated to be reviewed during the current fiscal year, if any, and the recommended action on each rule (the “**Existing Rule Review Report**”). The Existing Rule Review Report shall be presented to the District’s Board at a noticed Board meeting as soon as practicable after preparation by District staff. District staff shall continue to annually prepare an updated Existing Rule Review Report by January 1 of each year until all District rules have been reviewed. The District is not bound to review its existing rules in accordance with the schedule set forth in an Existing Rule Review Report, but is required to complete the review of at least twenty (20%) percent of its existing rules per year until all existing rules have been reviewed in accordance with this Section. In any event, all existing rules of the District shall be reviewed by July 1, 2030.
- (b) Any new rule adopted after July 1, 2025, must be reviewed in the fifth year following adoption. Such review must be completed before the day that marks the sixth year since the adoption of the rule.
- (c) In conducting its rule review process, the District shall determine whether each rule:
 - (i) Is a valid exercise of delegated legislative authority;
 - (ii) Has current statutory authority;
 - (iii) Reiterates or paraphrases statutory material;
 - (iv) Is in proper form;
 - (v) Is consistent with expressed legislative intent pertaining to the specific provisions of law which the rule implements;
 - (vi) Requires a technical or substantive update to reflect current use; and

- (vii) Requires updated references to statutory citations and incorporated materials.
- (d) By April 1 of each year in which a rule review is being undertaken, the District shall adopt a resolution evidencing the completion of rule review and authorizing one of the following actions relative to its rule review (the “**Rule Review Resolution**”):
 - (i) If the District determines that no change is necessary, the District Rule Review Resolution shall include the following information:
 1. A copy of the reviewed rule;
 2. A written statement of its intended action; and
 3. Its assessment of factors specified in Section 16(c) of this Rule.
 - (ii) If the District determines that one or more technical changes are necessary, the District Rule Review Resolution shall include the following information:
 1. A copy of the reviewed rule and the recommended technical change or changes coded by underlining new text and striking through deleted text;
 2. A written statement of its intended action;
 3. Its assessment of the factors specified in Section 16(c) of this Rule; and
 4. The facts and circumstances justifying the technical change or changes to the reviewed rule.
 - (iii) If the District determines that the rule requires a substantive change, the District shall promptly initiate rulemaking in accordance with this Rule to make all changes, including any technical changes, and the District Rule Review Resolution shall include the following information:
 1. A copy of the reviewed rule;
 2. The recommended change or changes coded by underlining new text and striking through deleted text;
 3. A written statement of its intended action; and

4. Its assessment of factors specified in Section 16(c) of this Rule.
- (iv) If the District determines that the rule should be repealed, the District shall promptly initiate the repeal the rule in accordance with this Rule, and the District Rule Review Resolution shall include the following information:
 1. A written statement of its intended action; and
 2. Its assessment of factors specified in subsection 16(c) of this Rule.
 - (e) The rule review is completed upon the District’s adoption of the Rule Review Resolution and, if there is a substantive change or repeal of a rule approved the Board, the timely commencement of the rulemaking or rule repeal process set forth in this Rule. Promptly after completion of the rule review, the District shall publish a notice of the completed rule review (“**Notice of Completed Rule Review**”) in a newspaper of general circulation within the county or counties in which the District is located. The Notice of Completed Rule Review shall identify the action taken by the District with respect to the reviewed rule.
- (17) Rates, Fees, Rentals and Other Charges. All rates, fees, rentals, or other charges shall be subject to rulemaking proceedings.

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

Law Implemented: §§ 120.54, 120.542, 120.5435, 120.56, 120.81(2), 190.011(5), 190.035(2), Fla. Stat.

Rule 3.0 Competitive Purchase.

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

- (e) **“Design-Build Firm”** means a partnership, corporation or other legal entity that:
 - (i) Is certified under Section 489.119 of the Florida Statutes, to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
 - (ii) Is certified under Section 471.023 of the Florida Statutes, to practice or to offer to practice engineering; certified under Section 481.219 of the Florida Statutes, to practice or to offer to practice architecture; or certified under Section 481.319 of the Florida Statutes, to practice or to offer to practice landscape architecture.
- (f) **“Design Criteria Package”** means concise, performance-oriented drawings or specifications for a public construction project. The purpose of the Design Criteria Package is to furnish sufficient information to permit Design-Build Firms to prepare a bid or a response to the District’s Request for Proposals, or to permit the District to enter into a negotiated Design-Build Contract. The Design Criteria Package must specify performance-based criteria for the public construction project, including the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal, and parking requirements applicable to the project. Design Criteria Packages shall require firms to submit information regarding the qualifications, availability, and past work of the firms, including the partners and members thereof.
- (g) **“Design Criteria Professional”** means a firm who holds a current certificate of registration under Chapter 481 of the Florida Statutes, to practice architecture or landscape architecture, or a firm who holds a current certificate as a registered engineer under Chapter 471 of the Florida Statutes, to practice engineering, and who is employed by or under contract to the District to provide professional architect services, landscape architect services, or engineering services in connection with the preparation of the Design Criteria Package.
- (h) **“Emergency Purchase”** means a purchase necessitated by a sudden unexpected turn of events (for example, acts of God, riot, fires, floods, hurricanes, accidents, or any circumstances or cause beyond the control of the Board in the normal conduct of its business), where the Board finds that the delay incident to competitive purchase would be detrimental to the interests of the District. This includes, but is not limited to, instances where

the time to competitively award the project will jeopardize the funding for the project, will materially increase the cost of the project, or will create an undue hardship on the public health, safety, or welfare.

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

requiring the manual signature of an authorized representative. It may provide general information, applicable laws and rules, statement of work, functional or general specifications, qualifications, proposal instructions, work detail analysis, and evaluation criteria as necessary.

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

Invitation to Bid, Request for Proposals, Invitations to Negotiate, or Competitive Solicitation document and these Rules, and the cost components of which, if any, are appropriately balanced. A bid, proposal, reply or response is not responsive if the person or firm submitting it fails to meet any material requirement relating to the qualifications, financial stability, or licensing of the bidder.

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

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

Rule 3.1 Procedure Under the Consultants' Competitive Negotiations Act.

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

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

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

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

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

(4) Competitive Selection.

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

- (d) Notice of the rankings adopted by the Board, including the rejection of some or all qualification packages, shall be provided in writing to all proposers by e-mail (with a delivery and read receipt), United States Mail, hand delivery, or overnight delivery service. The District may alternatively post the notice of intent to award on its website at the conclusion of the Board meeting where the proposals were evaluated if so provided for in the Request for Qualifications. The notice shall include the following statement: Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules,” or wording to that effect. Protests of the District’s ranking decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

(5) Competitive Negotiation.

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

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

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

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

Rule 3.2 Procedure Regarding Auditor Selection.

In order to comply with the requirements of Section 218.391 of the Florida Statutes, the following procedures are outlined for selection of firms or individuals to provide Auditing Services and for the negotiation of such contracts. “**Auditing Services**” means those services within the scope of the practice of a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy. For audits required under Chapter 190 of the Florida Statutes but not meeting the thresholds of Chapter 218 of the Florida Statutes, the District need not follow these procedures but may proceed with the selection of a firm or individual to provide Auditing Services and for the negotiation of such contracts in the manner the Board determines is in the best interests of the District.

- (1) Establishment of Auditor Selection Committee. Prior to a public announcement under section (3) of this Rule that Auditing Services are required, the Board shall establish an auditor selection committee (“**Committee**”), the primary purpose of which is to assist the Board in selecting an auditor to conduct the annual financial audit required by Section 218.39 of the Florida Statutes. The Committee shall include at least three individuals, at least one of which must also be a member of the Board. The establishment and selection of the Committee must be conducted at a publicly noticed and held meeting of the Board. The Chairperson of the Committee must be a member of the Board. An employee, a chief executive officer, or a chief financial officer of the District may not serve as a member of the Committee; provided however such individual may serve the Committee in an advisory capacity.
- (2) Establishment of Minimum Qualifications and Evaluation Criteria. Prior to a public announcement under section (3) of this Rule that Auditing Services are required, the Committee shall meet at a publicly noticed meeting to establish minimum qualifications and factors to use for the evaluation of Auditing Services to be provided by a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.
 - (a) Minimum Qualifications. In order to be eligible to submit a proposal, a firm must, at all relevant times including the time of receipt of the proposal by the District:
 - (i) Hold all required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;

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

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

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

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

- (3) Public Announcement. After identifying the factors to be used in evaluating the proposals for Auditing Services as set forth in section (2) of this Rule, the Committee shall publicly announce the opportunity to provide Auditing Services. Such public announcement shall include a brief description of the audit and how interested firms can apply for consideration and obtain the RFP. The notice shall appear in at least one (1) newspaper of general circulation within the county or counties in which the District is located. The public announcement shall allow for at least seven (7) days for the submission of proposals.
- (4) Request for Proposals. The Committee shall provide interested firms with a Request for Proposals (“RFP”). The RFP shall provide information on how proposals are to be evaluated and such other information the Committee determines is necessary for the firm to prepare a proposal. The RFP shall state the time and place for submitting proposals, which may be submitted either electronically or via hard copy as determined by the District and provided for in the RFP. For the avoidance of doubt, the Proposals shall not be required to be publicly opened at the date, time, and place provided for in the RFP relative to the submission of Proposals.

- (5) Committee's Evaluation of Proposals and Recommendation. The Committee shall meet at a publicly held meeting that is publicly noticed for a reasonable time in advance of the meeting to evaluate all qualified proposals and may, as part of the evaluation, require that each interested firm provide a public presentation where the Committee may conduct discussions with the firm, and where the firm may present information, regarding the firm's qualifications. At the public meeting, the Committee shall rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to subsection (2)(b) of this Rule. If fewer than three firms respond to the RFP or if no firms respond to the RFP, the Committee shall recommend such firm as it deems to be the most highly qualified. Notwithstanding the foregoing, the Committee may recommend that any and all proposals be rejected.
- (6) Board Selection of Auditor.
- (a) Where compensation was not selected as a factor used in evaluating the proposals, the Board shall negotiate with the firm ranked first and inquire of that firm as to the basis of compensation. If the Board is unable to negotiate a satisfactory agreement with the first ranked firm at a price deemed by the Board to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the Board shall immediately begin negotiations with the second ranked firm. If a satisfactory agreement with the second ranked firm cannot be reached, those negotiations shall be terminated and negotiations with the third ranked firm shall be undertaken. The Board may reopen formal negotiations with any one of the three top-ranked firms, but it may not negotiate with more than one firm at a time. If the Board is unable to negotiate a satisfactory agreement with any of the selected firms, the Committee shall recommend additional firms in order of the firms' respective competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.
- (b) Where compensation was selected as a factor used in evaluating the proposals, the Board shall select the highest-ranked qualified firm or document in its public records the reason for not selecting the highest-ranked qualified firm.
- (c) In negotiations with firms under this Rule, the Board may allow the District Manager, District Counsel, or other designee to conduct negotiations on its behalf.
- (d) Notwithstanding the foregoing, the Board may reject any or all proposals. The Board shall not consider any proposal, or enter into any contract for Auditing Services, unless the proposed agreed-upon compensation is

reasonable to satisfy the requirements of Section 218.39 of the Florida Statutes, and the needs of the District.

- (7) Contract. Any agreement reached under this Rule shall be evidenced by a written contract, which may take the form of an engagement letter signed and executed by both parties. The written contract shall include all provisions and conditions of the procurement of such services and shall include, at a minimum, the following:
- (a) A provision specifying the services to be provided and fees or other compensation for such services;
 - (b) A provision requiring that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract;
 - (c) A provision setting forth deadlines for the auditor to submit a preliminary draft audit report to the District for review and to submit a final audit report no later than June 30 of the fiscal year that follows the fiscal year for which the audit is being conducted;
 - (d) A provision specifying the contract period, including renewals, and conditions under which the contract may be terminated or renewed. The maximum contract period including renewals shall be five (5) years. A renewal may be done without the use of the auditor selection procedures provided in this Rule but must be in writing.
 - (e) Provisions required by law that require the auditor to comply with public records laws.
- (8) Notice of Award. Once a negotiated agreement with a firm or individual is reached, or the Board authorizes the execution of an agreement with a firm where compensation was a factor in the evaluation of proposals, notice of the intent to award, including the rejection of some or all proposals, shall be provided in writing to all proposers by e-mail (with a delivery and read receipt), United States Mail, hand delivery, or overnight delivery service. The District may alternatively post the notice of intent to award on its website at the conclusion of the Board meeting where the proposals were evaluated if so provided for in the RFP. The notice shall include the following statement: “Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules,” or wording to that effect. Protests regarding the award of contracts under this Rule shall be as provided for in Rule 3.11. No proposer shall be entitled to recover any costs of proposal preparation or submittal from the District.

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

Rule 3.3 Purchase of Insurance.

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

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

- (h) Notice of the intent to award, including rejection of some or all bids, shall be provided in writing to all proposers by e-mail (with a delivery and read receipt), United States Mail, hand delivery, or overnight delivery service. The District may alternatively post the notice of intent to award on its website at the conclusion of the Board meeting where the proposals were evaluated if so provided for in the Invitation to Bid. The notice shall include the following statement: “Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules,” or wording to that effect. Protests of the District’s procurement of insurance under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

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

Law Implemented: § 112.08, Fla. Stat.

Rule 3.4 Pre-qualification

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

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

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

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

- (k) Notice of intent to pre-qualify, including rejection of some or all qualifications, shall be provided in writing to all proposers by e-mail (with a delivery and read receipt), United States Mail, hand delivery, or overnight delivery service. The District may alternatively post the notice of intent to award on its website at the conclusion of the Board meeting where the proposals were evaluated if so provided for in the Request for Qualifications. The notice shall include the following statement: “Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules,” or wording to that effect. Protests of the District’s pre-qualification decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11; provided however, protests related to the pre-qualification criteria and procedures for construction services shall be resolved in accordance with section (2)(b) of this Rule and Section 255.20(1)(b) of the Florida Statutes.

(2) Suspension, Revocation, or Denial of Qualification

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

subject of a civil enforcement proceeding or settlement involving a public or semi-public entity.

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

record as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

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

Examples of factors affecting the seriousness of a deficiency are:

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

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

Rule 3.5 Construction Contracts, Not Design-Build.

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

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

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

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

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

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

- (g) The lowest Responsive Bid submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.
- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No contractor shall be entitled to recover any costs of bid, proposal, response, or reply preparation or submittal from the District.
- (i) The Board may require potential contractors to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
- (j) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase construction services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of construction services, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the construction services without further competitive selection processes.
- (k) If the selection process is administered by any person or committee other than the full Board, the selection made will be presented to the full Board

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

- (1) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses, shall be provided in writing to all proposers by e-mail (with a delivery and read receipt), United States Mail, hand delivery, or overnight delivery service. The District may alternatively post the notice of intent to award on its website at the conclusion of the Board meeting where the proposals were evaluated if so provided for in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. The notice shall include the following statement: “Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules,” or wording to that effect. Protests of the District’s purchase of construction services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
- (3) Sole Source; Government. Construction services that are only available from a single source are exempt from this Rule. Construction services provided by governmental agencies are exempt from this Rule. This Rule shall not apply to the purchase of construction services, which may include goods, supplies, or materials, that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules. A contract for construction services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.
- (4) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (5) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board Meeting.
- (6) Exceptions. This Rule is inapplicable when:
 - (a) The project is undertaken as repair or maintenance of an existing public facility;
 - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
 - (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contract; or

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

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

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

Rule 3.6 Construction Contracts, Design-Build.

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

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

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

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

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

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

the Board meeting where the proposals were evaluated if so provided for in the Design Criteria Package. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's rankings under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

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

- (4) Emergency Purchase. The Board may, in case of public emergency, declare an emergency and immediately proceed with negotiations with the best qualified Design-Build Firm available at the time. The fact that an Emergency Purchase has occurred shall be noted in the minutes of the next Board meeting.
- (5) Exceptions. This Rule is inapplicable when:
- (a) The project is undertaken as repair or maintenance of an existing public facility;
 - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
 - (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contractor; or
 - (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

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

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

Rule 3.7 Payment and Performance Bonds.

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

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

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

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

Law Implemented: § 255.05, Fla. Stat.

Rule 3.8 Goods, Supplies, and Materials.

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

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

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

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

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

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

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

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

may include but is not limited to a direct purchase of the goods, supplies, and materials without further competitive selection processes.

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

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

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

Rule 3.9 Maintenance Services.

- (1) Scope. All contracts for maintenance of any District facility or project shall be set under the terms of this Rule if the cost exceeds the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR. A contract involving goods, supplies, and materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of maintenance services is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the county or counties in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by e-mail, United States Mail, hand delivery, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
 - (d) If the District has pre-qualified suppliers of maintenance services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, and responses.
 - (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold all required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;
 - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of

the Florida Statutes, if the vendor is a corporation; and

- (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

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

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

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

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

Rule 3.10 Contractual Services.

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

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

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

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

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

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

(1) Filing.

- (a) With respect to a protest regarding qualifications, specifications, documentation, or other requirements contained in a Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation issued by the District, the notice of protest shall be filed in writing within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after the first advertisement of the Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's intended decision. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.

- (b) Except for those situations covered by subsection (1)(a) of this Rule, any firm or person who is affected adversely by a District's ranking or intended award under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, or 3.9 and desires to contest the District's ranking or intended award, shall file with the District a written notice of protest within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after receipt of the notice of the District's ranking or intended award or after posting on the District's website if so provided for in the Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's ranking or intended award. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.

- (c) If the requirement for the posting of a protest bond and the amount of the protest bond, which may be expressed by a percentage of the contract to be

awarded or a set amount, is disclosed in the District's competitive solicitation documents for a particular purchase under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, or 3.9, any person who files a notice of protest must post the protest bond. The amount and form of the protest bond shall be determined by District staff after consultation with the Board and within the limits, if any, imposed by Florida law. In the event the protest is successful, the protest bond shall be refunded to the protestor. In the event the protest is unsuccessful, the protest bond shall be applied towards the District's costs, expenses, and attorney's fees associated with hearing and defending the protest. In the event the protest is settled by mutual agreement of the parties, the protest bond shall be distributed as agreed to by the District and protestor.

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

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

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

- (5) Rejection of all Qualifications, Bids, Proposals, Replies and Responses after Receipt of Notice of Protest. If the Board determines there was a violation of law, defect, or an irregularity in the competitive solicitation process, the Bids, Proposals, Replies, and Responses are too high, or if the Board determines it is otherwise in the District's best interest, the Board may reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew. If the Board decides to reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew, any pending protests shall automatically terminate.
- (6) Judicial Review. A party who is adversely affected by final District action is entitled to judicial review. Judicial review shall be sought in the county where the District is located. All proceedings shall be instituted by filing a notice of appeal or petition for review in accordance with the Florida Rules of Appellate Procedure within thirty (30) calendar days after the rendition of the decision being appealed. The filing of an appeal does not itself stay enforcement of the final District decision. Judicial review of any District action shall be confined to the record transmitted. The record for judicial review shall be compiled in accordance with the Florida Rules of Appellate Procedure. Failure to file a notice of appeal or petition for review within the time prescribed herein shall constitute a waiver of judicial review proceedings.
- (7) Intervenors. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (8) Settlement. Nothing herein shall preclude the settlement of any protest under this Rule at any time.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: §§ 120.69(2)(a), 190.033, Fla. Stat.

Rule 4.0 Effective Date.

These Rules shall be effective _____, 2026, except that no election of officers required by these Rules shall be required until after the next regular election for the Board.

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

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

TENTH ORDER OF BUSINESS

RESOLUTION 2026-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE DARBY COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A DATE, TIME AND LOCATION FOR A LANDOWNERS' MEETING AND ELECTION; PROVIDING FOR PUBLICATION; ESTABLISHING FORMS FOR THE LANDOWNER ELECTION; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

WHEREAS, pursuant to Section 190.006(1), *Florida Statutes*, the District's Board of Supervisors ("**Board**") "shall exercise the powers granted to the district pursuant to Chapter 190, *Florida Statutes*," and the Board shall consist of five members; and

WHEREAS, the District is statutorily required to hold a meeting of the landowners of the District for the purpose of electing Board Supervisors for the District on the first Tuesday in November, which shall be noticed pursuant to Section 190.006(2), *Florida Statutes*.

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

1. **EXISTING BOARD SUPERVISORS; SEAT SUBJECT TO ELECTIONS.** The Board is currently made up of the following individuals:

<u>Seat Number</u>	<u>Supervisor</u>	<u>Term Expiration Date</u>
1	VACANT	11/2026
2	Andre Green	11/2028
3	Matthew Allen	11/2026
4	George Leone	11/2028
5	Justin Holmes	11/2026

This year, Seat 1, currently held by Shannon Acevedo, Seat 3, currently held by Matthew Allen, and Seat 5, currently held by Justin Holmes, are subject to election by landowners in November 2026. The two candidates receiving the highest number of votes shall be elected for a term of four (4) years. The candidate receiving the next highest number of votes shall be elected for a term of two (2) years. The term of office for each successful candidate shall commence upon election.

2. **LANDOWNER'S ELECTION.** In accordance with Section 190.006(2), *Florida Statutes*, the meeting of the landowners to elect Board Supervisor(s) of the District shall be held on November 3, 2026, at 10:30 a.m., and located at 1000 Riverside Ave., Suite 600, Jacksonville, FL 32204.

3. **PUBLICATION.** The District's Secretary is hereby directed to publish notice of the landowners' meeting and election in accordance with the requirements of Section 190.006(2), *Florida Statutes*.

4. **FORMS.** Pursuant to Section 190.006(2)(b), *Florida Statutes*, the landowners' meeting and election have been announced by the Board at its May 12, 2026 meeting. A sample notice of

landowners' meeting and election, proxy, ballot form and instructions were presented at such meeting and are attached hereto as **Exhibit A**. Such documents are available for review and copying during normal business hours at the District's Local Records Office, located at 9655 Florida Mining Blvd., Building 300, Suite 305, Jacksonville, Florida 32257, or at the office of the District Manager, Governmental Management Services, 475 West Town Place, Suite 114, St. Augustine, Florida 32092.

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

6. **EFFECTIVE DATE.** This Resolution shall become effective upon its passage.

PASSED AND ADOPTED THIS 12th DAY OF MAY, 2026.

DARBY COMMUNITY DEVELOPMENT DISTRICT

ATTEST:

CHAIRMAN / VICE CHAIRMAN

SECRETARY / ASST. SECRETARY

EXHIBIT A

NOTICE OF LANDOWNERS' MEETING AND ELECTION AND MEETING OF THE BOARD OF SUPERVISORS OF THE DARBY COMMUNITY DEVELOPMENT DISTRICT

Notice is hereby given to the public and all landowners within Darby Community Development District (“**District**”), comprising approximately 408 acres and located within Duval County, Florida, advising that a meeting of landowners will be held for the purpose of electing three (3) persons to the District’s Board of Supervisors (“**Board**”, and individually, “**Supervisor**”). Immediately following the landowners’ meeting there will be convened a meeting of the Board for the purpose of considering certain matters of the Board to include election of certain District officers, and other such business which may properly come before the Board.

DATE: November 3, 2026
TIME: _____
PLACE: _____

Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request at the office of the District Manager, Governmental Management Services, 475 West Town Place, Suite 114, St. Augustine, Florida 32092, Ph: (904) 940-5850 (“**District Manager’s Office**”). At said meeting each landowner or his or her proxy shall be entitled to nominate persons for the position of Supervisor and cast one vote per acre of land, or fractional portion thereof, owned by him or her and located within the District for each person to be elected to the position of Supervisor. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. Platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner’s proxy. At the landowners’ meeting the landowners shall select a person to serve as the meeting chair and who shall conduct the meeting.

The landowners’ meeting and the Board meeting are open to the public and will be conducted in accordance with the provisions of Florida law. One or both of the meetings may be continued to a date, time, and place to be specified on the record at such meeting. A copy of the agenda for these meetings may be obtained from the District Manager’s Office. There may be an occasion where one or more supervisors will participate by telephone.

Any person requiring special accommodations to participate in these meetings is asked to contact the District Manager’s Office, at least 48 hours before the hearing. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager’s Office.

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

District Manager
Run Date(s): _____ & _____

PUBLISH: ONCE A WEEK FOR 2 CONSECUTIVE WEEKS, THE LAST DAY OF PUBLICATION TO BE NOT FEWER THAN 14 DAYS OR MORE THAN 28 DAYS BEFORE THE DATE OF ELECTION, IN A NEWSPAPER WHICH IS IN GENERAL CIRCULATION IN THE AREA OF THE DISTRICT

**INSTRUCTIONS RELATING TO LANDOWNERS' MEETING OF
DARBY COMMUNITY DEVELOPMENT DISTRICT
FOR THE ELECTION OF SUPERVISORS**

DATE OF LANDOWNERS' MEETING: **Tuesday, November 3, 2026**

TIME: _____ .M.

LOCATION: _____

Pursuant to Chapter 190, *Florida Statutes*, and after a Community Development District ("**District**") has been established and the landowners have held their initial election, there shall be a subsequent landowners' meeting for the purpose of electing members of the Board of Supervisors ("**Board**") every two years until the District qualifies to have its board members elected by the qualified electors of the District. The following instructions on how all landowners may participate in the election are intended to comply with Section 190.006(2)(b), *Florida Statutes*.

A landowner may vote in person at the landowners' meeting, or the landowner may nominate a proxy holder to vote at the meeting in place of the landowner. Whether in person or by proxy, each landowner shall be entitled to cast one vote per acre of land owned by him or her and located within the District, for each position on the Board that is open for election for the upcoming term. A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one vote with respect thereto. For purposes of determining voting interests, platted lots shall be counted individually and rounded up to the nearest whole acre. Moreover, please note that a particular parcel of real property is entitled to only one vote for each eligible acre of land or fraction thereof; therefore, two or more people who own real property in common, that is one acre or less, are together entitled to only one vote for that real property.

At the landowners' meeting, the first step is to elect a chair for the meeting, who may be any person present at the meeting. The landowners shall also elect a secretary for the meeting who may be any person present at the meeting. The secretary shall be responsible for the minutes of the meeting. The chair shall conduct the nominations and the voting. If the chair is a landowner or proxy holder of a landowner, he or she may nominate candidates and make and second motions. Candidates must be nominated and then shall be elected by a vote of the landowners. Nominees may be elected only to a position on the Board that is open for election for the upcoming term.

This year, three (3) seats on the Board will be up for election by landowners. The two candidates receiving the highest number of votes shall be elected for a term of four (4) years. The candidate receiving the next highest number of votes shall be elected for a term of two (2) years. The term of office for each successful candidate shall commence upon election.

A proxy is available upon request. To be valid, each proxy must be signed by one of the legal owners of the property for which the vote is cast and must contain the typed or printed name of the individual who signed the proxy; the street address, legal description of the property or tax parcel identification number; and the number of authorized votes. If the proxy authorizes more than one vote, each property must be listed and the number of acres of each property must be included. The signature on a proxy does not need to be notarized.

LANDOWNER PROXY

**DARBY COMMUNITY DEVELOPMENT DISTRICT
DUVAL COUNTY, FLORIDA
LANDOWNERS' MEETING – NOVEMBER 3, 2026**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints _____ ("**Proxy Holder**") for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Darby Community Development District to be held at _____, on November 3, 2026, at _____ a/p.m., and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner that the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing that may be considered at said meeting including, but not limited to, the election of members of the Board of Supervisors. Said Proxy Holder may vote in accordance with his or her discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally be considered at said meeting.

Any proxy heretofore given by the undersigned for said meeting is hereby revoked. This proxy is to continue in full force and effect from the date hereof until the conclusion of the landowners' meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the landowners' meeting prior to the Proxy Holder's exercising the voting rights conferred herein.

Printed Name of Legal Owner

Signature of Legal Owner

Date

<u>Parcel Description</u>	<u>Acreage</u>	<u>Authorized Votes</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

Total Number of Authorized Votes: _____

NOTES: Pursuant to Section 190.006(2)(b), *Florida Statutes*, a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto. For purposes of determining voting interests, platted lots shall be counted individually and rounded up to the nearest whole acre. Moreover, two (2) or more persons who own real property in common that is one acre or less are together entitled to only one vote for that real property.

If the fee simple landowner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto (e.g., bylaws, corporate resolution, etc.).

OFFICIAL BALLOT
DARBY COMMUNITY DEVELOPMENT DISTRICT
DUVAL COUNTY, FLORIDA
LANDOWNERS' MEETING – NOVEMBER 3, 2026

For Election (3 Supervisors): The two (2) candidates receiving the highest number of votes will each receive a four (4) year term, and the one (1) candidate receiving the next highest number of votes will receive a two (2) year term, with the term of office for the successful candidates commencing upon election.

The undersigned certifies that he/she/it is the fee simple owner of land, or the proxy holder for the fee simple owner of land, located within the Darby Community Development District and described as follows:

<u>Description</u>	<u>Acreage</u>
_____	_____
_____	_____
_____	_____

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel.] [If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

or

Attach Proxy.

I, _____, as Landowner, or as the proxy holder of _____ (Landowner) pursuant to the Landowner's Proxy attached hereto, do cast my votes as follows:

SEAT #	NAME OF CANDIDATE	NUMBER OF VOTES

Date: _____

Signed: _____

Printed Name: _____

ELEVENTH ORDER OF BUSINESS

C.

2.



OFFICE OF THE SUPERVISOR OF ELECTIONS

JERRY HOLLAND
SUPERVISOR OF ELECTIONS
OFFICE (904) 255-8683
CELL (904) 318-6877

105 EAST MONROE STREET
JACKSONVILLE, FLORIDA 32202
FAX (904) 255-3434
E-MAIL JHOLLAND@COJ.NET

04/20/2026

Sarah Sweeting
Darby CDD
475 West Town Place, Suite 114
St. Augustine, FL 32092

Dear Sarah Sweeting,

The information you requested on 04/16/2026 appears below:

Darby Community Development District- 75 Registered Voters as of 4/15/2026

If you have any questions or need additional assistance, please contact Aries Torres at 904-219-9302 or atorres@coj.net.

Sincerely,

Cierra Fackler
Director of Candidates and Records

D.

DARBY CDD

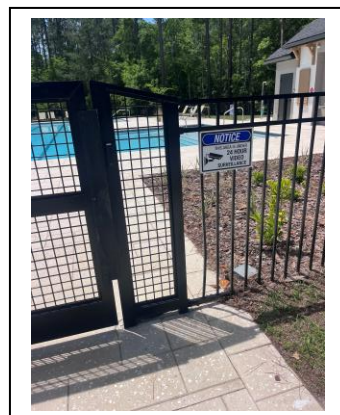
OPERATIONS REPORT

MAY 12, 2026

Prepared by Kelly Mullins

Pool/Restrooms

- Signs are posted at the mailboxes with contact information for Daniel Laughlin, District Manager, and Kelly Mullins, Operations Manager.
- Signs have also been placed in the restrooms with a QR code to scan to report any issues.
- Kelly Mullins has been distributing access fobs as she is being contacted by homeowners.
- The pool is currently being cleaned three times a week.
- Staff is blowing debris from the preserve area off the pool deck weekly.
- Restrooms are being stocked and cleaned.
- Any necessary repairs or issues are being communicated to the Board.
- Signs have been ordered for the entrance gates identifying the pool as a private facility and listing key rules.



Dog Park/Playground

- The garbage can at the dog park is being emptied as needed.
- GMS staff is collecting trash around playground and mailboxes.
- The water fountain in the dog park is not working. This has been reported to the Board.



General/Resident Concerns

- There have been issues with trespassing at the pool. Daniel Laughlin completed a Trespass Authorization form with JSO. We now have a number to reference if we need to call in any incidents.
- There have been complaints regarding cars speeding through the neighborhood.

Conclusion

- If there are any additional concerns or comments, please contact me at kmullins@gmsnf.com or at (304) 389-2198.

Respectfully,
Kelly Mullins, LCAM



FOURTEENTH ORDER OF BUSINESS

Darby
Community Development District

Unaudited Financial Reporting
March 31, 2026



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Darby
Community Development District
Combined Balance Sheet
March 31, 2026

	General Fund	2024 A1 Debt Service Fund	2024 A2 Debt Service Fund	Capital Project Fund	Totals Governmental Funds
Assets:					
Cash:					
Operating Account	\$ 62,180	\$ -	\$ -	\$ -	\$ 62,180
Accounts Receivable	-	-	-	-	-
Due from Other	-	-	-	-	-
Due from General Fund	-	-	-	-	-
Due from Developer	-	-	-	-	-
Due from Debt Service	13,205	-	-	-	13,205
Investments:					
State Board of Administration (SBA)	-	-	-	-	-
Custody Account (US Bank)	116,086	-	-	-	116,086
Series 2024					
Reserve A1	-	258,066	-	-	258,066
Reserve A2	-	-	228,831	-	228,831
Cap Interest A1	-	-	-	-	-
Cap Interest A2	-	-	-	-	-
Revenue	-	289,690	-	-	289,690
Prepayment A2	-	-	699,154	-	699,154
Interest A1	-	0	-	-	0
Interest A2	-	-	33,338	-	33,338
Acquisition and Construction	-	-	-	12,484	12,484
Recreational Improvements	-	-	-	1,643,920	1,643,920
Prepaid Expenses	-	-	-	-	-
Deposits	1,220	-	-	-	1,220
Total Assets	\$ 192,691	\$ 547,756	\$ 961,324	\$ 1,656,404	\$ 3,358,175
Liabilities:					
Accounts Payable	\$ 2,538	\$ -	\$ -	\$ -	\$ 2,538
Due to Debt Service	-	-	-	-	-
Due to General Fund	-	13,205	-	-	13,205
Total Liabilities	\$ 2,538	\$ 13,205	\$ -	\$ -	\$ 15,744
Fund Balance:					
Nonspendable:					
Prepaid Items	\$ -	\$ -	\$ -	\$ -	\$ -
Deposits	1,220	-	-	-	1,220
Restricted for:					
Debt Service - Series	-	534,550	961,324	-	1,495,874
Capital Project - Series	-	-	-	1,656,404	1,656,404
Assigned for:					
Capital Reserve Fund	-	-	-	-	-
Capital Reserves	-	-	-	-	-
Unassigned	188,933	-	-	-	188,933
Total Fund Balances	\$ 190,153	\$ 534,550	\$ 961,324	\$ 1,656,404	\$ 3,342,431
Total Liabilities & Fund Balance	\$ 192,691	\$ 547,756	\$ 961,324	\$ 1,656,404	\$ 3,358,175

Darby
Community Development District
General Fund
Statement of Revenues, Expenditures, and Changes in Fund Balance
For The Period Ending March 31, 2026

	Adopted	Prorated Budget	Actual	
	Budget	Thru 03/31/26	Thru 03/31/26	Variance
Revenues:				
Special Assessments - On Roll	\$ 168,775	\$ 93,996	\$ 93,996	\$ -
Special Assessments - Direct Bill	84,726	37,007	37,007	\$ -
Interest Income	-	-	1,977	1,977
Total Revenues	\$ 253,501	\$ 131,002	\$132,979	\$ 1,977

Expenditures:

General & Administrative:

Supervisor Fees	\$ 12,000	\$ 6,000	\$ -	\$ 6,000
FICA Expense	918	459	-	459
Engineering	12,000	6,000	705	5,295
Attorney	25,000	12,500	2,842	9,658
Annual Audit	3,400	-	-	-
Assessment Administration	7,500	-	-	-
Arbitrage Rebate	600	-	-	-
Trustee Fees	5,200	2,328	2,328	-
Management Fees	50,085	25,043	25,043	-
Dissemination Agent	7,875	3,938	3,938	-
Information Technology	2,003	1,002	1,002	-
Website Maintenance	1,336	668	668	-
Telephone	500	250	21	229
Postage & Delivery	1,500	750	66	684
Insurance General Liability	5,500	5,500	5,512	(12)
Printing & Binding	1,200	600	48	552
Legal Advertising	5,000	2,500	698	1,802
Other Current Charges	1,200	600	710	(110)
Office Supplies	1,197	599	0	598
Dues, Licenses & Subscriptions	175	175	175	-
Total General & Administrative	\$ 144,189	\$ 68,910	\$ 43,755	\$ 25,155

Operations & Maintenance:

Landscape Maintenance	\$ 39,468	\$ 19,734	\$ 18,810	\$ 924
Landscape Contingency	10,000	2,919	2,919	-
Lake Maintenance	7,000	-	-	-
Field Operations Management	12,000	6,000	5,000	1,000
Repairs & Maintenance	13,000	-	-	-
Irrigation Repairs	4,000	391	391	-
Electric	35,000	327	327	-
Water/Sewer/Irrigation	15,000	7,500	5,338	2,162
Total Operations & Maintenance	\$ 135,468	\$ 36,871	\$ 32,785	\$ 4,086

Darby
Community Development District
General Fund
Statement of Revenues, Expenditures, and Changes in Fund Balance
For The Period Ending March 31, 2026

	Adopted Budget	Prorated Budget Thru 03/31/26	Actual Thru 03/31/26	Variance
<i>Amenity Maintenance</i>				
Insurance	\$ 25,000	\$ -	\$ -	\$ -
Facility Management	10,000	5,000	4,167	833
Pool Maintenance	6,000	3,000	2,167	833
Pool Chemicals	5,000	2,500	1,806	694
Pool Permits	530	-	-	-
Cable	2,200	-	-	-
Janitorial	6,000	3,000	1,806	1,194
Facility Maintenance	5,000	2,500	878	1,622
Pest Control	1,000	-	-	-
Refuse	750	104	104	-
Total Amenity Maintenance	\$ 61,480	\$ 16,104	\$ 10,927	\$ 5,177
TOTAL EXPENDITURES	\$ 341,137	\$ 121,885	\$ 87,466	\$ 34,419
Excess (Deficiency) of Revenues over Expenditures	\$ (87,636)	\$ 9,117	\$ 45,512	\$ (32,443)
<i>Other Financing Sources/(Uses):</i>				
Transfer In (Out)	\$ -	\$ -	\$ -	\$ -
Total Other Financing Sources/(Uses)	\$ -	\$ -	\$ -	\$ -
Net Change in Fund Balance	\$ (87,636)	\$ 9,117	\$ 45,512	\$ (32,443)
Fund Balance - Beginning	\$ 87,636		\$ 144,641	
Fund Balance - Ending	\$ -		\$ 190,153	

Darby
Community Development District
Month to Month

	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sept	Total
Revenues:													
Special Assessments - On Roll	\$ -	\$ 59,880	\$ 33,584	\$ -	\$ 532	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 93,996
Special Assessments - Direct Bill	37,456	-	(449)	-	-	-	-	-	-	-	-	-	37,007
Interest Income	144	178	341	578	425	309	-	-	-	-	-	-	1,977
Total Revenues	\$ 37,600	\$ 60,059	\$ 33,476	\$ 578	\$ 957	\$ 309	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 132,979
Expenditures:													
General & Administrative:													
Supervisor Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FICA Expense	-	-	-	-	-	-	-	-	-	-	-	-	-
Engineering	-	-	-	705	-	-	-	-	-	-	-	-	705
Attorney	554	-	812	1,063	413	-	-	-	-	-	-	-	2,842
Annual Audit	-	-	-	-	-	-	-	-	-	-	-	-	-
Assessment Administration	-	-	-	-	-	-	-	-	-	-	-	-	-
Arbitrage Rebate	-	-	-	-	-	-	-	-	-	-	-	-	-
Trustee Fees	2,328	-	-	-	-	-	-	-	-	-	-	-	2,328
Management Fees	4,174	4,174	4,174	4,174	4,174	4,174	-	-	-	-	-	-	25,043
Dissemination Agent	656	656	656	656	656	656	-	-	-	-	-	-	3,938
Information Technology	167	167	167	167	167	167	-	-	-	-	-	-	1,002
Website Maintenance	111	111	111	111	111	111	-	-	-	-	-	-	668
Telephone	-	8	4	-	9	-	-	-	-	-	-	-	21
Postage & Delivery	9	11	44	-	1	1	-	-	-	-	-	-	66
Insurance General Liability	5,512	-	-	-	-	-	-	-	-	-	-	-	5,512
Printing & Binding	11	9	3	13	6	7	-	-	-	-	-	-	48
Legal Advertising	79	-	162	107	351	-	-	-	-	-	-	-	698
Other Current Charges	514	18	37	49	57	34	-	-	-	-	-	-	710
Office Supplies	0	0	0	-	0	0	-	-	-	-	-	-	0
Dues, Licenses & Subscriptions	175	-	-	-	-	-	-	-	-	-	-	-	175
Total General & Administrative	\$ 14,290	\$ 5,154	\$ 6,171	\$ 7,044	\$ 5,946	\$ 5,150	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 43,755
Operations & Maintenance:													
Landscape Maintenance	\$ 3,120	\$ 3,120	\$ 3,120	\$ 3,150	\$ 3,150	\$ 3,150	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 18,810
Landscape Contingency	2,604	-	-	-	315	-	-	-	-	-	-	-	2,919
Lake Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-
Field Operations Management	-	1,000	1,000	1,000	1,000	1,000	-	-	-	-	-	-	5,000
Repairs & Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-
Irrigation Repairs	-	-	-	-	391	-	-	-	-	-	-	-	391
Electric	-	-	-	-	-	327	-	-	-	-	-	-	327
Water/Sewer/Irrigation	414	493	615	1,020	1,431	1,364	-	-	-	-	-	-	5,338
Total Operations & Maintenance	\$ 6,138	\$ 4,613	\$ 4,735	\$ 5,170	\$ 6,287	\$ 5,841	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 32,785
Amenity Maintenance:													
Insurance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Facility Management	-	833	833	833	833	833	-	-	-	-	-	-	4,167
Pool Maintenance	-	167	500	500	500	500	-	-	-	-	-	-	2,167
Pool Chemicals	-	139	417	417	417	417	-	-	-	-	-	-	1,806
Pool Permits	-	-	-	-	-	-	-	-	-	-	-	-	-
Cable	-	-	-	-	-	-	-	-	-	-	-	-	-
Janitorial	-	139	417	417	417	417	-	-	-	-	-	-	1,806
Facility Maintenance	-	-	333	147	148	250	-	-	-	-	-	-	878
Pest Control	-	-	-	-	-	-	-	-	-	-	-	-	-
Refuse	-	-	-	-	104	-	-	-	-	-	-	-	104
Total Amenity Maintenance	\$ -	\$ 1,278	\$ 2,500	\$ 2,314	\$ 2,419	\$ 2,417	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,927
Excess (Deficiency) of Revenues over Expenditures	\$ 17,171	\$ 49,014	\$ 20,071	\$ (13,950)	\$ (13,695)	\$ (13,099)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 45,512

Darby
Community Development District
Debt Service Fund Series 2024 - A1
Statement of Revenues, Expenditures, and Changes in Fund Balance
For The Period Ending March 31, 2026

	Adopted Budget	Prorated Budget Thru 03/31/26	Actual Thru 03/31/26	Variance
Revenues:				
Special Assessments - Tax Roll	\$ 142,980	\$ 141,667	\$ 141,667	\$ -
Special Assessments - Direct Assessment	115,085	41,739	41,739	-
Interest Income	10,000	5,000	8,478	3,478
Prepayments	-	-	-	
Total Revenues	\$ 268,066	\$ 188,407	\$ 191,884	\$ 3,478
Expenditures:				
Interest - 11/1	\$ 102,581	\$ 102,581	\$ 102,581	\$ -
Interest - 5/1	102,581	-	-	-
Principal - 5/1	50,000	-	-	-
Total Expenditures	\$ 255,163	\$ 102,581	\$ 102,581	\$ -
Excess (Deficiency) of Revenues over Expenditures	\$ 12,903	\$ 85,826	\$ 89,303	\$ 3,478
Other Financing Sources/(Uses):				
Transfer In	\$ -	-	\$ 15,720	15,720
Transfer Out	-	-	(1,309)	(1,309)
Total Other Financing Sources/(Uses)	\$ -	\$ -	\$ 14,411	\$ 14,411
Net Change in Fund Balance	\$ 12,903	\$ 85,826	\$ 103,714	\$ 17,889
Fund Balance - Beginning	\$ 173,966		\$ 430,836	
Fund Balance - Ending	\$ 186,869		\$ 534,550	

Darby
Community Development District
Debt Service Fund Series 2024-A2
Statement of Revenues, Expenditures, and Changes in Fund Balance
For The Period Ending March 31, 2026

	Adopted Budget	Prorated Budget Thru 03/31/26	Actual Thru 03/31/26	Variance
Revenues:				
Special Assessments - Tax Roll	\$ 380,994	\$ -	\$ -	\$ -
Interest Income	30,000	15,000	16,104	1,104
Prepayments	-	-	1,438,663	1,438,663
Total Revenues	\$ 410,994	\$ 15,000	\$ 1,454,766	\$ 1,439,766
Expenditures:				
Interest - 11/1	\$ 232,063	\$ 232,063	\$ 148,931	\$ 83,131
Special Call - 11/1	1,315,000	1,315,000	1,175,000	140,000
Interest - 2/1	-	-	11,236	(11,236)
Special Call - 2/1	-	-	765,000	(765,000)
Interest - 5/1	190,497	-	-	-
Total Expenditures	\$ 1,737,559	\$ 1,547,063	\$ 2,100,167	\$ (553,105)
Excess (Deficiency) of Revenues over Expenditures	\$ (1,326,565)	\$ (1,532,063)	\$ (645,401)	\$ 886,662
Other Financing Sources/(Uses):				
Transfer In	\$ -	\$ -	\$ 1,309	\$ 1,309
Transfer Out	-	-	\$ (15,720)	(15,720)
Total Other Financing Sources/(Uses)	\$ -	\$ -	\$ (14,411)	\$ (14,411)
Net Change in Fund Balance	\$ (1,326,565)	\$ (1,532,063)	\$ (659,812)	\$ 872,251
Fund Balance - Beginning	\$ 1,777,924		\$ 1,621,136	
Fund Balance - Ending	\$ 451,359		\$ 961,324	

Darby
Community Development District
Capital Projects Fund
Statement of Revenues, Expenditures, and Changes in Fund Balance
For The Period Ending March 31, 2026

	2024A
	Thru 03/31/26
Revenues	
Interest Income	\$ 30,375
Total Revenues	\$ 30,375
Expenditures:	
Capital Outlay - Acquisiton and Construciton	\$ 1,359
Capital Outlay - Recreation Improvements	-
Total Expenditures	\$ 1,359
Excess (Deficiency) of Revenues over Expenditures	\$ 29,016
Other Financing Sources/(Uses)	
Transfer In	\$ -
Total Other Financing Sources (Uses)	\$ -
Net Change in Fund Balance	\$ 29,016
Fund Balance - Beginning	\$ 1,627,388
Fund Balance - Ending	\$ 1,656,404

Darby
COMMUNITY DEVELOPMENT DISTRICT

Special Assessment Revenue Bonds, Series 2024

Construction Account

Date Paid	REQ #	Contractor	Description	Requisition
2/20/24	1	Plummer JV LLC	Earthwork and Offsite Improvements	\$ 4,051,668.56
			Payment for legal fees related to bond validation and acquisition of capital improvements	
6/20/24	2	Kutak Rock	Invoice #3292729.	13,997.25
8/6/24	3	Kutak Rock	Project Construction -Feb24 Invoice #3381619	1,042.00
9/13/24	4	Plummer JV LLC	JEA Retainage	480,147.77
10/11/24	5	Kutak Rock	Project Construction -Jul24 Invoice #3453895	1,251.00
3/3/25	6	Plummer JV LLC	Acquisition of Ph1 Roadway, Drainage, and Utility Improvements	5,746,316.93
8/29/25	7	Kutak Rock	Project Construction -Nov24 thru Apr25	5,668.00
7/2/25	8	Connelly & Wicker LLC	Engineering SJRWMD permit transfer work/requisitions	1,201.25
1/9/26	9	Kutak Rock	Project Construction -Jul25	530.00
1/9/26	10	Connelly & Wicker LLC	Project Construction -Oct25	235.00
3/25/26	11	Prime AE Group Inc	Pond Inspection site Visit and O&M Plan	593.75
	13	Kutak Rock	Project Construction -Jan26 - Feb26	612.00
TOTAL				\$ 10,303,263.51
Project (Construction) Fund at 2/29/24				\$ 9,938,469.46
Interest Earned and Transfer thru 03/31/26				311,805.14
Transfer from COI				15,870.99
Transfer from Debt Service				48,990.07
Outstanding Requisitions				612.00
Requisitions Paid thru 03/31/26				(10,303,263.51)
Remaining Project (Construction) Fund				\$ 12,484.15

Darby
COMMUNITY DEVELOPMENT DISTRICT

Special Assessment Revenue Bonds, Series 2024
Recreational Improvements Account

Date Paid	REQ #	Contractor	Description	Requisition
12		Plummer JV LLC	Acquisition of Darby CDD Amenity Center Improvements	1,360,496.79
TOTAL				\$ 1,360,496.79
Project (Construction) Fund at 2/29/24				\$ 1,500,000.00
Interest Earned and Transfer thru 03/31/26				143,919.58
Outstanding Requisitions				1,360,496.79
Requisitons Paid thru 03/31/26				(1,360,496.79)
Remaining Project (Construction) Fund				\$ 1,643,919.58

DARBY COMMUNITY DEVELOPMENT DISTRICT
Fiscal Year 2026 Assessments Receipts Summary

ASSESSED	# O&M UNITS ASSESSED	SERIES 2024-1 DEBT ASSESSED	SERIES 2024PH3-1 DEBT ASSESSED	O&M ASSESSED	TOTAL ASSESSED
LENNAR HOMES	29	26,785.56	-	15,994.95	42,780.51
PLUMMER JV LLC	541	88,299.89	-	142,638.36	230,938.25
TOTAL DIRECT INVOICES (1) (2)	570	115,085.45	-	158,633.31	273,718.76
ASSESSED REVENUE TAX ROLL	172	142,980.23	-	94,866.56	237,846.79
TOTAL ASSESSED	742	258,065.68	-	253,499.87	511,565.55

DUE / RECEIVED	BALANCE DUE	SERIES 2024-1 DEBT RECEIVED	SERIES 2024PH3-1 DEBT RECEIVED	O&M RECEIVED	TOTAL RECEIVED
LENNAR HOMES	1,041.07	41,739.44	-	-	41,739.44
PLUMMER JV LLC	190,527.06	20,689.48	-	50,692.75	40,411.19
TOTAL DIRECT RECEIVED	191,568.13	62,428.92	-	50,692.75	82,150.63
TAX ROLL DUE / RECEIVED	2,183.90	141,667.39	-	93,995.50	235,662.89
TOTAL DUE / RECEIVED	193,752.03	204,096.31	0.00	144,688.25	317,813.52

(1) D/S Direct Assessments are due: 60% due 4/1/26 and 40% due 9/1/26

(2) O&M is due 25% by 10/1/25, 1/1/26, 4/1/26, 7/1/26

(3) Series 2024-2 and 2024PH3-2 Bonds are to be paid off at closing and are invoiced semi-annually for remaining interest due

SUMMARY OF TAX ROLL RECEIPTS					
DUVAL COUNTY DISTRIBUTION	DATE RECEIVED	SERIES 2024-1 DEBT RECEIVED	SERIES 2024PH3-1 DEBT RECEIVED	O&M RECEIVED	TOTAL RECEIVED
1	11/6/2025	-	-	-	-
2	11/14/2025	888.14	-	589.28	1,477.42
3	11/20/2025	1,553.87	-	1,030.98	2,584.85
4	11/26/2025	87,807.66	-	58,259.87	146,067.53
5	12/4/2025	47,397.58	-	31,448.02	78,845.60
6	12/10/2025	2,330.79	-	1,546.47	3,877.26
7	12/17/2025	888.14	-	589.28	1,477.42
8	02/20/2026	801.21	-	531.60	1,332.81
		-	-	-	-
		-	-	-	-
		-	-	-	-
		-	-	-	-
		-	-	-	-
		-	-	-	-
		-	-	-	-
		-	-	-	-
		-	-	-	-
TOTAL RECEIVED TAX ROLL		141,667.39	-	93,995.50	235,662.89

PERCENT COLLECTED	2024A-1	2024PH3-1	O&M	TOTAL
% COLLECTED DIRECT BILL	54.25%	0.00%	31.96%	30.01%
% COLLECTED TAX ROLL	99.08%	0.00%	99.08%	99.08%
TOTAL PERCENT COLLECTED	153.33%	0.00%	131.04%	129.09%

Darby

Community Development District

Long Term Debt Report

Series 2024 A-1, Special Assessment Revenue Bonds	
Original Issue Amount:	\$3,620,000
Interest Rate:	4.8% - 6.0%
Maturity Date:	5/1/2054
Reserve Fund Definition	Max Annual Debt Service
Reserve Fund Requirement	\$258,066
Reserve Fund Balance	258,066
Bonds Outstanding: 2/9/24	\$3,620,000
Less: Principal Payment - 5/1/25	(\$50,000)
Current Bonds Outstanding	\$3,570,000

Series 2024 A-2, Special Assessment Revenue Bonds	
Original Issue Amount:	\$9,765,000
Interest Rate:	5.88%
Maturity Date:	5/1/2035
Reserve Fund Definition	Max Annual Debt Service
Reserve Fund Requirement	228,831
Reserve Fund Balance	228,831
Bonds Outstanding: 2/9/24	\$9,765,000
Less: November 1, 2024 (Prepayment)	(\$1,115,000)
Less: February 1, 2025 (Prepayment)	(\$425,000)
Less: May 1, 2025 (Prepayment)	(\$1,740,000)
Less: August 1, 2025 (Prepayment)	(\$1,415,000)
Less: November 1, 2025 (Prepayment)	(\$1,175,000)
Less: February 1, 2026 (Prepayment)	(\$765,000)
Current Bonds Outstanding	\$3,130,000

Total Bonds Outstanding	\$6,700,000
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FIFTEENTH ORDER OF BUSINESS

Darby
COMMUNITY DEVELOPMENT DISTRICT

Fiscal Year 2026
Check Register

<i>Date</i>	<i>check#'s</i>	<i>Amount</i>
General Fund		
2/1/26 -2/28/26	114-117	\$8,670.07
3/1/26 -3/31/26	118-127	16,660.30
TOTAL		\$25,330.37
Autopayments		
2/24/26	JEA	\$1,431.10
3/25/26	JEA	1,691.47
TOTAL		\$3,122.57

CHECK DATE	VEND#	INVOICE DATE	INVOICE	EXPENSED TO YRMO	DPT	ACCT#	SUB	SUBCLASS	VENDOR NAME	STATUS	AMOUNT	CHECK AMOUNT	CHECK #
2/12/26	00001	2/01/26	37	202602	310	51300	34000		FEB MANAGEMENT FEES	*	4,173.75		
		2/01/26	37	202602	310	51300	35300		FEB WEBSITE ADMIN	*	111.33		
		2/01/26	37	202602	310	51300	35100		FEB INFO TECH	*	166.92		
		2/01/26	37	202602	310	51300	31300		DISSEM AGENT SRVCS	*	656.25		
		2/01/26	37	202602	310	51300	51000		OFFICE SUPPLIES	*	.06		
		2/01/26	37	202602	310	51300	42000		POSTAGE	*	1.48		
		2/01/26	37	202602	310	51300	42500		COPIES	*	6.00		
		2/01/26	37	202602	310	51300	41000		TELEPHONE	*	9.11		
GOVERNMENTAL MANAGEMENT SRVCS LLC												5,124.90	000114
2/12/26	00001	2/01/26	38	202602	330	53800	34100		FEB FACILITY MANAGEMENT	*	833.33		
		2/01/26	38	202602	320	57200	34000		FEB CONTRACT ADMIN	*	1,000.00		
		2/01/26	38	202602	330	53800	46100		FEB JANITORIAL	*	416.67		
		2/01/26	38	202602	330	53800	46300		FEB POOL MAINTENANCE	*	500.00		
		2/01/26	38	202602	330	53800	46400		FEB POOL CHEMICALS	*	416.67		
GOVERNMENTAL MANAGEMENT SRVCS LLC												3,166.67	000115
2/12/26	00003	1/29/26	26-00533	202601	310	51300	48000		1/29 DEV AMEN POLICY/RATE	*	107.00		
JACKSONVILLE DAILY RECORD												107.00	000116
2/12/26	00003	2/05/26	26-00675	202602	310	51300	48000		3/10 RULEMAKE POLICY/RATE	*	271.50		
JACKSONVILLE DAILY RECORD												271.50	000117
TOTAL FOR BANK A											8,670.07		
TOTAL FOR REGISTER											8,670.07		

Governmental Management Services, LLC

475 West Town Place, Suite 114
St. Augustine, FL 32092

Invoice

Invoice #: 37

Invoice Date: 2/1/26

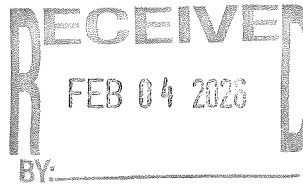
Due Date: 2/1/26

Case:

P.O. Number:

Bill To:

Darby CDD
475 West Town Place
Suite 114
St. Augustine, FL 32092



Description	Hours/Qty	Rate	Amount
Management Fees - February 2026		4,173.75	4,173.75
Website Administration - February 2026		111.33	111.33
Information Technology -February 2026		166.92	166.92
Dissemination Agent Services - February 2026		656.25	656.25
Office Supplies		0.06	0.06
Postage		1.48	1.48
Copies		6.00	6.00
Telephone		9.11	9.11
Total			\$5,124.90
Payments/Credits			\$0.00
Balance Due			\$5,124.90

Governmental Management Services, LLC

475 West Town Place, Suite 114
St. Augustine, FL 32092

Invoice

Invoice #: 38

Invoice Date: 2/1/26

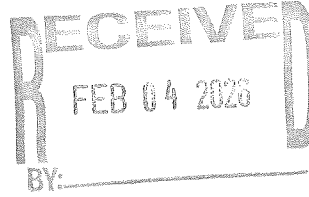
Due Date: 2/1/26

Case:

P.O. Number:

Bill To:

Darby CDD
475 West Town Place
Suite 114
St. Augustine, FL 32092



Description	Hours/Qty	Rate	Amount
Facility Management - February 2026		833.33	833.33
Contract Administration - February 2026		1,000.00	1,000.00
Janitorial - February 2026		416.67	416.67
Pool Maintenance - February 2026		500.00	500.00
Pool Chemicals - February 2026		416.67	416.67
Total			\$3,166.67
Payments/Credits			\$0.00
Balance Due			\$3,166.67

Jacksonville Daily Record

A Division of
DAILY RECORD & OBSERVER, LLC

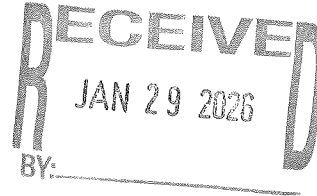
P.O. Box 2177
Jacksonville, FL 32203
(904) 356-2466

INVOICE

January 29, 2026

Date

Attn: Sarah Sweeting
GMS, LLC
475 West Town Place, Ste 114
Saint Augustine FL 32092



Serial #	26-00533D	PO/File #		\$107.00
				Payment Due
	Notice of Development for Amenities Policies and Rates and the Suspension of Policy			
				\$107.00
	Darby Community Development District			Publication Fee
Case Number				Amount Paid
Publication Dates	1/29			
County	Duval			

*Payment is due before
the Proof of Publication
is released.*

Payment Due Upon Receipt
For your convenience, you
may remit payment online at
[www.jaxdailyrecord.com/
send-payment](http://www.jaxdailyrecord.com/send-payment).

If your payment is being
mailed, please reference
Serial # 26-00533D on your
check or remittance advice.

Your notice was published on both jaxdailyrecord.com and floridapublicnotices.com.

Terms: Net 30 days from date of invoice. Past due items will accrue a finance charge of 1.5% per month thereafter.
Please remit any payment due upon receipt of this invoice.

Preliminary Proof Of Legal Notice
(This is not a proof of publication.)

Please read copy of this advertisement and advise us of any necessary corrections before further publications.

**NOTICE OF RULE
DEVELOPMENT FOR
AMENITIES POLICIES
AND RATES AND THE
SUSPENSION POLICY BY
THE DARBY COMMUNITY
DEVELOPMENT DISTRICT**

In connection with its ownership and operation of certain recreational amenity facilities and improvements ("Amenities"), and in accordance with Chapters 120 and 190, *Florida Statutes*, the Darby Community Development District ("District") hereby gives notice of its intention: (i) to establish policies, rules and fees imposed on persons desiring to utilize the Amenities who are residents and non-residents of the District; (ii) to develop rules relating to the suspension and/or termination of patrons' use of the Amenities; and (iii) to establish violation and penalty policies (collectively, "Amenities Policies and Rates"). The proposed rule number is [2026-1].

The purpose and effect of the Amenities Policies and Rates are to provide for efficient and effective District operations of the Amenities and other properties by setting policies and regulations to implement the provisions of Section 190.035, *Florida Statutes*. General legal authority for the District to adopt the proposed Amenities Policies and Rates includes Chapters 120 and 190, *Florida Statutes*, as amended, and specific legal authority includes Sections 190.035(2), 190.011(5), 190.012(3), 190.035, 190.041, 120.54, 120.69 and 120.81, *Florida Statutes*, as amended.

A public hearing on the adoption of the proposed Amenities Policies and Rates will be conducted by the District on **March 10, 2026, at 10:30 a.m. at the offices of Corner Lot Development, 1000 Riverside Avenue, Suite 600, Jacksonville, Florida 32204**. A preliminary copy of the proposed Amenities Policies and Rates may be obtained, without cost, by contacting the District Manager at Governmental Management Services, LLC, 475 West Town Place, Suite 114, Saint Augustine, Florida 32092, or by phone at (904) 940-5850 or by e-mail at dlaughlin@gmsng.com.

Daniel Laughlin
District Manager
Jan. 29 00 (26-00533D)

Jacksonville Daily Record

A Division of
DAILY RECORD & OBSERVER, LLC

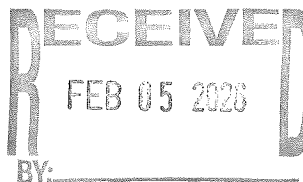
P.O. Box 2177
Jacksonville, FL 32203
(904) 356-2466

INVOICE

February 5, 2026

Date

Attn: Sarah Sweeting
GMS, LLC
475 West Town Place, Ste 114
Saint Augustine FL 32092



Serial # 26-00675D PO/File # _____ \$271.50

Payment Due

Notice of Rulemaking for Amenity Policies and Rates

_____ \$271.50

Publication Fee

Darby Community Development District

Case Number _____ **Amount Paid**

Publication Dates 2/5 _____

Payment Due Upon Receipt
For your convenience, you may remit payment online at www.jaxdailyrecord.com/send-payment.

County Duval _____

If your payment is being mailed, please reference Serial # 26-00675D on your check or remittance advice.

*Payment is due before
the Proof of Publication
is released.*

Your notice was published on both jaxdailyrecord.com and floridapublicnotices.com.

Terms: Net 30 days from date of invoice. Past due items will accrue a finance charge of 1.5% per month thereafter.
Please remit any payment due upon receipt of this invoice.

Preliminary Proof Of Legal Notice
(This is not a proof of publication.)

Please read copy of this advertisement and advise us of any necessary corrections before further publications.

NOTICE OF RULEMAKING FOR AMENITY POLICIES AND RATES BY THE DARBY COMMUNITY DEVELOPMENT DISTRICT

In accordance with Chapters 120 and 190, *Florida Statutes*, the Darby Community Development District ("District") hereby gives notice of intention (i) to establish policies, rules and fees imposed on persons desiring to utilize certain recreational amenity facilities and improvements ("Amenities") who are residents and non-residents of the District; (ii) to develop rules relating to the suspension and/or termination of patrons' use of the Amenities; and (iii) establish violation and penalty policies (collectively, "Amenity Policies and Rates"). The proposed rule number is [2026-1]. Prior Notice of Rule Development was published in Jacksonville Daily Record on January 29, 2026.

A public hearing will be conducted by the Board of Supervisors ("Board") of the District on **March 10, 2026, at 10:30 a.m. at the offices of Corner Lot Development, 1000 Riverside Avenue, Suite 600, Jacksonville, Florida 32204**, relative to the adoption of the Amenity Policies and Rates. Pursuant to Sections 190.011(5) and 190.012(3), *Florida Statutes*, the Amenity Policies and Rates will not require legislative ratification.

General legal authority for the District to adopt the proposed Amenity Policies and Rates include Chapters 120 and 190, *Florida Statutes*, as amended, and specific legal authority includes Sections 190.035(2), 190.011(5), 190.012(3), 190.035, 190.041, 120.54, 120.69 and 120.81, *Florida Statutes*, as amended.

The purpose and effect of the Amenity Policies and Rates is to provide for efficient and effective District operations of the District's Amenities and other properties by setting policies and regulations to implement the provisions of Section 190.035, *Florida Statutes*. General legal authority for the District to adopt the proposed Amenity Policies and Rates include Chapters 120 and 190, *Florida Statutes*, as amended, and specific legal authority includes Sections 190.035(2), 190.011(5), 190.012(3), 190.035, 190.041, 120.54, 120.69 and 120.81, *Florida Statutes*, as amended.

The proposed rates for purposes of the Amenity Policies and Rates are as follows:

	Rate
Non-Resident Annual User Fee	\$3,000.00
Access Card Replacement Fee	\$30.00
Insufficient Funds Fee (for submitting an insufficient funds check)	\$50.00
Gathering Room Rental (Non-Refundable Fee)	\$50.00 /hour minimum 4 hours
Gathering Room Rental Fee (Additional hours)	\$20.00 /hour
Gathering Room Rental (Refundable deposit)	\$150.00

Adjustment of Rates. The Board may adjust by resolution adopted at a duly noticed public meeting, and without further rulemaking process, any of the fees set forth above by not more than ten percent per year to reflect actual costs of operation of the Amenities, to promote use of the Amenities, or for any other purpose as determined by the Board to be in the best interests of the District. The Board may also in its discretion authorize discounts for certain services.

A statement of estimated regulatory costs, as defined in Section 120.541(2), *Florida Statutes*, has not been prepared relative to the Amenity Policies and Rates. Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), *Florida Statutes*, must do so in writing within twenty-one (21) days after publication of this notice to the District Manager's Office (defined herein).

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

For more information regarding the public hearing, the Amenity Policies and Rates, or for a copy of the Amenity Policies and Rates and the related incorporated documents, if any, please contact the District Manager at Governmental Management Services, LLC, 475 West Town Place, Suite 114, Saint Augustine, Florida 32092, or by phone at (904) 940-5850 or by e-mail at dlaughlin@gmsng.com ("District Manager's Office").

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the District Manager's Office at least forty-eight (48) hours before the hearing. 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 Manager's Office.

CHECK DATE	VEND#	INVOICE DATE	INVOICE	EXPENSED TO YRMO	DPT ACCT#	SUB	SUBCLASS	VENDOR NAME	STATUS	AMOUNT	CHECK AMOUNT	CHECK #
3/03/26	00011	2/07/26	1602056	202602	320-57200-46100			FEB MAINTENANCE CORE OUTDOORS LLC	*	3,150.00	3,150.00	000118
3/03/26	00001	2/13/26	39	202601	330-53800-46600			JAN FACILITY MAINTENANCE GOVERNMENTAL MANAGEMENT SRVCS LLC	*	100.80	100.80	000119
3/03/26	00014	2/23/26	02232026	202602	330-53800-46200			TRASH COLLECTION SERVICES TAX COLLECTOR	*	104.31	104.31	000120
3/10/26	00011	2/28/26	1602446	202602	320-57200-46300			IRRIGATION REPAIRS	*	391.00		
		2/28/26	1602447	202602	320-57200-46200			ANNUALS INSTALLED CORE OUTDOORS LLC	*	315.00	706.00	000121
3/10/26	00001	3/01/26	40	202603	310-51300-34000			MAR MANAGEMENT FEES	*	4,173.75		
		3/01/26	40	202603	310-51300-35300			MAR WEBSITE ADMIN	*	111.33		
		3/01/26	40	202603	310-51300-35100			MAR INFO TECH	*	166.92		
		3/01/26	40	202603	310-51300-31300			DISSEM AGENT SRVCS	*	656.25		
		3/01/26	40	202603	310-51300-51000			OFFICE SUPPLIES	*	.03		
		3/01/26	40	202603	310-51300-42000			POSTAGE	*	.74		
		3/01/26	40	202603	310-51300-42500			COPIES GOVERNMENTAL MANAGEMENT SRVCS LLC	*	6.90	5,115.92	000122
3/10/26	00003	2/26/26	26-01063	202602	310-51300-48000			3/10 NTC OF MTG JACKSONVILLE DAILY RECORD	*	79.00	79.00	000123
3/13/26	00011	3/10/26	1602494	202603	320-57200-46100			MAR MAINTENANCE CORE OUTDOORS LLC	*	3,150.00	3,150.00	000124
3/13/26	00001	3/01/26	41	202603	330-53800-34100			FEB FACILITY MANAGEMENT	*	833.33		
		3/01/26	41	202603	320-57200-34000			FEB CONTRACT ADMIN	*	1,000.00		

CHECK DATE	VEND#	INVOICE DATE	INVOICE	EXPENSED TO... YRMO DPT ACCT# SUB SUBCLASS	VENDOR NAME	STATUS	AMOUNT	CHECK AMOUNT	CHECK #	
3/01/26	41			202603 330-53800-46100		*	416.67			
		FEB	JANITORIAL							
3/01/26	41			202603 330-53800-46300		*	500.00			
		FEB	POOL MAINTENANCE							
3/01/26	41			202603 330-53800-46400		*	416.67			
		FEB	POOL CHEMICALS							
GOVERNMENTAL MANAGEMENT SRVCS LLC								3,166.67	000125	
3/13/26	00010	2/27/26	24010062	202601 310-51300-31100	JAN ENGINEERING SERVICES	*	940.00			
PRIME AE GROUP INC								940.00	000126	
3/20/26	00001	3/12/26	43	202602 330-53800-46600	FEB FACILITY MAINTENANCE	*	147.60			
GOVERNMENTAL MANAGEMENT SRVCS LLC								147.60	000127	
TOTAL FOR BANK A								16,660.30		
TOTAL FOR REGISTER								16,660.30		

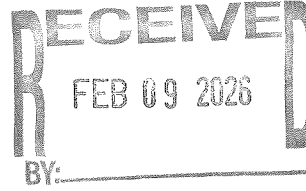
DARB DARBY CDD TLEE



INVOICE

Core Outdoors, LLC

134 Poole Blvd.
St. Augustine, FL 32095
Phone (904) 292-9100



INVOICE #: 1602056
DATE: 02/07/2026

BILL TO: Darby CDD
475 West Town Pl
Ste 114
St. Augustine, FL 32092

PROJECT ADDRESS: Darby CDD
475 West Town Pl
Ste 114
St. Augustine, FL 32092

PROJECT	PROJECT #	PO #	PAYMENT TERMS	DUE DATE
Kings PreserveMaint	216-05024-25			02/07/2026

MESSAGE:

DESCRIPTION	QTY	PRICE	AMOUNT
Monthly Maintenance	1	\$3,150.00	\$3,150.00
		BALANCE DUE	\$3,150.00

Governmental Management Services, LLC
475 West Town Place, Suite 114
St. Augustine, FL 32092

Invoice

Invoice #: 39
Invoice Date: 2/13/26
Due Date: 2/13/26
Case:
P.O. Number:

Bill To:
Darby CDD
475 West Town Place
Suite 114
St. Augustine, FL 32092

Description	Hours/Qty	Rate	Amount
Facility Maintenance January 1 - January 31, 2026	2.52	40.00	100.80

RECEIVED
FEB 16 2026
BY: _____

Total \$100.80

Payments/Credits \$0.00

Balance Due \$100.80

Approved
Kelly Mullins, Operations Manager
Governmental Management Services for
Darby CDD
Date: 2-13-26

Alison Moring
2-16-26

**DARBY COMMUNITY DEVELOPMENT DISTRICT
 MAINTENANCE BILLABLE HOURS
 FOR THE MONTH OF JANUARY 2026**

<u>Date</u>	<u>Hours</u>	<u>Employee</u>	<u>Description</u>
1/8/26	0.5	T.M.	Blew leaves and debris off pool deck, removed debris out of pool, removed debris around community
1/15/26	1.02	T.M.	Blew leaves and debris off pool deck, skimmed debris out of the pool
1/22/26	0.5	T.M.	Removed debris around pool deck, blew leaves and debris off pool deck, checked and changed trash receptacles on pool deck
1/29/26	0.5	T.M.	Blew leaves and debris off pool deck and parking lot, removed debris around parking lots, mailboxes and playground
TOTAL	2.52		
MILES	0		*Mileage is reimbursable per section 112.061 Florida Statutes Mileage Rate 2009-0.445



APPLICATION FOR WASTE COLLECTION SERVICES

Date: 2/23/2026

Solid Waste Collection: X Yard Waste Only: _____

- Application for:
- Small Commercial Business or Church, # of Units* _____ (\$178.81 per unit, billed annually.)
 - Multifamily Property, # of Units* _____ (5-10 dwelling units total per parcel, \$178.81 per unit, billed annually.)
 - Multifamily Property, # of Units* _____ (11-15 dwelling units total per parcel, \$178.81 per unit, billed annually. Requires approval by the Solid Waste Division - Urban Core only.)
 - Downtown Business, # of Cans _____ (\$46.70 per can, per month, billed quarterly)
 - Yard Waste Only (\$45.40, billed annually.)

* Property record information obtained from the Property Appraiser's Office is used to verify the total number of units.

Business/Church Name:
Darby Community Development District
Federal ID# or SS# (REQUIRED) 93-2583797

Billing Address (Invoices will be mailed to the address noted below. Please notify us immediately, in writing, of any billing changes to update your account, SWAdmin@coj.net):

Governmental Management Services, 475 West Town Place, Suite 114
St. Augustine, FL 32092

Contact Person: Kelly Mullins Title: Operations Manager

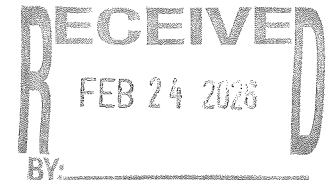
Email Address: kmullins@gmsnf.com

Telephone Number: (____) _____ Fax Number: (____) _____

Cell Phone Number: (304) 389-2198

Pickup Location Address:
Community Pool
10932 Darbywood Trail, Jacksonville, FL 32219

Real Estate Number _____
(XXXXXXX - XXXX)



PLEASE READ INFORMATION SHEET BEFORE SIGNING

By signature, I submit this application for curbside collection service provided by the waste hauler assigned to this area. I understand that services may be terminated for failure to pay within thirty (30) days of the date of the invoice but fees may accrue and I will be responsible for payment of all fees including all costs incurred by the Solid Waste Division i.e. attorney's fees, collection agency fees, etc. unless I notify the Division in writing to cancel services. **Upon request, the prorated amount of paid fees or refund will be for all FULL months remaining after the date the Solid Waste Division receives the cancellation notice.**

Kelly Mullins 2/23/2026
 Authorized Signature Date

FOR OFFICE USE ONLY

Origin: _____ Registry ID: _____

Hauler: _____ Customer Number: _____



**SOLID WASTE DIVISION
MULTIFAMILY AND COMMERCIAL CURBSIDE WASTE COLLECTION SERVICE
INFORMATION SHEET**

(Please retain this document for your records.)

In accordance with Chapter 382.402 of the Municipal Code, the following commercial curbside collection service is available:

Waste Collection Services to Multifamily Residences and Commercial Establishments

- The City's Waste Collection Service is for multifamily residential customers with five (5) to ten (10) dwelling units or small commercial customers not exceeding ten business units.
- All waste receptacles must be placed in front of the property or business within 5 feet of the curb before 6:00 a.m. on the collection day to ensure pickup (no earlier than 5:00 p.m. the day before).
- Properties located in the Waste Pro (WP) service area receive automated garbage and recycling collection. Please visit <https://www.jacksonville.gov/departments/public-works/solid-waste/automated-services> for more information.
- Meridian Waste (MW) service areas receive automated recycling collection.
- Call 630- CITY (2489) to request tire/appliance collection.

Billing/Invoicing and Account Information

- Initial setup of a multifamily or commercial account is made by contacting staff with the Solid Waste Division.
- The cost for garbage and yard waste services is \$178.81 per unit, billed annually. The cost for yard waste only collection is \$45.40.
- The service period is based on the City of Jacksonville's fiscal year – from October 1st of the current year to September 30th of the following year. Multifamily and commercial customers signing up for services during the current service period may receive a prorated invoice.
- Annual invoices are automatically generated each October once the account is established.
- Please notify us immediately, in writing at SWAdmin@coj.net, or by postal mail, of any billing changes in order to update your account.
- Unpaid invoices are sent to collections.
- Authorization to refund or adjust an invoice is determined by the Solid Waste Division.
- It can take up to **two weeks after initial payment is received** by the Solid Waste Division for the account to become fully active.

Cancellation Provision

- You have the right to cancel our services at any time however, cancellation requests must be in writing (or emailed to SWAdmin@coj.net) and addressed to the Office of Administrative Services, Solid Waste Division, 1031 Superior St., Jacksonville, FL 32254, Attn: Cancellation - Waste Collection Services. **The prorated amount of paid fees or refund will be for all FULL months remaining after the date the Solid Waste Division receives the cancellation notice.** In cases where a business or church closed, please include documentation of the date the closing became effective. If the cancellation involves a change in property ownership, it would be helpful to inform the new owner that the Solid Waste Division has been notified to cancel waste collection services under the previous owner's name. The new owner has the option to receive services by contacting our office to setup a new account or contract with a commercial waste hauler for proper disposal of waste. Customers cancelling services who have opted by other means to have their waste collected must demonstrate proof of proper disposal per Section 380.202 of the Municipal Code; please send to the Solid Waste Division at the address noted above.

Please remit payment, made payable to **TAX COLLECTOR**, with your application. Waste collection services will commence within two weeks after both your application and payment have been received. Thank you for giving us the opportunity to provide your waste collection services.

Please return to:
Office of Administrative Services
Solid Waste Division
1031 Superior Street
Jacksonville, FL 32254

Billing inquiries and initial setup for new accounts please email us at SWAdmin@coj.net or call 904-630-CITY (2489).

Service requests and collection inquiries: 904-630-CITY (2489).



Consumer's Certificate of Exemption

DR-14
R. 01/18

Issued Pursuant to Chapter 212, Florida Statutes

85-8019228943C-1	08/21/2023	08/31/2028	MUNICIPAL GOVERNMENT
Certificate Number	Effective Date	Expiration Date	Exemption Category

This certifies that

DARBY COMMUNITY DEVELOPMENT DISTRICT
475 W TOWN PL STE 114
ST AUGUSTINE FL 32092-3649


is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



Important Information for Exempt Organizations

DR-14
R. 01/18

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (F.A.C.).
2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. This exemption applies only to purchases your organization makes. The sale or lease to others of tangible personal property, sleeping accommodations, or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, F.A.C.).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony. Any violation will require the revocation of this certificate.
6. If you have questions about your exemption certificate, please call Taxpayer Services at 850-488-6800. The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.

From: Bernadette Peregrino bperegrino@gmsnf.com 
Subject: Re: Darby Trash Collection Services
Date: February 24, 2026 at 12:00 AM
To: Kelly Mullins kmullins@gmsnf.com, Todd Polvere Tpolvere@gmsnf.com
Cc: Daniel Laughlin dlaughlin@gmsnf.com



Kelly,

Have you sent this already to the email address on page 3? I added the tax id. Also please send them copy of sales tax exemption certificate to make sure they do not apply sales tax. I will have Todd cut a check and include this application with the check. Todd see below for the check request amount.

**Darby Application -
Refuse.pdf**



**DAR Cert of
Exemption 8.31.28...**



Thank you,
Bernadette Peregrino
Governmental Management Services - North Florida
District Accountant
475 West Town Place Ste 114
Saint Augustine, FL 32092
Tel and Fax: 904-239-5309
bperegrino@gmsnf.com



On Feb 23, 2026, at 2:52 PM, Kelly Mullins <kmullins@gmsnf.com> wrote:

Hi Bernadette,

I am setting up trash collection services for the Darby CDD Amenity Center. It is handled by The City of Jacksonville. Can you send the attached application, along with a check for the prorated amount, which is \$104.31, to the address on Page 3 of the attached document?

Please let me know if you need anything else to process this request.

Thank you,

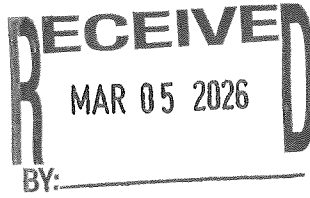
Kelly Mullins, LCAM
Governmental Management Services



INVOICE

Core Outdoors, LLC

7791 Belfort Pkwy
Jacksonville, FL 32256-6901
Phone (904) 292-9100



INVOICE #: 1602446
DATE: 02/28/2026

BILL TO: Darby CDD
475 West Town Pl
Ste 114
St. Augustine, FL 32092

PROJECT ADDRESS: Darby CDD
475 West Town Pl
Ste 114
St. Augustine, FL 32092

PROJECT	PROJECT #	PO #	PAYMENT TERMS	DUE DATE
Kings PreserveExtras	216-05025-25		Net 30	03/30/2026

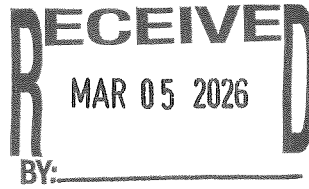
MESSAGE:

DESCRIPTION	QTY	PRICE	AMOUNT
Approved Irrigation Repairs from estimate dated 2/13/26 - Zones FE2, FP, FW3 and D3. \$98.50 parts, 4.5 hrs labor at \$65/hr)	1	\$391.00	\$391.00
		BALANCE DUE	\$391.00



INVOICE

Core Outdoors, LLC



INVOICE #: 1602447
DATE: 02/28/2026

7791 Belfort Pkwy
Jacksonville, FL 32256-6901
Phone (904) 292-9100

BILL TO: Darby CDD
475 West Town Pl
Ste 114
St. Augustine, FL 32092

PROJECT ADDRESS: Darby CDD
475 West Town Pl
Ste 114
St. Augustine, FL 32092

PROJECT	PROJECT #	PO #	PAYMENT TERMS	DUE DATE
Kings PreserveExtras	216-05025-25		Net 30	03/30/2026

MESSAGE:

DESCRIPTION	QTY	PRICE	AMOUNT
Annuals Installed	1	\$315.00	\$315.00
		BALANCE DUE	\$315.00

Governmental Management Services, LLC

475 West Town Place, Suite 114
St. Augustine, FL 32092

Invoice

Invoice #: 40

Invoice Date: 3/1/26

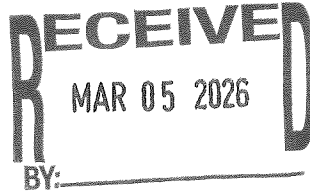
Due Date: 3/1/26

Case:

P.O. Number:

Bill To:

Darby CDD
475 West Town Place
Suite 114
St. Augustine, FL 32092



Description	Hours/Qty	Rate	Amount
Management Fees - March 2026		4,173.75	4,173.75
Website Administration - March 2026		111.33	111.33
Information Technology -March 2026		166.92	166.92
Dissemination Agent Services - March 2026		656.25	656.25
Office Supplies		0.03	0.03
Postage		0.74	0.74
Copies		6.90	6.90
Total			\$5,115.92
Payments/Credits			\$0.00
Balance Due			\$5,115.92

Jacksonville Daily Record

A Division of

DAILY RECORD & OBSERVER, LLC

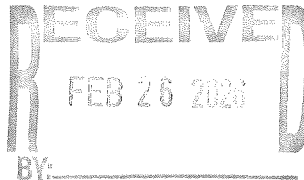
P.O. Box 2177
Jacksonville, FL 32203
(904) 356-2466

INVOICE

February 26, 2026

Date

Attn: Sarah Sweeting
GMS, LLC
475 West Town Place, Ste 114
Saint Augustine FL 32092



Serial #	<u>26-01063D</u>	PO/File #	_____	\$79.00
	Notice of Meeting			Payment Due
	_____			\$79.00
	Darby Community Development District			Publication Fee

Case Number	_____			Amount Paid
Publication Dates	<u>2/26</u>			
County	<u>Duval</u>			

***Payment is due before
the Proof of Publication
is released.***

Payment Due Upon Receipt
For your convenience, you
may remit payment online at
[www.jaxdailyrecord.com/
send-payment](http://www.jaxdailyrecord.com/send-payment).

If your payment is being
mailed, please reference
Serial # 26-01063D on your
check or remittance advice.

Your notice was published on both jaxdailyrecord.com and floridapublicnotices.com.

Terms: Net 30 days from date of invoice. Past due items will accrue a finance charge of 1.5% per month thereafter.
Please remit any payment due upon receipt of this invoice.

Preliminary Proof Of Legal Notice
(This is not a proof of publication.)

Please read copy of this advertisement and advise us of any necessary corrections before further publications.

**NOTICE OF MEETING
DARBY COMMUNITY
DEVELOPMENT DISTRICT**

A Meeting of the Board of Supervisors (the "Board") of the Darby Community Development District is scheduled to be held on **Tuesday, March 10, 2026 at 10:30 a.m. located at 1000 Riverside Ave., Suite 600, Jacksonville, FL 32204.** The meeting is open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts. A copy of the agenda for this meeting may be obtained from the District Manager, 475 West Town Place, Suite 114, World Golf Village, St. Augustine, Florida 32092 (and phone (904) 940-5850). The meeting may be continued to a date, place and time certain, to be announced at the meeting. There may be occasions when one or more Supervisors will participate by telephone.

Any person requiring special accommodations at the meeting because of a disability or physical impairment should contact the District Manager at (904) 940-5850 at least two calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for aid in contacting the District Office.

Each person who decides to appeal any action taken at the meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

Daniel Laughlin
District Manager

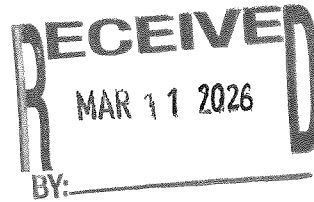
Feb. 26 00 (26-01063D)



INVOICE

Core Outdoors, LLC

7791 Belfort Pkwy
Jacksonville, FL 32256-6901
Phone (904) 292-9100



INVOICE #: 1602494
DATE: 03/10/2026

BILL TO: Darby CDD
475 West Town Pl
Ste 114
St. Augustine, FL 32092

PROJECT ADDRESS: Darby CDD
475 West Town Pl
Ste 114
St. Augustine, FL 32092

PROJECT	PROJECT #	PO #	PAYMENT TERMS	DUE DATE
Kings PreserveMaint	216-05024-25		Net 30	04/09/2026

MESSAGE:

DESCRIPTION	QTY	PRICE	AMOUNT
March Monthly Maintenance	1	\$3,150.00	\$3,150.00
		BALANCE DUE	\$3,150.00

Governmental Management Services, LLC

475 West Town Place, Suite 114
St. Augustine, FL 32092

Invoice

Invoice #: 41

Invoice Date: 3/1/26

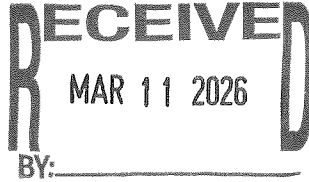
Due Date: 3/1/26

Case:

P.O. Number:

Bill To:

Darby CDD
475 West Town Place
Suite 114
St. Augustine, FL 32092



Description	Hours/Qty	Rate	Amount
Facility Management - March 2026		833.33	833.33
Contract Administration - March 2026		1,000.00	1,000.00
Janitorial - March 2026		416.67	416.67
Pool Maintenance - March 2026		500.00	500.00
Pool Chemicals - March 2026		416.67	416.67
Total			\$3,166.67
Payments/Credits			\$0.00
Balance Due			\$3,166.67



Jacksonville Office
 10060 Skinner Lake Dr #500, Jacksonville, FL 32246
 P: 1.833.723.4768

February 27, 2026

Project No: 24-01-0062

Invoice No: 2401006210C1

Darby Community Development District
 ssweeting@gmsnf.com
 bperegrino@gmsnf.com
 *, FL

Invoice Total 940.00

Project 24-01-0062 Darby CDD

Professional services for this period included attending CDD meeting, preparing requisitions, prepare Phase 3 Supplemental Report, Transfer SJRWMD O&M to the CDD, preparation of field inspection and then coordination with Old Castle for annual inspection.

Professional Services from January 01, 2026 through January 30, 2026

Fee

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
C1 CDD Business-Hourly	9,500.00	46.9732	4,462.45	3,522.45	940.00
C2 Project Construction Services-Hourly	0.00	0.00	636.60	636.60	0.00
Total Fee	9,500.00		5,099.05	4,159.05	940.00
	Total Fee				940.00
			Total this Billing Group		940.00
			Total this Invoice		940.00

RECEIVED
 MAR 05 2026
 BY: _____



Remit payment to: PRIME AE Group, Inc. | 8415 Pulsar Place | Suite 300 | Columbus, Ohio 43240
 If paying via ACH or wire, please send a remittance advice to cashreceipt@primeeng.com.

Project	24-01-0062	Darby CDD	Invoice	2401006210C1
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Billing Group	C1	C1 CDD Business-Hourly
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Hours

122 - Leaptrott, Beth	12.17.2025	.50	
Meeting			
122 - Leaptrott, Beth	01.08.2026	.50	
Prepare Requisition 9			
122 - Leaptrott, Beth	01.09.2026	.50	
Prepare requisition 10			
122 - Leaptrott, Beth	01.16.2026	2.00	
Supplemental Engineer Report PH3			
122 - Leaptrott, Beth	01.26.2026	.50	
Transfer SJRWMD O&M to CDD			
Totals		4.00	
Total Labor			940.00
		Total this Billing Group	940.00

Trust is Built.

Governmental Management Services, LLC
 475 West Town Place, Suite 114
 St. Augustine, FL 32092

Invoice

Invoice #: 43
 Invoice Date: 3/12/26
 Due Date: 3/12/26
 Case:
 P.O. Number:

Bill To:
 Darby CDD
 475 West Town Place
 Suite 114
 St. Augustine, FL 32092

Description	Hours/Qty	Rate	Amount
Facility Maintenance February 1 - February 28, 2026	3	45.00	135.00
October - January Hourly Rate True Up		12.60	12.60

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 MAR 17 2026
 BY: _____

Total \$147.60

Payments/Credits \$0.00

Balance Due \$147.60

Approved
 Kelly Mullins, Operations Manager
 Governmental Management Services for
 Darby CDD
 Date: 3-13-26

Alison Morsing
 3-17-26

**DARBY COMMUNITY DEVELOPMENT DISTRICT
 MAINTENANCE BILLABLE HOURS
 FOR THE MONTH OF FEBRUARY 2026**

<u>Date</u>	<u>Hours</u>	<u>Employee</u>	<u>Description</u>
2/5/26	1	T.M.	Blew leaves and debris off pool deck and parking lot
2/12/26	1	T.M.	Blew leaves and debris off pool deck and parking lot, removed debris around pool deck, mailboxes and dog park, checked and changed trash receptacles on pool deck
2/19/26	0.5	T.M.	Blew leaves and debris off pool deck and parking lot, removed debris at pool, checked and changed trash receptacles on pool deck
2/26/26	0.5	T.M.	Removed debris around pool, blew leaves and debris off pool deck and parking lot

TOTAL 3

MILES 0

*Mileage is reimbursable per section 112.061 Florida Statutes Mileage Rate 2009-0.445