



**TRADITION
COMMUNITY DEVELOPMENT
DISTRICT NOS. 1-11**

**PORT ST. LUCIE
REGULAR BOARD MEETING
& PUBLIC HEARING'S
MARCH 4, 2026
11:00 A.M.**

Special District Services, Inc.
The Oaks Center
2501A Burns Road
Palm Beach Gardens, FL 33410

www.traditioncdd1.org
www.traditioncdd2.org
www.traditioncdd3.org
www.traditioncdd4.org
www.traditioncdd5.org
www.traditioncdd6.org
www.traditioncdd7.org
www.traditioncdd8.org
www.traditioncdd9.org
www.traditioncdd10.org
www.traditioncdd11.org

561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
TRADITION COMMUNITY DEVELOPMENT DISTRICT NO.'S 1-11
Tradition Town Hall
10799 SW Civic Lane
Port St. Lucie, FL 34987
OR
Join Zoom Meeting:
<https://us02web.zoom.us/j/3341025012?omn=84335274087>
Meeting ID: 334 102 5012
Dial-In: 1 929 436 2866
REGULAR BOARD MEETING & PUBLIC HEARING'S
March 4, 2026
11:00 a.m.

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Publication Date
2026-02-23

Subcategory
Miscellaneous Notices

Notice of Regular
Board Meeting of the
Tradition Community
Development District Nos. 1-11

The Board of Supervisors (the Board) of the Tradition Community Development District Nos. 1-11 will hold a Regular Board Meeting on March 4, 2026, at 11:00 a.m. at Tradition Town Hall located at 10799 SW Civic Lane, Port St. Lucie, Florida 34987.

The purpose of the Regular Board Meeting is for the Board to consider any business which may properly come before it. A copy of the Agenda may be obtained from the Districts websites or at the offices of the District Manager, Special District Services, Inc., 10521 SW Village Center Drive, Suite 203, Port St. Lucie, Florida 34987 during normal business hours. The meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Meetings may be continued as found necessary to a time and place specified on the record.

There may be occasions when one or more Supervisors will participate by telephone; therefore, a speaker telephone may be present at the meeting location so that Supervisors may be fully informed of the discussions taking place.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at this meeting should contact the District Manager at (772) 345-5119 and/or toll free at 1-877-737-4922, at least seven (7) days prior to the date of the meeting.

If any person decides to appeal any decision made with respect to any matter considered at this Regular Board Meeting, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made at their own expense and which record includes the testimony and evidence on which the appeal is based.

Meetings may be cancelled from time to time without advertised notice.

Tradition Community
Development District Nos. 1-11

www.traditioncdd1.org

www.traditioncdd2.org

www.traditioncdd3.org

www.traditioncdd4.org

www.traditioncdd5.org

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PUBLISH: St. Lucie News Tribune 02/23/26 #12086661



Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

AFFIDAVIT OF PUBLICATION

Tradition Comm Dev Dist 1 C/O Legals
C/O Special District Services/Legals
Tradition Comm Dev Dist 1
2501 Burns RD
Suite A
Palm Beach Gardens FL 33410-5207

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Indian River Press Journal/St Lucie News Tribune/Stuart News, newspapers published in Indian River/St Lucie/Martin Counties, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible websites of Indian River/St Lucie/Martin Counties, Florida, or in a newspaper by print in the issues of, on:

SCN StLucie-IndianRv-Stuart 01/26/2026
SCN tcpalm.com 01/26/2026

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 01/26/2026

Legal Clerk

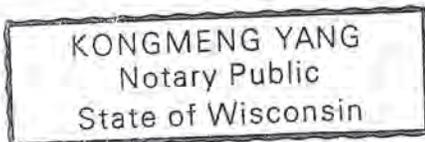
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9-3-29

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**NOTICE OF RULE DEVELOPMENT
BY THE
TRADITION COMMUNITY
DEVELOPMENT DISTRICT NO. 1**

In accordance with Chapters 120 and 190, Florida Statutes, Tradition Community Development District No. 1 (the "District") hereby gives the public notice of its intention to develop revised irrigation rates (the "Proposed Rates") to govern the operations of the District. The rule number for the Proposed Rates is 2026-2.

The Proposed Rates will address the rates the District shall charge customers within the service area contemplated within that certain Amended and Restated Irrigation Franchise Agreement [Tradition and Southern Grove], dated November 14, 2016, as may be amended from time to time (the "Franchise Agreement") for the provision of irrigation quality water.

The purpose and effect of the Proposed Rates is to provide for the revenues necessary to defray the expenditures associated with the operation of the irrigation program established pursuant the Franchise Agreement. The specific grant of rulemaking authority for the adoption of the Proposed Rates includes Sections 190.011(5), 190.011(9), 190.011(15) and 190.035, Florida Statutes. The specific laws implemented relative to the Proposed Rates include, but are not limited to, 120.54, 120.81, 190.011, and 190.035, Florida Statutes.

A copy of the Proposed Rates and the related incorporated documents, if any, may be obtained by contacting the District Manager, c/o Special District Services, Inc., 10521 SW Village Center Dr., Suite #203, Port St. Lucie, FL 34987, (772) 345-5119, or Bsakuma@sdsinc.org. Frank Sakuma, District Manager Tradition Community Development District No. 1 www.traditioncdd1.org PUBLISH: ST. LUCIE NEWS TRIBUNE 01/26/26 TCN 12018320

AFFIDAVIT OF PUBLICATION

Laura Archer
C/O Special District Services/Legals
Tradition Comm Dev Dist 1
2501 Burns RD
Suite A
Palm Beach Gardens FL 33410-5207

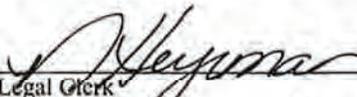
STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Indian River Press Journal/St Lucie News Tribune/Stuart News, newspapers published in Indian River/St Lucie/Martin Counties, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible websites of Indian River/St Lucie/Martin Counties, Florida, or in a newspaper by print in the issues of, on:

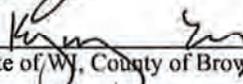
SCN StLucie-IndianRv-Stuart 02/02/2026
SCN tcpalm.com 02/02/2026

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 02/02/2026



Legal Clerk



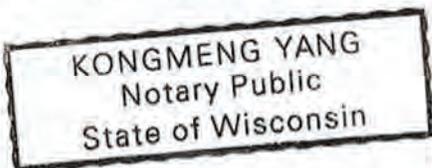
Notary, State of WI, County of Brown
9-3-29

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**NOTICE OF RULEMAKING BY
TRADITION COMMUNITY DEVELOPMENT
DISTRICT NO. 1**

In accordance with Chapters 120 and 190, Florida Statutes, the Tradition Community Development District No. 1 (the "District") hereby gives the public notice of its intent to adopt its proposed revised irrigation rates (the "Proposed Rates"). The rule number for the Proposed Rates is 2026-2. Prior notice of rule development was published in the St. Lucie News Tribune on January 26, 2026.

A public hearing will be conducted by the Board of Supervisors (the "Board") of the Tradition Community Development District No. 1 (the "District") on March 4, 2026, at 11:00 a.m., at the Tradition Town Hall located at 10799 SW Civic Lane, Port St. Lucie, Florida 34987 relative to the adoption of the Proposed Rates. Pursuant to Sections 190.011(5) and 190.012(3), Florida Statutes, the Proposed Rates will not require legislative ratification.

The summary of, purpose and effect of the Proposed Rates is to provide for the revenues necessary to defray the expenditures associated with the operation of the irrigation program established pursuant that certain Amended and Restated Irrigation Franchise Agreement [Tradition and Southern Grove], dated November 14, 2016, as may be amended from time to time (the "Franchise Agreement") for the provision of irrigation quality water. The specific grant of rule-making authority for the adoption of the Proposed Rates includes Sections 190.011(5), 190.011(9), 190.011(15), and 190.035, Florida Statutes. The specific laws implemented in the Proposed Rates include, but are not limited to, Sections 120.54, 120.81, 190.011, and 190.035, Florida Statutes.

A statement of estimated regulatory costs, as defined in Section 120.541(2), Florida Statutes, has not been prepared. 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.

For more information regarding the public hearing, the Proposed Rates, or for a copy of the Proposed Rates and the related incorporated documents, if any, please contact the District Manager c/o Special District Services, Inc., 10521 SW Village Center Dr. Suite #203, Port St. Lucie, FL 34987, (772) 345-5119, or fsakuma@sdsinc.org (hereinafter, the "District Manager's Office").

This public hearing may be continued to a date, time, and place to be specified on the record at the hearing without additional notice. If anyone chooses to appeal any decision of the Board with respect to any matter considered at 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 or other communications media technology as permitted by law.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations at this public hearing because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the public hearing. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8771 (TTY) or 1-800-955-8770 (Voice), who can aid you in contacting the District Manager's Office.

Frank Sakuma, District Manager
Tradition Community Development
District No. 1

www.traditioncdd1.org
PUBLISH: ST. LUCIE NEWS TRIBUNE
02/02/26

TCN12034168

MEMORANDUM

FROM: Kutak Rock LLP
TO: Board of Supervisors
DATE: March 4, 2026

Subject: Resolution Adopting Revised Irrigation Rates

Staff Recommendation

Staff recommends the Board adopt the Resolution Adopting the Revised Irrigation Rates.

General Information

This resolution approves the rate study from our irrigation rate consultant, adopts the new irrigation rates, and authorizes District staff to impose the new irrigation rates on the customers within the irrigation service area. The resolution also confirms that the District complied with all relevant provisions of the Florida Statutes as well as relevant provisions of the irrigation system interlocal agreement.

District Legal Counsel Review

The District's attorneys prepared this Resolution.

Funding Review

This Resolution is not expected to affect the District's financial condition.

RESOLUTION 2026-18

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1 MAKING CERTAIN FINDINGS; ADOPTING AND CONFIRMING AN IRRIGATION QUALITY WATER RATEMAKING STUDY; APPROVING IRRIGATION QUALITY WATER RATES, FEES, AND CHARGES PURSUANT TO SUCH STUDY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Tradition Community Development District No. 1 (the “**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Port St. Lucie, St. Lucie County, Florida; and

WHEREAS, Chapters 190 and 120, *Florida Statutes*, authorize the District to adopt rules, rates, charges and fees to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, pursuant to that certain *Irrigation System Interlocal Agreement*, dated November 9, 2016 (the “**Interlocal Agreement**”), which governs the operation of the irrigation system serving the District, Tradition Community Development Districts Nos. 2-11 and Southern Grove Community Development Districts Nos. 1-10 (collectively, the “**Districts**”), the District provides irrigation quality water to customers within the boundaries of the Districts (the “**Irrigation Service Area**”); and

WHEREAS, pursuant to the Interlocal Agreement, the District adopted certain *Irrigation System, Rules and Regulations*, adopted on October 11, 2016, amended from time to time (the “**Rules**”), which, among other things, established irrigation rates at which customers within the Irrigation Service Area would be charged in connection with the receipt of irrigation quality water from the District (the “**Irrigation Rates**”); and

WHEREAS, Section 32 of the Rules sets forth the Irrigation Rates and provides that the Irrigation Rates could be amended from time to time by rule of the Board of Supervisors (the “**Board**”) of the District “upon public notice and at least one public hearing, and following all additional procedures required” by the Interlocal Agreement; and

WHEREAS, Section 6 of the Interlocal Agreement requires the District to submit to the joint irrigation rate system committee (the “**Committee**”) any proposed revisions to Irrigation Rates, along with all reports and analyses prepared in connection with the proposed revisions, and receive a recommendation for approval from the committee before authorizing any revisions to the Irrigation Rates; and

WHEREAS, the District commissioned an irrigation rate study from an independent rate study consultant, which study is attached hereto as **Exhibit A** (the “**Rate Study**”); and

WHEREAS, in connection with the Rate Study, the independent rate study consultant recommended proposed revisions to the Irrigation Rates, attached hereto as **Exhibit B** (the “**Revised Rates**”); and

WHEREAS, the District submitted the Rate Study to the Committee; and

WHEREAS, on January 7, 2026, the Committee considered the Rate Study and recommended the approval of the Revised Rates to the District; and

WHEREAS, pursuant to the Committee’s recommendation, on January 7, 2026, the Board adopted Resolution 2026-12 setting a public hearing on the adoption of the Revised Rates for March 4, 2026; and

WHEREAS, the District published a notice of rule development pertaining to the adoption of the Revised Rates on January 26, 2026 in the St. Lucie News Tribune, thirty-seven (37) days in advance of the Board’s March 4, 2026 regular meeting during which such public hearing would be held; and

WHEREAS, the District published a notice of rulemaking pertaining to the public hearing concerning the adoption of the Revised Rates on February 2, 2026 in the St. Lucie News Tribune, seven (7) days after the notice of rule development concerning the same and thirty (30) days in advance of the Board’s March 4, 2026 regular meeting during which such public hearing would be held; and

WHEREAS, at the District’s March 4, 2026, regular meeting of the Board, the Rate Study and the Revised Rates were presented, after which a duly noticed public hearing was held in accordance with Chapter 120, *Florida Statutes*, where the Board solicited comments from and answered questions of members of the public; and

WHEREAS, the Board desires to: i) adopt and confirm the Rate Study; ii) approve the proposed Revised Rates in conformance with the Rate Study; and iii) authorize the imposition of the Revised Rates.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD
OF SUPERVISORS OF THE TRADITION COMMUNITY
DEVELOPMENT DISTRICT NO. 1:**

SECTION 1. After a public hearing on the matter, which hearing satisfies the public hearing requirements contained in the Rules and which was publicly noticed in accordance with Chapter 120, *Florida Statutes*, and in reliance on the recommendations of its independent public utility irrigation rate consultant, the Board finds that: i) the adoption and confirmation of the Rate Study attached hereto as **Exhibit A**, ii) the approval of the Revised Rates as set forth in **Exhibit B** in conformance with the Rate Study, and iii) the imposition the Revised Rates, all of which are related to the provision of irrigation quality water to customers within the Irrigation Service Area, are necessary in order to provide the revenues necessary for funding the expenses of the District with respect to its provision of irrigation quality water to such customers, and is in the best interests of the Districts and the landowners and residents within the Irrigation Service Area.

SECTION 2. The Board hereby adopts the Rate Study, approves the Revised Rates, and authorizes the imposition of the Revised Rates by District staff commencing on the Effective Date (as defined herein). Further, the current schedule of Irrigation Rates contained within Exhibit A of the Irrigation Rules, as amended, shall be superseded by the Irrigation Rates in **Exhibit B** to this Resolution.

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

SECTION 4. This Resolution shall become effective upon its adoption (the “Effective Date”) and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 4th day of March, 2026.

ATTEST:

**TRADITION COMMUNITY DEVELOPMENT
DISTRICT NO. 1**

Secretary / Assistant Secretary

Chairman, Board of Supervisors

Exhibit A: Rate Study
Exhibit B: Revised Rate Schedule

Exhibit A

Rate Study

Tradition Community Development District No. 1 Irrigation System Rules and Regulations

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Tradition Community Development District No. 1
Irrigation System Rules and Regulations (03/04/2026)

EXHIBIT A: SCHEDULE OF IRRIGATION TARIFFS, RATES, MISCELLANEOUS SERVICE CHARGES, AND
BILLING INFORMATION

EXHIBIT B: WATER CONSERVATION POLICY

EXHIBIT C: STANDARD FORMS

CUSTOMER GUARANTEE DEPOSIT RECEIPT

APPLICATION FOR IRRIGATION WATER SERVICE

1.0 DEFINITIONS –

“ACQUISITION” – The acquisition by the District of the operating assets of TIC that comprise the Existing System.

“ASSIGNMENT” – The assignment by TIC to the District of the Irrigation Franchise Agreement.

“AVERAGE METER ERROR” - The algebraic average of the errors determined for the minimum, intermediate, and maximum test flowrates, where the meter error is calculated as $(V_i - V_a) / V_a \times 100$. V_i is the indicated volume read from the meter register. V_a is the actual volume of water passed through the meter for a given duration.

“BASE FACILITY CHARGE” – minimum monthly charge for per irrigated acre for providing irrigation water service to a Customer.

“CONSUMER” – Any person, entity, firm, association, corporation, government agency or similar organization directly supplied with irrigation water service by the District.

“CUSTOMER” - Means the person, entity, firm, association or corporation who has made application for irrigation water service from the District and who is liable for the payment of that irrigation water service.

“CUSTOMER’S INSTALLATION” – All pipes, shut-offs, valves, fixtures and appliances or apparatus of every kind and nature used in connection with or forming a part of an installation for utilizing irrigation water for any purpose ordinarily located on the Customer’s side of the “Point of Delivery”, whether such installation is owned by Customer, or used by Consumer under lease or otherwise.

“DISCOUNTED NON-TRANSITION TIER ONE CUSTOMERS” shall mean and include all Tier One Customers that (i) are, as of January 1, 2020, being billed at a five percent (5%) discounted rate and (ii) are not Transition Tier One Customers.

“DISTRICT” – Tradition Community Development District No. 1, a unit of special purpose government created pursuant to Chapter 190, Florida Statutes.

“EXISTING SYSTEM” – That portion of the District’s Irrigation System comprised of the plant and facilities acquired by the District from TIC in the Acquisition, and any additions to such facilities as necessary to serve the Existing System Service Area.

“EXISTING SYSTEM SERVICE AREA” – That portion of the Service Area that is or will receive irrigation service using the Existing System, and comprised of the lands lying within the District, Tradition Community Development District No. 2, Tradition Community Development District No. 3, Tradition Community Development District No. 4, Tradition Community Development District No. 5, Tradition Community Development District No. 6, and those portions of Tradition Community Development District No. 7 and Southern Grove Community Development District No. 5 receiving or committed to receiving service from TIC at the time of the Acquisition.

Tradition Community Development District No. 1
Irrigation System Rules and Regulations (03/04/2026)

“EXPANSION SYSTEM” – That portion of the District’s Irrigation System comprised of all plant and facilities not included within the Existing System, and constructed or to be constructed to serve the Expansion System Service Area.

“EXPANSION SYSTEM SERVICE AREA” – That portion of the Service Area that is or will receive irrigation service using the Expansion System, and comprised of the lands lying within Southern Grove Community Development District No. 1, Southern Grove Community Development District No. 2, Southern Grove Community Development District No. 3, Southern Grove Community Development District No. 4, Southern Grove Community Development District No. 6, Southern Grove Community Development District No. 7, Southern Grove Community Development District No. 8, Southern Grove Community Development District No. 9, Southern Grove Community Development District No. 10, that portion of Southern Grove Community Development District No. 5 not contained within the Existing System Service Area, Tradition Community Development District No. 8, Tradition Community Development District No. 9, Tradition Community Development District No. 10, Tradition Community Development District No. 11, and that portion of Tradition Community Development District No. 7 not contained within the Existing Service Area.

“IRRIGATION FRANCHISE AGREEMENT” – The Amended and Restated Irrigation Franchise Agreement [Tradition and Southern Grove], dated November 14, 2016, by and between the City of Port St. Lucie and TIC, assigned by TIC to the District pursuant to the Assignment, and authorizing the District to provide irrigation service within the Service Area.

“IRRIGATION SYSTEM” – The irrigation quality water supply system operated or to be operated by the District, consisting of the Existing System together with the Expansion System.

“IRRIGATION WATER CAPACITY” – shall be the volume of irrigation water generated from the physically constructed water treatment and distribution facilities available for service.

“MAIN” – Shall refer to a pipe, conduit, or other facility installed to convey irrigation water services to individual service lines or to other mains to the “Point of Delivery” outside of the Customer property unless located within a recorded easement acceptable to the District.

“NON-DISCOUNTED NON-TRANSITION TIER ONE CUSTOMERS” shall mean and include all Tier One Customers that (i) are, as of January 1, 2020, being billed at a non-discounted rate and (ii) are not Transition Tier One Customers.

“OTHER DISTRICTS” - Tradition Community Development District No. 2, Tradition Community Development District No. 3, Tradition Community Development District No. 4, Tradition Community Development District No. 5, Tradition Community Development District No. 6, Southern Grove Community Development District No. 1, Southern Grove Community Development District No. 2, Southern Grove Community Development District No. 3, Southern Grove Community Development District No. 4, Southern Grove Community Development District No. 5, and Southern Grove Community Development District No. 6, each a unit of special purpose government created pursuant to Chapter 190, Florida Statutes, and all of the lands of which, together with the lands of the District, comprise the Service Area.

“POINT OF DELIVERY” – The point where the District’s pipes or meters are connected with pipes of the Customer. Unless otherwise designated on utility service as-built drawings on file with the District, the point of delivery for irrigation water service shall be at (i) the output side of the irrigation meter,

Tradition Community Development District No. 1
Irrigation System Rules and Regulations (03/04/2026)

or (ii) the point of connection of the District's irrigation transmission main with the distribution or individual service line serving the Customer.

"RATE SCHEDULE" – Refers to rates or charges for the particular classification of service as established by the District from time to time.

"RECLAIM WATER" – Water that is treated wastewater effluent from the City of Port St. Lucie's wastewater treatment plants or other water used by the District to provide irrigation water service to the Customer.

"REGULAR WORKING HOURS" – shall be Monday through Friday from 9:00 A.M. to 5:00 P.M., except generally recognized holidays.

"RULES" – shall mean these Irrigation System Rules and Regulations, as amended from time to time by the District in the exercise of its rulemaking authority under Chapter 190 and Section 120.54, Florida Statutes.

"SERVICE AREA" – Those lands that comprise the "T&SG Franchise" area, as defined and described in the Irrigation Franchise Agreement, consisting of the Existing System Service Area together with the Expansion System Service Area.

"TIC" – Tradition Irrigation Company, LLC, the original owner and operator of the Existing System sold to the District pursuant to the Acquisition, and the original franchise holder under the Irrigation Franchise Agreement assigned to the District pursuant to the Assignment.

"TIER ONE CUSTOMERS" shall mean and include all Customers of the Existing System.

"TIER TWO CUSTOMERS" shall mean and include all Customers of the Expansion System that (i) withdraw irrigation water from District lakes, canals, or permitted wells through a remote District-owned, operated, and maintained pump station and (ii) distribute irrigation water from such pump station through distribution lines and facilities owned, operated, and maintained by the Customer; the Point of Delivery for Tier Two Customers is the output side of the District-owned pump station.

"TIER THREE CUSTOMERS" shall mean and include all Customers of the Expansion System that (i) withdraw irrigation water from District lakes, canals, or permitted wells through a remote Customer-owned, operated, and maintained pump station and (ii) distribute irrigation water from such pump station through distribution lines and facilities also owned, operated, and maintained by the Customer; the Point of Delivery for Tier Three Customers is the input side of the Customer-owned pump station.

"TIER FOUR CUSTOMERS" shall mean and include all Customers of the Expansion System that (i) withdraw irrigation water from District lakes, canals, or permitted wells through a remote Customer-owned, operated, and maintained pump station and (ii) distribute irrigation water from such pump station through distribution lines and facilities also owned, operated, and maintained by the Customer; the Point of Delivery for Tier Four Customers is the input side of the Customer-owned pump station

"TRANSITION TIER ONE CUSTOMERS" shall mean and include those Customers of the Existing System that were, prior to January 1, 2020, served by the Tradition Irrigation Company, LLC, under private service agreements, and identified as Bedford Park at Tradition Homeowners Association, Inc.,

Heritage Oaks Homeowners Association, Inc., and The Lakes at Tradition Homeowners Association, Inc.

“USAGE CHARGE” – monthly charge for irrigation water consumption at the current rate per 1,000 gallons of water consumed.

2.0 GENERAL INFORMATION –

2.1 In the event of any inconsistency between these Rules and any applicable statute, law, or ordinance, then such statute, law, or ordinance, shall control to the extent of such inconsistency.

2.2 In the absence of specific written agreement of the District to the contrary, these Rules shall apply to each and every Customer to whom the District renders irrigation water service.

2.3 In the event any portion of these Rules is declared unconstitutional or void for any reason by any court of competent jurisdiction, such decision shall in no way affect the validity of the remaining portions of these Rules unless such court order or decision shall so direct.

3.0 SIGNED APPLICATION NECESSARY - Irrigation water service is furnished only upon signed application accepted by the District and the conditions of such application are binding upon the Customer. Applications are accepted by the District with the understanding that there is no obligation on the part of the District to render irrigation service other than that which is then available from its existing irrigation water production and distribution equipment and service lines and facilities. The form of application for irrigation water service is set forth in Exhibit C of these Rules. Payment of all fees will be required with the application as required by these Rules. Initiation of service and billing will begin on the date the meter is installed.

4.0 APPLICATION BY AGENTS - Applications for irrigation water service requested by persons, firms, entities, partnerships, associations, corporations, and others, shall be rendered only by duly authorized parties. When irrigation water service is rendered under one or more applications submitted to and accepted by the District and an agent of the principal, the use of such irrigation water service by the principal shall constitute full and complete ratification by the principal of the application or applications submitted by the agent to the District and under which such irrigation water service is rendered.

5.0 APPLICATION FOR IRRIGATION SERVICE – Upon the Application for Irrigation Service being signed by Customer and accepted by the District, the obligations of Customer under such Application shall be binding upon the Customer, its successors and assigns. The District shall not be required to provide irrigation service prior to the Customer obtaining an Environmental Resources Permit from SFWMD for the area to be serviced.

6.0 WITHHOLDING SERVICE - The District may withhold or discontinue irrigation water service rendered under application made by any member or agent of a household, association, organization or business unless all prior indebtedness to the District of such household, association, organization or business for irrigation water service has been settled in full. **It shall be the responsibility of the applicant to make inquiry as to the delinquent status of the account for such service location and bring such account current as a condition precedent to re-initiation or continuation of service.** Service may also be discontinued for any violation by the Customer of any of these Rules. The District will provide a written notice to the Customer of its intent to withhold service ten (10) days prior to

the date service will be withheld. The notice will state the reason for withholding service, a demand for cure, and the date service will be withheld if such cure is not completed by Customer.

7.0 LIMITATIONS OF USE –

7.1 Irrigation water service provided by the District shall be used by the Customer only for the purposes specified in the application for irrigation water service and the Customer shall not sell or otherwise dispose of such irrigation water service supplied by the District. Irrigation water service furnished to the Customer shall be rendered directly to the Customer through the District's individual meter and may not be re-metered by the Customer for the purpose of selling or otherwise disposing of irrigation water service to lessees, tenants, or others and, under no circumstances, shall such Customer or Customer's agent or any other individual, association or corporation install meters for the purpose of so re-metering said irrigation water service. In no case shall any Customer, except with the written consent of the District, extend its lines across a street, alley, lane, court, property lines, avenue, or other way, in order to furnish irrigation water service for adjacent property through one meter, even though such adjacent property may be owned by such Customer. In case of such unauthorized extension, re-metering, sale or disposition of service, the Customer's irrigation water service is subject to discontinuance until such unauthorized extension, re-metering, sale or disposition is discontinued and full payment is made of bills for irrigation water service, calculated on proper classification and rate schedules and reimbursement in full made to the District for all extra expenses incurred for clerical work, testing, and inspections.

7.2 **The irrigation water is not suitable for domestic use.** Restricted uses include but are not limited to the following:

DO NOT drink

DO NOT have hose connections on the irrigation system

DO NOT fill swimming pools, hot tubs, wading pools, etc.

DO NOT use for recreational activities such as squirt guns, water slides, etc.

8.0 CONTINUITY OF SERVICE - The District will, subject to force majeure, at all times use reasonable diligence to provide continuous irrigation water service, and provided it has used reasonable diligence, shall not be liable to the Customer for failure or interruption of continuous irrigation water service. The District shall not be liable for any act or omission caused directly or indirectly by strikes, labor troubles, accidents, litigation, breakdowns, shutdowns for repairs or adjustments, acts of sabotage, enemies of the United States, wars, governmental interference, acts of God, or other causes beyond its control.

9.0 TYPE AND MAINTENANCE - The Customer's pipes, apparatus and equipment shall be selected, installed, used and maintained by Customer, at its expense, in accordance with the standard practice, conforming with these Rules, and in full compliance with all Laws and Governmental Regulations applicable to same. The District shall not be responsible for the maintenance and operation of the Customer's pipes and facilities. All Customer pipes, apparatus and equipment four (4) inches and above shall be installed and designed in accordance with the **“Irrigation System Design and Construction Standards,”** latest edition. By accepting irrigation service from the District, the Customer expressly agrees not to utilize any appliance or device that is not properly constructed, controlled and protected, or which may adversely affect the irrigation water service; and the District reserves the right to discontinue or withhold irrigation water service to any such apparatus or device.

10.0 CHANGE OF CUSTOMER'S INSTALLATION - No change or increase in the Customer's installation that will materially affect the proper operation of the pipes, mains, or stations of the District shall be made without the express written consent of the District. The Customer will be responsible for the cost of any change or repair resulting from a violation of this Rule, and the District may require payment or reimbursement of such cost as a condition of continued service.

11.0 INSPECTION OF CUSTOMER'S INSTALLATION - All of the Customer's irrigation water service installations or changes shall be inspected, at the Customer's expense, upon completion by competent authority to ensure that Customer's piping, equipment, and devices have been installed in accordance with accepted standard practice and such local governmental or other rules as may be in effect. Where municipal or other governmental inspection is required by local rules or ordinances, the District cannot render irrigation water service until such inspection has been made and a formal notice of approval from the inspecting authority has been received by the District. The District reserves the right to inspect the Customer's installation prior to rendering irrigation water service and from time to time thereafter, but assumes no responsibility whatsoever for any portion of such installation.

12.0 PROTECTION OF DISTRICT PROPERTY - The Customer shall exercise reasonable diligence to protect the District's property on the Customer's premises, and shall knowingly permit no one but the District's agents, or persons authorized by law, to have access to the District's pipes and apparatus. In the event of any loss or damage to property of the District caused by or arising out of the carelessness, neglect, or misuse by the Customer, the cost of making good such loss or repairing such damage shall be paid by the Customer, and full payment or reimbursement to the District for such cost shall be a condition of continued service.

13.0 ACCESS TO PREMISES - As a condition of providing irrigation service, the Customer shall grant to the duly authorized agents of the District access to the premises of the Customer at all reasonable hours and, in the event of an emergency, at any time, for the purpose of installing, maintaining, and inspecting or removing the District's property, reading meters, and other purposes incident to providing irrigation service to such premises, and in such performance shall not be liable for trespass.

14.0 RIGHTS OF WAY OR EASEMENTS - The Customer shall grant or cause to be granted to the District and without cost to the District all rights, easements, permits, and privileges that are necessary for the rendering of irrigation water service to the Customer's premises. Such grant or conveyance shall be in form satisfactory to the District. The District has the right to enter any and all District Irrigation System easements and right-of-way to install, maintain, operate, repair, replace, or renew District Irrigation System facilities. All landscaping and improvements planted or constructed within the boundaries of any District Irrigation System easement or right-of-way are the responsibility and liability of the property owner. Any damage caused to a District Irrigation System facility by such landscaping or improvement shall be the responsibility of the property owner.

15.0 BILLING PERIODS - For all Customers, including Customers who have reserved capacity and are subject to Guaranteed Revenue charges as described in Section 35, a statement of account ("Billing Statement") for irrigation water service will be rendered to the address provided on the Application for Irrigation Service via U.S. Mail monthly or periodically at intervals not to exceed ninety (90) days, as determined by the District ("Statement Date"), for the prior period's service. Payment shall be due within twenty (20) days of the Statement Date ("Due Date"). For connected Customers receiving irrigation service, the Billing Statement (i) shall include the current and previous month meter readings, date the meter was read, and the year-to-date usage for metered service, and (ii) shall detail the billing interval and acreage irrigated for Customers receiving service on an acreage basis.

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For Customers subject to Guaranteed Revenue charges as described in Section 35, the Billing Statement shall include the billing period and the irrigated acreage for which service has been reserved. Non-receipt of a Billing Statement by the Customer shall not release or diminish the obligation of the Customer with respect to payment of such statement.

16.0 DELINQUENT BILLS; SERVICE AND OTHER DISPUTES – All statements and billings for irrigation services shall be deemed delinquent if not paid within twenty (20) days of the due date shown thereon, and shall accrue late charges, finance charges, and reconnection charges in the manner set forth in Exhibit A of these Rules. Any Customer contesting any statement or billing, or disagreeing with any service or other decision or action of the District in its provision of irrigation water service, shall follow the following dispute procedure:

16.1 The Customer shall file a written statement contesting the bill or statement with the District prior to the bill becoming delinquent. The written statement shall contain the Customer's name, address, an explanation outlining the reasons why the bill or statement is being contested, and any supporting documentation that shall at the minimum include a copy of the bill or statement being contested.

16.2 District staff shall review the Customer's written statement and provide written notice to the Customer within seven (7) business days of receipt of the Customer's written statement informing the Customer either (i) that the contested bill or statement is being corrected, or (ii) the reasons why the bill or statement is correct and informing the Customer of its opportunity to appeal the matter to the District Manager in accordance with this Rule.

16.3 If unsatisfied with the decision of District staff, the Customer may appeal the decision of staff by filing a written appeal with the District Manager within seven (7) business days of receipt of staff's written notice. The written appeal shall contain the Customer's name, address, an explanation outlining the reasons why the bill or statement is being contested, and any supporting documentation, which shall include at a minimum a copy of the contested bill or statement, a copy of the Customer's written statement to District staff, and a copy of staff's written notice.

16.4 The District Manager shall review the Customer's appeal and provide a written determination within seven (7) business days of receipt of the Customer's appeal. The written determination shall include a statement regarding the Customer's right to an appearance before the Board of Supervisors of the District in accordance with this Rule.

16.5 If the Customer is unsatisfied with the determination of the District Manager, the Customer may request an appearance before the Board of Supervisors by filing a written request with the District Manager within seven (7) days of receipt of the District Manager's determination. The written request shall include the Customer's name, address, an explanation outlining the reasons why the bill or statement is contested, and any supporting documentation, which shall include at a minimum a copy of the contested bill or statement, a copy of the Customer's written statement to District staff, a copy of staff's written notice, a copy of the Customer's appeal, and a copy of the District Manager's written determination.

Within seven (7) business days of receipt of the Customer's request for an appearance before the Board of Supervisors, the District Manager shall provide written notice to the Customer of the date, time, and location of the meeting of the Board at which the Customer may appear. The meeting shall be the next regularly scheduled meeting of the Board of Supervisors that is scheduled at least

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fourteen (14) business days after receipt of the customer's request for appearance. The writ- ten notice to the Customer shall be sent at least seven (7) days prior to the date of the Board meeting. The Customer shall have ten (10) minutes to present its case to the Board of Supervisors. After the meeting, a written decision shall be provided to the Customer within seven (7) business days. The decision of the Board of Supervisors shall be final.

16.6 All irrigation Billing Statements shall be paid on or before the due date to avoid discontinuance of service. If during the dispute procedure an adjustment to the billing is made, a refund to the Customer shall be rendered either by check or as a credit to Customer's active account.

16.7 In the event service is disconnected due to Customer breach, the Customer shall remain liable for minimum Guaranteed Revenue charges as set forth in Exhibit A of these Rules.

16.8 No partial payment of any Billing Statement will be accepted by the District as payment in full and will be considered delinquent until such time as full payment is received, except by agreement with the District.

16.9 Any dispute by a Customer arising from a decision or action of the District with respect to its provision of irrigation water service that involves a substantial interest shall be referred by the District to the Division of Administrative Hearings for proceedings under Section 120.569 through 120.574, Florida Statutes. A party who is adversely affected by final District action is entitled to judicial review as provided in Section 120.68, Florida Statutes.

17.0 CHANGE OF OCCUPANCY –

17.1 For individual Commercial Customers - When change of occupancy takes place on any premises supplied by the District with irrigation water service, WRITTEN NOTICE thereof shall be given at the office of the District not less than three (3) days prior to the date of the change by the outgoing Customer, which will be held responsible for all irrigation water service used on such premises until such written notice is so received and the District has had reasonable time to discontinue irrigation water service. However, if such written notice has not been received, the application of a succeeding occupant for irrigation water service will automatically terminate the prior account. The Customer's deposit may be transferred from one service location to another if both locations are supplied by the District. The Customer's deposit may NOT be transferred from one name to another.

17.2 For Homeowners Association/Master Commercial Association - The respective Association shall be responsible for all irrigation charges as set forth in Exhibit A, SCHEDULE OF IRRIGATION RATES, MISCELLANEOUS SERVICE CHARGES, AND BILLING INFORMATION for individual parcels/units and common areas regardless of occupancy.

18.0 UNAUTHORIZED CONNECTIONS - Connections to the District's Irrigation System for any purpose whatsoever are to be made only by District agents, contractors, or employees. Unauthorized connections render the service subject to immediate discontinuance without notice and the person, entity, firm, association, or corporation responsible for such unauthorized connection shall be liable for all applicable irrigation service charges at the current rate. Irrigation water service will not be restored until such unauthorized connections have been removed and unless settlement is made in full for all irrigation water service charges estimated by the District to have been used by reason of such unauthorized connection. Unauthorized use may result in appropriate criminal complaint by the District.

- 19.0 METERS - All irrigation water meters shall be approved by the District prior to installation and shall become the property of the District upon acceptance of the Point of Connection by the District, and shall be accessible and subject to its control. The Customer shall provide meter space to the District at a suitable and readily accessible location and when the District considers it advisable, within the premises to be served, adequate and proper space for the installation of meters and other similar devices. The Customer is responsible for all costs associated with meter installations and such costs shall be paid upon application for irrigation service.
- 20.0 ALL WATER THROUGH METER; EXCEPTION - Except for Customers receiving service via direct connection to the District's irrigation transmission mains, the Customer's installation for irrigation water service shall be so arranged that all irrigation water service shall pass through the meter. No temporary pipes, nipples, or spaces are permitted and under no circumstances are connections allowed that may permit irrigation water to bypass the meter or metering equipment. All irrigation water passing through the meter shall be paid for by the Customer at the appropriate rate established in the rate schedule set forth in Exhibit A of these Rules. The Customer is responsible for all leaks within the Customer's system. The District, at its discretion, may offer a payment plan for Customer payment due to leaks. However, the volume of water lost due to leaks will be counted against the monthly and annual allocation of irrigation water.
- 21.0 ADJUSTMENT OF BILLS - When a Customer is determined by the District to have been overcharged or undercharged as a result of incorrect application of the rate schedule, incorrect reading of the meter, incorrect connection of the meter, or other reason, the amount shall be credited or billed to the Customer as the case may be, subject to any written settlement between the parties.
- 22.0 CUSTOMER DEPOSIT-ESTABLISHMENT OF CREDIT - Before rendering service, the District requires an applicant for service to establish satisfactory credit, but such establishment of credit shall not relieve the Customer from complying with the District's rules for prompt payment. Credit will be deemed so established as follows:
- 22.1 The Customer furnishes a satisfactory guarantor to secure payment of bills for the service requested.
- 22.2 The Customer pays a cash deposit.
- 22.3 The Customer furnishes an irrevocable letter of credit from a bank or a surety bond.
- 22.4 The amount of initial deposit shall be equivalent to the two months billing based on the average allocation.
- 22.5 The District may require an additional or new deposit upon reasonable written notice of not less than thirty (30) days, such request or notice being separate and apart from any bill for service, where the Customer's deposit was previously waived or returned, or used to secure payment of current bills; provided, however, that the total amount of the required deposit shall not exceed an amount equal to the average actual charge for irrigation water service for two (2) monthly billing periods for the twelve (12) month period immediately prior to the date of the notice. In the event the Customer has had service less than twelve (12) months, then the District shall base the new or additional deposit upon the average actual monthly billing available.

23.0 REQUEST FOR METER TEST BY CUSTOMER - Should any Customer request in writing a bench test of the Customer’s irrigation water meter, the District may require a deposit to defray the cost of testing based upon the schedule of such fees set forth in Exhibit A of these Rules. If the meter is found to register in excess of the accuracy limits prescribed in these Rules, the deposit will be refunded; but if below such accuracy limit, the deposit will be retained by the District as a service charge for conducting the test.

24.0 ADJUSTMENT OF BILLS FOR METER ERROR – Billing Statements shall be adjusted for meter error based on meter tests made by the District. The accuracy of registration of the meter and its performance in service shall be determined by the Average Meter Error.

25.0 FAST METERS - Whenever a meter tested is found to register in excess of the tolerance provided in the Meter Accuracy Requirements provision of these Rules, the District shall refund to the Customer the amount billed in error for one half the period since the last test, such one half period not to exceed six (6) months, provided, however, that if it can be shown that the error was due to some cause, the date of which can be fixed, the overcharge shall be computed back to but not beyond such date. The refund shall not include any part of any minimum charge.

26.0 METER ACCURACY REQUIREMENTS - All meters used for measuring quantity of irrigation water delivered to a Customer shall be in good mechanical condition and shall be adequate in size and design for the type of service that they measure. Before being installed for the use of any Customer, every irrigation water meter, whether new, repaired, or removed from service for any cause, shall be adjusted to register within the accuracy limits set forth in the following table:

ACCURACY LIMITS IN PERCENT

METER TYPE	<u>MAXIMUM RATE</u>	<u>INTERMEDIATE RATE</u>	<u>MINIMUM RATE</u>	
			NEW	REPAIRED
Displacement	98.5-101.5	98.5-101.5	95-101.5	90-101.5
Current	97-102	97-103	95-102	90-102

27.0 QUALITY OF WATER - The District does not in any way represent that the quality of the irrigation water meets state drinking water standards or is suitable for use as construction water. **THE IRRIGATION WATER IS TO BE USED FOR LANDSCAPE IRRIGATION PURPOSES ONLY.** All lines must be underground, and no hose bibs will be allowed on the Customer's irrigation system. The Customer is responsible for designing its irrigation system to take into account the quality of the water.

This would include possible strainers on the irrigation heads to account for sand, grit, silt particles, and biological matter, which may be in the irrigation delivery system from time to time. The District is not responsible for discoloration, spotting, or rusting of the Customer's property. The Customer should design and install its irrigation system to avoid spray onto homes, driveways, walks, automobiles, or other property. **THE DISTRICT RESERVES THE RIGHT TO USE TREATED WASTEWATER EF- FLUENT (RECLAIMED WATER) AS A SOURCE OF IRRIGATION WATER.**

28.0 MISCELLANEOUS CHARGES AND REIMBURSEMENTS - A schedule of charges for various services provided by the District in connection with the delivery of irrigation water to the Customer is set forth in Exhibit A of these Rules.

29.0 WATERING RESTRICTIONS – The District has established a level of service for the Irrigation System to ensure that the consumptive needs of turf grass and landscape plants are met, consistent with the District’s Water Conservation Policy set forth in Exhibit B of these Rules. This established level of service is based on the irrigation needs of plants and watering restrictions periodically imposed by the South Florida Water Management District (SFWMD). All Customers are expected to comply with the watering restrictions established by the District and SFWMD. Failure to comply with the restrictions may subject the Customer to discontinuance of irrigation water service. The District will give a written or electronic notice of any reductions in allocation to the Customer necessitated by a reduction mandated by SFWMD within forty-eight (48) hours of such notice by SFWMD. Upon the effective date of the restriction as provided in the notice, each Customer shall receive its fair share of irrigation water, which fair share shall in no event be less than its pro rata share of any reduced allocation (in other words, any reduction shall be allocated by the District proportionately on the percentage allocation among all Customers under normal operating conditions), subject to the provisions of any applicable legal requirements.

30.0 GENERAL IRRIGATION SYSTEM OPERATING PARAMETERS –

30.1 The District’s Irrigation System uses water drawn from the storm water retention lakes within the Tradition project treated with filtration, pH adjustment, and chlorination. It is the intention of the District to receive treated wastewater effluent (Reclaim Water) from the City of Port St. Lucie to supplement the irrigation water supply. The District has an easement and appropriate permits from SFWMD to use the storm water retention lakes in such manner, and as such Customers are prohibited from withdrawing water from the storm water retention lakes within the Tradition Project unless agreed to in writing by the District.

30.3 The distribution system is pressurized at the District’s irrigation water supply plant to 80 pounds per square inch (psi). The minimum pressure in the District’s distribution system at the point of connection is 50 psi. The Customer’s distribution system shall be designed to meet the maximum demand for any given irrigation period within the Customer’s property at a minimum pressure of 50 psi unless otherwise agreed to in writing by the District. The pressures in the distribution system will fluctuate at higher and lower pressures from those stated above as systems turn- on and shut-off, and designers shall appropriately account for these conditions in the design of the Customer’s distribution systems.

The District is permitted for consumptive use of water through SFWMD, which regulates the amount of water that can be used for irrigation purposes. The amount of supplemental irrigation water allocated varies by month depending on the expected rainfall for a given month. The supplemental allocation varies from 0.76-inches in January to 4.58-inches in May.

30.4 A table of projected water use by month is provided in the District’s “**Irrigation System Design and Construction Standards**,” latest edition. For all irrigation service areas, the District’s Irrigation System is designed to supply on average 0.68 inches per week (gross) during a 3-day per week, 18-hour per day irrigation period for any Customer.

30.5 Each Customer will be provided with an allocation of irrigation water during times assigned by the District. Such allocation and irrigation times shall be identified by the District in writing on the approved Application for Irrigation Service. The irrigation within each development must be controlled by time clocks at individual homes or in larger blocks. It is the responsibility of the Customer to design its internal irrigation distribution system to operate within the parameters of the irrigation

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distribution system of the District as described above. Assistance in determining the best application time will be provided by District staff.

30.6 The District’s Irrigation System will operate 24-hours per day to allow for maintenance of Customer irrigation systems as required during the day. If any Customer irrigation system needs to be operated outside of the assigned times for maintenance or grow-in of new landscape material, the Customer shall notify the District.

30.7 Each Customer shall be provided irrigation on a set time and flow basis to facilitate spreading the flow to the greatest extent possible. Each Customer will be provided water based on number of living units, amount of irrigated area, common areas, and other factors deemed pertinent. Typical criteria are shown in Table 2 set forth below.

30.8 At the District’s option, a central radio based control system opens a supply valve at each individual development for a predetermined period of time. Each development will also be allocated a definite amount of water for each application period. When the predetermined time of flow is met the water service will close. Individual subdivision irrigation designers and operators must design each irrigation system correctly, and the amount of water used for each unit must be correct, to ensure that each unit receives the proper amount of supplemental irrigation. Otherwise, all irrigation cycles may not receive the proper amount of irrigation water.

30.9 Irrigation Service Sizing criteria:

**Table 2-Tradition Irrigation
 Irrigation Service Sizing**

Size of Service	Flow(gpm) Range		Irrigated Area (acres)	
	From	To	From	To
2"	50	100	0	10
3"	100	250	10	25
4"	250	500	25	50
6"	500	1000	50	100
8"	1000	1800	100	200

*Based on average residential values

31.0 **IRRIGATION SCHEDULE** -The District has established in the SFWMD permit an irrigation schedule for each Customer serviced by the District. The irrigation schedules shall be strictly adhered to.

31.1 The District will provide written or electronic notification of any change, alteration, or modification of the irrigation schedule at least forty-eight (48) hours before such change, alteration, or modification shall take place.

31.2 The Customer shall not change, alter, or modify the schedule without approval of the District; provided, however, the Customer shall have the right, without the approval of the District, to change, alter, or modify the schedule as needed within its portion of the irrigation system in a manner to sufficiently serve its landscaping if such actions are in accordance with the irrigation schedule established in the SFWMD permit, the Customer’s Application for Irrigation Service, and any other

agreement that may have been entered into between the District and the Customer.

32.0 RATE SCHEDULE ADJUSTMENTS AND OTHER RULE AMENDMENTS – A schedule of tariffs, rates, and charges for delivery of irrigation service is set forth in Exhibit A of these Rules. The schedule may include different rates and charges for the Existing System Service Area and the Expansion System Service Area, as explained in Section 36.0. This schedule and other provisions of these Rules may be amended from time to time by rule of the Board of Supervisors of the District upon public notice and at least one public hearing, and following all additional procedures required by that certain Irrigation System Interlocal Agreement dated November 9, 2016, among the District and each of the Other Districts. When enacted, all such amendments shall become a part of these Rules. Any person substantially affected by these Rules or a proposed amendment to these Rules may seek an administrative determination of invalidity on the ground that such rule or amendment is an invalid exercise of delegated authority in the manner provided in Section 120.56, Florida Statutes, before an administrative law judge of the Division of Administrative Hearings. A final order of an administrative law judge entered in a proceeding under Section 120.56, Florida Statutes, is subject to judicial review as provided in Section 120.68(9) and (10), Florida Statutes.

33.0 SYSTEM CAPACITY CHARGE - The District requires that all Customers pay a pro rata share of the cost for the District's water treatment and distribution facilities, as a system capacity charge, regardless of whether the facilities have been constructed or will be constructed in the future. The system capacity charges are calculated based on the Customer's estimated demand for irrigation water and the total cost of the District's water treatment and distribution system (Facilities) re- quired to serve the planned service area. The system capacity charge will be calculated using the Customer's estimated irrigated acres times the cost of the District's Facilities per irrigated acre, as set forth in the schedule of tariffs, rates, and charges in Exhibit A of these Rules. The schedule may include different rates and charges for the Existing System Service Area and the Expansion System Service Area, as explained in Section 36.0. The System Capacity Charges are payable upon application for service. At the District's discretion one half (1/2) of the charges may be payable upon application and the remainder paid upon installation of the Point of Delivery. At no time shall services be rendered prior to the System Capacity Charge being paid in full.

34.0 RESERVATION OF CAPACITY- Upon execution of an application for service by the District and the Customer, payment of all costs, charges, and fees by the Customer required by the District, and execution of the application, the District will reserve Irrigation Water Capacity, as set forth in the application. The District is not obligated to provide excess irrigation water to the Customer above that necessary to meet the demand for irrigated acreage physically connected to the system. The District may allocate irrigation water capacity reserved for the Customer to other developers or Customers if the District (i) has funds available to replace the facilities utilized by other such Customers; (ii) the District has preliminary approval by governmental agencies for the replacement facilities; and (iii) the anticipated completion date for the new/replacement facilities is adequate to meet the demand of existing Customers in accordance with the plan of development delivered to the District.

35.0 GUARANTEED REVENUES - Customers who have reserved capacity and have not physically connected and are not actively irrigating the irrigated acreage shall pay a Guaranteed Revenue to the District. The Guaranteed Revenue shall be paid monthly based on the unit price per irrigated acre set forth in Exhibit A, SCHEDULE OF IRRIGATION TARIFFS, RATES, MISCELLANEOUS SERVICE CHARGES, AND BILLING INFORMATION. The schedule may include different rates and charges for the Existing System Service Area and the Expansion System Service Area, as explained in Section 36.0.

36.0 NEW DEVELOPMENT—DECLARATION OF POLICY - New development may require the extension of irrigation mains to provide service, as well as expansion of facilities to accommodate new development. The cost of providing extensions, modifications, and expansions of facilities is to be borne by property owners, builders, or developers within the District's irrigation service area to defray the costs of these extensions, modifications, and expansions. New customers within the Expansion System Area, outside of the Existing Service Area for existing and future-committed customers, will be charged at levels commensurate with the costs to serve them as determined under these Rules. In this way, existing and future-committed customers will not be exposed to the costs of system expansion to serve the needs of future new customers. The allocable share of each extension, modification, or expansion for new customers is to be charged as described in these Rules. It is the declared policy of the District by these Rules to establish a uniform method of determining charges for availability of services so that all such contributions shall be non-discriminatory among the various Customers served by the District's Irrigation System, and shall be applied as nearly as possible with uniformity to all Customers and prospective Customers within the District's irrigation service area. The District specifically reserves its rights to fix and determine rates, fees, charges, and contributions required for the provision, consumption, operation, maintenance, extension, and expansion of its irrigation services as provided in these Rules and as authorized by law. Each Customer is hereby notified that the District, in the exercise of its governmental responsibility to provide for the welfare of all Customers of its irrigation service, has the authority and responsibility to amend its schedules of rates, fees, charges, and contributions from time to time to ensure the perpetuation of service.

36.1 Easements and Rights-of-Way –

As a prerequisite to the construction of any irrigation water distribution system proposed to be connected to the facilities of the District, the developer shall agree to grant to the District such easements or rights-of-way corresponding with the installation of the proposed facilities. Such grant or conveyance shall be in the form satisfactory to the District. Such conveyances, when located on the property of developer, shall be made without cost to the District. The District reserves the right to require such easement or right of way to the point at which the meter is proposed to be installed or at the point of delivery of service, being the point at which the facilities of the District join with the consumer. Such easements and rights-of-way shall be conveyed and accepted upon completion, approval, and acceptance of the work done by the developer.

(a) The District has the right to enter any and all District utility easements and rights-of-way to install, maintain, operate, repair, replace, or renew District utility facilities (collectively, "District Utility Work"). All landscaping and improvements planted or constructed within the boundaries of any District utility easement or right of way are the responsibility and liability of the property owner. Any damage caused to a District utility facility by such landscaping or improvement shall be the responsibility and liability of the property owner.

(b) All landscaping and improvements in District utility easements or rights of way are subject to removal, at the expense of the property owner, if and when such landscaping or improvements interfere with District Utility Work. Except as provided in paragraph (d) of this Section 36.1, the District shall in no way be liable for damage to landscaping or improvements as a result of District Utility Work within a District utility easement or right of way.

(c) If District Utility Work within a District utility easement or right of way results in the removal of or damage to landscaping or improvements, the District will make reasonable effort to restore such

Tradition Community Development District No. 1
Irrigation System Rules and Regulations (03/04/2026)

landscaping or improvements if and only if all of the following conditions apply: (i) Restoration of such landscaping or improvements will not create any unnecessary risk of future damage to District utility facilities; (ii) The District Utility Work was not the result of damage to a District utility facility caused, directly or indirectly, by either (A) such landscaping or improvements or (B) the act or conduct of any person or entity not affiliated with the District; and (iii) The plat, easement, or other instrument by which the District received such utility easement expressly limited the District's right to perform District Utility Work upon the specific condition that such landscaping or improvements be restored.

36.2 Inspection - The District shall inspect the installation of all irrigation water distribution facilities installed by developer or developer's contractors, which facilities are proposed to be transferred to District ownership, operation, and control. Representatives of the District may be present at tests of component parts of irrigation water distribution systems for the purpose of determining that the system, as constructed, conforms to the District's criteria. Such tests will be performed by the developer or the developer's contractor, but only under the direct supervision of the engineer of record or the engineer's authorized inspector. The results of such testing shall be certified by the engineer of record. The District shall be notified at least 48 hours prior to any inspection or testing performed in accordance with these regulations.

36.3 Transfer of Contributed Property; Bills of Sale –

Each developer who has constructed portions of the irrigation water distribution system, prior to interconnection with the District's existing facilities, shall convey such component parts of the irrigation water distribution system to the District by bill of sale in form satisfactory to the District, together with such evidence as may be required by the District that the irrigation water distribution system proposed to be transferred to the District is free of all liens and encumbrances.

(a) Any facility in the category of consumer's lines, plumber's lines, or consumer's installation, located on the discharge side of the water meter or on the consumer's side of the point of delivery of service shall not be transferred to the District and shall remain the property of the developer, a subsequent owner-occupant, or their successors and assigns. Such consumer's lines, plumber's lines, or consumer's installation shall remain the maintenance responsibility of the developer or subsequent consumers.

(b) The District shall not be required to accept title to any component part of the irrigation water distribution system as constructed by the developer until the District Engineer has approved the construction of such lines and accepted the tests to determine that such construction is in accordance with the criteria established by District, and the Board of Supervisors has approved acceptance of such lines for the District's ownership, operation, and maintenance.

(c) The developer shall maintain accurate cost records establishing the construction costs of all utility facilities constructed by the developer and proposed to be transferred to the District. Such cost information shall be furnished to the District concurrently with the bill-of-sale and such cost information shall be a prerequisite to the acceptance by the District of any portion of the irrigation water distribution system constructed by the developer.

(d) The District may refuse connection and deny the commencement of service to any consumer seeking to be connected to portions of the irrigation water distribution system installed by the developer until such time as the provisions of this section have been fully met by the developer or the developer's successors or assigns.

Tradition Community Development District No. 1
Irrigation System Rules and Regulations (03/04/2026)

36.4 Improvements to and Extensions of Irrigation Distribution System - The location, size, or proposed density of a developer's property may make utility service to the property dependent upon extension of irrigation water distribution facilities as defined in these policies. A developer may advance funds to the District pursuant to a developer's agreement with the District; or in the alternative and if the District agrees, the developer may contribute funds to the District that will be non-reimbursable so that the District may design, construct, inspect, and thereafter operate and maintain such improvements and extensions. If the developer chooses and the District agrees to proceed with the latter method, the facilities will be designed and permitted, at the sole expense of the developer, in accordance with an engineering design agreement with the District. Upon the completion of the design and approval by the District, the District will solicit competitive bids, again at the sole expense of the developer. Upon receipt from the developer of the bid amount plus twenty per- cent (20%) for engineering, legal, and contingencies, the District will award a contract to the lowest responsible bidder and proceed to construct the improvements as identified in the approved plans and specifications.

Specific Authority: Sections 120.54, 190.011(5), and 190.35, Florida Statutes
Law Implemented: Sections 120.54, 190.011(5), and 190.35, Florida Statutes
History: Adopted Oct. 11, 2016
Revised Feb. 14, 2017; Apr. 11, 2017; Nov. 20, 2019; Nov. 1, 2023; Mar.
4, 2026

EXHIBIT A

SCHEDULE OF IRRIGATION TARIFFS, RATES, MISCELLANEOUS SERVICE CHARGES, AND BILLING INFORMATION

EXISTING SYSTEM SERVICE AREA CUSTOMERS—TIER ONE:

For purposes of these rules:

Each irrigated acre contains 8.7 Equivalent Residential Units (ERUs).

Each single-family residential unit is 1.0 ERU.

Each multifamily residential unit is 0.4 ERU.

Each apartment unit is 0.1 ERU.

Monthly Base Facility Charge¹: Per month per Irrigated Acre

\$ 186.96	Discounted Non-Transition Tier One Customers through 09/30/20
\$ 195.75	Non-Discounted Non-Transition Tier One Customers through 09/30/20
\$ 137.03	Transition Tier One Customers, through 09/30/20
\$ 247.73	All Tier One Customers, commencing 04/01/2026

Per month per ERU (single family)

\$ 21.38	Discounted Non-Transition Tier One Customers, through 09/30/20)
\$ 22.50	Non-Discounted Non-Transition Tier One Customers, through 09/30/20)
\$ 15.75	Transition Tier One Customers, through 09/30/20
\$ 28.48	All Tier One Customers, commencing 04/01/2026

Per month per 0.4 ERU (multifamily)

\$ 8.55	Discounted Non-Transition Tier One Customers, through 09/30/20
\$ 9.00	Non-Discounted Non-Transition Tier One Customers, through 09/30/20
\$ 6.30	Transition Tier One Customers, through 09/30/20
\$ 11.39	All Tier One Customers, commencing 04/01/2026

Per month per 0.1 ERU (apartment)

\$ 2.14	Discounted Non-Transition Tier One Customers, through 09/30/20
\$ 2.25	Non-Discounted Non-Transition Tier One Customers, through 09/30/20
\$ 1.58	Transition Tier One Customers, through 09/30/20
\$ 2.85	All Tier One Customers, commencing 04/01/2026

Tradition Community Development District No. 1
 Irrigation System Rules and Regulations (03/04/2026)

Monthly Volume and Excess Usage Charge (All Tier One Customers):

Excess Level I

\$2.18 per 1,000 gallons for usage >90,000 but <140,000 gallons per irrigated acre (through 09/30/20)

\$2.76 per 1,000 gallons for usage >90,000 but <140,000 gallons per irrigated acre (commencing 04/01/2026)

Excess Level II

\$3.27 per 1,000 gallons for usage ≥140,000 gallons per irrigated acre (through 09/30/20)

\$4.14 per 1,000 gallons for usage ≥140,000 gallons per irrigated acre (commencing 04/01/2026)

Miscellaneous Charges (All Tier One Customers):

Account setup charge: \$20.00

Account transfer charge: \$20.00

Initial Connection (Meter) Fee:

Controller		<u>\$ 2,000</u>	(estimated; once facilities have been sized by the designer and fees paid, the Customer will order the controller, valve, and meter as required)
Control Valve/Meter	1-1/2"	<u>\$ 750</u>	
	2"	<u>\$ 750</u>	
	3"	<u>\$ 1,100</u>	
	4"	<u>\$ 1,750</u>	
	6"	<u>\$ 3,200</u>	
	8"	<u>\$ 4,500</u>	

Rules and Regulations Violation Charge: \$50.00 per occurrence

Damage to District Facilities caused by Customer: Actual cost of repair

Late Fee Charge: 5.0% of balance due, not to exceed \$250.00 per month, if not paid by Due Date

Finance Charge: 18.0% per annum on balance more than thirty (30) days past due

Plan Review and Inspection Fee: \$2,500.00 including first inspection; additional inspections billed at hourly service charge rate

Meter Test Fee/Deposit:

Under 2"	\$75.00
2" and above	Actual cost of test

Returned Check Charge (Not Sufficient Funds): \$25.00

Reconnection Charge: \$85.00

Reconnection Charge (if after 5:00 PM or on weekends): \$105.00/hr., 1 hr. minimum

Transfer of Service Charge: \$30.00

Service Problem Identification Charge²: \$85.00/hr., 1 hr. minimum

Tradition Community Development District No. 1
Irrigation System Rules and Regulations (03/04/2026)

Service Problem Identification Charge (if after 5:00 PM or on weekends)²: \$125.00/hr., 1 hr. minimum

Terms of Payment: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After a minimum of ten (10) days written notice, service may be discontinued.

Notes:

1. Charged regardless of volume quantity used per irrigated acre served.
2. Charged only if Service Problem is **NOT** the fault of the District.

EXPANSION SYSTEM SERVICE AREA CUSTOMERS—TIERS TWO, THREE AND FOUR:

For purposes of these rules:

Each irrigated acre contains 8.7 Equivalent Residential Units (ERUs).

Each single-family residential unit is 1.0 ERU.

Each multifamily residential unit is 0.4 ERU.

Each apartment unit is 0.1 ERU.

Monthly Base Facility Charge¹: Per month per Irrigated Acre

\$ 90.63	Tier Two Customers
\$ 58.44	Tier Three Customers
\$ 157.26	Tier Four Customers
<u>Per month per ERU (single family)</u>	
\$ 10.41	Tier Two Customers
\$ 6.72	Tier Three Customers
\$ 18.08	Tier Four Customers
<u>Per month per 0.4 ERU (multifamily)</u>	
\$ 4.16	Tier Two Customers
\$ 2.68	Tier Three Customers
\$ 7.23	Tier Four Customers
<u>Per month per 0.1 ERU (apartment)</u>	
\$ 1.04	Tier Two Customers
\$ 0.68	Tier Three Customers
\$ 1.81	Tier Four Customers

Monthly Volume and Excess Usage Charge (Tier Two & Tier Three Customers):

Excess Level I

\$2.18 per 1,000 gallons for usage >90,000 but <140,000 gallons per irrigated acre (through 09/30/20)

\$2.76 per 1,000 gallons for usage >90,000 but <140,000 gallons per irrigated acre (commencing 04/01/2026)

Excess Level II

\$3.27 per 1,000 gallons for usage ≥140,000 gallons per irrigated acre (through 09/30/20)

\$4.14 per 1,000 gallons for usage ≥140,000 gallons per irrigated acre (commencing 04/01/2026)

Tradition Community Development District No. 1
Irrigation System Rules and Regulations (03/04/2026)

Miscellaneous Charges (Tier Two, Three and Four Customers):

Account setup charge: \$20.00
Account transfer charge: \$20.00

Initial Connection (Meter) Fee:

Controller	\$ 2,000	(estimated; once facilities have been sized by the designer and fees paid, the Customer will order the controller, valve, and meter as required)
Control Valve/Meter	1-1/2" \$ 750	
	2" \$ 750	
	3" \$ 1,100	
	4" \$ 1,750	
	6" \$ 3,200	
	8" \$ 4,500	

Rules and Regulations Violation Charge: \$50.00 per occurrence
Damage to District Facilities caused by Customer: Actual cost of repair

Late Fee Charge: 5.0% of balance due, not to exceed \$250.00 per month, if not paid by Due Date
Finance Charge: 18.0% per annum on balance more than thirty (30) days past due

Plan Review and Inspection Fee: \$2,500.00 including first inspection; additional inspections billed at hourly service charge rate

Meter Test Fee/Deposit:
Under 2" \$75.00
2" and above Actual cost of test

Returned Check Charge (Not Sufficient Funds): \$25.00
Reconnection Charge: \$85.00
Reconnection Charge (if after 5:00 PM or on weekends): \$105.00/hr., 1 hr. minimum

Transfer of Service Charge: \$30.00

Service Problem Identification Charge²: \$85.00/hr., 1 hr. minimum

Service Problem Identification Charge (if after 5:00 PM or on weekends)²: \$125.00/hr., 1 hr. minimum

Terms of Payment: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After a minimum of ten (10) days written notice, service may be discontinued.

Notes:

1. Charged regardless of volume quantity used per irrigated acre served.
2. Charged only if Service Problem is **NOT** the fault of the District.

EXHIBIT B

WATER CONSERVATION POLICY

For

Tradition Community Development District No. 1

It is the policy of the Tradition Community Development District No. 1 to conserve our water resources, not only in the drier months, but also throughout the year. Even though the water being delivered to the Customer is not of potable quality, it is important that all Customers do their part in protecting the water resources in this area. The restrictive covenants prohibit individual private wells within the development; therefore, all irrigation water users must cooperate in conserving water for current and future users of the Community.

In implementing its water conservation program, the Tradition Community Development District No. 1 has adopted the following as part of its water conservation policy:

1. The Customer shall ensure landscape is not being over watered. Over watering is not good for water conservation or for the lawn and shrubs. The South Florida Water Management District Chapter 40E-24, FAC "Mandatory Year-Round Landscape Irrigation Conservation Measures" provides regulations for watering and has been adopted a part of this policy.
2. Natural vegetation should be used in the landscape plan wherever possible. Native plants require less water. Natural areas which have been preserved should not be irrigated.
3. Each Customer is encouraged to utilize Florida-Friendly Landscaping principles including appropriate plant selection and an adequate supply of mulch in plantings beds to help conserve water. <https://www.sfwmd.gov/community-residents/florida-friendly-landscaping-guide>
4. Landscape irrigation shall be prohibited daily between the hours of 10:00 a.m. and 4:00 p.m., except as otherwise provided herein. Each customer may irrigate up to three days a week on days assigned by the CDD. No irrigation is allowed on Fridays.
5. Exceptions to the assigned irrigation schedule are as follows:
 - a. On the day the new landscaping is installed, the new landscaping may be irrigated once without regard to the normally allowable watering days and times. Irrigation of the soil immediately prior to the installation of the new landscaping is also allowable without regard to the normal allowable watering dates and times.
 - b. The ninety (90) day period begins the day the new landscaping is installed. The new landscaping shall be installed with a dated receipt or invoice.
 - c. Irrigation of new landscaping which has been in place for thirty (30) days or less may be accomplished on Monday, Tuesday, Wednesday, Thursday, Saturday, and/or Sunday.
 - d. Irrigation of new landscaping which has been in place for thirty-one (31) to ninety (90) days may be accomplished on Monday, Wednesday, Thursday, and/or Saturday.
 - e. Landscape irrigation systems may be operated during restricted days and/or times for cleaning, maintenance, and repair purposes with an attendant on site in the area being tested. Landscape irrigation systems may routinely be operated for such purposes, no

Tradition Community Development District No. 1
Irrigation System Rules and Regulations (03/04/2026)

more than once per week, and the run time for any one test should not exceed ten (10) minutes per zone.

- f. Any plant material may be watered using low volume irrigation, micro-irrigation, low-volume hand watering methods, and rain barrels, cisterns, or other similar rain harvesting devices without regard to the watering days or times allowed pursuant to this Section.
6. Moisture sensor or rain gauge equipment shall be required and installed on automatic irrigation systems to avoid irrigation during periods of sufficient rainfall and/or soil moisture—one per controller. The sensors or gauge equipment shall have the ability to override the operation of the irrigation system when adequate rainfall has occurred.
7. Irrigation systems must be designed to automatically shut down the complete irrigation system or select zones if excessive water usage is sensed due to damaged or ruptured lines.
8. Irrigation systems shall be designed to minimize overspray and runoff onto paved surfaces, structures, and non-vegetated areas. Systems shall be designed to ensure turf and landscape areas are irrigated on separate zones. In addition, all spray, rotor, and drip zones shall be zoned separately. Systems shall use efficient pressure regulated, low volume rotary heads, bubblers, or other water conserving fixtures appropriate for the landscape material.

Water shortages generally occur in South Florida during the spring months, when the evapotranspiration is high and rainfall is low. Water shortages can also occur, however, throughout an entire year, particularly if summer rains are below normal. The Tradition Community Development District No. 1 and its Irrigation System Customers are required to comply with any and all water restriction requirements imposed by the South Florida Water Management District and local government.

For more detailed state and local irrigation regulation please see Tradition CDD ; City of Port St. Lucie Code Chapter 65, Sections 65.06 through 65.08 and 154.03; and Utility Standards Manual; along with Florida Administrative Code of Ordinances, Rules 40E-24.201 and 40E-24.301.

EXHIBIT C

STANDARD FORMS

CUSTOMER GUARANTEE DEPOSIT RECEIPT

APPLICATION FOR IRRIGATION WATER SERVICE

Tradition Community Development District No. 1
Irrigation System Rules and Regulations

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1
CUSTOMER GUARANTEE DEPOSIT RECEIPT
ACCOUNT NO. _____

1. I HEREBY REQUEST AND AUTHORIZE THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1 TO SUPPLY IRRIGATION SERVICE TO THE BELOW DESCRIBED PROPERTY UNTIL RECEIPT OF FORMAL NOTICE FROM ME REQUESTING DISCONTINUANCE OF SUCH IRRIGATION SERVICE.
2. I AGREE TO PROMPTLY PAY FOR IRRIGATION SERVICE AT THE RATES AND WITHIN THE TIME PERIODS DELINEATED IN THE DISTRICT'S RULES AND REGULATIONS.
3. I HEREBY AGREE TO ABIDE BY THE RULES AND REGULATIONS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1.

SIGNATURE: _____ DATE: _____

NAME: _____

SERVICE ADDRESS: _____

BILLING ADDRESS: _____

CITY: _____ STATE: _____ zip: _____

DEPOSIT AMOUNT: _____ Check No: _____ Other: _____

RECEIVED BY: _____ Date: _____

TO GUARANTEE THE PAYMENT OF ANY AND ALL INDEBTEDNESS FOR IRRIGATION SERVICES WHICH MAY BE OR BECOME DUE TO TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1 (DISTRICT) BY SAID CUSTOMER. CUSTOMER AGREES THAT SUCH DEPOSIT OR ANY PART THEREOF MAY BE APPLIED BY THE DISTRICT AT ANY TIME IN SATISFACTION OF SAID GUARANTEE. THAT AFTER SUCH APPLICATION, THE REMAINDER THEREOF MAY BE APPLIED IN DISCHARGE OF ANY INDEBTEDNESS OF THE CUSTOMER TO THE DISTRICT WHATSOEVER AND THAT THE DISTRICT MAY USE SAID DEPOSITS AS IF THE DISTRICT WERE THE ABSOLUTE OWNER THEREOF. UPON DISCONTINUANCE OF ANY OR ALL SERVICES COVERED BY THIS DEPOSIT AND THE PRESENTATION OF THE RECEIPT AND PROPER IDENTIFICATION, THE DISTRICT AGREES TO REFUND TO THE CUSTOMER THAT PORTION OF THE DEPOSIT APPLYING TO THE SERVICE OR SERVICES DISCONTINUED, LESS ANY AMOUNTS THEN DUE THE DISTRICT. THIS DEPOSIT SHALL NOT PRECLUDE THE DISTRICT FROM DISCONTINUING FOR NONPAYMENT ANY AND ALL SERVICES COVERED BY THIS DEPOSIT REGARDLESS OF THE SUFFICIENCY OF SAID DEPOSIT TO COVER SUCH INDEBTEDNESS FOR SUCH SERVICES.

Tradition Community Development District No. 1
Irrigation System Rules and Regulations

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1
APPLICATION FOR IRRIGATION SERVICE

Type of Service: Residential General

Applicant Information:

Applicant Name: _____

Billing Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Fax: _____

Email: _____

Social Security Number/Driver License or Tax Identification Number: _____

Applicant/Agents Signature: _____

Agents Name: _____

Service Location:

Service Address: _____

Subdivision: _____ Plat Book: _____ Pages: _____

Block Number: _____ Lot Number: _____ Unit Number: _____

Tax ID #: _____

=====
(To be completed by TIC)
=====

Service Information:

Requested Meter Size: 1" 1-1/2" 2" 3" 4" 6" 8" Other: _____

Service Irrigable Area: _____ Square Feet _____ Acres

Annual Allocation: _____ M.G. Avg. Monthly Allocation _____ M.G.

Max. Month Allocation _____ M.G. Estimated Peak Demand: _____ GPM (during hours of operation)

General Service Applicants shall submit three (3) sets of construction documents (plans and specifications).

Account Number: _____ Service Start Date: _____

Meter ID No: _____ Size: _____ Service End Date: _____

System Capacity Charge: \$ _____ Fees: \$ _____ Deposit Amount: \$ _____

Total Amount Due: \$ _____

Approved By: _____ Date: _____

Tradition Community Development District No. 1
Irrigation System Rules and Regulations

Note:

1. Upon signature by the applicant and approval by the Tradition Community Development District No. 1 ("District"), the applicant shall become a Customer of the District and shall be responsible for timely paying for irrigation service and for abiding by and complying with the rules and regulations of the District as contained in the "**Tradition Community Development District No. 1 Irrigation System Rules and Regulations,**" as amended from time to time.
2. Application to Construct as set forth in the "**Irrigation System Design and Construction Standards,**" latest edition, must be consistent with this Application for Service.

<p>TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>	<p>CUSTOMER:</p> <p>By: _____</p> <p>Name: _____</p>

STATE OF FLORIDA)
) SS:
COUNTY OF)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by _____, who is personally known to me or who has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20____.

Notary Public

Typed, printed, or stamped name of Notary Public

My Commission Expires:

Exhibit B

Schedule of the Revised Rates

SCHEDULE OF IRRIGATION TARIFFS, RATES, MISCELLANEOUS SERVICE CHARGES, AND BILLING INFORMATION

EXISTING SYSTEM SERVICE AREA CUSTOMERS—TIER ONE:

For purposes of these rules:

Each irrigated acre contains 8.7 Equivalent Residential Units (ERUs).

Each single-family residential unit is 1.0 ERU.

Each multifamily residential unit is 0.4 ERU.

Each apartment unit is 0.1 ERU.

Monthly Base Facility Charge¹: Per month per Irrigated Acre

\$ 186.96	Discounted Non-Transition Tier One Customers through 09/30/20
\$ 195.75	Non-Discounted Non-Transition Tier One Customers through 09/30/20
\$ 137.03	Transition Tier One Customers, through 09/30/20
\$ 247.73	All Tier One Customers, commencing 04/01/2026

Per month per ERU (single family)

\$ 21.38	Discounted Non-Transition Tier One Customers, through 09/30/20
\$ 22.50	Non-Discounted Non-Transition Tier One Customers, through 09/30/20
\$ 15.75	Transition Tier One Customers, through 09/30/20
\$ 28.48	All Tier One Customers, commencing 04/01/2026

Per month per 0.4 ERU (multifamily)

\$ 8.55	Discounted Non-Transition Tier One Customers, through 09/30/20
\$ 9.00	Non-Discounted Non-Transition Tier One Customers, through 09/30/20
\$ 6.30	Transition Tier One Customers, through 09/30/20
\$ 11.39	All Tier One Customers, commencing 04/01/2026

Per month per 0.1 ERU (apartment)

\$ 2.14	Discounted Non-Transition Tier One Customers, through 09/30/20
\$ 2.25	Non-Discounted Non-Transition Tier One Customers, through 09/30/20
\$ 1.58	Transition Tier One Customers, through 09/30/20
\$ 2.85	All Tier One Customers, commencing 04/01/2026

Monthly Volume and Excess Usage Charge (All Tier One Customers):

Excess Level I

\$2.18 per 1,000 gallons for usage >90,000 but <140,000 gallons per irrigated acre (through 09/30/20)

\$2.76 per 1,000 gallons for usage >90,000 but <140,000 gallons per irrigated acre (commencing 04/01/2026)

Excess Level II

\$3.27 per 1,000 gallons for usage ≥140,000 gallons per irrigated acre (through 09/30/20)

\$4.14 per 1,000 gallons for usage ≥140,000 gallons per irrigated acre (commencing 04/01/2026)

Miscellaneous Charges (All Tier One Customers):

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Account transfer charge: \$20.00

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	2" \$ 750	
	3" \$ 1,100	
	4" \$ 1,750	
	6" \$ 3,200	
	8" \$ 4,500	

Rules and Regulations Violation Charge: \$50.00 per occurrence
Damage to District Facilities caused by Customer: Actual cost of repair

Late Fee Charge: 5.0% of balance due, not to exceed \$250.00 per month, if not paid by Due Date
Finance Charge: 18.0% per annum on balance more than thirty (30) days past due

Plan Review and Inspection Fee: \$2,500.00 including first inspection; additional inspections billed at hourly service charge rate

Meter Test Fee/Deposit: Under 2" \$75.00
2" and above Actual cost of test

Returned Check Charge (Not Sufficient Funds): \$

25.00 Reconnection Charge: \$

85.00
Reconnection Charge (if after 5:00 PM or on weekends): \$105.00/hr., 1 hr. minimum

Transfer of Service Charge: \$30.00

Service Problem Identification Charge²: \$85.00/hr., 1 hr. minimum

Service Problem Identification Charge (if after 5:00 PM or on weekends)²: \$125.00/hr., 1 hr. minimum

Terms of Payment: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After a minimum of ten (10) days written notice, service may be discontinued.

Notes:

1. Charged regardless of volume quantity used per irrigated acre served.
2. Charged only if Service Problem is **NOT** the fault of the District.

EXPANSION SYSTEM SERVICE AREA CUSTOMERS—TIERS TWO, THREE AND FOUR:

For purposes of these rules:

Each irrigated acre contains 8.7 Equivalent Residential Units (ERUs). Each single-family residential unit is 1.0 ERU.

Each multifamily residential unit is 0.4

ERU. Each apartment unit is 0.1 ERU.

Monthly Base Facility Charge¹: Per month per Irrigated Acre

\$ 90.63 Tier Two Customers

\$ 58.44 Tier Three

Customers

\$ 157.26 Tier Four

Customers

Per month per ERU (single

family)

\$ 10.41 Tier Two Customers

\$ 6.72 Tier Three

Customers

\$ 18.08 Tier Four

Customers Per month per 0.4

ERU (multifamily)

\$ 4.16 Tier Two Customers

\$ 2.68 Tier Three

Customers \$ 7.23 Tier Four

Customers Per month per 0.1

ERU (apartment)

\$ 1.04 Tier Two Customers

\$ 0.68 Tier Three Customers

\$ 1.81 Tier Four Customers

Monthly Volume and Excess Usage Charge (Tier Two & Tier Three

Customers):

Excess Level I

\$2.18 per 1,000 gallons for usage >90,000 but <140,000 gallons per irrigated acre (through 09/30/20)

\$2.76 per 1,000 gallons for usage >90,000 but <140,000 gallons per irrigated acre (commencing 04/01/2026)

Excess Level II

\$3.27 per 1,000 gallons for usage ≥140,000 gallons per irrigated acre (through 09/30/20)

\$4.14 per 1,000 gallons for usage ≥140,000 gallons per irrigated acre (commencing 04/01/2026)

Miscellaneous Charges (Tier Two, Three and Four Customers):

Account setup charge: \$20.00

Account transfer charge: \$20.00

Initial Connection (Meter) Fee:

Controller	\$ 2,000	(estimated; once facilities have been sized by the designer and fees paid, the Customer will order the controller, valve, and meter as required)
Control Valve/Meter	1-1/2" \$ 750	
	2" \$ 750	
	3" \$ 1,100	
	4" \$ 1,750	
	6" \$ 3,200	
	8" \$ 4,500	

Rules and Regulations Violation Charge: \$50.00 per

occurrence Damage to District Facilities caused by Customer: Actual cost of repair

Late Fee Charge: 5.0% of balance due, not to exceed \$250.00 per month, if not paid by Due

Date Finance Charge: 18.0% per annum on balance more than thirty (30) days past due

Plan Review and Inspection Fee: \$2,500.00 including first inspection; additional inspections billed at hourly service charge rate

Meter Test Fee/Deposit: Under 2" \$75.00
2" and above Actual cost of test

Returned Check Charge (Not Sufficient Funds): \$

25.00 Reconnection Charge: \$

85.00
Reconnection Charge (if after 5:00 PM or on weekends): \$105.00/hr., 1 hr. minimum

Transfer of Service Charge: \$30.00

Service Problem Identification Charge²: \$85.00/hr., 1 hr. minimum

Service Problem Identification Charge (if after 5:00 PM or on weekends)²: \$125.00/hr., 1 hr. minimum

Terms of Payment: Bills are due and payable when rendered and become delinquent if not paid within twenty (20) days. After a minimum of ten (10) days written notice, service may be discontinued.

Notes:

1. Charged regardless of volume quantity used per irrigated acre served.
2. Charged only if Service Problem is **NOT** the fault of the District.



Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

AFFIDAVIT OF PUBLICATION

Laura Archer
c/o Special District Services, Inc.
Tradition Community Development District
2501A Burns Road
Palm Beach Gardens FL 33410

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Indian River Press Journal/St Lucie News Tribune/Stuart News, newspapers published in Indian River/St Lucie/Martin Counties, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible websites of Indian River/St Lucie/Martin Counties, Florida, or in a newspaper by print in the issues of, on:

SCN StLucie-IndianRv-Stuart 01/26/2026
SCN tcpalm.com 01/26/2026

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 01/26/2026



Legal Clerk



Notary, State of WI, County of Brown
9-3-29

My commission expires

Publication Cost: \$223.48
Tax Amount: \$0.00
Payment Cost: \$223.48
Order No: 12018395 # of Copies:
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Please do not use this form for payment remittance.

KONGMENG YANG
Notary Public
State of Wisconsin

NOTICE OF RULE DEVELOPMENT BY THE TRADITION COMMUNITY DEVELOPMENT DISTRICTS NOS. 1-11
In accordance with Chapters 120 and 190, Florida Statutes, Tradition Community Development District No. 1, Tradition Community Development District No. 2, Tradition Community Development District No. 3, Tradition Community Development District No. 4, Tradition Community Development District No. 5, Tradition Community Development District No. 6, Tradition Community Development District No. 7, Tradition Community Development District No. 8, Tradition Community Development District No. 9, Tradition Community Development District No. 10, and Tradition Community Development District No. 11 (together the "Districts") each hereby gives the public notice of its intention to develop revised Rules of Procedure (the "Proposed Rules") to govern the operations of the District. The rule number for the Proposed Rules of each of the Districts is 2026-1. The revised Rules of Procedure will address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings, competitive purchase including procedure under the Consultants Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District. The purpose and effect of the revised Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with recent changes to Florida law. The specific grant of rulemaking authority for the adoption of the proposed revised Rules of Procedure includes Sections 190.01(5), 190.01(15) and 190.035, Florida Statutes. The specific laws implemented in the proposed revised Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 112.3144, 112.3145, 119.07, 119.0701, 120.54, 120.542, 120.5435, 120.56, 120.69, 120.81, 189.053, 189.069, 190.008, 190.007, 190.008, 190.011, 190.033, 190.035, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.012, 286.0113, 286.0114, 287.017, 287.055, and 287.084, Florida Statutes. A copy of the proposed revised Rules of Procedure and the related incorporated documents, if any, may be obtained by contacting the District Manager, c/o Special District Services, Inc., 10521 SW Village Center Dr., Suite #203, Port St. Lucie, FL 34987, (772) 345-5119, or bsakuma@sdinc.org. Frank Sakuma, District Manager Tradition Community Development District No. 1 Tradition Community Development District No. 2 Tradition Community Development District No. 3 Tradition Community Development District No. 4 Tradition Community Development District No. 5 Tradition Community Development District No. 6 Tradition Community Development District No. 7 Tradition Community Development District No. 8 Tradition Community Development District No. 9 Tradition Community Development District No. 10 Tradition Community Development District No. 11 www.traditioncd1.org PUBLISH: ST. LUCIE NEWS TRIBUNE 01/26/26 TCN12018395

USA TODAY CO.



PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Archer
C/O Special District Services/Legals
Tradition Comm Dev Dist 1
2501 Burns RD
Suite A
Palm Beach Gardens FL 33410-5207

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Indian River Press Journal/St Lucie News Tribune/Stuart News, newspapers published in Indian River/St Lucie/Martin Counties, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible websites of Indian River/St Lucie/Martin Counties, Florida, or in a newspaper by print in the issues of, on:

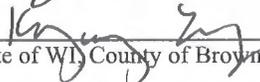
SCN StLucie-IndianRv-Stuart 02/02/2026
SCN tcpalm.com 02/02/2026

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 02/02/2026



Legal Clerk

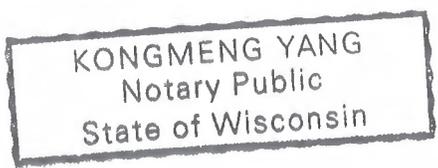


Notary, State of WI, County of Brown
6-3-28

My commission expires _____

Publication Cost: \$305.80
Tax Amount: \$0.00
Payment Cost: \$305.80
Order No: 12034342 # of Copies: 1
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**NOTICE OF RULEMAKING
REGARDING THE REVISED RULES
OF PROCEDURE OF
TRADITION COMMUNITY
DEVELOPMENT DISTRICTS**

NOS. 1-11

In accordance with Chapters 120 and 190, Florida Statutes, the Tradition Community Development District No. 1, Tradition Community Development District No. 2, Tradition Community Development District No. 3, Tradition Community Development District No. 4, Tradition Community Development District No. 5, Tradition Community Development District No. 6, Tradition Community Development District No. 7, Tradition Community Development District No. 8, Tradition Community Development District No. 9, Tradition Community Development District No. 10, and Tradition Community Development District No. 11 (together the "Districts") each hereby gives the public notice of its intent to adopt its proposed revised Rules of Procedure (the "Proposed Rules"). The rule number for the Proposed Rules of each of the Districts is 2026-1. Prior notice of rule development relative to the Proposed Rules was published in the St. Lucie News Tribune on January 26, 2026. A joint public hearing will be conducted by the Boards of Supervisors (the "Boards") of each of the Districts on March 4, 2026, at 11:00 a.m. at the Tradition Town Hall located at 10799 SW Civic Lane, Port St. Lucie, Florida 34987 relative to the adoption of the Proposed Rules. Pursuant to Sections 190.011(5) and 190.012(3), Florida Statutes, the Proposed Rules will not require legislative ratification.

The summary of purpose and effect of the revised Rules of Procedure is to provide for efficient and effective district operations and to ensure compliance with recent changes to Florida law. The specific grant of rulemaking authority for the adoption of the Proposed Rules includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes. The specific laws implemented in the Proposed Rules include, but are not limited to, Sections 112.08, 112.3143, 112.3144, 112.3145, 119.07, 119.0701, 120.54, 120.542, 120.5435, 120.56, 120.69, 120.81, 189.053, 189.069, 190.006, 190.007, 190.008, 190.011, 190.033, 190.035, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.012, 286.0113, 286.0114, 287.017, 287.055, and 287.084, Florida Statutes.

A statement of estimated regulatory costs, as defined in Section 120.541(2), Florida Statutes, has not been prepared relative to the Proposed Rules. Any person who wishes to provide any of the Districts 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.

For more information regarding the public hearing, the Proposed Rules, or for a copy of the Proposed Rules and the related incorporated documents, if any, please contact the District Manager c/o Special District Services, Inc., 10521 SW Village Center Dr., Suite #203, Port St. Lucie, FL 34987, (772) 345-5119, or Bsakuma@sdsinc.org (the "District Manager's Office"). This public hearing may be continued to a date, time, and place to be specified on the record at the hearing without additional notice. If anyone chooses to appeal any decision of the Boards 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.

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

Frank Sakuma, District Manager
Tradition Community Development District No. 1
Tradition Community Development District No. 2
Tradition Community Development District No. 3
Tradition Community Development District No. 4
Tradition Community Development District No. 5
Tradition Community Development District No. 6
Tradition Community Development District No. 7
Tradition Community Development District No. 8
Tradition Community Development District No. 9
Tradition Community Development District No. 10
Tradition Community Development District No. 11

www.traditioncdd1.org
PUBLISH: ST. LUCIE NEWS TRIBUNE
02/02/26
TCN12034

MEMORANDUM

FROM: Kutak Rock LLP
TO: Board of Supervisors
DATE: March 4, 2026

Subject: Resolution Adopting Rules of Procedure

Staff Recommendation

Staff recommends the Board adopt the Resolution Adopting Rules of Procedure.

General Information

This resolution adopts our revised Rules of Procedure and confirms that the District complied with the relevant provisions of the Florida Statutes in adopting these Rules. The Rules of Procedure are attached to this resolution as Exhibit A. The Rules of Procedure can be broken down into three main sections

1. General: Covers topics like voting, public meeting notice requirements, and other general operational items.
2. Rulemaking Proceedings: Addresses the process by which the Board can promulgate rules and regulations pertaining to the use of its facilities, conduct of its business, etc.
3. Competitive Purchase: Relates to the regulations on the acquisition of materials and the letting of contracts for different purposes.

District Legal Counsel Review

The District's attorneys prepared this Resolution.

Funding Review

This Resolution is not expected to affect the District's financial condition.

RESOLUTION 2026-19

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1 ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tradition Community Development District No. 1 (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1:

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

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

SECTION 3. This resolution shall become effective upon its passage and shall supersede any rules of procedure previously adopted by the District and remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 4th day of March 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1

Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A
RULES OF PROCEDURE

RESOLUTION 2026-19

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 2 ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tradition Community Development District No. 2 (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 2:

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

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

SECTION 3. This resolution shall become effective upon its passage and shall supersede any rules of procedure previously adopted by the District and remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 4th day of March 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 2

Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A
RULES OF PROCEDURE

RESOLUTION 2026-19

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 3 ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tradition Community Development District No. 3 (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 3:

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

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

SECTION 3. This resolution shall become effective upon its passage and shall supersede any rules of procedure previously adopted by the District and remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 4th day of March 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 3

Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A
RULES OF PROCEDURE

RESOLUTION 2026-19

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 4 ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tradition Community Development District No. 4 (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 4:

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

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

SECTION 3. This resolution shall become effective upon its passage and shall supersede any rules of procedure previously adopted by the District and remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 4th day of March 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 4

Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A
RULES OF PROCEDURE

RESOLUTION 2026-19

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 5 ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tradition Community Development District No. 5 (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 5:

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

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

SECTION 3. This resolution shall become effective upon its passage and shall supersede any rules of procedure previously adopted by the District and remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 4th day of March 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 5

Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A
RULES OF PROCEDURE

RESOLUTION 2026-19

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 6 ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tradition Community Development District No. 6 (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 6:

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

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

SECTION 3. This resolution shall become effective upon its passage and shall supersede any rules of procedure previously adopted by the District and remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 4th day of March 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 6

Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A
RULES OF PROCEDURE

RESOLUTION 2026-19

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 7 ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tradition Community Development District No. 7 (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 7:

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

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

SECTION 3. This resolution shall become effective upon its passage and shall supersede any rules of procedure previously adopted by the District and remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 4th day of March 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 7

Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A
RULES OF PROCEDURE

RESOLUTION 2026-19

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8 ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tradition Community Development District No. 8 (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8:

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

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

SECTION 3. This resolution shall become effective upon its passage and shall supersede any rules of procedure previously adopted by the District and remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 4th day of March 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8

Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A
RULES OF PROCEDURE

RESOLUTION 2026-19

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 9 ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tradition Community Development District No. 9 (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 9:

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

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

SECTION 3. This resolution shall become effective upon its passage and shall supersede any rules of procedure previously adopted by the District and remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 4th day of March 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 9

Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A
RULES OF PROCEDURE

RESOLUTION 2026-19

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 10 ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tradition Community Development District No. 10 (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 10:

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

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

SECTION 3. This resolution shall become effective upon its passage and shall supersede any rules of procedure previously adopted by the District and remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 4th day of March 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 10

Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A
RULES OF PROCEDURE

RESOLUTION 2026-19

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11 ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tradition Community Development District No. 11 (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11:

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

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

SECTION 3. This resolution shall become effective upon its passage and shall supersede any rules of procedure previously adopted by the District and remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 4th day of March 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11

Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A
RULES OF PROCEDURE

**RULES OF PROCEDURE
TRADITION COMMUNITY DEVELOPMENT DISTRICT NOS. 1-11
RULE NO. 2026-01**

EFFECTIVE AS OF MARCH 4, 2026

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Rule 1.0 General.

- (1) 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 (772) 345-5119. 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. 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) The proposed rule number;
 - (ii) The full text of the proposed rule or amendment and a summary thereof, unless not required pursuant to Section 120.81(2)(b) of the Florida Statutes or other Florida law;
 - (iii) The grant of rulemaking authority for the proposed rule;
 - (iv) The law being implemented or interpreted;
 - (v) The name, e-mail address, and telephone number of the agency employee who may be contacted regarding the intended action;
 - (vi) 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;

- (vii) The District's website where the statement of estimated regulatory costs can be viewed, in its entirety, if one has been prepared;
 - (viii) 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;
 - (ix) 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)(b), 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.

TRADITION COMMUNITY DEVELOPMENT DISTRICT NOS. 1-11

**Tradition Town Hall
10799 SW Civic Lane
Port St. Lucie, Florida 34987**

OR

<https://us02web.zoom.us/j/3341025012?omn=81846142861>

Meeting ID: 334 102 5012

Dial-In: 1 929 436 2866

REGULAR BOARD MEETING

February 4, 2026

11:00 a.m.

A. CALL TO ORDER

The Regular Board Meeting of the Tradition Community Development District Nos. 1-11 of February 4, 2026, was called to order at 11:00 a.m. in the Tradition Town Hall located at 10799 SW Civic Lane, Port St. Lucie, Florida 34987.

B. PROOF OF PUBLICATION

Proof of publication was presented that showed notice of the Regular Board Meeting had been published in the *St. Lucie News Tribune* on January 26, 2026, as part of the District’s Fiscal Year 2025/2026 meeting schedule, as legally required.

C. ESTABLISH A QUORUM

It was determined that the attendance of the following Supervisors constituted a quorum, and it was in order to proceed with the meeting:

CDD #'s 1, 2, 7, 8, 9, 10 & 11		
Chairman	Jonas Read	Present
Vice Chairman	William Pittsley	Absent
Supervisor	Tara Toto	Present
Supervisor	Bianca Magloire	Present
Supervisor	Tony Piscopo	Present

CDD # 3		
Supervisor	Joe Piatcheck	Present
Chairman	Isiah Steinberg	Present
Supervisor	Stan Briggs	Present
Vice Chair	Rosario “Roy” Perconte	Present
Supervisor	Suzanne Killeen	Present

CDD # 4		
Chairman	Gail Cost	Present
Vice Chairman	Rich Giglia	Present
Supervisor		Vacant
Supervisor	Lauren Leandre	Present

Supervisor	Drew Wesley	Present
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CDD # 5		
Supervisor	Cathy Powers	Present
Chairperson	Chris King	Present
Supervisor	Dave Lasher	Present
Supervisor	Rick Dixon	Present (via Zoom)
Vice Chairman	Joe Pinto	Present

CDD # 6		
Chairman	Jerry Krbec	Present
Vice Chairman	Keith Bulkin	Present
Supervisor		Vacant
Supervisor	John Slicher	Present
Supervisor	Peter Webb	Present

Staff members in attendance were:

District Manager	Frank Sakuma	Special District Services, Inc.
District Manager	Stephanie Brown	Special District Services, Inc.
Assistant District Manager	Jessica Wargo	Special District Services, Inc.
District Manager	Michael McElligott (via Zoom)	Special District Services, Inc.
District Counsel	Bennett Davenport	Kutak Rock
District Engineer	Stef Matthes	Culpepper and Terpening

D. ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

E. COMMENTS FROM THE PUBLIC NOT ON THE AGENDA

There were no comments from the public.

F. CONSENT ITEMS

Consent items 2, 3, 5, 6, 7 and 8 were removed from consent for discussion.

- 1. Approval of January 7, 2026, Regular Board Meeting Minutes**
- 4. Approve WA #19-143-201; 9544 SW Royal Poinciana Dr - Pool**

A **motion** was made by CDD No. 1 Mr. Read, seconded by Ms. Magloire, and passed unanimously by CDD No.1 approving the above Consent Items, as presented.

- (Consent #2) Approval of WA #19-143-199; Kirchman Tradition – Plat

Dr. Powers voiced her concern about a tree on the corner of the lot being removed. Mr. Matthes responded that the tree was not addressed in the Plat but would be during the site plan approval process.

- (Consent #3) Approval of WA #19-143-200; Yard House – The Landing at Tradition – SWM

Dr. Powers asked if a parking study would be completed for the Yard House. Mr. Read responded that a parking study was required and had been completed previously. Mr. Matthes also responded that the Yard House would share the same entrance as Olive Garden. Dr. Powers suggested including traffic studies in the future.

- (Consent #5) Approval of WA #26-01; Western Grove Reclaimed Service Point of Service (POS)

Dr. Powers asked why this item was not being covered by the builder. Mr. Sakuma responded that the District was the builder.

- (Consent #6) Approval of Living Shoreline Design Services for the Tradition Lakes

This item was covered previously. There was no further discussion.

- (Consent #7) Approval of Quote #12501 – Stormwater Drainage Improvements; Tradition Parkway

Dr. Powers suggested getting pricing options for a 6-month and 12-month warranty.

- (Consent #8) Approval of Agreement for Underwriting Services – Tradition Community Development District No. 1 Irrigation Utility Bonds

Dr. Powers inquired why bonds were not utilized with the lake banks restoration. Resident Mary Milmore stated that the bonds would be a fixed rate, but funding through operations and maintenance provides for more flexibility.

After Board discussion, a **motion** was made by CDD No. 1, Mr. Read, seconded by Ms. Magloire, approving consent item numbers 2, 3, 5, 6, 7 and 8. The **motion** passed unanimously.

G. OLD BUSINESS

1. Irrigation Franchise Agreement

There was nothing to report at this time.

2. Irrigation Rate Study

Mr. Sakuma notified the Boards that the Irrigation Rate Study had been concluded and accepted by District No. 1.

H. NEW BUSINESS

1. Adopting Resolution No. 2026-14; Service Animal Policy–District Nos. 1-11

Resolution No. 2026-14 was presented, entitled:

RESOLUTION 2026-14

A RESOLUTION OF THE BOARD OF SUPERVISORS OF TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1 ADOPTING POLICIES FOR THE USE OF SERVICE ANIMALS IN PUBLIC ACCOMMODATIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by CDD Nos. 1, 2, 7, 8, 9, 10 & 11 Mr. Read, seconded by Mr. Piscopo, adopting Resolution 2026-14, Service Animal Policy as presented. The **motion** passed unanimously.

A **motion** was made by CDD No. 3 Ms. Killeen, seconded by Mr. Steinberg, adopting Resolution 2026-14, Service Animal Policy as presented. The **motion** passed unanimously.

A **motion** was made by CDD No. 4 Ms. Cost, seconded by Mr. Briggs, adopting Resolution 2026-14, Service Animal Policy as presented. The **motion** passed unanimously.

A **motion** was made by CDD No. 5 Dr. Powers, seconded by Mr. Lasher, adopting Resolution 2026-14, Service Animal Policy as presented. The **motion** passed unanimously.

A **motion** was made by CDD No. 6 Mr. Krbec, seconded by Mr. Webb, adopting Resolution 2026-14, Service Animal Policy as presented. The **motion** passed unanimously.

2. Adopting Resolution No. 2026-15; Pond Use Policies – District No. 1

Resolution No. 2026-15 was presented, entitled:

RESOLUTION 2026-15

A RESOLUTION OF THE BOARD OF SUPERVISORS OF TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1 ADOPTING POLICIES FOR THE USE OF STORMWATER PONDS WITHIN THE BOUNDARIES OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NOS. 1-10; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by CDD No. 1, Mr. Read, seconded by Mr. Piscopo, adopting Resolution 2025-15 Pond Policy as presented. The **motion** passed unanimously.

3. Adopting Resolution No. 2026-16; General Election Rules – District Nos. 3, 4, 5, 6, 7, 8 & 10

Resolution No. 2026-16 was presented, entitled:

RESOLUTION NO. 2026-16

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 3 (4, 5, 6, 7, 8, 10) IMPLEMENTING SECTION 190.006(3), FLORIDA STATUTES, AND REQUESTING THAT THE ST. LUCIE COUNTY SUPERVISOR OF ELECTIONS CONDUCT THE DISTRICT'S GENERAL ELECTIONS; PROVIDING FOR COMPENSATION; SETTING FORTH THE TERMS OF OFFICE; AUTHORIZING NOTICE OF THE QUALIFYING PERIOD; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

A **motion** was made by CDD No. 3 Mr. Steinberg, seconded by Mr. Piatcheck, adopting Resolution 2026-16 General Election Rules as presented. The **motion** passed unanimously.

A **motion** was made by CDD No. 4 Ms. Cost, seconded by Ms. Leandre, adopting Resolution 2026-16 General Election Rules as presented. The **motion** passed unanimously.

A **motion** was made by CDD No. 5 Mr. Lasher, seconded by Mr. Pinto, adopting Resolution 2026-16 General Election Rules as presented. The **motion** passed unanimously.

A **motion** was made by CDD No. 6 Mr. Krbec, seconded by John Slicher, adopting Resolution 2026-16 General Election Rules as presented. The **motion** passed unanimously.

A **motion** was made by CDD Nos. 7, 8 and 10 Mr. Read, seconded by Mr. Piscopo, adopting Resolution 2026-16 General Election Rules as presented. The **motion** passed unanimously.

4. Adopting Resolution No. 2026-17; Election of Officers

Resolution No. 2026-17 was presented entitled:

RESOLUTION 2026-17

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1 DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

A **motion** was made by CDD No. 1 Mr. Read, seconded by Mr. Magloire, adopting Resolution 2026-17 Designating Certain Officers of the District as presented. The **motion** passed unanimously.

I. ADMINISTRATIVE MATTERS

1. Manager's Report

Mr. Sakuma reminded the Board to file the Form 1 – Statement of Financial Interests by July 1, 2026.

2. Attorney's Report

Mr. Davenport stated that the Florida legislative session was underway, and he would provide any necessary updates upon the completion of the session.

3. Engineer's Report

Mr. Matthes provided a Lake Banks Committee Meeting update. He is collaborating with an environmental consultant regarding planting materials and schemes. Mr. Matthes will also be scheduling site visits.

4. Financial Report

The financial report was included with the Board package. Mr. McElligott was present to answer any questions. Ms. Cost asked about the \$1.5 Million in accounts receivable. Mr. McElligott responded that he would research it and bring the information back to the Board.

5. Founder’s Report

Mr. Read stated the So Grove Park was currently on pause, and the Stars & Stripes project was still on-going.

J. BOARD MEMBER COMMENTS

Dr. Powers requested that staff send a notice of the March 4th Regular Board Meeting and Public Hearing to the Master HOA to disseminate to all the communities. She also had questions regarding the roundabouts and the City’s responsibility and asked when the next community outreach would occur.

Chris King gave positive feedback on the EBikes program in Tradition.

K. ADJORNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Read, seconded by Ms. Magloire, adjourning the meeting at 11:46 a.m. There were no objections.

Secretary (Frank Sakuma)

Chair

Print Signature

Print Signature

March 4, 2026

RE: Tradition Community Development District Auditor Renewal

At the November 10, 2021, Tradition Community Development District Board Of Supervisors meeting, the firm of DiBartolomeo, McBee, Hartley & Barnes, P.A. was selected to perform the 9-30-2022, 9-30-2023 and 9-30-2024 year end audits of the District with an option to perform the 9-30-2025 and 9-30-2026 audits.

The fees for the 9-30-2022 audit was \$31,750. The fees for the 9-30-2023 audit was \$33,300. And the fees for the 9-30-2024 audit were \$34,850. The proposed fees for the 9-30-2025 audit is \$36,850, which is less than the budgeted amount for audit fees for Fiscal Year 2024/2025. The proposed fee for the 9-30-26 audit is \$38,500. Please note the fees will increase due to new bonds being added.

Management is pleased with the professionalism and the competence of the DiBartolomeo, McBee, Hartley & Barnes, P.A. partners and staff; therefore, management recommends that the Board approve the renewal option for the Fiscal Year Ending 9-30-2025 and 9-30-2026 audits for DiBartolomeo, McBee, Hartley & Barnes, P.A..

Special District Services, Inc.

January 28, 2025

Mr. B. Frank Sakuma, Jr., CDM
District Manager
Special District Services, Inc.
2501A Burns Rd.
Palm Beach Gardens, FL 33410

Subject: **Professional Consulting Services for Additional Bonds Certificate**

Dear Mr. Sakuma:

Attached for your consideration is the proposed scope of services, contract budget, and project schedule for Ryper Water Analytics, LLC ("Ryper") to serve as the Qualified Independent Consultant in connection with the proposed Series 2026 Irrigation System Revenue Bonds to be issued by the Tradition Community Development District (the "District"). The purpose of this engagement is for Ryper to prepare an Additional Bonds Test analysis and accompanying certificate, as required under the District's bond resolution, demonstrating compliance with the applicable debt service coverage requirements associated with the issuance of the Series 2026 Bonds. The proposed scope of services includes evaluation of the required measurement period, calculation of adjusted gross revenues and operation expenses, and preparation of a formal certificate suitable for certification by the District Secretary and inclusion in the bond transcript.

This proposed work authorization provides services detailed in the attached scope of services for total compensation of nine thousand eight hundred and fifty dollars (\$9,850). The terms reflected in this proposed work authorization will be accepted by the issuance of a Purchase Order by the District, which shall be effective for thirty (30) days from the date of submission of this proposal.

We appreciate the opportunity to assist the District in connection with the proposed Series 2026 financing. The receipt of the Purchase Order from the District accepting the scope and terms will serve as our notice to proceed. If you should have any questions, please do not hesitate to contact us.

Respectfully,

Ryper Water Analytics,



Ryan Smith

**TRADITION COMMUNITY DEVELOPMENT DISTRICT
PROFESSIONAL CONSULTING SERVICES FOR ADDITIONAL BONDS
CERTIFICATE**

OBJECTIVE

Tradition Community Development District ("Tradition CDD") and Ryper Water Analytics, LLC ("Ryper") have entered into this general services agreement (the "Agreement") to provide professional financial consulting services in connection with the proposed issuance of the Series 2026 Irrigation System Revenue Bonds. The primary objective of the scope of services to be performed for Tradition CDD is the preparation of an Additional Bonds Test analysis and the issuance of a certificate by Ryper, acting as a Qualified Independent Consultant, demonstrating compliance with the requirements of the District's bond resolution. This work will include the evaluation of the applicable measurement period, calculation of adjusted Gross Revenues and Operation and Maintenance Expenses, and confirmation that Net Revenues meet the required debt service coverage thresholds necessary to authorize the issuance of the Series 2026 Bonds. (the "Project").

SCOPE OF SERVICES

The scope of services to be performed by Ryper has been presented in a series of primary tasks based on the objectives of Tradition CDD. The following is the scope of services to be performed by Ryper associated with this Project:

Task 1 – Kickoff and Data Acquisition/Compilation Review: Ryper will prepare a data request to initiate the Project and to compile statistical and financial information from Tradition CDD. Ryper will interview staff members to collect historical financial documentation as well as other relevant information needed to perform the Project and in support of the development of the additional bonds certificate.

(Remainder of Page Intentionally Left Blank)

Task 2 – Identification and Development of an Alternative Twelve-Month Measurement Period: Based on the timing constraints imposed by the bond resolution and the District’s fiscal year-end, Ryper will work with District staff to identify and develop an alternative twelve (12) month Measurement Period within the most recent eighteen (18) month window that does not coincide with the end of the District’s fiscal year. This task will include evaluation of available historical financial records, revenue and expense timing considerations, and confirmation that the selected Measurement Period satisfies the technical requirements of the bond resolution. Ryper will document the rationale for the selected Measurement Period for inclusion in the certificate.

Task 3 – Compilation and Adjustment of Gross Revenues for the Measurement Period: Ryper will compile Gross Revenues of the Irrigation System for the selected Measurement Period based on rates, fees, and other charges in effect during that period. This task will include adjustments allowed under the bond resolution, including the treatment of revenues derived from adopted rates, deposits in the Rate Stabilization Fund.

Task 4 – Determination of Operating and Maintenance Expenses: Ryper will compile and evaluate Operation and Maintenance expenses of the Irrigation System for the selected Measurement Period, adjusted as required by the bond resolution. This task will include a review of financial records and supporting documentation to ensure expenses are properly classified and reflect costs eligible for inclusion in the Additional Bonds Test calculation.

Task 5 – Calculation of Debt Service Coverage and Additional Bonds Test Compliance: Using the adjusted Gross Revenues and Operating and Maintenance expenses developed for the Measurement Period, Ryper will calculate Net Revenues available for debt service and evaluate compliance with the Additional Bonds Test. This analysis will compare Net Revenues to one hundred fifteen percent (115%) of the maximum annual Principal and Interest Requirements becoming due in any Bond Year on all outstanding Bonds and the proposed Series 2026 Bonds, in accordance with the bond resolution.

Task 6 – Preparation of Certificate of the Qualified Independent Consultant: Ryper will prepare a formal certificate, in its capacity as Qualified Independent Consultant, certifying the results of the Additional Bonds Test analysis. The certificate will state that the requirements of the bond resolution have been satisfied based on the selected Measurement Period and the calculations performed. The certificate will be prepared in a form suitable for certification by the District Secretary and inclusion in the bond transcript.

Task 7 – Coordination with District Staff and Financing Team: Ryper will coordinate with District staff, bond counsel, financial advisor, and other members of the financing team, as necessary, to support the preparation, review, and finalization of the certificate. This task will include responding to technical questions regarding assumptions, calculations, and compliance with the bond resolution requirements related to the Additional Bonds Test.

MEETINGS

During the course of this engagement, it is not anticipated that Ryper will attend any on-site meetings but will attend several teleconference meetings. The attendance of any on-site meetings will be considered to be an additional service.

STAFF ASSISTANCE

As with any major study, Tradition CDD's staff will be called upon to provide assistance to Ryper to complete the engagement on a timely basis. The following is a list of the activities anticipated to be performed by the staff of Tradition CDD:

1. The gathering of specific customer, operational, and financial data and information relative to the Project;
2. The performance of certain analyses relative to the compiling of data if not in a usable format in general records and reports of Tradition CDD;
3. Aiding in the formulation of policy decisions relative to cost or need determination, cost allocations, and rate recommendations. An example would include capital improvements project prioritization, etc.; and
4. Performing a general review and providing comments relative to the results of our analyses.

ADDITIONAL SERVICES

During the course of the Project, Tradition CDD may request additional services relative to the performance of the revenue sufficiency analysis from Ryper. Such services will not be conducted until authorized by Tradition CDD. All invoices for additional services performed by Ryper will be based on the hourly rate schedule of Ryper members as identified in Exhibit A of this proposal or on some other basis as mutually agreed between Tradition CDD and Ryper. Although no additional services are anticipated for this engagement, examples of additional services may include the following:

1. Attendance of meetings with Tradition CDD staff, Tradition CDD Board or interested parties, or public hearings in addition to what is contemplated in the scope of services.
2. The derivation of rate design analyses beyond what is contemplated in the scope of services.
3. Design of other rates, miscellaneous service charges, or connection fees not specifically addressed in the scope of services.
4. Performance of any annual update to the financial forecast after completion of the Project.
5. Delays in the Project schedule at no fault to Ryper, which may have impacts on analyses performed, and which would affect the budget for the scope of services reflected herein.

SCHEDULE

Ryper will begin work on the Project upon receipt of a purchase order from Tradition CDD. Ryper will endeavor to complete the Scope of Services within the timeframe of Tradition CDD 's schedule to complete the Project, subject to any excused delay occasioned by factors beyond Ryper's reasonable control. Based on data availability, Ryper intends to complete the analyses within 90 days of notification to proceed.

PROPOSED FEES

Ryper shall bill for the services described above on a not-to-exceed budget based on actual hours incurred by Ryper personnel and actual materials costs (if any), except as may be modified by Tradition CDD and Ryper, in an amount not to exceed \$9,850. A further breakdown of the estimated Ryper personnel hours and proposed fees is shown below in Exhibit A.

Exhibit A – Cost Estimate			
Description	Project Manager	Financial Analyst	Total
Direct Labor Rates	\$200	\$125	
Task 1 – Kickoff and Data Acquisition/Compilation Review	2	2	4
Task 2 – Identification and Development of an Alternative Measurement Period	4	8	12
Task 3 – Compilation and Adjustment of Gross Revenues	2	6	8
Task 4 - Determination of Operating and Maintenance Expenses	2	6	8
Task 5 - Calculation of Debt Service Coverage and Additional Bonds Test Compliance	4	4	8
Task 6 – Preparation of Certificate of the Qualified Independent Consultant	8	6	14
Task 7 - Coordination with District Staff and Financing Team	6	2	8
Meetings (allowance of 6 hours per meeting) (0 total)	0	0	0
Total Hours	28	34	62
Total Labor Cost	\$5,600	\$4,250	\$9,850
Travel Allowance			\$0
Total Project Budget			\$9,850

**Tradition Community Development District
BOARD AGENDA ITEM
Board Meeting Date: March 4, 2026**

Subject: TR - Yard House - The Landing at Tradition - Irrigation
Work Authorization No. WA-19-143-202
C&T Project No. 19-143.TR2.025.0226.I

Background:

On February 9, 2026, the Tradition CDD Engineer received a Work Authorization application for an irrigation system to connect the 2-acre "Yard House - The Landing at Tradition" Project to the Tradition Irrigation System. The subject property is located at 10928 SW Village Parkway & can be identified as parcel ID 4310-602-0013-000-6.

Recommended Action:

Approve proposed project connecting to the Tradition Master Stormwater System under the following conditions:

1. Responding to the outstanding Request for Additional Information to the CDD Engineer's satisfaction.

Location: Tradition Community Development District CDD.2

Within Tradition Irrigation Service Area? Yes

Fiscal Information: This project is not expected to impact the CDD Stormwater System operational budget.

Grant Related? No

Additional Comments: None

Board Action:

Moved by:

Seconded by:

Action Taken:

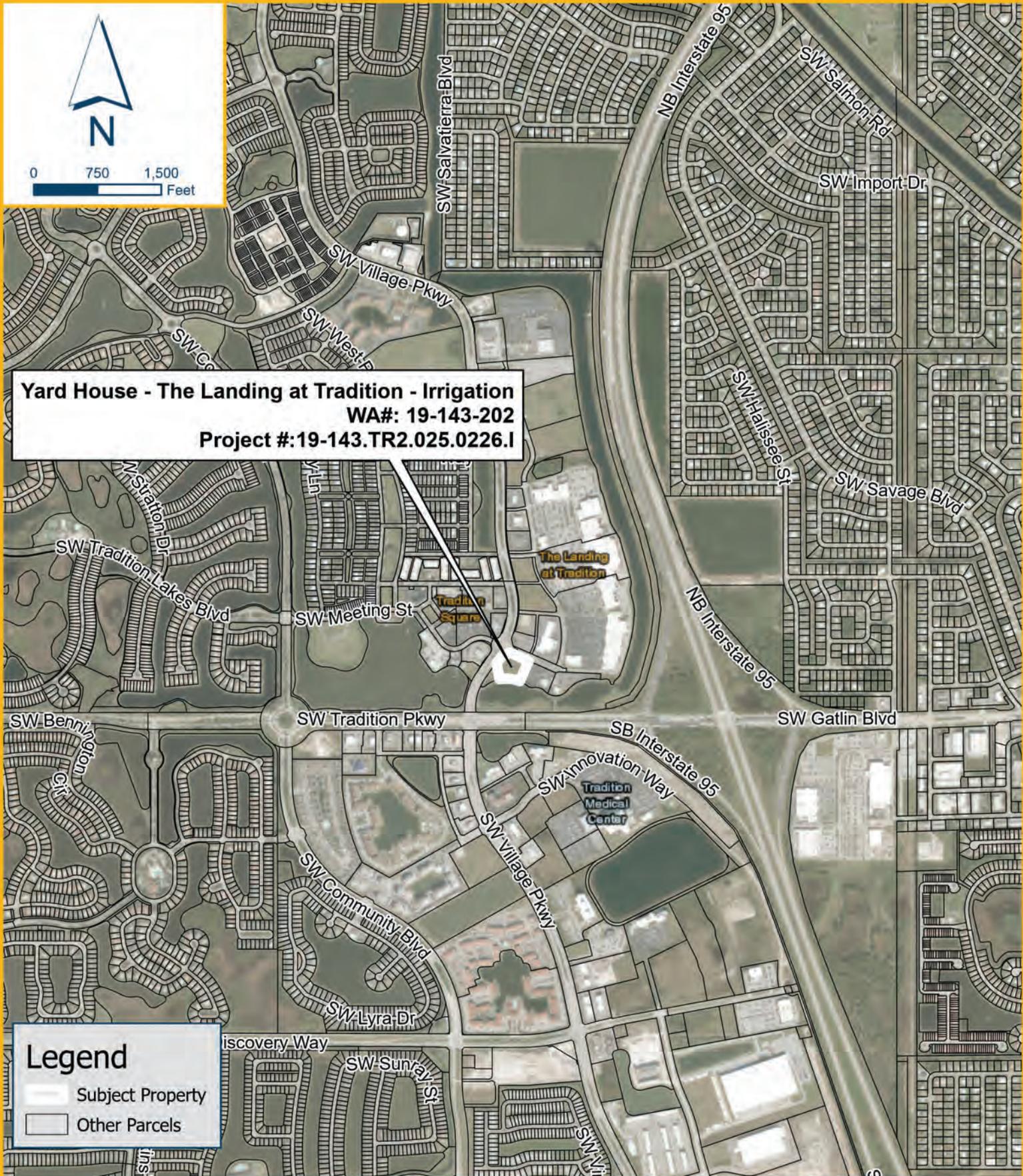
Item Prepared by: Stefan K. Matthes, PE

February 17, 2026



0 750 1,500 Feet

Yard House - The Landing at Tradition - Irrigation
WA#: 19-143-202
Project #: 19-143.TR2.025.0226.I



Legend

-  Subject Property
-  Other Parcels

P:\Proj-2019\19-085 Tradition CDD\GIS\19-085 Base GIS\19-085 Base.aprx



CULPEPPER & TERPENING INC

Work Authorization #:
19-143-202
Project #:
19-143.TR2.025.0226.I
Scale: 1" = 1,500'
Date: 2/13/2026

EXHIBIT 1
YARD HOUSE - THE
LANDING AT TRADITION -
IRRIGATION
SITE LOCATION MAP

MEMORANDUM

FROM: Kutak Rock LLP
TO: Board of Supervisors
DATE: March 4, 2026

Subject: Resolutions Designating Officers

Staff Recommendation

Staff recommends the Boards adopt the Resolutions Designating Officers.

General Information

Each supervisor on the Board occupies a particular office. One supervisor serves as the chair, another serves as the vice-chair, and the other supervisors serve as assistant secretaries. This resolution designates each supervisor to serve one of these offices.

Every time the supervisors change, we will adopt this resolution, either to remove a supervisor from office, appoint a new supervisor to an office, or to re-designate the slate of exiting officers. Since several Boards experienced departures and some appointments at the previous Board meeting, we are adopting this resolution in each of those Districts to reflect the current composition of the Board.

District Legal Counsel Review

The District's attorneys prepared this Resolution.

Funding Review

This Resolution is not expected to affect the District's financial condition.

RESOLUTION 2026-20

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1 DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Tradition Community Development District No. 1 (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1:

SECTION 1. _____ is appointed Chairman.

SECTION 2. _____ is appointed Vice Chairman.

SECTION 3. _____ is appointed Secretary.

_____ is appointed Assistant Secretary.

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

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

PASSED AND ADOPTED this 4th day of March, 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1

Secretary/Assistant Secretary

Chairperson/Vice Chairperson, Board of Supervisors

RESOLUTION 2026-20

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 2 DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Tradition Community Development District No. 2 (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 2:

SECTION 1. _____ is appointed Chairman.

SECTION 2. _____ is appointed Vice Chairman.

SECTION 3. _____ is appointed Secretary.

_____ is appointed Assistant Secretary.

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

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

PASSED AND ADOPTED this 4th day of March, 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 2

Secretary/Assistant Secretary

Chairperson/Vice Chairperson, Board of Supervisors

RESOLUTION 2026-20

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 7 DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Tradition Community Development District No. 7 (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 7:

SECTION 1. _____ is appointed Chairman.

SECTION 2. _____ is appointed Vice Chairman.

SECTION 3. _____ is appointed Secretary.

_____ is appointed Assistant Secretary.

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

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

PASSED AND ADOPTED this 4th day of March, 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 7

Secretary/Assistant Secretary

Chairperson/Vice Chairperson, Board of Supervisors

RESOLUTION 2026-20

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8 DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Tradition Community Development District No. 8 (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8:

SECTION 1. _____ is appointed Chairman.

SECTION 2. _____ is appointed Vice Chairman.

SECTION 3. _____ is appointed Secretary.

_____ is appointed Assistant Secretary.

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

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

PASSED AND ADOPTED this 4th day of March, 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8

Secretary/Assistant Secretary

Chairperson/Vice Chairperson, Board of Supervisors

RESOLUTION 2026-20

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 9 DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Tradition Community Development District No. 9 (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 9:

SECTION 1. _____ is appointed Chairman.

SECTION 2. _____ is appointed Vice Chairman.

SECTION 3. _____ is appointed Secretary.

_____ is appointed Assistant Secretary.

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

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

PASSED AND ADOPTED this 4th day of March, 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 9

Secretary/Assistant Secretary

Chairperson/Vice Chairperson, Board of Supervisors

RESOLUTION 2026-20

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 10 DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Tradition Community Development District No. 10 (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 10:

SECTION 1. _____ is appointed Chairman.

SECTION 2. _____ is appointed Vice Chairman.

SECTION 3. _____ is appointed Secretary.

_____ is appointed Assistant Secretary.

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

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

PASSED AND ADOPTED this 4th day of March, 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 10

Secretary/Assistant Secretary

Chairperson/Vice Chairperson, Board of Supervisors

RESOLUTION 2026-20

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11 DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Tradition Community Development District No. 11 (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11:

SECTION 1. _____ is appointed Chairman.

SECTION 2. _____ is appointed Vice Chairman.

SECTION 3. _____ is appointed Secretary.

_____ is appointed Assistant Secretary.

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

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

PASSED AND ADOPTED this 4th day of March, 2026.

ATTEST:

TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11

Secretary/Assistant Secretary

Chairperson/Vice Chairperson, Board of Supervisors

Tradition Community Development Districts #1-11

**Financial Report
Fiscal Year 2025/2026
October 1, 2025 - January 31, 2026**

FINANCIAL REPORT
TRADITION COMMUNITY DEVELOPMENT DISTRICT #1-11 RECAP
FISCAL YEAR 2025/2026
OCTOBER 1, 2025 - January 31, 2026

	FISCAL YEAR 2025/2026 FINAL BUDGET	FISCAL YEAR 10/01/25 - 1/31/26 ACTUALS	% Of Budget	COMMENTS
REVENUES				
ON-ROLL ASSESSMENTS - Debt	5,442,345	4,939,246	91%	
ON-ROLL ASSESSMENTS - ADMIN	624,049	572,744	92%	
ON-ROLL ASSESSMENTS - MAINT	4,406,047	4,043,810	92%	
ON-ROLL ASSESSMENTS - TIM	375,000	344,170	92%	
STORMWATER	1,250,000	1,401,588	112%	
OTHER INCOME	60,000	558,640	931%	Includes SG TIM allocation, Interest income, Eng. Rev Fees, etc.
BOND PREPAYMENTS	0	13,902	0%	
RESERVE FUND TRANSFER	0	0	0%	
Total Revenues	\$ 12,157,440	\$ 11,874,101	98%	
EXPENDITURES - ADMIN				
AUDIT	36,400	0	0%	
DISSEMINATION AGENT	0	0	0%	
DISTRICT COUNSEL	50,000	15,948	32%	
MANAGEMENT	154,500	51,500	33%	
ASSESSMENT ROLL	10,000	0	0%	
DUES, LICENSES & FEES	1,925	2,200	114%	
ENGINEERING	95,000	30,998	33%	
GENERAL INSURANCE	157,150	137,816	88%	
WEB SITE MAINTENANCE	8,250	2,750	33%	
LEGAL ADVERTISING	2,000	1,690	84%	
MISCELLANEOUS	2,000	19	1%	
TRAVEL AND PER DIEM	400	52	13%	
OFFICE SUPPLIES	5,000	4,037	81%	
POSTAGE & SHIPPING	500	(484)	-97%	
COPIES	3,000	0	0%	
SUPERVISOR FEES	60,000	8,530	14%	
TRUSTEE SERVICES	18,000	0	0%	
OFFICE RENT	27,000	256,774	951%	Includes SG allocation which is offset by billing SG. Reflected in Other Income Revenue
CONTINUING DISCLOSURE FEE	3,000	0	0%	
TOTAL ADMIN EXPENSES	634,125	511,831		
EXPENDITURES - MAINT				
LAKE MAINTENANCE	350,000	51,416	15%	
LAKE BANK MAINTENANCE & RESTORATION	775,000	0	0%	
TIM OPERATIONS	345,000	229,664	67%	Includes SG allocation which is offset by billing SG. Reflected in Other Income Revenue
BUILDING, BRIDGE, MONUMENT MAINTENAN	10,000	0	0%	
(FKA CONTINGENCY) - MAINT RESERVES	100,000	0	0%	
COMMUNITY AREA MAINTENANCE	160,000	69,575	43%	Includes wet checks, truck, ebikes, bridge work, etc
DEVELOPMENT COORDINATOR	33,382	11,127	33%	
ELECTRIC	110,000	41,256	38%	
ENGINEERING	140,000	0	0%	
FIELD MANAGEMENT	254,616	84,872	33%	
FOUNTAIN MAINTENANCE & CHEMICALS	5,000	0	0%	
LANDSCAPING MAINTENANCE & MATERIALS	1,107,000	412,395	37%	
IRRIGATION WATER (WESTERN GROVE)	1,100,565	0	0%	
IRRIGATION	168,000	55,887	33%	
IRRIGATION PARTS & REPAIRS	80,000	5,297	7%	
SIDEWALK CLEANING	30,000	7,500	25%	
SIDEWALK REPAIR	60,000	159,028	265%	
SIGNAGE	10,000	2,384	24%	
STREETLIGHTS	60,000	60,777	101%	
STORMWATER MANAGEMENT	550,000	129,967	24%	
TREE/PLANT REPLACEMENT & TRIM	200,000	0	0%	
TOTAL MAINTENANCE EXPENSES	5,648,563	1,321,144	23%	
Total Expenditures	\$ 6,282,688	\$ 1,832,975	29%	
EXCESS / (SHORTFALL)	\$ 5,874,752	\$ 10,041,125	171%	
PAYMENT TO TRUSTEE	(5,006,957)	(4,649,024)	93%	
PREPAYMENTS TO TRUSTEE	-	(13,902)		
BALANCE	\$ 867,795	\$ 5,378,199		
COUNTY APPRAISER & TAX COLLECTOR FEE	(433,898)	(407,487)	94%	
DISCOUNTS FOR EARLY PAYMENTS	(433,898)	(391,997)	90%	
NET EXCESS / (SHORTFALL)	\$ -	\$ 4,578,715		

Tradition CDD No. 1
Balance Sheet
As of January 31, 2026

	Jan 31, 26
ASSETS	
Current Assets	
Checking/Savings	
01-1000 · Valley National 1157	6,401,035.01
Total Checking/Savings	6,401,035.01
Accounts Receivable	
11000 · Accounts Receivable	1,575,910.66
Total Accounts Receivable	1,575,910.66
Other Current Assets	
01-1208 · Due From Other Gov Units - Open	999.78
01-8154 · Deposits	200.00
Total Other Current Assets	1,199.78
Total Current Assets	7,978,145.45
Other Assets	
01-8122 · A/R St Lucie County Excess Fees	-18,711.00
Total Other Assets	-18,711.00
TOTAL ASSETS	7,959,434.45
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
01-2020 · Accounts Payable	448,215.65
Total Accounts Payable	448,215.65
Other Current Liabilities	
01-2023 · Due To Other Funds	396,051.84
01-2025 · Deposits - Engr Deposit	36,142.33
01-2026 · Deposits - Lake Bank Restoratio	535,941.27
01-2030 · Due to CDD2	-33,864.11
01-2031 · Due to CDD3	28,880.00
01-2032 · Due to CDD4	30,917.62
01-2033 · Due to CDD5	31,337.35
01-2034 · Due to CDD6	28,555.95
01-2035 · Due to CDD7	-97,796.71
01-2036 · Due to CDD8	-60,386.29
01-2037 · Due to CDD9	-43,511.69
01-2038 · Due to CDD10	-178,008.83
01-2039 · Due to CDD11	-30,961.10
01-3010 · General Reserve - Signage	500,000.00
01-3020 · General Maintenance Reserves	269,000.00
Total Other Current Liabilities	1,412,297.63
Total Current Liabilities	1,860,513.28
Total Liabilities	1,860,513.28
Equity	
30000 · Opening Balance Equity	203,755.31
99-9999 · Retained Earnings	1,316,450.83
Net Income	4,578,715.03
Total Equity	6,098,921.17
TOTAL LIABILITIES & EQUITY	7,959,434.45

FINANCIAL REPORT
TRADITION COMMUNITY DEVELOPMENT DISTRICT IRRIGATION
FISCAL YEAR 2025/2026
OCTOBER 1, 2025 - JANUARY 31, 2026

	FISCAL YEAR 2025/2026 FINAL BUDGET	FISCAL YEAR 10/01/25 - 1/31/26 ACTUALS	% Of Budget
REVENUES			
SERVICE CHARGE - IRRIGATION	2,000,000	723,161	36%
ENGINEERING REVENUE FEES/OTHER	35,000	19,949	57%
Total Revenues	\$ 2,035,000	\$ 743,110	93%
EXPENSES			
FIELD OPERATIONS	0	0	0%
TRUSTEE SERVICES	5,000	0	0%
MANAGEMENT	400,749	133,583	33%
ENGINEERING	50,000	25,643	51%
PROFESSIONAL SERVICES, OTHER	5,000	0	0%
DEVELOPMENT COORDINATOR	66,765	22,255	33%
CITY FRANCHISE FEE	120,000	63,584	53%
TRAVEL AND PER DIEM	400	30	7%
TELEPHONE	1,930	0	0%
POSTAGE AND SHIPPING	253	97	38%
BANK FEES	1,250	0	0%
BAD DEBT	60,000	0	0%
OFFICE SUPPLIES	250	84	33%
FIELD SUPPLIES (OTHER)	2,000	0	0%
DUES, LICENSES, FEES	2,300	0	0%
VEHICLE, GAS, & REPAIR	1,000	0	0%
ELECTRIC	110,250	33,324	30%
WATER	170	90	53%
OTHER UTILITIES	1,550	0	0%
GENERAL INSURANCE	24,267	0	0%
GENERAL REPAIR & MAINTENANCE	247,250	103,536	42%
LANDSCAPING MAINTENANCE & MATERIAL	11,000	0	0%
HVAC	4,500	0	0%
RENEWAL AND REPLACEMENT	250,000	0	0%
OTHER SYSTEM IMPROVEMENTS	125,000	0	0%
OPERATING RESERVES/MISC	100,000	905	1%
CONTINGENCY	76,091	0	0%
Total Expenses	\$ 1,666,975	\$ 383,130	23%
EXCESS / (SHORTFALL)	\$ 368,025	\$ 359,980	
PAYMENT TO TRUSTEE	(368,025)	(122,975)	
BALANCE	\$ -	\$ 237,005	
NET INCOME	\$ -	\$ 237,005	

Tradition Irrigation
Balance Sheet
As of December 31, 2025

	Dec 31, 25
ASSETS	
Current Assets	
Checking/Savings	
01-1001 · Valley National #4703	
01-1002 · Valley Natl #4307 - Capacity	35,872.57
01-1001 · Valley National #4703 - Other	2,205,549.81
Total 01-1001 · Valley National #4703	2,241,422.38
Total Checking/Savings	2,241,422.38
Accounts Receivable	
01-1200 · Accounts Receivable	300,461.85
Total Accounts Receivable	300,461.85
Other Current Assets	
01-2023 · Due From Other Funds	17,900.21
Total Other Current Assets	17,900.21
Total Current Assets	2,559,784.44
Fixed Assets	
01-2030 · Equipment and Furniture	23,957.00
Total Fixed Assets	23,957.00
Other Assets	
01-2025 · Deposits	95.00
01-2035 · Accum Depr - Equipment	-23,955.18
Total Other Assets	-23,860.18
TOTAL ASSETS	2,559,881.26
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
01-2020 · Accounts Payable	94,872.24
Total Accounts Payable	94,872.24
Other Current Liabilities	
01-2026 · Deposits - Security Deposit	1,390.22
01-2027 · Deferred Revenue	10,000.00
01-2190 · Cash Exchange	-11,954.22
01-2200 · General Reserves	280,000.00
Total Other Current Liabilities	279,436.00
Total Current Liabilities	374,308.24
Long Term Liabilities	
11-2180 · Note Payable	10,420.00
Total Long Term Liabilities	10,420.00
Total Liabilities	384,728.24
Equity	
30000 · Net Assets - 270	-87,351.52
99-9999 · Retained Earnings	2,091,181.96
Net Income	171,322.58
Total Equity	2,175,153.02
TOTAL LIABILITIES & EQUITY	2,559,881.26

Tradition Irrigation A/R Aging Summary As of February 23, 2026

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
706800 Wells Fargo	32.70	32.70	0.00	0.00	0.00	65.40
A's Family Dentistry	825.42	825.42	0.00	825.42	1,650.84	4,127.10
A-N-D Family Real Estate, LLC	136.74	0.00	0.00	0.00	0.00	136.74
Amazon Warehouse	648.05	648.05	0.00	648.05	1,296.10	3,240.25
Ardie R. Copas, State Veterans Nursing	1,024.59	0.00	0.00	0.00	0.00	1,024.59
Aycock at Tradition	204.13	0.00	0.00	0.00	0.00	204.13
Bedford Park	8,866.57	0.00	0.00	0.00	0.00	8,866.57
Brennity at Tradition	3,051.97	3,051.97	0.00	0.00	0.00	6,103.94
Cellular Sales of Northern Florida LLC	86.41	0.00	0.00	0.00	0.00	86.41
Chesterbrook Academy	134.37	134.37	0.00	0.00	0.00	268.74
Chipotle Mexican Grill	74.12	74.12	0.00	0.00	0.00	148.24
Christ Fellowship Church	1,646.88	1,646.88	0.00	0.00	0.00	3,293.76
Cleveland Clinic Florida	443.92	443.92	0.00	0.00	0.00	887.84
Cleveland Clinic Martin Health -Tradition	64.80	64.80	0.00	0.00	0.00	129.60
Culver's - G&S Family Hospitality Svcs	73.33	0.00	0.00	0.00	1.00	74.33
Del Webb at Tradition Homeowners Assoc	5,657.83	5,657.83	5,657.83	0.00	0.00	16,973.49
Discovery Plaza (Retail Area)	79.27	79.27	0.00	0.00	0.00	158.54
Discovery Plaza Hotel (Tru by Hilton)	79.27	79.27	0.00	79.27	158.54	396.35
Emery	1,023.36	0.00	0.00	0.00	2,046.90	3,070.26
Estates at Tradition	5,763.07	0.00	0.00	0.00	0.00	5,763.07
Florida International University	1,091.97	1,091.97	0.00	0.00	0.00	2,183.94
Florida Research and Innovation Center	675.40	675.40	0.00	675.40	0.00	2,026.20
Grande Palms at Tradition I & II	879.92	0.00	0.00	0.00	0.00	879.92
Grande Palms at Tradition III	1,708.31	0.00	0.00	0.00	0.00	1,708.31
Heartland Dental	31.71	0.00	0.00	0.00	0.00	31.71
Heritage Oaks	0.00	0.00	0.00	0.00	0.00	0.00
Heritage Oaks at Tradition HOA	11,857.11	11,857.11	0.00	0.00	0.00	23,714.22
Heron Preserves	2,280.47	2,060.63	0.00	0.00	0.00	4,341.10
Hilton - Homewood Suites, PSL	346.82	346.82	346.82	0.00	0.00	1,040.46
Innovation Plaza	119.30	0.00	0.00	0.00	0.00	119.30
Innovo Development Group, LLC	188.27	0.00	0.00	0.00	0.00	188.27
Kite Realty Group	2,431.87	0.00	0.00	0.00	0.00	2,431.87
Manderlie at Tradition	5,225.41	5,225.41	5,225.41	0.00	0.00	15,676.23
Martin Health System	921.54	921.54	0.00	0.00	921.54	2,764.62
O & A Florida Investments, LLC	52.91	0.00	0.00	0.00	0.00	52.91
Panda Restaurant Group Inc	0.00	57.27	0.00	0.00	57.27	114.54
Paradise Car Wash - Tradition	130.40	130.40	0.00	130.40	130.40	521.60
PDQ	53.31	0.00	0.00	0.00	0.00	53.31
Pegasus PSL, Ltd	283.40	283.40	283.40	0.00	0.00	850.20
PNC Bank	106.22	106.22	0.00	106.22	106.22	424.88
PRIME STORAGE TRADITIONS, LLC	182.33	0.00	0.00	0.00	0.00	182.33
Promenade at Tradition Community Assoc	467.70	467.70	467.70	0.00	0.00	1,403.10
PSL Hospitality, LLP	253.87	0.00	0.00	0.00	0.00	253.87
Publix	298.06	298.06	0.00	298.06	596.12	1,490.30
Recovery Sports Grill	75.31	75.31	75.31	0.00	0.00	225.93
Renaissance CS at Tradition	768.94	0.00	0.00	0.00	0.00	768.94
Rise Tradition Investment LLC	190.25	190.25	0.00	0.00	0.00	380.50
Seven Restaurants, LLC	89.18	89.18	89.18	89.18	2,051.14	2,407.86
SG Mini Golf	158.54	0.00	0.00	0.00	158.54	317.08
South Florida Orthopedic	178.36	178.36	0.00	0.00	0.00	356.72
Springs at Tradition	1,789.57	1,789.57	1,789.57	1,789.57	5,368.71	12,526.99

**Tradition Irrigation
A/R Aging Summary
As of February 23, 2026**

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
St Lucie County Fire Dept.	223.94	0.00	0.00	0.00	0.00	223.94
St Lucie County Tax Collector	406.27	0.00	0.00	0.00	0.00	406.27
Target Corp.	409.84	0.00	0.00	0.00	0.00	409.84
Telaro-Mattamy- Tradition HOA	1,698.05	0.00	0.00	0.00	0.00	1,698.05
The Lakes at Tradition	16,228.96	0.00	0.00	0.00	0.00	16,228.96
The Lucie at Tradition	1,089.99	1,089.99	1,089.99	1,089.99	1,089.99	5,449.95
The Preserves Phase I & II	2,505.00	0.00	0.00	0.00	0.00	2,505.00
Town Park Master Assoc., Inc.	27,919.60	0.00	0.00	0.00	1,024.59	28,944.19
Tradition CDD #1	13,971.69	13,971.69	0.00	0.00	0.00	27,943.38
Tradition HOA	1,898.56	1,898.56	1,898.56	0.00	0.00	5,695.68
Tradition POA	229.89	229.89	229.89	229.89	689.67	1,609.23
Treasure Coast Physicians Properties, LLC	6.54	0.00	0.00	0.00	0.00	6.54
Truist Bank	91.16	91.16	91.16	0.00	0.00	273.48
Victoria Parc	0.00	0.00	0.00	0.00	297.64	297.64
Victoria Parc 2	0.00	0.00	0.00	0.00	184.10	184.10
Victoria Parc at Tradition HOA	6,312.03	6,312.03	0.00	6,312.03	0.00	18,936.09
Victoria Parc BTR, LLC - POD C	6,818.98	6,818.98	6,818.98	0.00	0.00	20,456.94
Vitalia at Tradition	37,243.77	37,243.77	0.00	0.00	0.00	74,487.54
VITAS Healthcare	225.73	225.73	0.00	0.00	451.46	902.92
Wawa, Inc.	95.92	0.00	0.00	0.00	0.00	95.92
Westcliffe Estates HOA	211.26	0.00	0.00	0.00	0.00	211.26
TOTAL	180,340.43	106,465.00	24,063.80	12,273.48	18,280.77	341,423.48