

***Downtown Doral South
Community Development District***

February 22, 2017

Downtown Doral South

Community Development District

5385 N. Nob Hill Road, Sunrise, Florida 33351

Phone: 954-721-8681 - Fax: 954-721-9202

Board of Supervisors Downtown Doral South Community Development District

Dear Board Members:

The regular meeting of the Board of Supervisors of the **Downtown Doral South Community Development District** will be held on **February 22, 2017 at 10:00 a.m.** at **C.C. Homes, 2020 Salzedo Street, 2nd Floor, Coral Gables, Florida, 33134.**

Landowners Meeting

1. Call to Order
2. Election of a Chairman for the Purpose of Conducting the Landowners Meeting
3. Determination of Number of Voting Units Represented
4. Nominations for the Position of Supervisors
5. Casting of Ballots
6. Tabulation of Ballots and Announcement of Results
7. Adjournment

Business Meeting

1. Oath of Office for Newly Elected Supervisors Elected at the Landowners Election
2. Roll Call
3. Organizational Matters
 - A. Consideration of **Resolution #2017-18** Canvassing and Certifying the Results of Landowners Election
 - B. Consideration of **Resolution #2017-19** Electing Officers
 - C. Consideration of **Resolution #2017-20** Ratifying Past Board Member Actions
4. Approval of Minutes of the January 24, 2017 Meeting
5. Ranking of Respondents to the RFP for District Engineer
6. Public Hearing to Adopt the Rules of Procedure
 - A. Motion to Open the Public Hearing
 - B. Public Comment and Discussion
 - C. Adoption of the Rules
 - D. Motion to Close the Public Hearing
7. Public Hearing to Adopt the Fiscal Year 2017 Budget
 - A. Motion to Open the Public Hearing
 - B. Public Comment and Discussion
 - C. Consideration of **Resolution #2017-21** Adopting the Final Budget
 - D. Motion to Close the Public Hearing
8. Public Hearing to Adopt Uniform Method of Levying, Collecting and Enforcing Non-Ad Valorem Assessments
 - A. Motion to Open the Public Hearing
 - B. Public Comment and Discussion
 - C. Consideration of **Resolution #2017-22** Expressing the District's Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad Valorem Assessments
 - D. Motion to Close the Public Hearing

Audit Selection Committee Meeting

- A. **Opening Audit Selection Committee Meeting**
- B. **Roll Call**
- C. **Ranking of Respondents to RFP**
- D. **Adjournment**

9. Selection of Audit Firms
10. Staff Reports
 - A. Attorney
 - B. Engineer
 - C. Manager
11. Financial Reports
 - A. Approval of Funding Request #3
12. Supervisors Requests and Audience Comments
13. Adjournment

As you can see the primary purpose of the landowners meeting is to elect **five** Supervisors to the Board. Immediately following the landowners meeting, the regular business meeting will convene.

Under organizational matters, each newly elected supervisor will subscribe to an oath of office, then consider **Resolution #2017-18** canvassing and certifying the results of the landowners election and **Resolution #2017-19** electing officers. The blanks in the resolutions will be filled in at the conclusion of the election. **Resolution #2017-20** ratifies actions taken by the Board at the organizational meeting. Copies of each of these resolutions are enclosed.

A copy of the minutes from the January 24, 2017 meeting is enclosed for your review.

The fifth order of business is in regards to material received in response to the District's request for engineering proposals. We will ask the Board to rank the engineering firms and authorize staff to enter into negotiations with the number one ranked firm to obtain a contract for services which will be placed on a future agenda for Board consideration.

The sixth order of business is the public hearing to adopt the rules of procedure. Enclosed for your review is a copy of the rules.

The seventh order of business is the public hearing to adopt the fiscal year 2017 budget. Copies of **Resolution #2017-21** Adopting the Final Budget and the budget are enclosed for your review.

The eighth order of business is the public hearing to adopt the uniform method of levying, collecting and enforcing non-ad valorem assessments. A copy of **Resolution #2017-22** Expressing the District's Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad Valorem Assessments is enclosed.

Next we will hold the audit selection committee meeting to discuss and rank the respondents to the RFP.

The ninth order of business is selection of audit firms. After the audit selection committee meeting concludes, we will select an auditing firm to perform the audit for fiscal years ending September 30, 2017 through September 30, 2021.

The financials as well as funding request #3 are enclosed. The balance of the agenda is routine in nature and staff will present their reports at the meeting. Any other support documentation will be provided under separate cover as soon as it becomes available or presented at the meeting. I look forward to seeing you at the meeting, and in the meantime if you have any questions, please contact me.

Sincerely,



Rich Hans
Manager

cc: Dennis Lyles Steve Sanford Jon Kessler Thomas Alderson
 Juan Alvarez Rhonda Mossing Kevin Mulshine Pedro Hernandez

RESOLUTION 2017-18

**A RESOLUTION CANVASSING AND CERTIFYING THE RESULTS
OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD
PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES**

WHEREAS, pursuant to Section 190.006(2), Florida Statute, a landowners meeting is required to be held within 90 days of the District's creation and every two years following the creation of a Community Development District for the purpose of electing *five* Supervisors of the District; and

WHEREAS, following proper publication of notice thereof, such landowners meeting was held on *February 22, 2017*, at which the below recited persons were duly elected by virtue of the votes cast in their respective favor; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
SUPERVISORS OF THE DOWNTOWN DORAL SOUTH
COMMUNITY DEVELOPMENT DISTRICT;**

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

_____	_____ Votes
_____	_____ Votes
_____	_____ Votes
_____	_____ Votes
_____	_____ Votes

2. In accordance with said statute, and by virtue of the number of votes cast for the respective Supervisors, they are declared to have been elected for the following terms of office:

_____	<u>four (4) year term</u>
_____	<u>four (4) year term</u>
_____	<u>two (2) year term</u>
_____	<u>two (2) year term</u>
_____	<u>two (2) year term</u>

3. Said terms of office shall commence immediately upon the adoption of this Resolution.

PASSED AND ADOPTED THIS, 22ND DAY OF FEBRUARY 2017.

Chairman / Vice Chairman

Secretary / Assistant Secretary

RESOLUTION 2017-19

**A RESOLUTION ELECTING OFFICERS OF THE
DOWNTOWN DORAL SOUTH COMMUNITY
DEVELOPMENT DISTRICT**

WHEREAS, the Board of Supervisors of the Downtown Doral South Community Development District at a regular business meeting following the landowners meeting held on **February 22, 2017** desires to elect the below recited persons to the offices specified.

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

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

_____	Chairman
_____	Vice Chairman
_____	Treasurer
_____	Assistant Treasurer
_____	Secretary
_____	Assistant Secretary
_____	Assistant Secretary
_____	Assistant Secretary

PASSED AND ADOPTED THIS 22nd DAY OF February 2017

Chairman / Vice Chairman

Secretary / Assistant Secretary

RESOLUTION 2017-20

A RESOLUTION OF THE BOARD OF SUPERVISORS DOWNTOWN DORAL SOUTH COMMUNITY DEVELOPMENT DISTRICT RATIFYING AND APPROVING CERTAIN BOARD ACTION EVIDENCED BY RESOLUTIONS 2017-01 THROUGH 2017-15 ADOPTED AT A DULY ADVERTISED MEETINGS OF THE BOARD OF SUPERVISORS ON DECEMBER 20, 2016 AND ALL OTHER ACTIONS TAKEN BY THE BOARD

WHEREAS, the Downtown Doral South Community Development District hereafter referred to as the District in accordance with the provisions of Chapter 190 Florida Statutes did hold its organizational meeting on December 20, 2016 and did proceed to organize by the election of Hal Eisenacher as the Chairman, Maria Carolina Herrera as Vice Chair, Patti Powers as Treasurer, Rich Hans as Secretary, Ryan Palonka, Teresa Baluja, & Luis Hernandez as Assistant Secretaries, Dennis Lyles as Registered Agent and his office as Registered Office of the District and to appoint certain District staff members; and

WHEREAS, said Board did call for the Landowners Meeting to be held on February 22, 2017 and

WHEREAS, having conducted said Landowners Meeting at which time five board members were elected; and

WHEREAS, it is the desire of the newly elected Board to ratify the actions as represented in Resolutions 2017-01 through 2017-15, copies of which are a part of the official District minutes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE DOWNTOWN DORAL SOUTH COMMUNITY DEVELOPMENT DISTRICT;

1. Resolution 2017-01 through 2017-15 and all other actions taken by the Board are hereby ratified and approved and shall remain in full force and effect until modified by appropriate Board action.

PASSED AND ADOPTED THIS 22nd DAY OF February 2017

Chairman / Vice Chairman

Secretary / Assistant Secretary

**MINUTES OF MEETING
DOWNTOWN DORAL SOUTH
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Downtown Doral South Community Development District was held on January 24, 2017 at 2:45 p.m. at the offices of CC Homes, 2020 Salzedo Street, 2nd Floor, Coral Gables, Florida.

Present and constituting a quorum were:

Hal Eisenacher	Chairman
Carolina Herrera	Vice Chairman
Tery Baluja	Assistant Secretary
Ryan Palonka	Assistant Secretary

Also present were:

Rich Hans	District Manager
Lisa Derryberry	Governmental Management Services
Dennis Lyles	District Counsel
Juan Alvarez	District Engineer

FIRST ORDER OF BUSINESS

Oath of Office for Mr. Manuel Echezarreta

SECOND ORDER OF BUSINESS

Roll Call

Mr. Hans called the meeting to order, called the roll, indicated Mr. Echezarreta was not in attendance, and he would be given the oath of office at the next meeting.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the December 20, 2016 Meeting

Mr. Hans: The minutes from the December 20, 2016 meeting. We need approval of those. If there are any comments or corrections, a motion to approve them.

On MOTION by Ms. Herrera seconded by Ms. Baluja with all in favor the Minutes of the December 20, 2016 Meeting were approved.

FOURTH ORDER OF BUSINESS

Public Hearing to Impose Special Assessments – Area One

A. Motion to Open the Public Hearing

Mr. Hans: We have two public hearings today. If you remember at the prior meeting we declared special assessments, we advertised and noticed this location for our public hearing so we will need to open up our public hearing to impose special assessments for assessment area one and would just be looking for a motion to do that.

On MOTION by Ms. Baluja seconded by Mr. Eisenacher with all in favor the public hearing was opened.

B. Public Comment and Discussion

C. Consideration of Engineers Report

Mr. Hans: Then for public comment and discussion, we do not have any general public here and we can take up any discussion or comments from our Board. Basically we have our engineer's report, which is in the same form that we approved at our last meeting. It is broken out so the total costs are split between assessment areas one and two and there have been no changes since what we approved at the last meeting. Juan, do you have comments or anything else to provide?

Mr. Alvarez: There have been no changes.

Mr. Eisenacher: I just got a call relating to the bike course asking if there would be any assessment there. I said there would be no debt service assessment, however, ultimately there will probably be some fairly small maintenance assessment to the adjacent areas that are included in the same infrastructure. You would anticipate once we get to a maintenance budget the bike course, the club, etc. would have some allocation of lake maintenance or something like that, probably a lift station, etc.

Mr. Alvarez: Are you talking about the commercial tract?

Mr. Eisenacher: Yes. It would be similar to Bonterra where the outlying areas were either not assessed because they were included or they were prepaid by the developer, but they still do have maintenance assessments.

Mr. Palonka: Like operations and maintenance and administrative charges?

Mr. Eisenacher: Right.

Mr. Hans: Is the commercial area within the boundaries?

Mr. Alvarez: Outside the boundaries.

Mr. Lyles: We can't levy assessments outside our boundaries.

Mr. Eisenacher: But there could be an agreement to allocate it similar to Bonterra like we have with Altman.

Ms. Herrera: Is the commercial parcel going to benefit from our improvements and infrastructure because they are going to be connected?

Mr. Eisenacher: Right. The lift station, the lake, etc.

Mr. Lyles: I think the concept is that will be done through an agreement. We cannot levy assessments outside of our boundaries. We can enter into an agreement and the financial side would represent the benefit they receive or something close to it from our infrastructure program. But that is going to have to be done by the landowners when they sell and some covenants or restrictions or obligation of debt with the lake.

Mr. Eisenacher: Let's call it cost reimbursement or cost allocation. It has to come back to the CDD, right? Because the CDD is going to be paying it.

Mr. Lyles: Could a landowner who has put together a CDD and has an infrastructure program in place charge what would amount to a premium to a purchaser outside the boundary of the district? Theoretically, yes, but that would be sort of contrary to the intent of how we developed the infrastructure program. I am not going to tell you that there is not more than one way to handle the situation. From a CDD standpoint we would expect some kind of payment because we can refuse to do the maintenance in the future, a different CDD Board. We are not going to maintain the connection points. We are not going to allow that and would shut it off.

Mr. Eisenacher: I don't think there is any adversity between the parties and all. I know that the developer is in discussions with people and they are looking for a number fairly quickly. We don't have any concept of what that number is, do we?

Ms. Herrera: I think it depends on how the developer wants to do this. We can talk about it more later.

Mr. Eisenacher: Right.

Mr. Lyles: Right. It doesn't affect the proceedings today. There is flexibility on the private side for negotiations and agreements to cover it going forward.

Mr. Hans: Okay. So there are no comments on the engineers report? It is the same that we looked at last time with a total of \$99,210,955.86. That is split out for \$48,901,594.12 for assessment area one and \$50,309,361.74 for assessment area two. So a motion accepting the engineers report would be in order.

On MOTION by Mr. Palonka seconded by Ms. Baluja with all in favor the engineers report for area one was accepted.

D. Consideration of Assessment Methodology Report

Mr. Hans: Then we have our assessment methodology report and similar to what I mentioned on the engineers report, this is the same version that we approved at our last meeting and assessment area one has a total of 395 units and the \$48,901,594 in improvements are allocated to those units and there have been no changes since you last saw it so a motion to approve it would be in order.

On MOTION by Ms. Herrera seconded by Mr. Palonka with all in favor the assessment methodology report for assessment area one was accepted.

E. Consideration of Resolution #2017-16 Authorizing District Projects; Equalizing, Approving, Confirming and Levying Special Assessments for Area One

Mr. Hans: Then there is Resolution #2017-16 Authorizing District Projects; Equalizing, Approving, Confirming and Levying Special Assessments for Area One. Basically you are sitting here as an equalizing Board and after looking at the methodology report you can see how those assessments were allocated and unless anyone has any comments on changing that allocation as an equalizing Board by adopting this resolution we are equalizing those assessments and approving the assessment levies we are assessing on these properties.

Mr. Lyles: Before we actually take the Board's decision on adopting the resolution before you, just a little quirk of the wording and the statutes that authorize special assessments makes me ask that you having heard about the assessment methodology today

and having accepted the engineers report today, take up a motion approving the project as described in the engineers report and paying for it with special assessments as described by the assessment methodology report before we get to the resolution.

On MOTION by Ms. Baluja seconded by Ms. Herrera with all in favor the Board approved that the project described in the engineers report would be paid for by special assessments described in the assessment methodology report.

Mr. Hans: Now for Resolution #2017-16. Do we have a motion approving that?

On MOTION by Ms. Baluja seconded by Mr. Palonka with all in favor Resolution #2017-16 Authorizing District Projects; Equalizing, Approving, Confirming and Levying Special Assessments for Area One was approved.

F. Motion to Close the Public Hearing

Mr. Hans: Then we just need a motion to close our first public hearing.

On MOTION by Ms. Baluja seconded by Mr. Palonka with all in favor the public hearing was closed.

FIFTH ORDER OF BUSINESS

Public Hearing to Impose Special Assessments - Area Two

A. Motion to Open the Public Hearing

Mr. Hans: Then next is our public hearing for assessment area two, so a motion to open up that public hearing would be in order.

On MOTION by Mr. Palonka seconded by Ms. Baluja with all in favor the public hearing was opened.

B. Public Comment and Discussion

C. Consideration of Engineers Report

Mr. Hans: Same thing, we have no general public here today for any discussion or comments so we can move on to our engineers report, which is the same engineers report that we just looked at and talked about so a motion approving that would be in order.

On MOTION by Ms. Herrera seconded by Mr. Palonka with all in favor the engineers report for area two was accepted.

D. Consideration of Assessment Methodology Report

Mr. Hans: Then the methodology report is the same assessment methodology report that we looked at last month. It has not changed. It is for assessment area two and it is allocating \$50,309,362 in improvements for a total of \$55,760,000 in bonds and 903 units in assessment area two. So a motion approving that would be in order if there are no comments or questions.

On MOTION by Ms. Baluja seconded by Ms. Herrera with all in favor the assessment methodology report for area two was approved.

Mr. Lyles: Then once again, we need the same motion approving the project described in the engineers report and approving paying for it with special assessments as described in the assessment methodology report.

On MOTION by Ms. Baluja seconded by Ms. Herrera with all in favor the Board approved that the project described in the engineers report would be paid for by special assessments described in the assessment methodology report.

E. Consideration of Resolution #2017-17 Authorizing District Projects; Equalizing, Approving, Confirming, and Levying Special Assessments for Area Two

Mr. Hans: Then a motion to approve Resolution #2017-17 would be in order.

On MOTION by Ms. Herrera seconded by Mr. Palonka with all in favor Resolution #2017-17 Authorizing District Projects; Equalizing, Approving, Confirming and Levying Special Assessments for Area Two was approved.

F. Motion to Close the Public Hearing

Mr. Hans: Then we would be looking for a motion to close our public hearing.

On MOTION by Ms. Herrera seconded by Ms. Baluja with all in favor the public hearing was closed.

SIXTH ORDER OF BUSINESS

Acceptance of First Supplemental Assessment Methodology for Assessment Area One

Mr. Hans: I passed out loose copies of the first supplemental assessment methodology report for assessment area one. If you remember at our last meeting, we had the master assessment methodology report, we authorized the issuance through the authorizing resolution for \$10 million in notes. This first supplemental assessment methodology takes the \$10 million and allocates it to the property in assessment area one. The final numbers for the note that was issued for 395 units that are planned for in assessment area one, which are 52 townhomes, 124 cottage units, and 219 single family units, have a total cost of \$48 million. Only a portion of that is going to be funded through the first \$10 million and the allocation will generate \$9,682,000. If you look at Table 3 you will see the par amount of \$10 million and there is \$243,000 for the cost of issuance and \$75,000 debt service reserve account that was created, leaving \$9,682,000 for improvements. The next page shows the allocation of that \$9,682,000 of costs to those units and the result is the assessments per unit. It is interest only for five years and variable interest rate will reset every six months. So this is just taking our methodology that was previously approved and is supplementing it with the actual bond note size that was issued. We will have a few more of these for the second note and the bond issuance, so there will be two more supplements coming. So if there are no questions or discussion, a motion approving the first supplemental assessment methodology report for assessment area one would be in order.

On MOTION by Ms. Baluja seconded by Mr. Palonka with all in favor the first supplemental assessment methodology for assessment area one was accepted.

SEVENTH ORDER OF BUSINESS

Appointment of Audit Selection Committee

Mr. Hans: Moving on, next we have Audit Selection Committee Meeting advertised for this district. Being that we are issuing bonds quickly, we are going to need to have an audit this year, so we need to get our auditor selected to start that process now

rather than later. Before we open our Audit Selection Committee, we need to select our members, which typically are our CDD Board members. So we would need a motion if you would like our current Board to be the Audit Selection Committee.

On MOTION by Ms. Herrera seconded by Ms. Baluja with all in favor Downtown Doral South CDD Board was appointed as the Audit Selection Committee.

Audit Selection Committee Meeting

A. Opening Audit Selection Committee Meeting

B. Roll Call

Mr. Hans: So we can open our Audit Selection Committee Meeting. Our roll call is our current Board members who are here.

C. Selection of Criteria for Evaluation

Mr. Hans: In your packet is a Selection of Criteria for Evaluation. It is the same selection of criteria that we have used in the past for other CDDs you have served on, which are Ability of Personnel, Proposer's Experience, Understanding the Scope of Work, Ability to Furnish the Required Services, and Price can be included so if that criteria is good with everybody, a motion approving that would be in order.

On MOTION by Ms. Baluja seconded by Mr. Palonka with all in favor the criteria for evaluation was selected.

D. Authorizing of RFP

Mr. Hans: Next a motion to authorize staff to advertise the RFP.

On MOTION by Ms. Baluja seconded by Mr. Palonka with all in favor the Audit Selection Committee authorized district staff to advertise a RFP.

E. Adjournment

Mr. Hans: Then a motion to adjourn our Audit Selection Committee Meeting.

On MOTION by Ms. Baluja seconded by Ms. Herrera with all in favor the Audit Selection Committee Meeting was adjourned.

Mr. Hans: At our next meeting we will have the second half of the Audit Selection Committee and bring back the results so you can make a selection.

EIGHTH ORDER OF BUSINESS Staff Reports

A. Attorney

There not being any report, the next item followed.

B. Engineer

There not being any report, the next item followed.

C. Manager

Mr. Hans: I don't have anything other than our next scheduled meetings, we will have a few more public hearings that we need to get taken care of for the start of a new district. Otherwise nothing in particular we need to report.

NINTH ORDER OF BUSINESS Financial Reports

A. Approval of Funding Request #2

Mr. Hans: Financial Reports. There is Approval of Funding Request #2.

On MOTION by Ms. Baluja seconded by Ms. Herrera with all in favor Funding Request #2 was approved.

**TENTH ORDER OF BUSINESS Supervisors Requests and
Audience Comments**

There not being any, the next item followed.

ELEVENTH ORDER OF BUSINESS Adjournment

Mr. Hans: If there is no other business to discuss, a motion to adjourn the meeting would be in order.

On MOTION by Ms. Herrera seconded by Ms. Baluja with all in favor the meeting was adjourned.

Secretary / Assistant Secretary

Chairman / Vice Chairman.

**Downtown Doral South Community
Development District**

**Chapter I
Rules of Procedure**

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DOWNTOWN DORAL SOUTH COMMUNITY DEVELOPMENT DISTRICT GENERAL AND PROCEDURAL RULES

1.1 GENERAL.

(1) The Downtown Doral South Community Development District (“the District”) was created pursuant to the provisions of Chapter 190, Florida Statutes, to provide for the ownership, operation, maintenance, and provision of various capital facilities and services within its jurisdiction. The purpose of these General and Procedural 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.

Specific Authority: 190.011, 120.53(4), Fla. Stat.

Law Implemented: 190.011, 120.53(4), Fla. Stat.

1.2 BOARD OF SUPERVISORS; OFFICERS AND VOTING.

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

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

(3) Vacancies; Quorum. Three members of the Board shall constitute a quorum for the purposes of conducting its business and exercising its powers and for all other purposes. However, if three or more vacancies occur at the same time, a quorum is not necessary to fill the vacancies. Action taken by the

Board shall be upon a majority vote of the members present, unless otherwise provided in these Rules or required by law. Members of the Board, as well as staff or employees of the District may be present by telephone, provided that such telephone attendance is accomplished by speaker so that all present may hear and respond to the comments of the party attending by telephone. In order to establish a quorum for a meeting, three members of the Board must be physically present. Telephone attendance by a member shall not be counted toward establishment of a quorum. Nothing in these rules shall require the District to permit members of the public to attend a Board meeting by telephone.

(4) Officers. At any Board meeting held after each election where the newly elected members take office, the Board may select a chair, vice chair/treasurer/assistant secretary, and secretary. Such selection may be deferred to subsequent meetings.

(a) The chair must be a member of the Board. If the chair resigns from that office or ceases to be a member of the Board, the Board shall select a chair after filling the board vacancy. The Chair serves at the pleasure of the Board of Supervisors. The chair may be authorized to sign checks and warrants for the District, countersigned by the treasurer or other persons authorized by the Board. The chair may convene and conduct all meetings of the Board. In the event the chair is unable to attend a meeting, the vice chair or other member of the Board may convene and conduct the meeting.

(b) The vice chair shall be a member of the Board and shall have such duties and responsibilities as specifically designated by the Board from time to time. If the vice chair resigns from that office or ceases to be a member of the Board, the Board shall select a vice chair, after filling the Board vacancy. The vice chair serves at the pleasure of the Board of Supervisors.

(c) The secretary of the Board serves at the pleasure of the Board and need not be 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. The District Manager may serve as secretary.

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

(5) Committees. The Board may establish committees of the Board by formal motion referencing this rule, either on a permanent or temporary basis, to perform specifically-designated functions. Committees may include individuals who are not members of the Board.

(6) Record Book. The Board shall keep a permanent record book entitled "Record of Proceedings of the Downtown Doral South Community Development District," in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, bonds, and corporate acts.

(7) Meetings. The Board shall establish a schedule of regular meetings and may also meet upon call of the chair or three Board members. Nothing in these Rules shall prevent the Board meetings. A previously noticed regular meeting may be canceled, provided that notice of cancellation shall be given in substantially the same manner as notice for the meeting or in such other manner as may provide substantially equivalent notice of cancellation. All meetings of the Board shall be open to the public and governed by the provisions of Chapter 286, Florida Statutes.

Specific Authority: 190.011(5), 120.525, Fla. Stat.

Law Implemented: 190.006(1), 190.006(4), 190.006(5), 190.006(6), 190.006(7), 190.006(9), 190.007, 112.3143, 120.525, 112.3143(4)(b), Fla. Stat.

PUBLIC INFORMATION AND INSPECTION OF RECORDS.

(1) Public Records. All Districts public records within the meaning of chapter 119, Florida Statutes, and not otherwise restricted by law, including the "Record of Proceedings of Downtown Doral South Community Development District," may be copied or inspected at the at the offices of Governmental Management Services, SF 5385 N. Nob Hill Rd., Sunrise Florida 33351.

(2) Copies. Copies of public records shall be made available to the requesting person at a charge of \$0.25 per page if not more than 8-1/2 by 14 inches, and for copies in excess of that size, at a charge not to exceed the actual cost of reproduction. Certified copies of public records shall be made available at a charge of \$1.00 per page. If the nature or volume of public records requested to be inspected, examined, or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance,

a special service charge, which shall be responsible and based on the actual cost incurred, may be charged in addition to the actual cost of duplication.

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

Law Implemented: 190.006(7), 119.07(1)(a), 119.07(1)(b), Fla. Stat.

1.3 MEETINGS AND WORKSHOPS.

(1) Notice. Except in emergencies, or as otherwise provided in these Rules, at least seven (7) days' public notice shall be given of any meeting or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and shall state:

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

(2) Agenda. The District Manager shall prepare a notice of the meetings or workshop and an agenda. The notice and agenda shall be available to the public in the offices of the District Manager at least seven (7) days before each meeting of the Board. Minutes shall be corrected and approved by the Board at a subsequent meeting.

(3) Receipt of Notice. Persons wishing to receive, by mail, notices or agendas of meetings, may advise the District Manager or secretary at the District's office. Such persons shall furnish a mailing address in writing and may be required to pay the cost of copying and mailing.

(4) Emergency Meeting. The chair, or the vice-chair if the chair is unavailable, may convene an emergency meeting of the Board without first having complied with Subsections (1), (2), and (3), to act on emergency matters that may affect the public's health, safety, or welfare. Whenever possible, the chair shall make reasonable efforts to notify all Board members of an emergency

meeting twenty-four (24) hours in advance. Reasonable efforts may include telephone notification. After an emergency meeting, the Board shall publish in a newspaper of general circulation in the District, the time, date, and place of the emergency meeting, the reasons why an emergency meeting was necessary, and a description of the action taken. Whenever an emergency meeting is called, the District Manager shall be responsible for notifying at least one newspaper of general circulation in the District. Actions taken at an emergency meeting may be ratified by the Board at a regularly noticed meeting subsequently held.

(5) Public Comment. The Board shall set aside a reasonable amount of time at each regular meeting for public comment, which time for audience comment shall be identified in the agenda. Persons wishing to address the Board may be required to notify the secretary of the Board prior to the "audience comment" section on the agenda. In its discretion, the Board may limit the length of time available to any one speaker in the interest of time or fairness to other speakers.

(6) Budget Hearing; Budget Amendment. Notice of hearing on the annual budget(s) shall be in accordance with Section 190.008, Florida Statutes. Once adopted in accord with Section 190.008, Florida Statutes, the annual budget(s) may be amended from time to time by action of the Board. Approval of invoices by the Board in excess of the funds allocated to a particular budgeted line item shall serve to amend the budgeted line item.

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

Specific Authority: 190.011(5), 120.525, 120.54(5), Fla. Stat.

Law Implemented: 190.007(1), 190.008, 120.525, 120.54, Fla. Stat.

1.5 RULEMAKING PROCEEDINGS

(1) Commencement of Proceedings. Proceedings held for adoption, amendment, or repeal of a District rule shall be conducted according to the applicable provisions of Chapter 120, Florida Statutes, and these Rules. If Chapter 120, Florida Statutes, is amended by the Florida Legislature so that the provisions of Chapter 120, Florida Statutes, conflict with these Rules, Chapter

120, Florida Statutes shall control. Rulemaking proceedings shall be deemed to have been initiated upon publication of notice by the District.

(2) Notice of Rule Development. Except when the intended action is the repeal of a rule, the District shall provide notice of the development of proposed rules by publication of a notice of rule development in a newspaper of general circulation in the District before providing notice of a proposed rule as required by paragraph (3). The notice of rule development shall indicate the subject area to be addressed. By rule development, provide a short, plain explanation of the purpose and effect of the proposed rule, cite the specific legal authority for the proposed rule, and state how a person may promptly obtain a copy of any preliminary draft, if available.

(3) Notice of Proceedings and Proposed Rules. Prior to the adoption, amendment, or repeal of any rule other than an emergency rule, the District shall give notice of its intended action, setting forth a short, plain explanation of the purpose and effect of the proposed action; a reference to the specific rulemaking authority pursuant to which the rule is adopted; and a reference to the section or subsection of the Florida Statutes or the Laws of Florida being implemented, interpreted, or made specific. The notice shall include a summary of the District's statement of the estimated regulatory costs, if one has been prepared, based on the factors set forth in Section 120.541(2), and a statement that any person who wishes to provide the District with a lower cost regulatory alternative as provided by Section 120.541(1), must do so in writing within twenty-one (21) days after publication of the notice. The notice must state the procedure for requesting a public hearing on the proposed rule unless one is otherwise scheduled. Except when the intended action is the repeal of a rule, the notice shall include a reference both to the date on which and to the place where the notice of rule development that is required by subsection (2) appeared. The notice shall be published in a newspaper of general circulation in the District not less than twenty-eight (28) days prior to the intended action. The proposed rule shall be available for inspection and copying by the public at the time of the publication of notice. The notice shall be mailed to all persons named in the proposed rule. Any person may file a written request with the District Manager or secretary at the District's office to receive notice by mail of District proceedings to adopt, amend, or repeal a rule. Such persons must furnish a mailing address and may be required to pay the cost of copying and mailing. Notice will then be mailed to all persons whom, at least fourteen (14) days prior to such mailing, have made requests of the district for advance notice of its proceedings.

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

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

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

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

(7) Rulemaking Proceedings – No Hearing. When no hearing is requested and the Board chooses not to initiate a hearing on its own, or if the rule relates exclusively to organization, practice, or procedure, the Board may direct the proposed rule be filed with the District Office no less than twenty-eight (28) days following notice. Such direction may be given by the Board either before initiating the rule-adoption process or after the expiration of the twenty-one (21) days during which affected persons may request a hearing.

(8) Rulemaking Proceedings – Hearings. If the proposed rule does not relate exclusively to organization, practice, or procedure, the District shall provide (upon request) a public hearing for the presentation of evidence, argument, and oral statements, within the reasonable conditions and limitations imposed by the District to avoid duplication, irrelevant comments, unnecessary delay, or disruption of the proceedings. Any affected person may request a hearing within twenty-one (21) days after the date of publication of the notice of intent to adopt, amend, or repeal a rule.

(9) Request for a Public Hearing. A request for a public hearing shall be in writing and shall specify how the person requesting the public hearing would be affected by the proposed rule. The request shall be submitted to the District within twenty-one (21) days after notice of intent to adopt, amend, or repeal the rule is published as required by law, in accord with the procedure for submitting requests for public hearing stated in the notice of intent to adopt, amend, or repeal the rule. If the notice of intent to adopt, amend, or repeal a rule did not notice a public hearing and the District determines to hold a public hearing, the District shall publish notice of a public hearing in a newspaper of general circulation within the District at least seven (7) days before the scheduled public hearing. The notice shall specify the date, time, and location of the public hearing, and the name, address, and telephone number of the District contact person who can provide information about the public hearing. Written statements may be submitted by any person within a specified period of time prior to or following the public hearing. All timely submitted written statements shall be considered by the District and made a part of the rulemaking record.

(10) Emergency Rule Adoption. The Board may adopt an emergency rule if it finds that immediate danger to the public health, safety, or welfare exists which requires immediate action. Prior to the adoption of an emergency rule, the District Manager shall make reasonable efforts to notify a newspaper of general circulation in the District. Notice of emergency rules shall be published as soon as practical in a newspaper of general circulation in the District. The District may use any procedure which is fair under the circumstances in the adoption of an emergency rule as long as it protects the public interest as determined by the District and otherwise complies with these provisions.

(11) Negotiated Rulemaking. The District may use negotiated rulemaking in developing and adopting rules pursuant to Section 120.54, Florida Statutes.

(12) Variances and Waivers. Variances and waivers from District rules may be granted subject to the provisions and limitations contained in Section 120.542, Florida Statutes.

Specific Authority: 190.011(5), 190.011(15), 120.54, 190.035, Fla. Stat.

Law Implemented: 120.54, 190.035(2), Fla. Stat.

1.6 DECISIONS DETERMINING SUBSTANTIAL INTERESTS.

(1) Conduct of Proceedings. Proceedings may be held by the District in response to a written request submitted by a substantially affected person within fourteen (14) days after written notice or published notice of District action or notice of District intent to render a decision. Notice of both action taken by the District and the District's intent to render a decision shall state the time limit for requesting a hearing and shall reference the District's procedural rules. If a hearing is held, the chair shall designate any member of the Board (including the Chair), District Manager, District General Counsel, or other person to conduct the hearing.

The person conducting the hearing may:

1. Administer oaths and affirmations;
 2. Rule upon offers of proof and receive relevant evidence;
 3. Regulate the course of the hearing, including any prehearing matters;
 4. Enter orders;
 5. Make or receive offers of settlement, stipulation, and adjustment.
- (a) The person conducting the hearing 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.
- (b) The District shall issue a final order within ninety (90) days:

1. After the hearing is concluded, if conducted by the Board;
2. After a recommended order is submitted to the Board and mailed to all parties, if the hearing is conducted by persons other than the Board; or
3. After the Board has received the written and oral material it has authorized to be submitted, if there has been no hearing.

(2) Eminent Domain. After determining the need to exercise the power of eminent domain pursuant to Section 190.011(11), Florida Statutes, the District shall follow those procedures prescribed in Chapters 73 and 74, Florida Statutes. Prior to exercising the power of eminent domain, the District shall:

- (a) Adopt a resolution identifying the property to be taken;
- (b) If the property is beyond the boundaries of the District, obtain approval by resolution of the governing body of the county if taking will occur in an unincorporated area, or of the municipality if the taking will occur within the municipality.

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

Law Implemented: 190.011(11), Fla. Stat.

1.7 PROCEDURE UNDER CONSULTANTS' COMPETITIVE NEGOTIATIONS ACT.

In order to comply with the requirements of Section 287.055, Florida Statutes (regarding certain types of professional services), the following procedures are outlined for selection of firms or individuals to provide professional services exceeding the thresholds described in these procedures and in the negotiation of such contracts.

(1) Definitions.

(a) "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 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.

(b) "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, 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 from time to time by the State of Florida Department of Management Services to reflect inflation of other measures.

(c) A "continuing contract" is a contract for professional services (of a type described above), entered into in accord with this rule, between the District and a firm whereby the firm provides professional services for the District for work of a specified nature with no time limitation, except that the contract shall provide a termination clause.

(d) "Emergency purchase" is a purchase necessitated by a sudden unexpected turn of events (e.g., acts of God, riot, fires, floods, hurricanes, accidents, or any circumstances or cause beyond the control of the Board in the normal conduct of its business) where the Board decided the delay incident to competitive bidding would be detrimental to the interests of the District.

(2) Qualifying Procedures. In order to be eligible to submit a bid proposal, a firm must, at the time of receipt of the bid:

- (a) Hold all required applicable state professional licenses in good standing.
- (b) Hold all required applicable federal licenses in good standing, if any.
- (c) If the bidder is a corporation, hold a current and active Florida corporate charter or be authorized to do business in Florida in accordance with chapter 607, Florida Statutes.
- (d) Meet any prequalification requirements set forth in the project or bid specifications. Qualification standards may include, but are not limited to, capability and adequacy of personnel, past record, and experience of the bidding entity.

Evidence of compliance with this Rule may be submitted with the bid, if requested by the District.

(3) Public Announcement. Prior to a public announcement that professional services are required for a project, the Board shall identify the project as meeting the threshold requirement. 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 by publishing a notice providing a general description of the project and the method for interested consultants to apply for consideration. The notice shall appear in at least one newspaper of general circulation in the District and in such other places as the District deems appropriate. The District may maintain lists of persons interested in receiving such notices. These persons are encouraged to annually submit statements of qualifications and performance date. Persons who provide their name and address to the District office for inclusion on the list shall receive notices by mail. The Board has the right to reject any and all bids, and such reservation shall be included in the public announcement. Bidders not receiving a contract award shall not be entitled to recover any costs of bid preparation or submittal from the District.

(4) Competitive Selection.

- (a) The Board shall review and evaluate the data submitted in response to the notice described above 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 firms regarding their qualifications, to select and list the firms, 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.

1. The ability and adequacy of the professional personnel employed by each firm.
2. Each firm's past performance for the District in other professional employment settings.
3. The willingness of each firm to meet time and budget requirements.
4. The geographic location of each firm's headquarters or office in relation to the project.
5. The recent, current, and projected workloads of each firm.
6. The volume of work previously awarded to each firm.
7. Whether a firm is a certified minority business enterprise.

(b) Nothing in these rules shall prevent the District from evaluating and eventually selecting a firm if less than three (3) responses, including responses indicating a desire not to submit a formal bid on a given project, are received.

(c) If the selection process is administered by any person 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.

(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.

(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, 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 cost."

(c) Should the District within twenty-one (21) days 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 unless modified by the Board, 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 within twenty-one (21) days (unless modified by the Board to the contrary) 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 any of the selected firms within twenty-one (21) days (unless modified by the Board to the contrary) 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.

(e) Once an agreement with a firm or individual is reached, notice of the award or intent to award, including the rejection of some or all bids, shall be provided in writing to all bidders by United States Mail, by hand delivery, or by overnight delivery service, and by posting same in the District office for seven (7) days.

(6) Continuing Contract. Nothing in this Rule shall prohibit a continuing contract between a firm or an individual and the District.

(7) 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.

(8) Statute Controls. If the Consultants' Competitive Negotiations Act is amended by the Florida Legislature after the adoption of these Rules, such that the Consultants' Competitive Negotiations Act is in conflicts with these Rules, then the effective Consultants' Competitive Negotiations Act, as amended, shall control.

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

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

1.8 PURCHASE OF GOODS, SUPPLIES, OR MATERIALS.

(1) Scope. All purchases of goods, supplies, or materials exceeding the amount provided in Section 287.017, Florida Statutes, for CATEGORY FOUR, as such category may be amended from time to time, shall be purchased under the terms of these Rules. Contracts for purchases of goods, supplies and material from time to time, shall be purchased under the terms of these Rules. Contracts for purchases of "goods, supplies, and materials" do not include printing, insurance, advertising, or legal services.

(2) Definitions.

- (a) "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 involved. It includes printed instructions prescribing conditions for bidding, evaluation criteria, and provides for a manual signature of an authorized representative.
- (b) "Request for Proposal" 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, proposal instructions, work detail analysis, and evaluation criteria as necessary.
- (c) "Responsive bid/proposal" means a bid or proposal which conforms in all material respects to the specifications and conditions in the invitation to bid or request for proposal and these rules, and the cost components of which are appropriately balanced. A bid/proposal is not responsive if the person or firm submitting the bid fails to meet any requirement relating to the qualifications, financial stability, or licensing of the bidder.
- (d) "Lowest responsible bid/proposal" means, in the sole discretion of the Board, the bid or proposal (i) submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements and with the integrity and reliability to assure good

faith performance, (ii) is responsive to the invitation to bid or request for proposal as determined by the Board, and (iii) is the lowest cost to the District. Minor variances in the bid may be waived by the Board. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids may not be modified after opening.

- (e) "Goods, supplies, and materials" do not include printing, insurance, advertising, or legal services, including attorney, paralegal, expert witness, appraisal, or mediator services.
 - (f) "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.
 - (g) "Emergency purchase" means a purchase necessitated by a sudden unexpected turn of events (e.g. acts of God, riot, fires, floods, hurricanes, accidents, or any circumstances or cause beyond the control of the Board in the normal conduct of its business), where the Board finds that the delay incident to competitive bidding would be detrimental to the interests of the District.
- (3) Procedure. When a purchase of goods, supplies, or materials is within the scope of this Rule, the following is appropriate:
- (a) The Board shall cause to be prepared an Invitation to Bid or Request for Proposal, as appropriate.
 - (b) The Notice of Invitation to Bid or Request for Proposal shall be advertised at least once in a newspaper of general circulation in the District. The notice shall allow at least seven (7) days for submittal of bids, unless the Board, for good cause, determines a shorter period of time is appropriate.
 - (c) The District may maintain lists of persons interested in receiving notices of invitations to bid or requests for proposals. Persons who provide their name and address to the District office for inclusion on the list shall receive notices by mail.

- (d) Bids or proposals shall be opened at the time and place noted on the Invitation to Bid or Request for Proposal. Bids and proposals shall be evaluated in accord with the invitation or request and these Rules.
- (e) The Lowest Responsive and Responsible Bid or Proposal shall be accepted; however, the Board shall have the right to reject all bids, either because they are too high or because the Board determines it is in the best interests of the District. In the event the bids exceed the amount of funds available to or allocated by the District for this purchase, the bids may be rejected. The Board may require bidders to furnish performance and/or other bonds with a responsible surety to be approved by the Board.
- (f) Notice of award or intent to award, including rejection of some or all bids, shall be provided in writing to all bidders by United States Mail, by hand delivery, or by overnight delivery service, and by posting same in the District office for seven (7) days.
- (g) If only one response to an Invitation to Bid or Request for Proposal is received, the District may proceed with the procurement for goods, supplies, or materials. If no response to an Invitation to Bid or Request for Proposal is received, the District may take whatever steps are reasonably necessary in order to proceed with the procurement of goods, supplies, or materials.
- (h) The District may make an emergency purchase without complying with these Rules. The fact that an emergency purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

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

Law Implemented: 190.033, Fla. Stat.

1.9 CONTRACTS FOR CONSTRUCTION OF AUTHORIZED PROJECT.

(1) Scope. All contracts for the construction or improvement of any building, structure or other public construction work authorized by chapter 190, 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, Florida Statutes, as that amount may be indexed or amended from time to time, shall be let under the terms of these Rules and comply with the bidding procedures of Section 255.20, Florida Statutes, as the same may be amended from time to time. In the event of conflict between these Rules and Section 255.20, Florida Statutes, Section 255.20, Florida Statutes, shall control. A project shall not be divided solely to avoid the threshold bidding requirements.

(2) Procedure.

(a) Notice of Invitation to Bid or Request for Proposals shall be advertised at least once in a newspaper of general circulation in the District. The notice shall allow at least twenty-one (21) days for submittal of sealed bids, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project calculated to cost more than \$500,000 must be noticed at least thirty (30) days prior to the date for submittal of bids.

(b) The District may maintain list of persons interested in receiving notices of Invitations to Bid or Requests for Proposals. Persons who provide their name and address to the District office for inclusion on the list shall receive notices by mail.

(c) To be eligible to submit a bid or proposal, a firm or individual must, at the time of receipt of its bid or proposal:

1. Hold all required applicable state professional licenses in good standing.
2. The past performance of each bidder or proposer to meet time and budget requirements.
3. The willingness of each bidder or proposer to meet time and budget requirements.

4. The geographic location of each bidder or proposer's headquarters or office in relation to the project.
 5. The recent, current, and projected workloads of the bidder or proposer.
 6. The volume of work previously awarded to each bidder or proposer.
 7. Whether the cost components of each bid or proposal are appropriately balanced.
 8. Whether a bidder or proposer is a certified minority business enterprise.
- (g) The Lowest Responsive and Responsible Bid/Proposal shall be accepted; however, the Board shall have the right to reject all bids, either because they are too high or because the Board determines it is the best interest of the District. The Board may require bidders to furnish performance and/or other bonds with a responsible surety to be approved by the Board. If the Board receives fewer than three (3) responses to an Invitation to Bid or Request for Proposal, the Board, may, in its discretion, re-advertise for additional bids without rejecting any submitted bid. In the event the bids exceed the amount of funds available to or allocated by the District for this purchase, the bids may be rejected. Bidders not receiving a contract award shall not be entitled to recover any costs of bid preparation or submittal from the District.
- (h) Notice of the award or intent to award, including rejection of some or all bids, shall be provided in writing to all bidders by United States Mail, by hand delivery, or by overnight delivery service, and by posting the same in the District office for seven (7) days.

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

Law Implemented: 190.033; 255.0525, Fla. Stat.

1.10 CONTRACTS FOR MAINTENANCE SERVICES.

(1) Scope. All contracts for maintenance of any District facility or project shall be let under the terms of these Rules if the cost exceeds the amount provided in Section 287.017, Florida Statutes, for CATEGORY FOUR, as such category may be indexed or amended from time to time by the State of Florida Department of

Management Services. The maintenance of these facilities or projects may involve the purchase of contractual services and/or goods, supplies, or materials as defined in these Rules. Where a contract for maintenance of such a facility or project includes goods, supplies, or materials and/or contractual services, the District may, in its sole discretion, award the contract according to the Rules in this subsection in lieu of separately bidding for maintenance for goods, supplies, or materials, and contractual services. However, a project shall not be divided solely in order to avoid the threshold bidding requirements.

(2) Procedure.

(a) Notice of Invitation to Bid or Request for Proposal shall be advertised at least once in a newspaper of general circulation in the District. The notice shall allow at least seven (7) days for submittal of bids, unless the Board, for good cause, determines a shorter period of time is appropriate.

(b) The District may maintain lists of persons interested in receiving notices of invitations to bid or requests for proposals. Persons who provide their name and address to the District office for inclusion on the list shall receive notices by mail.

(c) In order to be eligible to submit a bid or proposal, a firm or individual must, at the time of receipt of the bids or proposals:

1. Hold the required applicable state professional license in good standing.
2. Hold all required applicable federal licenses in good standing, if any.
3. Hold a current and active Florida corporate charter or be authorized to do business in Florida in accordance with Chapter 607, Florida Statutes if the bidder is a corporation.
4. Meet any special prequalification requirements set forth in the bid proposal specifications.

Evidence of compliance with these Rules may be submitted with the bid, if required by the District.

- (d) Bids or proposals shall be opened at the time, date and place noted on the Invitation to Bid or Request for Proposal. Bids and proposals shall be evaluated in accordance with the invitation or request and these Rules.
- (e) To assist in the determination of the lowest responsive and responsible bidder, the District Representative may invite public presentation by firms regarding their qualifications, approach to the project, and ability to perform the contract in all respects.
- (f) In determining the lowest responsive and responsible bidder, the District Representative may consider, in addition to factors described in the Invitation to Bid or Request for Proposal, the following:
 - 1. The ability and adequacy of the professional personnel employed by each bidder or proposer.
 - 2. The past performance of each bidder or proposer for the District and in other professional employment settings.
 - 3. The willingness of each bidder or proposer to meet time and budget requirements.
 - 4. The geographic location of each bidder or proposer's headquarters or office in relation to the project.
 - 5. The recent, current, and projected workloads of the bidder or proposer.
 - 6. The volume of work previously awarded to each bidder or proposer.
 - 7. Whether the cost components of each bid or proposal are appropriately balanced.
 - 8. Whether a bidder or proposer is a certified minority business enterprise.
- (g) The lowest responsive and responsible bid/proposer shall be accepted; however, the Board shall have the right to reject all bids, either because they are too high or because the Board determines it

is in the best interests of the District. The Board may require bidders or proposer to furnish performance and/or other bonds with a responsible surety. If the Board may, in its discretion, re-advertise for additional bids or proposals without rejecting any submitted bid or proposal. In the event the bids or proposals exceed the amount of funds available to or allocated by the District for this purchase, all bids/proposals may be rejected. Bidders or proposers not receiving a contract award shall not be entitled to recover any costs of bid/proposal preparation or submittal from the District.

- (h) Notice of the award or intent to award, including rejection of some or all bids or proposals, shall be provided in writing to all bidders by United States Mail, by hand delivery, or by overnight delivery service, and by posting the same in the District office for seven (7) days.

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

Law Implemented: 190.033, Fla. Stat.

1.11 DESIGN-BUILD CONTRACT COMPETITIVE PROPOSAL SELECTION PROCESS

(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) when developing a design criteria package, evaluating the responses or bids 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 or may be retained using Rule 1.7, Procedure under Consultants' Competitive Negotiations Act.

- (b) A design criteria package for the construction project shall be developed and sealed by the design criteria professional. The package shall include concise, performance-oriented drawings or specifications of the project, and shall include sufficient information to put interested firms on notice of substantially all of the requirements of the project. 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. All design criteria packages shall require firms to submit information regarding the qualifications, availability, and past work of the firms, including the partners and members of the firms.
- (c) The Board, in consultation with the design criteria professional, shall establish the standards and procedures for the evaluation of the design-build proposals based on price, technical, and design aspects of the project, weighted for the project.
- (d) After a design criteria package and the standards and procedures for evaluation of proposals have been developed, competitive proposals from qualified firms shall be solicited, pursuant to the design criteria by the following procedure:
 - 1. A Request for Proposals shall be advertised at least once in a newspaper of general circulation in the county in which the District is located. The notice shall allow at least seven (7) days for submittal of proposals, unless the Board, for good cause, determines a shorter period of time is appropriate.
 - 2. The District may maintain qualification information, including: capabilities, adequacy of personnel, past record, experience, whether the firm is a certified minority business enterprise as defined by the Florida Small and Minority Business Assistance Act of 1985, and other factors, on design-build firms. Such firms shall receive a copy of the request for proposals by mail.
 - 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 license in good standing, as defined by Section 287.055(2)(h);

(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 Florida in accordance with Chapter 607, Florida Statutes, if the bidder is a corporation.

(d) Meet any special prequalification requirements set forth in the design criteria package.

(e) The board shall select no fewer than three (3) design-build firms as the most qualified, based on the information submitted in the response to the request for proposals, and in consultation with the design criteria professional, and shall evaluate their proposals based on the evaluation standards and procedures established prior to the solicitation of requests for proposal.

(f) The board shall negotiate a contract with the firm ranking the highest based on the evaluation standards, and shall establish a price that the board determines is fair, competitive, and reasonable. Should the board be unable to negotiate a satisfactory contract with the firm considered 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. Failing accord with the second most undertake negotiations with the third firm. 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.

(g) After the board contracts with a firm, the firm shall bring to the Board for approval, detailed working drawing of the project.

(h) The design criteria professional shall evaluate the compliance of the project construction with the design criteria package, and shall provide the Board with a report of the same.

(3) 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.

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

Law Implemented: 190.033, 255.20, Fla. Stat.

1.12 PURCHASE OF INSURANCE.

(1) Scope. The purchase of life, health, accident, hospitalization, legal expense or annuity insurance, or all or any kind of such insurance for the officers and employees of the District, and for health, accident, hospitalization, and legal expense insurance for the dependents of such officers and employees upon a group insurance plan by the District, shall be governed by these Rules. Nothing in these Rules 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 Invitation to Bid shall be advertised at least once in a newspaper of general circulation in the District. The notice shall allow at least seven (7) days for submittal of bids, unless the Board, for good cause, determines a shorter period of time is appropriate.
- (c) The District may maintain a list of person's interest in receiving notices of invitations to bid. Persons who provide their name and address to the District office for inclusion on the list shall receive notices by mail.
- (d) Bids shall be opened at the time and place noted on the Invitation to Bid.
- (e) If only one response to an Invitation to Bid is received, the District may proceed with the purchase. If no response to an Invitation to Bid is received, the District may take whatever steps are reasonably necessary in order to proceed with the purchase.
- (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 which 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 accord with the specifications and criteria contained in the Invitation to Bid; in addition, the total cost to the District, the cost, if any, to District officers, employees, or their dependents, the geographic location of the company's headquarters and offices in relation to the District, past performance for the District, and the ability of the company to guarantee premium stability may be considered. A contract to purchase insurance shall be awarded to that company whose response to the Invitation to Bid best meets the overall need of the District, its officers, employees, and/or dependents.
- (h) Notice of the award or intent to award, including rejection of some or all bids, shall be provided in writing to all bidders by United States Mail, by hand delivery, or by overnight delivery service, and by posing the same in the District office for seven (7) days.

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

Law Implemented: 112.08, Fla. Stat.

1.13 BID PROTESTS UNDER CONSULTANTS' COMPETITIVE NEGOTIATIONS ACT.

Notwithstanding any other provision in these Rules, the resolution of any protests regarding the decision to solicit or award a contract for a bid or proposal under Sections 1.7 or 1.11 shall be in accordance with this section.

- (1) Notice. The District shall give all bidders written notice of its decision to award or intent to award a contract (including rejection of some or all bids) by United States Mail, by hand delivery, or by overnight delivery service, and by posing same in the District office for seven (7) days. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 1.14 of the Rules of the Downtown Doral South Community Development District shall constitute a waiver of proceedings under those Rules."

(2) Filing. Any person who is adversely affected by the District's decision or intended decision shall file with the District a notice of protest within seventy-two (72) hours after the posting of the final bid tabulation or after receipt of the notice of the District decision or intended decision, and shall file a formal written protest within seven (7) days after the filing of the notice of protest. The notice of protest shall identify the procurement by title and number or any other language that will enable the District to identify it, shall state that the person intends to protest the decision, and shall state with particularity the law and facts upon which the protest is based. With respect to a protest of the specifications contained in an Invitation to Bid or in a Request for Proposals, the notice of protest shall be filed in writing within seventy-two (72) hours after the receipt of notice of the project plans and specifications (or intended project plans and specifications) in an Invitation to Bid or Request for Proposals, and the formal written protest shall be filed within seven (7) days after the date when notice of protest is filed. Failure to file a notice of protest (or failure to file a formal written protest) shall constitute a waiver of all further proceedings.

(3) Award Process. Upon receipt of a notice of protest which has been timely filed, the District shall stop the bid solicitation process (or the contract and award process) until the subject of the protest is resolved. However, if the District sets forth in writing particular facts and circumstances which require the continuance of the process without delay in order to avoid an immediate and serious danger to the public's health, safety, or welfare, the award process may continue.

(4) Mutual Agreement. The District, on its own initiative or upon the request of a protester, shall provide an opportunity to resolve the protest by mutual agreement between the parties within (7) days (excluding Saturdays, Sundays and legal holidays) upon receipt of a formal written request.

(5) Proceedings. If the subject of a protest is not resolved by mutual agreement, a proceeding shall be conducted in accordance with the procedural guidelines set forth in Section 1.6.

Specific Authority: 120.57(3), 190.011(5), Fla. Stat.

Law Implemented: 120.57(3), 190.033, Fla. Stat.

1.14 PROTESTS WITH RESPECT TO CONTRACTS AWARDED OR BID DOCUMENTS

The resolution of any protests regarding Bid Documents or the decision to award a contract for a bid or proposal shall be in accordance with this Section 1.14.

(1) Notice. The District shall give all bidders or proposers written notice of a decision to award (or reject all bids) by posting the notice in the District office for seven (7) days, with a copy being provided to all submitting firms by United States Mail or by hand delivery. The notice shall include the following statement: "Failure to file a written protest with the District within seventy-two (72) hours following the receipt of notice of the District's decision to award a contract shall constitute a waiver of any objection to the award of such contract."

(2) Filing.

(a) Any firm or person who is adversely affected by a District decision to award a contract shall file with the District a written notice of protest within seventy-two (72) hours after receipt of the notice of the District's decision, and shall file a formal written protest with the District within seven (7) calendar days after the date of timely filing the initial notice of protest. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred to timely file a formal written protest shall constitute a waiver of any right to object to or protest the District's decision or contract award. The formal written protest shall state with particularity the facts and law upon which the protest is based.

(b) With respect to a protest regarding the Bid Documents, including specifications or other requirements contained in an Invitation to Bid or in a Request for Proposals, the notice of protest shall be filed in writing within seventy-two (72) hours after the receipt of the proposed project plans and specifications or other contract documents. The formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days after the initial notice of protest was filed. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object to or protest with respect to the aforesaid plans, specifications, or contract documents.

(3) Award Process. Upon receipt of a timely filed notice of protest, the District shall abate the solicitation or contract award process until the protest is resolved in accord with these Rules.

However, if the District determines particular facts and circumstances require the continuance of the contract award process without delay in order to avoid an immediate and serious danger to the public's health, safety, or welfare, the contract award process may continue. In such circumstances, the contract awarded shall be conditioned on the outcome of the protest.

(4) 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 posted in the office of the District not less than three (3) calendar days prior to such informal proceeding, with copy being mailed to the protestant and any substantially affected persons or parties. Within fifteen (15) calendar days following the informal proceeding, the Board shall issue a written decision setting forth the factual, legal, and policy grounds for its decision.

(5) Formal Proceeding. If the Board determines a protest involves disputed issues of material fact or if the Board elects not to use the informal proceedings process provided above (if available), the District shall schedule a formal hearing to resolve the protest in accordance with the procedural guidelines set forth in Section 1.7(1).

Specific Authority: 120.53(5), 190.011(5), Fla. Stat.

Law Implemented: 190.033, Fla. Stat.

1.15 BID PROTESTS RELATING TO ANY OTHER AWARD.

Notwithstanding any other provision in these Rules, the resolution of any protests regarding the decision to solicit or award a contract for a bid or proposal under Sections 1.8, 1.9, or 1.10 shall be in accordance with this Section 1.15.

(1) Notice. The District shall give all bidders written notice of its decision to award or intent to award a contract (including rejection of some or all bids) by United States Mail, by hand delivery, or by overnight delivery service, and by posting same in the District office for seven (7) days.

(2) Filing. Any person who is adversely affected by the District's decision or intended decision shall file with the District a notice of protest in writing within seventy-two (72) hours after the posting of the final bid tabulation or after receipt

of the notice of the District decision or intended decision, and shall file a formal written protest within seven (7) days after the date of filing of the notice of protest is based. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of all further proceedings.

(3) Award Process. Upon receipt of a notice of protest which has been timely filed, the District shall stop the bid solicitation process or the contract and award process until the subject of the protest is resolved. However, if the District sets forth in writing particular facts and circumstances which require the continuance of the process without delay in order to avoid an immediate and serious danger to the public's health, safety, or welfare, the award process may continue.

(4) Mutual Agreement. The District, on its own initiative or upon the request of a protester, shall provide an opportunity to resolve the protest by mutual agreement between the parties within five (5) days (excluding Saturdays, Sundays and legal holidays) of receipt of a formal written protest.

(5) Hearing. If the subject of a protest is not resolved by mutual agreement, the District shall hold a proceeding in accordance with the procedural guidelines set forth in Section 1.6.

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

Law Implemented: 190.033, Fla. Stat.

1.16 EFFECTIVE DATE.

These Rules shall be effective _____ **201** except that no election of officers required by these Rules shall be required until after the next regular election for the Board of Supervisors.

RESOLUTION 2017-21

A RESOLUTION ADOPTING THE FINAL BUDGET OF THE DOWNTOWN DORAL SOUTH COMMUNITY DEVELOPMENT DISTRICT FOR FISCAL YEAR 2017

WHEREAS, the District Manager has heretofore prepared and submitted to the Board, for approval, the District's proposed General Fund Budget, for **Fiscal Year 2017**; and

WHEREAS, a public hearing has been held on **this 22nd day of February, 2017** at which members of the general public were accorded the opportunity to speak prior to the adoption of the final budget;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE DOWNTOWN DORAL SOUTH COMMUNITY DEVELOPMENT DISTRICT;

1. The General Fund Budget heretofore submitted to and approved by the Board is hereby adopted as the final General Fund Budget of the District for the **2017 Fiscal Year**.

2. A verified copy of said final General Fund Budget shall be attached as an exhibit to this Resolution in the District's "Official Record of Proceedings".

Adopted this **22nd day of February, 2017**.

Chairman / Vice Chairman

Secretary / Assistant Secretary

***Proposed Budget
Fiscal Year 2017***

***Downtown Doral South
Development District***

February 22, 2017



Downtown Doral South

Community Development District

Proposed FY2017 Budget

Revenues

Developer Contributions	\$90,875
<i>Total Revenues</i>	<u><u>\$90,875</u></u>

Expenditures

Administrative

Engineering	\$15,000
Arbitrage	\$0 ⁽¹⁾
Dissemination Agent	\$0 ⁽¹⁾
Assessment Administration	\$0 ⁽¹⁾
Attorney	\$20,000
Annual Audit	\$0 ⁽¹⁾
Trustee Fees	\$0 ⁽¹⁾
Management Fees	\$40,000
Website Admin	\$1,000
Postage	\$1,300
Printing & Binding	\$3,250
Insurance	\$7,000
Legal Advertising	\$2,500
Other Current Charges	\$300
Office Supplies	\$350
Dues, Licenses & Subscriptions	\$175

<i>Administrative Expenses</i>	<u><u>\$90,875</u></u>
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Net Income	<u><u>\$0</u></u>
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⁽¹⁾ Expenses related to the issuance of Bonds.

**Downtown Doral South
Community Development District**
GENERAL FUND BUDGET

REVENUES:

Developer Contributions

It is presently anticipated that the District will enter into a Funding Agreement with the Developer to Fund all General Fund expenditures for the Fiscal Year.

EXPENDITURES:

Administrative:

Engineering Fees

The District's engineer will be providing general engineering services to the District, i.e. attendance and preparation for monthly board meetings, review invoices, etc.

Arbitrage

The District is required to have an annual arbitrage rebate calculation on the District's Bonds. The District will contract with an independent auditing firm to perform the calculations.

Dissemination Agent

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

Attorney

The District's legal counsel will be providing general legal services to the District, i.e. attendance and preparation for monthly meetings, review operating & maintenance contracts, etc.

Annual Audit

The District is required annually to conduct an audit of its financial records by an Independent Certified Public Accounting Firm.

Trustee Fees

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

Management Fees

The District receives Management, Accounting and Administrative services as part of a Management Agreement with Governmental Management Services – South Florida, LLC.

Downtown Doral South Community Development District

Computer Time

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

Postage

Mailing of agenda packages, overnight deliveries, correspondence, etc.

Printing & Binding

Printing and Binding agenda packages for board meetings, printing of computerized checks, stationary, envelopes etc.

Insurance

The District's General Liability & Public Officials Liability Insurance policy is with a qualified entity that specializes in providing insurance coverage to governmental agencies. The amount is based upon similar Community Development Districts.

Legal Advertising

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

Other Current Charges

Bank charges and any other miscellaneous expenses that incurred during the year.

Website Compliance

Per Chapter 2014-22, Laws of Florida, all Districts must have a website by October 1, 2015 to provide detailed information on the CDD as well as links to useful websites regarding Compliance issues. This website will be maintained by GMS-SF, LLC and updated monthly.

Office Supplies

Miscellaneous office supplies.

Dues, Licenses & Subscriptions

The District is required to pay an annual fee to the Department of Community Affairs for \$175. This is the only expense under this category for the District.

RESOLUTION 2017-22

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE DOWNTOWN DORAL SOUTH COMMUNITY DEVELOPMENT DISTRICT EXPRESSING ITS INTENT TO UTILIZE THE UNIFORM METHOD OF LEVYING, COLLECTING AND ENFORCING NON AD VALOREM ASSESSMENTS WHICH HEREINAFTER MAY BE LEVIED BY THE DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 197.3632, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE:

WHEREAS, the Downtown Doral South Community Development District was established pursuant to the provisions of Chapter 190 Florida Statutes which authorizes the District to levy certain assessments which include benefit and maintenance assessments and further authorizes the Board to levy special assessments pursuant to Chapter 170 Florida Statutes for the acquisition, construction or reconstruction of assessable improvements authorized by Chapter 190 Florida Statutes; and

WHEREAS, the above referenced assessments are not considered to be ad valorem in nature and therefore, are subject to the provisions of Section 197.3632 Florida Statutes in which State of Florida through its legislature has provided a uniform method for the levying, collecting and enforcing such non ad valorem assessments; and

WHEREAS, pursuant to Section 197.3632 Florida Statutes the District has caused notice of a public hearing to be advertised weekly in a newspaper of general circulation within **Miami-Dade County** for four consecutive weeks preceding said hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE DOWNTOWN DORAL SOUTH COMMUNITY DEVELOPMENT DISTRICT

1. The Downtown Doral South Community Development District upon conducting its public hearing as required by Section 197.3632 Florida Statutes hereby expresses its intent to use the uniform method of collecting its benefit and maintenance assessments or such other assessments imposed by the District as provided in Chapter 170 and 190 Florida Statutes each of which are non ad valorem assessments which may be levied annually by the District pursuant to the provisions of Chapter 190 Florida Statutes for the purpose of paying principal and interest on its bonded indebtedness and the cost of operating and maintaining its assessable improvements within the boundaries of the District as described in the attached legal description which is made a

part of the Resolution as Exhibit "A". Said assessments and the District's use of the uniform method of collecting its non ad valorem assessment(s) may continue for more than one year.

2. This Resolution shall become effective upon its passage and the District's Secretary is authorized to provide the Property Appraiser and Tax Collector of Miami-Dade County and the Department of Revenue of the State of Florida with a copy of this Resolution on or before **March 10, 2017**.

**PASSED AND ADOPTED THIS 22ND DAY
OF FEBRUARY 2017.**

Chairman/ Vice Chairman

Secretary / Assistant Secretary

I. Introduction.

Downtown Doral South Community Development District (the "District" or "CDD") was established by the enactment of Miami-Dade County Ordinance No. 16-131 on December 6, 2016. Such Ordinance became effective on December 16, 2016. The District is expected to encompass 343 single family units, 557 townhomes and 398 multi-family units within approximately 123.39 acres of land for a total of 1,298 residential units. The District is located within the limits of the City of Doral in Miami-Dade County, Florida, and is bounded by NW 87 Avenue on the west, White Course Drive on the north, a 160 Ft Florida Power and Light ("FPL") easement on the east and NW 41 Street on the south. Refer to Exhibit 1 for a location map of the District.

The District is comprised within unplatted land identified as Miami-Dade County Folio Numbers 35-3022-002-0010, 35-3022-000-0011 and 35-3022-000-0110. The 123.39-acre District covers approximately 95% of the Folio Numbers area and the remainder is reserved for a 6.54-acre commercial tract known as the "West Parcel". Together, the subdivision within the District and the West Parcel constitute the 129.93-acre development known as Downtown Doral South (the "Development"). Refer to Exhibit 2.

The Development is owned by CC Homes at Doral, LLC (herein, "CC"), White Course Lennar, LLC (herein, "Lennar" and "Lennar TIC") and CC-WCD TIC, LLC (herein, "CC TIC") (together, the "Owners"). Ownership of the Development is divided as follows: CC owns the property graphically depicted in Exhibit 3 (the "CC Property"); Lennar owns the property graphically depicted in Exhibit 4 (the "Lennar Property"); CC TIC and Lennar TIC each have a 50% undivided interest as "Tenants In Common" in the West Parcel, the Lake Tract, the School Tract, the Clubhouse Tract and the interior road right of ways and perimeter buffers (together, the "TIC Parcel").

With the exception of the West Parcel, which is outside the District, the CDD is made up of the Lake Tract, the School Tract, the Clubhouse Tract, the interior road right of ways, the perimeter buffers, and the CC and Lennar Properties (Refer to Exhibits 3, 4 and 5).

The Onsite District improvements, described below in more detail in this Engineer's Report (the "Report"), consisting of the onsite road improvements, the stormwater management and drainage facilities, the water distribution and sanitary sewer collection systems, and the amenities located within publicly-owned spaces, will be constructed within the interior road right of ways, the perimeter buffers and the Lake Tract, with portions of the drainage, water and sewer systems extending into the CC and Lennar Properties, for which easements will be granted at no cost to the District by the corresponding landowner. The Offsite District improvements, consisting of offsite roadway improvements mandated by the regulatory agencies, are to be constructed outside of the District boundary, as depicted in Exhibit 6.

The District intends to acquire from the Owners, for public uses, the interior road right of ways, the perimeter buffers, and the Lake Tract. The price to be paid by the District for the land will be the lower of, the value determined by one or more independent land appraisals, or the Developers' cost.

The District may also purchase from the Developers, for the use of the community and the general public, the Clubhouse Tract with all the indoor and outdoor recreational facilities, including buildings, site improvements and fixtures constructed and/or installed within the tract. The ultimate decision for the District to purchase the Clubhouse Tract and facilities, will be made in the future by the then current Board of Supervisors and the reference to the Clubhouse in this Report does not bind the District in any way to make such purchase or to purchase said Clubhouse at the estimated price set forth herein. Based on the foregoing the seller estimates the potential future selling price would be approximately 17 million dollars.

Water and sewer connection fees and road impact fees payable to Miami-Dade County are included in the estimated CDD costs. The Developer intends to advance the funds to pay for the connection and road impact fees on behalf of the District.

Downtown Doral South

Community Development District

Funding Request #3

February 21, 2017

	PAYEE		GENERAL FUND
1	ALM Media, LLC		
	Inv# 187523 - Notice of Regular and Audit Meeting	\$	58.18
	Inv# 189355 - Notice of Intent	\$	125.73
	Inv# 189467 - Notice of Rule	\$	76.20
2	Billing, Cochran, Lyles, Mauro & Ramsey, PA		
	Inv# 138960 - General Counsel (Dec 16)	\$	5,749.50
3	FedEx		
	Inv# 5-687-06234	\$	52.38
4	GMS-South Florida, LLC		
	Inv# 2 - Management Fees & Expenses (Feb 2017)	\$	3,590.39
	TOTAL	\$	9,652.38

Please make check payable to:

Downtown Doral South CDD
5385 N Nob Hill Road
Sunrise, FL 33351
(954) 721-8681