



Rizzetta & Company

Bainebridge Community Development District

**Board of Supervisors' Meeting
November 17, 2022**

**District Office:
2806 N. Fifth Street
Unit 403
St. Augustine, FL 32084**

www.bainebridgecdd.org

BAINEBRIDGE COMMUNITY DEVELOPMENT DISTRICT AGENDA

Bainebridge Amenity Center, 15855 Twin Creek Drive, Jacksonville, FL 32218

District Board of Supervisors	William Huff Samuel Helms Charles Straw Alton Mabb Wally David	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
District Manager	Lesley Gallagher	Rizzetta & Company, Inc.
District Counsel	Katie Buchanan	Kutak Rock LLP
District Engineer	Vince Dunn	Dunn & Associates

**All Cellular phones and pagers must be turned off while in the meeting room.
The District Agenda is comprised of five different sections:**

The **regular** meeting will begin promptly at **6:00 p.m.** with the first section which is called **Audience Comments on Agenda Items**. The Audience Comment portion of the agenda is where individuals may comment on matters that concern the District. Each individual is limited to three (3) minutes for such comment. The Board of Supervisors or Staff is not obligated to provide a response until sufficient time for research or action is warranted. **IF THE COMMENT CONCERNS A MAINTENANCE RELATED ITEM, THE ITEM WILL NEED TO BE ADDRESSED BY THE DISTRICT MANAGER OUTSIDE THE CONTEXT OF THIS MEETING.** The second section is called **Business Administration**. The Business Administration section contains items that require the review and approval of the District Board of Supervisors as a normal course of business. The third section is called **Staff Reports**. This section allows the District Manager, Engineer, and Attorney to update the Board of Supervisors on any pending issues that are being researched for Board action. The fourth section is called **Business Items**. The business items section contains items for approval by the District Board of Supervisors that may require discussion, motion and votes on an item-by-item basis. If any member of the audience would like to speak on one of the business items, they will need to register with the District Manager prior to the presentation of that agenda item. Occasionally, certain items for decision within this section are required by Florida Statute to be held as a Public Hearing. During the Public Hearing portion of the agenda item, each member of the public will be permitted to provide one comment on the issue, prior to the Board of Supervisors' discussion, motion and vote. Agendas can be reviewed by contacting the Manager's office at (904) 436-6270 at least seven days in advance of the scheduled meeting. Requests to place items on the agenda must be submitted in writing with an explanation to the District Manager at least fourteen (14) days prior to the date of the meeting. The final section is called **Supervisor Requests and Audience Comments**. This is the section in which the Supervisors may request Staff to prepare certain items in an effort to meet residential needs and provides members of the audience the opportunity to comment on matters of concern to them that were not addressed during the meeting.

Public workshops sessions may be advertised and held in an effort to provide informational services. These sessions allow staff or consultants to discuss a policy or business matter in a more informal manner and allow for lengthy presentations prior to scheduling the item for approval. Typically no motions or votes are made during these sessions.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the District Office at (904) 436-6270, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 7-1-1, who can aid you in contacting the District Office.

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

BAINEBRIDGE COMMUNITY DEVELOPMENT DISTRICT

District Office · St. Augustine, Florida · (904) 436-6270
Mailing Address – 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614
www.bainebridgecdd.org

November 10, 2022

Board of Supervisors
Bainebridge Community
Development District

AGENDA

Dear Board Members:

The **regular** meeting of the Bainebridge Community Development District will be held on **November 17, 2022 at 6:00 p.m.** at the Bainebridge Amenity Center, located at 15855 Twin Creek Drive, Jacksonville, Florida 32218. The following is the agenda for this meeting.

1. **CALL TO ORDER/ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **AUDIENCE COMMENTS ON AGENDA ITEMS**
4. **BUSINESS ADMINISTRATION**
 - A. Consideration of the Minutes of the Board of Supervisors’ Meeting held September 15, 2022.....Tab 1
 - B. Ratification of Operation and Maintenance Expenditures for August and September 2022.....Tab 2
5. **STAFF REPORTS**
 - A. District Counsel
 - B. District Engineer
 - C. Amenity Manager
 - D. Landscape Inspection Report
 - E. Landscape Manager
 1. Brightview Landscape Report.....Tab 3
 - F. District Manager
 1. Charles Aquatics Pond Report.....Tab 4
6. **BUSINESS ITEMS**
 - A. Consideration of Resolution 2023-01; Amending Records Retention Policy.....Tab 5
 - B. Consideration of Resolution 2023-02; Declaring Seats Vacant.....Tab 6
 - C. Consideration of Proposal for Annual Engineer Report.....Tab 7
7. **AUDIENCE COMMENTS AND SUPERVISOR REQUESTS**
8. **ADJOURNMENT**

I look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to contact me at (904) 436-6270.

Very truly yours,
Lesley Gallagher
Lesley Gallagher

Tab 1

MINUTES OF MEETING

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

**BAINEBRIDGE
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Bainebridge Community Development District was held on **Thursday, September 15, 2022 at 6:00 p.m.** at the Bainebridge Amenity Center, located at 15855 Twin Creek Drive, Jacksonville, Florida 32218.

Present and constituting a quorum:

William Huff II	Board Supervisor, Chairman
Samuel Helms	Board Supervisor, Vice Chairman
Alton Mabb	Board Supervisor, Assistant Secretary
Wally David	Board Supervisor, Assistant Secretary (via speaker phone)
Charles Straw	Board Supervisor, Assistant Secretary

Also present were:

Lesley Gallagher	District Manager, Rizzetta & Company, Inc.
Katie Buchanan	District Counsel, Kutak Rock, LLC (via speaker phone)
Tony Shiver	President, First Coast CMS
Chris Ernst	Account Manager, BrightView Landscaping

Audience members present.

FIRST ORDER OF BUSINESS**Call to Order**

Mr. Huff called the meeting to order at 6:00 p.m. and read the roll call.

SECOND ORDER OF BUSINESS**Pledge of Allegiance**

Mr. Mabb led the pledge of allegiance.

THIRD ORDER OF BUSINESS**Audience Comments on Agenda
Items**

Audience members had comments on ponds.

FOURTH ORDER OF BUSINESS**Consideration of the Minutes of the
Board of Supervisors Special Meeting
held on July 21, 2022**

On a motion by Mr. Mabb, seconded by Mr. Helms, with all in favor, the Board approved the Minutes of the Board of Supervisors Regular Meeting held on July 21, 2022 for Bainebridge Community Development District.

FIFTH ORDER OF BUSINESS**Ratification of the Operation and
Maintenance Expenditures for June
and July 2022**

On a motion by Mr. Mabb, seconded by Mr. Straw, with all in favor, the Board ratified the Operation and Maintenance Expenditures for June in the amount of \$20,281.53, and July in the amount of \$36,102.27, for Bainebridge Community Development District.

SIXTH ORDER OF BUSINESS**Staff Reports**

- A. District Counsel
No report at this time but Ms. Buchanan was available to answer questions.
- B. District Engineer
Was not requested to attend.
- C. Amenity Manager
Mr. Shiver updated the Board regarding a recent pool inspection and that there were issues with the GFI at the entry and there would be an audit of the system next week. He then presented a proposal from Donovan Heat, Air and Electric (exhibit A) for repairs to the AC system in the amount of \$843.20.

On a motion by Mr. Mabb, seconded by Mr. Helms, with all in favor, the Board approved the Donovan Heat, Air and Electric proposal in the amount of \$843.20, for Bainebridge Community Development District.

- D. Landscape Inspection Report
Ms. Gallagher reviewed that the landscape inspections were quarterly and that she would be happy to relay any questions to Jason Liggett who provides the inspections.
- E. Landscape Manager
1.) Brightview Landscape Report
Mr. Ernst reminded the Board that the schedule would be adjusting in the off season and was available to answer questions.

Board moved to agenda item 6B

SEVENTH ORDER OF BUSINESS

Consideration of Renewal Proposal from BrightView Landscape

On a motion by Mr. Helms, seconded by Mr. Mabb, with all in favor, the Board approved the BrightView Renewal Proposal for FY 2022/23, for Bainebridge Community Development District.

Board moved back to agenda item 5F

EIGHTH ORDER OF BUSINESS

District Manager Report

- 1.) Charles Aquatics Pond & Fountain Report
Ms. Gallagher reviewed her report as well as the Charles Aquatics pond report noting that there were 3 ponds that had concerns regarding perimeter vegetation or spike rush and that the fountain report noted two bulbs had been replaced.

NINTH ORDER OF BUSINESS

Consideration of Renewal Proposal from First Coast CMS

Mr. Shiver presented the First Coast CMS proposal, which was for a term of 24 months and included a 3% increase after 12 months.

On a motion by Mr. Helms, seconded by Mr. Mabb, with all in favor, the Board approved the First Coast CMS Renewal Proposal, for Bainebridge Community Development District.

TENTH ORDER OF BUSINESS

Consideration of Renewal Proposal from Charles Aquatics

Ms. Gallagher reviewed the renewal proposal from Charles Aquatics for 20 ponds.

On a motion by Mr. Helms, seconded by Mr. Mabb, with all in favor, the Board approved the Charles Aquatics Renewal Proposal, for Bainebridge Community Development District.

ELEVENTH ORDER OF BUSINESS

Ratification of FY 2022/2023 District Insurance Policy Renewal

On a motion by Mr. Mabb, seconded by Mr. Helms, with all in favor, the Board ratified the FY 2022/2023 District Insurance Policy Renewal, for Bainebridge Community Development District.

TWELFTH ORDER OF BUSINESS**Consideration of Resolution 2022-06;
Setting the Date, Time and Location
of FY 2022/23 Meetings**

Ms. Gallagher reviewed Resolution 2022-06; Setting Date, Time and Location of FY 2022/23 Meetings.

On a motion by Mr. Helms, seconded by Mr. Straw, with all in favor, the Board adopted Resolution 2022-06; Setting Date, Time and Location of FY 2022/23 Meetings, as presented, for Bainebridge Community Development District.

THIRTEENTH ORDER OF BUSINESS**Consideration of Proposals from Oak
Wells Pools**

Mr. Shiver reviewed proposals from Oak Wells, one for tile repairs and one for controller and pumps.

On a motion by Mr. Helms, seconded by Mr. Mabb, with all in favor, the Board approved the Oak Wells tile repair proposal in the amount of \$3,506.58, for Bainebridge Community Development District.

On a motion by Mr. Helms, seconded by Mr. Straw, with all in favor, the Board approved the Oak Wells controller and pump proposal in the amount of \$5,935.17, for Bainebridge Community Development District.

FOURTEENTH ORDER OF BUSINESS**Consideration of Proposal for Waste
Removal Services at Amenity Center**

Mr. Shiver reviewed his ongoing concerns about the lack of service provided by Republic Services. He then presented a proposal from Meridian Waste for waste removal services at the Amenity Facility. It was noted that Republic Services may attempt to charge an early termination fee. The Board directed staff to attempt to terminate them with cause due to their ongoing missed pick ups and overall failure to meet the terms of their agreement and if they agree to cancel without penalty to then move forward with Meridian Waste.

On a motion by Mr. Mabb, seconded by Mr. Helms, with all in favor, the Board directed staff to attempt to terminate Republic Services with cause due to their ongoing missed pick ups and overall failure to meet the terms of their agreement and if they agree to cancel without penalty to then move forward with Meridian Waste, for Bainebridge Community Development District.

FIFTEENTH ORDER OF BUSINESS**Acceptance of Third Addendum –
Contract for Professional District
Services**

On a motion by Mr. Mabb, seconded by Mr. Straw, with all in favor, the Board accepted the Third Addendum to the Contract for Professional District Services, for Bainebridge Community Development District.

The Board then reviewed the First Addendum to the Contract for Professional Landscape Services (exhibit B).

On a motion by Mr. Helms, seconded by Mr. Straw, with all in favor, the Board accepted the First Addendum to the Contract for Professional Landscape Services with the inspections remaining quarterly, for Bainebridge Community Development District.

SIXTEENTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

Audience had comments on the following items:

- JEA and the need for more streetlights on Steadman Lake
- Questions regarding the pool schedule if a holiday falls on a Monday
- Oak Wells proposals and if other bids were sought
- Access to ponds
- Request to increase the amount of the non-resident user fee as surrounding communities grow
- Access fees
- Security concerns

A supervisor raised private party concerns.

The Board noted they were moving into a closed session of the meeting per FL Statute 119.071(3)(a) and 281.301 to discuss security options.

All audience members left the meeting.

SEVENTEENTH ORDER OF BUSINESS

Discussion Regarding Security Options

The Board reviewed the JSO Off Duty Deputy options and that option #2, which totaled \$13,860.00 for 6 months was put in place earlier this fiscal year. The Board discussed the impact of having the off duty deputies on site. It was noted that the Fiscal Year 2022/2023 budget totaled \$13,860.00 for the year for security services as it was previously discussed that the services may not be needed at the same level in the off season and if that changed, the additional cost would need to be paid out miscellaneous contingency or surplus funds. Discussion ensued.

On a motion by Mr. Huff, seconded by Mr. Straw, with all in favor, the Board directed staff to continue with option #2 at this time and review further at the January 2023 meeting, for Bainebridge Community Development District.

EIGHTEENTH ORDER OF BUSINESS

Adjournment

On a motion by Mr. Mabb, seconded by Mr. Helms, with all in favor, the Board adjourned the meeting at 7:30 p.m. for Bainebridge Community Development District.

Secretary/Assistant Secretary

Chairman/Vice Chairman

Tab 2

BAINEBRIDGE COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · ST. AUGUSTINE, FLORIDA 32084

MAILING ADDRESS · 3434 COLWELL AVENUE, SUITE 200 · TAMPA, FLORIDA 33614

WWW.BAINEBRIDGECDD.ORG

Operation and Maintenance Expenditures

August 2022

Presented For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from August 1, 2022 through August 31, 2022. This does not include expenditures previously approved by the Board.

The total items being presented: **\$17,779.15**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

BAINEBRIDGE COMMUNITY DEVELOPMENT DISTRICT

Paid Operation & Maintenance Expenditures

August 1, 2022 Through August 31, 2022

Vendor Name	Check Number	Invoice Number	Invoice Description	Invoice Amount
BrightView Landscape Services, Inc.	100006	7996004	Landscape Maintenance 08/22	\$ 3,002.00
BrightView Landscape Services, Inc.	100006	8015437	Palm Tree Removal 07/22	\$ 870.00
Charles Aquatics, Inc.	100007	45782	Quarterly Fountain Maintenance 08/22	\$ 125.00
	100001	080122-BB	Security Services 07/22	\$ 200.00
COMCAST	ACH	8495741202010530	Amenity Cable/Phone/Internet 08/22	\$ 342.07
	100002	080122-BB	Security Services 07/22	\$ 200.00
First Coast Contract Maintenance Service, LLC	100008	6880	Monthly Pool, Janitorial & Maintenance 08/22	\$ 4,154.95
Florida Department of Revenue	100003	Sales and Use Tax 07/22	Sales and Use Tax 07/22	\$ 2.09
JEA	ACH	4849510511 7/22	15855 Twin Creek Dr/15700 Bainbridge Dr 07/22	\$ 1,955.60
Kutak Rock, LLP	100009	3082864	Legal Services 06/22	\$ 213.50
	100004	080122-BB	Security Services 08/22	\$ 530.00
Republic Services	ACH	0687-001242665	Waste Disposal Services 08/22	\$ 511.77
Rizzetta & Company, Inc.	100000	INV0000070103	District Management Fees 08/22	\$ 4,722.17

BAINEBRIDGE COMMUNITY DEVELOPMENT DISTRICT

Paid Operation & Maintenance Expenditures

August 1, 2022 Through August 31, 2022

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
	100005	080122-BB	Security Services 07/22	\$ 700.00
VGlobal Tech	100010	4144	Website ADA Compliance 08/22	<u>\$ 250.00</u>
Report Total				<u>\$ 17,779.15</u>

BAINEBRIDGE COMMUNITY DEVELOPMENT DISTRICT

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WWW.BAINEBRIDGECDD.ORG

Operation and Maintenance Expenditures

September 2022

Presented For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from September 1, 2022 through September 30, 2022. This does not include expenditures previously approved by the Board.

The total items being presented: **\$11,445.62**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

BAINBRIDGE COMMUNITY DEVELOPMENT DISTRICT

Paid Operation & Maintenance Expenditures

September 1, 2022 Through September 30, 2022

Vendor Name	Check Number	Invoice Number	Invoice Description	Invoice Amount
Always Improving, LLC	100015	27975	Quarterly Preventative Maintenance 07/22	\$ 150.00
COMCAST	ACH	8495741202010530	Amenity Cable/Phone/Internet 09/22	\$ 342.08
	100016	090122-BB	Security Services 08/22	\$ 800.00
	100011	080122-BB	Security Services 07/22	\$ 200.00
	100017	090122-BB	Security Services 08/22	\$ 575.00
First Coast Contract Maintenance Service, LLC	100012	6890 4849510511	Reimbursable Expenses 06/22	\$ 883.91
JEA	ACH	07/224849510511 08/22	15855 Twin Creek Dr/15700 Bainbridge Dr 08/22	\$ 2,892.46
	100018	090122-BB	Security Services 09/22	\$ 530.00
	100013	080122-BB	Security Services 07/22	\$ 350.00
Rizzetta & Company, Inc.	100014	INV0000070758	District Management Fees 09/22	\$ 4,722.17
Report Total				<u><u>\$ 11,445.62</u></u>

Tab 3



11530 Davis Creek Court - Jacksonville, Florida 32256
(904) 292-0716 / Fax: (904) 292-1014

MEMORANDUM

DATE: November 9, 2022

TO: Bainebridge

ATTN: Board of Directors

FROM: Chris Ernst

RE: Landscape Report

Grounds Maintenance

Bi-weekly grounds maintenance

Bi-weekly bed weed control.

Apply herbicide to pavers and sidewalk cracks.

The guys are keeping the bushes trimmed at both the amenity center and the entrance.

We are in the process of cutting back the native grasses

We are also starting the process of cutting back the herbaceous plant material

Irrigation

The valve at the front entrance by the sidewalk is weeping. We will be sending a proposal to get this repaired.

Agronomics

The turf will be treated in November. It will include an insecticide and fungicide. They will also be doing a blanket coverage for weed control.

We are starting to see brown patch which is a fungus that comes out in the turf this time a year. If we see active patches we will be treating these as well.

Enhancements

No new news to report

Arbor Care

No new news to report

Tab 4



6869 Phillips Parkway Drive S Jacksonville, FL 32256

Fax: 904-807-9158

Phone: 904-997-0044

Service Report

Date: November 1, 2022

Aquatic Tech: Bill Fuller

Client: Bainebridge CDD

Contact: Lesley Gallagher

Waterways: Twenty ponds.

Comments: 81° F Winds 4-6 mph

October report

Pond 1: Pond was an 8 (good). No invasive species noted.



Pond 2: Pond was a 6 (overall good). Treated for perimeter vegetation.



Pond 3: Pond was a 9 (very good). No invasive species noted.



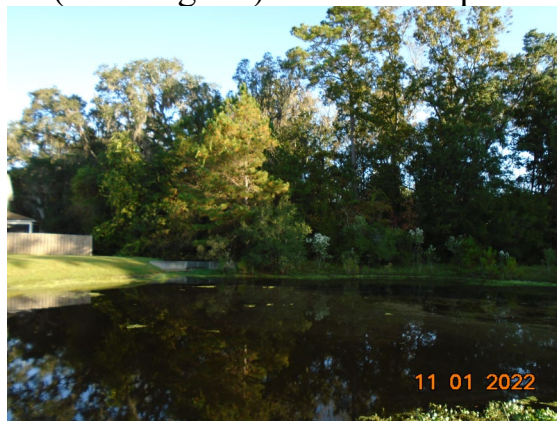
Pond 4: Pond was an 8 (good). Had a good kill on the perimeter vegetation.



Pond 5: Pond was an 8 (good). Minor perimeter vegetation



Pond 6: Pond was a 7 (overall good). Treated for perimeter vegetation.



Pond 7: Pond was a 9 (very good). No invasive species noted.



Pond 8: Pond was an 8 (good). No invasive species noted.



Pond 9: Pond was a 9 (very good). No invasive species noted.



Pond 10: Pond Now has lost its access point due to installation of new fence.



Pond 11: Pond was a 9 (very good). No invasive species noted.



Pond 12: Pond was a 7 (overall good). We had a good kill on the perimeter vegetation and parrot feather. No boat access.



Pond 14: Pond was a 6 (overall good). Treated for perimeter vegetation.



Pond 15: Pond was a 9 (very good). No invasive species noted.



Pond 16: Pond was an 8 (good). Had a good kill on the algae...forgot photo?

Pond 17: Pond was a 9 (very good). No invasive species noted.



Pond 18: Pond was a 9 (very good). No invasive species noted.



Pond 19: Pond was a 6 (fair). Treated for algae.



Pond 20: Pond was a 7 (overall good). Had a good kill on the perimeter vegetation and emerging Chara.



Tab 5

MEMORANDUM

TO: Bainebridge Community Development District

FROM: Katie S. Buchanan

DATE: November 17, 2022

RE: Retention Requirements for Transitory Messages and Electronic Records Updates

On July 7, 2010, the District approved Resolution 2010-07, adopting a policy relating to the retention and disposition of its public records. The District's Record Retention Policy currently remains in full force and effect. In order to ensure the District's record retention practices remain economically feasible and technologically practical, we are offering some clarification regarding the retention period for records of short-term value. Additionally, we propose modifications to designate the electronic record as the official record of the district and allow for disposal of paper duplicate copies unless prohibited by any law, rule or ordinance.

According to the *General Records Schedule for State and Local Government Agencies* ("GS1-SL")¹ with which all community development districts must comply, records retention requirements "apply to records regardless of the format in which they reside."² This means that electronic communications, which include emails, instant messages, text messages, multimedia messages, chat messages, social networking, voicemail/ voice messaging, or other communications via electronic messaging technology or device, must be retained in accordance with the applicable section of the GS1-SL. Retention periods for electronic communications "are determined by the content, nature, and purpose of records, and are set based on their legal, fiscal, administrative, and historical values, regardless of the format in which they reside or the method by which they are transmitted."³

Electronic communications "created primarily to communicate information of short-term value" may fall under the Transitory Messages schedule set forth in GS1-SL.⁴ Transitory Messages do not "formalize or perpetuate knowledge and do not set policy, establish guidelines or

¹ Incorporated by reference in Rule 1B-24.003(1)(a), F.A.C.

² *General Records Schedule for State and Local Government Agencies*, Section V, Electronic Records.

³ *Id.* at Records Retention Schedules, Electronic Communications.

⁴ *Id.* at Records Retention Schedules, Transitory Messages, Item #146.

procedures, certify a transaction, or become a receipt.” Examples of Transitory Messages include, but are not limited to:

- reminder messages (“don’t forget the upcoming meeting”);
- email messages with short-lived or no administrative value (“thank you”)
- telephone messages lacking content (“Ms. Smith called – please return her call”);
- recipient copies of announcements of District sponsored events (“daily events email”); and,
- news releases received by the District strictly for informational purposes and unrelated to District programs or activities.

The retention requirement for Transitory Messages is “[r]etain until obsolete, superseded or administrative value is lost.”⁵ For example, an email message notifying employees of an upcoming meeting would only have value until the meeting has been attended or the employee receiving the message has marked the date and time in the calendar, at which time the message could be disposed of. In other words, an electronic communication intended for short-term value does not need to be retained once it is no longer needed. Unlike most other public records, the District may dispose of a transitory message once it is obsolete, superseded, or has lost its administrative value without having to document the disposition of the record, unless the record has been microfilmed or scanned and will serve as the record copy.⁶

⁵ *Id.*

⁶ *See* Rule 1B-24.003(9)(d), F.A.C.

RESOLUTION 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF BAINEBRIDGE COMMUNITY DEVELOPMENT DISTRICT ADOPTING CERTAIN AMENDMENTS TO THE DISTRICT'S RECORD RETENTION POLICY; ADDRESSING CONFLICTS AND SEVERABILITY; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Chapter 190, Florida Statutes, authorizes the Bainebridge Community Development District ("**District**") to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of district business; and

WHEREAS, on July 7, 2010, the Board of Supervisors of the Bainebridge Community Development District ("**Board**"), adopted Resolution 2010-07 providing for the adoption of the District's Record Retention Policy ("**Policy**"); and

WHEREAS, the Policy requires the District "retain all public records relating to District business until the Board of Supervisors amends the Records Retention Policy to address the disposition of the same"; and

WHEREAS, the Board finds that it is in the best interest of the District to amend the Record Retention Policy as described in more detail in paragraph 2 below; and

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

1. CONFLICTS. This Resolution is intended to amend, in part, Resolution 2010-07, which remains in full force and effect except as otherwise provided herein. All terms of Resolution 2010-07 that are not amended by this Resolution apply as if those terms were fully set forth herein. All District resolutions or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded and repealed.

2. AMENDMENT. The Records Retention Policy is hereby amended by inserting the language indicated in single underlined text (indicated textually in the same manner as the following example: underlined text) and by deleting the language indicated by strikethrough text (indicated textually in the same manner as the following example: ~~stricken text~~) as set forth herein:

The District hereby adopts as its Records Retention Policy the applicable provisions of Section 257.36(5), Florida Statutes, the rules adopted by the Division of Library and Information Services of the Department of State ("Division") pursuant to Section 257.36, Florida Statutes, and the General Records Schedules established by the Division. However, the District hereby extends the minimum retention

guidelines contained in the General Records Schedules so that the District will retain ~~all~~ public records relating to District business until the Board of Supervisors amends the Records Retention Policy to address the disposition of the same. Notwithstanding the foregoing, the District shall retain Transitory Messages until the Transitory Message is obsolete, superseded or administrative value is lost in accordance with the General Records Schedule for State and Local Government Agencies, Item #146, as incorporated by reference in Rule 1B-24.003(1)(a), Florida Administrative Code. The District hereby determines the electronic record shall be considered the official record of all public records relating to District business and any paper originals are designated as duplicates which may be disposed of unless prohibited by any law, rule or ordinance. To the extent the above statute, rules, or schedules are amended or supplemented in the future, the District's Records Retention Policy shall automatically incorporate such amendment or supplement provided that such automatic amendment does not permit the disposition of District records without further action of the Board. The Records Retention Policy shall remain in full force and effect until such time as the Board amends the Policy.

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

4. EFFECTIVE DATE. This Resolution shall take effect as of November 17, 2022.

Introduced, considered favorably, and adopted this 17th day of November 2022.

ATTEST:

**BAINEBRIDGE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary / Assistant Secretary

Chairperson, Board of Supervisors

Tab 6

RESOLUTION 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BAINEBRIDGE COMMUNITY DEVELOPMENT DISTRICT DECLARING VACANCIES IN CERTAIN SEATS ON THE BOARD OF SUPERVISORS PURSUANT TO SECTION 190.006(3)(b), *FLORIDA STATUTES*; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

WHEREAS, on November 8, 2022, two (2) members of the Board of Supervisors (“**Board**”) are to be elected by the “**Qualified Electors**” of the District, as that term is defined in Section 190.003, *Florida Statutes*; and

WHEREAS, the District published a notice of qualifying period set by the Supervisor of Elections at least two (2) weeks prior to the start of said qualifying period; and

WHEREAS, at the close of the qualifying period there were no Qualified Electors qualified to run for one (1) of the seats available for election by the Qualified Electors of the District; and

WHEREAS, pursuant to Section 190.006(3)(b), *Florida Statutes*, the Board shall declare the seats vacant, effective the second Tuesday following the general election; and

WHEREAS, Qualified Electors are to be appointed to the vacant seats within 90 days thereafter; and

WHEREAS, the Board finds that it is in the best interests of the District to adopt this Resolution declaring the seats available for election as vacant.

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

1. DECLARATION OF VACANT BOARD SUPERVISOR SEATS. The following seats are hereby declared vacant effective as of November 22, 2022:

Seat #5 (currently held by Charles Straw)

2. INCUMBENT BOARD SUPERVISORS. Until such time as the Board nominates Qualified Electors to fill the vacancies declared in Section 1 above, the incumbent Board Supervisors of those respective seats shall remain in office.

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

4. EFFECTIVE DATE. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 17th day of November 2022.

ATTEST:

**BAINEBRIDGE COMMUNITY DEVELOPMENT
DISTRICT**

Print Name:_____

Chairperson, Board of Supervisors

Tab 7



Dunn & Associates, Inc.

CIVIL ENGINEERS / LAND PLANNERS

8647 Baypine Road, Suite 200 Jacksonville, Florida 32256

Phone: (904) 363-8916 Fax: (904) 363-8917

November 2, 2022

Lesley Gallagher, District Manager
Bainebridge Community Development District
c/o Rizzetta & Company, Inc.
2806 N. 5th St., Unit 403
St. Augustine, FL 3208

Re: Engineering Proposal for
Bainebridge CDD
Annual Report
Job Number 1311-370

Dear Ms. Gallagher:

Dunn & Associates, Inc. is pleased to offer this proposal for engineering services related to preparation of the Annual Report for the Bainebridge Community Development District. Being familiar with the project, we offer the following scope of work and related fees.

1. We will visit the project to inspect the District improvements and the stormwater system.
We will prepare a report noting items that need repair.
2. We will respond to any questions regarding the report.

Hourly, Upset Limit:

\$3,000.00 *

Hourly Rates

Principal	\$200.00
Senior Engineer (P.E.)	\$170.00
Engineer (P.E.)	\$130.00
Engineer (E.I.) and Senior Designer	\$110.00
Senior CADD Technician	\$95.00
CADD Technician	\$80.00
Senior Construction Inspector	\$110.00
Construction Inspector	\$90.00
Administrative Support	\$55.00

NOTE: * Our fee for the above tasks will be billed at our standard hourly rates. In the event that unknown/unforeseen issues come up or are requested during our work, these amounts may be exceeded, however we will not exceed these amounts without your prior written approval.

Payment is due within 30 days of invoice. Late payments will be subject to a monthly 1.5% surcharge. Payment is for completed work and is not contingent on approvals. We can begin on this project immediately and have the necessary manpower to complete work very quickly. If this proposal meets your approval, please return a signed copy for our files. Should you have any questions please call us.

Sincerely,

DUNN & ASSOCIATES, INC.



Vincent J. Dunn, P.E.
President

Accepted By

Company

Date

VJD/rto