



Rizzetta & Company

Lake Padgett Estates Independent Special District

Board of Supervisors Meeting February 17, 2022

**District Office:
5844 Old Pasco Road, Suite 100
Wesley Chapel, FL 33544
813-994-1001**

www.lakepadgettisd.org

LAKE PADGETT ESTATES INDEPENDENT SPECIAL DISTRICT

Rizzetta & Company, Inc., 5844 Old Pasco Road, Suite 100, Wesley Chapel, FL 33544

Board of Supervisors

Steve Yarbrough
Pam Carr
David Hipps
Justin Andrews
Larry Dunleavy

Chair
Vice Chair
Assistant Secretary
Assistant Secretary
Assistant Secretary

District Manager

Lynn Hayes

Rizzetta & Company, Inc.

District Counsel

Tim Hayes

Law offices of Timothy G. Hayes

District Engineer

John Mueller

Landis Evans & Partners

All cellular phones must be placed on mute while in the meeting room.

The Audience Comment portion of the agenda is where individuals may make comments on matters that concern the District. Individuals are limited to a total of three (3) minutes to make comments during this time.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (813) 933-5571. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) 1-800-955-8770 (Voice), who can aid you in contacting the District Office.

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

LAKE PADGETT ESTATES INDEPENDENT SPECIAL DISTRICT

District Office · Wesley Chapel, Florida (813) 994-1001

Mailing Address · 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614

WWW.LAKEPADGETTISD.ORG

February 9, 2022

**Board of Supervisors
Lake Padgett Estates
Independent Special District**

FINAL AGENDA

Dear Board Members:

The regular meeting of the Board of Supervisors of Lake Padgett Estates Independent Special District will be held on **Thursday, February 17, 2022, at 6:30 p.m.** at the Lake Padgett Estates Stables Meeting Room, located at 3614 Stable Ridge Lane, Land O' Lakes, FL 34639. The following is the agenda for this meeting:

- 1. CALL TO ORDER/ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. AUDIENCE COMMENTS**
- 4. STAFF REPORTS**
 - A.** District Engineer Report Tab 1
 - B.** Maintenance Supervisor Report..... Tab 2
 - C.** District Counsel
 1. Discussion of Board Legislative Changes/
Board Terms/ Supervisors Elections Tab 3
 2. Presentation of Legislative Board List of
Change Requests..... Tab 4
 3. Discussion of Existing Policies of Lake Padgett
Estates Independent Special District..... Tab 5
 4. Discussion of Board Policies/Procedures for
Food Trucks Selling For Profit..... Tab 6
 - D.** District Manager Report Tab 7
- 5. BUSINESS ITEMS**
 - A.** Continued Discussion of District Management
- 6. BUSINESS ADMINISTRATION**
 - A.** Consideration of Minutes of the Board of
Supervisors Meeting held on January 20, 2022 Tab 8
 - B.** Consideration of Operation and Expenditures for
January 2022..... Tab 9
- 7. SUPERVISOR REQUESTS**
- 8. ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions please do not hesitate to contact us at (813) 994-1001.

Sincerely,

Lynn Hayes

Lynn Hayes
District Manager

Tab 1



February 7, 2022

Lynn Hayes
Lake Padgett Estates Independent Special District
C/O Rizzetta & Company, Inc.
5844 Old Pasco Road, Suite 100
Wesley Chapel, Florida 33544
Via email: psweeney@rizzetta.com

RE: District Engineer Report – February 2022

Dear Mr. Hayes:

- 1) Pasco County Department of Health (DOH) Freshwater Bathing Places Monitoring

The latest sampling results (12/14) for the month of December are below.

<u>Location</u>	<u>Organisms¹</u>
East Lake Park	1.5
Lake Padgett Beach	3.1

¹Number of organisms per 100 ml of water, 0-199 Good, Greater than 200 Poor

- 2) Sargent Sea Wall Replacement

No current tasks or updates.

- 3) Lake Saxon Park Playground Replacement

I am working with Lynn and coordinating the delivery of the updated survey for use in preparing the site plan. Per agreed contract, delivery of the survey is expected on or about March 4.

- 4) Beach Testing Costs

On February 2, Lynn received an email with a notice from the Florida Department of Health regarding the costs for beach testing and Lake Padgett and East Lake. Currently, the District has been paying \$600 per year per beach for sampling and analysis to FDOH. The costs for the sampling/testing are going up to \$2,472 per year per beach. Lynn has communicated with FDOH and we can do our own sampling and testing. I am awaiting additional information and direction.

There are no other current tasks or assignments.

Sincerely,

John J. Mueller, PE
Landis Evans and Partners, Inc.

Tab 2

LAKE PADGETT ESTATES INDEPENDENT SPECIAL DISTRICT

DISTRICT OFFICE · 5844 OLD PASCO ROAD · SUITE 100 · WESLEY CHAPEL, FLORIDA 33544

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

- As well as general lawn and weed maintenance janitorial duties clerical work, and meeting with residents for new decals gate keys the following maintenance repairs have been completed from 1/7/22 to date
- Supplies from Walmart and tractor supply.
- Removed old gutters at stables prior to new install..
- Removed washed up lake vegetation from shore line at laird park
- .met with gutter install contractors
- Supplies from Lowes.
- Installed additional fascia boards to one side of six stall barn prior to gutter install
- At Padgett boat ramp, Finished install of new decking and dock bumpers.
- Contacted frontier regarding phone outages at stable ridge and Saxon gates.
- Ordered parts for tractors pull behind lawn cutter from everglades.
- Supplies from Lowes.
- Repaired damaged gate on one of the paddocks at the stables.
- Took work truck in for an oil and filter change
- Ordered base seat repair parts for work truck.
- Picked up supplies from everglades.
- Replaced damaged parts on tractors pull behind lawn cutter
- Supplies from Walmart.
- Removed and installed new seat base to the work truck drivers side
- At Saxon park Removed one old piece of play equipment..
- Recharged truck a/c.
-

Tab 3

LAW OFFICES OF TIMOTHY G. HAYES, P.A.
Attorney at Law

8875 Hidden River Parkway, Suite 300
Tampa, Florida 33637

Telephone (813) 367-2143 Fax (813) 949-6433
e-mail: tghayes@mindspring.com

MEMORANDUM

To: LPEISD Board of Supervisors
From: Tim Hayes, LPEISD District Counsel
Date: February 9, 2022

Re: Previous Effort to Revise Terms for LPEISD Supervisors

The current enacting legislation for LPEISD, as approved by the Florida Legislature, requires that LPEISD shall be governed by five (5) Supervisors elected by District residents for a term of two years. All five Supervisor positions are up for election every two years; there are currently no staggered terms for LPEISD Supervisors.

In 2012 only two candidates qualified to run for the five open positions for LPEISD Supervisors. This would not have represented sufficient Supervisors to constitute a quorum for convening monthly meetings of the LPEISD Board. The District was faced with either petitioning the Governor to re-open the qualifying period to allow for additional candidates to register in time for the November 2012 general election or the District paying the Pasco County Supervisor of Elections to hold a "special election" to elect the remaining 3 Supervisors. In this situation the District was able to get the Florida Governor to re-open the qualifying period in time to allow for additional candidates to register for the November 2012 general election.

Following this development, the LPEISD Board discussed petitioning the Pasco County Legislative Delegation to sponsor an amendment to the LPEISD enacting legislation to stagger the terms of Board Supervisors. The initial idea was that in 2014 two Supervisors would be elected for a two year term and the other 3 would be elected for a one year term. The result being that commencing with the November 2014 election every odd numbered year 3 positions on the Board of Supervisors would be up for election and every even numbered year 2 positions on the Board of Supervisors would be up for election. This would result in staggered terms, with not all 5 Supervisors up for election every two years. The Board of Supervisors instructed District Counsel to prepare a resolution asking the Pasco County Legislative Delegation to consider this change.

Upon preparing this resolution, I spoke with the Pasco County Supervisor of Elections who advised that the odd year elections would have to be "special elections" that LPEISD would have to pay the Supervisor to hold.

This was reported back to the LPEISD Board of Supervisors with a recommendation from District Counsel that they modify their request to **increase the terms from two to four years with the initial election having three board members initially elected to two-year terms and the remaining three elected for four-year terms, with all future elections being for four year terms.** This would result in two Board members being elected during one even year and the other three the following even year. This would result in all elections occurring during November general elections, thus eliminating any cost to the District in holding special elections.

The resolution was drawn up and approved with the authorization for then LPEISD Board Chairman Paul Wells to introduce it to the Pasco County Legislative Delegation. Mr. Wells later reported back to the District that the proposal did not receive the necessary support from the Pasco County Legislative Delegation to move forward.

In 2020 only one candidate timely qualified to run for office and the Governor did not re-open the qualifying period. As a result, the District went for several months without a governing body while plans moved forward for a special election at a cost of thousands of dollars to the District.

Tab 4

From: [Pam Carr](#)
To: [Patty Sweeney](#)
Subject: [EXTERNAL]Isd changes
Date: Tuesday, February 8, 2022 7:20:24 PM

1. I would like the board to be on a rotation basis 3 are elected one year an 2 more the next
2. I would like residents to be changed to property owners when it comes to voting on board members.

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Tab 5

LPEISD BOARD POLICIES

Re: Donations and District Staff: Approved August 18, 2015

1. Offers of donations (money, material or equipment) by residents, Board members or third parties shall be submitted to the Board at a regular monthly meeting and voted on by the Board on a "case by case" basis.
2. It shall be the responsibility of the donor, once the donation has been approved by the Board, to deliver the donation to the LPEISD, unless otherwise agreed by the Board,
3. LPEISD Board members have no authority to direct staff; all direction of staff shall be done through the property management company unless otherwise authorized by the Board.
4. In emergency situations when the property management company is unavailable and staff seeks direction, the Board or an individual Board member may direct staff but only until the property management company can be reached.
5. Any complaints by residents against either the Board or individual Board members shall be referred to District Counsel.
6. Should a Board member or resident attempt to direct or order staff in a non-emergency situation, staff is authorized to ignore such direction and is instructed to seek clarification from the property management company.
7. No club member, resident or third party is authorized to perform work on any LPEISD property without first obtaining authorization from the Board.
8. Board members have no privileges or rights that are not also available to all residents of LPEISD.
9. These policies once adopted by the LPEISD Board shall be posted and made available to all residents as part of the public records for LPEISD.

Violation Board Policies by Supervisor

1. First Offense: To be reported and handled by LPEISD Management Company in consultation with LPEISD District Counsel and LPEISD Board Chairperson with written warning by the LPEISD District Counsel to LPEISD Board member.

2. Second Offense: LPEISD Board review with public reprimand of the Board member before the LPEISD Board and recorded in official minutes of the LPEISD Board meeting.
3. Third Offense: Full LPEISD Board review with vote to officially sanction LPEISD Board member with written notification of the action of the LPEISD Board to the Florida Governor.

Re: Closure of Boat Ramps:

1. Boat ramps on each lake within the District are subject to closure on a case by case basis when lake level reach a designated level as per gauges and determined by the District's Engineer. Purpose of this policy is to prevent undue shore erosion and dock damage caused by boat wakes when water levels are high.

Re: Cars, Boats, Boat Trailers and Golf Carts in District Parks:

1. Must be properly registered with the District and have applicable stickers attached.
2. Upon registration each applicant will be provided with a copy of the rules and regulation pertaining to the operation of their respective vehicles in District Parks.

LAKE PADGETT ESTATES INDEPENDENT SPECIAL DISTRICT

PARK RULES & REGULATIONS

Adopted by Resolution 2008-1 on October 17, 2007,
as amended on October 19, 2010,
and as amended August 20, 2020

Article I. Administrative Provisions; Definitions; Exemptions.

Section 1. Purpose: The Lake Padgett Estates ISD is committed to serving its residents and guests with integrity, fairness, and respect. These rules are intended to provide for the safe enjoyment of Lake Padgett ISD facilities, while also fostering stewardship and the protection of natural resources and recreational facilities within the District.

Section 2. Applicability: The following rules apply to conduct of all District residents and guests within all areas owned or maintained by the Lake Padgett Estates ISD.

Section 3. Administrative Authority: The provisions promulgated herein shall be administered, interpreted and enforced by the Lake Padgett ISD District Manager.

Section 4. Definitions: For the purpose of administering, enforcing or interpreting these regulations the following definitions shall apply. When consistent with the context, the present tense includes the futures tense: the plural shall include the singular number and the singular number shall include the plural number. Any item not herein referenced shall be defined by its ordinary common meaning:

- (a) Lake Padgett Estates ISD (LPE) shall refer to the Lake Padgett Estates Independent Special District, Pasco County, Florida
- (b) Park shall refer to any property or facilities owned, leased or maintained by the Lake Padgett Estates ISD.
- (c) Express Permission shall refer to a special allowance granted (Temporary Permit), in writing, by the Lake Padgett Estates ISD Board of Supervisors on a case-by-case basis to conduct a specific event or activity in exception to these regulations.
- (d) Law Enforcement Officer shall mean any local, state or federal law enforcement officer(s), and includes the Pasco County Sheriff's Office and his or her deputies.
- (e) Resident shall mean all owners of real property within the Lake Padgett Estates ISD, family members living with the resident within the District and guests of the resident.
- (f) Qualified Non-Resident shall mean any person or persons, their guests and family members living with the Qualified Non-Resident within the District, whom are renting

or leasing property within the Lake Padgett Estates ISD and have a valid and current rental or lease agreement.

- (g) Interlocal Agreement - means an agreement between the Lake Padgett Estates ISD and another governmental entity entered into pursuant to Florida Statute, Chapter 163.
- (h) Guests- Non-Residents of the District temporarily accessing District park property, while at all times with a District resident or Qualified Non-Resident who possesses a valid access code and properly issued card and/or key to District facilities.

Article II. Park Rules and Regulations

Section 5. Facilities –Children: Facilities are reserved for the use of LPE Residents and Qualified Non-Residents. Children under the age of 12 years must be accompanied by an adult at all times.

Section 6. Admission to Facilities: Access Codes; Access Decals; Parking: Boat Trailers; Temporary Permit.

- (a) Motor Vehicles: All motor vehicles, including but not limited to automobiles, golf carts, motorcycles and ATV's, entering or parked in the facilities shall have a prominently displayed valid and current LPE access decal or valid and current temporary access permit.
- (b) Pedestrian Access: All pedestrians entering the facilities shall have proper identification.
- (c) Access Codes: Access codes, cards and keys to the facilities are for use by LPE staff, law enforcement officers, emergency services providers, Residents and Qualified Non-Residents only and may not be loaned out, transferred or sold to anyone.
- (d) Access Decals, Parking and Temporary Permits: Access Decals and Temporary Permits shall be issued by the District Manager, his (or her) designee or any member of the Board of Supervisors. Access Decals and temporary Permits are for the use of LPE staff, local, state and federal law enforcement officers, emergency services providers, Residents and Qualified Non-Residents or any person or organization having written consent of the District Manager.
- (e) Parking:
 - (1.) Motor Vehicles: Parking is allowed in designated parking areas only. All motor vehicles parking in the designated handicapped parking must visually display the legal handicap parking signage.
 - (2.) Boat Trailers: Boat Trailers must be parked in the designated trailer parking area.

(3.) Violations: Any vehicle or boat trailer parked outside designated parking areas is subject to be towed at owner's expense.

- (f) Parking and Overnight Parking: No person shall park a motor vehicle in areas of the park other than those designated by the LPE as parking areas. Motor vehicles may not be parked overnight in a park without the express written permission of the District. Motor vehicles left overnight in violation of this regulation may be ticketed and/or towed at owner's expense.
- (g) Commercial Vehicles: No person shall park or stand a commercial vehicle in LPE facilities without Express Permission. The prohibition on commercial vehicles contained in this sections shall not apply to such vehicles when they are delivering services, merchandise, or materials to the facility. Commercial vehicle shall mean any vehicle with a gross vehicle weight of 10,000 or more pounds.
- (h) Temporary Permit: Any person, or organization in good standing with the State of Florida, may petition the LPE Board of Supervisors for a temporary permit to use the facilities, provided, however, said petition is submitted in writing, is approved by a majority of at least three (3) members of LPE Board of Supervisors at a regular monthly meeting of the Board of Supervisors and identifies the time, date, location, and purpose of the event and proof of insurance is provided, naming LPE as an additional insured, as follows.
 - (1) General Liability Insurance: Each petitioner shall effect and maintain during the period of the permit insurance with companies authorized to do business in Florida, with an A.M. Best rating of B+ (or better), Class VI (or higher) Commercial General Liability Insurance with a minimum limit of coverage no less than one million dollars (\$1,000,000.00) for each occurrence, which shall include the following coverages:
 - a. Premises/ Operations Liability
 - b. Products/ Complete Operations
 - c. Personal/ Advertising Injury
 - d. Contractual Liability
 - e. Independent Contractors Liability
 - f. Medical Payments Five Thousand Dollars (\$5,000) coverage limit.
 - (2) Additional Endorsements: As may be applicable to a particular event, one (1) or more of the following endorsement(s) shall be required:
 - a. Hazardous Materials Endorsement: A hazardous materials endorsement shall be required for any activities involving the use of hazardous materials. Said endorsement shall provide a coverage limit of no less than two million dollars (\$2,000,000.00) combined single limit occurrence and annual aggregate with no deductible.

- b. **Animal Endorsement:** An animal endorsement shall be required for any activities involving pony rides, petting zoos and other related activities with non-domestic household pets. Said endorsement shall provide a coverage limit of no less than two million dollars (\$2,000,000.00) for each occurrence and annual aggregate with no deductible.
- c. **Carnival Endorsement:** A carnival endorsement shall be obtained for activities involving carnival type rides, bungee jumps, trampolines, orbital rides and related rides and attractions commonly associated with a fair or carnival. Said endorsement shall provide a coverage limit of no less than five million dollars (\$5,000,000.00) for each occurrence and annual aggregate with no deductible.
- d. **Boats and Planes Endorsement:** A boats and plane endorsement shall be obtained for events involving the use of motorcycles, powered model cars, boats, planes, non-standard personal cars and jet or inducted fan propulsion watercraft. Said endorsement shall provide a coverage limit of no less than two million dollars (\$2,000,000.00) for each occurrence and annual aggregate with no deductible.
- e. **Garage Keepers Liability Endorsement:** A garage keepers and liability endorsement shall be obtained for events that include valet parking service. Said endorsement shall provide a coverage limit of no less than five hundred thousand dollars (\$500,000.00) per occurrence and per location for ACV comprehension and collision.

Section 7. Park Hours of Operation: All facilities are deemed closed at sunset and open no more than 1 hour before sunrise. Vehicles in the park after dark are subject to towing, at owner's expense. Individuals in the park after dark are subject to trespassing laws and arrest by the Pasco County Sheriff's Department.

Section 8. Guests: Residents and Qualified Non-Residents are responsible for the activities of their guests and must remain on park property with their guests.

Section 9. Gated Facilities: All gates are to be locked after entering or exiting the park. Gates will remain open only when a security guard, LPE park operator, or LPE Board member, are present.

Section 10. Alcohol: Alcoholic beverages of any kind are prohibited within LPE parks, unless authorized by Express Permission.

Section 11. Glass Containers: Glass containers of any kind are prohibited within LPE parks, unless authorized by Express Permission.

Section 12. Fires: No person shall start or use a fire within a park except within facilities provided or approved by the LPE for this purpose.

Section 13. Dangerous Devices, Fireworks: No person shall operate in any LPE park any device or undertake any activity which will cause a projectile to be loosed or propelled which could injure a person or animal or damage property unless the person is operating the device or engaging in the activity in accordance with established park practices as part of an LPE expressly permitted activity. Activities and devices restricted under this provision include but are not limited to: fireworks, the hitting of golf balls, and the operation of a bow and arrow, crossbow, taser, spear, slingshot, dart device, or other similar device designed for high-speed missile projection. Fireworks of any kind are prohibited, unless authorized by Express Permission.

Section 14. Domestic Animals: Service Animals Exemption. No person shall have in his or her custody within any LPE park any animal, leashed or otherwise. Properly permitted service animals are exempt from this regulation (i.e. seeing eye-dog).

Section 15. Business Activities, Soliciting and Advertising:

- (a) Business Activities: No person shall sell or make an offer to sell goods or services or conduct business activities within a park without the express permission of the LPE.
- (b) Solicitation: No person shall solicit monetary valuable contributions from others in any LPE park without the express written permission of the District Manager.
- (c) Advertisements: No person shall advertise goods, services or events within a park without the Express Permission of the Lake Padgett Estates ISD. For the purposes of this regulation, advertisements include, but are not limited to: 1.) the distribution or posting of handbills, flyers, coupons or public announcements; or 2.) signs mounted on vehicles.

Section 16. Park Pavilions: Pavilions are available for use by Residents, Qualified Non-Residents and their guests on a first-come first serve basis, unless previously reserved. Reservations for the pavilions can be obtained by completing a Reservation Request Form. Forms may be obtained on the LPE Website or by contacting the District Manager or PE Staff at one of the park guard shacks during hours of operation. A party or event of 25 or more persons desiring to use a pavilion must secure an advance reservation.

Section 17. Boats:

- (a) 3 Boats per Party: A total of three (3) boats are allowed per party, one of which can be guest boats. Each personal watercraft (PWC) shall count as one boat. All violators will be asked to leave.

- (b) Boat and Watercraft Safety: All boaters must operate their craft in a safe manner and shall comply with all Coast Guard, Marine Patrol, Wildlife Game and Commission regulations. The operation of any boat or personal watercraft (PWC) within the designated swim areas is prohibited. Water skiers must maintain a 75 foot clearance of the designated swim areas at all times. Launching boats or PWC's from areas other than the designated boat ramp area is prohibited. For safety reasons and proper etiquette, it is recommended that all watercraft circle in a counter-clockwise rotation while in operation on the lakes.
- (c) Power Loading: Power loading of boats on Lake Padgett Estates ISD ramps is prohibited.
- (d) Boat Trailers: Boat trailers must be parked in the designated trailer parking areas only.

Section 18. Swimming: Swimming is allowed in designated swim areas only. Boat launch and water ski areas are off limits to swimmers. Scuba Diving is prohibited.

Section 19. Motor Vehicles and Traffic:

- (a) Speed Limit Where None is Posted: Where no speed limit is posted, no person shall operate a motor vehicle within a park at a speed greater than 10 miles per hour.
- (b) Prohibited Vehicles: No person shall operate within a park a motorized vehicle not licensed for regular use upon public highways, excluding motorized carts furnished, approved and operated by LPE Staff.
- (c) No person shall operate within a park a farm tractor or other farm machinery or a type of vehicle used primarily for earth-moving operations, whether or not licensed for regular use upon public highways, without the Express Permission of the LPE.
- (d) Motorized Wheelchairs and Assistive Devices: Motorized wheelchairs and other motorized assistive devices for mobility impaired persons are permitted in all areas where pedestrian access is permitted, unless otherwise posted by the LPE.
- (e) Off-Road Vehicle Operation: No person shall operate any type of motorized vehicle in areas of a park other than established paved roadways, parking areas and boat ramps without the Express Permission of the LPE.

Section 20. Public Gathering: No person shall organize or engage in a public gathering of more than fifty (50) persons in a park without the Express Permission of the LPE. For the purposes of these regulations, "public gathering" shall be defined as demonstrations, picketing, speeches,

vigils, parades, ceremonies, meetings, rallies, entertainment, games, shows, concerts, picnics, weddings and all other forms of public assembly.

Section 21. Rest Rooms and Facilities: Prohibited Activity

- (a) Harassment and Intimidation: No person shall loiter in the vicinity of a rest room, dressing room, or pavilion or park facility with the intent to harass, intimidate or solicit users of such facility.
- (b) Inappropriate Behavior: No person shall engage in inappropriate behavior in rest rooms, changing rooms, pavilions or park facilities. For the purpose of these regulations, inappropriate behavior includes, but is not limited to: vandalism, graffiti, destruction of property, sexual activity, use of controlled substances, sleeping, loitering, washing clothes, bathing in fountains or washbasins – or any activities prohibited by law.

Article III. Rules Enforcement

Section 22. Compliance: Any person not in compliance with the rules set forth herein shall be in violation and subject to the following enforcement procedures.

- (a) Resident, Qualified Non- Resident First Incident Violation: The District Manager shall cause a “Park Rules Violation Warning Letter” to be delivered to the address of record, by certified mail/return receipt of the Resident or Qualified Non-Resident that violated the park rule(s). Said letter shall at minimum, identify the person whom violated the rules, date, time, location and nature of violation by the Resident or Qualified Non-Resident or their guest and advise that a subsequent violation of any rule within one (1) year will result in the automatic suspension or park privileges. Said letter shall be in a form approved by District Counsel. In the event of a criminal act on District property or destruction of District property by a resident or Qualified Non-Resident, which results in a legal conviction of said Resident or Qualified Non-Resident, park privileges will immediately be suspended and notice sent pursuant to Paragraph (b) below.
- (b) Resident, Qualified Non-Resident Subsequent Incident Violation: In the event that a Resident or Qualified Non-Resident or their guests violate any park rules after having been issued a warning letter within one (1) year after receipt of such warning letter, the District Manager shall cause a “Park Rules Violation and Suspension of Privileges Notice: to be delivered to the address of record, by certified mail/return receipt of the Resident or Qualified Non-Resident that violated the park rule(s). If the Notice of Violation is not accepted by the Resident or Qualified Non-Resident, it shall be deemed served on the date of mailing when mailed to the address of record for owner of the property.

Said Notice shall identify the violator, date, time, location and nature of violation by the Resident or Qualified Non-Resident or their guest and shall further advise that all park privileges or said Resident or Qualified Non-Resident are suspended for a period of up to one (1) year from the date of receipt of the Notice of Violation as follows: The first violation will result in a 3-month suspension, the second violation within a year will result in a 6month suspension; a third violation within a year will result in a 1-year suspension. It shall further state that said Resident or Qualified Non-Resident may request a hearing before the Board of Supervisors for the purpose of contesting the Notice of Violation and seeking reinstatement of park privileges.

A request for Hearing must be filed with the District Manager in writing no later than 15 days after the date the Notice of Violation was received, together with payment of the appropriate administration fee. Upon receipt of a Request for Hearing, the District Manager shall schedule the matter for hearing at the next regular meeting of the Board of Supervisors, provided, however, that the suspension of park privileges shall remain in effect during the appeal period. At said meeting the Board of Supervisors shall take testimony from the party subject of the Notice and review the matter de novo. The Board may reinstate park privileges upon a showing of good cause.

Section 23. Reinstatement of Park Privileges: Any resident or Qualified Non-Resident may petition the Lake Padgett Estates ISD Board of Supervisors for reinstatement of park privileges at any time and shall pay the appropriate administrative fee. A petition for reinstatement shall be submitted to the District Manager, whom, upon receipt, shall schedule the matter for the Board of Supervisors review at the next regularly scheduled meeting of the Board. Said petition shall at minimum, identify the name of the Petitioner, their agent-o-record, if any; the date when the suspension was effective; and a statement explaining why park privileges should be reinstated. Each petitioner shall appear before the board to present their request for reinstatement. The Board may reinstate park privileges upon a showing of good cause.

Section 24. Fees: The LPE Board of Supervisors shall establish the fees prescribed herein by Resolution in such manner as prescribed in F.S. Chapter 190.

End of Rules

Tab 6

Food Truck Policies to be Considered by LPEISD Board of Supervisors:

DEFINITIONS:

Mobile food truck means a vehicle which is used to vend food and beverage products and is classified as one of the following:

Class I - Mobile Kitchens. In addition to the vending of products allowed for Class II and Class III mobile food trucks, these vehicles may cook, prepare and assemble food items on or in the unit and serve a full menu. Customers may be notified of the vehicle's location by social media or other forms of advertising.

Class II - Canteen Trucks. These vehicles vend fruits, vegetables, hot dogs, pre-cooked foods, pre-packaged foods and pre-packaged drinks. No preparation or assembly of foods or beverages may take place on or in the vehicle, however, the heating of pre-cooked foods is allowed. A cooking apparatus or grill top for the heating of pre-cooked foods is permitted so long as it complies with state regulations. These vehicles are limited to providing catering services to employees at a specific location and do not advertise for customers.

Class III - Ice Cream Trucks. These vehicles vend only prepackaged frozen dairy or frozen water-based food products, soft serve or hand-dipped frozen dairy products or frozen water-based food products and pre-packaged beverages.

POLICIES TO BE CONSIDERED:

- A completed application from Lake Padgett Independent Special District.
- Mobile food trucks shall not sell alcoholic beverages within LPEISD facilities.
- The mobile food truck shall not be placed in any location that impedes the ingress or egress of LPEISD parks or building entrances or emergency exits.
- The mobile food truck shall be licensed in accordance with the rules and regulations of any local, state and federal agency having jurisdiction over the mobile food truck or products sold therein.
- Proof of General and Automotive Liability with a policy number (no binders) that shows an expiration date that has not yet occurred. The permittee, owner or operator shall notify the LPEISD within three (3) business days of any changes in the insurance coverage. Upon the cancellation or lapse of any policy of insurance as required by this section, the permit shall be immediately revoked unless, prior to the expiration or cancellation date of the insurance policy, another insurance policy meeting all the

requirements of LPEISD is obtained and a new certificate of insurance is provided to the LPEISD.

- A copy of the truck's State of Florida, Department of Business Regulations, Division of Hotels and Restaurants license. (Must be current).
- A copy of the truck's Business Tax documentation. This may be from any City or County within the State of Florida. (Must be current).
- A copy of the truck owners Food Safety/Professional Manager Certification from the State of Florida.
- Approval from Land Development and Zoning (see Zoning requirements below) if the truck plans to operate on private property during a LPEISD approved Special Event and the private property from which they will operate is immediately adjacent to the LPEISD park.
- If using for cooking, a commercial hood is required along with a fire suppression system.
- If cooking or using a heat source, must provide 2A-10BC, tagged, extinguisher.
- If cooking produces grease laden vapors, must provide tagged and serviced Class K extinguisher.
- Every food truck operator shall sign an indemnification and hold harmless agreement in a form approved by LPEISD at the time of application submittal to LPEISD.

Food trucks are subjected to a safety inspection from the Pasco County Fire Marshal's office and health and safety inspections by the Pasco County Health Department at any time during their operation. Trucks must be able to show current inspection and licensing from the State of Florida, Department of Business Regulations, Division of Hotels and Restaurants and proof of an association to an approved Commissary.

Tab 7



Rizzetta & Company

UPCOMING DATES TO REMEMBER

- **Next Meeting:** March 17, 2022 @ 6:30 PM
- **FY 2020-2021 Audit Completion Deadline:** June 30, 2022
- **Next Election (Seat 1 Steve Yarbrough, Seat 2 Pam Carr, Seat 3 David Hipps, Seat 4 Justin Andrews, Seat 5 Larry Dunleavy) All Board Member Terms Expire:** November 8, 2022
- **General Election Qualifying Period:** Noon, June 13, 2022 – Noon, June 17, 2022 to submit your paperwork to the Pasco County Supervisors Elections Office

District Manager's Report

February 17

2022

FINANCIAL SUMMARY

12/31/2021

General Fund Cash & Investment Balance: \$637,088

Reserve Fund Cash & Investment Balance: \$342,168

Debt Service Fund Investment Balance: \$0

Total Cash and Investment Balances: \$979,256

General Fund Expense Variance: \$599 Under Budget

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Tab 8

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 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.

LAKE PADGETT INDEPENDENT SPECIAL DISTRICT

The regular meeting of the Board of Supervisors of Lake Padgett Estates Independent Special District was held on **Thursday, January 20, 2022, at 6:30 p.m.** at the Lake Padgett Estates Stables Meeting Room, located at 3614 Stable Ridge Lane, Land O' Lakes, FL 34639.

Present and constituting a quorum:

Steve Yarbrough	Board Supervisor, Chair
Pam Carr	Board Supervisor, Vice Chair
Justin Andrews	Board Supervisor, Assistant Secretary
Larry Dunleavy	Board Supervisor, Assistant Secretary

Also present were:

Lynn Hayes	District Manager, Rizzetta & Company, Inc.
Scott Brizendine	VP Operations, Rizzetta & Company, Inc.
Timothy Hayes	District Counsel, Law Offices of Tim G. Hayes
John Mueller	District Engineer, Landis Evans & Partner
Steve Rowell	Maintenance Supervisor

Audience Present

FIRST ORDER OF BUSINESS

Roll Call

Mr. Lynn Hayes performed roll call and confirmed that a quorum was met.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Audience Comments

An audience member informed the Board that they were planning the annual Chili Cook Off event to take place in Lake Saxon Park on February 13, 2022. Further discussion was tabled until the end of the meeting agenda under Supervisor Requests.

FOURTH ORDER OF BUSINESS

Staff Reports

A. District Engineer

Mr. Mueller provided the District Engineer's Report. He also provided the Board

with quote estimates to complete a Lake Saxon Park survey required to be submitted to Pasco County with the permit application for the playground equipment project. The Board requested that the District Engineer and Vice Chair Carr check with Gordon to see if Lake Saxon Park playground area was included in the Laird Park bathroom project survey or other surveys completed and to report back to the District Manager. The District Engineer also reviewed his site plan quote for services needed for the Lake Saxon Park playground equipment project.

On a Motion by Vice Chair Carr, seconded by Assistant Secretary Andrews, with all in favor, the Board of Supervisors approved Eddie Jenkins Surveying to complete the Lake Saxon Park survey not to exceed \$2,200 for the playground equipment, for the Lake Padgett Estates Independent Special District.

On a Motion by Assistant Secretary Dunleavy, seconded by Vice Chair Carr, with all in favor, the Board of Supervisors approved the District Engineer's quote for the site plan related to the Lake Saxon playground equipment project not to exceed \$1,750, for the Lake Padgett Estates Independent Special District.

B. Maintenance Supervisor

Mr. Rowell provided his report. He informed the Board there are maintenance issues with his work truck and provided some truck quotes and a discussion ensued. Mr. Rowell indicated that he prefers the Ford F-250 XL Super Duty model. The Board discussed financing options and asked Mr. Rowell to gather more information. District Counsel suggested Mr. Rowell and Board members check with the Pasco County fleet department to see when they purchase their vehicles because the Lake Padgett Estates Independent Special District is a form of local government and the District could possibly get a special deal for the cost of the truck. The Board commented that the truck purchase was not included in the Fiscal Year 2021/2022 budget and perhaps they could use Reserve Funds but then opted to not use these funds at this time. The District Manager suggested that the truck purchase could be budgeted as a line item in the Fiscal Year 2022/2023 budget.

C. District Counsel

Mr. Tim Hayes stated that he provided the RFP District Management Criteria document from 2009 to the Board and District Staff prior to the meeting by email to review. Assistant Secretary Dunleavy commented to the Board that after his review of the RFP District Management Criteria document from 2009 and current contract documents he would like to proceed with soliciting bids for District Management services and would like the other Board members to consider this too. A discussion ensued among the Board members and Vice Chair Carr, Chair Yarbrough, Assistant Secretary Andrews, and Assistant Secretary Dunleavy. It was determined from this discussion that only Assistant Secretary Dunleavy was interested in voting to move forward with soliciting bids and the other Board members were not interested in voting to move forward with soliciting bids for District Management at this meeting. The Board also took audience comments at this time as well. This agenda item was under Tab 4 but was discussed under the District Counsel's staff report

instead. The Board requested that the RFP District Management Criteria/Bid Solicitation be added to the February 17, 2022 meeting agenda. The Board and audience members also had discussion of how Rizzetta & Company could improve their service based on past experiences.

District Manager

Mr. Lynn Hayes presented his report to the Board and announced that the next regularly scheduled meeting is February 17, 2022, at 6:30 p.m. at the Lake Padgett Estates Stables Meeting Room, located at 3614 Stable Ridge Lane, Land O' Lakes, FL 34639. He reviewed the results of the 4th quarter ADA website compliance audit report and informed them that the website passed in all areas of the audit. Mr. Lynn Hayes stated the Florida Legislative Session began on January 11th and gave an overview of the House Bills that could impact CDD Districts.

FIFTH ORDER OF BUSINESS

Presentation of Prior RFP District Management Criteria

This was previously discussed under the District Counsel staff report.

SIXTH ORDER OF BUSINESS

Consideration of the Minutes from Board of Supervisors Meeting Held on December 16, 2021

Mr. Lynn Hayes presented the Board of Supervisors meeting minutes from the December 16, 2021, meeting and asked if there were any changes or corrections. There was a correction to Line 17 as Chair Yarbrough was not present at that meeting.

On a Motion by Vice Chair Carr, seconded by Assistant Secretary Andrews, with all in favor, the Board of Supervisors approved the Board of Supervisors meeting minutes, as amended, from December 16, 2021, for the Lake Padgett Estates Independent Special District.

SEVENTH ORDER OF BUSINESS

Consideration of the Operation and Maintenance Expenditures for December 2021

Mr. Lynn Hayes presented the Operation and Maintenance Expenditures for December 2021.

On a Motion by Assistant Secretary Dunleavy, seconded by Assistant Secretary Andrews, with all in favor, the Board of Supervisors ratified the Operation and Maintenance Expenditures for December 2021 (\$50,100.94), for the Lake Padgett Estates Independent Special District.

EIGHTH ORDER OF BUSINESS

Supervisor Requests

The Board had further discussion about the Annual Chili Cook Off event to take place in Lake Saxon Park on February 13, 2022. The Board requested the District

Manager contact the district insurance carrier and find out if special insurance was needed for the event being held on LPE ISD property by residents and allow resident vendors to attend and sell arts and crafts. The audience members requested that the Board members prepare a community newsletter to place on the website and or mail this out to residents and put a wish list together along with Board member terms for all legislative matters that they want to consider together. The District Manager will add Discussion of Board Policies/Procedures for food trucks selling for profit and Discussion of Board Legislative Changes. Mr. Tim Hayes volunteered to do new Board member orientation free of charge to the district to include Sunshine and Public Records laws.

NINTH ORDER OF BUSINESS

Adjournment

On a motion by Assistant Secretary Dunleavy, seconded by Assistant Secretary Andrews, with all in favor, the Board of Supervisors adjourned the meeting at 8:31 p.m. for the Lake Padgett Estates Independent Special District.

Assistant Secretary/Secretary

Chair/Vice Chair

Tab 9

LAKE PADGETT ESTATES ISD

District Office · Wesley Chapel, Florida · (813) 994-1001
Mailing Address - 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614
www.lakepadgettisd.org

Operations and Maintenance Expenditures January 2022 For Board Approval

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

The total items being presented: **\$36,877.38**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

LAKE PADGETT ESTATES ISD

Paid Operation & Maintenance Expenditures

January 1, 2022 Through January 31, 2022

Vendor Name	Check Number	Invoice Number	Transaction Description	Check Amount
ADP Payroll	CD794	CD794	PR PPE 01/02/22 PPD 01/07/22	\$ 3,605.53
ADP Payroll	CD795	CD795	PR FEES PPE 01/02/22 PD 01/14/22	\$ 114.79
ADP Payroll	CD796	CD796	PR PPE 01/16/22 PPD 01/21/22	\$ 3,515.58
ADP Payroll	CD797	CD797	PR Year End Processing Fee 2021	\$ 80.80
ADP Payroll	CD798	CD798	PR FEES PPE 01/16/22 PD 01/28/22	\$ 114.79
ADP Payroll	CD799	CD799	Time & Attendance 01/22	\$ 42.46
Duke Energy	20220105-1	9300 0001 2893 11/21	Summary Bill 11/21	\$ 620.53
Duke Energy	20220128-1	9100 8816 3760 12/21	22140 Coldstream Rd 12/21	\$ 64.26
Florida Blue	004379	75535509	Health Insurance 01/15/22- 02/15/22	\$ 2,547.32
Florida Department of Revenue	004380	61-8018349567-4 12/21	Sales & Use Tax 12/21	\$ 16.35
Frontier Communications of Florida	004375	210-043-0055-021920-5 01/22	210-043-0055-021920-5 01/22	\$ 779.92
Frontier Communications of Florida	20220107-1	813-995-2205-041420-5 12/21	813-995-2205-041420-5 12/21	\$ 81.68
Grau & Associates	004381	21812	Audit FYE 09/30/2021	\$ 3,400.00

LAKE PADGETT ESTATES ISD

Paid Operation & Maintenance Expenditures

January 1, 2022 Through January 31, 2022

Vendor Name	Check Number	Invoice Number	Transaction Description	Check Amount
Justin Andrews	004386	JA012022	Board of Supervisor Meeting 01/20/22	\$ 50.00
Lake Padgett ISD	CD800	CD800	Debit Card Replenishment	\$ 1,834.15
Landis, Evans and Partners, Inc	004391	1537-17-61	Engineering Services 12/21	\$ 87.50
Lawrence Dunleavy	004388	LD012022	Board of Supervisor Meeting 01/20/22	\$ 50.00
Pam Carr	004387	PC012022	Board of Supervisor Meeting 01/20/22	\$ 50.00
Pasco County Utilities	004382	15968470	#0361035 Civic Center Pkwy 12/21	\$ 42.08
Pasco Testing Lab and Sales, Inc.	004389	17884	Monthly Service 12/21	\$ 170.00
Pope's Water Systems, Inc.	004377	69976	Fix Leak at Well 12.21	\$ 132.00
Republic Services #762	20220106-1	0762-002986900	Waste Management Services 01/22	\$ 444.20
Rizzetta & Company	004378	INV0000064553	District Management Fees 01/22	\$ 4,552.50
Seabreeze Soft Spray and Exteriors	004385	775	Install Gutters 11/21	\$ 6,036.00
Southern Automated Access Services, LLC	004390	10563	Replace Door Strike on Restroom at Laird Park 01/22	\$ 175.10
Stealth Security Consultants LLC	004383	1041-RC	Monthly Security Officer 02/22	\$ 4,752.00

LAKE PADGETT ESTATES ISD

Paid Operation & Maintenance Expenditures

January 1, 2022 Through January 31, 2022

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Transaction Description</u>	<u>Check Amount</u>
Steven Allen Yarbrough	004393	SY012022	Board of Supervisor Meeting 01/20/22	\$ 50.00
Timothy G. Hayes & Associates	004376	294	Legal Services 11/21	\$ 1,739.00
Timothy G. Hayes & Associates	004384	295	Legal Services 12/21	\$ 1,628.00
Verizon Wireless	004392	9896850003	842326036-00001 01/22	<u>\$ 100.84</u>
Report Total				<u>\$ 36,877.38</u>