

Agenda
Bayshore Gardens Park & Recreation District
Board of Trustees Meeting
Wednesday; June 26, 2024 @ 7:00 P.M.

1. Roll Call
2. Call to Order
3. Pledge to Flag
4. Approval of Minutes: 4/10/24 Work Session & 5/29/24 BOT Meeting
5. Treasurer's Report
6. Trustee Committee Reports
7. District Office Manager's Report
8. Old Business
9. New Business
 - Agenda Motion - (Morris) - Change Orders - ADA Poop Restrooms
 - Agenda Motion - (Skip) - Park Hours / FOBs
10. Resident comments agenda item 3 minutes
11. Announcements for Clubs & Organizations
12. Adjournment

Pursuant to Section 286.26, Florida Statutes, and the Americans with Disabilities Act, any handicapped person desiring to attend this meeting should contact the District Manager at least 48 hours in advance of meeting to ensure that adequate accommodations are provided for access to the meeting.

Pursuant to Section 286.0105, Florida Statutes, should any person wish to appeal a decision of the Board with respect to any matter considered at this meeting, he or she will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is based.

Bayshore Gardens Park & Recreation District
Profit & Loss Budget Performance
 May 2024

	<u>May 24</u>	<u>Budget</u>	<u>Oct '23 - May 24</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Ordinary Income/Expense					
Income					
4000 - Assessments					
4005 - Property Tax	11,632.21	45,737.50	540,632.60	365,900.00	548,850.00
4006 - Commission fees	-348.97	-2,987.50	-16,218.97	-23,900.00	-35,850.00
4007 - Excess fees (Excess commission fees)	0.00		3,218.41		
Total 4000 - Assessments	<u>11,283.24</u>	<u>42,750.00</u>	<u>527,632.04</u>	<u>342,000.00</u>	<u>513,000.00</u>
4100 - Rent					
4111 - Screen Room Rental	170.00	66.67	710.00	533.32	800.00
4120 - Hall Rentals	3,505.00	1,583.33	23,602.25	12,666.68	19,000.00
4150 - Marina Rentals					
4151 - Slip Rental					
4152 - Resident slip rentals	1,106.00	4,350.00	59,017.76	34,800.00	52,200.00
4153 - Non Resident slip rentals	135.00	10,650.00	131,644.75	85,200.00	127,800.00
Total 4151 - Slip Rental	<u>1,241.00</u>	<u>15,000.00</u>	<u>190,662.51</u>	<u>120,000.00</u>	<u>180,000.00</u>
4154 - Small Boat Area	0.00	83.33	2,016.00	666.68	1,000.00
4156 - Trailer Space Rental	0.00	333.33	6,840.00	2,666.64	4,000.00
4157 - Gate Keys	340.00	341.67	5,760.00	2,733.32	4,100.00
4162 - NR Boat Ramp	0.00	966.67	4,000.00	7,733.32	11,600.00
4825 - Work Area/Pressure Washer	40.00		620.00		
Total 4150 - Marina Rentals	<u>1,621.00</u>	<u>16,725.00</u>	<u>209,898.51</u>	<u>133,799.96</u>	<u>200,700.00</u>
Total 4100 - Rent	<u>5,296.00</u>	<u>18,375.00</u>	<u>234,210.76</u>	<u>146,999.96</u>	<u>220,500.00</u>
4300 - Pool					
4360 - Pool FOB	1,000.00	75.00	5,013.46	600.00	900.00
Total 4300 - Pool	<u>1,000.00</u>	<u>75.00</u>	<u>5,013.46</u>	<u>600.00</u>	<u>900.00</u>
4500 - Publications					
4520 - Banner - Subscriptions	120.00		215.00		
Total 4500 - Publications	<u>120.00</u>		<u>215.00</u>		
4600 - Interest Income (Interest Income)	151.19		3,754.34		
4700 - Recreation Income	0.00		300.00		

Bayshore Gardens Park & Recreation District
Profit & Loss Budget Performance
 May 2024

	<u>May 24</u>	<u>Budget</u>	<u>Oct '23 - May 24</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
4800 - Miscellaneous Income					
4802 - Office Services	13.75	4.17	57.50	33.32	50.00
4800 - Miscellaneous Income - Other	0.01		0.61		
Total 4800 - Miscellaneous Income	<u>13.76</u>	<u>4.17</u>	<u>58.11</u>	<u>33.32</u>	<u>50.00</u>
Total Income	<u>17,864.19</u>	<u>61,204.17</u>	<u>771,183.71</u>	<u>489,633.28</u>	<u>734,450.00</u>
Gross Profit	<u>17,864.19</u>	<u>61,204.17</u>	<u>771,183.71</u>	<u>489,633.28</u>	<u>734,450.00</u>
Expense					
5000 - Administration Expenses					
5100 - Wages, Taxes and Fees					
5120 - Wages - Administration	6,470.00	4,583.33	38,097.94	36,666.68	55,000.00
5130 - Wages - Maintenance	10,039.82	8,333.33	48,129.97	66,666.68	100,000.00
5132 - Wages - Dockmaster	969.24	750.00	5,815.44	6,000.00	9,000.00
5133 - Marina Project Manager	0.00		0.00		
5135 - Wages - Pool	5,160.85	4,500.00	12,106.19	36,000.00	54,000.00
5170 - Health Insurance Compensation	375.00	583.33	2,250.00	4,666.68	7,000.00
5210 - FICA-941 Taxes	1,802.27	1,666.67	8,181.19	13,333.32	20,000.00
5215 - Unemployment Taxes	170.11	50.00	999.27	400.00	600.00
5610 - Accounting Fees	900.00	1,125.00	7,100.00	9,000.00	13,500.00
6080 - Travel Mileage	0.00	41.67	0.00	333.32	500.00
Total 5100 - Wages, Taxes and Fees	<u>25,887.29</u>	<u>21,633.33</u>	<u>122,680.00</u>	<u>173,066.68</u>	<u>259,600.00</u>
Total 5000 - Administration Expenses	<u>25,887.29</u>	<u>21,633.33</u>	<u>122,680.00</u>	<u>173,066.68</u>	<u>259,600.00</u>
5200 - Marina Expense					
5240 - Sales Tax	0.00		0.29		
5250 - Property Tax	0.00	516.67	3,458.15	4,133.32	6,200.00
5575 - Marina Repair/Maintenance/FOBS	1,930.85	166.67	17,355.63	1,333.32	2,000.00
Total 5200 - Marina Expense	<u>1,930.85</u>	<u>683.34</u>	<u>20,814.07</u>	<u>5,466.64</u>	<u>8,200.00</u>
5300 - Security					
5311 - Security Camera R&M	0.00	1,891.67	3,281.61	15,133.32	22,700.00
5335 - Key Fobs	0.00		1,393.75		
Total 5300 - Security	<u>0.00</u>	<u>1,891.67</u>	<u>4,675.36</u>	<u>15,133.32</u>	<u>22,700.00</u>

Bayshore Gardens Park & Recreation District
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May 2024

	<u>May 24</u>	<u>Budget</u>	<u>Oct '23 - May 24</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
5400 - Utilities					
5410 - Electric	2,415.01	1,916.67	20,214.26	15,333.32	23,000.00
5420 - Water/Sewer	1,945.94	1,500.00	14,722.84	12,000.00	18,000.00
5430 - Telephone	70.00	100.00	780.88	800.00	1,200.00
5440 - Gas/Propane	0.00	8.33	0.00	66.68	100.00
5460 - Internet	256.68	250.00	2,051.88	2,000.00	3,000.00
Total 5400 - Utilities	<u>4,687.63</u>	<u>3,775.00</u>	<u>37,769.86</u>	<u>30,200.00</u>	<u>45,300.00</u>
5500 - Building and Grounds					
5511 - Professional/Contract Services	0.00	691.67	4,075.02	5,533.32	8,300.00
5512 - Repairs, Maintenance & Supplies	672.50	833.33	18,063.90	6,666.68	10,000.00
5514 - Building Maintenance	1,442.93	1,250.00	33,072.45	10,000.00	15,000.00
5515 - Janitorial and Cleaning	297.29	291.67	4,235.40	2,333.32	3,500.00
5516 - Gasoline (Grounds machinery fuel)	0.00	66.67	47.25	533.32	800.00
5520 - Maintenance Equipment	265.25	500.00	6,227.02	4,000.00	6,000.00
5530 - Pest Control	105.00	100.00	210.00	800.00	1,200.00
5560 - Landscaping	0.00	1,916.67	12,649.44	15,333.32	23,000.00
5580 - Pool Maintenance	977.48	83.33	1,335.36	666.68	1,000.00
5585 - Pool Repair/Replacement	769.33	83.33	2,226.59	666.64	1,000.00
5590 - Pool Chemicals	1,782.70	2,500.00	12,450.40	20,000.00	30,000.00
5591 - EPA/Water	0.00	108.33	0.00	866.68	1,300.00
5683 - Certification Reimbursement	0.00	83.33	0.00	666.68	1,000.00
5684 - Woodchoppers	0.00	83.33	188.00	666.68	1,000.00
6500 - Playground Expense	0.00	208.33	0.00	1,666.68	2,500.00
Total 5500 - Building and Grounds	<u>6,312.48</u>	<u>8,799.99</u>	<u>94,780.83</u>	<u>70,400.00</u>	<u>105,600.00</u>
5600 - Other Administration Expense					
5519 - Leased Equipment	147.84	183.33	1,249.65	1,466.68	2,200.00
5650 - Postage	0.00	100.00	899.10	800.00	1,200.00
5660 - Legal Fees	179.20	833.33	3,840.00	6,666.68	10,000.00
5665 - Seminars, Training and Fees	29.95	83.33	1,479.69	666.68	1,000.00
5670 - Office Supplies/Expenses	721.80	666.69	3,768.13	5,333.24	8,000.00

Bayshore Gardens Park & Recreation District
Profit & Loss Budget Performance
May 2024

	May 24	Budget	Oct '23 - May 24	YTD Budget	Annual Budget
5680 · Audit Fees	0.00	1,166.67	2,700.00	9,333.32	14,000.00
5682 · Organizational Fees and License	0.00	125.00	30.00	1,000.00	1,500.00
5686 · Website Maintenance	126.00	133.33	1,134.00	1,066.68	1,600.00
5690 · Advertising	0.00	58.33	232.83	466.68	700.00
6020 · Bank Fees	706.87	1,000.00	8,612.16	8,000.00	12,000.00
6040 · Trustee Election	0.00	416.67	0.00	3,333.32	5,000.00
Total 5600 · Other Administration Expense	1,911.66	4,766.68	23,945.56	38,133.28	57,200.00
5630 · Insurance-Business					
5631 · Insurance - Liability	0.00	833.33	11,260.00	6,666.68	10,000.00
5632 · Insurance - Workers Compensatio	0.00	1,166.67	3,746.00	9,333.32	14,000.00
5633 · Insurance - Auto Liability	0.00	20.83	0.00	166.68	250.00
5634 · Insurance -Property	0.00	2,562.50	31,978.00	20,500.00	30,750.00
Total 5630 · Insurance-Business	0.00	4,583.33	46,984.00	36,666.68	55,000.00
5700 · Publications Expense					
5711 · Banner composition	400.00	375.00	2,900.00	3,000.00	4,500.00
5720 · Banner - Printing Costs	176.94		1,342.73		
5740 · Banner - Paper Delivery	52.00		395.00		
5750 · Banner - Office Supplies	0.00	208.33	0.00	1,666.68	2,500.00
Total 5700 · Publications Expense	628.94	583.33	4,637.73	4,666.68	7,000.00
5800 · District Recreation					
5830 · Expenses -	982.00	416.67	982.00	3,333.32	5,000.00
Total 5800 · District Recreation	982.00	416.67	982.00	3,333.32	5,000.00
5900 · Capital Layout					
5901 · Survey	0.00	83.33	0.00	666.68	1,000.00
5903 · Sheds to Replace Porta Potty	0.00		0.00	0.00	0.00
5907 · Basketball Court	0.00		0.00	0.00	0.00
5915 · Maintenance Shed Awning	0.00	1,250.00	0.00	10,000.00	15,000.00
5917 · Pool ADA Bathrooms	0.00	10,487.50	800.00	83,900.00	125,850.00
5921 · Fitness Trail	0.00	1,000.00	0.00	8,000.00	12,000.00
5922 · Hall	0.00	1,250.00	0.00	10,000.00	15,000.00

Bayshore Gardens Park & Recreation District
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 May 2024

	<u>May 24</u>	<u>Budget</u>	<u>Oct '23 - May 24</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Total 5900 - Capital Layout	0.00	14,070.83	800.00	112,566.68	168,850.00
6900 - Uncategorized Expenses	0.00		0.00		
Total Expense	<u>42,340.85</u>	<u>61,204.17</u>	<u>358,069.41</u>	<u>489,633.28</u>	<u>734,450.00</u>
Net Ordinary Income	-24,476.66	0.00	413,114.30	0.00	0.00
Other Income/Expense					
Other Income					
10000 - Sales Tax Discount	29.39		109.08		
Total Other Income	<u>29.39</u>		<u>109.08</u>		
Net Other Income	<u>29.39</u>		<u>109.08</u>		
Net Income	<u><u>-24,447.27</u></u>	<u><u>0.00</u></u>	<u><u>413,223.38</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>

Bayshore Gardens Park & Recreation District

Balance Sheet

As of May 31, 2024

May 31, 24

ASSETS

Current Assets

Checking/Savings

1000 · Checking-Operating 5/3 2537	245,447.95
1004 · Petty Cash - District	350.00
1005 · Escrow Account 5/3 - 3919	36,000.00
1006 · Checking-Payroll 5/3 2545	25,873.81
1016 · Savings - Operating 5/3 4032	225,319.40
1019 · Savings Reserves 5/3 5013	
1021 · Reserve Fund-Roofing	7,900.00
1022 · Reserve Fund-Hall Upgrade	21,935.22
1022.5 · Building Maintenance	22,335.91
1024 · Reserve Fund - Wood Shop Exp	215.01
1025 · Reserve Fund - ADA	182,783.20
1027.5 · Basketball Court	2,237.07
1032 · Reserve Fund - Marina	144,699.00
1033 · Reserve Fund-Outdoor Recreation	25,000.00
1034 · Reserve Fund - Playground Equip	9,000.00
1036 · Reserve Fund - Security	35,000.00
1037 · Fitness Trail	5,000.00
1038 · Hall Floors	1,000.00
1040 · Reserve Fund - Screen Room	30,000.00
1050 · Reserve Account Bank Fees	-8,540.06
1051 · Reserve Account Interest Income	4,345.12

Total 1019 · Savings Reserves 5/3 5013	<u>482,910.47</u>
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Total Checking/Savings	<u>1,015,901.63</u>
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Accounts Receivable

1100 · Accounts Receivable	<u>44,189.42</u>
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Total Accounts Receivable	44,189.42
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Other Current Assets

11500 · Water Boy Bottle Deposit	35.00
11600 · A/R Lupson (gate repair)	150.00
1499 · *Undeposited Funds	<u>3,056.60</u>

Total Other Current Assets	<u>3,241.60</u>
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Total Current Assets	<u>1,063,332.65</u>
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Fixed Assets

1900 · Land	400,000.00
1910 · Buildings	1,367,061.93
1920 · Recreation Area	1,768,907.19
1940 · Recreation Area F & E	97,308.64
1960 · Machines & Equipment	108,166.67
1980 · Office Furniture and Equipment	38,112.48
1990 · Other Furniture and Equipment	53,448.88

Bayshore Gardens Park & Recreation District

Balance Sheet

As of May 31, 2024

	May 31, 24
1995 - Accumulated Depreciation	-1,342,680.52
1999 - Reserve Expenses	79,640.39
Total Fixed Assets	2,569,965.66
Other Assets	
Prepaid Payroll	260.00
1800 - Utility Deposits	280.00
Total Other Assets	540.00
TOTAL ASSETS	3,633,838.31
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 - Accounts Payable	19,901.47
Total Accounts Payable	19,901.47
Other Current Liabilities	
2010 - Accrued Wages	6,180.17
2100 - Payroll Liabilities	
2300 - Garnishment of Wages	347.52
2100 - Payroll Liabilities - Other	-519.77
Total 2100 - Payroll Liabilities	-172.25
2171 - Sales Tax Payable	2,854.83
2500 - Security Deposits	
2501 - Hall Security Deposits	3,380.00
2502 - Marina Security Deposits	39,500.00
2503 - Screen Room Deposit (Screen Room Deposit)	-130.00
Total 2500 - Security Deposits	42,750.00
2511 - Swim Team Deposits	250.00
2600 - Deferred Revenues	43,925.59
2700 - Prepaid Income	665.65
2800 - Deposit on Boat Slips	1,500.00
Total Other Current Liabilities	97,953.99
Total Current Liabilities	117,855.46
Total Liabilities	117,855.46
Equity	
3040 - Owners' Equity	182,376.54
3050 - Retained Earnings (Retained Earnings)	2,103,817.02
3200 - Fund Balance	-86,517.97
3300 - Investment in GFAAG	903,083.88
Net Income	413,223.38
Total Equity	3,515,982.85
TOTAL LIABILITIES & EQUITY	3,633,838.31

BAYSHORE GARDENS PARK AND RECREATION DISTRICT
AGENDA FORM FOR TRUSTEES

1002F

Completed form due in the office by 4:00 p.m. eight (8) days prior to meeting date.

This form can be utilized to bring a motion and/or discussion topic to the board.

Motion Defined: A motion is a request, or proposal, for the board to take action on an issue.

Agenda Item: Change Orders ADA Restrooms Meeting Date: 6-26-24

Type of Meeting: _____ Workshop _____ Board Meeting

Motion: Discussion: _____ (check one)

Rationale for Request: _____

Estimated Costs to District (if applicable)

Attachments/Supporting documents: None: _____

Board Trustee: Morris Palmer Date: 6-6-24

Print Name: Morris Palmer

Received by: [Signature] Date: 6-6-24

Change Orders 1 and 2 attached+++

1 message

Venture Builders Inc. <venturebuilders@aol.com>

Wed, Jun 5, 2024 at 11:27 AM

To: District Office <office@bayshoregardens.org>

Hi Gia,

Attached are two change orders.

#1 is for the 4 extra fans required by Manatee building department. (we do not yet have bids for the extra core drills and duct work as the location of each is factored into the bid).

#2 is the electrical for the hand dryers.

Please review and return at your earliest.

Thank you :-)

PS: Lee will be speaking with Morris soon about the foundation and walls and possible options to work with.

Kelly Repassy

Office Manager

Venture Builders, Inc.

4305 32nd Street W. • Suite C

Bradenton, Florida 34205

Office: 941-753-8733

VentureBuilders@aol.com

**Bayshore CO 1 and 2_000664.pdf**

1200K

CHANGE ORDER FORM

CAP701

To:

BAYSHORE GARDENS DISTRICT
6919 26TH ST W
BRADENTON, FL 34205

From:

VENTURE BUILDERS, INC
4305 32ND ST. W. #C
BRADENTON, FL 34205

Change Order Number: Change Order Date:

02

6/03/2024

Architect's Project Number: 23-19

Contract for: Contract Date: 11/30/2023

Our Project Code: 2023-35

Project:

Original Contract Sum:	\$201,928.00
Previous Change Orders:	\$0.00
Contract Sum:	\$201,928.00
Value of this Change Order:	\$2,387.28
New Contract Sum:	\$204,315.28

DISTRIBUTE TO:

<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Contractor	<input type="checkbox"/> Other
<input type="checkbox"/> Architect	<input type="checkbox"/> Field	<input type="checkbox"/> Construction Manager

The Contract Completion date will change by:

The expected completion date will be: / /

The Contract is Changed as Follows:

ELECTRICAL FOR HAND DRYERS. REQUIRES A GFI CIRCUIT FOR EVERY 2 DRYERS. \$1,960.00
CONSTRUCTION MANAGEMENT AND INSURANCE \$ 427.28

Architect

WORLD DESIGN
818 13TH ST W
BRADENTON, FL 34205

Signature

Date

Contractor

VENTURE BUILDERS, INC
4305 32ND ST. W. #C
BRADENTON, FL 34205

Signature

Date

Owner

BAYSHORE GARDENS DISTRICT
6919 26TH ST W
BRADENTON, FL 34205

Signature

Date

CHANGE ORDER FORM

CAP701

To:

BAYSHORE GARDENS DISTRICT
6919 26TH ST W
BRADENTON, FL 34205

From:

VENTURE BUILDERS, INC
4305 32ND ST. W. #C
BRADENTON, FL 34205

Change Order Number: Change Order Date:

01

6/03/2024

Architect's Project Number: 23-19

Contract for:

Contract Date: 11/30/2023

Our Project Code: 2023-35

Project:

Original Contract Sum:	\$201,928.00
Previous Change Orders:	\$0.00
Contract Sum:	\$201,928.00
Value of this Change Order:	\$2,635.49
New Contract Sum:	\$204,563.49

DISTRIBUTE TO:

<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Contractor	<input type="checkbox"/> Other
<input type="checkbox"/> Architect	<input type="checkbox"/> Field	<input type="checkbox"/> Construction Manager

The Contract Completion date will change by:

The expected completion date will be: / /

The Contract is Changed as Follows:

ADD 4 ADDITIONAL EXHAUST FANS WITH ADDITIONAL ELECTRICAL. \$2,163.78
ADDITIONAL CORE PROPOSAL HAS NOT BEEN RECEIVED.
ADDITIONAL DUCT WORK PROPOSAL HAS NOT BEEN RECEIVED
PROJECT MANAGEMENT AND INSURANCE \$ 471.71

Architect

WORLD DESIGN
818 13TH ST W
BRADENTON, FL 34205

Signature

Date

Contractor

VENTURE-BUILDERS, INC
4305 32ND ST. W. #C
BRADENTON, FL 34205

Signature

Date

Owner

BAYSHORE GARDENS DISTRICT
6919 26TH ST W
BRADENTON, FL 34205

Signature

Date

BAYSHORE GARDENS PARK AND RECREATION DISTRICT
AGENDA FORM FOR TRUSTEES

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Agenda Item: Park Hrs / FOBS Meeting Date: 6-26-24

Type of Meeting: _____ Workshop _____ Board Meeting

Motion: Discussion: _____ (check one)

Rationale for Request: _____

Estimated Costs to District (if applicable)

Attachments/Supporting documents: None: _____

Email From Attorney

Board Trustee: [Signature] Date: 6-19-24

Print Name: Skip Wilhoit

Received by: [Signature] Date: 6-19-24



District Office <office@bayshoregardens.org>

Fwd: Question For You

1 message

Skip Wilhoit <seat03@bayshoregardens.org>
To: Office <Office@bayshoregardens.org>

Wed, Jun 19, 2024 at 11:50 AM

Hey Gia!

The other thing I forgot to mention was that our attorney okayed having a fobbed entry and exit for the park during evening hours. I want to make sure we talk about this in our next meeting and okay the fob system for the pedestrian and vehicle gates.

Here is the link to the blank yard signs on Amazon. I've also attached the large QR code as a document to this email, so you can print 30 copies and have them laminated. Thanks so much for doing that and just let me know when they're ready. I'll make a stencil for the rest of it in the meantime.

Dr. Skip Wilhoit, Board of Trustees (Seat 3)
Bayshore Gardens Park & Recreation District
6919 26th Street W.
Bradenton, FL 34207

----- Forwarded message -----

From: **Scott Rudacille** <srudacille@blalockwalters.com>
Date: Tue, Jun 18, 2024 at 8:15 AM
Subject: RE: Question For You
To: Skip Wilhoit <seat03@bayshoregardens.org>

Without an agreement, there's just not a clear answer on these issues. I think the District would likely be fine with a fobbed evening entry policy.

Scott E. Rudacille



802 11th Street West | Bradenton, FL 34205
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From: Skip Wilhoit <seat03@bayshoregardens.org>
Sent: Monday, June 17, 2024 11:55 PM
To: Scott Rudacille <srudacille@blalockwalters.com>
Subject: Re: Question For You

The grant terms mention nothing of equal access for residents and non-residents and only states the park shall be open for public use at reasonable times. Would we have the option of closing the park in the evenings to the general public and allow just residents to have a fob for entering and leaving? Or are you saying our best move is to allow residents and non-residents alike to purchase fobs for entering the park in the evening?

Thanks a ton Scott!

Dr. Skip Wilhoit, Board of Trustees (Seat 3)

Bayshore Gardens Park & Recreation District

6919 26th Street W.

Bradenton, FL 34207

On Mon, Jun 17, 2024 at 6:25 PM Scott Rudacille <srudacille@blalockwalters.com> wrote:

Skip, we finally heard back from the state, and they could not find any records. While nothing would probably ever come of it, it's still probably best not to run afoul of the grant terms as stated in the letter you sent. What you might consider is a fobbed entry program which requires people to provide ID and pay a small fee in order to get a fob. It would technically be open to the public, but that would resolve the homeless issue. And chances of people outside of BG coming to get a fob are probably small.

Scott E. Rudacille



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From: Skip Wilhoit <seat03@bayshoregardens.org>
Sent: Wednesday, June 5, 2024 12:57 PM
To: Scott Rudacille <srudacille@blalockwalters.com>
Subject: Re: Question For You

I appreciate you brother...thanks for the heads-up!

Dr. Skip Wilhoit, Board of Trustees (Seat 3)

Bayshore Gardens Park & Recreation District

6919 26th Street W.

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On Wed, Jun 5, 2024 at 10:18 AM Scott Rudacille <srudacille@blalockwalters.com> wrote:

Hey Skip, just wanted to let you know that we have not forgotten about this. We made a records request of the state back in early May, and they have acknowledged receipt, but no records yet.

Scott E. Rudacille



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From: Skip Wilhoit <seat03@bayshoregardens.org>
Sent: Sunday, May 5, 2024 4:33 PM
To: Scott Rudacille <srudacille@blalockwalters.com>
Subject: Re: Question For You

Yeah, I'm not sure if congratulations are in order or not. 🤔 But I was born and raised in Bayshore Gardens, so I love this place. Very happy to serve.

I really appreciate you brother. I'll stand by to hear back and I'm in no hurry...it's been 27 years already.

Dr. Skip Wilhoit, Board of Trustees (Seat 3)

Bayshore Gardens Park & Recreation District

6919 26th Street W.

Bradenton, FL 34207

On Fri, May 3, 2024 at 2:26 PM Scott Rudacille <srudacille@blalockwalters.com> wrote:

Hey Skip, congrats (I think) on your election/appointment. Since this is just an unsigned letter from DEP, let us do some digging and see if there is actually a funding agreement or other applicable regulations that we can dig into a little bit. Will circle back around once I've got more info. Have a great weekend.

Scott

Scott E. Rudacille



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From: Skip Wilhoit <seat03@bayshoregardens.org>
Sent: Thursday, May 2, 2024 9:44 PM
To: Scott Rudacille <srudacille@blalockwalters.com>
Subject: Question For You

Hello again Rudi!

After battling the Bayshore Gardens Board over the proposed fence behind my property, they asked me to serve on the Board with them. So, now that I am on the Board, I have a couple of questions that I'm hoping you can address.

We have a homeless problem that has forced the Board to fence-off the beach and picnic area and lock the gates at night. This effectively closes our beach area and park each evening to both residents and the general public.

When I proposed that we install a fobbed-gate that would allow residents to use the picnic and beach area after sunset, I was told by other members that we could not, due to a 1997 agreement with the FDEP (attached). However, the agreement does not state that the park must be open equally to residents and the public; it only states that the area shall be "maintained in perpetuity as an outdoor recreation area for the use and benefit of the general public". Under Item Number Three in the attached agreement it further states that "the area shall be open for public use at reasonable times, maintained in accordance with public health standards, and kept reasonably safe for public use. Appropriate actions shall be taken to alleviate potential hazardous situations at the site which might adversely effect the using public".

Not only is there no language calling for equal access by residents and the public, the agreement appears to clearly state that the area only needs to be open to the public during reasonable times. I would also argue that the actions being taken in response to the homeless situation are appropriate for maintaining a safe environment for children and families.

So my primary question is - Does this agreement prohibit us from installing a fobbed pedestrian gate entrance that would allow residents access to the park after sunset?

I'm also curious to your thoughts on what appears to be dichotomous language in the agreement:

1. ...the project area and elements shall be operated and maintained for use by the general public for at least 25 years.
2. The project site...shall be maintained in perpetuity as an outdoor recreation area for the use and benefit of the general public.

In addition to my question regarding the ability to install a fobbed pedestrian gate, I was wondering if you thought this agreement could be challenged due to the conflicting language, the fact that it is 27 years old, and the structure built using these grant funds is long gone. It also seems crazy that the FDEP can force private property to be open to the public in perpetuity.

Thanks man and please let me know if you prefer to field questions like this in a different manner or if I should be knocking on someone else's door.

Dr. Skip Wilhoit, Board of Trustees (Seat 3)

Bayshore Gardens Park & Recreation District

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