

**MINUTES OF MEETING
LAKE FLORES
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Lake Flores Community Development District held a Public Hearing and Regular Meeting on April 29, 2022 at 11:00 A.M., at the office of ZNS Engineering, 201 5th Avenue Drive East, Bradenton, Florida 34208.

Present at the meeting were:

Gary Walker	Chair
David Brasher	Vice Chair
Krystal Parsons	Assistant Secretary
Walter Preston	Assistant Secretary
Reggie Tisdale	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Kristen Suit	Wrathell, Hunt and Associates, LLC
Meredith Hammock	District Counsel
Jere Earlywine (via telephone)	KE Law Group, PLLC
Jeb Mulock	Interim District Engineer- ZNS Engineering
Ed Hill	Developer Representative

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 11:02 a.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Supervisor Walter Preston *(the following will be provided in a separate package)*

Mr. Wrathell stated that the Oath of Office was administered to Supervisor Preston prior to the meeting.

A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees

- B. Membership, Obligations and Responsibilities
- C. Chapter 190, Florida Statutes
- D. Financial Disclosure Forms
 - I. Form 1: Statement of Financial Interests
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests
 - III. Form 1F: Final Statement of Financial Interests
- E. Form 8B: Memorandum of Voting Conflict

FOURTH ORDER OF BUSINESS

**Ratification of Resolution 2022-31,
Designating Certain Officers of the District,
and Providing for an Effective Date**

Mr. Wrathell recalled that the Board elected the slate of officers at the last meeting, which included Mr. Preston as an Assistant Secretary, and asked if the action should be ratified.

Mr. Earlywine stated ratification of the action is not necessary.

A Board Member noted that Mr. Preston’s last name was misspelled in Resolution 2022-31. Resolution 2022-31 would be updated as follows:

Change: “Presto” to “Preston”

FIFTH ORDER OF BUSINESS

**Public Hearing to Consider the Adoption of
an Assessment Roll and the Imposition of
Special Assessments Relating to the
Financing and Securing of Certain Public
Improvements**

- *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*
- *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*

These items were addressed below.

- A. Affidavit/Proof of Publication
- B. Mailed Notice to Property Owner(s)

C. Master Engineer’s Report *(for informational purposes)*

Items A through C were included for informational purposes.

D. Master Special Assessment Methodology Report *(for informational purposes)*

Mr. Wrathell reviewed the Appendix Tables on Pages 13 through 15.

On MOTION by Mr. Walker and seconded by Mr. Tisdale, with all in favor, the Public Hearing was opened.

- ***Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.***

No members of the public spoke.

- ***Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.***

Mr. Earlywine stated, typically at this point in the hearing, there would be testimony from the Engineer and Assessment Consultant. Under the Engineer’s Report, the Engineer would testify that the project is feasible and the construction costs are reasonable and in line with market conditions. The Assessment Consultant would then state that the benefit from the project is sufficient to justify the assessments and that the assessments, as allocated in the Assessment Methodology Report, are fairly and reasonably allocated against the property.

Mr. Wrathell asked if the Board of Supervisors, meeting as the Equalizing Board, wished to consider any adjustments to the assessments. No changes were made.

On MOTION by Mr. Walker, and seconded by Mr. Brasher, with all in favor, the Public Hearing was closed.

E. Consideration of Resolution 2022-35, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments;

Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date

Mr. Wrathell presented Resolution 2022-35 and read the title.

Mr. Earlywine stated that this is the assessment hearing that authorizes a master lien across all of the properties of the CDD; there would be several bond issuances over time. Resolution 2022-35 grants Staff the authority to establish individual liens for each bond issuance, on a go-forward basis.

Mr. Earlywine reviewed and discussed the findings, Debt Assessment Process, prepayments, Uniform Method of collecting debt assessments, True-Up payments, etc.

On MOTION by Mr. Tisdale and seconded by Ms. Parsons, with all in favor, Resolution 2022-35, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date, and authorizing the Chair or Vice Chair to execute, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2022-36, Approving the Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law and Providing an Effective Date

Mr. Wrathell presented Resolution 2022-36 and reviewed the proposed Fiscal Year 2023 budget.

On MOTION by Ms. Parsons and seconded by Mr. Brasher, with all in favor, Resolution 2022-36, Approving the Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law for July 29, 2022 at 11:00 a.m., at the office of ZNS Engineering, 201 5th Avenue Drive East, Bradenton, Florida 34208, and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2022-37, Directing the Chairman and District Staff to Request the Passage of an Ordinance by the County Commissioners of Manatee County, Florida, Amending the District’s Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date

A. Consideration of Boundary Amendment Funding Agreement

Mr. Earlywine presented Resolution 2022-37 and the Boundary Amendment Funding Agreement between the CDD and Cortez 75W Investors, LLC. The Resolution authorizes Staff to file the petition to remove the Florida Power & Light (FPL) tract. The process is straightforward and would cost \$7,500 to \$10,000, including the filing fee and advertising costs.

Mr. Tisdale noted that the Legal Description should be updated as follows:

Change: “5.40 acres” to “5.26 acres”

On MOTION by Mr. Walker and seconded by Mr. Tisdale, with all in favor, Resolution 2022-37, Directing the Chairman and District Staff to Request the Passage of an Ordinance by the County Commissioners of Manatee County, Florida, Amending the District’s Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date, in substantial form and as amended to update the Legal Description to 5.26 acres, was adopted and the Boundary Amendment Funding Agreement, was approved.

Mr. Earlywine referred back to Resolution 2022-35 and stated that comments were received from Mr. Steve Sanford yesterday, which were definitional changes; therefore, he recommended that adoption of Resolution 2022-35 be updated to adoption in substantial form

subject to inclusion of the changes received. Although a new motion is not necessary, the following is the restated form of the motion:

On MOTION by Mr. Tisdale and seconded by Ms. Parsons, with all in favor, Resolution 2022-35, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date, in substantial form subject to inclusion of the changes received, and authorizing the Chair or Vice Chair to execute, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2022-14, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

This item was deferred.

NINTH ORDER OF BUSINESS

Consideration of Work Authorization/ Proposal for Stormwater Management Needs Analysis

Mr. Mulock presented the Work Authorization/Proposal for preparation of the Stormwater Management Needs Analysis Report in the amount of \$20,000.

On MOTION by Mr. Tisdale and seconded by Mr. Walker, with all in favor, the ZNS Engineering Work Authorization/Proposal for preparation of the Stormwater Management Needs Analysis Report, in a not-to-exceed amount of \$20,000, was approved.

TENTH ORDER OF BUSINESS**Discussion: Construction Items**

- **Consideration of Acquisition Agreement**

Mr. Earlywine presented the Acquisition Agreement between the CDD and Cortez75W Investors, LLC. The Agreement obligates the CDD to acquire completed work products and improvements from the Developer.

On MOTION by Mr. Walker and seconded by Mr. Brasher, with all in favor, the Acquisition Agreement between the CDD and Cortez75W Investors, LLC, in substantial form, was approved.

ELEVENTH ORDER OF BUSINESS**Consideration of Agreement Between Wildlands Conservation, Inc., Cortez 75W Investors, LLC and Lake Flores CDD Regarding Mitigation Nodes**

Mr. Earlywine presented the Agreement Between Wildlands Conservation, Inc., Cortez 75W Investors, LLC and Lake Flores CDD Regarding Mitigation Nodes. The mitigation work and the involved entities were discussed. Mr. Earlywine stated that there will be a deed from the landowner to the CDD and the CDD will then be the fee title owner and assume the obligation. Mr. Wrathell questioned if this is still in the mitigation phase or if it has entered the Operation and Maintenance (O&M) phase. A Board Member stated that it is in mitigation.

On MOTION by Mr. Tisdale and seconded by Mr. Walker, with all in favor, the Agreement Between Wildlands Conservation, Inc., Cortez 75W Investors, LLC and Lake Flores CDD Regarding Mitigation Nodes, in substantial form, was approved.

TWELFTH ORDER OF BUSINESS**Consideration of Deed of Conservation Easement *(to be provided under separate cover)***

Mr. Earlywine discussed the Deed of Conservation Easement.

On MOTION by Mr. Walker and seconded by Mr. Tisdale, with all in favor, authorizing the CDD to enter into the Deed of Conservation Easement, subject to review by Staff, and authorizing the Chair or Vice Chair to execute, was approved.

THIRTEENTH ORDER OF BUSINESS

Consideration of Amended and Restated Reciprocal Easement and Joint Use of Lake Agreement

Mr. Earlywine presented the Amended and Restated Reciprocal Easement and Joint Use of Lake Agreement.

On MOTION by Mr. Tisdale and seconded by Mr. Brasher, with all in favor, the Amended and Restated Reciprocal Easement and Joint Use of Lake Agreement, in substantial form, and authorizing the Chair or Vice Chair to execute, was approved.

FOURTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2022

Mr. Wrathell presented the Unaudited Financial Statements as of March 31, 2022.

On MOTION by Mr. Walker and seconded by Ms. Parsons, with all in favor, the Unaudited Financial Statements as of March 31, 2022, were accepted.

FIFTEENTH ORDER OF BUSINESS

Approval of Minutes

Mr. Wrathell presented the following:

- A. March 28, 2022 Landowners' Meeting**
- B. March 28, 2022 Public Hearings and Regular Meeting**

On MOTION by Mr. Brasher and seconded by Mr. Walker, with all in favor, the March 28, 2022 Landowners' Meeting and March 28, 2022 Public Hearings and Regular Meeting Minutes, as presented, were approved.

SIXTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *KE Law Group, PLLC.*

There was nothing further to report.

B. District Engineer: *ZNS Engineering*

There was no report.

C. District Manager: *Wrathell, Hunt and Associates, LLC*

- **NEXT MEETING Date: June 17, 2022 at 11:00 A.M.**

- **QUORUM CHECK**

The next meeting would be held on June 17, 2022.

SEVENTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Ms. Parsons asked about continuing to hold meetings at the current location and if the full agenda could be emailed to Board Members at least three days in advance of the meetings. Mr. Wrathell apologized for the delay and stated staff is working diligently to transmit the agendas several days in advance of the meetings.

Mr. Hill requested executed digital copies of Resolution 2022-37 and Agenda Items 11, 12 and 13. Mr. Earlywine would email Management's staff, who will facilitate finalization and have the documents emailed to Mr. Ed Hill by May 9, 2022.

EIGHTEENTH ORDER OF BUSINESS

Public Comments


No members of the public spoke.

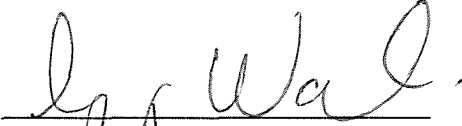
NINETEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Preston and seconded by Ms. Parsons, with all in favor, the meeting adjourned at 12:13 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair