

LAKE FLORES

COMMUNITY DEVELOPMENT DISTRICT

August 26, 2022

BOARD OF SUPERVISORS

PUBLIC HEARING AND

REGULAR MEETING

AGENDA

Lake Flores Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W•Boca Raton, Florida 33431
Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013

August 19, 2022

Board of Supervisors
Lake Flores Community Development District

Dear Board Members:

The Board of Supervisors of the Lake Flores Community Development District will hold a Public Hearing and Regular Meeting on August 26, 2022 at 11:00 A.M., at the ZNS Engineering, 1023 Manatee Avenue West, 7th Floor, Bradenton, Florida 34205. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Public Hearing to Consider the Adoption of the Fiscal Year 2022/2023 Budget
 - A. Proof/Affidavit of Publication
 - B. Consideration of Resolution 2022-40, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date
4. Consideration of Fiscal Year 2023 Budget Funding Agreement
5. Discussion Regarding Project and Bond Financing Timeline
6. Consideration of Resolution 2022-41, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date
7. Update: Letter to Manatee County Regarding Stormwater Management Needs Analysis
8. Acceptance of Unaudited Financial Statements as of July 31, 2022
9. Approval of April 29, 2022 Public Hearing and Regular Meeting Minutes
10. Staff Reports
 - A. District Counsel: *KE Law Group, PLLC*
 - B. District Engineer: *ZNS Engineering, LC*

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

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

- NEXT MEETING DATE: TBD
 - QUORUM CHECK

GARY WALKER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
DAVID BRASHER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
REGINALD TISDALE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
KRYSTAL PARSONS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
WALTER PRESTON	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

11. Board Members' Comments/Requests
12. Public Comments
13. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675 or Kristen Suit at (410) 207-1802.

Sincerely,



Craig Wrathell
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

CALL-IN NUMBER: 1-888-354-0094

PARTICIPANT PASSCODE: 943 865 3730

LAKE FLORES

COMMUNITY DEVELOPMENT DISTRICT

3A



Beaufort Gazette
 Belleville News-Democrat
 Bellingham Herald
 Bradenton Herald
 Centre Daily Times
 Charlotte Observer
 Columbus Ledger-Enquirer
 Fresno Bee

The Herald - Rock Hill
 Herald Sun - Durham
 Idaho Statesman
 Island Packet
 Kansas City Star
 Lexington Herald-Leader
 Merced Sun-Star
 Miami Herald

el Nuevo Herald - Miami
 Modesto Bee
 Raleigh News & Observer
 The Olympian
 Sacramento Bee
 Fort Worth Star-Telegram
 The State - Columbia
 Sun Herald - Biloxi

Sun News - Myrtle Beach
 The News Tribune Tacoma
 The Telegraph - Macon
 San Luis Obispo Tribune
 Tri-City Herald
 Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
83954	298361	Print Legal Ad - IPL0083899		\$180.18	1	76 L

Attention: Daphne Gillyard
 Lake Flores
 2300 Glades Road, Suite 410W
 Boca Raton, FL 33431

LAKE FLORES COMMUNITY DEVELOPMENT DISTRICT NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2022/2023 BUDGET; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.

The Board of Supervisors ("Board") of the Lake Flores Community Development District ("District") will hold a public hearing on August 26, 2022 at 11:00 a.m., at ZNS Engineering, 1023 Manatee Avenue West, 7th Floor, Bradenton, FL 34205, for the purpose of hearing comments and objections on the adoption of the proposed budget ("Proposed Budget") of the District for the fiscal year beginning October 1, 2022 and ending September 30, 2023 ("Fiscal Year 2022/2023"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it.

A copy of the agenda and Proposed Budget may be obtained by contacting the offices of the District Manager, Wrathell Hunt & Associates, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (877) 276-0889 ("District Manager's Office"), during normal business hours.

The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the public hearing or meeting.

Any person requiring special accommodations at this meeting and/or public hearing or requiring assistance connecting to any communications media technology because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting and public hearing. 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), for aid in contacting the District Manager's Office.

Any person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearing or meeting is advised that person will need a record of 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 such appeal is to be based.

District Manager
 IPL0083899
 Aug 8, 15 2022

THE STATE OF TEXAS COUNTY OF DALLAS

Before the undersigned authority personally appeared Ryan Dixon, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of Public Notice, was published in said newspaper in the issue(s) of:

No. of Insertions: 2
 Beginning Issue of: 08/08/2022
 Ending Issue of: 08/15/2022

THE STATE OF FLORIDA COUNTY OF MANATEE

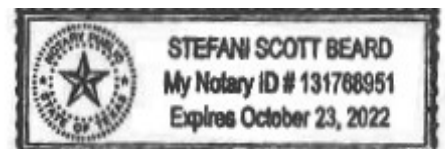
Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Ryan Dixon

Sworn to and subscribed before me this 15th day of August in the year of 2022

Stefani Beard

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

LAKE FLORES

COMMUNITY DEVELOPMENT DISTRICT

3B

RESOLUTION 2022-40

THE ANNUAL APPROPRIATION RESOLUTION OF THE LAKE FLORES COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGETS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has submitted to the Board of Supervisors (“**Board**”) of the Lake Flores Community Development District (“**District**”) proposed budgets (“**Proposed Budget**”) for the fiscal year beginning October 1, 2022 and ending September 30, 2023 (“**Fiscal Year 2022/2023**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

WHEREAS, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, the District Manager posted the Proposed Budget on the District’s website at least two days before the public hearing; and

WHEREAS, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

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

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.
- b. The Proposed Budget, attached hereto as **Exhibit “A,”** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* (“**Adopted Budget**”), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.

- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the Lake Flores Community Development District for the Fiscal Year Ending September 30, 2023."
- d. The Adopted Budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2022/2023, the amounts identified below to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND

See Exhibit A

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2022/2023 or within 60 days following the end of the Fiscal Year 2022/2023 may amend its Adopted Budget for that fiscal year as follows:

- a. The Board may authorize an increase or decrease in line item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may authorize an increase or decrease in line item appropriations within a fund if the total appropriations of the fund do not increase and if the aggregate change in the original appropriation item does not exceed \$10,000 or 10% of the original appropriation.
- c. By resolution, the Board may increase any appropriation item and/or fund to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.
- d. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and Section 189.016, *Florida Statutes*, among other applicable laws. Among other procedures, the District Manager or Treasurer must ensure that any amendments to budget under subparagraphs c. and d. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 26TH DAY OF AUGUST, 2022.

ATTEST:

**LAKE FLORES COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

By: _____

Its: _____

EXHIBIT A: Adopted Budget

EXHIBIT A: Adopted Budget

**LAKE FLORES
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2023**

**LAKE FLORES
COMMUNITY DEVELOPMENT DISTRICT
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**LAKE FLORES
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2023**

	Fiscal Year 2022				Proposed Budget FY 2023
	Proposed Budget FY 2022	Actual through 3/31/2020	Projected through 9/30/2022	Total Actual & Projected	
REVENUES					
Landowner contribution	80,931	-	86,959	\$ 86,959	\$ 109,249
Total revenues	80,931	-	86,959	86,959	109,249
EXPENDITURES					
Professional & administrative					
Supervisors	-	1,722	4,306	6,028	6,459
Management/accounting/recording	36,000	6,000	30,000	36,000	48,000
Legal	25,000	5,712	19,288	25,000	25,000
Engineering	2,000	-	2,000	2,000	2,000
Audit	-	-	-	-	5,500
Arbitrage rebate calculation*	-	-	-	-	500
Dissemination agent*	333	-	333	333	1,000
Debt service fund accounting	1,833	-	1,833	1,833	5,500
Trustee*	-	-	-	-	5,500
Telephone	200	50	150	200	200
Postage	500	-	500	500	500
Printing & binding	500	125	375	500	500
Legal advertising	6,500	-	6,500	6,500	1,500
Annual special district fee	175	-	175	175	175
Insurance	5,500	-	5,500	5,500	5,500
Contingencies/bank charges	500	-	500	500	500
Website hosting & maintenance	1,680	-	1,680	1,680	705
Website ADA compliance	210	-	210	210	210
Total expenditures	80,931	13,609	73,350	86,959	109,249
Excess/(deficiency) of revenues over/(under) expenditures	-	(13,609)	13,609	-	-
Fund balance - beginning (unaudited)	-	-	-	-	-
Fund balance - ending	\$ -	\$ (13,609)	\$ 13,609	\$ -	\$ -

* These items will be realized when bonds are issued

**LAKE FLORES
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES	<u>FY 2022</u>
Professional & administrative	
Supervisors	\$ 6,459
Statutorily set at \$200 for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year.	
Management/accounting/recording	48,000
Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.	
Legal	25,000
General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.	
Engineering	2,000
The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.	
Audit	5,500
Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.	
Arbitrage rebate calculation*	500
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Dissemination agent*	1,000
The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.	
Trustee	5,500
Annual fee for the service provided by trustee, paying agent and registrar.	
Debt service fund accounting	5,500
Telephone	200
Telephone and fax machine.	
Postage	500
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Printing & binding	500
Letterhead, envelopes, copies, agenda packages	
Legal advertising	1,500
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.	
Annual special district fee	175
Annual fee paid to the Florida Department of Economic Opportunity.	
Insurance	5,500
The District will obtain public officials and general liability insurance.	
Contingencies/bank charges	500
Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.	
Website hosting & maintenance	705
Website ADA compliance	210
Total expenditures	<u>\$ 109,249</u>

LAKE FLORES

COMMUNITY DEVELOPMENT DISTRICT

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**LAKE FLORES COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023 BUDGET FUNDING AGREEMENT**

This Agreement (“**Agreement**”) is made and entered into this 26th day of August, 2022, by and between:

Lake Flores Community Development District, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, and with an address of c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W Boca Raton, Florida 33431 (“**District**”), and

Cortez75W Investors, LLC, a Delaware limited liability company, and the developer of the lands in the District (“**Developer**”) with a mailing address of 1209 Orange Street, Wilmington, Delaware 19801.

RECITALS

WHEREAS, the District was established for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure; and

WHEREAS, the District, pursuant to Chapter 190, Florida Statutes, is authorized to levy such taxes, special assessments, fees and other charges as may be necessary in furtherance of the District's activities and services; and

WHEREAS, Developer presently is developing the majority of all real property (“**Property**”) within the District, which Property will benefit from the timely construction and acquisition of the District's facilities, activities and services and from the continued operations of the District; and

WHEREAS, the District is adopting its general fund budget for Fiscal Year 2023, which year concludes on September 30, 2023; and

WHEREAS, this general fund budget, which the parties recognize may be amended from time to time in the sole discretion of the District, is attached hereto and incorporated herein by reference as **Exhibit A**; and

WHEREAS, the District has the option of levying non-ad valorem assessments on all land, including the Property owned by the Developer, that will benefit from the activities, operations and services set forth in the Fiscal Year 2022 budget, or utilizing such other revenue sources as may be available to it; and

WHEREAS, in lieu of levying assessments on the Property, the Developer is willing to provide such funds as are necessary to allow the District to proceed with its operations as described in **Exhibit A**; and

WHEREAS, the Developer agrees that the activities, operations and services provide a special and peculiar benefit equal to or in excess of the costs reflected on **Exhibit A** to the Property; and

WHEREAS, the Developer has agreed to enter into this Agreement in lieu of having the District levy and collect any non-ad valorem assessments as authorized by law against the Property located within the District for the activities, operations and services set forth in **Exhibit A**;

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **FUNDING.** The Developer agrees to make available to the District the monies (“**Funding Obligation**”) necessary for the operation of the District as called for in the budget attached hereto as **Exhibit A** (and as **Exhibit A** may be amended from time to time pursuant to Florida law, but subject to the Developer’s consent to such amendments to incorporate them herein), within thirty (30) days of written request by the District. The funds shall be placed in the District's general checking account. These payments are made by the Developer in lieu of taxes, fees, or assessments which might otherwise be levied or imposed by the District. Nothing contained herein shall constitute or be construed as a waiver of the District’s right to levy assessments in the event of a funding deficit.

2. **ENTIRE AGREEMENT.** This instrument shall constitute the final and complete expression of the agreement among the parties relating to the subject matter of this Agreement. Amendments to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing which is executed by both of the parties hereto.

3. **AUTHORIZATION.** The execution of this Agreement has been duly authorized by the appropriate body or official of all parties hereto, each party has complied with all of the requirements of law, and each party has full power and authority to comply with the terms and provisions of this instrument.

4. **ASSIGNMENT.** This Agreement may be assigned, in whole or in part, by either party only upon the written consent of the other. Any purported assignment without such consent shall be void.

5. **DEFAULT.** A default by either party under this Agreement shall entitle the other to all remedies available at law or in equity, which shall include, but not be limited to, the right of damages, injunctive relief and specific performance.

6. **ENFORCEMENT.** In the event that any party is required to enforce this Agreement by court proceedings or otherwise, then the parties agree that the prevailing party shall be entitled to recover from the other all costs incurred, including reasonable attorneys' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

7. **THIRD PARTY BENEFICIARIES.** This Agreement is solely for the benefit of the formal parties herein and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal party hereto. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or corporation other than the parties hereto any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof; and all of the provisions, representations, covenants and conditions herein contained shall inure to the sole benefit of and shall be binding upon the parties hereto and their respective representatives, successors and assigns.

8. **CHOICE OF LAW.** This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida.

9. **ARM'S LENGTH.** This Agreement has been negotiated fully among the parties as an arm's length transaction. The parties participated fully in the preparation of this Agreement with the assistance of their respective counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the parties are each deemed to have drafted, chosen and selected the language, and the doubtful language will not be interpreted or construed against any party.

10. **EFFECTIVE DATE.** The Agreement shall be effective after execution by the parties hereto.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the parties execute this Agreement the day and year first written above.

**LAKE FLORES COMMUNITY DEVELOPMENT
DISTRICT**

Chair/Vice Chair, Board of Supervisors

CORTEZ75W INVESTORS, LLC

By: _____
Its: _____

Exhibit A: Fiscal Year 2023 General Fund Budget

Exhibit A

Fiscal Year 2022 General Fund Budget

LAKE FLORES

COMMUNITY DEVELOPMENT DISTRICT

6

RESOLUTION 2022-41

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKE FLORES COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT FOR FISCAL YEAR 2022/2023 AND PROVIDING FOR AN EFFECTIVE DATE

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

WHEREAS, the District is required by Section 189.015, *Florida Statutes*, to file quarterly, semi-annually, or annually a schedule (including date, time, and location) of its regular meetings with local governing authorities; and

WHEREAS, further, in accordance with the above-referenced statute, the District shall also publish quarterly, semi-annually, or annually the District’s regular meeting schedule in a newspaper of general paid circulation in the county in which the District is located.

WHEREAS, the Board desires to adopt the Fiscal Year 2022/2023 meeting schedule attached as **Exhibit A**.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LAKE FLORES COMMUNITY DEVELOPMENT DISTRICT:

1. **ADOPTING FISCAL YEAR 2022/2023 ANNUAL MEETING SCHEDULE.** The Fiscal Year 2022/2023 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

3. **EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 26th day of August, 2022.

ATTEST:

LAKE FLORES COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EXHIBIT "A"

LAKE FLORES COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE		
LOCATION <i>TBD</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October __, 2022	Regular Meeting	__:__ AM/PM
November __, 2022	Regular Meeting	__:__ AM/PM
December __, 2022	Regular Meeting	__:__ AM/PM
January __, 2023	Regular Meeting	__:__ AM/PM
February __, 2023	Regular Meeting	__:__ AM/PM
March __, 2023	Regular Meeting	__:__ AM/PM
April __, 2023	Regular Meeting	__:__ AM/PM
May __, 2023	Regular Meeting	__:__ AM/PM
June __, 2023	Regular Meeting	__:__ AM/PM
July __, 2023	Regular Meeting	__:__ AM/PM
August __, 2023	Public Hearing and Regular Meeting	__:__ AM/PM
September __, 2023	Regular Meeting	__:__ AM/PM

LAKE FLORES

COMMUNITY DEVELOPMENT DISTRICT

7

June 30, 2022

Mr. Tom Gerstenberger
Engineering Division Manager
Manatee County Public Works
1022 26th Avenue East
Bradenton, FL 34208

RE: Stormwater Management Needs Analysis

Dear Tom:

As the Lake Flores Community Development District Engineer, I write regarding the new requirement for Special Districts that either own or operate stormwater management systems to create a 20-year Needs Analysis of these systems, with the first reporting due today, June 30, 2022.

While the District does plan to construct these systems in support of the Lake Flores project, construction of these systems has not yet begun and, therefore, cannot be analyzed for maintenance parameters. I submit this letter in lieu of the required reporting until such time as construction is complete and the stormwater management system has been transferred to the operation phase with the Southwest Florida Water Management District and Manatee County.

If you have any questions or concerns, please don't hesitate to contact me.

Respectfully submitted,

ZNS ENGINEERING, LC



Jeb C. Mullock, PE
President

LAKE FLORES

COMMUNITY DEVELOPMENT DISTRICT

8

**LAKE FLORES
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JULY 31, 2022**

**LAKE FLORES
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
JULY 31, 2022**

	General Fund	Debt Service Fund	Total Governmental Funds
ASSETS			
Cash	\$ 35,253	\$ -	\$ 35,253
Due from Landowner	12,101	3,422	15,523
Due from general fund	-	1,146	1,146
Total assets	<u>\$ 47,354</u>	<u>\$ 4,568</u>	<u>\$ 51,922</u>
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	\$ 36,548	\$ 4,568	\$ 41,116
Landowner advance	6,000	-	6,000
Due to Landowner	-	4,568	4,568
Due to debt service fund	1,146	-	1,146
Accrued wages payable	3,400	-	3,400
Tax payable	260	-	260
Total liabilities	<u>47,354</u>	<u>9,136</u>	<u>56,490</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred receipts	12,101	-	12,101
Total deferred inflows of resources	<u>12,101</u>	<u>-</u>	<u>12,101</u>
Fund balances:			
Restricted for:			
Debt service	-	(4,568)	(4,568)
Unassigned	(12,101)	-	(12,101)
Total fund balances	<u>(12,101)</u>	<u>(4,568)</u>	<u>(16,669)</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 47,354</u>	<u>\$ 4,568</u>	<u>\$ 51,922</u>

**LAKE FLORES
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED JULY 31, 2022**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Landowner contribution	\$ -	\$ 28,107	\$ 80,931	35%
Total revenues	<u>-</u>	<u>28,107</u>	<u>80,931</u>	35%
EXPENDITURES				
Professional & administrative				
Supervisors	-	3,660	-	N/A
Management/accounting/recording	2,000	14,000	36,000	39%
Legal	6,047	21,930	25,000	88%
Engineering	-	-	2,000	0%
Dissemination agent*	-	-	333	0%
Debt service fund accounting	-	-	1,833	0%
Telephone	16	116	200	58%
Postage	-	-	500	0%
Printing & binding	42	292	500	58%
Legal advertising	-	-	6,500	0%
Annual special district fee	-	-	175	0%
Insurance	-	-	5,500	0%
Contingencies/bank charges	-	-	500	0%
Website hosting & maintenance	-	-	1,680	0%
Website ADA compliance	-	210	210	100%
Total professional & administrative	<u>8,105</u>	<u>40,208</u>	<u>80,931</u>	50%
Excess/(deficiency) of revenues over/(under) expenditures	(8,105)	(12,101)	-	
Fund balances - beginning	(3,996)	-	-	
Fund balances - ending	<u>\$ (12,101)</u>	<u>\$ (12,101)</u>	<u>\$ -</u>	

*These items will be realized when bonds are issued

**LAKE FLORES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND
FOR THE PERIOD ENDED JULY 31, 2022**

	Current Month	Year To Date
REVENUES	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
 EXPENDITURES		
Debt service		
Cost of issuance	<u>3,422</u>	<u>4,568</u>
Total debt service	<u>3,422</u>	<u>4,568</u>
 Excess/(deficiency) of revenues over/(under) expenditures	 (3,422)	 (4,568)
 Fund balances - beginning	 (1,146)	 -
Fund balances - ending	<u><u>\$ (4,568)</u></u>	<u><u>\$ (4,568)</u></u>

LAKE FLORES

COMMUNITY DEVELOPMENT DISTRICT

9

DRAFT

**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

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

47

48 **FOURTH ORDER OF BUSINESS** **Ratification of Resolution 2022-31,**
 49 **Designating Certain Officers of the District,**
 50 **and Providing for an Effective Date**

51

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

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

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

57 Change: "Presto" to "Preston"

58

59 **FIFTH ORDER OF BUSINESS** **Public Hearing to Consider the Adoption of**
 60 **an Assessment Roll and the Imposition of**
 61 **Special Assessments Relating to the**
 62 **Financing and Securing of Certain Public**
 63 **Improvements**

64

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

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

70 These items were addressed below.

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

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

74 Items A through C were included for informational purposes.

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

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

77

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

80

81

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

85 No members of the public spoke.

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

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

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

96

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

99

100

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

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

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

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

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

117

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

129

130

131 **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

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

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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

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

180

<p>181 On MOTION by Mr. Tisdale and seconded by Ms. Parsons, with all in favor,</p> <p>182 Resolution 2022-35, Making Certain Findings; Authorizing a Capital</p> <p>183 Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated</p> <p>184 Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving,</p> <p>185 Confirming and Levying Debt Assessments; Addressing the Finalization of</p> <p>186 Special Assessments; Addressing the Payment of Debt Assessments and the</p> <p>187 Method of Collection; Providing for the Allocation of Debt Assessments and</p> <p>188 True-Up Payments; Addressing Government Property, and Transfers of</p> <p>189 Property to Units of Local, State and Federal Government; Authorizing an</p> <p>190 Assessment Notice; and Providing for Severability, Conflicts and an Effective</p> <p>191 Date, in substantial form subject to inclusion of the changes received, and</p> <p>192 authorizing the Chair or Vice Chair to execute, was adopted.</p>

193

194

195 **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

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202 This item was deferred.

203

204 **NINTH ORDER OF BUSINESS**

Consideration of Work Authorization/
Proposal for Stormwater Management
Needs Analysis

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207

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

210

<p>211 On MOTION by Mr. Tisdale and seconded by Mr. Walker, with all in favor, the</p> <p>212 ZNS Engineering Work Authorization/Proposal for preparation of the Stormwater</p> <p>213 Management Needs Analysis Report, in a not-to-exceed amount of \$20,000,</p> <p>214 was approved.</p>
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217 TENTH ORDER OF BUSINESS

Discussion: Construction Items

218

219 • **Consideration of Acquisition Agreement**

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

223

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

227

228

229 ELEVENTH ORDER OF BUSINESS

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

230

231

232

233

234 Mr. Earlywine presented the Agreement Between Wildlands Conservation, Inc., Cortez
235 75W Investors, LLC and Lake Flores CDD Regarding Mitigation Nodes. The mitigation work and
236 the involved entities were discussed. Mr. Earlywine stated that there will be a deed from the
237 landowner to the CDD and the CDD will then be the fee title owner and assume the obligation.
238 Mr. Wrathell questioned if this is still in the mitigation phase or if it has entered the Operation
239 and Maintenance (O&M) phase. A Board Member stated that it is in mitigation.

240

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

245

246

247 TWELFTH ORDER OF BUSINESS

**Consideration of Deed of Conservation
Easement (to be provided under separate
cover)**

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251 Mr. Earlywine discussed the Deed of Conservation Easement.

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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.

291 **SIXTEENTH ORDER OF BUSINESS** **Staff Reports**

292

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

294 There was nothing further to report.

295 **B. District Engineer: *ZNS Engineering***

296 There was no report.

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

- 298
- **NEXT MEETING Date: June 17, 2022 at 11:00 A.M.**

- 299
- **QUORUM CHECK**

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

301

302 **SEVENTEENTH ORDER OF BUSINESS** **Board Members' Comments/Requests**

303

304 Ms. Parsons asked about continuing to hold meetings at the current location and if the
305 full agenda could be emailed to Board Members at least three days in advance of the meetings.306 Mr. Wrathell apologized for the delay and stated staff is working diligently to transmit the
307 agendas several days in advance of the meetings.308 Mr. Hill requested executed digital copies of Resolution 2022-37 and Agenda Items 11,
309 12 and 13. Mr. Earlywine would email Management's staff, who will facilitate finalization and
310 have the documents emailed to Mr. Ed Hill by May 9, 2022.

311

312 **EIGHTEENTH ORDER OF BUSINESS** **Public Comments**

313

314 No members of the public spoke.

315

316 **NINETEENTH ORDER OF BUSINESS** **Adjournment**

317

318 There being nothing further to discuss, the meeting adjourned.

319

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

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Secretary/Assistant Secretary

Chair/Vice Chair