

**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 June 27, 2024 at 1:00 p.m., at 8116 Cortez Road W., Bradenton, Florida 34210.

Present were:

Gary Walker	Chair
David Brasher	Vice Chair
Reggie Tisdale	Assistant Secretary
Krystal Parsons	Assistant Secretary
Walter Preston (via telephone)	Assistant Secretary

Also present:

Kristen Suit	District Manager
Jonathan Johnson (via telephone)	District Counsel
Jeb Mulock	District Engineer
Ed Hill	Developer Representative
Whiting Preston	Landowner

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Suit called the meeting to order at 1:00 p.m. Supervisors Walker, Brasher, Tisdale and Parsons were present. Supervisor Preston attended via telephone.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

**Public Hearing to Consider the Adoption of
the Fiscal Year 2024/2025 Budget**

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

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2024-06, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Suit presented Resolution 2024-06. She reviewed the proposed Fiscal Year 2025 budget.

Asked when the Operation and Maintenance (O&M) assessments will be placed on the tax rolls, Mr. Johnson stated it is generally in June or July but it depends on the County.

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

On MOTION by Ms. Parsons and seconded by Mr. Tisdale, with all in favor, Resolution 2024-06, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS**Consideration of Budget Funding Agreement - Fiscal Year 2025**

Ms. Suit presented the Fiscal Year 2025 Budget Funding Agreement between the CDD and Cortez75W Investors, LLC.

Asked when the Agreement must be executed, Ms. Suit stated as soon as possible, as the effective date for the funding for Fiscal Year 2025 is October 1, 2024.

On MOTION by Mr. Walker and seconded by Mr. Brasher, with all in favor, the Fiscal Year 2025 Budget Funding Agreement, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2024-07, Ratifying the Actions of the District Manager in Redesignating the Time and Location for Landowners' Meeting; Providing for Publication, Providing for an Effective Date

Ms. Suit presented Resolution 2024-07. The Landowners' meeting time and location were changed to 11:00 a.m., at Home2Suites by Hilton - Lakewood Ranch, 6015 Exchange Way, Bradenton, FL 34202.

On MOTION by Mr. Tisdale and seconded by Mr. Walker, with all in favor, Resolution 2024-07, Ratifying the Actions of the District Manager in Redesignating the Time and Location for Landowners' Meeting to 11:00 a.m. at the Home2Suites by Hilton - Lakewood Ranch, 6015 Exchange Way, Bradenton, FL 34202; Providing for Publication, Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of May 31, 2024

Ms. Suit presented the Unaudited Financial Statements as of May 31, 2024.

Discussion ensued regarding bond fund retainage, if requisitions can be paid out of the A-2 Fund and if there is a \$40,000 deficit in the budget.

On MOTION by Mr. Walker and seconded by Ms. Parsons, with all in favor, the Unaudited Financial Statements as of May 31, 2024, were accepted.

SEVENTH ORDER OF BUSINESS

Approval of April 25, 2024 Special Meeting Minutes

Ms. Suit presented the April 25, 2024 Special Meeting Minutes.

On MOTION by Mr. Tisdale and seconded by Mr. Brasher, with all in favor, the April 25, 2024 Special Meeting Minutes, as presented, were approved.

EIGHTH ORDER OF BUSINESS**NEXT MEETING DATE: TBD**

Ms. Suit stated the next meeting is to be determined.

○ **QUORUM CHECK**

Mr. Mulock stated he would like to have authorization to publicly bid the contract for the central and eastern mitigation work. In response to Mr. Walker's question, Mr. Johnson stated that this is about the two mitigation areas that need to be constructed before July 2025. These are both in process with the Southwest Florida Water Management District (SWFWMD) and Manatee County for construction plan approval.

NINTH ORDER OF BUSINESS**Board Members' Comments/Requests**

Discussion ensued regarding the mitigation work, bidding process, when to schedule the meetings to approve and ratify change orders, the initial bond proceeds, the 2023 Project, Engineer's Report and approval from the Developer.

Mr. Hill stated there are a few issues with the combined lake and Carlos McRoof. He asked District Counsel to contact him before sending any correspondence to the property owner.

Mr. Walker expressed concern about unit price increases from McKenzie and voiced his expectation that the CDD will be limited to a couple of line items. The thought is that the CDD will have a change order to McKenzie's contract and there will obviously be a change in scope and quantity; the hope is that McKenzie will hold its pricing per the original contract, except for a couple of line items where they had spec changes from Manatee County.

Discussion ensued regarding the potential line item increases, exceptions driven by Manatee County requirements, possible cost negotiations with McKenzie, the \$3 million contract, the change order involving the internal local road, difficulty obtaining more than one bid from a public notice and holding a public bidding.

Mr. Johnson stated, given the information received from the Landowner and from the District Engineer, he recommends that the Board approve authorizing District Staff to negotiate

and finalize a change order from a sole source provider for this specific project. Staff will also scrutinize and ensure that the price increases are reasonable.

On MOTION by Mr. Walker and seconded by Mr. Tisdale, with all in favor, authorizing District Staff to negotiate and finalize a change order from a sole source provider for this specific project, was approved.

Mr. Hill asked about the language in an agreement regarding the bonding and read that language into the record as follows:

“In lieu of the bond required by the statute, contractor may file with the State, County, City or other political authority.”

Mr. Hill stated his interpretation is that, as long as there is a bond with another public entity that covers the same thing, the work and the performance of it, then the CDD does not have to also have a matching bond; he asked if that is correct. Mr. Johnson stated no, it means that, in lieu of a bond, the CDD can accept cash, money order, certified check, cashier’s check, a bond note or debenture language. The primary purpose of that bond is payment; it is to ensure that the sub-contractors, suppliers, etc., are paid since they cannot file liens on the CDD’s project.

Discussion ensued regarding the Statute, Cortez 75, the payment element, performance bonds, construction funds in the Trust Account and Manatee County.

TENTH ORDER OF BUSINESS

Public Comments


No members of the public spoke.

ELEVENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Walker and seconded by Ms. Parsons, with all in favor, the meeting adjourned at 1:42 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair