

**MINUTES OF MEETING
THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of The District Community Development District held a Public Hearing and Regular Meeting on August 15, 2022, at 1:30 P.M., at 602 Shetter Avenue, Jacksonville Beach, Florida 32250.

Present at the meeting were:

Art Lancaster	Chair
John Dodson	Vice Chair
Jay Dodson	Assistant Secretary

Also present were:

Ernesto Torres	District Manager
Sarah Sandy (via telephone)	District Counsel
Bill Schilling	District Engineer
John Dinan	Preston Hollow Community Capital

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Torres called the meeting to order at 1:33 p.m. Supervisors Lancaster, Jay Dodson and John Dodson were present. Supervisor Scandurra was not present. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Item (*limited to 3 minutes per individual*)

There were no public comments.

THIRD ORDER OF BUSINESS

Consent Agenda

Mr. Torres presented the following:

- A. Consideration of Requisitions**
 - I. Number 2020-82: Kutak Rock, LLP [\$1,427.00]**
 - II. Number 2020-83: American Precast Structures, LLC [\$76,217.00]**

- III. Number 2020-84: American Precast Structures, LLC [\$35,096.00]
- B. Ratification of Requisitions
 - I. Number 2020-68: Shoreline Foundation, Inc. [\$44,808.97]
 - II. Number 2020-69: J.B. Coxwell Contracting, Inc. [\$437,687.01]
 - III. Number 2020-70: American Precast Structures, LLC [\$34,436.00]
 - IV. Number 2020-71: American Precast Structures, LLC [\$16,076.00]
 - V. Number 2020-72: American Precast Structures, LLC [\$63,867.00]
 - VI. Number 2020-73: American Precast Structures, LLC [\$14,545.00]
 - VII. Number 2020-74: American Precast Structures, LLC [\$40,127.00]
 - VIII. Number 2020-75: Shoreline Foundation, Inc. [\$59,226.37]
 - IX. Number 2020-76: Kutak Rock, LLP [\$2,094.72]
 - X. Number 2020-77: Fulcrum, LLC [\$22,500.00]
 - XI. Number 2020-78: J.B. Coxwell Contracting, Inc. [\$339,206.44]

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, Requisition Numbers 2020-82 through 2020-84 were approved and Requisition Numbers 2020-68 through 2020-78, were ratified.

FOURTH ORDER OF BUSINESS

Acceptance of Resignation of Linda Scandurra, SEAT 5 (*Term Expires November 2022*)

Mr. Torres presented Ms. Scandurra’s resignation letter.

On MOTION by Mr. Lancaster and seconded by Mr. John Dodson, with all in favor, the resignation of Linda Scandurra from Seat 5, was accepted.

FIFTH ORDER OF BUSINESS

Consider Appointment to Fill Unexpired Terms of Vacant Seats [SEATS 4 and 5]

Mr. Jay Dodson nominated Ms. Jean Patton to fill Seat 5.

No other nominations were made.

On MOTION by Mr. Jay Dodson and seconded by Mr. Lancaster, with all in favor, the appointment of Ms. Jean Patton to fill Seat 5, was approved.

A. Administration of Oath of Office (*the following will be provided in a separate package*)

This item was deferred.

- I. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- II. Membership, Obligations and Responsibilities**
- III. Financial Disclosure Forms**
 - a. Form 1: Statement of Financial Interests**
 - b. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - c. Form 1F: Final Statement of Financial Interests**
- IV. Form 8B - Memorandum of Voting Conflict**

B. Consideration of Resolution 2022-15, Designating Certain Officers of the District, and Providing for an Effective Date

Mr. Torres presented Resolution 2022-15. Mr. Lancaster nominated the following slate of officers:

Chair	Art Lancaster
Vice Chair	Jay Dodson
Secretary	Craig Wrathell
Assistant Secretary	Jean Patton
Assistant Secretary	John Dodson
Assistant Secretary	_____
Assistant Secretary	Ernesto Torres

No other nominations were made. Prior appointments by the Board for Treasurer and Assistant Treasurer remain unaffected by this Resolution.

On MOTION by Mr. Lancaster and seconded by Mr. John Dodson, with all in favor, Resolution 2022-02, Designating Certain Officers or the District, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2022/2023 Budget**

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-16, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, the Public Hearing was opened.

Ms. Sandy stated that the proposed Fiscal Year 2023 budget is Developer-funded; therefore, assessments will not be levied for the Operations & Maintenance (O&M) portion of the budget. Regarding the Series 2020 Debt Service Fund Budget, a footnote will be added to indicate that there is a Capitalized Interest fund that covers payment on the bonds through February 1, 2023. An upcoming Resolution will certify a portion of the Debt Service Assessments for the 2020 bonds for collection; however, the CDD will not invoice for those to be collected until closer to the debt service due dates.

No members of the public spoke.

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, the Public Hearing was closed.

Mr. Torres presented Resolution 2022-16.

On MOTION by Mr. Lancaster and seconded by Mr. John Dodson, with all in favor, Resolution 2022-16, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Fiscal Year 2022/2023 Funding Agreement

Mr. Torres presented the Fiscal Year 2022/2023 Funding Agreement.

On MOTION by Mr. Lancaster and seconded by Mr. John Dodson, with all in favor, the Fiscal Year 2022/2023 Funding Agreement, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2022-17, Confirming a Prior Determination of Benefit and Providing for the Collection and Enforcement of Debt Service Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

Mr. Torres presented Resolution 2022-17.

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, Resolution 2022-17, Confirming a Prior Determination of Benefit and Providing for the Collection and Enforcement of Debt Service Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Presentation of Audited Financial Statements for the Fiscal Year Ended September 30, 2021, Prepared by

**DiBartolomeo, McBee, Hartley & Barnes,
P.A.**

Mr. Torres presented the Audited Financial Statements for the Fiscal Year Ended September 30, 2021. There were no findings, recommendations, deficiencies on internal control, irregularities or instances of noncompliance; it was an unmodified opinion, otherwise known as a clean audit. It was noted that last year’s budget was amended due to an overage in O&M expenses.

TENTH ORDER OF BUSINESS

**Consideration of Resolution 2022-18,
Hereby Accepting the Audited Financial
Statements for the Fiscal Year Ended
September 30, 2021**

Mr. Torres presented Resolution 2022-18.

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, Resolution 2022-18, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2021, was adopted.

ELEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2022-19,
Directing of the Phase 2 Project in Multiple
Phases; Approving the Form of a First
Supplemental Notice to Proceed;
Authorizing the Proper Officials to Do All
Things Deemed Necessary in Connection
with the Delivery of the Phase 2 Project in
Phases; and Providing for Severability and
an Effective Date**

Ms. Sandy presented Resolution 2022-19.

Discussion ensued regarding addressing construction delays by closing out Shoreline’s original contract and issuing a Supplemental Notice to Proceed in order to direct Shoreline to deliver the Phase 2 Project in phases.

On MOTION by Mr. Lancaster and seconded by Mr. John Dodson, with all in favor, Resolution 2022-19, Directing of the Phase 2 Project in Multiple Phases; Approving the Form of a First Supplemental Notice to Proceed; Authorizing the Proper Officials to Do All Things Deemed Necessary in Connection with the Delivery of the Phase 2 Project in Phases; and Providing for Severability and an Effective Date, was adopted.

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2022-20, Ratifying, Confirming, and Approving the Sale of the District Community Development District Grant Revenue and Special Assessment Bonds, Series 2022; Ratifying, Confirming and Approving the Actions of the Chairman, Vice Chairman, Treasurer, Secretary, Assistant Secretaries, and All District Staff Regarding the Sale and Closing of the District Community Development District Grant Revenue and Special Assessment Bonds, Series 2022; and Determining Such Actions as Being In Accordance with the Authorization Granted By the Board; Providing a Severability Clause; and Providing an Effective Date

Ms. Sandy presented Resolution 2022-20.

On MOTION by Mr. Lancaster and seconded by Mr. John Dodson, with all in favor, Resolution 2022-20, Ratifying, Confirming, and Approving the Sale of the District Community Development District Grant Revenue and Special Assessment Bonds, Series 2022; Ratifying, Confirming and Approving the Actions of the Chairman, Vice Chairman, Treasurer, Secretary, Assistant Secretaries, and All District Staff Regarding the Sale and Closing of the District Community Development District Grant Revenue and Special Assessment Bonds, Series 2022; and Determining Such Actions as Being In Accordance with the Authorization Granted By the Board; Providing a Severability Clause; and Providing an Effective Date, was adopted.

- **Consideration of Lake Doctors proposal for weed control**
This item was an addition to the agenda.

Mr. Torres stated Lake Doctors submitted a proposal for weed control at the recently built wall for \$275 monthly. Mr. Schilling stated the proposal is for bi-monthly treatments of the two portions at the east and west ends of the wall where riprap is present.

Mr. Torres stated that \$30,000 is available from Field Operations Contingency. Mr. Lancaster asked that a Lake Doctors line item be added to the Fiscal Year 2023 budget. Mr. Torres stated that the line item will be added, but the budget amount will not change.

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, the Lake Doctors proposal for bi-monthly weed control, at a cost of \$275 monthly, was approved.

THIRTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of June 30, 2022

Mr. Torres presented the Unaudited Financial Statements as of June 30, 2022.

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, the Unaudited Financial Statements as of June 30, 2022, were accepted.

FOURTEENTH ORDER OF BUSINESS

Approval of June 3, 2022 Regular Meeting Minutes

Mr. Torres presented the June 3, 2022 Regular Meeting Minutes.

On MOTION by Mr. Lancaster and seconded by Mr. John Dodson, with all in favor, the June 3, 2022 Regular Meeting Minutes, as presented, were approved.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Kutak Rock LLP*

There was no report.

B. District Engineer: *Kimley-Horn and Associates, Inc.*

Mr. Schilling reported the following:

- The wall should be substantially complete within 30 days.
- As much work as possible was done on school board property during the summer; the property is progressing quickly. A large buried foundation at the site will cost as much as \$700,000. Borings in the area identified concreted debris and ground penetrating radar was inconclusive due to the depth, as it was beneath the water table.
- Furtherance of the design allows for eliminating the planned retaining wall, saving approximately \$500,000. Concrete will be ground on site rather than hauled away.

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

- **NEXT MEETING DATE: September 19, 2022 at 1:30 P.M.**
 - **QUORUM CHECK**

The September 19, 2022 meeting was canceled. The next meeting will be October 17, 2022.

SIXTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

SEVENTEENTH ORDER OF BUSINESS

**Public Comments: Non-Agenda Items
(limited to 3 minutes per individual)**

There were no public comments.

EIGHTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. John Dodson and seconded by Mr. Jay Dodson, with all in favor, the meeting adjourned at 2:06 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair