

**MINUTES OF MEETING
ORANGE BLOSSOM GROVES
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Orange Blossom Groves Community Development District held a Special Meeting on January 4, 2022 at 2:00 p.m., at The Ronto Group, 3066 Tamiami Trail North, Suite 201, Naples, Florida 34103.

Present were:

Mark Taylor	Chair
Brian O'Donnell	Assistant Secretary
Karen Welks	Assistant Secretary
Kathy Miller	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Wes Haber (via telephone)	District Counsel
Russell Smith	Lennar
Barry Ernst	Lennar
Scott Edwards	Lennar
Tommy Dean	Lennar
Fernanda Martinho	Lennar

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 2:02 p.m. Supervisors Taylor, O'Donnell, Welks and Miller were present. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Acceptance of Resignation(s) from Supervisor(s)

Mr. Adams stated that Mr. Bloom previously submitted his resignation.

Mr. O'Donnell resigned from Seat 3.

On MOTION by Ms. Welks and seconded by Ms. Miller, with all in favor, the resignation of Mr. O'Donnell from Seat 3, was accepted.

FOURTH ORDER OF BUSINESS

Appointment of Supervisor(s) to Vacant Seat(s)

Mr. Taylor nominated Mr. Tommy Dean to fill Seat 3.

No other nominations were made.

On MOTION by Mr. Taylor and seconded by Ms. Welks, with all in favor, the appointment of Mr. Tommy Dean to Seat 3, term expires November 2024, was approved.

Mr. Taylor nominated Mr. Barry Ernst to fill Seat 4.

No other nominations were made.

On MOTION by Mr. Taylor and seconded by Ms. Welks, with all in favor, the appointment of Mr. Barry Ernst to Seat 4, term expires November 2022, was approved.

- **Administration of Oath of Office to Newly Appointed Supervisors (*the following will be provided in a separate package*)**

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Dean and Mr. Ernst.

Ms. Miller resigned from Seat 1.

On MOTION by Mr. Taylor and seconded by Ms. Welks, with all in favor, the resignation of Ms. Miller, was accepted.

Mr. Taylor resigned from Seat 2.

On MOTION by Ms. Welks and seconded by Mr. Dean, with all in favor, the resignation of Mr. Taylor from Seat 2, was accepted.

Mr. Dean nominated Ms. Fernanda Martinho to fill Seat 1.

No other nominations were made.

On MOTION by Mr. Ernst and seconded by Mr. Dean, with all in favor, the appointment of Ms. Fernanda Martinho to Seat 1, term expires November 2022, was approved.

Mr. Dean nominated Mr. Scott Edwards to fill Seat 2.

No other nominations were made.

On MOTION by Mr. Dean and seconded by Mr. Ernst, with all in favor, the appointment of Mr. Scott Edwards to Seat 2, term expires November 2022, was approved.

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Martinho and Mr. Edwards.

Ms. Welks resigned from Seat 5.

On MOTION by Mr. Ernst and seconded by Mr. Dean, with all in favor, the resignation of Ms. Welks from Seat 5, was accepted.

Mr. Dean nominated Mr. Russell Smith to fill Seat 5.

No other nominations were made.

On MOTION by Mr. Edwards and seconded by Mr. Ernst, with all in favor, the appointment of Mr. Russell Smith to Seat 5, term expires November 2024, was approved.

Mr. Adams, noted that all appointees have served on CDD Boards and provided the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. 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**
- D. Form 8B – Memorandum of Voting Conflict**

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-01, Designating Certain Officers of the District, and Providing for an Effective Date

Mr. Adams presented Resolution 2022-01.

Mr. Nelson nominated the following slate of officers:

Russell Smith	Chair
Barry Ernst	Vice Chair
Chesley (Chuck) Adams, Jr.	Secretary
Fernanda Martinho	Assistant Secretary
Scott Edwards	Assistant Secretary
Tommy Dean	Assistant Secretary
Craig Wrathell	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

No other nominations were made.

On MOTION by Mr. Ernst and seconded by Mr. Dean, with all in favor, Resolution 2022-01, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Russell Smith.

SIXTH ORDER OF BUSINESS

Discussion/Consideration: Board Member Compensation: 190.006 (8), F.S.

All Supervisors waived compensation.

SEVENTH ORDER OF BUSINESS

Consideration of Fiscal Year 2021/2022 Budget Funding Agreement

Mr. Adams presented the Fiscal Year 2021/2022 Budget Funding Agreement. The Developer agreed to fund budget-related items, as the expenses are incurred. The Fiscal Year 2021/2022 Budget, anticipated to be \$96,659, is an Exhibit to the Agreement.

On MOTION by Mr. Smith and seconded by Mr. Dean, with all in favor, the Fiscal Year 2021/2022 Budget Funding Agreement, was approved.

EIGHTH ORDER OF BUSINESS

Ratification of HGS Transition Letter

- **Consideration of Kutak Rock LLP Retention and Fee Agreement**

Mr. Adams stated that the Transition Letter memorialized that Hopping, Green & Sams was closing and those serving the CDD as District Counsel joined Kutak Rock LLP.

On MOTION by Mr. Smith and seconded by Mr. Edwards, with all in favor, the Joint Transition Letter by Hopping Green & Sams and Kutak Rock LLP, was ratified, and the Kutak Rock LLP Retention and Fee Agreement, was approved.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2022-02, 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

Mr. Adams presented Resolution 2022-02.

The following would be added to the Fiscal Year 2022 Meeting Schedule:

DATE: Second Friday of each month.

TIME: 11:00 A.M.

Mr. Adams stated that, once a meeting location would be secured, the Fiscal Year 2022 Meeting Schedule would be advertised.

On MOTION by Mr. Ernst and seconded by Mr. Dean, with all in favor, Resolution 2022-02, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022, as amended, and Providing for an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of November 30, 2021

Mr. Adams presented the Unaudited Financial Statements as of November 30, 2021. Outstanding funds due from the Developer would be collected via a final funding request, in the amount of \$4,038 as of November 30, 2021.

The financials were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of July 28, 2021 Public Hearing and Regular Meeting Minutes

Mr. Adams presented the July 28, 2021 Public Hearing and Regular Meeting Minutes. He stated that, of those present, only Mr. Haber was in attendance at the meeting. Mr. Haber stated the minutes were straightforward and accurate.

On MOTION by Mr. Ernst and seconded by Mr. Edwards, with all in favor, the July 28, 2021 Public Hearing and Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: *Kutak Rock LLP***

Mr. Haber stated the CDD already validated bonds in the amount of \$13,470,000, based on an Engineer's Report that included typical improvements such as drainage, water, sewer, landscape, irrigation and professional fees estimated to approximately \$9.8 million. The assessment process was completed for 235 lots and, to the extent that number is still the plan for the community, the CDD is in good shape to move forward. The CDD is not limited to that plan in any way but, if the plan changes it may be discussed offline or when appropriate.

Mr. Smith asked if any bonds were issued on the project.

Mr. Haber stated that bonds were not issued but the steps were completed; he would forward the Validation to Mr. Adams. The final Assessment Resolution and a Notice of Imposition of Assessments was recorded in the public records so, if the existing plan still works, the CDD is in a position to issue bonds and changes can be made if the plan change. Mr. Adams asked for a copy of the recorded Notice.

Mr. Smith believed that debt would only be imposed on new home sites constructed, which would be designated as a different unit type. He stated that Barraco and Associates was working on the engineering work; bonding was not started but development plans were in progress.

Discussion ensued regarding the goal of funding by the end of the second quarter or the beginning of the third quarter. Mr. Smith thought the \$13,000,000 would be adequate.

- **Statutory Changes from 2021 Legislative Session**

- I. Publication of Legal Notices**

Mr. Haber stated that the change in the law that now allows publication of legal notices via newspaper websites would likely not save costs, as it has extensive requirements, including a requiring weekly publication, which is more than the normal requirement.

II. Wastewater and Stormwater Needs Analysis

Mr. Haber stated that a Stormwater and Wastewater Needs Analysis must be filed with the State by June 30, 2022, and every five years thereafter. Mr. Adams thought the five-year window would likely need to be reconsidered in five years; Mr. Barraco would confirm.

III. Prompt Payment Policies

Mr. Haber stated there were slight changes to the Florida law regarding prompt payment to contractors. The CDD previously adopted policies. An updated policy and a resolution would be presented at an upcoming meeting to update the existing CDD policies to be consistent with Florida law.

IV. Public Records Exemptions Advisory Notice

Mr. Haber stated that it is important to comply with public records exemptions available to certain eligible officials, including judges and members of law enforcement, who file notice with the CDD’s Records Custodian.

B. District Engineer: *Barraco and Associates, Inc.*

There was no report.

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

- **NEXT MEETING DATE: TBD**
 - **QUORUM CHECK**

Mr. Adams stated he would circulate a schedule of the future meeting dates, once a meeting location is secured.

THIRTEENTH ORDER OF BUSINESS

Board Members’ Comments/Requests

There were no Board Members’ comments or requests.

FOURTEENTH ORDER OF BUSINESS

Audience Comments

There were no audience comments.

FIFTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Ms. Dean and seconded by Ms. Martinho, with all in favor, the meeting adjourned at 2:25 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/~~Assistant Secretary~~


~~Chair/Vice Chair~~