

**ORANGE BLOSSOM  
GROVES**

**COMMUNITY DEVELOPMENT  
DISTRICT**

**May 13, 2022**

**BOARD OF SUPERVISORS  
REGULAR**

**MEETING AGENDA**

# Orange Blossom Groves Community Development District

## OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Fax: (561) 571-0013 • Toll-Free: (877) 276-0889

May 6, 2022

**ATTENDEES:**

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

Board of Supervisors  
Orange Blossom Groves Community Development District

Dear Board Members:

The Board of Supervisors of the Orange Blossom Groves Community Development District will hold a Regular Meeting on May 13, 2022 at 12:00 p.m., at the Hampton Inn – Naples I-75, 2630 Northbrook Plaza Drive, Naples, Florida 34119. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Presentation of First Supplemental Engineer's Report
4. Presentation of Revised Master Special Assessment Methodology Report
5. Consideration of Work Order No. 1 for Stormwater Management Needs Analysis
6. Consideration of Resolution 2022-03, Adopting Amended and Restated Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date
7. Consideration of Resolution 2022-04, Designating a Date, Time, and Location for Landowners' Meeting and Election; Providing for Publication, Providing for Severability and an Effective Date
8. Consideration of Resolution 2022-05, 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
9. Consideration of Resolution 2022-06, Repealing Resolutions 2017-23 and 2017-27; Declaring Special Assessments; Indicating the Location, Nature and Estimated Cost of Those Infrastructure Improvements Whose Cost is to be Defrayed by the Special Assessments; Providing the Portion of the Estimated Cost of the Improvements to be Defrayed by the Special Assessments; Providing the Manner in Which Such Special Assessments Shall be Made; Providing When Such Special Assessments Shall be Made;

Designating Lands Upon Which the Special Assessments Shall be Levied; Providing for an Assessment Plat; Adopting a Preliminary Assessment Roll; Providing for Publication of this Resolution

10. Consideration of Resolution 2022-07, Setting a Public Hearing to be Held for the Purpose of Hearing Public Comment on Imposing Special Assessments on Certain Property Within the District Generally Described as the Orange Blossom Groves Community Development District in Accordance with Chapters 170, 190 and 197, Florida Statutes
11. Acceptance of Unaudited Financial Statements as of March 31, 2022
12. Approval of January 4, 2022 Special Meeting Minutes
13. Staff Reports
  - A. District Counsel: *Kutak Rock LLP*
  - B. District Engineer: *Barraco and Associates, Inc.*
  - C. District Manager: *Wrathell, Hunt & Associates, LLC*
    - I. 4 Registered Voters in District as of April 15, 2022
    - II. NEXT MEETING DATE: June 10, 2022 at 12:00 P.M.

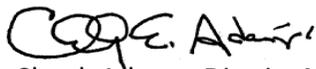
• QUORUM CHECK

RUSSELL SMITH	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
BARRY ERNST	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SCOTT EDWARDS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
TOMMY DEAN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
FERNANDA MARTINHO	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

14. Board Members' Comments/Requests
15. Audience Comments
16. Adjournment

Should you have any questions or concerns, please do not hesitate to contact me directly at (239) 464-7114.

Sincerely,



Chuck Adams, District Manager

**FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE**

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

**PARTICIPANT PASSCODE: 229 774 8903**

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT**

**3**

**FIRST SUPPLEMENTAL  
ENGINEER'S REPORT  
MARCH 28, 2022**

**TO THE**

**MASTER ENGINEER'S REPORT DATED  
JANUARY 16, 2017**

**FOR**

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT**

**BY**

**BARRACO AND ASSOCIATES, INC.  
2271 MCGREGOR BOULEVARD, SUITE 100  
FORT MYERS, FLORIDA 33901**

---

**Carl A. Barraco, P.E.**  
Florida Registration No. 38536  
Florida Certificate of Authorization No. 7995  
Barraco and Associates, Inc.  
2271 McGregor Boulevard, Suite 100  
Fort Myers, Florida 33901  
Pages 1 – 8

# TABLE OF CONTENTS

<b>I. INTRODUCTION .....</b>	<b>3</b>
<b>1.1 Purpose and Scope .....</b>	<b>3</b>
<b>II. DESCRIPTION OF PROPOSED CHANGES.....</b>	<b>3</b>
<b>2.1 Developer and Board of Supervisors.....</b>	<b>3</b>
<b>2.2 Development Plan and Phasing .....</b>	<b>3</b>
<b>TABLE 1 – PHASING PLAN .....</b>	<b>4</b>
<b>TABLE 2 – PROJECTED LAND USE .....</b>	<b>4</b>
<b>TABLE 3 – PROPOSED PRODUCT TYPE BY PHASE .....</b>	<b>4</b>
<b>EXHIBIT 1AEXHIBIT 1B .....</b>	<b>5</b>
<b>2.2 Construction Costs .....</b>	<b>7</b>
<b>TABLE 4 – REVISED DISTRIBUTION OF COSTS .....</b>	<b>7</b>
<b>III. PERMITTING.....</b>	<b>7</b>
<b>3.1 Permitting and Entitlements .....</b>	<b>7</b>
<b>TABLE 5 – PERMITTING MATRIX .....</b>	<b>8</b>
<b>TABLE 6 – PUD ORDINANCES.....</b>	<b>8</b>

## **I. Introduction**

### **1.1 Purpose and Scope**

The Orange Blossom Groves Community Development District Master Engineer's Report (the "Master Report"), dated January 16, 2017 and adopted by the Orange Blossom Groves Community Development District (the "District") Board of Supervisors on November 17, 2017, was prepared to assist with the financing, construction and acquisition of public infrastructure improvements to be undertaken to support the development of Orange Blossom Groves development (the "Development"). The purpose of this First Supplemental Engineer's Report (the "Supplemental Report") is to identify modifications to the development plan and acknowledge the change in Developer. This Supplemental Report is intended to be read in conjunction with, but not replace, the Master Report. Items to be considered in this report include:

- Description of the change in Developer and Board of Supervisors; and
- Description of the proposed changes to the development plan;
- Quantification the current total number of units and unit types;
- Revision to the Opinion of Probable Construction Costs to reflect proposed improvements;
- Update the status of primary required permits.

## **II. Description of Proposed Changes**

### **2.1 Developer and Board of Supervisors**

Lennar Homes, LLC purchased the subject property from RP Orange Blossom Owner, LLC on December 15, 2021. The Board of Supervisors (the "Board") had not been determined when the Master Report was adopted. However, prior to purchase of the subject property, the Board consisted of Kathy Miller, Mark Taylor, Brian O'Donnell, Ken Bloom and Karen Welks. A new Board was elected on January 24, 2022, which now includes Fernanda Martinho, Scott Edwards, Tommy Dean, Barry Ernst and Russell Smith.

### **2.2 Development Plan and Phasing**

Located within the larger Orange Blossom Ranch Planned Unit Development (the "PUD"), the Development is bound by the zoning restrictions established by Ordinance No. 04-74 and subsequent amendments. Since the adoption of the Master Report, Ordinance No. 20-46 was approved by the Board of County Commissioners, increasing the allowed density to approximately 3.4 units per acre or a maximum of 1,950 residential dwelling units. The Orange Blossom Groves CDD includes only a portion of the land subject to this zoning ordinance and as such includes 357 units of the total 1,950 units currently planned to be located within this District. A description of the ordinances amending the PUD can be found in Table 6.

The Master Report projected a total of 235 single family units would be constructed over six (6) phases. Although construction is still anticipated to take place over six

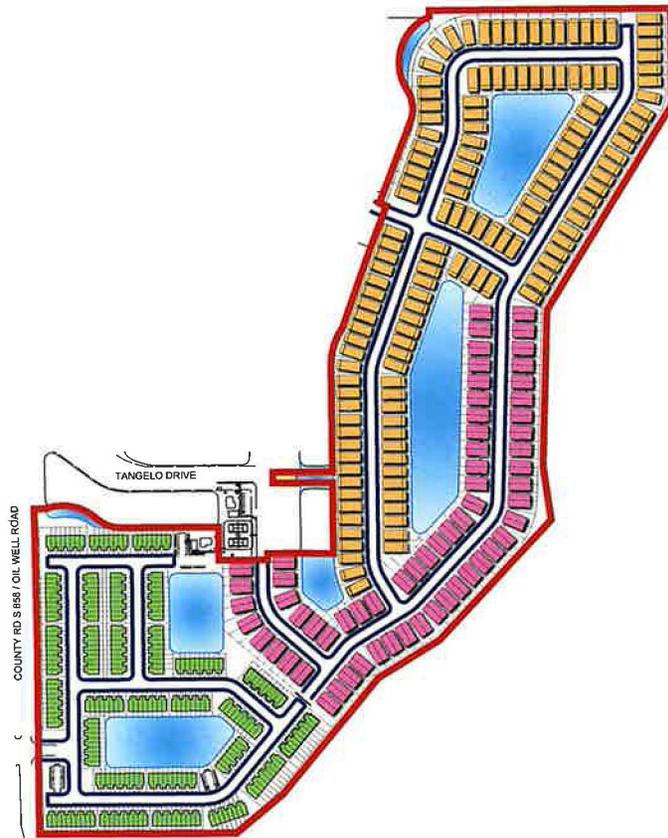
(6) phases, the revised development plan includes 273 single family units and 264 townhome units. A comparison of proposed changes is summarized in Tables 1 and 2. Table 3 summarizes types proposed within each phase. Since the Master Report included only single family lots and did not differentiate between attached or detached units, Table 3 does not compare the proposed changes. Additionally, Exhibits 1A and 1B depict the previously proposed site plan and currently proposed site plan, respectively.

<b>TABLE 1 – PHASING PLAN</b>			
<b>MASTER REPORT</b>		<b>SUPPLEMENTAL REPORT</b>	
Phase 1	Earthwork/Lake Excavation	Phase 1	Earthwork/Lake Excavation
Phase 2	0 units	Phase 2A	117 units
Phase 3	63 units	Phase 2B	156 units
Phase 4	28 units	Phase 3A	140 units
Phase 5	68 units	Phase 3B	124 units
Phase 6	76 units	Phase 3C	Amenity Center
<b>TOTAL</b>	<b>235 units</b>	<b>TOTAL</b>	<b>537 units</b>

<b>TABLE 2 – PROJECTED LAND USE</b>				
	<b>MASTER REPORT</b>		<b>SUPPLEMENTAL REPORT</b>	
Total Acreage	90 ac		90 ac	
Number of Dwelling Units	235		537	
<b>Land Use:</b>				
Lakes	15	17%	12	13%
Residential	59	66%	60	67%
Pavement	5	5%	12	13%
Open Space	11	12%	6	7%
<b>TOTAL</b>	<b>90</b>	<b>100%</b>	<b>90</b>	<b>100%</b>

<b>TABLE 3 – PROPOSED PRODUCT TYPE BY PHASE</b>				
	20' Townhome	35' Single Family Attached	52' Single Family Detached	<b>TOTAL</b>
Phase 1	0	0	0	<b>0</b>
Phase 2A	0	62	59	<b>121</b>
Phase 2B	0	88	64	<b>152</b>
Phase 3A	140	0	0	<b>140</b>
Phase 3B	124	0	0	<b>124</b>
Phase 3C	0	0	0	<b>0</b>
<b>TOTAL</b>	<b>264</b>	<b>150</b>	<b>123</b>	<b>537</b>



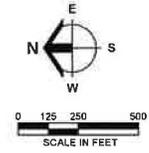


**PROPOSED GROVES DENSITY**

	PROPOSED TOWNHOUSE LOTS	284
	PROPOSED 35' TWIN VILLA LOTS	126
	PROPOSED 52' SINGLE FAMILY LOT	147
		<b>TOTAL: 537</b>

**LAKE LEGEND**

- PROPOSED LAKE
- CDD BOUNDARY



**Barraco**  
and Associates, Inc.

CIVIL ENGINEERING LAND SURVEYING  
LAND PLANNING

[www.barraco.net](http://www.barraco.net)

2771 MCGREGOR BLVD. SUITE 100  
POST OFFICE DRAWER 2800  
FORT MYERS, FLORIDA 33902-2600  
PHONE (239) 481-5175  
FAX (239) 463-5169

FLORIDA CERTIFICATES OF AUTHORIZATION  
ENGINEERING 1995 - SURVEYING LB-6840

PREPARED FOR

PROJECT DESCRIPTION

**ORANGE BLOSSOM GROVES C.D.D.**

COLLIER COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENGINEERING, ENVIRONMENTAL AND / OR REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE OF ENGINEER 3322, BARRACO AND ASSOCIATES, INC. FOR PROJECT NO. 23218-001-001 AND REVISED 11/11/11

FILE NAME: 23218-001-001-001.DWG

LOCATION: JULESBOROUGH, EDWARDS/DODD/ONES CDD

PLT DATE: TUE 3-29-2012 3:27 PM

PLT BY: ALYSSA FAYKAR

CROSS REFERENCED DRAWINGS

BASE PLAN: 23218-001-001-GROVES.DWG

PLAN REVISIONS

3-30-14	PHASING / DENSITY AT 1428 UNITS
3-30-14	SITE PLAN PER EX PLAN 1/20/2014
9-5-14	FRONT SETBACK PER ZONING
9-9-14	ADDED LOT DETAILS

PLAN STATUS

**PRELIMINARY SITE PLAN EXHIBIT 1B**

PROJECT FILE NO	SHEET NUMBER
<b>23218</b>	<b>6 OF 8</b>

## 2.2 Construction Costs

The Master Report estimated costs for construction, but did not include the financing, operation, maintenance services or bond issuance costs necessary to finance and maintain the District infrastructure. All estimates were given in 2016 dollars and no inflation factor was considered. Table 4 summarizes the distribution of costs provided in the Master Report compared to the updated estimated distribution of costs, reflecting proposed changes to the development plan. Improvements associated with each category remain unchanged from the master report. At the time of this Supplemental Report, no bonds have been issued for the construction of public improvements.

<b>TABLE 4 – REVISED DISTRIBUTION OF COSTS</b>	
<b>ITEM</b>	<b>SUPPLEMENTAL REPORT</b>
Drainage & Surface Water Management System	\$3,637,000
Waterline and Accessories	\$1,006,000
Sanitary Sewer System	\$1,327,000
Landscape Buffers and Security	\$1,886,000
Irrigation	\$319,000
Professional Fees/Miscellaneous	\$781,000
<b>Sub Totals</b>	<b>\$8,956,000</b>
<b>20% Contingency</b>	<b>\$1,791,200</b>
<b>Grand Total</b>	<b>\$10,747,200</b>

## III. Permitting

### 3.1 Permitting and Entitlements

Federal, state, and local permits and approvals are required prior to the construction of site infrastructure. Permits and permit modifications are considered part of the normal design and permitting process, and may be applied for at the time the improvement is undertaken.

All permits known to be required for construction of the Project's main infrastructure are either in effect or considered obtainable within the normal course of construction plan development and permit application/processing. Currently Orange Blossom Groves ERP modification is currently under review. Modification to existing permits may be required as detailed construction plans are developed. Please refer to Table 5 below for updated permitting matrix.

<b>TABLE 5 – PERMITTING MATRIX</b>				
<b>Agency</b>	<b>Type of Permit</b>	<b>Permit Number</b>	<b>Issue Date</b>	<b>Expiration</b>
SFWMD	ERP	App. No. 220124-32807	TBD	TBD
SFWMD	ERP	11-02432-P	10/2005	05/18/2024
SFWMD	Water Use Permit	11-02493-W	09/24/2021	09/24/2026
FDEP	NPDES NOI	TBD	TBD	TBD
FDEP	Phase 2 Sanitary Sewer	TBD	TBD	TBD
FDEP	Phase 3 Sanitary Sewer	TBD	TBD	TBD
FDEP	Phase 2 Potable Water	TBD	TBD	TBD
FDEP	Phase 3 Potable Water	TBD	TBD	TBD
Collier County	PPL	PL20150001156	12/08/2015	07/08/2023
Collier County	PPL	PL20210003033	TBD	TBD
Collier County	PPL	PL20210003325	TBD	TBE
Collier County	Commercial Excavation	PL20190000367	08/19/2019	N/A
Collier County	Commercial Excavation	PL20220000760	TBD	N/A

<b>TABLE 6 – PUD ORDINANCES</b>		
<b>Ordinance No.</b>	<b>Date Adopted</b>	<b>Description</b>
04-74	11/16/2004	PUD Establishment
16-31	10/25/2016	Off-Site Removal of Excavated Material
20-46	11/10/2020	Increase Density

Jack 03/30

---

ICP – 1083 – final survey

OB – 543,544 – hub and tack

OB – 2900 – form loc.

OB – 502– form loc.

OB – 829/830\* – final survey

OB – 496,497,498,499,500,502,505,809/810,851/852,2800 –

foundation loc.

Valencia – 25 – foundation loc.

---

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT**

**4**

# ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT

## Revised Master Special Assessment Methodology Report

May 13, 2022



Provided by:

**Wrathell, Hunt and Associates, LLC**  
2300 Glades Road, Suite 410W  
Boca Raton, FL 33431  
Phone: 561-571-0010  
Fax: 561-571-0013  
Website: [www.whhassociates.com](http://www.whhassociates.com)

## Table of Contents

<b>1.0</b>	<b>Introduction</b>	
1.1	Purpose .....	1
1.2	Scope of the Revised Report .....	1
1.3	Special Benefits and General Benefits .....	1
1.4	Organization of the Revised Report .....	2
<b>2.0</b>	<b>Development Program</b>	
2.1	Overview .....	2
2.2	The Development Program .....	2
<b>3.0</b>	<b>The Capital Improvement Program</b>	
3.1	Overview .....	3
3.2	Capital Improvement Program .....	3
<b>4.0</b>	<b>Financing Program</b>	
4.1	Overview .....	4
4.2	Types of Bonds Proposed .....	4
<b>5.0</b>	<b>Assessment Methodology</b>	
5.1	Overview .....	5
5.2	Benefit Allocation .....	5
5.3	Assigning Bond Assessments .....	7
5.4	Lienability Test: Special and Peculiar Benefit to the Property .....	7
5.5	Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay .....	8
5.6	True-Up Mechanism .....	8
5.7	Preliminary Assessment Roll .....	10
5.8	Additional Items Regarding Bond Assessment Imposition and Allocation .....	10
<b>6.0</b>	<b>Additional Stipulations</b>	
6.1	Overview .....	12
<b>7.0</b>	<b>Appendix</b>	
	Table 1 .....	12
	Table 2 .....	13
	Table 3 .....	13
	Table 4 .....	14
	Table 5 .....	14

## **1.0 Introduction**

### **1.1 Purpose**

This Revised Master Special Assessment Methodology Report (the “Revised Report”) was developed to provide a revision to the Master Special Assessment Methodology Report (the “Original Report”) dated February 15, 2017 and to provide a revised master financing plan and a revised master special assessment methodology for the Orange Blossom Groves Community Development District (the “District”), located in unincorporated Collier County, Florida, as related to funding the costs of public infrastructure improvements (the “Capital Improvement Program”) contemplated to be provided by the District.

### **1.2 Scope of the Revised Report**

This Revised Report presents the projections for financing the District’s revised Capital Improvement Program in the First Supplemental Engineer’s Report of Barraco and Associates, Inc. dated March 28, 2022 (the “Supplemental Engineer’s Report”), as well as describes the revised method for the allocation of special benefits and the apportionment of special assessment debt resulting from the provision and funding of the Capital Improvement Program.

### **1.3 Special Benefits and General Benefits**

Public infrastructure improvements undertaken and funded by the District as part of the Capital Improvement Program create special and peculiar benefits, different in kind and degree than general benefits, for properties within its borders as well as general benefits to the public at large. However, as discussed within this Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits which accrue to property within the District. The District’s Capital Improvement Program enables properties within its boundaries to be developed.

There is no doubt that the general public and property owners of property outside the District will benefit from the provision of the Capital Improvement Program. However, these benefits are only incidental since the Capital Improvement Program is designed solely to provide special benefits peculiar to property within the District. Properties outside the District are not directly served by the Capital Improvement Program and do not depend upon the Capital Improvement Program to obtain or to maintain their development entitlements. This fact alone clearly distinguishes the special

benefits which District properties receive compared to those lying outside of the District's boundaries.

The Capital Improvement Program will provide public infrastructure improvements which are all necessary in order to make the lands within the District developable and saleable. The installation of such improvements will cause the value of the developable and saleable lands within the District to increase by more than the sum of the financed cost of the individual components of the Capital Improvement Program. Even though the exact value of the benefits provided by the Capital Improvement Program is hard to estimate at this point, it is nevertheless greater than the costs associated with providing the same.

#### **1.4 Organization of the Revised Report**

*Section Two* describes the revised development program as proposed by the Developer, as defined below.

*Section Three* provides a summary of the revised Capital Improvement Program as determined by the District Engineer.

*Section Four* discusses the revised master financing program for the District.

*Section Five* introduces the revised master special assessment methodology for the District.

### **2.0 Development Program**

#### **2.1 Overview**

The District will serve the Orange Blossom Groves development (the "Development" or "Orange Blossom Groves"), a master planned, residential development located in unincorporated Collier County, Florida. The land within the District currently consists of approximately 90 +/- acres and is generally located south of Oil Well Road and east of Valencia Golf & Country Club.

#### **2.2 The Development Program**

Originally, the development of Orange Blossom Groves was anticipated to be conducted by the RP Orange Blossom Owner, LLC or its associates (the "Original Developer"), however, in December of 2021, the land within District was purchased by Lennar Homes,

LLC which became not only the sole landowner, but also the new developer, as the development of land within the District is now projected to be conducted by Lennar Homes, LLC or its associates (the “Current Developer”).

Based upon the information provided by the Current Developer, the most current, revised development plan envisions a total of 537 residential dwelling units, while the original development envisioned the development of a total of 235 residential dwelling units, although land use types and unit numbers may change throughout the development period. Table 1 in the *Appendix* illustrates the original and revised development plans for the District. The development of Orange Blossom Groves is currently planned to be conducted in several phases over a multi-year period.

### **3.0 The Capital Improvement Program**

#### **3.1 Overview**

The public infrastructure costs to be funded by the District are described by the District Engineer in the Engineer's Report. Only public infrastructure that may qualify for bond financing by the District under Chapter 190, Florida Statutes and under the Internal Revenue Code of 1986, as amended, was included in these estimates.

#### **3.2 Capital Improvement Program**

The revised Capital Improvement Program needed to serve the Development is projected to consist of drainage and surface water management, water and sewer, landscape buffers and security, and irrigation.

The public infrastructure improvements included in the Capital Improvement Program will comprise an interrelated system of improvements, which means all of the improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another. At the time of this writing, the total costs of the revised Capital Improvement Program are estimated at \$10,747,200. Table 2 in the *Appendix* illustrates the specific components of the revised Capital Improvement Program and their costs.

## 4.0 Financing Program

### 4.1 Overview

As noted above, the District is embarking on a program of capital improvements which will facilitate the development of lands within the District. Generally, construction of public improvements is either funded by the Developer and then acquired by the District or funded directly by the District. The choice of the exact mechanism for providing public infrastructure has not yet been made at the time of this writing, and the District may either acquire the public infrastructure from the Developer or construct it, or even partly acquire it and partly construct it.

Even though the actual financing plan may change to include multiple series of bonds, it is likely that in order to fully fund the costs of the Capital Improvement Program as described in Section 3.2 in one financing transaction, the District would have to issue approximately \$14,485,000 in par amount of special assessment bonds (the "Bonds").

**Please note that the purpose of this Revised Report is to allocate the benefit of the Capital Improvement Program to the various land uses in the District and based on such benefit allocation to apportion the maximum debt necessary to fund the Capital Improvement Program. The discussion of the structure and size of the indebtedness is based on various estimates and is subject to change.**

### 4.2 Types of Bonds Proposed

The proposed revised master financing plan for the District provides for the issuance of the Bonds in the approximate principal amount of \$14,485,000 to finance the revised Capital Improvement Program costs estimated at \$10,747,200. The Bonds as projected under this revised master financing plan would be structured to be amortized in 30 annual installments following a 24-month capitalized interest period. Interest payments on the Bonds would be made every May 1 and November 1, and principal payments on the Bonds would be made every November 1.

In order to finance the improvement costs, the District would need to borrow more funds and incur indebtedness in the total amount of \$14,485,000. The difference is comprised of debt service reserve, capitalized interest, and costs of issuance, including the

underwriter's discount. Preliminary sources and uses of funding for the Bonds are presented in Table 3 in the *Appendix*.

**Please note that the structure of the Bonds as presented in this Revised Report is preliminary and may change due to changes in the development program, market conditions, timing of infrastructure installation as well as for other reasons. The District maintains complete flexibility as to the structure of the Bonds and reserves the right to modify it as necessary.**

## **5.0 Assessment Methodology**

### **5.1 Overview**

The issuance of the Bonds provides the District with funds necessary to construct/acquire the infrastructure improvements which are part of the revised Capital Improvement Program outlined in *Section 3.2* and described in more detail by the District Engineer in the Supplemental Engineer's Report. These public infrastructure improvements lead to special and general benefits, with special benefits accruing to properties within the boundaries of the District and general benefits accruing to areas outside the District and being only incidental in nature. The debt incurred in financing the public infrastructure will be paid off by assessing properties that derive special and peculiar benefits from the Capital Improvement Program. All properties that receive special benefits from the Capital Improvement Program will be assessed for their fair share of the debt issued in order to finance the Capital Improvement Program.

### **5.2 Benefit Allocation**

The current, revised development plan envisions the development of a total of 537 residential dwelling units, although unit numbers and land use types may change throughout the development period.

The public infrastructure improvements included in the revised Capital Improvement Program will comprise an interrelated system of improvements, which means that all of the improvements will serve the entire District and such improvements will be interrelated such that they will reinforce each other and their combined benefit will be greater than the sum of their individual benefits. All of the land uses within the District will benefit from each public infrastructure improvement category, as the improvements provide basic infrastructure to all land within the District and benefit all land within the District as an integrated system of improvements.

As stated previously, the public infrastructure improvements included in the Capital Improvement Program have a logical connection to the special and peculiar benefits received by the land within the District, as without such improvements, the development of the properties within the District would not be possible. Based upon the connection between the improvements and the special and peculiar benefits to the land within the District, the District can assign or allocate a portion of the District's debt through the imposition of non-ad valorem assessments, to the land receiving such special and peculiar benefits. Even though these special and peculiar benefits are real and ascertainable, the precise amount of the benefit cannot yet be calculated with mathematical certainty. However, such benefit is more valuable than the cost of, or the actual non-ad valorem assessment amount levied on that parcel.

Similarly to the Original Report, the benefit associated with the revised Capital Improvement Program of the District is proposed to be allocated to the different product types within the District in proportion to the density of development and intensity of use of infrastructure as measured by a standard unit called an Equivalent Residential Unit ("ERU"). Table 4 in the *Appendix* illustrates the ERU weights that are proposed to be assigned to the land uses currently contemplated to be developed within the District based on the relative density of development and the intensity of use of infrastructure, the total ERU counts for each land use category, and the share of the benefit received by each land use.

This report proposes to assign each SF 52' unit an ERU weight of 1.00 (the base weight), each TH unit an ERU weight of 0.73, and each SF 35' unit an ERU weight of 0.85. The rationale behind different ERU weights is supported by the fact that generally and on average smaller units, such as TH units or units built on narrower lots, will use and benefit from the Capital Improvement Program less than larger units, such as units built on wider lots, as for instance, generally and on average smaller units produce less storm water runoff, may produce fewer vehicular trips, and may need less water/sewer capacity than larger units. Additionally, the value of the larger units is likely to appreciate by more in terms of dollars than that of the smaller units as a result of the implementation of the Capital Improvement Program. As the exact amount of the benefit and appreciation is not possible to be calculated at this time, the use of ERU measures serves as a reasonable approximation of the relative amount of benefit received from the Capital Improvement Program.

Table 5 in the *Appendix* presents the apportionment of the assessments associated with the Bonds (the “Bond Assessments”) in accordance with the ERU benefit allocation method presented in Table 4. Table 5 also presents the annual levels of the projected annual debt service assessments per unit.

### **5.3 Assigning Bond Assessments**

As the land in the District is not yet platted for its intended final use and the precise location of the different products by lot or parcel is unknown, the Bond Assessments will initially be levied on all of the land in the District on an equal pro-rata gross acre basis and thus the total bonded debt in the amount of \$13,470,000 will be preliminarily levied on approximately 90 +/- gross acres at a rate of \$160,944.44 per acre.

When the land is platted, Bond Assessments will be allocated to each platted parcel on a first platted-first assigned basis based on the planned use for that platted parcel as reflected in Table 5 in the *Appendix*. Such allocation of Bond Assessments from unplatted gross acres to platted parcels will reduce the amount of Bond Assessments levied on unplatted gross acres within the District.

Further, to the extent that any parcel of land which has not been platted is sold to another developer or builder, the Bond Assessments will be assigned to such parcel at the time of the sale based upon the development rights associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Bond Assessments transferred at sale.

### **5.4 Lienability Test: Special and Peculiar Benefit to the Property**

As first discussed in *Section 1.3*, Special Benefits and General Benefits, public infrastructure improvements undertaken by the District create special and peculiar benefits to certain properties within the District. The District's improvements benefit assessable properties within the District and accrue to all such assessable properties on an ERU basis.

Public infrastructure improvements undertaken by the District can be shown to be creating special and peculiar benefits to the property within the District. The special and peculiar benefits resulting from each improvement are:

- a. added use of the property;
- b. added enjoyment of the property;

- c. decreased insurance premiums; and
- d. increased marketability and value of the property.

The public infrastructure improvements which are part of the Capital Improvement Program make the land in the District developable and saleable and when implemented jointly as parts of the Capital Improvement Program, provide special and peculiar benefits which are greater than the benefits of any single category of improvements. These special and peculiar benefits are real and ascertainable, but not yet capable of being calculated and assessed in terms of numerical value; however, such benefits are more valuable than either the cost of, or the actual assessment levied for, the improvement or debt allocated to the parcel of land.

### **5.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay**

A reasonable estimate of the proportion of special and peculiar benefits received from the public infrastructure improvements is delineated in Table 4 (expressed as ERU factors) in the *Appendix*.

The apportionment of the Bond Assessments is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within the District according to reasonable estimates of the special and peculiar benefits derived from the Capital Improvement Program by different land uses.

Accordingly, no acre or parcel of property within the District will be lienied for the payment of the Bond Assessments more than the determined special benefit peculiar to that property.

### **5.6 True-Up Mechanism**

The assessment methodology described herein is based on conceptual information obtained from the Developer prior to construction. As development occurs it is possible that the number of ERUs may change. The mechanism for maintaining the methodology over the changes is referred to as true-up.

This mechanism is to be utilized to ensure that the Bond Assessments on a per ERU basis never exceed the initially allocated assessment as contemplated in the adopted assessment methodology. Bond Assessments per ERU preliminarily equal \$32,681.29 (\$13,470,000 in Bond Assessments divided by 443.22 ERUs) and may change based on the final bond sizing. If such

changes occur, the methodology is applied to the land based on the number of and type of units of particular land uses within each and every parcel as signified by the number of ERUs.

As the land in the District is platted, the Bond Assessments are assigned to platted parcels based on the figures in Table 5 in the *Appendix*. If as a result of platting and apportionment of the Bond Assessments to the platted parcels, the Bond Assessments per ERU for land that remains unplatted remain equal to \$32,681.29, then no true-up adjustment will be necessary.

If as a result of platting and apportionment of the Bond Assessments to the platted parcels the Bond Assessments per ERU for land that remains unplatted equal less than \$32,681.29 (either as a result of a larger number of units, different units or both), then the per ERU Bond Assessments for all parcels within the District will be lowered if that state persists at the conclusion of platting of all land within the District.

If, in contrast, as a result of platting and apportionment of the Bond Assessments to the platted parcels, the Bond Assessments per ERU for land that remains unplatted<sup>1</sup> equal more than \$32,681.29 (either as a result of a smaller number of units, different units or both), taking into account any future development plans for the unplatted lands – in the District’s sole discretion and to the extent such future development plans are feasible, consistent with existing entitlements and governmental requirements, and reasonably expected to be implemented, then the difference in Bond Assessments plus accrued interest will be collected from the owner of the property which platting caused the increase of assessment per ERU to occur, in accordance with the assessment resolution and/or a true-up agreement to be entered into between the District and the Developer, which will be binding on assignees.

The owner(s) of the property will be required to immediately remit to the Trustee for redemption a true-up payment equal to the difference between the actual Bond Assessments per ERU and \$32,681.29, multiplied by the actual number of ERUs plus accrued interest to the next succeeding interest payment date on the Bonds, unless such interest payment date occurs within 45 days of such true-up

---

<sup>1</sup> For example, if the first platting includes 100 SF 35’ lots, which equates to a total allocation of \$2,777,909.39 in Bond Assessments, then the remaining land in the District would be required to absorb \$11,707,090.61 in Bond Assessments. If the remaining unplatted land instead of being able to absorb 264 TH, 50 SF 50’ and 123 SF 52’ lots would only be able to absorb 264 TH, 45 SF 50’ and 123 SF 52’ lots, which equates to a total allocation of \$11,568,195.14 in Bond Assessments, then a true-up, payable by the owner of land which did not develop an additional 5 SF 35’ lots would be due in the amount of an estimated \$138,895.47 in Bond Assessments plus applicable accrued interest to the extent described in this Section.

payment, in which case the accrued interest shall be paid to the following interest payment date (or such other time as set forth in the supplemental indenture for the applicable series of Bonds secured by the Bond Assessments).

In addition to platting of property within the District, any planned sale of an unplatted parcel to another builder or developer will cause the District to initiate a true-up test as described above to test whether the amount of the Bond Assessments per ERU for land that remains unplatted within the District remains equal to \$32,681.29. The test will be based upon the development rights as signified by the number of ERUs associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Bond Assessments transferred at sale.

Note that, in the event that the Capital Improvement Program is not completed, certain contributions are not made, multiple bond issuances are contemplated and not all are issued, or under certain other circumstances, the District may be required to reallocate the Bond Assessments.

**5.7 Preliminary Assessment Roll**

Based on the per gross acre assessment proposed in Section 5.2, the Bond Assessments of \$13,470,000 is proposed to be levied over the parcels listed below. Excluding any capitalized interest period, debt service assessment shall be paid in thirty (30) annual installments.

Parcel No.	Owner Name1	Address1	Address2	City State ZIP	Assessment
00210650004	KLLB AIV LLC	111 WEST 33RD ST	SUITE 1910	NEW YORK, NY 10120	\$3,144,168
00210660201	KLLB AIV LLC	111 WEST 33RD ST	SUITE 1910	NEW YORK, NY 10120	\$6,371,795
00210660308	KLLB AIV LLC	111 WEST 33RD ST	SUITE 1910	NEW YORK, NY 10120	\$4,702,609
00210660007	KLLB AIV LLC	111 WEST 33RD ST	SUITE 1910	NEW YORK, NY 10120	\$266,428
<b>Total</b>					<b>\$14,485,000</b>

**5.8 Additional Items Regarding Bond Assessments Imposition and Allocation**

This revised master assessment allocation methodology is intended to establish, without the need for a further public hearing, the necessary benefit and fair and reasonable allocation findings for a master assessment lien, which may give rise to one or more individual assessment liens relating to individual bond issuances necessary to fund all or a portion of the project(s) referenced herein.

All such liens shall be within the benefit limits established herein and using the allocation Methodology described herein, and shall be described in one or more supplemental reports.

As noted herein, the Capital Improvement Program functions as a system of improvements. Among other implications, this means that proceeds from any particular bond issuance can be used to fund improvements within any benefitted property within the District, regardless of where the Bond Assessments are levied, provided that Bond Assessments are fairly and reasonably allocated across all benefitted properties.

As set forth in any supplemental report, and for any particular bond issuance, the land developer may opt to “buy down” the Bond Assessments on particular product types and/or lands using a contribution of cash, infrastructure or other consideration, and in order for Bond Assessments to reach certain target levels. Note that any “true-up,” as described herein, may require a payment to satisfy “true-up” obligations as well as additional contributions to maintain such target assessment levels. Any amounts contributed by the developer to pay down Bond Assessment will not be eligible for “deferred costs,” if any are provided for in connection with any particular bond issuance.

No Bond Assessments are allocated herein to any public or private amenities or other common areas planned for the development. Such amenities and common areas will be owned and operated by the District and/or master homeowners’ association. If owned by a homeowners’ association, the amenities will be considered a common element for the exclusive benefit of property owners. Alternatively, if owned by the District, the amenities will be available for use by the public, subject to the District’s rules and policies. Accordingly, any benefit to the amenities and common areas flows directly to the benefit of all property in the District. As such, no Bond Assessments will be assigned to the amenities and common areas.

In the event that the Capital Improvement Program is not completed, required contributions are not made, additional benefitted lands are added to the District and/or assessment area(s), or under certain other circumstances, the District may elect to reallocate the special assessments, and the District expressly reserves the right to do so, provided however that any such reallocation shall not be construed to relieve any party of contractual or other obligations to the District.

## 6.0 Additional Stipulations

### 6.1 Overview

Wrathell, Hunt and Associates, LLC was retained by the District to prepare a methodology to fairly allocate the special assessments related to the District's Project. Certain financing, development and engineering data was provided by members of District Staff and/or the Current Developer. The allocation methodology described herein was based on information provided by those professionals. Wrathell, Hunt and Associates, LLC makes no representations regarding said information transactions beyond restatement of the factual information necessary for compilation of this report. For additional information on the Bond structure and related items, please refer to the offering statement associated with this transaction.

**Wrathell, Hunt and Associates, LLC does not represent the District as a Municipal Advisor or Securities Broker nor is Wrathell, Hunt and Associates, LLC registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, Wrathell, Hunt and Associates, LLC does not provide the District with financial advisory services or offer investment advice in any form.**

## 7.0 Appendix

Table 1

# Orange Blossom Groves

## Community Development District

### Development Plan

Product Type	Original Number of Units	Revised Number of Units
TH	0	264
SF 35'	0	150
SF 52'	0	123
SF 62'	80	0
SF 72'	155	0
<b>Total</b>	<b>235</b>	<b>537</b>

Table 2

# Orange Blossom Groves

## Community Development District

### Revised Capital Improvement Program

Improvement	Cost
Drainage and Surface Water Management	\$3,637,000.00
Water	\$1,006,000.00
Sewer	\$1,327,000.00
Landscape Buffers and Security	\$1,886,000.00
Irrigation	\$319,000.00
Professional Fees/Miscellaneous	\$781,000.00
Contingency	\$1,791,200.00
<b>Total</b>	<b>\$10,747,200.00</b>

Table 3

# Orange Blossom Groves

## Community Development District

### Preliminary Sources and Uses of Funds

#### Sources

Bond Proceeds:	
Par Amount	\$14,485,000.00
<b>Total Sources</b>	<b>\$14,485,000.00</b>

#### Uses

Project Fund Deposits:	
Project Fund	\$10,747,200.00
Other Fund Deposits:	
Debt Service Reserve Fund	\$1,167,294.05
Capitalized Interest Fund	\$2,027,900.00
Delivery Date Expenses:	
Costs of Issuance	\$539,700.00
Rounding	\$2,905.95
<b>Total Uses</b>	<b>\$14,485,000.00</b>

Table 4

# Orange Blossom Groves

## Community Development District

### Benefit Allocation

Product Type	Revised Number of Units	ERU Weight	Total ERU	Percent Share of Total
TH	264	0.73	192.72	43.4818%
SF 35'	150	0.85	127.50	28.7668%
SF 52'	123	1.00	123.00	27.7515%
<b>Total</b>	<b>537</b>		<b>443.22</b>	<b>100.0000%</b>

Table 5

# Orange Blossom Groves

## Community Development District

### Bond Assessments Apportionment

Product Type	Revised Number of Units	Total Bond Assessments Apportionment	Bond Assessments Apportionment per Unit	Annual Debt Service per Unit*
TH	264	\$6,298,337.62	\$23,857.34	\$2,078.46
SF 35'	150	\$4,166,864.09	\$27,779.09	\$2,420.13
SF 52'	123	\$4,019,798.29	\$32,681.29	\$2,847.21
<b>Total</b>	<b>537</b>	<b>\$14,485,000.00</b>		

\* Included costs of collection and assumes payment in March

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT**

**5**

**WORK ORDER FOR CONSULTANT SERVICES**

PROJECT NAME: Orange Blossom Groves CDD                      DATE: April 1, 2022  
PROJECT NO.: 23307    CLIENT REP.: Chuck Adams  
WORK ORDER NO.: 1    PROJECT MGR.: Wes Kayne, P.E.

- CP - COST PLUS - Time & Materials based on hourly rate schedule in effect at time service is rendered.**
- CPM - COST PLUS - Maximum fee not to be exceeded without prior authorization.
- LS - LUMP SUM – The Task described below shall be performed for a fixed fee.

**TASK DESCRIPTION:**

**W.O. 1.1 Stormwater Needs Analysis Assistance** **\$3,500.00**  
Assist in the preparation of a Stormwater Needs Analysis pursuant to Section 5 of Section 403.9302, Florida Statutes. The Stormwater Needs Analysis will be prepared in conjunction with the District Manager and District Counsel utilizing the template provided by the Office of Economic and Demographic Research.

**Total Work Order No. 1: \$3,500.00**

**AUTHORIZATION:**

The work referenced above will be initiated when a signed copy of this Work Order is returned by Client. I hereby authorize the performance of the above services and agree to pay the charges resulting there from as identified in the "FEE-TYPE" above. Work authorized under this agreement is subject to the terms and conditions of the original contract.

\_\_\_\_\_  
Client: Chesley (Chuck) Adams, District Manager

\_\_\_\_\_  
Date

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT**

**6**

## RESOLUTION 2022-03

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT ADOPTING AMENDED AND RESTATED PROMPT PAYMENT POLICIES AND PROCEDURES PURSUANT TO CHAPTER 218, *FLORIDA STATUTES*; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Orange Blossom Groves Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Collier County, Florida; and

**WHEREAS**, Chapter 218, *Florida Statutes*, requires timely payment to vendors and contractors providing certain goods and/or services to the District; and

**WHEREAS**, the Board of Supervisors of the District (“Board”) has previously adopted the *Prompt Payment Policies and Procedures* (“Policies”) to govern prompt payments; and

**WHEREAS**, to provide for efficient and effective District operations and to maintain compliance with recent changes to Florida law, the Board finds that it is in the best interests of the District to adopt by resolution the *Amended and Restated Prompt Payment Policies and Procedures* (“Amended Policies”), attached hereto as **Exhibit A**, for immediate use and application.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** The Amended Policies, attached hereto as **Exhibit A**, are hereby adopted pursuant to this Resolution as necessary for the conduct of District business. The Amended Policies shall remain in full force and effect until such time as the Board may amend or replace them; provided, however, that as the provisions of Chapter 218, *Florida Statutes*, are amended from time to time, the attached Amended Policies shall automatically be amended to incorporate the new requirements of law without any further action by the Board.

**SECTION 2.** The Amended Policies hereby adopted supplant and replace all previous versions of the Policies (if any).

**SECTION 3.** If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 4.** This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 13th day of May, 2022.

ATTEST:

**ORANGE BLOSSOM GROVES COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**Exhibit A:** Amended and Restated Prompt Payment Policies and Procedures

# **EXHIBIT A**

## **ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT**

### **Amended & Restated Prompt Payment Policies and Procedures**

**In Accordance with the Local Government Prompt Payment Act  
Chapter 218, Part VII, *Florida Statutes***

**May 13, 2022**

**Orange Blossom Groves Community Development District**  
**Amended and Restated Prompt Payment Policies and Procedures**

**Table of Contents**

I.	Purpose .....	1
II.	Scope .....	1
III.	Definitions .....	1
	A. Agent .....	1
	B. Construction Services .....	1
	C. Contractor or Provider of Construction Services .....	1
	D. Date Stamped .....	1
	E. Improper Invoice .....	2
	F. Improper Payment Request .....	2
	G. Non-Construction Goods and Services.....	2
	H. Proper Invoice .....	2
	I. Proper Payment Request .....	2
	J. Provider .....	2
	K. Purchase .....	2
	L. Vendor .....	2
IV.	Proper Invoice/Payment Request Requirements .....	3
	A. General .....	3
	B. Sales Tax .....	3
	C. Federal Identification and Social Security Numbers .....	3
	D. Proper Invoice for Non-Construction Goods and Services .....	3
	E. Proper Payment Request Requirements for Construction Services .....	4
V.	Submission of Invoices and Payment Requests .....	4
VI.	Calculation of Payment Due Date .....	5
	A. Non-Construction Goods and Services Invoices .....	5
	B. Payment Requests for Construction Services .....	6
VII.	Resolution of Disputes .....	7
	A. Dispute Between the District and a Provider .....	7
	B. Dispute Resolution Procedures .....	7
VIII.	Purchases Involving Federal Funds or Bond Funds .....	9
IX.	Requirements for Construction Services Contracts – Project Completion; Retainage .....	9
X.	Late Payment Interest Charges .....	9
	A. Related to Non-Construction Goods and Services .....	9
	B. Related to Construction Services .....	10
	C. Report of Interest .....	10

**I. Purpose**

In accordance with the Local Government Prompt Payment Act (Chapter 218, Part VII, *Florida Statutes*) (“PPA”), the purpose of the Orange Blossom Groves Community Development District (“District”) Amended and Restated Prompt Payment Policies and Procedures (“Policies & Procedures”) is to provide a specific policy to ensure timely payment to Vendors and Contractors (both hereinafter defined) providing goods and/or services to the District and ensure the timely receipt by the District of goods and/or services contemplated at the time of contracting. Please note that the PPA, like any statute or law, may be amended from time to time by legislative action. These Policies & Procedures are based on the statutory requirements as of the date identified on the cover page of this document. By this reference, as applicable statutory provisions subsequently change, these Policies & Procedures shall automatically be amended to incorporate the new requirements of law. These Policies & Procedures are adopted by the District to provide guidance in contracting matters. Failure by the District to comply with these Policies & Procedures shall not expand the rights or remedies of any Provider (hereinafter defined) against the District under the PPA. Nothing contained herein shall be interpreted as more restrictive on the District than what is provided for in the PPA.

**II. Scope**

These Policies & Procedures apply to all operations of the District, including Construction Services and Non-Construction Goods and Services, as applicable.

**III. Definitions**

**A. Agent**

The District-contracted architect, District-contracted engineer, District Manager, or other person, acting on behalf of the District, which is required by law or contract to review invoices or payment requests from Providers (hereinafter defined). Such individuals/entities must be identified in accordance with §218.735 (1), Fla. Stat., and further identified in the relevant agreement between the District and the Provider.

**B. Construction Services**

All labor, services, and materials provided in connection with the construction, alteration, repair, demolition, reconstruction, or other improvement to real property that require a license under parts I and II of Chapter 489, Fla. Stat.

**C. Contractor or Provider of Construction Services**

The entity or individual that provides Construction Services through direct contract with the District.

**D. Date Stamped**

Each original and revised invoice or payment request received by the District shall be marked electronically or manually, by use of a date stamp or other method,

which date marking clearly indicates the date such invoice or payment request is first delivered to the District through its Agent. In the event that the Agent receives an invoice or payment request, but fails to timely or physically mark on the document the date received, "Date Stamped" shall mean the date of actual receipt by the Agent.

**E. Improper Invoice**

An invoice that does not conform to the requirements of a Proper Invoice.

**F. Improper Payment Request**

A request for payment for Construction Services that does not conform to the requirements of a Proper Payment Request.

**G. Non-Construction Goods and Services**

All labor, services, goods and materials provided in connection with anything other than construction, alteration, repair, demolition, reconstruction, or other improvements to real property.

**H. Proper Invoice**

An invoice that conforms to all statutory requirements, all requirements of these Policies and Procedures not expressly waived by the District and any additional requirements included in the agreement for goods and/or services for which the invoice is submitted not expressly waived by the District.

**I. Proper Payment Request**

A request for payment for Construction Services which conforms to all statutory requirements, all requirements of these Policies & Procedures not expressly waived by the District and any additional requirements included in the Construction Services agreement for which the Payment Request is submitted not expressly waived by the District.

**J. Provider**

Includes any Vendor, Contractor or Provider of Construction Services, as defined herein.

**K. Purchase**

The purchase of goods, materials, services, or Construction Services; the purchase or lease of personal property; or the lease of real property by the District.

**L. Vendor**

Any person or entity that sells goods or services, sells or leases personal property, or leases real property directly to the District, not including Construction Services.

#### **IV. Proper Invoice/Payment Request Requirements**

##### **A. General**

Prior to Provider receiving payment from the District, Non-Construction Goods and Services and Construction Services, as applicable, shall be received and performed in accordance with contractual or other specifications or requirements to the satisfaction of the District. Provision or delivery of Non-Construction Goods and Services to the District does not constitute acceptance for the purpose of payment. Final acceptance and authorization of payment shall be made only after delivery and inspection by the Agent and the Agent's confirmation that the Non-Construction Goods and Services or Construction Services meet contract specifications and conditions. Should the Non-Construction Goods and Services or Construction Services differ in any respect from the specifications, payment may be withheld until such time as the Provider takes necessary corrective action. Certain limited exceptions which require payment in advance are permitted when authorized by the District Board of Supervisors ("Board") or when provided for in the applicable agreement.

##### **B. Sales Tax**

Providers should not include sales tax on any invoice or payment request. The District's current tax-exempt number is 85-8017224360C-8. A copy of the tax-exempt form will be supplied to Providers upon request.

##### **C. Federal Identification and Social Security Numbers**

Providers are paid using either a Federal Identification Number or Social Security Number. To receive payment, Providers should supply the District with the correct number as well as a proper Internal Revenue Service W-9 Form. The District Manager shall treat information provided in accordance with Florida law.

Providers should notify the District Manager when changes in data occur (telephone 561-571-0010 / email: [adamsc@whhassociates.com](mailto:adamsc@whhassociates.com)).

##### **D. Proper Invoice for Non-Construction Goods and Services**

All Non-Construction Goods and Services invoiced must be supplied or performed in accordance with the applicable purchase order (including any bid/proposal provided, if applicable) or agreement and such Non-Construction Goods and Services quantity and quality must be equal to or better than what is required by such terms. Unless otherwise specified in the applicable agreement, invoices should contain all of the following minimum information in order to be considered a Proper Invoice:

1. Name of Vendor
2. Remittance address
3. Invoice Date

4. Invoice number
5. The “Bill To” party must be the District or the Board, or other entity approved in writing by the Board of the District Manager
6. Project name (if applicable)
7. In addition to the information required in Section IV.D.1-6 above, invoices involving the *purchase of goods* should also contain:
  - a. A complete item description
  - b. Quantity purchased
  - c. Unit price(s)
  - d. Total price (for each item)
  - e. Total amount of invoice (all items)
  - f. The location and date(s) of delivery of the goods to the District
8. In addition to the information required in Section IV.D.1-6 above, invoices involving the *purchase of services* should also contain:
  - a. Itemized description of services performed
  - b. The location and date of delivery of the services to the District
  - c. Billing method for services performed (i.e., approved hourly rates, percentage of completion, cost plus fixed fee, direct/actual costs, etc.)
  - d. Itemization of other direct, reimbursable costs (including description and amount)
  - e. Copies of invoices for other direct, reimbursable costs (other than incidental costs such as copying) and one (1) of the following:
    - i. Copy of both sides of a cancelled check evidencing payment for costs submitted for reimbursement
    - ii. Paid receipt
    - iii. Waiver/lien release from subcontractor (if applicable)
9. Any applicable discounts
10. Any other information or documentation, which may be required or specified under the terms of the purchase order or agreement

**E. Proper Payment Request Requirements for Construction Services**

Payment Requests must conform to all requirements of Section IV, A-D above, unless otherwise specified in the terms of the applicable agreement or purchase order between the District and the Provider.

**V. Submission of Invoices and Payment Requests**

The Provider shall submit all Invoices and Payment Requests for both Construction Services and Non-Construction Goods and Services to the District’s Agent as provided in the purchase order or agreement, as applicable, and to the District Manager as follows:

Submit the invoice and/or payment request, with required additional material and in conformance with these Policies and Procedures, by mail, by hand delivery, or via email (Note: email is the preferred method for receipt of Non-Construction Goods and Services invoices).

- 1. Mailing and Drop Off Address**  
Orange Blossom Groves Community Development District  
c/o Wrathell, Hunt and Associates, LLC  
2300 Glades Road, Suite 410W  
Boca Raton, Florida 33431  
Attn: District Manager
- 2. Email Address**  
orangeblossomgrovescdd@districtap.com

## **VI. Calculation of Payment Due Date**

### **A. Non-Construction Goods and Services Invoices**

- 1. Receipt of Proper Invoice**  
Payment is due from the District forty-five (45) days from the date on which a Proper Invoice is Date Stamped.
- 2. Receipt of Improper Invoice**  
If an Improper Invoice is received, a required invoice is not received, or invoicing of a request for payment is not required, the time when payment is due from the District is forty-five (45) days from the latest date of the following:
  - a. On which delivery of personal property is fully accepted by the District;
  - b. On which services are completed and accepted by the District;
  - c. On which the contracted rental period begins (if applicable); or
  - d. On which the District and the Vendor agree in a written agreement that provides payment due dates.
- 3. Rejection of an Improper Invoice**  
The District may reject an Improper Invoice. Within ten (10) days of receipt of the Improper Invoice by the District, the Vendor must be notified that the invoice is improper and be given an opportunity to correct the deficient or missing information, remedy the faulty work, replace the defective goods, or take other necessary, remedial action.

The District's rejection of an Improper Invoice must:

- a. Be provided in writing;
- b. Specify any and all known deficiencies; and
- c. State actions necessary to correct the Improper Invoice.

If the Vendor submits a corrected invoice, which corrects the deficiencies specified in the District's written rejection, the District must pay the

corrected invoice within the later of: (a) ten (10) business days after date the corrected invoice is Date Stamped; or (b) forty-five (45) days after the date the Improper Invoice was Date Stamped.

If the Vendor submits an invoice in response to the District's written rejection which fails to correct the deficiencies specified or continues to be an Improper Invoice, the District must reject that invoice as stated herein.

**4. Payment of Undisputed Portion of Invoice**

If the District disputes a portion of an invoice, the undisputed portion shall be paid in a timely manner and in accordance with the due dates for payment as specified in these Policies & Procedures.

**B. Payment Requests for Construction Services**

**1. Receipt of Proper Payment Request**

The time at which payment is due for Construction Services from the District is as follows:

- a. If an Agent must approve the payment request before it is submitted to the District Manager, payment (whether full or partial) is due twenty-five (25) business days after the payment request is Date Stamped. The Provider may send the District an overdue notice. If the payment request is not rejected within four (4) business days after Date Stamp of the overdue notice, the payment request shall be deemed accepted, except for any portion of the payment request that is fraudulent, misleading or is the subject of dispute.

The agreement between the District and the Provider shall identify the Agent to which the Provider shall submit its payment request, or shall be provided by the District through a separate written notice no later than ten (10) days after contract award or notice to proceed, whichever is later. Provider's submission of a payment request to the Agent shall be Date Stamped, which shall commence the time periods for payment or rejection of a payment request or invoice as provided in this section.

- b. If, pursuant to contract, an Agent is not required to approve the payment request submitted to the District, payment is due twenty (20) business days after the payment request is Date Stamped unless such payment request includes fraudulent or misleading information or is the subject of dispute.

**2. Receipt and Rejection of Improper Payment Request**

- a. If an Improper Payment Request is received, the District must reject the Improper Payment Request within twenty (20) business days after the date on which the payment request is Date Stamped.
- b. The District's rejection of the Improper Payment Request must:
  - i. Be provided in writing;
  - ii. Specify any and all known deficiencies; and
  - iii. State actions necessary to correct the Improper Invoice.
- c. If a Provider submits a payment request which corrects the deficiency specified in the District's written rejection, the District must pay or reject the corrected submission no later than ten (10) business days after the date the corrected payment request is Date Stamped.

**3. Payment of Undisputed Portion of Payment Request**

If the District disputes a portion of a payment request, the undisputed portion shall be paid in a timely manner and in accordance with the due dates for payment as specified in this section.

**VII. Resolution of Disputes**

If a dispute arises between a Provider and the District concerning payment of an invoice or payment request, the dispute shall be resolved as set forth in §218.735, Fla. Stat., for Construction Services, and §218.76, Fla. Stat. for Non-Construction Goods and Services.

**A. Dispute between the District and a Provider**

If a dispute between the District and a Provider cannot be resolved following resubmission of a payment request by the Provider, the dispute must be resolved in accordance with the dispute resolution procedure prescribed in the construction contract, if any. In the absence of a prescribed procedure in the contract, the dispute must be resolved by the procedures specified below.

**B. Dispute Resolution Procedures**

- 1. If an Improper Payment Request or Improper Invoice is submitted, and the Provider refuses or fails to submit a revised payment request or invoice as contemplated by the PPA and these Policies and Procedures, the Provider shall, not later than thirty (30) days after the date on which the last payment request or invoice was Date Stamped, submit a written statement via certified mail to the Agent, copying the District Manager, specifying the basis upon which the Provider contends the last submitted payment request or invoice was proper.

2. Within forty-five (45) days of receipt by the Agent and District Manager of the disputed, last-submitted payment request or invoice, the Agent and/or District Manager shall commence investigation of the dispute and render a final decision on the matter no later than sixty (60) days after the date on which the last-submitted payment request or invoice is Date Stamped.
3. With regard to contracts executed on or after July 1, 2021, if the District does not commence the dispute resolution procedure within the time provided herein, a Provider may give written notice via certified mail to the Agent, copying the District Manager, of the District's failure to timely commence its dispute resolution procedure. If the District fails to commence the dispute resolution procedure within 4 business days after receipt of such notice, any amounts resolved in the Provider's favor shall bear mandatory interest, as set forth in section 218.735(9), Florida Statutes, from the date on which the payment request or invoice containing the disputed amounts was Date Stamped. If the dispute resolution procedure is not commenced within 4 business days after receipt of the notice, the objection to the payment request or invoice shall be deemed waived. The waiver of an objection pursuant to this paragraph does not relieve a Provider of its contractual obligations.
4. Absent a written agreement to the contrary, if the Provider refuses or fails to provide the written statement required above, the Agent and/or District Manager is not required to contact the Provider in the investigation. In addition, and absent a written agreement to the contrary, if such written statement is not provided, the District may immediately contract with third parties to provide the goods and services subject to the dispute and deduct the costs of such third party purchases from amounts owed to the Provider.
5. The Board shall approve any decision of the District Manager to contract with a third party which would result in: 1) an expenditure above what is budgeted for the Construction Services or Non-Construction Services; or 2) an expenditure which exceeds the original contract amount for the Construction Services or Non-Construction Services by more than ten percent (10%) or Ten Thousand Dollars (\$10,000).
6. A written explanation of the final decision shall be sent to the Provider, via certified mail, within five (5) business days from the date on which such final decision is made. A copy of the written explanation of the final decision shall be provided to the Chairperson of the Board simultaneously with the certified mailing to the Provider.

7. If a Provider does not accept in writing the final decision within five (5) days after receipt by the Provider, the District may immediately contract with third parties to provide the goods and services subject to the dispute and deduct the costs of such third party purchases from amounts owed to the Provider. If the costs of the third party purchases exceed the amount the District owes to the Provider, the District may seek to recover such excess from the Provider in a court of law or as otherwise provided in an agreement between the District and the Provider. Nothing contained herein shall limit or affect the District's ability to enforce all of its legal and contractual rights and remedies against the Provider.

### **VIII. Purchases Involving Federal Funds or Bond Funds**

When the District intends to pay for a purchase with federal funds or bond funds, the District shall make such purchases only upon reasonable assurances that federal funds or bond funds sufficient to cover the cost will be received. When payment is contingent upon the receipt of bond funds, federal funds or federal approval, the public procurement documents and any agreement with a Provider shall clearly state such contingency. (§218.77, Fla. Stat.).

### **IX. Requirements for Construction Services Contracts – Project Completion; Retainage**

The District intends to follow the PPA requirements for construction project completion and retainage, including, but not limited to, §218.735 (7) and (8), Fla. Stat.

### **X. Late Payment Interest Charges**

Failure on the part of the District to make timely payments may result in District responsibility for late payment interest charges. No agreement between the District and a Provider may prohibit the collection of late payment interest charges allowable under the PPA as mandatory interest. (§218.75, Fla. Stat.).

#### **A. Related to Non-Construction Goods and Services**

All payments due from the District, and not made within the time specified within this policy, will bear interest, from thirty (30) days after the due date, at the rate of one percent (1%) per month on the unpaid balance. The Vendor must submit a Proper Invoice to the District for any interest accrued in order to receive the interest payment. (§218.735(9), Fla. Stat.).

An overdue period of less than one (1) month is considered as one (1) month in computing interest. Unpaid interest is compounded monthly. The term one (1) month means a period beginning on any day of a month and ending on the same day of the following month.

**B. Related to Construction Services**

All payments for Construction Services that are not made within the time periods specified within the applicable statute, shall bear interest from thirty (30) days after the due date, at the rate of one percent (1%) per month for contracts executed on or before June 30, 2021, and at the rate of two percent (2%) per month for contracts executed on or after July 1, 2021, or the rate specified by agreement, whichever is greater. §218.735(9), Fla. Stat. The Provider must submit a Proper Payment Request to the District for any interest accrued in order to receive the interest payment. An overdue period of less than one (1) month is considered as one (1) month in computing interest. (§218.74 (4), Fla. Stat.).

Unpaid interest is compounded monthly. The term one (1) month means a period beginning on any day of a month and ending on the same day of the following month.

**C. Report of Interest**

If the total amount of interest paid during the preceding fiscal year exceeds \$250, the District Manager is required to submit a report to the Board during December of each year, stating the number of interest payments made and the total amount of such payments. (§218.78, Fla. Stat.).

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT**

**7**

## RESOLUTION 2022-04

### A RESOLUTION OF THE BOARD OF SUPERVISORS OF ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A DATE, TIME, AND LOCATION FOR LANDOWNERS' MEETING AND ELECTION; PROVIDING FOR PUBLICATION, PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

**WHEREAS**, Orange Blossom Groves Community Development District (the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Collier County, Florida; and

**WHEREAS**, the District's Board of Supervisors (the "Board") is statutorily authorized to exercise the powers granted to the District; and

**WHEREAS**, all meetings of the Board shall be open to the public and governed by provisions of Chapter 286, *Florida Statutes*; and

**WHEREAS**, the effective date of Collier County Ordinance No. 2016-34 creating the District (the "Ordinance") is November 17, 2016; and

**WHEREAS**, the District is statutorily required to hold a meeting of the landowners of the District for the purpose of electing supervisors for the District on a date in November established by the Board, which shall be noticed pursuant to Section 190.006(2)(a), *Florida Statutes*.

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** In accordance with section 190.006(2), *Florida Statutes*, the meeting of the landowners to elect three (3) supervisors of the District, shall be held on the 11th day of November, 2022 at 12:00 p.m., at the Hampton Inn – Naples I-75, 2630 Northbrook Plaza Drive, Naples, Florida 34119.

**SECTION 2.** The District's Secretary is hereby directed to publish notice of this landowners meeting in accordance with the requirements of Section 190.006(2)(a), *Florida Statutes*.

**SECTION 3.** Pursuant to Section 190.006(2)(b), *Florida Statutes*, the landowners' meeting and election is hereby announced at the Board's Regular Meeting held on the 13th day of May, 2022. A sample notice of landowners' meeting and election, proxy, ballot form and instructions were presented at such meeting and are attached hereto as **Exhibit A**.

**SECTION 4.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 13th day of May, 2022.

**ATTEST:**

**ORANGE BLOSSOM GROVES COMMUNITY  
DEVELOPMENT DISTRICT**

---

Secretary/Assistant Secretary

---

Chair/Vice Chair, Board of Supervisors

## Exhibit A

**NOTICE OF LANDOWNERS' MEETING AND ELECTION AND MEETING OF THE BOARD OF SUPERVISORS OF THE ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT**

Notice is hereby given to the public and all landowners within Orange Blossom Groves Community Development District (the "District") in Collier County, Florida, advising that a meeting of landowners will be held for the purpose of electing three (3) persons to the District Board of Supervisors. Immediately following the landowners' meeting, there will be convened a meeting of the Board of Supervisors for the purpose of considering certain matters of the Board to include election of certain District officers, and other such business which may properly come before the Board.

DATE: November 11, 2022  
TIME: 12:00 p.m.  
PLACE: Hampton Inn – Naples I-75  
2630 Northbrook Plaza Drive  
Naples, Florida 34119

Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request at the office of the District Manager, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, by emailing [adamsc@whhassociates.com](mailto:adamsc@whhassociates.com) or calling (561) 571-0010. At said meeting, each landowner or his or her proxy shall be entitled to nominate persons for the position of Supervisor and cast one vote per acre of land, or fractional portion thereof, owned by him or her and located within the District for each person to be elected to the position of Supervisor. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. Platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner's proxy. At the landowners' meeting, the landowners shall select a person to serve as the meeting chair and who shall conduct the meeting.

The landowners' meeting and the Board of Supervisors meeting are open to the public and will be conducted in accordance with the provisions of Florida law. One or both of the meetings may be continued to a date, time, and place to be specified on the record at such meeting. A copy of the agenda for these meetings may be obtained from 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431. There may be an occasion where one or more supervisors will participate by telephone.

Any person requiring special accommodations to participate in these meetings is asked to contact the District Office at (877) 276-0889, at least 48 hours before the hearing. If you are hearing or speech impaired, please contact the Florida Relay Service at (800) 955-8770 for aid in contacting the District Office.

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

\_\_\_\_\_  
District Manager

Run Date(s): \_\_\_\_\_ & \_\_\_\_\_

**PUBLISH: ONCE A WEEK FOR 2 CONSECUTIVE WEEKS, THE LAST DAY OF PUBLICATION TO BE NOT FEWER THAN 14 DAYS OR MORE THAN 28 DAYS BEFORE THE DATE OF ELECTION, IN A NEWSPAPER WHICH IS IN GENERAL CIRCULATION IN THE AREA OF THE DISTRICT**

**INSTRUCTIONS RELATING TO LANDOWNERS' MEETING OF  
ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT  
FOR THE ELECTION OF SUPERVISORS**

DATE OF LANDOWNERS' MEETING: **November 11, 2022**

TIME: **12:00 p.m.**

LOCATION: **Hampton Inn – Naples I-75  
2630 Northbrook Plaza Drive  
Naples, Florida 34119**

Pursuant to Chapter 190, Florida Statutes, and after a Community Development District ("**District**") has been established and the landowners have held their initial election, there shall be a subsequent landowners' meeting for the purpose of electing members of the Board of Supervisors ("**Board**") every two years until the District qualifies to have its board members elected by the qualified electors of the District. The following instructions on how all landowners may participate in the election are intended to comply with Section 190.006(2)(b), Florida Statutes.

A landowner may vote in person at the landowners' meeting, or the landowner may nominate a proxy holder to vote at the meeting in place of the landowner. Whether in person or by proxy, each landowner shall be entitled to cast one vote per acre of land owned by him or her and located within the District, for each position on the Board that is open for election for the upcoming term. A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one vote with respect thereto. Please note that a particular parcel of real property is entitled to only one vote for each eligible acre of land or fraction thereof; therefore, two or more people who own real property in common, that is one acre or less, are together entitled to only one vote for that real property.

At the landowners' meeting, the first step is to elect a chair for the meeting, who may be any person present at the meeting. The landowners shall also elect a secretary for the meeting who may be any person present at the meeting. The secretary shall be responsible for the minutes of the meeting. The chair shall conduct the nominations and the voting. If the chair is a landowner or proxy holder of a landowner, he or she may nominate candidates and make and second motions. Candidates must be nominated and then shall be elected by a vote of the landowners. Nominees may be elected only to a position on the Board that is open for election for the upcoming term.

This year, three (3) seats on the Board will be up for election by landowners. The two candidates receiving the highest number of votes shall be elected for a term of four (4) years. The candidate receiving the next highest number of votes shall be elected for a term of two (2) years. The term of office for each successful candidate shall commence upon election.

A proxy is available upon request. To be valid, each proxy must be signed by one of the legal owners of the property for which the vote is cast and must contain the typed or printed name of the individual who signed the proxy; the street address, legal description of the property or tax parcel identification number; and the number of authorized votes. If the proxy authorizes more than one vote, each property must be listed and the number of acres of each property must be included. The signature on a proxy does not need to be notarized.

**LANDOWNER PROXY**

**ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT  
COLLIER COUNTY, FLORIDA  
LANDOWNERS' MEETING – NOVEMBER 11, 2022**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints \_\_\_\_\_ (“**Proxy Holder**”) for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Orange Blossom Groves Community Development District to be held at 12:00 p.m., on November 11, 2022, at the Hampton Inn – Naples I-75, 2630 Northbrook Plaza Drive, Naples, Florida 34119, and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner that the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing that may be considered at said meeting including, but not limited to, the election of members of the Board of Supervisors. Said Proxy Holder may vote in accordance with his or her discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally be considered at said meeting.

Any proxy heretofore given by the undersigned for said meeting is hereby revoked. This proxy is to continue in full force and effect from the date hereof until the conclusion of the landowners’ meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the landowners’ meeting prior to the proxy holder’s exercising the voting rights conferred herein.

\_\_\_\_\_  
Printed Name of Legal Owner

\_\_\_\_\_  
Signature of Legal Owner

\_\_\_\_\_  
Date

<u>Parcel Description</u>	<u>Acreage</u>	<u>Authorized Votes</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

**Total Number of Authorized Votes:** \_\_\_\_\_

NOTES: Pursuant to Section 190.006(2)(b), Florida Statutes (2019), a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto. For purposes of determining voting interests, platted lots shall be counted individually and rounded up to the nearest whole acre. Moreover, two (2) or more persons who own real property in common that is one acre or less are together entitled to only one vote for that real property.

If the fee simple landowner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto (e.g., bylaws, corporate resolution, etc.).

**OFFICIAL BALLOT**

**ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT  
COLLIER COUNTY, FLORIDA  
LANDOWNERS' MEETING – NOVEMBER 11, 2022**

**For Election (3 Supervisors):** The two (2) candidates receiving the highest number of votes will each receive a four (4)-year term, and the one (1) candidate receiving the next highest number of votes will receive a two (2)-year term, with the term of office for the successful candidates commencing upon election.

The undersigned certifies that he/she/it is the fee simple owner of land, or the proxy holder for the fee simple owner of land, located within the Orange Blossom Groves Community Development District and described as follows:

<b><u>Description</u></b>	<b><u>Acreage</u></b>
_____	_____
_____	_____
_____	_____

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel.] [If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

or

**Attach Proxy.**

I, \_\_\_\_\_, as Landowner, or as the proxy holder of \_\_\_\_\_ (Landowner) pursuant to the Landowner's Proxy attached hereto, do cast my votes as follows:

<b>SEAT</b>	<b>NAME OF CANDIDATE</b>	<b>NUMBER OF VOTES</b>
1.	_____	_____
2.	_____	_____
4.	_____	_____

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT**

**8**

**RESOLUTION 2022-05**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ORANGE BLOSSOM GROVES 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 Orange Blossom Groves 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 ORANGE BLOSSOM GROVES 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.

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

**PASSED AND ADOPTED** this 13th day of May, 2022.

ATTEST:

**ORANGE BLOSSOM GROVES COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

EXHIBIT "A"

<b>ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT</b>		
<b>BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE</b>		
<b>LOCATION</b>		
<i>Hampton Inn - Naples I-75, 2630 Northbrook Plaza Dr., Naples, Florida 34119</i>		
<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
October 14, 2022	Regular Meeting	12:00 PM
November 11, 2022	Landowners' Meeting & Regular Meeting	12:00 PM
December 9, 2022	Regular Meeting	12:00 PM
January 13, 2023	Regular Meeting	12:00 PM
February 10, 2023	Regular Meeting	12:00 PM
March 10, 2023	Regular Meeting	12:00 PM
April 14, 2023	Regular Meeting	12:00 PM
May 12, 2023	Regular Meeting	12:00 PM
June 9, 2023	Regular Meeting	12:00 PM
July 14, 2023	Regular Meeting	12:00 PM
August 11, 2023	Regular Meeting	12:00 PM
September 8, 2023	Public Hearing & Regular Meeting	12:00 PM
<b>CALL-IN NUMBER: 1-888-354-0094</b>		
<b>PARTICIPANT PASSCODE: 229 774 8903</b>		

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT**

**9**

## RESOLUTION 2022-06

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT REPEALING RESOLUTIONS 2017-23 AND 2017-27; DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THOSE INFRASTRUCTURE IMPROVEMENTS WHOSE COST IS TO BE DEFRAID BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE IMPROVEMENTS TO BE DEFRAID BY THE SPECIAL ASSESSMENT; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE MADE; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT; ADOPTING A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR PUBLICATION OF THIS RESOLUTION.**

**WHEREAS**, the Board of Supervisors (the "Board") of the Orange Blossom Groves Community Development District (the "District") has previously adopted Resolution Nos. 2017-23 and 2017-27, on January 12, 2017 and February 15, 2017, respectively (the "Initial Assessment Resolutions"), which together levy debt service special assessments upon certain benefited property within the District to fund the cost of the acquisition and/or construction of certain infrastructure improvements; and

**WHEREAS**, due to changes in the development plan, the Board now desires to (i) repeal the Initial Assessment Resolutions in their entirety and all subsequent proceedings authorized therein, and (ii) commence the imposition of special assessments relative to the revised development plan; and

**WHEREAS**, accordingly, the Board hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the improvements described in the *Master Engineer's Report*, dated January 16, 2017 as revised by the *First Supplemental Engineer's Report*, dated March 28, 2022, attached hereto as **Composite Exhibit A** (the "Improvements") and incorporated herein by reference; and

**WHEREAS**, it is in the best interest of the District to pay the cost of the Improvements by special assessments pursuant to Chapter 190, Florida Statutes (the "Assessments"); and

**WHEREAS**, the District is empowered by Chapter 190, the Uniform Community Development District Act, Chapter 170, Supplemental and Alternative Method of Making Local Municipal Improvements, and Chapter 197, the Uniform Method for the Levy, Collection and

Enforcement of Non-Ad Valorem Assessments, Florida Statutes, to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain the Improvements and to impose, levy and collect the Assessments; and

**WHEREAS**, the District hereby determines that benefits will accrue to the property improved, the amount of those benefits, and that special assessments will be made in proportion to the benefits received as set forth in the *Revised Master Special Assessment Methodology Report*, dated May 13, 2022, attached hereto as **Exhibit B** and incorporated herein by reference and on file at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (the “District Records Office”); and

**WHEREAS**, the District hereby determines that the Assessments to be levied will not exceed the benefits to the property improved.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT:**

1. Upon the adoption of this Resolution, the Initial Assessment Resolutions shall automatically be repealed, rescinded, void and deemed to be of no force and effect.
2. The Assessments shall be levied to defray the cost of the Improvements.
3. The nature and general location of, and plans and specifications for, the Improvements are described in **Composite Exhibit A**, which is on file at the District Records Office. **Exhibit B** is also on file and available for public inspection at the same location.
4. The total estimated cost of the Improvements is \$10,747,200 (the “Estimated Cost”).
5. The Assessments will defray approximately \$\_\_\_\_\_, which amounts includes the Estimated Cost, plus financing-related costs, capitalized interest, and debt service reserve.
6. The manner in which the Assessments shall be apportioned and paid is set forth in **Exhibit B**, including provisions for supplemental assessment resolutions.
7. The Assessments shall be levied, within the District, on all lots and lands adjoining and contiguous or bounding and abutting upon the Improvements or specially benefitted thereby and further designated by the assessment plat hereinafter provided for.

**8.** There is on file, at the District Records Office, an assessment plat showing the area to be assessed, with certain plans and specifications describing the Improvements and the Estimated Cost of the Improvements, all of which shall be open to inspection by the public.

**9.** Commencing with the year in which the Assessments are levied and confirmed, the Assessments shall be paid in not more than (30) thirty annual installments. The Assessments may be payable at the same time and in the same manner as are ad-valorem taxes and collected pursuant to Chapter 197, Florida Statutes; provided, however, that in the event the uniform non ad-valorem assessment method of collecting the Assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law.

**10.** The District Manager has caused to be made a preliminary assessment roll, in accordance with the method of assessment described in **Exhibit B** hereto, which shows the lots and lands assessed, the amount of benefit to and the assessment against each lot or parcel of land and the number of annual installments into which the assessment may be divided, which assessment roll is hereby adopted and approved as the District's preliminary assessment roll.

**11.** The Board shall adopt a subsequent resolution to fix a time and place at which the owners of property to be assessed or any other persons interested therein may appear before the Board and be heard as to the propriety and advisability of the Assessments or the making of the Improvements, the cost therefore, the manner of payment therefor, or the amount thereof to be assessed against each property as improved.

**12.** The District Manager is hereby directed to cause this Resolution to be published twice (once a week for two (2) consecutive weeks) in a newspaper of general circulation within Collier County and to provide such other notice as may be required by law or desired in the best interests of the District.

**13.** This Resolution shall become effective upon its passage.

[CONTINUED ON NEXT PAGE]

**PASSED AND ADOPTED** this 13<sup>th</sup> day of May, 2022.

ATTEST:

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**Composite Exhibit A:** *Master Engineer's Report*, dated January 16, 2017 as revised by the *First Supplemental Engineer's Report*, dated March 28, 2022

**Exhibit B:** *Revised Master Special Assessment Methodology Report*, dated May 13, 2022

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT**

**10**

**RESOLUTION 2022-07**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT SETTING A PUBLIC HEARING TO BE HELD ON \_\_\_\_\_, 2022, AT \_\_\_\_\_ .M. AT \_\_\_\_\_, FOR THE PURPOSE OF HEARING PUBLIC COMMENT ON IMPOSING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY WITHIN THE DISTRICT GENERALLY DESCRIBED AS THE ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH CHAPTERS 170, 190 AND 197, FLORIDA STATUTES.**

**WHEREAS**, the Board of Supervisors of the Orange Blossom Groves Community Development District (the “Board”) has previously adopted Resolution 2022-06 entitled:

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT REPEALING RESOLUTIONS 2017-23 AND 2017-27; DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THOSE INFRASTRUCTURE IMPROVEMENTS WHOSE COST IS TO BE DEFRAID BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE IMPROVEMENTS TO BE DEFRAID BY THE SPECIAL ASSESSMENT; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE MADE; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT; ADOPTING A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR PUBLICATION OF THIS RESOLUTION.**

**WHEREAS**, in accordance with Resolution 2022-06, a Preliminary Special Assessment Roll has been prepared and all other conditions precedent set forth in Chapters 170, 190 and 197, Florida Statutes, to the holding of the aforementioned public hearing have been satisfied, and the roll and related documents are available for public inspection at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, 561-571-0010 (the “District Records Office”).

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT:**

1. There is hereby declared a public hearing to be held at \_\_\_\_\_ .m. on \_\_\_\_\_, 2022, at \_\_\_\_\_, for the purpose of hearing comment and objections to the proposed special assessment program for District improvements as identified in the Preliminary Special Assessment Roll, a copy of which is

on file. Affected parties may appear at that hearing or submit their comments in writing prior to the hearing to the office of the District Manager at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, 561-571-0010.

**2.** Notice of said hearing shall be advertised in accordance with Chapters 170, 190 and 197, Florida Statutes, and the District Manager is hereby authorized and directed to place said notice in a newspaper(s) of general circulation within Collier County (by two publications one week apart with the first publication at least twenty (20) days prior to the date of the hearing established herein). The District Manager shall file a publisher's affidavit with the District Secretary verifying such publication of notice. The District Manager is further authorized and directed to give thirty (30) days written notice by mail of the time and place of this hearing to the owners of all property to be assessed and include in such notice the amount of the assessment for each such property owner, a description of the areas to be improved and notice that information concerning all assessments may be ascertained at the District Records Office. The District Manager shall file proof of such mailing by affidavit with the District Secretary.

**3.** This Resolution shall become effective upon its passage.

**PASSED AND ADOPTED** this 13<sup>th</sup> day of May, 2022.

**ATTEST:**

**ORANGE BLOSSOM GROVES COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT**

**1 1**

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
MARCH 31, 2022**

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
MARCH 31, 2022**

	General Fund	Total Governmental Funds
<b>ASSETS</b>		
Cash	\$ 10,931	\$ 10,931
Due from Developer	23,573	23,573
Total assets	\$ 34,504	\$ 34,504
<b>LIABILITIES</b>		
Liabilities:		
Accounts payable	\$ 22,204	\$ 22,204
Developer advance	11,250	11,250
Total liabilities	33,454	33,454
<b>DEFERRED INFLOWS OF RESOURCES</b>		
Deferred receipts	23,573	23,573
Total deferred inflows of resources	23,573	23,573
<b>FUND BALANCES</b>		
Unassigned	(22,523)	(22,523)
Total fund balances	(22,523)	(22,523)
 Total liabilities, deferred inflows of resources and fund balances	 \$ 34,504	 \$ 34,504

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED MARCH 31, 2022**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Developer contribution	\$ -	\$ 17,970	96,659	19%
Total revenues	<u>-</u>	<u>17,970</u>	<u>96,659</u>	<u>19%</u>
<b>EXPENDITURES</b>				
<b>Professional &amp; administrative</b>				
Supervisors	-	-	6,000	0%
Management/accounting/recording	4,000	24,000	48,000	50%
Legal	192	608	15,000	4%
Engineering	2,250	2,666	3,500	76%
Audit	1,700	5,700	5,700	100%
Arbitrage rebate calculation**	-	-	750	0%
Dissemination agent*	-	-	1,000	0%
Trustee*	-	-	6,500	0%
Telephone	17	100	200	50%
Postage	-	8	500	2%
Printing & reproduction	42	250	500	50%
Legal advertising	350	637	1,500	42%
Annual special district fee	-	175	175	100%
Insurance	-	5,570	5,919	94%
Contingencies/bank charges	19	144	500	29%
ADA website compliance	-	-	210	0%
Website maintenance	705	705	705	100%
Total professional & administrative	<u>9,275</u>	<u>40,563</u>	<u>96,659</u>	<u>42%</u>
Excess/(deficiency) of revenues over/(under) expenditures	(9,275)	(22,593)	-	
Fund balances - beginning	(13,248)	70	-	
Fund balances - ending	<u>\$ (22,523)</u>	<u>\$ (22,523)</u>	<u>\$ -</u>	

\*These items will be realized when bonds are issued

\*\*These items will be realized the year after the issuance of bonds.

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT**

**12**

**DRAFT**

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39

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)**

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

41 Mr. O'Donnell resigned from Seat 3.

42

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

45

46

47 **FOURTH ORDER OF BUSINESS**

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

49

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

51 No other nominations were made.

52

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

56

57

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

59 No other nominations were made.

60

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

64

65

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

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

70 Ms. Miller resigned from Seat 1.

71

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

74

75 Mr. Taylor resigned from Seat 2.

76

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

79

80

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

82 No other nominations were made.

83

84 **On MOTION by Mr. Ernst and seconded by Mr. Dean, with all in favor, the**  
85 **appointment of Ms. Fernanda Martinho to Seat 1, term expires November**  
86 **2022, was approved.**

87

88

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

90 No other nominations were made.

91

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

95

96

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

99 Ms. Welks resigned from Seat 5.

100

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

103

104

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

106 No other nominations were made.

107

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

111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139

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.

140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174

**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.**

175 **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**

176  
177  
178  
179  
180  
181

182 Mr. Adams presented Resolution 2022-02.

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

184 DATE: Second Friday of each month.

185 TIME: 11:00 A.M.

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

188

**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.**

189  
190  
191  
192  
193  
194

195 **TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of November 30, 2021**

196  
197  
198 Mr. Adams presented the Unaudited Financial Statements as of November 30, 2021.  
199 Outstanding funds due from the Developer would be collected via a final funding request, in the  
200 amount of \$4,038 as of November 30, 2021.

201 The financials were accepted.

202

203 **ELEVENTH ORDER OF BUSINESS**

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

204  
205  
206 Mr. Adams presented the July 28, 2021 Public Hearing and Regular Meeting Minutes.  
207 He stated that, of those present, only Mr. Haber was in attendance at the meeting. Mr. Haber  
208 stated the minutes were straightforward and accurate.

209

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

213  
214

215 **TWELFTH ORDER OF BUSINESS**

**Staff Reports**

216  
217

**A. District Counsel: *Kutak Rock LLP***

218

219

220

221

222

223

224

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

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.

241 **II. Wastewater and Stormwater Needs Analysis**

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

245 **III. Prompt Payment Policies**

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

250 **IV. Public Records Exemptions Advisory Notice**

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

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

255 There was no report.

256 **C. District Manager: *Wrathell, Hunt & Associates, LLC***257 **• NEXT MEETING DATE: TBD**258 **○ QUORUM CHECK**

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

261

262 **THIRTEENTH ORDER OF BUSINESS****Board Members' Comments/Requests**

263

264 There were no Board Members' comments or requests.

265

266 **FOURTEENTH ORDER OF BUSINESS****Audience Comments**

267

268 There were no audience comments.

269

270 **FIFTEENTH ORDER OF BUSINESS****Adjournment**

271

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

273

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

276

277

278

279

280

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

281  
282  
283  
284  
285  
286  
287  
288

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair

**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT**

**13C1**



# Jennifer J. Edwards Supervisor of Elections

April 15, 2022

Ms Daphne Gillyard  
Orange Blossom Groves  
2300 Glades Rd Suite 410W  
Boca Raton FL 30431

Dear Ms Gillyard,

In compliance with 190.06 of the Florida Statutes, this letter is to inform you that the official records of the Collier County Supervisor of Election indicate 4 active registered voters residing in the Orange Blossom Groves as of April 15, 2022.

Should you have any question regarding election services for this district please feel free to contact our office.

Sincerely,

David B Carpenter  
Qualifying Officer  
Collier County Supervisor of Elections  
(239) 252-8501  
Dave.Carpenter@colliervotes.gov



**ORANGE BLOSSOM GROVES  
COMMUNITY DEVELOPMENT DISTRICT**

**13CII**

**ORANGE BLOSSOM GROVES COMMUNITY DEVELOPMENT DISTRICT**

**BOARD OF SUPERVISORS FISCAL YEAR 2021/2022 MEETING SCHEDULE**

**LOCATION**

*Hampton Inn - Naples I-75, 2630 Northbrook Plaza Dr., Naples, Florida 34119*

<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
January 4, 2022	Special Meeting	12:00 PM
February 11, 2022 <b>CANCELED</b>	Regular Meeting	12:00 PM
March 11, 2022 <b>CANCELED</b>	Regular Meeting	12:00 PM
April 8, 2022 <b>CANCELED</b>	Regular Meeting	12:00 PM
May 13, 2022	Regular Meeting	12:00 PM
June 10, 2022	Regular Meeting	12:00 PM
July 8, 2022	Regular Meeting	12:00 PM
August 12, 2022	Regular Meeting	12:00 PM
September 9, 2022	Public Hearing & Regular Meeting	12:00 PM