

**MINUTES OF MEETING
RIVER LANDING
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the River Landing Community Development District was held on Wednesday, May 19, 2021, at 11:00 A.M. at the Esplanade Amenity Center, 4495 Myrica Drive, Odessa, Florida 33556.

Present and constituting a quorum:

Robert Lee	Chairperson
Travis Stagnitta	Vice Chairperson
David Wilson	Assistant Secretary
Jason Ford	Assistant Secretary

Absent:

Gabriella Pelleova	Assistant Secretary
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Also present were:

James P. Ward	District Manager
Wes Haber	District Counsel
Victor Barbosa	District Engineer

Audience:

Drew Miller	Taylor Morrison
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All resident's names were not included with the minutes. If a resident did not identify themselves or the audio file did not pick up the name, the name was not recorded in these minutes.

**PORTIONS OF THIS MEETING WERE TRANSCRIBED VERBATIM. ALL VERBATIM PORTIONS WERE
TRANSCRIBED IN *ITALICS*.**

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

District Manager James P. Ward called the meeting to order at approximately 11:05 a.m. He conducted roll call; all Members of the Board were present, with the exception of Supervisor Pelleova, constituting a quorum.

SECOND ORDER OF BUSINESS

Consideration of Resignation

Consideration of acceptance of the resignation of Ms. Jennifer Gardner from Seat 5 effective April 1, 2021, whose term is set to expire November 2022

- a) Appointment of individual to fill Seat 5
- b) Oath of Office

- c) **Guide to the Sunshine Law and Code of Ethics for Public Employees**
- d) **Form 1 – Statement of Financial Interests**

Mr. Ward: As a matter of law the resignation is effective as of the date of the letter. There is no Board action required. I will ask, however, that you accept the resignation for purposes of inclusion in the record only.

On MOTION made by Mr. Travis Stagnitta, seconded by Mr. Robert Lee, and with all in favor, the Letter of Resignation was accepted for purposes of inclusion in the record.

Mr. Ward explained the Board could now appoint an individual to fill the unexpired term of Ms. Gardner by a simple motion and second. He explained the appointed individual was required to be a citizen of the United States, resident of the State of Florida and not a convicted felon. He asked if there were any appointments.

On MOTION made by Mr. Robert Lee, seconded by Mr. David Wilson, and with all in favor, Jason Ford was appointed to fill Seat 5.

Mr. Ward ensured Mr. Jason Ford was qualified to serve on the Board. As a notary public, he administered the Oath of Office to Mr. Jason Ford. He asked Mr. Ford to sign the Oath of Office and return the signed Oath to himself for notarization and to be made part of the public record. He discussed the Form 1 – Statement of Financial Interests and noted Mr. Ford should call himself (Mr. Ward) with any questions regarding Form 1. He encouraged Mr. Ford not to forget to file Form 1 or risk incurring fees for late filing. Mr. Ford requested a digital copy of Form 1. Mr. Ward indicated a digital copy would be sent to Mr. Ford. He noted Mr. Ford sat on other boards and as such was familiar with the Sunshine Law and Code of Ethics.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2021-8

Consideration of Resolution 2021-8 re-designation the officers of the River Landing Community Development District

Mr. Ward explained, currently Mr. Lee served as Chairperson, Mr. Stagnitta served as Vice Chair, Mr. Wilson and Ms. Pelleova served as Assistant Secretaries while he served as Secretary and Treasurer. He noted Mr. Ford could simply be added as an Assistant Secretary or the officer's positions could be reorganized as the Board deemed appropriate. He stated if the Board wished to simply add Mr. Ford as an Assistant Secretary and leave the remaining positions as they were, approval of Resolution 2021-8 would be in order. The Board chose to add Mr. Ford as an Assistant Secretary; no other changes were made.

On MOTION made by Mr. Travis Stagnitta, seconded by Mr. David Wilson, and with all in favor, Resolution 2021-8 was adopted, and the Chair was authorized to sign.

FOURTH ORDER OF BUSINESS

Consideration of Minutes

March 29, 2021, Regular Meeting Minutes

Mr. Ward asked if there were any corrections, additions, or deletions from the Minutes; hearing none, he called for a motion.

On MOTION made by Mr. Travis Stagnitta, seconded by Mr. Robert Lee, and with all in favor, the March 29, 2021, Regular Meeting Minutes were approved.

FIFTH ORDER OF BUSINESS

PUBLIC HEARING

Mr. Ward explained the public hearing process including public comment, Board discussion and vote.

a. PUBLIC HEARING – FISCAL YEAR 2022 BUDGET

I. Public Comment and Testimony

Mr. Ward called for a motion to open the Public Hearing.

On MOTION made by Mr. Robert Lee, seconded by Mr. Travis Stagnitta, and with all in favor, the Public Hearing was opened.

Mr. Ward asked if there were any members of the public present by audio or video with any comments or questions respecting the Fiscal Year 2022 Budget; there were none. He noted there were no members of the public present in person. He called for a motion to close the public hearing.

On MOTION made by Mr. Robert Lee, seconded by Mr. David Wilson, and with all in favor, the Public Hearing was closed.

II. Board Comment

Mr. Ward noted the operations assessment rate was \$200.43 for the General Fund per unit across all 870 units within the District. He noted the Debt Service Fund budget (Series 2020A and 2020B bonds) would be on roll this coming year for the platted lots associated with the 2020A bonds. He noted the 2020B bonds would not go on roll. He asked if there were any Board comments or questions; there were none.

III. Consideration of Resolution 2021-9 adopting the annual appropriation and Budget for Fiscal Year 2022

Mr. Ward called for a motion for Resolution 2021-9.

On MOTION made by Mr. David Wilson, seconded by Mr. Robert Lee, and with all in favor, Resolution 2021-9 was adopted, and the Chair was authorized to sign.

b. FISCAL YEAR 2022 IMPOSING SPECIAL ASSESSMENTS; ADOPTING AN ASSESSMENT ROLL AND APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY

Mr. Ward indicated this public hearing was related to the imposition of the special assessments for the general fund, certification of an assessment roll, and approval of the special assessment methodology for the District.

Mr. Ward: This Resolution will adopt an assessment roll which means that we levy the assessments only on the General Fund for Fiscal Year 2022. That amount will be \$200.43 per unit over the 870 units in the District. They are levied on a uniform basis. That means they have an equal assessment for each product type. They do not vary based upon the size of the lot. This Resolution imposes the special assessment, certifies the roll, and approves the methodology that levies it on a uniform basis.

I. Public Comment and Testimony

Mr. Ward called for a motion to open the Public Hearing.

On MOTION made by Mr. Robert Lee, seconded by Mr. Travis Stagnitta, and with all in favor, the Public Hearing was opened.

Mr. Ward asked if there were any members of the public present by audio or video with any comments or questions; there were none. He noted there were no members of the public present in person. He called for a motion to close the public hearing.

On MOTION made by Mr. Robert Lee, seconded by Mr. David Wilson, and with all in favor, the Public Hearing was closed.

II. Board Comment

Mr. Ward asked if there were any questions; there were none.

III. Consideration of Resolution 2021-10 Imposing Special Assessments, adopting an Assessment Roll, and approving the General Fund Special Assessment Methodology

Mr. Ward called for a motion.

On MOTION made by Mr. David Wilson, seconded by Mr. Robert Lee, and with all in favor, Resolution 2021-10 was adopted, and the Chair was authorized to sign.

IV. Consideration or Resolution 2021-11, Establishing an Operation and Maintenance Assessment Cap for notice purposes

Mr. Ward: This is an optional resolution for the Board. It is what we call an operations and maintenance cap rate resolution. Essentially, in order to get to the point of levying a General Fund Assessment, statute required mailed notice to all individual units on an annual basis. We have the ability to adopt a cap rate which basically says unless you go over the cap rate in the future you do not have to do mailed notice to individual units. We did do the mailed notice this year, along with the cap rate notice which told them what the cap rate would be, which is \$220.48 per unit, so in future years, if you do not go over that amount, then we do not have to do individual mailed notice to all property owners within the District. It is an optional resolution, but it is recommended.

On MOTION made by Mr. Robert Lee, seconded by Mr. David Wilson, and with all in favor, Resolution 2021-11 was adopted, and the Chair was authorized to sign.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2021-12

Consideration of Resolution 2021-12 designating dates, time, and location for regular meeting of the Board of Supervisor's for Fiscal Year 2022

Mr. Ward explained Meetings would be advertised once for the entire year. He stated the meetings were scheduled for the third Tuesday each month at 11:00 A.M. at the Esplanade Amenity Center, 4495 Myrica Drive, Odessa, Florida 33556. He noted the Board would not be bound to these dates; meetings could be added or subtracted from as the Board saw fit.

On MOTION made by Mr. Travis Stagnitta, seconded by Mr. Robert Lee, and with all in favor, Resolution 2021-12 was adopted, and the Chair was authorized to sign.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2021-13

Consideration of Resolution 2021-13, a Resolution of the Board of Supervisors of the River Landing Community Development District confirming and approving the actions of the Chairman and District Staff regarding the Acquisition of certain offsite Utility Improvements and offsite Roadway Improvements, Phase 1a Improvements and work product

Mr. Ward asked Mr. Wes Haber to discuss this Resolution.

Mr. Wes Haber: This Resolution was a ratification resolution subsequent to closing on your bonds. My office worked with your engineer and the Chair to effectuate two acquisitions. One was for certain off-site infrastructure, and the second one was for offsite roadways, as well as on site infrastructure. The support for all of those acquisitions, the detailed explanation of what was acquired, and the real property conveyance documents for each of those, are all included as exhibits to the resolution. This

Resolution just ratifies the actions of the CDD using those bond proceeds to acquire these improvements. As you can see it is pretty straightforward. Notably, the exhibits include certificates from your Engineer confirming that those improvements are included in the Engineer's Report and were appropriate to acquisition. I am happy to answer any questions.

Mr. Ward asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Mr. Robert Lee, seconded by Mr. Travis Stagnita, and with all in favor, Resolution 2021-13 was adopted, and the Chair was authorized to sign.

EIGHTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

Mr. Wes Haber: By way of update, the District has formally acquired, and paid for, the portion of the streetlight improvements that it ordered from Ampro. We are presently in a position to be able to work to get those streetlight improvements installed. This Board has already approved a resolution, approved a form of installation agreement, authorizing the District Manager to approve an agreement for that installation. In looking at the plat it's contemplated that those right of ways are to be conveyed to the HOA and it provides for a utility easement over those right-of-ways for various utilities, and I think these streetlights would be considered utilities. That being said, we do think it makes sense for there to be a specific easement from whichever entity presently owns those right-of-ways. If they haven't yet been conveyed to the HOA, then the easement would come from the developer. If they have already been conveyed to the HOA, then the easement would come from the HOA. But a specific operation installation, and maintenance easement from the owner to the CDD that would be recorded in perpetuity just to ensure the CDD has all the rights it needs for ongoing operation and maintenance of the streetlights. We don't have a specific resolution for you to approve, but the recommended action would be for the Board to authorize a resolution in substantially the form I just described, authorizing your Chair to review and ultimately approve the Resolution authorizing the execution of an easement with the owner of the right-of-ways for the installation, operation and maintenance of the streetlights to be installed. I'm happy to answer any questions.

Mr. Robert Lee: The current right-of-way is just set up, Phase 1 is already conveyed. Is it just the HOA then?

Mr. Kyle Clawson: The HOA is going to own the right-of-way, and the CDD should have an easement in place.

Mr. Haber: The purpose of the easement I am discussing is just to make certain because the CDD pays for the streetlights and will ultimately need to be the party responsible for the operation and ongoing maintenance of the streetlights, that there is no question in the future that the CDD has that right. I didn't see necessarily on the plat that the – the closest thing I saw on the plat was the utility easement which arguably we could operate under. I feel like there is some benefit to having it

specifically spelled out that the CDD will have the perpetual right to access the right-of-way for the purpose of operating and maintaining the streetlights, as well as for installation of streetlights.

On MOTION made by Mr. Travis Stagnitta, seconded by Mr. Robert Lee, and with all in favor, Resolution 2021-14 was adopted in substantially the form identified by Mr. Wes Haber, and the Chair was authorized to sign.

Mr. Ward: In the authorization to permit the installation, is there a maximum amount in there or does it just provide that the Manager can authorize the installation?

Mr. Haber: My recollection, Jim, is that the amount was \$50,000 for the installation of the first phase.

Mr. Ward: Did we do that by resolution or by agreement?

Mr. Haber: I believe there is a resolution that the Board adopted.

Mr. Ward: Do you know the resolution number?

Mr. Haber: Resolution 2021-3 which section 2 specified that the "District Manager is hereby authorized to select a contractor to perform the streetlight installation and execute the agreement. Such authority shall be subject to the cost of the streetlight installation services, not exceeding \$50,000."

Mr. Ward: I think it might be appropriate to amend that resolution upwards to \$130,000 dollars so we can cover the installation cost of all of the streetlights, beyond just Phase 1, otherwise we will have to do this every time. So, a motion to amend Resolution 2021-3, and Wes will do this by Resolution 2021-15, to increase that authority to \$130,000 dollars, would be in order.

On MOTION made by Mr. David Wilson, seconded by Mr. Robert Lee, and with all in favor, Resolution 2021-15 was adopted, and the Chair was authorized to sign.

II. District Engineer

No report.

III. District Manager

- a) Reported Number of Registered Voters as of April 15, 2021**
- b) Financial Statement for period ending March 31, 2021 (unaudited)**
- c) Financial Statement for period ending April 30, 2021 (unaudited)**

Mr. Ward indicated Statute required the Supervisor of Elections to report the number of registered voters in the District annually. He explained this number became significant when the District hit two thresholds: one was six years from the effective date of establishment (July 14,

2020) and two was 250 registered voters (qualified electors). He noted at that point the Board would begin to transition from a landowner-controlled board to a qualified elector-based board. He reported as of April 15, 2021, there were 0 registered voters within the District. He noted there was no action required from the Board. He asked if there were any questions; there were none.

NINTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Ward asked if there were any Supervisor's requests; there were none. Mr. Ward asked if there were any audience questions or comments; there were none.

TENTH ORDER OF BUSINESS

Adjournment

Mr. Ward adjourned the meeting at approximately 11:31 a.m.

On MOTION made by Mr. David Wilson, seconded by Mr. Robert Lee, and with all in favor, the meeting was adjourned.

ATTEST:



James P. Ward, Secretary

River Landing Community Development District

Robert Lee

Robert Lee, Chairperson

Signature: Robert Lee
Robert Lee (Sep 20, 2021 11:13 EDT)

Email: rolecdd@taylormorrison.com

RL - Minutes 05 19 2021 - to be signed

Final Audit Report

2021-09-20

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