

**MINUTES OF MEETING
CURRENTS
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Currents Community Development District was held on Thursday, February 9, 2023, at 9:30 a.m. at the offices of Coleman, Yovanovich & Koester, 4001 Tamiami Trail North, Suite 300, Naples, Florida 34103.

Landowners Present:

Charles Cook	Chairperson
Trish Sing	Vice Chairperson
Clayton Wasson	Assistant Secretary
Tonya Holden	Assistant Secretary
Brian Keller	Assistant Secretary

Also present were:

Greg Urbancic	District Attorney
Jackie LaRocque	District Engineer

Audience:

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

Mr. James P. Ward called the meeting to order at approximately 9:44 a.m. He reported all Members of the Board were present, constituting a quorum.

SECOND ORDER OF BUSINESS

Consideration of Minutes

I. November 1, 2022 – Landowners Meeting

II. November 1, 2022 – Regular Meeting

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

On MOTION made by Brian Keller, seconded by Clayton Wasson, and with all in favor, the November 1, 2022 Landowners Meeting Minutes were accepted for purposes of inclusion in the record.

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

On MOTION made by Brian Keller, seconded by Clayton Wasson, and with all in favor, the November 1, 2022 Regular Meeting Minutes were approved.

THIRD ORDER OF BUSINESS

Consideration of Audited Financial Statements

Consideration of the Acceptance of the Audited Financial Statements for the Fiscal Year ended September 30, 2022

Mr. Ward indicated the Auditor was not present. He stated the Board could choose to defer this until the next meeting or he could review the Audited Financial Statements with the Board for consideration.

The Board chose to defer this Item until the next meeting.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2023-3

Consideration of Resolution 2023-4, a resolution of the Board of Supervisors Of Currents Community Development District authorizing the execution and delivery of documents to effectuate the exchange of real property to modify the location of Lakes and related Stormwater Management Facilities between the District and Taylor Morrison of Florida, Inc.

Mr. Ward: In summary, what we are doing is exchanging some land swaps for lakes that we had bought two years ago, and due to development land changes, we are swapping out those lands. I would like Greg to go through that with you.

Mr. Urbancic: Essentially, early on in this District, we issued some financing and purchased from the developer approximately 12 million dollars' worth of land which was designated to be water management tracts, lakes, ponds, essentially. Doing that at the outset of a raw community, we knew there was that chance that these might not be in exactly the right spot. As the development plan has progressed through Phase 1 into the other phases, some changes to the pond areas need to happen. What we are going to be doing is some cleanup. We are working on the details of that, but generally speaking, we have a set of legal descriptions which will be the areas that we convey back to Taylor Morrison, and then the areas that come back to us. We are trying to do it in a method that is both clean for the reader, title examiners in the future, so that people can understand what we are doing. We could go through and clean up little edges here and there, but it could be both a survey nightmare and also a title examination nightmare in the future, so we are trying to do it so that we convey tracts back, and then redo it, so we get a nice clean end result. At the end result, the District would obtain slightly more area than what we have now, so from an acreage basis it is a net plus for the District, so the thought

process is, we are not really being harmed by cleaning up these edges on these lakes and slightly relocating them. That's the basis here. What this Resolution is intending to do is allow us to go forward and do that cleanup of those edges. So, we have the one set of legal descriptions for out of the District and into the District, and the net is shown. So, Jackie I don't know if you want to add anything?

Jackie LaRocque: You covered most of it, Greg. As Greg stated, when we were working on rev 3 of whatever the Master Site Plan was with Taylor Morrison, we sold the lakes to the District. Now that we have evolved the Master Site Plan with Taylor Morrison and are moving things forward, lakes have shifted, future land areas have shifted, so the original lake areas hit some future lots, things like that, so it's just a cleanup of releasing the land that the District had previously owned or owns today and replacing it with the new lakes, the future development lakes, on all the areas outside of the Phase 1. As Greg said, currently it is a net plus on the lake acreage for the District, so there is no loss in land and no loss in water management area.

Mr. Cook: Have you resolved the conveyance issues?

Mr. Urbancic: We are still working through that, but I think that's part of what we can clean up. If we want to go forward with the authorization, or you want to continue this until the next meeting that's fine too, but the Resolution is in the Agenda Package today.

Mr. Cook: The Resolution would just allow us to facilitate the swap?

Mr. Urbancic: Correct. It just acknowledges that we are doing out and in and then authorizes us to finish that and authorizes the Chair to execute whatever is necessary.

On MOTION made by Charles Cook, seconded by Tonya Holden, and with all in favor, Resolution 2023-3 was adopted, and the Chair was authorized to sign.

FIFTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

a) Form 8B Conflict of interest for Taylor Morrison Board Members

Mr. Greg Urbancic: One of the things that come up oftentimes in Districts is conflicts of interest when we are voting on items. What's a little unusual under Chapter 190, there is an exception that you can essentially be affiliated with the landowner and it does not necessarily constitute a conflict of interest. When a person as a government official normally has a conflict of interest, they would file this Form 8B, and it would be filed with the Minutes of the Meeting. So, in other words, if I were just a normal Supervisor, and I owned a lake management company, and we were taking up a lake management contract, I would announce my conflict, I would abstain, and I would fill out this form saying the District is doing business with this company, I abstain from the vote because I own this company. Now, you're all in interesting positions because of your affiliation with Taylor Morrison, but there is an exclusion in the statute saying that if you are affiliated with the landowner, that's essentially the developer, it doesn't technically constitute a conflict. In those

situations you don't really need to file a Form 8B because essentially everything we are doing is somewhat of a conflict in that sense, but it is exempted by statute. We thought it was a good idea in some of our internal discussions and discussions with the Chair to make a disclosure for purposes of the record that we are an employee, or otherwise affiliated with the developer, and that way we will file that with the public record, and we will start doing this on an annual basis, that way there is no question that we are falling within that exemption under Chapter 190. This is basically informing everyone that "Hey, I don't have a specific conflict, but I am affiliated with the landowner, and therefore, I am falling under this specific exemption under the statute." That way, if someone wants to review our minutes and records, they will find this form in there.

Mr. Cook: I think this came out in some other Districts where that accusation was made, there was a conflict of interest.

Mr. Urbancic: I think any time people can make an allegation of "hey, you had a voting conflict." "No, I didn't, here's the exemption under the statute." "Well, how did I know you were a landowner or affiliated with the landowner?" In other words, this is okay, we are going to document it, and if you want to review our records it's there. So, you are all public officials, you will each fill it out, make this pronouncement, sign it, and Jim will put it in the record.

Mr. Ward: Just for the record, you all have been provided an original of the Form 8B. I ask that you please fill it out now, sign it, and return it to me, and I will include it as a part of the record.

Mr. Urbancic: What we did is, I drafted a paragraph. On the second page of that is a specific paragraph that outlines what I just said, that basically you are an employee or affiliate with Taylor Morrison and therefore, you fall under that exemption.

Discussion ensued regarding the proper way to fill out Form 8B.

Mr. Cook: Jim, at what point will we have a resident Board Member?

Mr. Ward: As of April of 2023, when I get the new report, if it hits the 250 mark you will start the transition in 2024.

Mr. Cook: How do we go about finding that person? Do we put an RFP out?

Mr. Ward: The process is, in June we actually advertise that there will be an election in November of 2024, and they will have the ability to go down to the Supervisor of Elections Office in Collier County and register for that Seat. If Taylor Morrison has a couple of people who might be interested, those people would still have to go down there and go through that process. As long as they qualify, if no one else runs for the specific Seat, the one person automatically wins that Seat, and then they will be seated on the board in November of 2024.

Mr. Urbancic: It will still be only two seats at that time. We will still have the others. Two won't be up for election, and one will be a landowner election at that time, so given you will still likely be the majority landowner, you will still be in control.

II. District Engineer

No report.

III. District Manager

a) Important Board Meeting Dates for Balance of Fiscal Year 2023

- 1. Submission, Approval of Proposed Budget, and Setting of the Budget Adoption Public Hearing: April 13, 2023, 9:30 A.M.**
- 2. Public Hearing: FY2024 Budget Adoption – July 13, 2023, 9:30 A.M.**

b) Form 8B Reminder

c) Financial Statement for period ending November 30, 2022 (unaudited)

d) Financial Statement for period ending December 31, 2022 (unaudited)

Mr. Ward: We will likely start our Budget process for this District in April, maybe March, depending upon when I finish the preparation of it.

SIXTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Ward asked if there were any Supervisor's Requests.

Mr. Cook asked about the next Series of Bond Issues.

Mr. Ward: In this District, because of the way we had structured your last series of bonds, once you hit a percent of closed lots or platted units in the Phase 1 area, then we can issue the next series of bonds on the next phase of lots. The last time I looked it wasn't close to the 430 something; it was much less than half of that.

Mr. Cook: So, with what we call Phase 3, from a development perspective we are now moving forward with our third phase of development, and that will be a pretty large plat. That's all being platted at once, right Jackie?

Jackie: Yes, sir.

Mr. Cook: So, do you know off the top of your head, or can you quickly give us what our platted lot count will be Phase 1 through 3 Jackie?

Jackie LaRocque: Yes, give me a moment.

Mr. Cook: So, if it's a plat trigger, then we can speak to when that plat will be recorded. If it's a closing trigger, we closed about 250, I believe, so far.

Mr. Keller: We are still under 200 (indecipherable).

Mr. Ward: We have 349 units. I think the trigger is 90 percent of that number, and I'm almost positive it's closed, not platted, but I just want to double check that. Once you hit that 90 percent threshold, then we can, I think, issue more bonds, but I will verify this for you.

Discussion ensued regarding the other documents which would be needed to move forward with the next bond series issuance.

Mr. Urbancic: Regarding the resident Seat, it's a 2019 Ordinance, so we would not hit six years in 2024. We would hit it in 2026. The only other caveat there is technically the Donna Fiallo (ph) provision that we had made the commitment of bringing a landowner on once they start moving in. So, the next landowner election, I think we need to about (indecipherable). That's something we need to think about.

Mr. Ward: Well, we don't have a landowner's election until 2024, so we've got another year.

Mr. Cook: The 9:30 timeframe, it conflicts with a number of other obligations we have, but I know we try to consolidate for your trip, so can we possibly do the next meeting from here on after at 1:00 in the afternoon or something?

Mr. Ward: I have four meetings today. I have you, one at 8:00 a.m. and one at 2:00 p.m. So, I don't care if we move them, it just can't be today.

Mr. Cook: I understand but going forward, where is your 2:00 meeting?

Mr. Ward: Across the hall.

Discussion ensued regarding when an acceptable meeting time would be.

Mr. Ward indicated he would get back with the Board regarding acceptable meeting times.

Jackie: Phase 1 has 186 units, Phase 2 has 88 units, and Phase 3 will have 265 units. That will be a total of 539 units once Phase 3 is recorded.

Mr. Cook: And ballpark on the Phase 3 plat recording?

Jackie: April.

Mr. Ward asked if there were any audience questions or comments; there were none.

SEVENTH ORDER OF BUSINESS

Adjournment

Mr. Ward adjourned the meeting at approximately 10:05 a.m.

On MOTION made by Brian Keller, seconded by Clayton Wasson, and with all in favor, the Meeting was adjourned.


James P. Ward, Secretary

Currents Community Development District

Charles Cook, Chairperson