

**MINUTES OF MEETING  
ESPLANADE LAKE CLUB  
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Esplanade Lake Club Community Development District was held on Wednesday, March 11, 2020 at 2:00 p.m. at Waldrop Engineering, 28100 Bonita Grande Drive, Suite 304, Bonita Springs, Florida 34135.

**Present and constituting a quorum:**

Charles Cook	Chairperson
Rob Summers	Vice Chairperson
Brian Keller	Assistant Secretary
Valerie McChesney	Assistant Secretary
Rebekah Norton	Assistant Secretary

**Also present were:**

James P. Ward	District Manager
Jere Earlywine	District Counsel

**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.

**FIRST ORDER OF BUSINESS**

**Call to Order and Roll Call**

District Manager James P. Ward called the Meeting to order at approximately 2:04 p.m. and all members were present at roll call. He stated the Agenda would be rearranged; the Acceptance of Resignation would become the Second Order of Business, followed by the Consideration of Resolution 2020-12 and then Consideration of the Minutes.

**SECOND ORDER OF BUSINESS**

**Acceptance of Resignation**

**Acceptance of Resignation of James Lawande (Seat 4) from Board of Supervisors**

Mr. Ward reported the Resignation was effective as of the date of submittal which was yesterday's date. He called for a motion to accept the Resignation for inclusion in the record.

**On MOTION made by Mr. Charles Cook, seconded by Mr. Brian Keller, and with all in favor, the Resignation of James Lawande from Seat 4 was accepted for inclusion in the record.**

**a) Appointment of Board Members to fill the unexpired term of office for Seats 3 & Seat 4.**

Mr. Ward reported Statute permitted the Board to fill the unexpired terms for Seat 3 and Seat 4 by simple motion and second.

**On MOTION made by Mr. Rob Summers, seconded by Mr. Brian Keller, and with all in favor, Ms. Valerie McChesney and Ms. Rebekah Norton were elected to fill Seat 3 and Seat 4 on the Board of Supervisors.**

**a) Administration of Oath of Office**

Mr. Ward provided Ms. Valerie McChesney and Ms. Rebekah Norton with a copy of the Oath of Office and, as a Notary Public, he administered the Oath of Office to Ms. McChesney and Ms. Norton. He asked both to sign and return the Oath of Office to himself for notarization and inclusion in the record. He welcomed Ms. Chesney and Ms. Norton to the Board.

**c) Guide to the Sunshine Amendment and Code of Ethics**

**d) Form 1 – Statement of Financial Interests**

Mr. Ward explained Form 1 was required to be filed within 30 days of appointment with the Supervisor of Elections in the County where Ms. McChesney and Ms. Norton resided respectively. He noted failure to file the form within 30 days would subject Ms. McChesney and Ms. Norton to fines of \$25 dollars per day up to \$7,000 dollars. He recommended timely filing of Form 1.

Mr. Jere Earlywine stated the Sunshine Law indicated no two members of the Board could discuss Board business through any means (including email, social media, text, third person, etc.) outside of an open notice public meeting. He stated any questions regarding District business should be directed to himself or Mr. Ward or brought up for discussion during Board Meetings. He indicated a violation of the Sunshine Law was a second-degree misdemeanor with penalties of possible jail time and fines. He noted Board Members were also subject to Florida's public record laws which indicated certain records were required to be kept for a certain amount of time. He recommended creating a separate file on the computer for keeping necessary records. He noted Agenda Packets sent by Mr. Ward and personal notes were not considered records which needed to be kept. He noted a violation of the public records laws was a first-degree misdemeanor with penalties of possible jail time (up to 1 year) and fines. He recommended the Board Members be very careful with public records. He indicated the Board Members were also subject to Florida's Ethics Law which fell into two categories: disclosure requirements and prohibitions. He explained disclosures included Form 1, as well as disclosure of gifts over \$100 dollars from an individual who was not a relative, or a lobbyist; gifts over \$100 dollars needed to be disclosed on the quarterly disclosure form. He stated any questions regarding disclosures should be directed to himself or Mr. Ward. He stated gifts from lobbyists over \$100 dollars were prohibited. He explained any voter's conflict of interest should be reported, for example if yourself, a relative, or employer had an interest in any District business matter, this was required to be disclosed. He noted Taylor Morrison was exempt in this matter as it was a landowner. He stated Board Members were not permitted to use the public office for private gain or benefit, were not permitted to accept gifts in return for a vote, were not permitted to expose confidential information, were not permitted to appoint or advance relatives into a position with the CDD, and were not permitted to conduct business with the CDD.

**Consideration of Resolution 2020-12 Re-Designating of the Officers of the District.**

Mr. Ward stated the Board was permitted to reorganize the Board as it saw fit through Resolution 2020-12. He noted currently Mr. Cook served as the Chairperson, Mr. Summers served as the Vice Chair and Mr. Keller served as Assistant Secretary. He noted he would remain Secretary and Treasurer. The Board decided to keep the existing positions and add Ms. McChesney and Ms. Norton as Assistant Secretaries. Mr. Ward stated Resolution 2020-12 would appoint Mr. Cook as Chairperson, Mr. Summers as Vice Chairperson, Mr. Keller, Ms. McChesney and Ms. Norton as Assistant Secretaries, and himself as Secretary and Treasurer.

**On MOTION made by Mr. Brian Keller, seconded by Mr. Rob Summers, and with all in favor, Resolution 2020-12 was accepted, and the Chair was authorized to sign.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Minutes**

**February 12, 2020 Regular Meeting Minutes**

Mr. Ward asked if there were any corrections, additions or deletions for the February 12, 2020 Regular Meeting Minutes; hearing none, he called for a motion.

**On MOTION made by Mr. Rob Summers, seconded by Ms. Rebekah Norton, and with all in favor, the February 12, 2020 Regular Meeting Minutes were approved.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-13**

**Consideration of Resolution 2020-13 of the Board of Supervisors of Esplanade Lake Club Community; approving a proposed budget for fiscal year 2021 and setting a public hearing thereon pursuant to Florida law; providing for severability; providing for conflict and providing for an effective date**

Mr. Ward stated Resolution 2020-13 started the Budget process for the next Fiscal Year: October 1, 2020 through September 30, 2021. He stated the Resolution would set the public hearing date for Wednesday, May 13, 2020 at 2:00 p.m. at Waldrop Engineering, 28100 Bonita Grande Drive, Suite 304, Bonita Springs, Florida 34135. He stated a copy of the Budget was enclosed with the Agenda Package. He explained this was the first "real budget" for the District which included full operations and bond issue. He noted on page 1 and 2 was the General Fund which this year was only administrative, but in FY-2021 would include administrative costs and would levy assessments on all property in the District. He stated page 2 contained added field operations for the District relative to the stormwater management district as most stormwater facilities had been transferred to the district. He asked the Board to approve the budget subject to the addition of landscaping for Center Place Blvd and any other landscaping for the project. He noted the cost for this was approximately \$96,000 dollars. He stated the bottom of page 2 reflected projected assessment rates which he would adjust to reflect the added \$96,000 dollars. He stated as this was the first year of operations the CDD was required to send mailed

notice to all property owners in the District. He stated mailed notice would go out 30 days in advance of the public hearing on May 13, 2020.

A Board Member asked if a property owner was required to be notified if said property owner was under contract but would not close until June. Mr. Ward responded in the negative. The board member stated the District would not have a property owner until June 2020; more property owners would trickle in as the year went on.

Mr. Ward stated the remaining pages in the Budget dealt with the Series 2019 A1 and A2 Bonds including the A1 rates for 2021 and the A2 rates for the District for next year. He stated the “lands to be annexed” were the lands subject to the 52 units of property currently owned by Taylor Morrison, but not within the boundaries of the District, which would hopefully be annexed into the District in the coming months. He stated the Budget included the Debt Service Fund which would remain relatively consistent over the term of the bonds.

A board Member pointed out a typo on page 2. Mr. Ward took note of the typo.

Mr. Ward asked if there were any questions; hearing none, he called for a motion “to adopt Resolution 2020-13 subject to the change in the Budget to include \$96,000 dollars for landscaping, the amendment required for the discounts and collections to put it on roll.”

**On MOTION made by Ms. Valerie McChesney, seconded by Mr. Rob Summers, and with all in favor, Resolution 2020-13 was adopted as above, and the Chair was authorized to sign.**

## **SIXTH ORDER OF BUSINESS**

### **Staff Reports**

#### **Staff Reports**

**a) District Attorney**

Mr. Earlywine stated the District would be acquiring utilities in the next few weeks. He stated he received exhibits from Waldrop on the value limits and he would file the necessary petition in the next week or two. He stated he hoped to get the cost share agreement completed within the next week or two and then fund the landscaping. Mr. Cook stated he would have the contracts prepared and ready “to transfer over to the District for the maintenance.”

**b) District Engineer**

No report.

**c) District Manager**

No report.

**SEVENTH ORDER OF BUSINESS**

**Supervisor's Requests and Audience Comments**

There were no Supervisor's requests and no audience comments (no audience members were present).

**EIGHTH ORDER OF BUSINESS**

**Adjournment**

Mr. Ward adjourned the meeting at approximately 2:21 p.m.

**On MOTION made by Mr. Charles Cook, seconded by Mr. Brian Keller,  
and with all in favor, the Meeting was adjourned.**

Attest:

Esplanade Lake Club Community Development District

  
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James P. Ward, Secretary

  
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Charles Cook, Chairman