

**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, May 13, 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
Wes Haber	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.

**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 2:07 p.m. He reported with the State of Emergency in Florida, and pursuant to Executive Orders 20-52 and 20-69 issued by Governor DeSantis on March 9, 2020 and March 20, 2020 respectively, and pursuant to Section 120.54(5)9b)2., Florida, Statutes, this meeting was being held utilizing communication media technology due to the current COVID-19 public health emergency. He explained all Members of the Board and Staff were present via videoconference or telephone; no persons were present in the on-site meeting room location. He asked all speakers to state their names for the record prior to speaking. He conducted roll call; all Members of the Board were present, constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Consideration of Minutes**

**March 11, 2020 Regular Meeting Minutes**

Mr. Ward asked if there were any corrections, additions, or deletions for the March 11, 2020 Regular Meeting Minutes; hearing none, he called for a motion.

**On MOTION made by Mr. Brian Keller, seconded by Mr. Charles Cook, and with all in favor, the March 11, 2020 Regular Meeting Minutes were approved.**

**THIRD ORDER OF BUSINESS**

**PUBLIC HEARINGS**

Mr. Ward indicated the primary purpose of today’s Meeting was to conduct two public hearings with respect to the Fiscal Year 2021 Budget for the District.

**a. PUBLIC HEARING – FISCAL YEAR 2021 BUDGET**

**I. Public Comment and Testimony**

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

**On MOTION made by Mr. Charles Cook, seconded by Mr. Rob Summers, and with all in favor, the Public Hearing was opened.**

Mr. Ward asked if there were any public comments or questions. He noted there were no members of the public present via telephone or video conference. He called for a motion to close the Public Hearing.

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

**II. Board Comment**

Mr. Ward indicated the Fiscal Year 2021 Budget was the same Budget reviewed at the previous meeting. He asked if there were any questions or comments from the Board; hearing none, he called for a motion.

**III. Consideration of Resolution 2020-14 adopting the annual appropriation and Budget for Fiscal Year 2021**

**On MOTION made by Mr. Brian Keller, seconded by Mr. Rob Summers, and with all in favor, Resolution 2020-14 was adopted, and the Chair was authorized to sign.**

**b. FISCAL YEAR 2021 IMPOSING SPECIAL ASSESSMENTS; ADOPTING AN ASSESSMENT ROLL, APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY AND SETTING AN OPERATIONS AND MAINTENANCE CAP FOR NOTICE PURPOSES ONLY**

**I. Public Comment and Testimony**

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

**On MOTION made by Mr. Brian Keller, seconded by Mr. Rob Summers, and with all in favor, the Public Hearing was opened.**

Mr. Ward asked if there were any members of the public present on the phone; there were none. He noted there were no members of the public present via video conference. He called for a motion to close the Public Hearing.

**On MOTION made by Mr. Brian Keller, seconded by Mr. Rob Summers, and with all in favor, the Public Hearing was closed.**

## **II. Board Comment**

Mr. Ward reported the next two Resolutions were in respect to the adoption of the assessments related to the General Fund for Fiscal Year 2021. He explained the Budget contemplated and included the assessments for the Debt Service Fund for the Series 2019 A1 and A2 bonds. He asked if there were any questions; there were none.

## **III. Consideration of Resolution 2020-15 imposing special assessments, adopting an assessment roll, and approving the general fund special assessment methodology**

Mr. Ward stated Resolution 2020-15 would impose the special assessments and adopt an assessment roll. He stated “approving the general fund special assessment methodology” was not needed and would be eliminated. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Mr. Charles Cook, seconded by Mr. Brian Keller, and with all in favor, Resolution 2020-15 was adopted as amended, and the Chair was authorized to sign.**

## **IV. Consideration of Resolution 2020-16 setting an operations and maintenance cap for notice purposes only**

Mr. Ward stated Statute indicated mailed notice was required to be sent out every time the District adopted an assessment pursuant to the requirements of the law. He indicated this had been done this year and at the same time the public was notified the District intended to adopt a “cap rate.” He explained setting a cap rate prevented the District from being required to send out a mailed notice every year to all property owners within the District regarding the assessment for cost of operations. He noted if the cost of the operations of the District went above the cap rate noted on exhibit A in Resolution 2020-16, the District was then required to mail notice to all property owners within the District. He noted this was not a mandatory resolution but was recommended. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Mr. Brian Keller, seconded by Mr. Charles Cook, and with all in favor, Resolution 2020-16 was adopted, and the Chair was authorized to sign.**

**FOURTH ORDER OF BUSINESS****Consideration of Resolution 2020-17****Consideration of Resolution 2020-17 designating dates, time, and location for regular meeting of the Board of Supervisor's for Fiscal Year 2021**

Mr. Ward stated Resolution 2020-17 designated the Board Meeting dates, time, and locations for Fiscal Year 2021. He indicated the meetings would be held on the second Wednesday of each month at 2:00 p.m. at Waldrop Engineering, 28100 Bonita Grande Drive, Suite 304, Bonita Springs, Florida 34135. He noted adoption of this Resolution did not bind the Board to these dates; the dates, time, and locations could be changed, added to, or canceled as the Board saw fit.

**On MOTION made by Mr. Charles Cook, seconded by Mr. Brian Keller, and with all in favor, Resolution 2020-17 was adopted, and the Chair was authorized to sign.**

**FIFTH ORDER OF BUSINESS****Consideration of Landowner's Meeting date****Consideration of Setting the date, time, and location of the Landowner's Meeting to fill Seat 3 (Rebekah Norton), Seat 4 (Valerie McChesney) and Seat 5 (Brian Keller)**

Mr. Ward indicated this coming November Seat 3, Seat 4, and Seat 5 were up for election. He reported Statute required the Board to set a Landowner's Meeting date, time, and location at least 90 days in advance. He reported Statute required Board Members be provided instructions for the meeting, the Form of Ballot, and the Form of Proxy; Statute required these to be made available to the public as well. He noted members of the public were permitted to attend the Landowner's Meeting. He indicated the Landowner's Meeting was set for November 11, 2020, at 2:00 p.m. at the offices of Waldrop Engineering, 28100 Bonita Grande Drive, Suite 304, Bonita Springs, Florida 34135. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Mr. Brian Keller, seconded by Mr. Rob Summers, and with all in favor, the Landowner's Meeting was set for November 11, 2020 at 2:00 p.m.**

**SIXTH ORDER OF BUSINESS****Staff Reports****Staff Reports**

- a) District Attorney

*Mr. Wes Haber: As you may recall I am here while Jere is out on sabbatical. There were two resolutions that I wanted the Board to consider related to – the first one deals with a boundary amendment that this Board has previously approved. The prior resolution that you approved contemplated the addition of property to the District. I believe subsequent to the adoption of that resolution a small parcel, approximately 2 acres, was identified to be removed. We have filed a boundary amendment petition with the County to amend the District’s boundary. In abundance of caution we would like documentation that the Board has authorized the removal of the property. It’s a small slender parcel and so we’ve prepared a resolution. Essentially all the resolution does is ratify the fact that the Board has authorized the removal of that additional parcel. I’m happy to answer any questions, but I think what we’d be looking for is just a motion authorizing your Chair to execute that resolution ratifying the addition of the parcel to be removed in connection with the boundary amendment.*

Mr. Ward stated this would be Resolution 2020-18. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Mr. Charles Cook, seconded by Mr. Rob Summers, and with all in favor, Resolution 2020-18 was adopted, and the Chair was authorized to sign.**

Mr. Ward indicated Mr. Charles Cook left the meeting after he made the motion to adopt Resolution 2020-18.

*Mr. Haber: As you are likely aware, the Board, or the District, previously issued bonds for the purpose of acquiring certain infrastructure improvements and prior to this meeting, District Staff worked with Supervisor Cook in connection with the acquisition of utilities for Phases 1G and 1N. Essentially what that means is that certain infrastructure improvements will be paid for by the CDD, conveyed to the CDD, and then if appropriate, the CDD will convey those improvements to the appropriate governmental entity that will ultimately own and operate those improvements. The package that was reviewed included bills of sale, appropriate deeds, and a requisition, all of which was reviewed by District Engineer and District Counsel. We like to have for the District records an approval by the Board of the acquisition of those improvements and the payment of the bond funds for those improvements. So, what we’d be looking for is a motion to authorize your Chair to execute a resolution ratifying the acquisition of the utilities for Phases 1G and 1N. I’m happy to answer any questions.*

Mr. Ward asked if there were any questions; hearing none, he called for a motion to adopt Resolution 2020-19.

**On MOTION made by Mr. Brian Keller, seconded by Mr. Rob Summers, and with all in favor, Resolution 2020-19 was adopted, and the Chair was authorized to sign.**

**b) District Engineer**

There was no District Engineer present; there was no report.

**c) District Manager**

- I. Report on the Number of Registered Voters as of April 15, 2020
- II. Financial Statement January 31, 2020 (unaudited)
- III. Financial Statement February 29, 2020 (unaudited)
- IV. Financial Statement March 31, 2020 (unaudited)

Mr. Ward: The only thing I had for you is a report on the number of registered voters within the District. The Supervisor of Elections in Lee County is required to provide that information to you as of April 15 each year. There are no registered voters in Esplanade Lake Club as of that date. It becomes significant when you hit two thresholds: One is six years from the date of establishment and two is 250 qualified electors. When you meet both thresholds, you will begin the process of transitioning to a qualified elector-based election. You were established September 27, 2018, so your 2024 timeframe is when you will begin that transition assuming you meet both of those thresholds as of the date of reporting. There is no action required of the Board. He asked if there were any questions; there were none

**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 2:27 p.m.

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

**ATTEST:**

  
James P. Ward, Secretary

**Esplanade Lake Club Community Development District**

  
Charles Cook, Chairman