

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

The continued Regular Meeting of the Board of Supervisors of the Esplanade Lake Club Community Development District was held on Thursday, August 11, 2022, at 11:00 A.M. at the offices of Waldrop Engineering/Atwell, LLC, 28100 Bonita Grande Drive, Suite 305, Bonita Springs, Florida 34135.

**Present and constituting a quorum:**

Charles Cook	Chairperson
Trisha Sing	Assistant Secretary
Brian Keller (resigned during meeting)	Assistant Secretary
Rebekah Norton	Assistant Secretary
Clayton Wasson (newly appointed)	Assistant Secretary

**Absent:**

Valerie McChesney	Assistant Secretary
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**Also present were:**

James P. Ward	District Manager
Wes Haber	District Attorney
Andrew Gill	J.P. Ward & Associates

**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**

Mr. Andrew Gill called the meeting to order at approximately 11:03 a.m. He noted the meeting was continued from the August 4, 2022, Regular Meeting. He conducted roll call; all Members of the Board were present, with the exception of Supervisor McChesney, constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Notice of Advertisement**

**Notice of Advertisement of the Public Hearing**

**THIRD ORDER OF BUSINESS**

**PUBLIC HEARING**

Mr. Gill explained the public hearing process including public comment, Board discussion and vote. He noted there were no changes to the budget since its previous presentation.

**a. PUBLIC HEARING – FISCAL YEAR 2023 BUDGET**

**I. Public Comment and Testimony**

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

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

Mr. Gill noted there were no members of the public present in person, or via audio or video; therefore, he called for a motion to close the public hearing.

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

**II. Board Comment**

Mr. Gill asked if there were any Board comments or questions; there were none.

**III. Consideration of Resolution 2022-10 adopting the annual appropriation and Budget for Fiscal Year 2023**

Mr. Gill called for a motion for Resolution 2022-10 relating to the annual appropriations, adopting the Budget for the Fiscal Year beginning October 1, 2022 and ending September 30, 2023.

**On MOTION made by Mr. Brian Keller, seconded by Ms. Rebekah Norton, and with all in favor, Resolution 2022-10 was adopted, and the Chair was authorized to sign.**

**b. FISCAL YEAR 2023 IMPOSING SPECIAL ASSESSMENTS; ADOPTING AN ASSESSMENT ROLL AND APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY**

Mr. Gill 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.

**I. Public Comment and Testimony**

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

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

Mr. Gill noted there were no members of the public present in person, or via audio or video; therefore, he called for a motion to close the public hearing.

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

**II. Board Comment**

Mr. Gill asked if there were any Board comments or questions.

Mr. Cook asked a question about which seats of the board will be transitioning and when.

Mr. Ward explained the Board would begin switching over to a qualified elector Board in 2024, six years after creation of the Board, and in 2028 the transition would be complete.

**III. Consideration of Resolution 2022-11 imposing special assessments, adopting an assessment roll, and approving the general fund special assessment methodology**

Mr. Gill indicated Resolution 2022-11 imposed the assessments, adopted the assessment roll, and approved the General Fund Special Assessment methodology. He called for a motion.

**On MOTION made by Mr. Brian Keller, seconded by Ms. Trisha Sing, and with all in favor, Resolution 2022-11 was adopted, and the Chair was authorized to sign.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-12**

**Consideration of Resolution 2022-12, a resolution of the Board of Supervisors of the Currents Community Development District designating dates, time, and location for regular meeting of the Board of Supervisor’s for Fiscal Year 2022**

Mr. Gill indicated the meeting schedule was set for the second Thursday of each month at 11:00 a.m. at the offices of Waldrop Engineering/Atwell, LLC. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Ms. Rebekah Norton, seconded by Mr. Brian Keller, and with all in favor, Resolution 2022-12 was adopted, and the Chair was authorized to sign.**

**FIFTH ORDER OF BUSINESS****Consideration of Interlocal Agreement****Consideration and approval in substantial form of the Interlocal Cost Sharing Agreement between Esplanade Lake Club Community Development District and Miromar Lakes Community Development District**

*Mr. Ward: as you may recall what we call Lake 5 and Lake 6, Lake 5 is the northern lake that's owned by this CDD, and Lake 6 is the southern portion of that lake which is owned by Miromar Lakes CDD. Over the last couple of years the maintenance of those lakes has changed dramatically. The traditional use of chemicals and other means that we've traditionally used to treat those lakes doesn't really work anymore. The other District, Miromar Lakes CDD, looked at how best to manage that entire ecosystem on a going forward basis and that District has come up with a plan to use more ecologically better ways to do that, such as restocking the fish, adding littoral shelves and other plants more beneficial to it. The reason is that a lot of the fish and other things that are in that lake are not beneficial to the overall system itself, so it's interfering with boating activities. It's interfering with all sorts of uses. We came up with an interlocal agreement for both CDDs to work cooperatively together to benefit and cost share that. Cost sharing in this agreement is based upon the number of units in each CDD. We have 653 units in this District and right now that project has 1,600 and some odd units. Provided a mechanism as more units are added the numbers will change a little bit. Each year, in the March-May time frame, we will have a plan that will tell you about the cost for the following year and both CDDs will approve it, and both CDDs will then budget for it. That's what this does. I think it is beneficial for both CDDs. Although I do represent both of you, but it does help the overall ecosystem out there in a beneficial way. As I mentioned, we are starting to see problems here in Esplanade that we didn't see three years ago because of development activities, lake banks are not where they need to be, littorals are having problems, and you are getting (indecipherable). We are hopeful that over an 8 or 10 year period this will change the system in a substantive way for the better for both communities. In this District we budgeted \$50,000 dollars in 2023 and in Miromar District we budgeted \$80,000 dollars. I think overall estimated cost in 2023 for both was (indecipherable).*

*Mr. Cook: Who will do the work, whether it's the shelf planting or fish or whatever. Did the District contract somebody?*

*Mr. Ward: Each District will hire one vendor, and we will do two separate contracts with that one vendor. Generally, Solitude is doing the work right now, but (indecipherable).*

*Mr. Cook: Can it be undone on the Miromar side if they don't want to spend that money anymore or just decide it is no longer necessary?*

*Mr. Ward: It's a one year contract which will automatically renew for a successive 5 year terms, but you can provide 90 days' notice and terminate.*

*Mr. Cook: Is it going to affect the assessments or is it contained with the current budget?*

*Mr. Ward: We are doing a little bit in the current year because we needed to frankly, but the agreement will go into effect October 1. We do have a little bit of work which Solitude will get started on for (indecipherable) split that between the two CDDs proportionately, but other than that, the main part will happen in 2023.*

A discussion ensued which was partly (indecipherable) regarding the number of units in each District; lake access on both side of the lake; and restricting lake access for security purposes.

*Mr. Ward: I think the worst thing we could do is go too fast and spend too much money. I think we need to do this over a long period of time, go slow, and make sure it's working, making changes as we go through.*

*Mr. Cook: As long as there is science behind it, and we aren't just throwing money at it. As long as whoever is taking the water samplings or whatever is happening, is being done with a water PhD or something more qualified than I am.*

*Mr. Ward: Solitude actually has a – I don't know if he has a PhD, but he is a national biological Senior VP for them and has been the one assisting. I do like the program. I will send it over to you so you can see it. It's well done, well thought out. I have counseled that District let's not go fast; let's go slow and make sure the money we are spending is in fact working.*

*Mr. Cook: This is an independent consultant, right?*

*Mr. Ward: It is an independent consultant, yes. The Board is a fully controlled resident Board, so their invested interest is significant; it's not the developer controlling this. It's clearly all separate. I have no relationship to Solitude.*

Discussion ensued which was largely (indecipherable).

Mr. Gill asked if there were any additional 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, the Interlocal Cost Sharing Agreement between Esplanade Lake Club Community Development District and Miromar Lakes Community Development District was approved in substantial form.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-13**

*Mr. Gill: The next order of business was not included in your Agenda Packet, consideration of Resolution 2022-13. This is just a change of date for the landowner's election. We had it initially set at 9:00 a.m., but we changed the schedule here to 11:00 a.m., so this is setting that Landowner's Election Date to November 10, 2022, in this location, at 11:00 a.m. and it also updates the forms with that date and time.*

*Mr. Ward: (Indecipherable). We will do a Board Meeting right after that just to swear you in.*

Mr. Gill 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 2022-13 was adopted, and the Chair was authorized to sign.**

Mr. Brian Keller indicated he was resigning effective immediately.

Mr. Ward stated the Board was free to appoint an individual to fill Mr. Keller's seat.

**On MOTION made by Mr. Cook, seconded by Ms. Sing, and with all in favor, Mr. Clayton Wasson was appointed to fill Mr. Brian Keller's Seat on the Board.**

Mr. Gill, as a notary public, administered the Oath of Office to Mr. Clayton Wasson. He gave Mr. Wasson the necessary paperwork including Form 1 (to be filed with the County), along with a copy of the Sunshine Laws and Code of Ethics.

Mr. Ward explained the Form 1, including when and how it needed to be filed.

## **SEVENTH ORDER OF BUSINESS**

### **Staff Reports**

#### **I. District Attorney**

*Mr. Wes Haber: I have been working with Jim's office on the boundary amendment. I think we are almost there. Just a few items outstanding and then we will get that petition complete and filed with the County.*

#### **II. District Engineer**

- a) **Operations Report July 2022**
- b) **Waterway Inspection Report July 2022**

No report.

#### **III. District Manager**

- a) **Landowners Election reminder November 10, 2022, at 11:00 a.m. at this location**

No report.

Mr. Cook asked (indecipherable).

*Mr. Ward: Yes. I sent you an email yesterday (indecipherable). Assignment from the seller and utility letter from the County, two maps. There are two maps that need to be updated and a legal description. The one you sent me that says "amended" is missing the FGCU piece to it. They take that, add the legal Description. That's all we need to do and then we are ready to go, and we can file.*

## **EIGHTH ORDER OF BUSINESS**

### **Supervisor's Requests and Audience Comments**

Mr. Gill asked if there were any Supervisor's requests; there were none. There were no members of the public present in person, by audio, or by video.

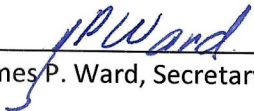
**NINTH ORDER OF BUSINESS**

**Adjournment**

Mr. Gill adjourned the meeting at approximately 11:25 a.m.

**On MOTION made by Ms. Rebekah Norton, seconded by Mr. Clayton Wasson, and with all in favor, the meeting was adjourned.**

Esplanade Lake Club Community Development District

  
James P. Ward, Secretary

  
Charles Cook, Chairman