

**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 Thursday, August 15, 2024, at 10:30 A.M. at the offices of Atwell Engineering, 28100 Bonita Grande Drive, Suite 304, Bonita Springs, Florida 34135.

**Present and constituting a quorum:**

Charles Cook	Chairperson
Rebekah Norton	Assistant Secretary
Valerie McChesney	Assistant Secretary
Felipe Gonzalez	Assistant Secretary

**Absent:**

Tommy Dean	Vice Chairperson
------------	------------------

**Also present were:**

James P. Ward	District Manager
Wes Haber	District Attorney
Jackie Laroque	District Engineer

**Audience:**

All residents' 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. James P. Ward called the meeting to order at approximately 10:40 a.m. He conducted roll call; all Members of the Board were present, with the exception of Supervisor Dean, constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Notice of Advertisement of Public Hearings**

**THIRD ORDER OF BUSINESS**

**Consideration of Minutes**

**July 11, 2024 - Regular Meeting Minutes**

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 Charles Cook, seconded by Rebekah Norton, and with all in favor, the July 11, 2024 Regular Meeting Minutes were approved.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-8**

**Consideration of Resolution 2024-8, a Resolution of the Board of Supervisors Re-Setting a Public Hearing on the District’s Proposed Budget and Ratifying the actions of the District Manager relating thereto; Providing for severability; Providing for conflicts; and providing for an effective date**

Mr. Ward stated there was no quorum at the last Board meeting, so the public hearing was rescheduled for today’s date, time and location and readvertised. He explained this Resolution ratified the actions taken rescheduling and advertising the meeting for today.

**On MOTION made by Charles Cook, seconded by Rebekah Norton, and with all in favor, Resolution 2024-8 was adopted, and the Chair was authorized to sign.**

**FIFTH ORDER OF BUSINESS**

**Public Hearing**

**PUBLIC HEARINGS – FY 2025 BUDGET AND SPECIAL ASSESSMENTS**

Mr. Ward explained the Public Hearing process noting there were three public hearings related to the adoption of the FY 2025 Budget.

**a) FISCAL YEAR 2025 BUDGET**

**I. Public Comment and Testimony**

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

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

Mr. Ward asked if there were any members of the public present via audio or video with any comments or questions with respect to the Fiscal Year 2025 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 Felipe Gonzalez, seconded by Rebekah Norton, and with all in favor, the Public Hearing was closed.**

**II. Board Comment and Consideration**

Mr. Ward asked if there were any questions or comments from the Board. There were none.

**III. Consideration of Resolution 2024-9, a resolution of the Board of Supervisors adopting the Annual Appropriation and Budget for Fiscal Year 2025**

Mr. Ward called for a motion to approve the budget beginning October 1, 2024 and ending on September 30, 2025.

**On MOTION made by Charles Cook, seconded by Rebekah Norton, and with all in favor, Resolution 2024-9 was adopted, and the Chair was authorized to sign.**

**b) FISCAL YEAR 2025 IMPOSING SPECIAL ASSESSMENTS; ADOPTING THE ASSESSMENT ROLL**

Mr. Ward indicated this public hearing was related to the imposition of the special assessments for the general fund and adopted the assessment roll.

**I. Public Comment and Testimony**

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

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

Mr. Ward asked if there were any members of the public present via 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 Charles Cook, seconded by Rebekah Norton, and with all in favor, the Public Hearing was closed.**

**II. Board Comment and Consideration**

Mr. Ward asked if there were any questions or comments from the Board; there were none.

**III. Consideration of Resolution 2024-10, a resolution of the Board of Supervisors imposing special assessments, and adopting an assessment roll**

Mr. Ward called for a motion for Resolution 2024-10.

**On MOTION made by Charles Cook, seconded by Felipe Gonzalez, and with all in favor, Resolution 2024-10 was adopted, and the Chair was authorized to sign.**

**IV. Consideration of Resolution 2024-11, a Resolution of the Board of Supervisors amending Resolution 2023-10 to establish the maximum operation and maintenance assessment rate for a portion of the District commonly known as the NE Annexation Area and FGCU Annexation Parcel for notice purposes only**

Mr. Ward explained the cap rate indicating mailed notice was sent to the residents regarding setting this cap rate. He asked if there were any questions.

Ms. McChesney asked if this was related to debt or operations and maintenance.

Mr. Ward indicated this cap rate was associated with the operations and maintenance assessment rate.

**On MOTION made by Charles Cook, seconded by Rebekah Norton, and with all in favor, Resolution 2024-11 was adopted, and the Chair was authorized to sign.**

#### c) CONSIDERATION OF IMPOSITION OF DEBT ASSESSMENTS

Mr. Ward indicated this public hearing was related to the debt assessments. *We annexed into the boundaries of the District what is commonly referred to as the FGCU parcel and then there was a northeast annexation parcel that was done a few years ago but five of those lots in the very top portion of that annexation area were excluded from the amendment to the District done a few years ago. These two areas are related to the debt assessments for your capital that we will be doing for this year.*

#### V. Public Comment and Testimony

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

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

Mr. Ward asked if there were any members of the public present via 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 Felipe Gonzalez, seconded by Rebekah Norton, and with all in favor, the Public Hearing was closed.**

#### VI. Board Comment and Consideration

Mr. Ward asked if there were any questions or comments from the Board.

Ms. McChesney asked if the five lots were in the swamp area or adjacent to FGCU.

Mr. Gonzales responded that the five lots were all the way at the top of the development in the northeast corner.

*Ms. McChesney: So, the developer is developing some of the lots from --?*

*Mr. Cook: The boundary didn't capture the lots. The boundary was off a little bit, so these lots were excluded and then we have to bring them into the boundary.*

Discussion continued regarding where exactly the five lots were located.

Mr. Felipe Gonzales asked how many lots the District had without the 99 new lots.

Mr. Ward responded the District had, he believed, 714 lots, but he was not certain.

*Mr. Gonzales: This is strictly a development permitting and platting issue, not a CDD issue. What happened is, for some reason, a portion of Lake Club, Phase 5, there were 5 lots which were not permitted with Phase 5, so we are going to permit them with FGCU. Val is asking if the five lots were already included with Lake Club.*

*Mr. Ward: That I don't know.*

Discussion continued regarding the five lots being developed with the FGCU lots and platted with the FGCU parcel.

Mr. Ward noted the Engineer's Report did not contain maps, so he could not show where things were in the Engineer's Report.

Ms. Norton found a low quality map.

Mr. Ward stated Ms. Laroque's table showed 710 units prior to the inclusion of the FGCU parcel.

*Ms. McChesney: There are five right here that are being developed as part of FGCU, and platted with FGCU, but they actually always have been part of Lake Club property.*

*Mr. Cook: Yes, but the boundaries of the CDD always included those though, except for the FGCU.*

*Mr. \_\_\_\_\_ 14:33: All we need is a lot count of the current CDD.*

*Mr. Ward: 714 sticks in my head, but there is the lot count that Atwell has in their report. I know it looks like they converted the 52 foot units to the 104 condo units there. I just don't remember that number being what that number is. As I said, I remember 714, so I don't know.*

Ms. \_\_\_\_\_ asked an (indecipherable) question.

*Ms. Jackie Laroque: Yes, because they are on Lake Club proper, it's just with the way the design is, they had to go with FGCU because it's not buildable with the way the design is right now. It worked but we just have to pull this back at the end, before FGCU, but when we brought the FGCU roadway in, those five lots just have to wait. They were already on CDD land.*

**VII. Consideration of Resolution 2024-12, a Resolution of the Board of Supervisors making certain findings; authorizing a capital improvement plan; adopting an engineer's report; providing an estimated cost of improvements; adopting an assessment report; equalizing, approving, confirming and levying debt assessments; addressing the finalization of special assessments;**

addressing the payment of debt assessments and the method of collection; providing for the allocation of debt assessments and true-up payments; addressing government property, and transfers of property to units of local, state, and federal government; authorizing an assessment notice; and providing for severability, conflicts and an effective date

Mr. Ward called for a motion.

**On MOTION made by Charles Cook, seconded by Rebekah Norton, and with all in favor, Resolution 2024-12 was adopted, and the Chair was authorized to sign.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-13**

**Consideration of Resolution 2024-13, a Resolution of the Board of Supervisors designating the dates, time, and location for regular meetings of the Board of Supervisors of the District**

Mr. Ward explained Resolution 2024-13 set the dates, time, and location of the Board’s meetings for Fiscal Year 2025 for the second Thursday of each month at 11:00 a.m. at Atwell. He explained this Resolution did not bind the Board to these dates; the dates, time and location could be changed as the Board deemed appropriate. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Norman Wade, seconded by Felipe Gonzalez, and with all in favor, Resolution 2024-13 was adopted, and the Chair was authorized to sign.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-**

**Consideration of Resolution 2024-, a Resolution of the Esplanade Lake Club Community Development District Authorizing the issuance of not exceeding \$3,500,000 in aggregate principal amount of its Capital Improvement Revenue Bonds, Series 2024 (Assessment Area Two) to finance all or a portion of the cost of a series project consisting of certain infrastructure and facilities benefiting certain District lands, paying capitalized interest on the Series 2024 Bonds, funding the series reserve account for the Series 2024 Bonds and paying costs of issuance of the Series 2024 Bonds, as more fully described herein; approving a Third Supplemental Trust Indenture in connection with the Series 2024 Bonds and authorizing the execution thereof; ratifying the appointment of a Trustee, Paying Agent and Bond Registrar for the Series 2024 Bonds; providing for redemption of the Series 2024 Bonds; authorizing the application of the proceeds of the Series 2024 Bonds; Approving The Form, And Authorizing Execution, Of A Bond Purchase Contract providing for the negotiated sale of the Series 2024 Bonds; delegating to the Chairperson or Vice-Chairperson, or in their absence any member of the Board Of Supervisors, the authority to award the Series 2024 Bonds within the parameters specified herein; approving the form, and authorizing the use, of a Preliminary Limited Offering Memorandum for the Series 2024 Bonds; approving the distribution of a Final Limited Offering Memorandum for the Series 2024 Bonds and the execution thereof; approving the form, and authorizing execution, of a Continuing Disclosure Agreement; authorizing preparation of a Final Supplemental Master Assessment Methodology Report and the use of the preliminary and Final Supplemental Master Assessment Methodology Reports, as applicable, and the Second Supplemental Engineer’s report in the Preliminary Limited Offering Memorandum and Final Limited Offering Memorandum for the Series**

**2024 Bonds; providing for miscellaneous matters and authority; providing for severability; and providing an effective date**

Mr. Ward stated this Resolution authorized the issuance of the bonds with respect to the FGCU Parcel and the Northeast Annexation Parcel. *If we are going to issue bonds in November, we can hold on this for a month because I think it needs to be updated anyway. If it doesn't, we can proceed with this. What do you guys want to do?*

*Ms. McChesney: If we approve this, this is what it would be?*

*Mr. Ward: Yes.*

*Ms. McChesney: I think we need to hold.*

*Mr. Ward: I'm good with that.*

Discussion ensued regarding whether to approve the Resolution or hold off on approval.

*Mr. Ward: I'll make updates to this; we'll do a meeting in September and adopt it. From there we will have plenty of time to go.*

More discussion was held, much of which was (indecipherable); the Board agreed; the Resolution was held.

Discussion ensued regarding when the bonds would be sold, when the funds would become available, when the rates would turn, the Engineering Report maintaining validity in the interim, when utilities would go in, when requisition would happen, whether there could be requisition on earthwork, and the possibility of requisition approval after issuance of bonds. Portions of this discussion were (indecipherable).

Mr. Ward stated the CIP on this bond issue was around \$2 million dollars. *The only thing you really need to do is make sure you dedicate everything else to the CDD.*

*Ms. McChesney: Does that become an issue whenever we no longer (indecipherable), the dedication to then not accept it?*

*Mr. Ward: Yes, they can. So, that's why I am adamant about trying to get these dedications done.*

*Mr. McChesney: When do we get the new Board?*

*Mr. Ward: We start the transition in November of this year with two seats.*

*Mr. Gonzales: It would take three seats to take control.*

*Mr. Ward: I don't know when you are going to have homeowners in here, but we are assessing this land this year, so the faster you can get this into the CDD, so it shows –*

*Ms. McChesney: Homeowners won't be in this FGCU parcel until the first quarter of next year.*

Discussion ensued regarding when homeowners would be in the FGCU parcel.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-14**

**Consideration of Resolution 2024-14, a Resolution of the Board of Supervisors declaring a vacancy in Seat 3 and Seat 5 on the Board of Supervisors pursuant to section 190.006(3)(B), Florida Statutes; providing for severability, conflicts and an effective date**

*Mr. Ward: Resolution 2024-14 declares the vacancies in Seats 3 and 5, which are Rebekah and Tommy's seats. The vacancies are declared as of November 19<sup>th</sup>, 2024. That's the second Tuesday after the first Tuesday in November. It follows kind of the election date. You have 90 days from that date in order to fill those seats. So, sometime in November, December or January we need to fill those seats with qualified electors.*

Discussion ensued regarding possible qualified electors who could fill seats on the CDD Board and the HOA and CDD Boards needing to have separate board members.

Mr. Gonzales asked when public notice would be sent regarding the vacant seats.

*Mr. Ward: Public notice is not sent. You are declaring the vacancy today as of November 19, 2024. The Board appoints two people to fill those two seats. They have to be qualified electors residing within the District. If you appoint them before November 19<sup>th</sup>, the seat does not become effective until after the 19<sup>th</sup>, and they would just take the seat afterwards, but as I said you have 90 days from November 19<sup>th</sup> to do it.*

*Mr. Gonzales: So, there is no real election?*

*Mr. Ward: The way statute works in Florida, in June you have to qualify for those two seats. Nobody qualified for seats 3 and 5 in June. That means the seats are vacant. What happens in November is, it sets up a process where you declare the seats vacant as a CDD Board and then you have to pick two people within 90 days. These two seats have already gone through the public process, no one qualified for them, so you now get to do this. He asked if there were any additional questions; hearing none, he called for a motion.*

**On MOTION made by Felipe Gonzalez, seconded by Rebekah Norton, and with all in favor, Resolution 2024-14 was adopted, and the Chair was authorized to sign.**

**NINTH ORDER OF BUSINESS**

**Staff Reports**

- I. District Attorney**  
No report.
- II. District Engineer**  
No report.



**III. District Asset Manager**

- a) **Operations Report August 2024**
- b) **Waterway Inspection Report July 2024**

No report.

**IV. District Manager**

- a) **Important Board Meeting Dates for Balance of Fiscal Year 2024**
  - 1) **Landowners Election – November 14, 2024 (Seat 4)**
- b) **Financial Statements for period ending July 31, 2024 (unaudited)**

*Mr. Ward: We do have a landowner’s election for one seat this year. It’s Seat 4 which is Valerie’s seat, so that will be a four year election seat.*

**TENTH ORDER OF BUSINESS**

**Public Comments**

**Public Comments:** - Public comment period is for items NOT listed on the agenda, and comments are limited to three (3) minutes per person and assignment of speaking time is not permitted; however, the Presiding Officer may extend or reduce the time for the public comment period consistent with Section 286.0114, Florida Statutes

**ELEVENTH ORDER OF BUSINESS**

**Supervisor’s Requests and Audience Comments**

Mr. Ward asked if there were any questions or comments from the Board; there were none. He noted there were no members of the public present.

**TWELFTH ORDER OF BUSINESS**

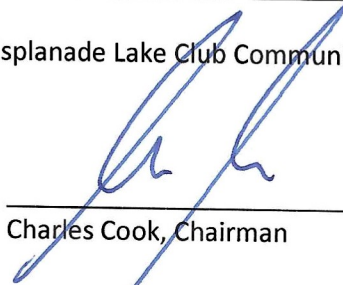
**Adjournment**

Mr. Ward adjourned the meeting at approximately 11:13 a.m.

**On MOTION made by Valerie McChesney, seconded by Rebekah Norton, and with all in favor, the Meeting was adjourned.**

Esplanade Lake Club Community Development District

  
 \_\_\_\_\_  
 James P. Ward, Secretary

  
 \_\_\_\_\_  
 Charles Cook, Chairman