

**MINUTES OF MEETING  
FIRETHORN  
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Firethorn Community Development District was held on Thursday, May 1, 2025, at 10:00 A.M. at the Country Inn & Suites, Bradenton-Lakewood Ranch, 5610 Manor Hill Lane, Bradenton, Florida 34203.

**Present:**

Josh Tepper	Chairperson
Tina Golub	Vice Chairperson
Matt Sawyer	Assistant Secretary
Corinn Godlevske	Assistant Secretary

**Absent:**

Mike Piendel	Assistant Secretary
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**Also present were:**

James P. Ward	JPWard & Associates
Jere Earlywine	District Attorney
Victor Barbosa	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**

Mr. James P. Ward called the meeting to order at approximately 10:00 a.m. He reported all Members of the Board were present, with the exception of Michael Piendel, constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Notice of Advertisement of Public Hearings,  
and Regular Meetings**

**Notice of advertisement for Public Hearings and Regular Meetings provided.**

**THIRD ORDER OF BUSINESS****Consideration of Minutes March 6, 2025 Landowners' Election and Meeting Minutes  
March 6, 2025 – Regular Meeting Minutes**

Mr. Ward explained that both sets of minutes are for the March 6, 2025 meeting – the Landowners Election and Meeting Minutes, and the Regular Meeting Minutes. He asked if there were any additions, corrections, or deletions to the Minutes; hearing none, he called for a motion.

**On MOTION made by Matt Sawyer, seconded by Corinn Godlevske, and with all in favor, the March 6, 2025 Landowners' Election and Meeting, and the March 6, 2025 Regular Meeting Minutes were adopted, and the Chair was authorized to sign.**

**FOURTH ORDER OF BUSINESS****Public Hearings – Fiscal Year 2025 and 2026 Budgets**

**Consideration of Resolution 2025-31, the Board of Supervisors of the Firethorn Community Development District adopting the annual appropriation and budget for Fiscal Year 2025 and Fiscal Year 2026.**

Mr. Ward indicated that the primary purpose of the meeting today is a couple of Public Hearings, with the first Public Hearing related to the adoption of your 2025 and 2026 Fiscal Year Budgets and asked for a motion to open the Public Hearing for purposes of any public comment.

**On MOTION made by Corrin Godlevske, seconded by Matt Sawyer, and with all in favor, the Public Hearing was opened.**

Mr. Ward indicated to let the record reflect that there are no members of the public present or in person but asks – for the record – if any members of the public are participating by phone or by video. There being none, a request for a motion to close the Public Hearing is in order.

**On MOTION made by Matt Sawyer, seconded by Corinn Godlevske, and with all in favor, the Public Hearing was closed.**

Mr. Ward asked for any comments or questions from the Board Members on either of the two budgets. There being none, Mr. Ward explained that Resolution 2025-31 is for the primary purpose of adopting the budgets for the partial year budget of Fiscal Year 2025 and for Fiscal Year 2026 are in order and recommended for your consideration. Is there a motion?

**On MOTION made by Matt Sawyer, seconded by Josh Tepper, and with all in favor, Resolution 2025-31 was adopted, and the Chair was authorized to sign.**

Let the record reflect that the first Public Hearing is now closed.

**Consideration of Resolution 2025-32, a Resolution of the Board of Supervisors of the Firethorn**

**Community Development District 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 Special Assessments; Addressing the finalization of Special Assessments; addressing the payment of Special Assessments and the Method of Collection; Providing for the allocation of Special Assessments and True-Up Payments; Addressing Government Property, and making provisions relating to the transfer of Real Property to units of Local, State and Federal Government; Authorizing the recording of an Assessment Notice; and providing for severability, conflicts and an effective date.**

The second Public Hearing deals with the start of the process related to the imposition of master capital assessments for this District pursuant to Resolution 2025-32.

*Mr Ward: Just in the way of some background, in order to levy capital assessments for capital infrastructure within the District, a Resolution is done that sets a public hearing that allows us to move forward with the process of adopting these assessments. This will initially start the notice to all property owners and is predicated upon the adoption of two (2) reports: one is your Master Engineer's Report prepared by Atwell, which identifies both the types of product mixes that are going to be constructed within the District. Secondly, the estimated cost of the improvements for the entire CDD over that time, with the estimated cost of the improvements which are in the Engineer's Report and is one hundred ten million two hundred forty thousand and sixty dollars (\$110,240,060.00) in District Capital Improvements, there are then identified also within the report, some private development costs, which are the costs of the developer for purposes of the development, but we do not focus on those at all. The types of infrastructure to be constructed within the District include environmental and conservation areas, irrigation system, hardscapes, landscapes, entry features, underground conduit, streetlights, public roadways and pavements, utility water and wastewater distribution systems, sanitary sewer systems – this includes any public community centers and things like that to be done in this particular district, and also improvements for the community itself. This does not bind the District to all of the facilities being constructed, as those will be identified more specifically once the District gets to the point of doing bonds, which of the improvements are going to be constructed by the District and which are not going to be constructed by the District and then issue bonds with respect to the improvement list.*

*Mr. Sawyer: How much of that is set aside for amenities relating to a public*

*club? Mr. Ward: \$12.7 million*

*Mr. Sawyer: Okay*

*Mr. Ward: From that \$110 million dollar construction cost, we identified the amount of bonds that would need to be issued based on year of capitalized interest fully funding a debt service reserve account, the cost of issuance associated with bonds, bringing the total estimated par debt of all the master infrastructure to \$132,440,000.00. From that \$132 million, we identify that based upon the estimated number of units that are going to be constructed within the project, which is 1,318. We only use that number for purposes of levying assessments, and that number may go down or up as we go through the process and will be more specifically enumerated as we go through the process of actually issuing the bonds. We assign to that development plan what we call an ERU factor that is really just based on a simple calculation of the average front foot units. In this instance, we use, for example, 40 to 49 foot, 50*

*to 59 foot, and on and on as the products go even bigger or small. We allocate that \$130 million across the development plan to assign a total part that are allocated to each of these units. From there, we go to Resolution 2025-32, and this is where I will let Jere pick up this part of the conversation on the resolution itself and identify for you the salient points of the Resolution.*

*Mr. Earlywine: Thank you so much, Jim. This is our debt assessment resolution, just as Jim said. Both of the reports are the predicates for this resolution and they contain certain finds that I'll just put on the record here first off. The Engineer's report identifies that there is substantial benefit to the lands within the district to justify the assessment. And it is also feasible and the costs are reasonable in line with market conditions. Those are necessary findings for your meeting today and your decision today. Second, with respect to Jim's report and the Engineer's report, it shows that there is sufficient benefit to justify the assessments. The first couple pages of this resolution basically deal with those findings and speak to the fact that you all sit as an equalizing board had the opportunity to make changes to the assessments and that sort of thing.*

*Section three actually authorizes the construction of the project.*

*Section four sets forth the estimate cost of the improvements.*

*Section five adopts your assessment report.*

*Section six is what actually finalizes the levy of the assessments.*

*And then it also speaks to the supplemental assessment resolution with the idea here is that the lien is ineffective until we actually go to issue bonds, so we'll finalize that you know the ERU use and the assessment numbers once we get closer to a bond issue. At that point you'll have a supplemental resolution that will finalize the assessments.*

*There are also some other things in Section six which are interesting and one is there is adjustments to the debt assessments based on boundary amendments or adjustments to acreage on parcels, and deals with contributions. Oftentimes you all will adjust the assessments based on your builder contracts or whatnot, so contributions that are due, and also deals with impact fee credits I doubt will have to deal with those but that's provided for if we need them.*

*Section seven speaks to the finalization of debt assessments once the project is made, and Section eight sets forth all the payment provisions in terms of prepayments and going on the tax roll and all that sort of thing.*

*And then true ups are set forth in Section nine. I think you guys understand what true ups are if, for example, you all go out and you issue bonds for 300 lots and you only deliver 290.*

*Then the assessments that would otherwise be due on those missing 10 lots would be due and payable. So that's what the true up process is for. Beyond that, I think the balance of the provisions are ministerial and I'd be happy to answer any questions about the Resolution.*

Mr. Ward states the first thing I'm going to do is ask to open your Public Hearing and a motion.

**On MOTION made by Josh Tepper, seconded by Matt Sawyer, and with all in favor, the Public Hearing was opened.**

The record will show that there are no members of the public present or on audio or video today. Are there any questions or comments or testimony related to this public hearing? Hearing none, a motion to close your public hearing would be in order.

**On MOTION made by Josh Tepper seconded by Matt Sawyer, and with all in favor, the Public Hearing was closed.**

Mr. Ward indicates that a motion to adopt Jere's Resolution 2025-32 would be in order.

**On MOTION made by Josh Tepper seconded by Corinn Godlevske, and with all in favor, Resolution 2025-32 was adopted, and the Chair was authorized to sign.**

*Mr. Ward: The final public hearing today is related to what we call the uniform method of collection for your non-ad valorem assessments. In Florida, there is a process presented in Chapter 197 of the Statutes that require the adoption of a resolution at a public hearing that indicate to both the State and the Property Appraiser and Tax Collector in the County in which the District is located that the District intends to put the assessments on the tax bills in a future year. We can do that as early as November of this coming year or another time in a future year. The adoption of the Resolution pursuant to the Public Hearing today sets up a process where we then notify the State that we have adopted this resolution and are going to the use uniform method of collection, which will trigger another process that we are sent agreements with the Property Appraiser and Tax Collector to allow us to put those on the tax bill, and those agreements will be brought to a future meeting for approval and signature, and completes the process to allow the District to legally put non-ad valorem assessments on the tax bills.*

Mr. Ward states that the First thing I'm going to do is ask for a motion to open your public hearing.

**On MOTION made by Tina Golub seconded by Corinn Godlevske, and with all in favor, the Public Hearing was opened.**

The record will show that there are no members of the public present or on audio or video today. Are there any questions or comments or testimony related to this public hearing? Hearing none, a motion to close your public hearing would be in order.

**On MOTION made by Tina Golub seconded by Matt Sawyer, and with all in favor, the Public Hearing was closed.**

Mr. Ward asks if there are any questions from the board on this resolution?

Mr. Sawyer asks so you say we get those out as early as this year?

Mr Ward indicates yes.

Mr. Sawyer asks when do we want to put it on?

Mr. Ward indicates that will depend on whether you want to levy your general fund assessments or alternatively the capital fund assessments. I think it's too early for the general fund assessments and it will have to be determined over the next couple of months when you are going to do the bond issue. It could be as early as this November, but I kind of doubt that as it's a little early. So, probably next year, but at least we have it in place.

Mr Ward indicates that a motion to adopt Resolution 2025-33 would be in order.

**On MOTION made by Matt Sawyer, seconded by Corinn Godlevske, and with all in favor, Resolution 2025-33 was adopted, and the Chair was authorized to sign.**

**FIFTH ORDER OF BUSINESS****Consideration of a Budget Funding Agreement**

**Consideration of a Budget Funding Agreement between Taylor Morrison of Florida, Inc., and the District to fund the District's Fiscal Year 2025 & 2026 General Fund Operating Budgets in lieu of the District levying assessments.**

Mr. Ward stated that this item is an agreement between the District and Taylor Morrison to fund your operating costs of the budgets for Fiscal Year 2025 and Fiscal Year 2026. This is a standard form of Agreement that Taylor Morrison has signed in the past. If you have any questions, I would be glad to answer them for you. Otherwise, it is recommended for your consideration.

**On MOTION made by Josh Tepper, seconded by Tina Golub, and with all in favor, the Budget Funding Agreement between Taylor Morrison of Florida, Inc., and the District to fund the District's Fiscal Year 2025 & 2026 General Fund Operating Budgets in lieu of the District levying assessments was adopted, and the Chair was authorized to sign.**

**SIXTH ORDER OF BUSINESS****Consideration of Resolution 2025-34**

**Consideration of Resolution 2025-34, a Resolution of the Board of Supervisors designating dates, time, and location for regular meeting of the Board of Supervisors for the remainder of Fiscal year 2025 and Fiscal Year 2026**

Mr Ward indicates the sixth order of business is the consideration of Resolution 2025-34, a Resolution of the Board of Supervisors adopting and setting the proposed meeting schedule for Fiscal Year 2026. The Board Meeting dates for Fiscal Year 2026 are the first Thursday of each month at 2:30 p.m. at the Artisan Lakes Clubhouse, 4725 Los Robles Court, Palmetto, Florida 34221. It also changes the balance of this year's meetings to that particular location, and also changes the time to 2:30 p.m. So, this is the Matt Sawyer resolution.

**On MOTION made by Matt Sawyer, seconded by Tina Golub, and with all in favor, Resolution 2025-34 was adopted, and the Chair was authorized to sign.**

**SEVENTH ORDER OF BUSINESS****Consideration of Proposal to provide Audit Services**

The seventh order of business is the consideration of the ranking of the Auditor proposals that were received in response to the District's request for qualifications. There were two proposals received, from the firms Grau & Associates, and Berger, Toombs, Elam, Gaines & Frank. The required procedure requires the Board to rank the proposals (non-price-based proposals) based on each firm's qualifications, and I have enclosed an auditor ranking form for your use. The ranking form itself is NOT required, and you may use any procedure that you would like. Once ranked, we will enter into an agreement with the Number One (1) ranked firm – the form of which is included in the Request for Proposal, subject only to non-substantive changes that may be needed.

Mr. Ward stated that item seven is the consideration of Audit Service proposals. The Statute requires us to go through the process to advertise for auditors, and we have done that. They are qualification based, similar to what you do for an Engineer. This is the auditor's full employment act in the State. We have received two proposals – one from Grau and Associates, and the other from Berger Toombs. Both of those two auditors do all of my Districts. I had my team rate them, and Grau is number one with 35 points, and Berger Toombs is rated number two at 28 points. Grau came in at \$18,000 for your audit over a five-year period, and Berger Toombs came in with a price of \$21,250 – both over a five-year period. Staff recommends the Board rank Grau number one and Berger Toombs number two and authorize staff to enter into an agreement with Grau and Associates.

**On MOTION made by Matt Sawyer, and seconded by Corrin Godlevske with all in favor, the Grau and Associates proposal was ranked number one, and authorizes staff to enter into an agreement with Grau and Associates for auditor services.**

**EIGHTH ORDER OF BUSINESS****Ranking of Engineering Proposal**

**Ranking of engineering proposal to serve as District Engineer and consideration and approval of a Master Engineering Services Agreement.**

- a) Ranking of engineering proposals.
- b) Consideration and approval of the form of Master Engineering Services Agreement between the Firethorn Community Development District and the chosen firm for Engineering Services.

The eighth order of business is the consideration of the ranking of the engineering proposals that were received in response to the District's request for qualifications. There was two (2) proposals received were from the Engineering Firms; Atwell Engineering, and Alliant. The required procedure requires the Board to rank the proposals, (non-price based) based on each firm's qualifications, and I have enclosed an engineering ranking form for your use. The ranking form itself is NOT required, and you may use any procedure that you would like. Once ranked, staff must then negotiate a contract with the number one ranked firm and that proposed agreement will then be brought to the Board.

In order to shorten the process somewhat, I have enclosed a form of engineering services agreement that I will ask the Board to approve, subject only to non-substantive changes that may be needed once I review the agreement with the number one (1) ranked firm.

Mr. Ward stated that item eight a) is the consideration of Engineering proposals. The Statute requires us

to go through the process to advertise for engineering services, and we have done that. They are qualification based, similar to what you do for an Auditor. Two proposals were received: one from Atwell, and the other from Alliant Engineering Services. Both of the proposals are included in your agenda package. The Statute does require that you rank them number one and number two. Whoever is ranked at number one, we will turn around and enter into an Agreement with that particular firm for Engineering Services on behalf of the District. I'll ask that the board discuss and rank the engineering firms as you deem appropriate.

Mr. Sawyer stated he has only ever worked with Atwell.

Ms. Golub asked Mr. Sawyer if he has ever worked with Alliance.

Mr. Sawyer indicated he has never heard of nor worked with Alliance. He recommends that Atwell is ranked number one, and Alliance is ranked number two.

Mr. Ward asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Matt Sawyer, seconded by Josh Tepper, and with all in favor, the engineering firm of Atwell was ranked number one, and the firm of Alliance was ranked number two.**

Mr. Ward indicated that the form of an Agreement for the master engineering services was included in the agenda package and asked for a motion to adopt the form of agreement with the number one firm, which is Atwell.

**On MOTION made by Tina Golub, seconded by Corrin Godlevske, and with all in favor, the form of Agreement for Engineering Services was approved with Atwell, and the Chair was authorized to sign.**

## **NINTH ORDER OF BUSINESS**

### **Staff Reports**

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

*Mr. Jere Earlywine: We've got our bond validation coming up on May 6 in the morning, it is a virtual hearing, so we are happy to have that early date. Jim, if you want to dial in and Victor dial in, I think that will get us square away. Anyone else is welcome to join too. As soon as that hearing is done, my guess is that the judge will probably issue judgment that day. We've been in front of them before and it's a pretty good setup, which means we should be in a position to legally be able to issue bonds after the 30-day appeal period expires, by the mid-June timeframe.*

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

Mr. Ward congratulated Mr. Barbosa and welcomed him as the permanent Engineer for the District and asked if he had anything to report to the Board.



Mr. Barbosa stated thank you very much. We are getting close to finalizing the utilities for the first phase of Firethorn and conveying those to the County. Before that happens, we need to convey those to the District first. We will be putting together the acquisition pages to present to the Board. Not sure if that is something that we can discuss or take any action on today, or if it needs to wait for the next meeting.

Mr. Earlywine: Jim, do you want to authorize or bring the documents back – it's your preference.

Mr. Ward: But we adopted the resolution earlier in the meeting to allow us to move forward with that and just ratify at the next meeting, so we can just move forward with it.

Mr. Barbosa: Other than that, I think that's all I have to report today.

Mr. Ward: Is there anything from the board?

Mr. Sawyer: Thanks, Victor

Mr. Barbosa: You're welcome.

Mr. Ward: No members of the audience are in person or on audio or video, so a motion to adjourn would be in order.

### **III. District Manager**

Nothing further to report.

### **TENTH ORDER OF BUSINESS**

#### **Supervisor's Requests**

Mr. Ward asked if there were any Supervisor's Requests; there were none.

### **ELEVENTH ORDER OF BUSINESS**

#### **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***

There were no public comments. There were no members of the public present.

**TWELFTH ORDER OF BUSINESS**


**Adjournment**

Mr. Ward adjourned the meeting at approximately 10:21 a.m.

**On MOTION made by Matt Sawyer, seconded by Corinn Godlevske,  
and with all in favor, the Meeting was adjourned.**

Firethorn Community Development District

  
James P. Ward, Secretary

  
Josh Tepper, Chairperson