

**MINUTES OF MEETING  
IBIS LANDING  
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Ibis Landing Community Development District was held on Tuesday July 2, 2024 at 9:00 A.M. at the offices of Lennar Homes, LLC, 10461 Six Mile Cypress Parkway, Fort Myers, Florida 33966.

**Present:**

Dalton Drake	Vice Chairperson
Alex Hinebaugh	Assistant Secretary
Ashley Kingston	Assistant Secretary
Zane Zeidan	Assistant Secretary

**Absent:**

Scott Edwards	Chairperson
---------------	-------------

**Also present were:**

James P. Ward	District Manager
Greg Urbancic	District Attorney

**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 Ward called the meeting to order at approximately 9:00 a.m. He conducted roll call; all Members of the Board appointed in the Ordinance establishing the District were present, with the exception of Supervisor Edwards, constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Notice of Advertisement**

**Notice of Advertisement of Organizational Meeting**

---

***ORGANIZATIONAL MATTERS FOR THE DISTRICT***

---

**THIRD ORDER OF BUSINESS****Oath of Office**

**Initial Board Members named in Ordinance 24-12 of the Board of County Commissioners, dated June 18, 2024, establishing the Ibis Landing Community Development District**

- a) Oath of Office**
- b) Guide to the Sunshine Amendment and Code of Ethics**
- c) Form 1 – Statement of Financial Interests (2024 Changes to the Law and filing requirements)**

Mr. Ward, as a notary public, administered the Oath of Office to the Ibis Landing CDD Board Members. He indicated the Board could keep the copy of the Sunshine Amendment which was attached to the Oath. He indicated the Board would need to file a Form 1 for 2023 reflecting the fact that they had been appointed to the Ibis Landing CDD Board. He discussed how to file the Form 1. He noted the Form 1 had to be filed within 30 days of today's date. He discussed the ethics training requirements which were due to be completed by the end of this calendar year for inclusion on the 2024 Form 1 which would be filed in 2025.

**FOURTH ORDER OF BUSINESS****Consideration of Resolution 2024-1**

**Consideration of Resolution 2024-1, a Resolution of the Board of Supervisors designating certain officers of the Ibis Landing Community Development District**

Mr. Ward indicted Resolution 2024-1 designated the officers of the Board. He asked how the Board wished to designate the officers.

The Board chose to appoint Scott Edwards as Chair, Dalton Drake as Vice Chair with the remaining Board Members as Assistant Secretaries while Jim Ward would serve as Secretary and Treasurer.

<p><b>On MOTION made by Dalton Drake, seconded by Ashley Kingston, and with all in favor, Resolution 2024-1 was adopted, and the Chair was authorized to sign.</b></p>
--

**FIFTH ORDER OF BUSINESS****Consideration of Resolution 2024-2**

**Consideration of Resolution 2024-2, a Resolution of the Board of Supervisors Ratifying, Confirming and Approving the Recording of the Notice of Establishment of the Ibis Landing Community Development District, and providing for an effective date**

Mr. Ward indicated when a District was established a Notice of Establishment was required to be recorded in the public records; this was done subsequent to the establishment of the CDD, so this Resolution would ratify that action. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Dalton Drake, seconded by Ashley Kingston, and with all in favor, Resolution 2024-2 was adopted, and the Chair was authorized to sign.**

---

### ***RETENTION OF PROFESSIONAL STAFF FOR THE DISTRICT***

---

#### **SIXTH ORDER OF BUSINESS**

#### **Consideration of Resolution 2024-3**

**Consideration of Resolution 2024-3, a Resolution of the Board of Supervisors retaining JPWard & Associates, LLC, as the District Manager**

Mr. Ward noted the next several resolutions were related to retaining professional staff. He indicated Resolution 2024-3 was related to his firm's services pursuant to the agreement attached. He indicated Resolution 2024-4 was to retain Greg Urbancic through Coleman, Yovanovich and Koester for District Counsel. He indicated Resolution 2024-5 was to retain Atwell Engineering as the interim District Engineer and authorized preparation of the District's Engineer's Report. He explained the District Engineer was retained on an interim basis because statute required the District to go through an advertising process for retention of an Engineer. He indicated Resolution 2024-6 and 2024-7 retained FMS Bonds as underwriter for future bond issues, and Greenberg Traurig's Steve Sanford as Bond Counsel. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Alex Hinebaugh, seconded by Ashley Kingston, and with all in favor, Resolution 2024-3 was adopted, and the Chair was authorized to sign.**

#### **SEVENTH ORDER OF BUSINESS**

#### **Consideration of Resolution 2024-4**

**Consideration of Resolution 2024-4, a Resolution of the Board of Supervisors retaining Coleman, Yovanovich & Koester, P.A, as District Counsel**

**On MOTION made by Alex Hinebaugh, seconded by Ashley Kingston, and with all in favor, Resolution 2024-4 was adopted, and the Chair was authorized to sign.**

#### **EIGHTH ORDER OF BUSINESS**

#### **Consideration of Resolution 2024-5**

**Consideration of Resolution 2024-5, a Resolution of the Board of Supervisors designating Atwell, LLC, as interim District Engineer, and authorizing the preparation of the District's Engineer's Report for the Capital Improvement Program for the District**

**On MOTION made by Ashley Kingston, seconded by Dalton Drake, and with all in favor, Resolution 2024-5 was adopted, and the Chair was authorized to sign.**

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-6**

**Consideration of Resolution 2024-6, a Resolution of the Board of Supervisors designating FMS Bonds as District Underwriter**

**On MOTION made by Ashley Kingston, seconded by Alex Hinebaugh, and with all in favor, Resolution 2024-6 was adopted, and the Chair was authorized to sign.**

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-7**

**Consideration of Resolution 2024-7, a Resolution of the Board of Supervisors designating Greenberg Traurig, P.A. as Bond Counsel**

**On MOTION made by Ashley Kingston, seconded by Alex Hinebaugh, and with all in favor, Resolution 2024-7 was adopted, and the Chair was authorized to sign.**

---

***ADMINISTRATIVE MATTERS OF THE DISTRICT***

---

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-8**

**Consideration of Resolution 2024-8, a Resolution of the Board of Supervisors designating the Registered Agent, designating the office of the Registered Agent, and designation of the office of record for Ibis Landing Community Development District**

Mr. Ward indicated the next resolutions were related to administrative matters of the District. He indicated Resolution 2024-8 designated the office of the registered agent and office of record. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Alex Hinebaugh, seconded by Ashley Kingston, and with all in favor, Resolution 2024-8 was adopted, and the Chair was authorized to sign.**

**TWELFTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-9**

**Consideration of Resolution 2024-9, a Resolution of the Board of Supervisors setting forth the policy regarding the support and legal defense of the Board of Supervisors and District officers**

Mr. Ward stated, generally speaking, this Resolution was put into place in the event the Board was involved in any litigation before the District Attorney or himself could get involved, the Resolution would allow them to proceed with anything needed in advance of the litigation of the District itself. He noted it also provided additional indemnifications regarding how the District would proceed with respect to any future litigation of the District. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Alex Hinebaugh, seconded by Dalton Drake, and with all in favor, Resolution 2024-9 was adopted, and the Chair was authorized to sign.**

**THIRTEENTH ORDER OF BUSINESS****Consideration of Resolution 2024-10****Consideration of Resolution 2024-10, a Resolution of the Board of Supervisors adopting an electronic records policy and policy on the use of electronic signatures**

Mr. Ward indicated Resolution 2024-10 adopted the electronic records policy as required by State Statute. He noted the Resolution had an exhibit of this policy. He discussed the policy, how his office stored the electronic records, and what types of records the Board Members should forward to his office. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Dalton Drake, seconded by Ashley Kingston, and with all in favor, Resolution 2024-10 was adopted, and the Chair was authorized to sign.**

**FOURTEENTH ORDER OF BUSINESS****Consideration of Resolution 2024-11****Consideration of Resolution 2024-11, a Resolution of the Board of Supervisors designating a Qualified Public Depository pursuant to Chapter 280 Florida Statutes, authorizing signatories on the account, authorizing the number of the signatories on the qualified depository account**

Mr. Ward indicated this was a qualified public depository resolution. He explained the State required the Board to select a public depository to hold the general fund banking account; this was different from the bank which held bond proceeds. He noted the bank he recommended was SunTrust, and this Resolution appointed SunTrust as the qualified depository account. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Dalton Drake, seconded by Ashley Kingston, and with all in favor, Resolution 2024-11 was adopted, and the Chair was authorized to sign.**

**FIFTEENTH ORDER OF BUSINESS****Consideration of Resolution 2024-12**

**Consideration of Resolution 2024-12, a Resolution of the Board of Supervisors authorizing the District Manager to advertise a Request for Qualification (RFQ), pursuant to the Chapter 287.055 F.S. (Consultants Competitive Negotiations Act) for a District Engineer**

Mr. Ward indicated Resolution 2024-12 authorized the District to advertise the RFQ for the District Engineer. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Alex Hinebaugh, seconded by Ashley Kingston, and with all in favor, Resolution 2024-12 was adopted, and the Chair was authorized to sign.**

**SIXTEENTH ORDER OF BUSINESS****Consideration of Resolution 2024-13**

**Consideration of Resolution 2024-13, a Resolution of the Board of Supervisors providing for the Public's opportunity to be heard, designating a public comment period, designating a procedure to identify individual seeking to be heard, addressing public decorum, addressing exceptions**

Mr. Ward stated Resolution 2024-13 established a public comment period for any member of the public who attended the Board Meetings; it provided an opportunity to speak during each item, it set a 3 minute time limit for comments, and provided an opportunity to speak at the end of the agenda regarding any item not on the agenda. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Dalton Drake, seconded by Alex Hinebaugh, and with all in favor, Resolution 2024-13 was adopted, and the Chair was authorized to sign.**

**SEVENTEENTH ORDER OF BUSINESS****Consideration of Resolution 2024-14**

**Consideration of Resolution 2024-14, a Resolution of the Board of Supervisors designating the Regular Meeting dates, time, and location for Fiscal Year 2025; the proposed meeting schedule will be for the third Thursday of each month at 10:00 A.M. at the offices of Lennar Homes, LLC, 10461 Six Mile Cypress Parkway, Fort Myers, Florida 33966**

Mr. Ward indicated Resolution 2024-14 set the Board Meeting schedule for the balance of fiscal year 2024 and fiscal year 2025. He stated meetings would be on the third Thursday of each month at 10:00 A.M. at the offices of Lennar Homes, LLC, 10461 Six Mile Cypress Parkway, Fort Myers, Florida 33966. He noted this Resolution did not bind the Board to any of the meeting dates or times; meeting dates and times could be changed as appropriate.

**On MOTION made by Dalton Drake, seconded by Ashley Kingston, and with all in favor, Resolution 2024-14 was adopted, and the Chair was authorized to sign.**

**EIGHTEENTH ORDER OF BUSINESS****Consideration of Resolution 2024-15**

**Consideration of Resolution 2024-15, a Resolution of the Board of Supervisors, designating the date, time, and location for the Landowners Meeting for Thursday, August 15, 2024, at 9:00 A.M., at the offices of Lennar Homes, LLC, 10461 Six Mile Cypress Parkway, Fort Myers, Florida 33966**

Mr. Ward stated Resolution 2024-15 set forth the landowner's meeting for the District. He noted the current Board Members were serving as interim board members, and at the landowner's meeting Board Members would be elected to serve on the Board.

The Board discussed and decided to hold the landowner's meeting would be held on Thursday, August 15, 2024 at 9:00 a.m.

**On MOTION made by Alex Hinebaugh, seconded by Ashley Kingston, and with all in favor, Resolution 2024-15 was adopted, and the Chair was authorized to sign.**

**NINETEENTH ORDER OF BUSINESS****Consideration of Resolution 2024-16**

**Consideration of Resolution 2024-16, a Resolution of the Board of Supervisors designating a date, time, and location of a public hearing regarding the District's intent to use the uniform method for the levy, collection, and enforcement of non-ad valorem special assessments as authorized by Section 197.3632, Florida Statutes. The Public Hearing is scheduled for Thursday, September 19, 2024, at 9:00 A.M., at the offices of Lennar Homes, LLC, 10461 Six Mile Cypress Parkway, Fort Myers, Florida 33966**

Mr. Ward stated Resolution 2024-16 set the public hearing date, time, and location.

Discussion ensued regarding the best dates and times for meetings, and it was decided to hold the public hearing on September 19, 2024.

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

**On MOTION made by Dalton Drake, seconded by Ashley Kingston, and with all in favor, Resolution 2024-16 was adopted, and the Chair was authorized to sign.**

**TWENTIETH ORDER OF BUSINESS****Consideration of Resolution 2024-17**

**Consideration of Resolution 2024-17, a Resolution of the Board of Supervisors adopting the Alternative Investment Guidelines for Investing Public Funds in excess of amount needed to meet**

**current operating expenses, in accordance with Section 218.415(17), Florida Statutes**

Mr. Ward stated Resolution 2024-17 adopted the alternative investment guidelines for public funds. He indicated the general fund bank account would hold very little money on a regular basis but required an alternative investment guideline provision to allow for the investment in the local government surplus trust, some money market funds, interest bearing deposits and direct obligations of the U.S. Treasury. He stated the District would never use any of these, the money would sit in an account with Truist; these funds were different from bond funds which would be held by a trustee bank and had a different set of guidelines. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Dalton Drake, seconded by Ashley Kingston, and with all in favor, Resolution 2024-17 was adopted, and the Chair was authorized to sign.**

**TWENTY-FIRST ORDER OF BUSINESS****Consideration of Resolution 2024-18**

**Consideration of Resolution 2024-18, a Resolution of the Board of Supervisors granting authority to the Chairperson or Vice Chairperson to execute real and personal property conveyances and dedications documents, and plats and other document related to the development of the District's improvements, subject to the approval of the District Manager, District Engineer and District Counsel is legal, consistent with the District's improvement plan and necessary for the development of the Improvements**

Mr. Ward stated Resolution 2024-18 allowed the Chair or Vice Chair to sign documents necessary for plats or to convey utilities and other documents related to permits, etc., when needed. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Alex Hinebaugh, seconded by Dalton Drake, and with all in favor, Resolution 2024-18 was adopted, and the Chair was authorized to sign.**

**TWENTY-SECOND ORDER OF BUSINESS****Consideration of Resolution 2024-19**

**Consideration of Resolution 2024-19, a Resolution of the Board of Supervisors of Ibis Landing Community Development District; Authorizing the execution and delivery of an Agreement Regarding the Acquisition of certain work product, infrastructure and real property; Authorizing the proper Officials to do all things deemed necessary in connection with the execution of such Agreement; And providing for severability, conflicts, and an effective date**

Mr. Ward indicated Resolution 2024-19 transferred certain infrastructure and utility improvements, which needed to go from the developer to Lee County. He asked if there were any questions; hearing none, he called for a motion.



**On MOTION made by Dalton Drake, seconded by Ashley Kingston, and with all in favor, Resolution 2024-19 was adopted, and the Chair was authorized to sign.**

---

### ***FISCAL YEAR 2025 BUDGET MATTERS***

---

#### **TWENTY-THIRD ORDER OF BUSINESS**

#### **Consideration of Resolution 2024-20**

**Consideration of Resolution 2024-20, a Resolution of the Board of Supervisors approving the Fiscal Year 2024 and Fiscal Years 2025 Proposed Budgets and setting a Public Hearing for Thursday, September 19, 2024, at 9:00 A.M., at the offices of Lennar Homes, LLC, 10461 Six Mile Cypress Parkway, Fort Myers, Florida 33966**

Mr. Ward stated Resolution 2024-20 approved the proposed budget and set the budget public hearing for September 19, 2024. He noted this budget covered the remaining portion of fiscal year 2024 and fiscal year 2025. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Dalton Drake, seconded by Ashley Kingston, and with all in favor, Resolution 2024-20 was adopted, and the Chair was authorized to sign.**

#### **TWENTY-FOURTH ORDER OF BUSINESS**

#### **Consideration of Agreement**

**Consideration of a Budget Funding Agreement between Lennar Homes, LLC, and the District to fund the District's Fiscal Year 2024 General Fund Operating Budgets in lieu of the District levying assessments**

Mr. Ward indicated this was the agreement between Lennar Homes and the District to fund the operating budget for fiscal year 2024 and fiscal year 2025. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Ashley Kingston, seconded by Alex Hinebaugh, and with all in favor, Budget Funding Agreement between Lennar Homes, LLC, and the District to fund the District's Fiscal Year 2024 General Fund Operating Budgets in lieu of the District levying assessments was approved.**

#### **TWENTY-FIFTH ORDER OF BUSINESS**

#### **Staff Reports**

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

*Mr. Greg Urbancic: Happy for the opportunity to work with you on this District. I know you are all experienced with Districts, but if you have any questions feel free to reach out.*

**II. District Engineer**

No report.

**III. District Manager**

**a) Board Meeting Dates for Balance of Fiscal Year 2024**

i. Landowners and Regular Meeting – Thursday, August 15, 2024, 9:00A.M.

ii. Public Hearings:

1. Uniform Method of Collection – Thursday, September 19, 2024, 9:00A.M.

2. Fiscal Year 2025 Budget – Thursday, September 19, 2024, 9:00A.M.

No report.

**TWENTY-SIXTH ORDER OF BUSINESS**

**Supervisor's Requests and Audience Comments**

Mr. Ward asked if there were any Supervisor's requests; there were none. He noted there were no members of the public present.

**TWENTY-SEVENTH 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

Mr. Ward noted there were no audience members present.


**TWENTY-EIGHTH ORDER OF BUSINESS**


**Adjournment**

Mr. Ward adjourned the meeting at approximately 9:34 a.m.

**On MOTION made by Dalton Drake, seconded by Ashley Kingston, and with all in favor, the Meeting was adjourned.**

Ibis Landing Community Development District

  
James P. Ward, Secretary

  
Scott Edwards, Chairperson