

**MINUTES OF MEETING  
PALERMO  
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Palermo Community Development District was held on Friday, July 21, 2023, at 9:00 a.m., at the offices of Lennar Homes, LLC, 10481 Six Mile Cypress Parkway, Ft. Myers, Florida 33966.

**Present:**

Scott Edwards	Chairperson
Barry Ernst	Assistant Secretary
Zane Zeidan	Assistant Secretary
Ashley Kingston	Assistant Secretary

**Absent:**

Dalton Drake	Vice Chairperson
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**Also present were:**

James P. Ward	District Manager
Greg Urbancic	District Attorney
David Caplivski	Grau and Associates

**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 9:04 a.m. He conducted roll call; all Members of the Board were present, with the exception of Supervisor Drake, constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Notice of Advertisement**

**Notice of Advertisement of Public Hearing**

**THIRD ORDER OF BUSINESS**

**Consideration of Minutes**

**March 16, 2023 – Regular Meeting Minutes**

Mr. Ward asked if there were any additions, deletions, or corrections for the Minutes; there were none.

**On MOTION made by Scott Edwards, seconded by Barry Ernst, and with all in favor, the March 16, 2023, Regular Meeting Minutes were approved.**

**FOURTH ORDER OF BUSINESS**

**Public Hearing**

**FISCAL YEAR 2024 BUDGET**

Mr. Ward explained the Public Hearing process noting there were two public hearings, the first related to the Budget itself.

**a) FISCAL YEAR 2024 BUDGET**

**I. Public Comment and Testimony**

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

**On MOTION made by Barry Ernst, seconded by Ashley Kingston, and with all in favor, the Public Hearing was opened.**

Mr. Ward asked if there were any members of the audience present in person or via audio or video with questions regarding the fiscal year 2024 budget; there were none. He noted there were no members of the public present in person. He called for a motion.

**On MOTION made by Barry Ernst, seconded by Scott Edwards, 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 2023-8, a resolution of the Board of Supervisors adopting the Annual Appropriation and Budget for Fiscal Year 2024**

Mr. Ward called for a motion to approve the budget beginning October 1, 2023 and ending on September 30, 2024.

**On MOTION made Scott Edwards, seconded by Ashley Kingston, and with all in favor, Resolution 2023-8 was adopted, and the Chair was authorized to sign.**

**b) FISCAL YEAR 2024 IMPOSING SPECIAL ASSESSMENTS; ADOPTING AN ASSESSMENT ROLL AND APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY**

Mr. Ward indicated this public hearing was related to the imposition of assessments, the adoption of an assessment roll and approval of the methodology.

**I. Public Comment and Testimony**

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

**On MOTION made by Barry Ernst, seconded by Ashley Kingston, and with all in favor, the Public Hearing was opened.**

Mr. Ward asked if there were any members of the audience present in person, or via audio or video with questions or comments; there were none. He noted there were no members of the public present in person. He called for a motion.

**On MOTION made by Barry Ernst, seconded by Ashley Kingston, 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 2023-9, a resolution of the Board of Supervisors imposing special assessments, adopting an assessment roll, and approving the General Fund Special Assessment Methodology**

Mr. Ward called for a motion.

**On MOTION made by Scott Edwards, seconded by Ashley Kingston, and with all in favor, Resolution 2023-9 was adopted, and the Chair was authorized to sign.**

**IV. Consideration of Resolution 2023-10, a Resolution of the Board of Supervisors establishing an Operation and Maintenance Assessment Cap for notice purposes**

Mr. Ward explained Resolution 2023-10 set a cap rate of \$226.82 dollars. He explained if the assessment rate went higher than the cap rate, mailed notice would be required to be sent to all property owners within the District. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Barry Ernst, seconded by Ashley Kingston, and with all in favor, Resolution 2023-10 was adopted, and the Chair was authorized to sign.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Audited Financial Statements**

**Consideration of the acceptance of the Audited Financial Statements for the Fiscal Year ended September 30, 2022**

Mr. Ward introduced David Caplivski with Grau and Associates.

Mr. David Caplivski with Grau and Associates thanked the Board, and the District's Management and Staff. He explained the Audit of Financial Statements was required by Florida Statutes and the Bond Agreements. He reported the opinion on the Financial Statements was a clean, or unmodified, opinion which was the best opinion a district could receive. He noted the Auditor was also required to report any internal control material weaknesses or deficiencies and none were noted. He stated lastly there was a letter the Florida Auditor General required which reflected a clean, unmodified opinion as well. He thanked the CDD for choosing Grau and Associates.

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

**On MOTION made by Zane Zeidan, seconded by Ashley Kingston, and with all in favor, the Audited Financial Statements for the Fiscal Year ended September 30, 2022 were accepted for purposes of inclusion in the record.**

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

#### **Consideration of Resolution 2023-11**

**Consideration of Resolution 2023-11, a Resolution of the Board of Supervisors designating dates, time, and location for regular meetings of the Board of Supervisors for Fiscal Year 2024**

Mr. Ward indicated Resolution 2023-11 set the meeting dates for fiscal year 2024 on the third Thursday of each month at 9:00 a.m. at the offices of Lennar Homes, LLC, 10481 Six Mile Cypress Parkway, Ft. Myers, Florida 33966. He indicated the dates and times could be changed if necessary. He asked if there were any questions; hearing none, he called for a motion.

**On MOTION made by Scott Edwards, seconded by Barry Ernst, and with all in favor, Resolution 2023-11 was adopted, and the Chair was authorized to sign.**

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

#### **Consideration of Resolution 2023-12**

**Consideration of Resolution 2023-12, a Resolution of the Board of Supervisors establishing Policies and Procedures Relating to the Review of Requests for Fence Encroachments into Drainage Easements dedicated to the District; and Providing for Severability, Conflicts and an Effective Date**

Mr. Ward indicated this Item would be pulled from the Agenda today and revisited in the future.

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

#### **Staff Reports**

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

*Mr. Urbancic: Starting next year, four hours of Ethics Training will be required annually. The certification will be a part of the Form 1. Form 1s in the future now will all be done electronically. The State said no more paper. Otherwise, I have nothing to report.*

**II. District Engineer**

No report.

**III. District Manager**

- a) **Number of Registered Voters within the District as of April 15, 2023**
- b) **Remaining Board Meeting Dates for Balance of Fiscal Year 2023: August 17, 2023, and September 21, 2023**
- c) **Financial Statement for period ending April 30, 2023 (unaudited)**
- d) **Financial Statement for period ending May 31, 2023 (unaudited)**
- e) **Financial Statement for period ending June 30, 2023 (unaudited)**

*Mr. Ward: The number of registered voters within the District as of April 15, 2023 was 156. That means when you hit two thresholds, one is six years from the date of establishment, and the second is 250 qualified electors, you will begin to transition two seats in an even number year to qualified electors. This is an older District. It was established in 2007, so once you hit the 250 threshold mark then you will start to transition this Board to a qualified elector board. In that first year there will be three seats up, two seats will be qualified electors and the third seat will be a landowner seat. Two years thereafter the next two seats will be qualified electors and two years after that will be the final qualified elector seat. It transitions basically over a six year period. There is no action required, it is just reported as a requirement. The next seats up for consideration are Zane's, Ashley's, and Barry's.*

**NINTH ORDER OF BUSINESS**

**Supervisor's Requests and Audience Comments**

Mr. Ward asked if there were any Supervisor's requests; there were none. He asked if there were any audience comments from audience members present in person, or via audio/video; there were none.

**TENTH ORDER OF BUSINESS**

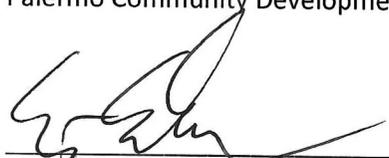
**Adjournment**

Mr. Ward adjourned the meeting at approximately 9:15 a.m.

**On MOTION made by Scott Edwards, seconded by Barry Ernst, and with all in favor, the Meeting was adjourned.**

Palermo Community Development District

  
James P. Ward, Secretary

  
Scott Edwards, Chairperson