

**MINUTES OF MEETING
TERN BAY
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Tern Bay Community Development District was held on Tuesday, January 11, 2022, at 10:00 a.m. at the Country Inn and Suites, 24244 Corporate Court, Port Charlotte, Florida 33954.

Present and constituting a quorum:

Russell Smith	Chairperson
Barry Ernst	Assistant Secretary
Ashley Kingston	Assistant Secretary

Absent:

Christopher Hasty	Vice Chairperson
Anthony Burdett	Assistant Secretary

Also present were:

James P. Ward	District Manager
Greg Urbancic	District Counsel
Steve Sanford	Bond Counsel
Andrew Gill	
Tony Grau	Grau & Associates

Audience:

Jean Lehman (ph)

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

District Manager James P. Ward called the meeting to order at approximately 10:00 a.m. He conducted roll call and all Board Members were present, with the exception of Supervisor Hasty, constituting a quorum.

SECOND ORDER OF BUSINESS

Consideration of Minutes

September 16, 2021 – Regular Meeting Minutes

Mr. Ward asked if there were any additions, corrections, or deletions for the Minutes; hearing none, he called for a motion.

On MOTION made by Mr. Barry Ernst, seconded by Mr. Russell Smith, Ashley Kingston, and with all in favor, the September 16, 2021, Regular Meeting Minutes were approved.

THIRD ORDER OF BUSINESS**Consideration of Audited Financial Statements****Consideration of the Acceptance of the Audited Financial Statements for the Fiscal Year ended September 30, 2021**

Mr. Ward introduced Tony Grau of Grau and Associates.

Mr. Tony Grau with Grau and Associates reviewed the Audited Financial Statements for the Fiscal Year ended September 30, 2021. He reported page 1 and 2 reflected a clean opinion with respect to the financial statements of the District. He indicated there was a new item in the audit report on page 2, additional information which was now required by Florida Statute. He stated the management discussion and analysis was a recap of the financial activity during the Fiscal Year. He indicated page 4 showed the condensed statement of net position which showed very little changes from the prior year. He noted next was the income statement (changes in net position) which showed revenues, expenses, and the change in net position. He noted last year (year ended September 30, 2020) there was restructuring of the capital assets which brought it down by \$29 million dollars; that did not occur this year. He indicated the financial statements began on page 7 with the government wide financial statements, following which were the fund financial statements with the balance sheet reflecting the general fund and debt service fund. He stated the income statement was on page 11 and showed the special assessments, expenditures, and debt service. He reported the District collected \$248,000 dollars more than was spent which brought the total fund balance up from \$67,000 dollars to \$316,000 dollars. He stated there was a small deficit in the debt service fund which was consistent with prior years. He reported next were the footnotes to the financial statements which were consistent with the prior year. He indicated on page 19 were the capital assets which were placed in service showing application to the capital assets. He stated page 20 showed the long term debt which was only a little over \$1 million dollars. He stated the remainder of the report contained the various reports required under government auditing standards and by the Auditor General including the newly required additional data which was supplied by management. He noted there were no findings and only clean opinions.

Mr. Ward asked if there were any questions.

Mr. Smith: Is it fair to say there is nothing out of the ordinary and everything is as it should be?

Mr. Grau: Yes.

On MOTION made by Mr. Russell Smith, seconded by Ms. Ashley Kingston, and with all in favor, the Audited Financial Statements were accepted for purposes of inclusion in the record.

FOURTH ORDER OF BUSINESS**Consideration of Resolution 2022-1****Consideration Of Resolution 2022-1, a Resolution of the Board of Supervisors of Tern Bay Community Development District ratifying the LED Lighting Agreement dated December 15, 2021, and four LED**

Lighting Agreements dated May 25, 2021, each with Florida Power & Light Company for purposes of installing lighting facilities on roadways within the District

Mr. Ward: This Resolution ratifies a number of Florida Power and Light agreements that we have in place for street lighting services within the District. I am going to add another Resolution, so I don't have to come back to you all the time. This one will ratify these, and the second resolution will give me the authority to sign those on a going forward basis. He asked if there were any questions; hearing none, he called for a motion.

On MOTION made by Mr. Barry Ernst, seconded by Ms. Ashley Kingston, and with all in favor, Resolution 2022-1 was approved, and the Chair was authorized to sign.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-2

Mr. Ward indicated this was the Resolution which would give him the authority to sign future Florida Power and Light agreements for street lighting services within the District going forward. He called for a motion.

On MOTION made by Mr. Barry Ernst, seconded by Mr. Russell Smith, and with all in favor, Resolution 2022-2 was approved, and the Chair was authorized to sign.

SIXTH ORDER OF BUSINESS

Staff Reports

Staff Reports

I. District Attorney

Mr. Urbancic: The Legislative Sessions have kicked off. There are a couple of bills we will be watching, one which would change the Sunshine Law in the event of a natural disaster or declaration of emergency. That will become helpful in the future. We could have used it in the past. Also, one which would change the level of sovereign immunity pretty significantly, the limited waiver to a million dollars. We are currently at \$200,000/\$300,000 dollars for per occurrence and in the aggregate. That would be a substantial change, and it would be indexed. I don't know whether it will pass. They have made a run at this before, but not quite at this level. Otherwise, the only other item would be the Stormwater Needs Analysis.

II. District Engineer

No report.

III. District Manager

- a) **State Law Requirements for new Stormwater Reporting**
- b) **Financial Statements for period ending September 30, 2021 (unaudited)**

- c) **Financial Statements for period ending October 31, 2021 (unaudited)**
- d) **Financial Statements for period ending November 30, 2021 (unaudited)**
- e) **Financial Statements for period ending December 31, 2021 (unaudited)**

Mr. Ward: The Stormwater Needs Analysis is now required to be done for the District. It essentially covers your stormwater system. It requires the District to go through a process where we outline the long term capital costs of the system we have, the long term operating costs that we have, and then update that on a 5 year increment basis. I point this all out to you because we have already engaged your engineer to begin the process of preparing this for you. It's due June 30, this year. The intent is to have it available and filed long before the due date. None of us in the State know what anybody wants, but we do have some forms that the State has provided us for assistance in trying to supply the information.

SEVENTH 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 members present in person, or via audio or video with any questions or comments; there were none.

EIGHTH ORDER OF BUSINESS

Adjournment

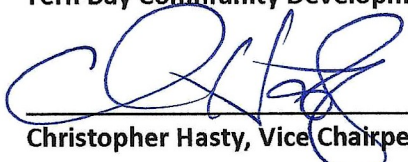
Mr. Ward adjourned the meeting at approximately 10:11 a.m.

On MOTION made by Mr. Barry Ernst, seconded by Ms. Ashley Kingston, and with all in favor, the meeting was adjourned.

Tern Bay Community Development District



James P. Ward, Secretary



Christopher Hasty, Vice Chairperson