**MINUTES OF MEETING**

**WENTWORTH ESTATES**

**COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of Wentworth Estates Community Development District was held on Thursday, June 11, 2020 at 5:00 p.m., at the TPC Tour Club, 9800 Treviso Bay Boulevard, Naples, Florida 34113.

**Present and constituting a quorum:**

Joe Newcomb Chairperson

Paul Zotter Vice Chairperson

Andrew Gasworth Assistant Secretary

Robert Cody Assistant Secretary

Steve Barger Assistant Secretary

**Also present were:**

James P. Ward District Manager

Greg Urbancic District Attorney

 Bruce Bernard Assets Manager, Calvin Giordano & Associates

 **Audience:**

Mohammed Rahman (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 5:01 p.m. He reported with the State of Emergency in Florida, and pursuant to Executive Orders 20-52 and 20-69 issued by Governor DeSantis on March 9, 2020 and March 20, 2020 respectively, and pursuant to Section 120.54(5)9b)2., Florida, Statutes, this meeting was being held utilizing communication media technology due to the current COVID-19 public health emergency. He explained all Members of the Board, Staff and the public were present via videoconference or telephone; no persons were present in the on-site meeting room location. He asked all speakers to state their names for the record prior to speaking. He conducted roll call; all Members of the Board were present constituting a quorum.

Mr. Ward indicated members of the public would remain muted until the public comment portions of the meeting.

**SECOND ORDER OF BUSINESS Consideration of Minutes**

**May 14, 2020 – Regular Meeting**

Mr. Ward stated the second order of business was consideration of the May 14, 2020 Regular Meeting Minutes. He asked if there were any additions, corrections, or deletions to these Minutes; hearing none, he called for a motion.

**On MOTION made by Mr. Robert Cody, seconded by Mr. Andrew Gasworth, and with all in favor, the May 14, 2020 Regular Meeting Minutes were approved.**

**THIRD ORDER OF BUSINESS PUBLIC HEARING**

Mr. Ward indicated the primary purpose of today’s Meeting was to conduct two public hearings: The first was consideration of adoption of the Budget and the second was in respect to the imposition of the special assessments.

1. **PUBLIC HEARING – FISCAL YEAR 2021 BUDGET**

**I. Public Comment and Testimony**

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

**On MOTION made by Mr. Joe Newcomb, seconded by Mr. Paul Zotter, and with all in favor, the Public Hearing was opened.**

Mr. Ward stated this Budget was presented to the Board a couple of months ago. He indicated the only change to this Budget from the prior year’s budget was the addition of two new services the CDD was assuming pursuant to the direction to move maintenance of the assets owned by the CDD from the HOA to the CDD. He noted these assets included the main entryway, roadway, landscaping, entrance features, and SW Blvd. He explained this was the reason for the change in the assessment levels for Fiscal Year 2021. He stated this was an opportunity for any members of the public to provide comments, testimony, or questions with respect to adoption of the District’s Budget. He asked if there were any members of the public present on the phone or video conference with any comments or questions.

*Mr. Mohammed Rahman: I own the commercial parcel by the entranceway to Treviso Bay. I received a proposed Budget assessment of $65,453.83 dollars. I spoke to Mr. Jim as of this morning and he came up with a new assessment which brought the number down to somewhere close to $24,000 dollars. I am still here to address in due time. I did file an objection referring to that original offering memorandum of the CDD. There are two different versions of that, and two different sections that it stated that three of the parcels, even though in the District, should be excluded from the assessment. One is the 5-acre lot for FPL, one is the commercial lot that is 10 acres, and the golf course. I am still disputing – the change of the ownership took place in the end of 2017, and since then my property taxes didn’t go up, but the CDD assessment is what I inherited. Originally, I don’t have any objections with that, but it keeps going up, starting in 2017 it was $74,000 and some change. In 2018 it was almost $86,000. In 2019 I paid almost $112,000 dollars and I think I'm disputing the assessment because now the facility is benefitting from this commercial back end lot.*

Mr. Ward asked if Mr. Rahman had a question.

*Mr. Rahman: The question I am asking is for the Board to look at this objection before it is finalized.*

*Mr. Ward: This is a hearing on the Budget itself. If you are going to question the assessment, that would be the next public hearing. The information you just put on record is a matter of record now. We can take up your assessment question at that time. Did you have any questions on the budget itself?* Mr. Rahman responded in the negative; he had no questions about the budget.

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

**On MOTION made by Mr. Steve Barger, seconded by Mr. Paul Zotter, 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; hearing none, he called for a motion.

**III. Consideration of Resolution 2020-5 adopting the annual appropriation and Budget for Fiscal Year 2021**

**On MOTION made by Mr. Joe Newcomb, seconded by Mr. Robert Cody, and with all in favor, Resolution 2020-5 was adopted, and the Chair was authorized to sign.**

1. **FISCAL YEAR 2021 IMPOSING SPECIAL ASSESSMENTS; ADOPTING AN ASSESSMENT ROLL, APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY**

*Mr. Ward: Essentially what this Resolution does is set your assessment rate for Fiscal Year 2021 at $719.27 per unit. I will get into the question that the owner of the commercial parcel out front mentioned to you. The next Resolution will be to establish the cap rate for the District for this year. I will take a moment at this time – The issue with the commercial parcel, I will go through that briefly with you, the commercial parcel was assessed in this current budget at an average residential unit conversion of approximately 9 units to the acre which equated to 91 equivalent residential units for commercial purposes. That particular parcel is assessed at 91 times the $719.27 rate. As Mohammed had mentioned to you, I did speak with him a couple of times this week with respect to the assessment for the commercial parcel. I went back and took a look at how we assessed the commercial parcel for the capital assessment program that was revised in 2012 subsequent to the acquisition of the property by Lennar Homes. The assessment equates to 2.1005% of the total at the time that was outstanding for the District at that time. That was a rather in depth engineering analysis to show that the infrastructure that the District constructed with those bonds, which basically included the landscaping improvements, the bridge coming into the community, SW Blvd, the entire water management system and a few other ancillary items in that program. The commercial parcel was obligated to pay 2.1005% of that total capital and that is consistent and that is what that owner has paid since 2012 and continues to pay that amount as of today. What I think would recommend to you is that we use that 2.1005% as the way in which to calculate the assessments for this parcel for the Fiscal Year we are going into, and that would equate to an assessment of $23,023.09. That is 2.1005% of the total expenditures anticipated for the General Fund which was $1,096,172 dollars. That would make his assessment consistent with the way in which we did the operating assessment with the same infrastructure which he is paying for through his capital assessment program. By doing that, that will leave a shortfall within the District of roughly $42,400 dollars. I would not recommend increasing the assessment above what it is, which is the $719.27, and which is now what’s in the adopted budget, and the District, during Fiscal Year 2021 will make any appropriate changes, probably towards the winter months if needed to be able to absorb that difference which is roughly $42,000 dollars. I think that, I'm not going to speak for Mohammed as to whether or not that solves his problem, but that is a fair way and a reasonable way and the correct way in which to apportion the assessment on that property based upon the changes we have had to this operating program over the last couple years and now makes it completely consistent with the way in which we levied the assessment for the capital program for this District.*

**I. Public Comment and Testimony**

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

**On MOTION made by Mr. Paul Zotter, seconded by Mr. Joe Newcomb, and with all in favor, the Public Hearing was opened.**

Mr. Ward asked if Mohammed had any comments. Mr. Rahman indicated he had no questions; the new assessment rate was better than before.

Mr. Ward asked if there were any members of the public present on the phone or via video conference with comments or questions; there were none. He called for a motion to close the Public Hearing.

**On MOTION made by Mr. Andrew Gasworth, seconded by Mr. Steve Barger, and with all in favor, the Public Hearing was closed.**

**II. Board Comment and Consideration**

*Mr. Ward: The two resolutions that finish off this portion of the public hearing – the first one is Resolution 2020-6 which sets your operating assessment rate at $719.27 per unit per year –*

*Mr. Paul Zotter: Jim, did we just approve that change in the assessment? I wasn’t sure.*

*Mr. Ward: I don’t want to put words in Mohammed’s mouth, but as I heard it, he indicated it was “a lot better than what it was” as proposed.*

*Mr. Zotter: I'm asking did we just approve that, or is this still a question –*

*Mr. Ward: That’s what you're going to do with the adoption of this Resolution. Resolution 2020-6 establishes the operation and maintenance assessment for Fiscal Year 2021 as $719.27 per unit. It also at this point will change the method of assessment for the commercial property equal to 2.1005% of the total operating budget of $1,096,172 dollars for an allocated cost of $23,025.09. That’s what that particular resolution does. The change obviously for the Board is that it does approve the change in the method of assessment for the commercial property as I identified for the record.* He asked if there were any questions.

*Mr. Zotter: So, does that rate of $719.27 change?*

*Mr. Ward: No. We are leaving the rate for the $719.27 as is for the Fiscal Year 2021 that starts October 1.*

*Mr. Zotter: Alright, then the difference, should this get approved, and the commercial property out front, the difference of $42,000, where would be making that up?*

*Mr. Ward: I have an operating reserve of $175,000 in this budget, so in all likelihood as we go through the budget this year, that’s where it will come down to, if not in the operating accounts during the year, but the most likely place will just be a reduction in your operating reserve from $175,000 down $42,000.*

*Mr. Zotter: And you are comfortable with that?*

*Mr. Ward: Yes, sir. Are there any questions from the Board?* There were none. *Any questions from the audience?*  There were none.  *Motion to adopt Resolution 2020-6 is in order.*

**III. Consideration of Resolution 2020-6 imposing special assessments, adopting an assessment roll, and approving the general fund special assessment methodology**

**On MOTION made by Mr. Andrew Gasworth, seconded by Mr. Joe Newcomb, and with all in favor, Resolution 2020-6 was adopted as amended, and the Chair was authorized to sign.**

**IV. Consideration or Resolution 2020-7, Establishing an Operation and Maintenance Assessment Cap for notice purposes.**

*Mr. Ward: The final resolution is an optional resolution, but it's called a cap rate resolution. Essentially, since I know Mr. Barger is new to the Board, and the other Board Members do know this, I will go through this with you. The Statute requires the District to do mailed notice on a yearly basis to everybody in the community unless we establish a cap rate. The cap rate simply means that as long as the District stays within that cap rate, we do not need to do mailed notice to the entire community. The cap rate for Fiscal Year 2021 will be $805.59. That simply means that I do not have to send out 1,400 and some odd notices every year in order to conduct this public hearing, and that we will only do that if we go over that rate going forward. From my perspective it is recommended. It is generally not a particularly difficult issue to get past with your community and in general all communities. I will leave it up to you, but the Resolution is recommended.*

**On MOTION made by Mr. Joe Newcomb, seconded by Mr. Robert Cody, and with all in favor, Resolution 2020-7 was adopted, and the Chair was authorized to sign.**

*Mr. Ward: That concludes the items with respect to the adoption of the budget for next year. That puts us on a path to implement that beginning October 1 of this year and that is the anticipated date that we will assume the new facilities for the entranceway and SW Blvd. and I know Mr. Bernard is going to be working with the association in order to get that done for that particular date.*

**FOURTH ORDER OF BUSINESS Consideration of Resolution 2020-8**

**Consideration of Resolution 2020-8 designating Dates, Time, and Location for Regular Meeting of the Board of Supervisor’s for Fiscal Year, 2021**

Mr. Ward reported Resolution 2020-8 named the Meeting time, dates, and location as 8:30 a.m. at the Treviso Bay Clubhouse, on the second Tuesday of every month. He stated the Resolution did not bind the Board to these dates, time, and location; the Board could make changes as it deemed fit.

*Mr. Zotter: When I look at the schedule, are you anticipating no meetings until October, and then thereafter every month? Am I interpreting that right?*

*Mr. Ward: No. Two years ago, we set them on a quarterly basis. Last year I don’t remember, but I think we did them on a monthly basis, so this is the full year’s date. From a staff perspective I don’t need all of these meetings. Clearly probably November we would have one, or December, as we get into the new program, and then start up again in January or February, going to April or May, and then July or August kind of a time schedule.* Mr. Ward asked if there were any additional questions; hearing none, he called for a motion.

**On MOTION made by Mr. Paul Zotter, seconded by Mr. Joe Newcomb, and with all in favor, Resolution 2020-8 was adopted as above, and the Chair was authorized to sign.**

**FIFTH ORDER OF BUSINESS Staff Reports**

1. **Attorney**

No report.

1. **Engineer**

1. **Operations Report April 2020**

Mr. Bernard reported the lake bank restoration project was completed for this year and the bridge/main entrance project was almost completed. He reported all other capital work had been completed for the year.

Mr. Steve Barger asked what was left to be done in the bridge project.

*Mr. Bernard: The four light posts on the east side of the bridge.*

*Mr. Zotter: With regards to the golf course and what's being done out there, we are ultimately still responsible for the ponds at the golf course. Is that correct?*

*Mr. Bernard: Correct.*

*Mr. Zotter: Have you been monitoring the progress of the work being done out there?*

*Mr. Bernard: Yes. I go out there every week or every other week to check what they are doing. Our aquatic vendor is working with the golf course superintendents to get all the exotics and the grasses sprayed back and stuff that we want to do while they are shut down.*

*Mr. Zotter: Are you monitoring as far as the work that is being done? Some of the work is very close to the bank edges of the water and actually what appears to be almost into the water, and that that work is being done according to what you would want it to be so that if there are any problems down the road we’re able to see where it's coming from?*

*Mr. Bernard: I'm working with Robert Adams there. Next time out I’ll take a look at the banks and make sure the slope is correct and that we have no issue with the CDD portion of it.*

*Mr. Zotter: Right. And I think it all looks great, but I noticed some of the sand traps are so close to the water’s edge and what will happen in the event of a high water level which then goes into the sand trap, which then washes down into the lake beds? Just something to think about. The second question that I have is, it was brought to my attention about a homeowner’s concern the grass that grows into the ponds. In particular the large pond at Bella Firenze. Do we take care of that grass growing out of the water? Is that something that you want in there? The particular concern from the homeowner was the grass grows so high, and it is a very large area, and it blocks a view or –*

*Mr. Bernard: What neighborhood is that?*

*Mr. Zotter: The lake, the pond, in Bella Firenze. It is around the 95—I think it's 9563.*

*Mr. Bernard: I’ll check it out.*

*Mr. Zotter: I actually drove by, and I did notice there was a large section of grass that does grow out of the water area. I don’t know, it may be a healthy thing.*

*Mr. Bernard: We are trying to reestablish a perimeter berm per se in the water’s edge with wetland plantings so we can stop the erosion on the banks, use it also for filtration to clean the water that is in the ponds. Some of them when we took over, the spike rush is what I call it, has grown out 15 to 20 to 30 feet out into the lake. Our contractor has been directed – we are spraying now to bring them back to about 8 to 10 feet wide maximum, so we have the lake view rather than the wetland planting view. I will check in Bella Firenze. I know we have done some spraying there and I will look at it again to make sure we are keeping it back, but some of these sections in these lakes are wetland littoral shelves. They have been planting there to have a lot of plants and you are not really supposed to be treating them.*

*Mr. Zotter: Give me a call when you go. My concern is getting a homeowner thinking that they can go out with a weed whacker and cut some of these things down.*

*Mr. Bernard: No problem.*

1. **Manager**
	* 1. **Continued Discussion on the Commercial Parcel Acquisition**
		2. **Financial Statements April 30, 2020 (Unaudited)**

*Mr. Ward: I only had one item which is the continued discussion of the commercial parcel acquisition. It can be brief on this one. We did receive a counter proposal from the owner of the commercial parcel. I'm going to recommend to you, that just as a business matter, we table this for six months, a year, whatever is appropriate. The timing I don’t think is just right based on the counter that we received and there is too much on the plate with the District in order to get it's operating programs in shape and moving forward, and I would recommend that we just hold on this for a few months. I will leave it up to you.*

*Mr. Andrew Gasworth: I agree with what you are saying Jim, and if that requires a motion, I will make that motion.*

*Mr. Newcomb: I will second that motion.*

**On MOTION made by Mr. Andrew Gasworth, seconded by Mr. Joe Newcomb, and with four in favor and one opposed, the Commercial Parcel Acquisition was tabled.**

Mr. Zotter was opposed; the remaining four Board Members were in favor.

**SIXTH ORDER OF BUSINESS Supervisor’s Requests and Audience Comments**

Mr. Ward asked if there were any audience questions or Supervisor’s requests; there were none.

**SEVENTH ORDER OF BUSINESS Adjournment**

Mr. Ward adjourned the meeting at 5:41 p.m.

**On MOTION made by Mr. Steve Barger, seconded by Mr. Andrew Gasworth, and with all in favor, the meeting was adjourned.**

 Wentworth Estates Community Development District

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James P. Ward, Secretary Joe Newcomb, Chairman