

KOA BAY

**COMMUNITY DEVELOPMENT
DISTRICT**

April 14, 2025

**SPECIAL MEETING
AGENDA**

KOA BAY
COMMUNITY DEVELOPMENT DISTRICT

AGENDA
LETTER

Koa Bay Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W•Boca Raton, Florida 33431
Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013

April 7, 2025

Board of Supervisors
Koa Bay Community Development District

Dear Board Members:

The Board of Supervisors of the Koa Bay Community Development District will hold a Special Meeting on April 14, 2025 at 10:00 a.m., at the Susan Broom Kilmer Branch Library, 101 Melody Lane, Fort Pierce, Florida 34950. The agenda is as follows:

1. Call to Order/Roll Call
2. Administration of Oath of Office to Ryan Perna [Seat 4] *(the following to be provided in a separate package)*
 - A. Update: Required Ethics Training and Form 1 Disclosure Filing
 - B. Board Membership, Obligations and Responsibilities
 - C. Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees 2023
 - D. Form 8B: Memorandum of Voting Conflict
3. Consideration of Resolution 2025-31, Electing and Removing Officers of the District and Providing for an Effective Date
4. Consideration of Resolution 2025-35, Ratifying the Action of the District Manager in Re-Setting the Date of the Public Hearing on the Proposed Budget for Fiscal Year 2024/2025; Amending Resolution 2025-20 to Reset the Hearing Thereon; Providing a Severability Clause; and Providing an Effective Date
5. Consideration of Resolution 2025-36, Approving a Proposed Budget for Fiscal Year 2025/2026 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date
6. Consideration of Fiscal Year 2025/2026 Budget Funding Agreement
7. Consideration of Resolution 2025-09, Designating the Location of the Local District Records Office and Providing an Effective Date

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

- 8. Consideration of Resolution 2025-16, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date
- 9. Acceptance of Unaudited Financial Statements as of February 28, 2025
- 10. Approval of December 9, 2024 Public Hearings and Regular Meeting Minutes
- 11. Staff Reports
 - A. District Counsel: *Kutak Rock LLP*
 - B. District Engineer (Interim): *Captec Engineering, Inc.*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: TBD

○ QUORUM CHECK

SEAT 1	KATHARINA "KATHY" HOUSER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	JACOB WEBB	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	JOSEPH "JOBY" SLAY, SR.	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	RYAN PERNA	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	ROLAND LABONTE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

- 12. Board Members' Comments/Requests
- 13. Public Comments
- 14. Adjournment

Should you have any questions or concerns, please do not hesitate to contact me directly at (561) 346-5294.

Sincerely,

 Cindy Cerbone
 District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE
CALL-IN NUMBER: 1-888-354-0094
PARTICIPANT PASSCODE: 801 901 3513

KOA BAY
COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2025-31

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KOA BAY COMMUNITY DEVELOPMENT DISTRICT ELECTING AND REMOVING OFFICERS OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Koa Bay Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the District’s Board of Supervisors desires to elect and remove Officers of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF KOA BAY COMMUNITY DEVELOPMENT DISTRICT THAT:

SECTION 1. The following is/are elected as Officer(s) of the District effective April 14, 2025:

_____ is elected Chair

_____ is elected Vice Chair

_____ is elected Assistant Secretary

_____ is elected Assistant Secretary

_____ is elected Assistant Secretary

SECTION 2. The following Officer(s) shall be removed as Officer(s) as of April 14, 2025:

SECTION 3. The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell is Secretary

Cindy Cerbone is Assistant Secretary

Craig Wrathell is Treasurer

Jeff Pinder is Assistant Treasurer

PASSED AND ADOPTED THIS 14TH DAY OF APRIL, 2025.

ATTEST:

**KOA BAY COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

KOA BAY
COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2025-35

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KOA BAY COMMUNITY DEVELOPMENT DISTRICT RATIFYING THE ACTION OF THE DISTRICT MANAGER IN RE-SETTING THE DATE OF THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR FISCAL YEAR 2024/2025; AMENDING RESOLUTION 2025-20 TO RESET THE HEARING THEREON; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Koa Bay Community Development District (“**District**”) is a local unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, *Florida Statutes*, for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure improvements; and

WHEREAS, the Koa Bay Community Development District (“**District**”) was established by the City Commission of the City of Fort Pierce, Florida, effective September 3, 2024; and

WHEREAS, on October 28, 2024, at a duly noticed public meeting, the District’s Board of Supervisors (“**Board**”) adopted Resolution 2025-20, approving the proposed budget for Fiscal Year 2024/2025 and setting a public hearing on the proposed budget for February 10, 2025, at 10:00 a.m., at Susan Broom Kilmer Branch Library, 101 Melody Lane, Fort Pierce, FL 34950; and

WHEREAS, due to a request to delay this hearing, the District Manager reset the date of the public hearing to the ___ day of _____, 2025 at _____ a.m., at the Susan Broom Kilmer Branch Library, 101 Melody Lane, Fort Pierce, Florida 34950 and the District Manager will cause the notice of the public hearing to be published in a newspaper of general circulation in St.Lucie County, Florida, consistent with the requirements of Chapters 190 and 197, *Florida Statutes*; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE KOA BAY COMMUNITY DEVELOPMENT DISTRICT:

1. RATIFICATION OF PUBLIC HEARING RESET. The actions of the District Manager in resetting the date of the public hearing and in publishing the notice of public hearing are hereby ratified. Resolution 2025-20 is hereby amended to reflect that the public hearing is re-set on _____, 2025 at _____ a.m., at the Susan Broom Kilmer Branch Library, 101 Melody Lane, Fort Pierce, Florida 34950.

2. RESOLUTION 2025-20 OTHERWISE REMAINS IN FULL FORCE AND EFFECT. Except as otherwise provided herein, all of the provisions of Resolution 2025-20 continue in full force and effect.

3. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

4. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 14th day of April, 2025.

ATTEST:

**KOA BAY COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A

Fiscal Year 2024/2025 Budget

**KOA BAY
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2025**

**KOA BAY
COMMUNITY DEVELOPMENT DISTRICT
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**KOA BAY
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2025**

	<u>Proposed Budget</u>
REVENUES	
Landowner contribution	\$ 83,182
Total revenues	<u>83,182</u>
EXPENDITURES	
Professional & administrative	
Supervisors	-
Management/accounting/recording**	38,000
Legal	25,000
Engineering	2,000
Audit	-
Arbitrage rebate calculation*	-
Dissemination agent*	1,167
Trustee*	-
Telephone	200
Postage	500
Printing & binding	500
Legal advertising	7,500
Annual special district fee	175
Insurance	5,500
Contingencies/bank charges	750
Website hosting & maintenance	1,680
Website ADA compliance	210
Total expenditures	<u>83,182</u>
Excess/(deficiency) of revenues over/(under) expenditures	-
Fund balance - beginning (unaudited)	-
Fund balance - ending (projected)	-
Unassigned	-
Fund balance - ending	<u><u>\$ -</u></u>

*These items will be realized when bonds are issued.

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**KOA BAY
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

Supervisors	\$ -
Statutorily set at \$200 for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year.	
Management/accounting/recording**	38,000
Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.	
Legal	25,000
General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.	
Engineering	2,000
The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.	
Audit	-
Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.	
Arbitrage rebate calculation*	-
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Dissemination agent*	1,167
The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.	
Trustee*	-
Debt service fund accounting*	-
Telephone	200
Postage	500
Telephone and fax machine.	
Printing & binding	500
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Legal advertising	7,500
Letterhead, envelopes, copies, agenda packages	
Annual special district fee	175
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.	
Insurance	5,500
Contingencies/bank charges	750
Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.	
Website hosting & maintenance	1,680
Website ADA compliance	210
Total expenditures	<u><u>\$ 83,182</u></u>

*These items will be realized when bonds are issued.

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

KOA BAY
COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2025-36

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KOA BAY COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2025/2026 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW; ADDRESSING TRANSMITTAL, POSTING AND PUBLICATION REQUIREMENTS; ADDRESSING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has heretofore prepared and submitted to the Board of Supervisors (“**Board**”) of the Koa Bay Community Development District (“**District**”), prior to June 15, 2025, a proposed budget (“**Proposed Budget**”) for the fiscal year beginning October 1, 2025 and ending September 30, 2026 (“**Fiscal Year 2025/2026**”); and

WHEREAS, the Board has considered the Proposed Budget and desires to set the required public hearing thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE KOA BAY COMMUNITY DEVELOPMENT DISTRICT:

1. **PROPOSED BUDGET APPROVED.** The Proposed Budget prepared by the District Manager for Fiscal Year 2025/2026 attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said Proposed Budget.

2. **SETTING A PUBLIC HEARING.** A public hearing on said approved Proposed Budget is hereby declared and set as follows:

DATE: _____

HOUR: _____

LOCATION: Susan Broom Kilmer Branch Library
101 Melody Lane
Fort Pierce, FL 34950

3. **TRANSMITTAL; POSTING; NOTICE.** The District Manager is hereby directed to submit a copy of the proposed budget to the local general purpose unit(s) of government at least sixty (60) days prior to the hearing set above. In accordance with Section 189.016, *Florida Statutes*, the District’s Secretary is further directed to post the approved budget on the District’s website at least two (2) days before the budget hearing date as set forth in Section 2. If the District does not have its own website, the District’s Secretary is directed to transmit the approved budget to the manager or administrator of the local general purpose unit(s) of government for posting on the applicable website(s). Notice of this public hearing shall be published in the manner prescribed in Florida law.

4. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

5. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 14TH DAY OF APRIL, 2025.

ATTEST:

**KOA BAY
COMMUNITY DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Fiscal Year 2025/2026 Proposed Budget

Exhibit A: Fiscal Year 2025/2026 Proposed Budget

**KOA BAY
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2026**

**KOA BAY
COMMUNITY DEVELOPMENT DISTRICT
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**KOA BAY
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2026**

	Fiscal Year 2026				Proposed Budget FY 2026
	Proposed Budget FY 2025	Actual through 2/28/2025	Projected through 9/30/2025	Total Actual & Projected	
REVENUES					
Landowner contribution	83,182	6,015	77,279	83,294	\$ 110,410
Total revenues	<u>83,182</u>	<u>6,015</u>	<u>77,279</u>	<u>83,294</u>	<u>110,410</u>
EXPENDITURES					
Professional & administrative					
Supervisors	-	2,083	5,600	7,683	9,600
Management/accounting/recording**	38,000	8,000	22,000	30,000	48,000
Legal	25,000	3,216	21,784	25,000	25,000
Engineering	2,000	-	2,000	2,000	2,000
Audit	-	-	-	-	5,500
Arbitrage rebate calculation*	-	-	-	-	500
Dissemination agent*	1,167	-	500	500	2,000
Trustee*	-	-	-	-	5,000
Telephone	200	67	133	200	200
Postage	500	227	273	500	500
Printing & binding	500	167	333	500	500
Legal advertising	7,500	-	7,500	7,500	1,750
Annual special district fee	175	-	175	175	175
Insurance	5,500	-	5,500	5,500	6,000
Meeting room rental	-	251	595	846	1,020
Contingencies/bank charges	750	-	1,000	1,000	1,750
Website hosting & maintenance	1,680	-	1,680	1,680	705
Website ADA compliance	210	-	210	210	210
Total professional & administrative	<u>83,182</u>	<u>14,011</u>	<u>69,283</u>	<u>83,294</u>	<u>110,410</u>
Total expenditures	<u>83,182</u>	<u>14,011</u>	<u>69,283</u>	<u>83,294</u>	<u>110,410</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	(7,996)	7,996	-	-
Fund balance - beginning (unaudited)	-	-	(7,996)	-	-
Fund balance - ending	<u>\$ -</u>	<u>\$ (7,996)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

*These items will be realized when bonds are issued.

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**KOA BAY
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

Supervisors	\$ 9,600
Statutorily set at \$200 for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year.	
Management/accounting/recording**	48,000
Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.	
Legal	25,000
General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.	
Engineering	2,000
The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.	
Audit	5,500
Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.	
Arbitrage rebate calculation*	500
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Dissemination agent*	2,000
The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.	
Trustee*	5,000
Telephone	200
Postage	500
Telephone and fax machine.	
Printing & binding	500
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Legal advertising	1,750
Letterhead, envelopes, copies, agenda packages	
Annual special district fee	175
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.	
Insurance	6,000
Annual fee paid to the Florida Department of Economic Opportunity.	
Contingencies/bank charges	1,750
Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.	
Meeting room rental	1,020
Website hosting & maintenance	705
Website ADA compliance	210
Total expenditures	<u>\$ 110,410</u>

*These items will be realized when bonds are issued.

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

KOA BAY
COMMUNITY DEVELOPMENT DISTRICT

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**KOA BAY COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2025/2026 BUDGET FUNDING AGREEMENT**

This Agreement (the "Agreement") is made and entered into this 14th day of April, 2025, by and between:

Koa Bay Community Development District, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, and located in St. Lucie County, Florida, with a mailing address of 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (the "District"); and

Koa Bay Development, LLC, a Florida limited liability company and the developer of the lands in the District ("**Developer**") with a mailing address of 4065 Crescent Park Drive, Riverview, Florida 33578.

Recitals

WHEREAS, the District was established by an ordinance adopted by the City Commission of the City of Ft. Pierce, Florida, for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure; and

WHEREAS, the District, pursuant to Chapter 190, Florida Statutes, is authorized to levy such taxes, special assessments, fees and other charges as may be necessary in furtherance of the District's activities and services; and

WHEREAS, Developer presently is developing the majority of all real property ("**Property**") within the District, which Property will benefit from the timely construction and acquisition of the District's facilities, activities and services and from the continued operations of the District; and

WHEREAS, the District is adopting its general fund budget for Fiscal Year 2025/2026, which year commences on October 1, 2025, and concludes on September 30, 2026 (the "FY 2026 Budget"); and

WHEREAS, the FY 2024 Budget, which both parties recognize may be amended from time to time in the sole discretion of the District, is attached hereto and incorporated herein by reference as **Exhibit A**; and

WHEREAS, the District has the option of levying non-ad valorem assessments on all land, including the Property owned by the Developer, that will benefit from the activities, operations and services set forth in the FY 2026 Budget, or utilizing such other revenue sources as may be available to it; and

WHEREAS, in lieu of levying assessments on the Property, the Developer is willing to provide such funds as are necessary to allow the District to proceed with its operations as described in **Exhibit A**; and

WHEREAS, the Developer agrees that the activities, operations and services provide a special and peculiar benefit equal to or in excess of the costs reflected on **Exhibit A** to the Property; and

WHEREAS, the Developer has agreed to enter into this Agreement in lieu of having the District levy and collect any non-ad valorem assessments as authorized by law against the Property located within the District for the activities, operations and services set forth in **Exhibit A**;

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which are hereby acknowledged, the parties agree as follows:

SECTION 1. The Developer agrees to make available to the District the monies necessary for the operation of the District, as called for in the FY 2026 Budget attached hereto as **Exhibit A**, within fifteen (15) days of written request by the District. Amendments to the FY 2026 Budget as shown on **Exhibit A** adopted by the District at a duly noticed meeting shall have the effect of amending this Agreement without further action of the parties. Funds provided hereunder shall be placed in the District's general checking account. In no way shall the foregoing in any way affect the District's ability to levy special assessments upon the property within the District, including the Property, in accordance with Florida law, to provide funds for any unfunded expenditures whether such expenditures are the result of an amendment to the District's FY 2026 Budget or otherwise. These payments are made by Developer in lieu of operation and maintenance assessments which might otherwise be levied or imposed by the District.

SECTION 2. The District shall have the right to file a continuing lien (the "Lien") upon the Property described in **Exhibit B** for all payments due and owing under the terms of this Agreement and for interest thereon, and for reasonable attorneys' fees, paralegals' fees, expenses and court costs incurred by the District incident to the collection of funds under this Agreement or for enforcement of this Lien, and all sums advanced and paid by the District for taxes and payment on account of superior interests, liens and encumbrances in order to preserve and protect the District's Lien. The Lien shall be effective as of the date and time of the recording of a "Notice of Lien for the FY 2025 Budget" in the public records of St. Lucie County, Florida, stating among other things, the description of the real property and the amount due as of the recording of the Notice, and the existence of this Agreement. The District Manager, in its sole discretion, is hereby authorized by the District to file the Notice of Lien for the FY 2026 Budget on behalf of the District, without the need of further Board action authorizing or directing such filing. At the District Manager's direction, the District may also bring an action at law against the record title holders to the Property to pay the amount due under this Agreement, or may foreclose the Lien against the Property in any manner authorized by law. The District may

partially release any filed Lien for portions of the Property subject to a plat if and when the Developers have demonstrated, in the District's sole discretion, such release will not materially impair the ability of the District to enforce the collection of funds hereunder. In the event the Developers sell any of the Property described in **Exhibit B** after the execution of this Agreement, the Developers' rights and obligations under this Agreement shall remain the same, provided however that the District shall only have the right to file a Lien upon the remaining Property owned by the Developers.

SECTION 3. In the event Developer fails to make payments as and when due to the District pursuant to this Agreement, the District shall have the following remedies, in addition to other remedies available at law and equity:

A. At the Board's direction, the District may bring an action at law against the record title holder to the Property to pay the amount due under this Agreement, or may foreclose the Lien against the Property in any manner authorized by law. The District may enforce the collection of funds due under this Agreement by action against Developer in the appropriate judicial forum in and for St. Lucie County, Florida. The enforcement of the collection of funds in this manner shall be in the sole discretion of the District Manager on behalf of the District.

B. The District hereby finds that the activities, operations and services set out in **Exhibit A** provide a special and peculiar benefit to the Property, which benefit is initially allocated on an equal developable acreage basis. Developer agrees that the activities, operations and services set forth in **Exhibit A** provide a special and peculiar benefit to the Property equal to or in excess of the costs set out in **Exhibit A**, on an equal developable acreage basis. Therefore, in the alternative, or in addition to the other methods of collection set forth in this Agreement, the District, in its sole discretion, may choose to certify amounts due hereunder as a non ad valorem assessment on all or any part of the Property for collection, either through the Uniform Method of Collection set forth in Chapter 197 or under any method of direct bill and collection authorized by Florida law. Such assessment, if imposed, may be certified on the next available tax roll of the St. Lucie County property appraiser. Developer hereby waives and/or relinquishes any rights it may have to challenge or object to such assessments if imposed, as well as the means of collection thereof.

SECTION 4. This instrument shall constitute the final and complete expression of the agreement between the parties relating to the subject matter of this Agreement. Amendments to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing which is executed by both of the parties hereto.

SECTION 5. The execution of this Agreement has been duly authorized by the appropriate body or official of all parties hereto, each party has complied with all the requirements of law, and each party has full power and authority to comply with the terms and provisions of this instrument.

SECTION 6. This Agreement may be assigned, in whole or in part, by either party only upon the written consent of the other, which consent shall not be unreasonably withheld. In the event that Developer sells or otherwise disposes of its business or of all or substantially all of its assets relating to the lands within the District, including the Property, Developer will expressly require that the purchaser agree to be bound by the terms of this Agreement. In the event of such sale or disposition, Developer may place into escrow an amount equal to the then unfunded portion of the adopted FY 2026 Budget to fund any budgeted expenses that may arise during the remainder of the fiscal year and provide the District evidence of assignment of this Agreement to the purchaser. Upon confirmation of the deposit of said funds into escrow, and evidence of such assignment to, and assumption by the purchaser, the Developer's obligation under this Agreement shall be deemed fulfilled and this Agreement terminated with respect to Developer's obligations. The parties hereto recognize that Developer is responsible for expenditures of the District in the FY 2026 Budget and that expenditures approved by the Board may exceed the amount adopted in the FY 2025 Budget. Developer shall notify the District in writing ninety (90) days prior to an anticipated sale or disposition of all or substantially all of the Property.

SECTION 7. A default by either party under this Agreement shall entitle the other to all remedies available at law or in equity, which shall include, but not be limited to, the right of damages, injunctive relief and specific performance and specifically including the ability of the District to enforce any and all payment obligations under this Agreement in the manner described in Paragraph 3 above.

SECTION 8. This Agreement is solely for the benefit of the parties hereto and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any person or entity not a party hereto. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or entity other than the parties hereto any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof; and all of the provisions, representations, covenants and conditions herein contained shall inure to the sole benefit of and shall be binding upon the parties hereto and their respective representatives, successors and assigns subject to the terms of Paragraph 6 above.

SECTION 9. This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida. Venue shall be in St. Lucie County, Florida.

SECTION 10. This Agreement has been negotiated fully between the parties as an arm's length transaction. The parties participated fully in the preparation of this Agreement with the assistance of their respective counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the parties are each deemed to have drafted, chosen and selected the language, and the doubtful language will not be interpreted or construed against any party.

SECTION 11. The Agreement shall be effective after execution by both parties hereto. The enforcement provisions of this Agreement shall survive its termination, until all payments due under this Agreement are paid in full.

SECTION 12. In the event that either party is required to enforce this Agreement by court proceedings or otherwise, then the parties agree that the substantially prevailing party shall be entitled to recover from the other all costs incurred, including reasonable attorneys' fees, paralegal fees and expert witness fees and costs for trial, alternative dispute resolution, or appellate proceedings.

IN WITNESS WHEREOF, the parties execute this Agreement the day and year first written above.

ATTEST:

**KOA BAY COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

KOA BAY DEVELOPMENT, LLC, a Florida
limited liability company

Witness

By: _____
Its: _____

- Exhibit A:** Fiscal Year 2026 Budget
- Exhibit B:** Description of the Property

Exhibit A

Fiscal Year 2026 Budget

Exhibit B: Property Description

A parcel of land lying in Sections 2 and 3, Township 36 South, Range 39 east in St. Lucie County, Florida and being more particularly described as follows:

Commencing at the northeast corner of said Section 3, thence N89°46'35"W along the north line of said Section 3 a distance of 2,622.04 feet to a point on the east right-of-way line of N.S.L.R.W.C.D. Canal No. 93 (a 78 feet wide right-of-way); thence S 00°02'49" W along the east right-of-way line of said N.S.L.R.W.C.D. Canal No. 93 a distance of 52.50 feet to a point on the north right-of-way line of a 200 feet wide FP&L easement as recorded in OR 377, pg. 2069-2076 and being the point of beginning of the following described parcel; thence S89°46'35"E along the north right-of-way line of said 200 feet wide FP&L easement and being parallel to the north line of said Section 3 a distance of 1,026.62 feet to a point on the east right-of-way line of a 60 feet wide FP&L easement as recorded in OR 119, pg. 404; thence S32°18'17"E along the east right-of-way line of said 60 feet wide FP&L easement a distance of 1,746.02 feet; thence N61°15'41"E a distance of 335.12 feet; thence N31°56'28"E a distance of 78.35 feet; thence N02°37'14"E a distance of 332.85 feet; thence N85°17'03"E a distance of 146.97 feet; thence N53°57'44"E a distance of 58.71 feet; thence N01°56'01"E a distance of 142.19 feet; thence N62°33'43"E a distance of 139.15 feet to the beginning of a curve concave to the northwest having a radius of 335.00 feet; thence northeasterly along the arc of said curve a distance of 365.79 feet through a central angle of 62°33'43"; thence N00°00'00"W a distance of 142.46 feet; thence S89°50'50"E a distance of 1,811.20 feet to the beginning of a curve concave to the southwest having a radius of 150.00 feet; thence southeasterly along the arc of said curve a distance of 308.52 feet through a central angle of 117°50'41"; thence S27°59'51"W a distance of 671.72 feet; thence S56°07'55"E a distance of 323.59 feet to a point on the west right-of-way line of State Road No. 9 (Interstate Highway No. 95) (width varies); thence S32°49'14"W along the west right-of-way of said State Road No. 9 a distance of 346.97 feet; thence S44°46'35"W along the west right-of way line of said State Road No. 9 a distance of 339.92 feet to a point on the south right-of-way line of Access Road No. 1 as recorded in PB 24, pg. 4 J&K; thence N00°04'30"E a distance of 99.51 feet to a point on the north right-of-way line of said Access Road No. 1; thence S44°46'35"W along the north right-of-way line of said Access Road No. 1 a distance of 236.51 feet; thence departing said Access Road No. 1 N00°04'43"E a distance of 535.11 feet; thence s89°59'23"w a distance of 166.33 feet; thence S00°04'55"W a distance of 680.33 feet to a point on the north right-of-way line of said Access Road No. 1; thence S50°43'56"W along the north right-of-way line of said Access Road No. 1 a distance of 478.34 feet to the beginning of a curve concave to the north having a radius of 266.00 feet; thence westerly along the arc of said curve a distance of 171.53 feet through a central angle of 36°56'48"; thence s87°40'44"w along the north right-of-way line of said Access Road No. 1 a distance of 1,027.79 feet; thence S00°01'50"E a distance of 72.00 feet; thence S89°58'10"W a distance of 1,610.26 feet; thence S00°01'50"E a distance of 117.14 feet to a point on the north right-of-way line of White City Road (County Road 712) (a 70 feet wide right-of-way) ; thence N89°52'26"W along the north right -of-way of said White City Road (County Road 712) a distance of 786.28 feet to a point on the east right-of-way line of said N.S.L.R.W.C.D. Canal No. 93; thence N00°02'49"E along the east right-of-way line of said N.S.L.R.W.C.D. Canal No. 93 a distance of 2,564.70 feet to a point on the north right-of-way line of said 200 feet wide FP&L easement and being the point of beginning.

Containing 197.90 acres, more or less

Together with:

The west 1/2 of the west 1/2 of the west 1/2 of the southeast 1/4 of the northwest 1/4 of Section 2, Township 36 South, Range 39 East, less and except that portion of the property which was taken for I-95, of the Public Records of St. Lucie County, Florida.

Containing 2.33 acres, more or less.

Total parcel contains a net area of 200.23 acres, more or less

KOA BAY
COMMUNITY DEVELOPMENT DISTRICT

7

RESOLUTION 2025-09

A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE KOA BAY COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE LOCATION OF THE LOCAL DISTRICT RECORDS OFFICE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Koa Bay Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated within the City of Ft. Pierce, Florida; and

WHEREAS, the District is statutorily required to designate a local district records office location for the purposes of affording citizens the ability to access the District’s records, promoting the disclosure of matters undertaken by the District, and ensuring that the public is informed of the activities of the District in accordance with Chapter 119 and Section 190.006(7), *Florida Statutes*.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE KOA BAY COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The District’s local records office shall be located as follows:

LOCATION: _____

SECTION 2. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2025.

ATTEST:

KOA BAY COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

KOA BAY
COMMUNITY DEVELOPMENT DISTRICT

8

RESOLUTION 2025-16

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KOA BAY COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT FOR FISCAL YEAR 2024/2025 AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Koa Bay Community Development District (“**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the District is required by Section 189.015, *Florida Statutes*, to file quarterly, semi-annually, or annually a schedule (including date, time, and location) of its regular meetings with local governing authorities; and

WHEREAS, further, in accordance with the above-referenced statute, the District shall also publish quarterly, semi-annually, or annually the District’s regular meeting schedule in a newspaper of general paid circulation in the county in which the District is located.

WHEREAS, the Board desires to adopt the Fiscal Year 2024/2025 meeting schedule attached as **Exhibit A**.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE KOA BAY COMMUNITY DEVELOPMENT DISTRICT:

1. ADOPTING FISCAL YEAR 2024/2025 ANNUAL MEETING SCHEDULE. The Fiscal Year 2024/2025 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

2. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 14th day of April, 2025.

ATTEST:

KOA BAY COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EXHIBIT "A"

KOA BAY COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2024/2025 MEETING SCHEDULE		
LOCATION		
<i>Susan Broom Kilmer Branch Library, 101 Melody Lane, Fort Pierce, Florida 34950</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
May __, 2025	Regular Meeting	__:__ AM/PM
June __, 2025	Regular Meeting	__:__ AM/PM
July __, 2025	Regular Meeting	__:__ AM/PM
August __, 2025	Regular Meeting	__:__ AM/PM
September __, 2025	Regular Meeting	__:__ AM/PM

KOA BAY
COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED
FINANCIAL
STATEMENTS

**KOA BAY
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
FEBRUARY 28, 2025**

**KOA BAY
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
FEBRUARY 28, 2025**

	General Fund	Debt Service Fund	Total Governmental Funds
	<u> </u>	<u> </u>	<u> </u>
ASSETS			
Cash	\$ 6,015	\$ -	\$ 6,015
Undeposited funds	13,500	-	13,500
Due from Landowner	7,998	15,318	23,316
Total assets	<u>27,513</u>	<u>15,318</u>	<u>42,831</u>
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	\$ 12,719	\$ 15,318	\$ 28,037
Due to Landowner	-	15,318	15,318
Accrued wages payable	1,200	-	1,200
Accrued taxes payable	92	-	92
Landowner advance	6,000	-	6,000
Landowner adv. - legal advertising	7,500	-	7,500
Total liabilities	<u>27,511</u>	<u>30,636</u>	<u>58,147</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred receipts	7,998	-	7,998
Total deferred inflows of resources	<u>7,998</u>	<u>-</u>	<u>7,998</u>
Fund balances:			
Restricted for:			
Unassigned	<u>(7,996)</u>	<u>(15,318)</u>	<u>(23,314)</u>
Total fund balances	<u>(7,996)</u>	<u>(15,318)</u>	<u>(23,314)</u>
Total liabilities and fund balances	<u>\$ 27,513</u>	<u>\$ 15,318</u>	<u>\$ 42,831</u>

**KOA BAY
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED FEBRUARY 28, 2025**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Landowner contribution	\$ -	\$ 6,015	\$ 77,649	8%
Total revenues	<u>-</u>	<u>6,015</u>	<u>77,649</u>	<u>8%</u>
EXPENDITURES				
Professional & administrative				
Supervisor	-	2,083	-	N/A
Management/accounting/recording	2,000	8,000	32,000	25%
Legal	975	3,216	25,000	13%
Engineering	-	-	2,000	0%
Dissemination agent*	-	-	1,000	0%
Telephone	17	67	167	40%
Postage	70	227	500	45%
Printing & binding	42	167	417	40%
Legal advertising	-	-	7,500	0%
Annual special district fee	-	-	175	0%
Insurance	-	-	5,500	0%
Meeting room rental	80	251	-	N/A
Contingencies/bank charges	-	-	1,500	0%
Website hosting & maintenance	-	-	1,680	0%
Website ADA compliance	-	-	210	0%
Total expenditures	<u>3,184</u>	<u>14,011</u>	<u>77,649</u>	<u>18%</u>
Excess/(deficiency) of revenues over/(under) expenditures	(3,184)	(7,996)	-	
Fund balances - beginning	(4,812)	-	-	
Fund balances - ending	<u>\$ (7,996)</u>	<u>\$ (7,996)</u>	<u>\$ -</u>	

**KOA BAY
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND
FOR THE PERIOD ENDED FEBRUARY 28, 2025**

	<u>Current Month</u>	<u>Year to Date</u>
REVENUES	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
 EXPENDITURES		
Cost of issuance	<u>15,318</u>	<u>15,318</u>
Total expenditures	<u>15,318</u>	<u>15,318</u>
 Excess/(deficiency) of revenues over/(under) expenditures	 (15,318)	 (15,318)
 Fund balance - beginning	 -	 -
Fund balance - ending	<u><u>\$ (15,318)</u></u>	<u><u>\$ (15,318)</u></u>

KOA BAY
COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT

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

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The Board of Supervisors of the Koa Bay Community Development District held Public Hearings and a Regular Meeting on December 9, 2024 at 10:00 a.m., at the Susan Broom Kilmer Branch Library, 101 Melody Lane, Fort Pierce, Florida 34950.

Present were:

Kathy Houser	Chair
Jacob Webb	Vice Chair
Joseph “Joby” Slay	Assistant Secretary
Roland LaBonte	Assistant Secretary

Also present:

Cindy Cerbone	District Manager
Chris Conti	Wrathell, Hunt and Associates, LLC (WHA)
Jonathan Johnson (via telephone)	District Counsel
Joe Capra (via telephone)	District Engineer
Steve Marquart (via telephone)	Captec Engineering, Inc.
Chad LaBonte	Developer
Jill Van Wie	Universal Engineering
Ryan Perna (via telephone)	Supervisor-Elect

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:07 a.m.
Supervisors Houser, Webb, Slay and LaBonte were present. Supervisor-Elect Perna attended via telephone.

SECOND ORDER OF BUSINESS

Administration of Oath of Office to Ryan Perna [Seat 4] (the following will also be provided in a separate package)

Ms. Cerbone stated that the Oath of Office will be administered to Mr. Perna at or before the next meeting.

A. Update: Required Ethics Training and Form 1 Disclosure Filing

40 **B. Membership, Obligations and Responsibilities**

41 **C. Guide to the Sunshine Amendment and Code of Ethics for Public Officers and**
42 **Employees 2023**

43 **D. Form 8B: Memorandum of Voting Conflict**

44 Asked if Staff should keep conflict-of-interest forms on file for the Board Members, Mr.
45 Johnson replied affirmatively.

46 Ms. Cerbone discussed conflicts of interest and Form 8B.

47 This item will be carried over to the next agenda.

48

49 **THIRD ORDER OF BUSINESS**

**Consideration of Resolution 2025-31,
Electing and Removing Officers of the
District and Providing for an Effective Date**

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53 This item was deferred.

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55 **FOURTH ORDER OF BUSINESS**

**Public Hearing Confirming the Intent of the
District to Use the Uniform Method of
Levy, Collection and Enforcement of Non-
Ad Valorem Assessments as Authorized
and Permitted by Section 197.3632, Florida
Statutes; Expressing the Need for the Levy
of Non-Ad Valorem Assessments and
Setting Forth the Legal Description of the
Real Property Within the District's
Jurisdictional Boundaries that May or Shall
Be Subject to the Levy of District Non-Ad
Valorem Assessments; Providing for
Severability; Providing for Conflict and
Providing for an Effective Date**

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70 **A. Affidavit/Proof of Publication**

71 The affidavit of publication was included for informational purposes.

72 **B. Consideration of Resolution 2025-32, Expressing its Intent to Utilize the Uniform**
73 **Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which**
74 **May Be Levied by the Koa Bay Community Development District in Accordance with**

75 **Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an**
76 **Effective Date**

77 Ms. Cerbone presented Resolution 2025-32 and read the title.

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79 **On MOTION by Mr. Webb and seconded by Mr. LaBonte, with all in favor, the**
80 **Public Hearing was opened.**

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83 No affected property owners or members of the public spoke.

84

85 **On MOTION by Mr. Webb and seconded by Ms. Houser, with all in favor, the**
86 **Public Hearing was closed.**

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88

89 **On MOTION by Mr. LaBonte and seconded by Mr. Slay, with all in favor,**
90 **Resolution 2025-32, Expressing its Intent to Utilize the Uniform Method of**
91 **Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be**
92 **Levied by the Koa Bay Community Development District in Accordance with**
93 **Section 197.3632, Florida Statutes; Providing a Severability Clause; and**
94 **Providing an Effective Date, was adopted.**

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97 **FIFTH ORDER OF BUSINESS**

Public Hearing to Consider the Adoption of
 an Assessment Roll and the Imposition of
 Special Assessments Relating to the
 Financing and Securing of Certain Public
 Improvements

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 Ms. Cerbone recalled that, at the Organizational Meeting, the Master Engineer’s Report
104 outlining the estimated costs for CDD improvements was presented and the Master Debt
105 Assessment Methodology was presented outlining how, the debt would be levied based on the
106 unit types, if bonds are issued to cover the costs of the infrastructure improvements. She
107 stated that these are the Master Reports and do not actually set the debt; they were presented
108 for the purpose of setting today’s Public Hearing and are the same as presented, unless there
109 were minor adjustments. She stated that this is a step in setting the amounts and having the
110 bonds validated.

111 **A. Affidavit/Proof of Publication**112 **B. Mailed Notice to Property Owner(s)**

113 These items were included for informational purposes.

114 **C. Engineer's Report (for informational purposes)**

115 Mr. Marquardt provided a brief overview of the Engineer's Report dated October 2024,
116 which was presented in depth at the last meeting. He stated that the Engineer's Report is
117 prepared for the usual costs for the infrastructure improvements to be funded by the CDD,
118 which includes stormwater management, roadways, water and wastewater systems,
119 underground conduits, park and trails, hardscape, landscape, etc., as reflected in the Report.
120 The Report sets forth the various land areas in the CDD. The total Master Infrastructure costs
121 are \$62,010,900.

122 **D. Master Special Assessment Methodology Report (for informational purposes)**

123 Ms. Cerbone reviewed the Master Special Assessment Methodology Report dated
124 October 28, 2024, which was presented in depth at the last meeting. She discussed the
125 pertinent information, including the Assessment Apportionment on Appendix Table 5 on Page
126 14. The estimated CDD improvement construction costs of \$62,010,900. If the CDD were to
127 issue bonds to finance the entire cost of the improvements, it would require issuance of
128 approximately \$86,680,000 in bonds. She pointed out the Annual Debt Service Payment per
129 unit type, if the maximum amount of debt is issued.

- 130 • **Hear testimony from the affected property owners as to the propriety and advisability**
131 **of making the improvements and funding them with special assessments on the**
132 **property.**

133

134 **On MOTION by Mr. Webb and seconded by Ms. Houser, with all in favor, the**
135 **Public Hearing was opened.**

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138 No affected property owners or members of the public spoke.

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140 **On MOTION by Mr. Slay and seconded by Mr. Webb, with all in favor, the**
141 **Public Hearing was closed.**

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E. Consideration of Resolution 2025-33, Authorizing District Projects For Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190 and 197, Florida Statutes; Confirming the District's Intention to Issue Special Assessment Bonds; Making Provisions for Transfers of Real Property to Homeowners Associations, Property Owners Association and/or Governmental Entities; Providing for the Recording of an assessment Notice; Providing for Severability, Conflicts and an Effective Date

Ms. Cerbone presented Resolution 2025-33 and read the title. She stated that this Resolution does not levy the debt but sets the groundwork to do it.

Mr. Johnson stated these items are being presented at this time because the Bond Validation Hearing has been scheduled for January and this is part of what Staff brings before the Court for approval and to validate the bonds prior to issuing the bonds.

On MOTION by Mr. Webb and seconded by Mr. LaBonte, with all in favor, Resolution 2025-33, Authorizing District Projects For Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190 and 197, Florida Statutes; Confirming the District's Intention to Issue Special Assessment Bonds; Making Provisions for Transfers of Real Property to Homeowners Associations, Property Owners Association and/or Governmental Entities; Providing for the Recording of an assessment Notice; Providing for Severability, Conflicts and an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes

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A. Affidavits of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2025-34, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone presented Resolution 2025-34. She noted that the Rules of Procedure are based on the Florida Statutes. She discussed public meetings and hearings, workshops, internal controls, rulemaking proceedings, published notices, etc.

On MOTION by Mr. Slay and seconded by Mr. Webb, with all in favor, the Public Hearing was opened.

Ms. Van Wie asked about the bond issuance timing. Ms. Cerbone stated the process typically takes four to six months; it depends on the Developer, Bond Underwriter and the market/economy. Several factors could expedite or delay the process.

On MOTION by Mr. Webb and seconded by Mr. LaBonte, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Slay and seconded by Mr. Webb, with all in favor, Resolution 2025-34, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2025-09, Designating the Location of the Local District Records Office and Providing an Effective Date

This item was deferred.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2025-16, Designating Dates, Times and Locations for Regular Meetings of the Board of

212 Supervisors of the District for Fiscal Year
 213 2024/2025 and Providing for an Effective
 214 Date

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 216 This item was deferred.

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 218 **NINTH ORDER OF BUSINESS** Consideration of Resolution 2025-30,
 219 Authorizing an Individual Designated by
 220 the Board of Supervisors to Act as the
 221 District’s Purchasing Agent for the Purpose
 222 of Procuring, Accepting, and Maintaining
 223 Any and All Construction Materials
 224 Necessary for the Construction,
 225 Installation, Maintenance or Completion of
 226 the District’s Infrastructure Improvements
 227 as Provided in the District’s Adopted
 228 Improvement Plan; Providing for the
 229 Approval of a Work Authorization;
 230 Providing for Procedural Requirements for
 231 the Purchase of Materials; Approving the
 232 Form of a Purchase Requisition Request;
 233 Approving the Form of a Purchase Order;
 234 Approving the Form of a Certificate of
 235 Entitlement; Authorizing the Purchase of
 236 Insurance; Providing a Severability Clause;
 237 and Providing an Effective Date

238
 239 Ms. Cerbone presented Resolution 2025-30 and read the title. If the CDD will direct-
 240 purchase above ground materials, Builder’s Risk (BR) insurance must be obtained. The cost of
 241 the BR insurance can be paid out of the construction fund.

242

243 **On MOTION by Mr. Webb and seconded by Ms. Houser, with all in favor,**
 244 **Resolution 2025-30, Authorizing an Individual Designated by the Board of**
 245 **Supervisors to Act as the District’s Purchasing Agent for the Purpose of**
 246 **Procuring, Accepting, and Maintaining Any and All Construction Materials**
 247 **Necessary for the Construction, Installation, Maintenance or Completion of the**
 248 **District’s Infrastructure Improvements as Provided in the District’s Adopted**
 249 **Improvement Plan; Providing for the Approval of a Work Authorization;**
 250 **Providing for Procedural Requirements for the Purchase of Materials;**
 251 **Approving the Form of a Purchase Requisition Request; Approving the Form of**

252 a Purchase Order; Approving the Form of a Certificate of Entitlement;
 253 Authorizing the Purchase of Insurance; Providing a Severability Clause; and
 254 Providing an Effective Date, was adopted.

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257 **TENTH ORDER OF BUSINESS** **Approval of Minutes**

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- 259 **A. October 28, 2024 Landowners’ Meeting**
- 260 **B. October 28, 2024 Organizational Meeting**

261 **On MOTION by Ms. Houser and seconded by Mr. Webb, with all in favor, the**
 262 **October 28, 2024 Landowners’ Meeting and October 28, 2024 Organizational**
 263 **Meeting Minutes, both as presented, were approved.**

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266 **ELEVENTH ORDER OF BUSINESS** **Staff Reports**

- 267
- 268 **A. District Counsel: Kutak Rock LLP**

269 Mr. Johnson stated the Bond Validation Hearing is scheduled for Monday, January 6,
 270 2025. It will be a Zoom hearing; the Board does not need to attend.

- 271 **B. District Engineer (Interim): Captec Engineering, Inc**

272 There was no report.

- 273 **C. District Manager: Wrathell, Hunt and Associates, LLC**

- 274 • **NEXT MEETING DATE: February 10, 2025 at 10:00 AM [Fiscal Year 2025 Budget**
 275 **Public Hearing]**

- 276 ○ **QUORUM CHECK**

277 Discussion ensued regarding when to hold the budget public hearing.

278

279 **On MOTION by Mr. Webb and seconded by Mr. Slay, with all in favor,**
 280 **authorizing the Chair to coordinate with District Management to reset the**
 281 **budget Public Hearing from February 10, 2025 to a later date, with a resolution**
 282 **ratifying the new date at the next meeting, was approved.**

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 284

285 **TWELFTH ORDER OF BUSINESS** **Board Members’ Comments/Requests**

286
 287 There were no Board Members’ comments or requests.

288

289 **THIRTEENTH ORDER OF BUSINESS**

Public Comments

290

291 No members of the public spoke.

292

293 **FOURTEENTH ORDER OF BUSINESS**

Adjournment

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295 **On MOTION by Mr. Webb and seconded by Mr. Slay, with all in favor, the**
296 **meeting adjourned at 10:52 a.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair