



**ARBORWOOD
COMMUNITY DEVELOPMENT
DISTRICT**

**LEE COUNTY
REGULAR BOARD MEETING
MARCH 20, 2017
9:00 A.M.**

Special District Services, Inc.
27499 Riverview Center Boulevard, #253
Bonita Springs, FL 33134

www.arborwoodcdd.org
561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT
Somerset Amenity Center Community
Room at the Plantation
10401 Dartington Drive
Fort Myers, FL, 33913
REGULAR BOARD MEETING
March 20, 2017
9:00 a.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. February 27, 2016 Regular Board Meeting Minutes.....Page 2
- G. Old Business
 - 1. Update on Bid Package for Panther Mitigation Parcel
 - 2. Update Regarding Ponds and Turnover
- H. New Business
 - 1. Consider Resolution No. 2017-01 – Electronic Approval Process and Authorized Signatories.....Page 6
 - 2. Consider Completion of Street Lighting on Plantation Gardens and Commerce Lakes
 - 3. Somerset Notice of Intent to Terminate Maintenance Agreement
- I. Administrative Matters
 - 1. Monthly Financial Report.....Page 7
- J. Board Members Comments
- K. Adjourn

Attn:
ARBORWOOD CDD
2501 BURNS RD STE A
PALM BEACH GARDENS, FL 33410

STATE OF FLORIDA COUNTY OF LEE:

Before the undersigned authority personally appeared Shari Terrell, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

Notice of Meetings

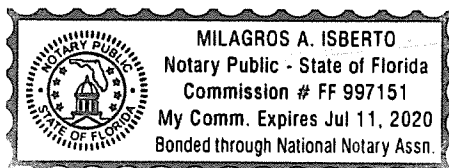
In the Twentieth Judicial Circuit Court was published in said newspaper in the issues of:

10/03/16

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 3rd of October 2016, by Shari Terrell who is personally known to me.

Milagros A. Isberto
Milagros A. Isberto
Notary Public for the State of Florida
My Commission expires July 11, 2020



ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2016/2017 REGULAR MEETING SCHEDULE

Regular Meetings of the Board of Supervisors of the Arborwood Community Development District will be held at 9:00 a.m. in the Amenity Center Community Room at Somerset at The Plantation located at 10401 Dartington Drive, Ft. Myers, Florida 33913 on the following dates:

- October 17, 2016
- November 21, 2016
- December 19, 2016
- January 23, 2017
- February 27, 2017
- March 20, 2017
- April 17, 2017
- May 15, 2017
- June 19, 2017
- July 17, 2017
- August 21, 2017
- September 18, 2017

The meetings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The meetings may be continued in progress without additional notice to a time, date, and location stated on the record. Copies of the agenda for these meetings may be obtained from the District's website or from the District Manager, Special District Services, located at 2501A Burns Road, Palm Beach Gardens, Florida 33410. There may be occasions when one or more Supervisors will participate by telephone.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the District Office at least forty-eight (48) hours before the meeting by contacting the District Manager at 561-630-4922 and/or toll free at 1-877-737-4922. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, who can aid you in contacting the District Office.

A person who decides to appeal any decision made at the meeting with respect to any matter considered at a particular meeting is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

Meetings may be cancelled from time to time without advertised notice.

Kathleen Dailey
District Manager
Arborwood Community Development District

www.arborwoodcdd.org
AD#1626579 10/3/16

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AD#1626579 10/3/16

ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
FEBRUARY 27, 2017

A. CALL TO ORDER

The February 27, 2017, Regular Board Meeting of the Arborwood Community Development District was called to order at 9:00 a.m. in the Amenity Center Community Room of Somerset at The Plantation located at 10401 Dartington Drive, Fort Myers, Florida 33913.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Regular Board Meeting had been published in the *Fort Myers News-Press* on February 17, 2017, as legally required.

C. ESTABLISH A QUORUM

It was determined that the attendance of the following Supervisors constituted a quorum and it was in order to proceed with the meeting:

Chairman	Terry Hammond	Present
Vice Chairman	John Hamilton	Present
Supervisor	Lawrence Carr	Present
Supervisor	Joan Pattison	Absent
Supervisor	Gary Franz	Present

Staff members in attendance were:

District Manager	Kathleen Dailey	Special District Services, Inc.
General Counsel	Wes Haber (via telephone)	Hopping Green & Sams, P.A.
District Engineer	Josh Evans	J.R. Evans Engineering

Others present were: Mike Myers of Passarella; Peter Lombardi, the HOA President; and District residents: Jeff Gordish, Bernard Lally, Bob Bolwinski, Tom Dinella, WM John, John Williams, Dana Avme, David Heinkel and Lonnie Lamb.

D. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public for items not on the agenda.

F. APPROVAL OF MINUTES

1. December 19, 2016, Regular Board Meeting

The December 19, 2016, Regular Board Meeting minutes were presented for approval.

ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
FEBRUARY 27, 2017

Mr. Hammond noted the following correction: Item G3, take out the word “three” in the sentence “Mr. Hamilton recommended that the three ponds with fountains in them....”

A **motion** was then made by Mr. Franz, seconded by Mr. Carr and passed unanimously to approve the minutes of the December 19, 2016, Regular Board Meeting, as amended.

G. OLD BUSINESS

1. Report from Mike Myers of Passarella on the Panther Mitigation Parcel

Mr. Myers handed out an exotic locations map. He stated the exotics have not gotten worse, maybe better, but the map gives contractors something to look at in order to put together a bid package. There was a discussion on how many bids to obtain and Mr. Haber stated that \$195,000 is the threshold for requiring a formal bid process. Mr. Hammond asked if this is a one-time exotic treatment or will it be ongoing and Mr. Myers stated that it is both. Mr. Carr asked if the exotics had been treated before and Mr. Myers indicated that they had been in 2015. Mr. Myers indicated that he could put together a bid package to bring back to the Board at a future meeting. Mr. Hammond suggested that Mr. Franz look at the bid package on behalf of the Board, since he had been involved with the parcel and then it could be sent out to the entire Board just prior to the meeting.

A **motion** was made by Mr. Carr, seconded by Mr. Hamilton authorizing Mr. Franz to work with Passarella and Associates in the preparation of the draft RFP, which will be brought back to the Board at the March meeting. Upon being put to a vote, the **motion** carried 4 to 0.

2. Update regarding Ponds and Turnover

Mr. Evans indicated that the pending South Florida Water Management District (SFWMD) turnovers had been signed by Chair Hammond for Somerset. Mr. Haber noted that there is no update on the ponds with fountains and that there has not been any recent communication on the issue.

HOA President Peter Lombardi indicated that the HOA Board has not taken any action on ponds with fountains and suggested a meeting between the HOA, the CDD and Pulte.

District resident Jeff Gordish, who lives near the fountains, stated that the residents support the fountains.

Mr. Hamilton noted that the Board’s concern is that the CDD has no liability or funding of the operation of the fountains and would seek indemnification that would shield the CDD from liability and costs even after Pulte leaves.

District resident Lonnie Lamb noted that the current agreement does not indemnify the CDD.

District resident Bob Bolwinski noted that there is an item on the HOA’s agenda to repudiate that agreement. Mr. Hamilton agreed that a meeting between the HOA, the CDD and Pulte should be

ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
FEBRUARY 27, 2017

scheduled. HOA President Peter Lombardi noted that Pulte's attorney had stated that they had been in touch with the CDD's attorney. Mr. Haber noted that the communication was only in the beginning stage and that there had been no recent contact.

A **motion** was made by Mr. Hamilton, seconded by Mr. Franz authorizing Mr. Carr to represent the Board when such a meeting takes place and to include Mr. Haber in the discussions. Upon being put to a vote, the **motion** carried 4 to 0.

H. NEW BUSINESS

1. Consider Approval of Conveyance Documents for Bridgetown Lakes

Mr. Evans stated that that there were five permit applications for lakes constructed in Bridgetown that are ready to be transferred from SFWMD to the CDD. He proposes using the same procedure as Somerset, whereby if deemed sufficient from SFWMD and pending engineer review, that Mr. Hammond execute the Bridgetown lake documents.

A **motion** was made by Mr. Carr, seconded by Mr. Franz and passed unanimously authorizing Mr. Hammond to execute the Bridgetown lake transfer documents, subject to Mr. Evans' certification of the ponds.

2. Discussion on Meeting with City on Street Lights

Mr. Hammond advised that he had met with the City of Fort Myers along with Mr. Evans, Norm Trebilcock and representatives from WCI. He noted that the City had confirmed that development would not stop if the lighting was not completed. The City determined that the permit for the lighting project had not been closed out and has since done so. Mr. Hammond also advised that the City would take over the lights, if completed, so Norm Trebilcock is putting together cost estimates and options.

3. Somerset Notice of Intent to Terminate Maintenance Agreement

The Board acknowledged the receipt of a letter from the Somerset HOA and Mr. Carr asked what the motivation was for discontinuing the agreement. Mr. Lombardi advised that the stormwater system is not individual to Somerset and that the HOA does not have the expertise of the engineer. He also thought that the CDD could pick up the cost easier. It was the consensus of the Board to add this item to the March agenda to discuss management and what resources the Board would need.

4. Announcement of IRS Closing of Bond Examination

Ms. Dailey announced that a letter had been received closing the IRS bond audit. Mr. Hamilton asked about the costs and Mr. Haber responded that it had been going on for several years and his guesstimate was around \$25,000.

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5. Authorize Staff to Seek Bids for Refinancing the Series 2005/2006 Bonds

A **motion** was made by Mr. Hamilton, seconded by Mr. Carr and passed unanimously to seek bids for the refinancing of the Series 2005/2006 Bonds.

I. ADMINISTRATIVE MATTERS

1. Monthly Financial Report

Ms. Dailey presented the monthly Financial Report.

2. Update regarding 54 Homes with Pulte Assessment Errors

Ms. Dailey advised that the true-up payment had been received by Pulte to buy down the affected homeowners' assessment in the amount of \$186,232.

3. Discussion on Alternative Meeting Date for March

Discussion ensued regarding changing the date for the March meeting; however, it was determined that the meeting room was not available on an alternative date.

J. BOARD MEMBER COMMENTS

There were no comments from the Members of the Board.

K. ADJOURNMENT

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 10:26 a.m. on a **motion** made by Mr. Carr, seconded by Mr. Franz and passed unanimously.

Secretary/Assistant Secretary

Chair/Vice-Chair

RESOLUTION NO. 2017-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT, AUTHORIZING THE ESTABLISHMENT OF A DISTRICT CHECKING/OPERATING ACCOUNT, DESIGNATING DISTRICT OFFICIALS AND/OR AUTHORIZED STAFF TO REVIEW, APPROVE AND ISSUE PAYMENT OF EXPENDITURES, SELECTING THE SIGNATORIES THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Arborwood Community Development District ("District") has established a District checking/operating account in order for the District to expend public funds of the District as authorized and required; and

WHEREAS, the Board of Supervisors (the "Board") of the District shall designate authorized staff and/or District officials to approve expenditures, via electronic or non-electronic approval processes, from the checking/operating account;

WHEREAS, the Board of the District has selected Todd Wodraska, Jason Pierman, Patricia LasCasas, Lennart Lindahl, Kathleen Dailey and _____ to serve as the signatories, as required, on the District checking/operating account; and

WHEREAS, all resolutions or parts thereof of the District in conflict with the provisions contained herein are to the extent of any such conflict, hereby superseded and repealed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT, AS FOLLOWS:

Section 1. The above recitals are hereby adopted.

Section 2. Each expenditure from the checking/operating account will require a minimum of two (2) approvals and a designated member of the Board, by an electronic approval procedure, will have an opportunity to review the District's expenditure(s) prior to release of payment(s).

Section 3. When necessary to write checks, the signatures of two (2) of the designated signatories named herein will be required on all District checks tendered from the District checking/operating account, as approved.

PASSED, ADOPTED and becomes EFFECTIVE this 20th day of March, 2017.

ATTEST:

**ARBORWOOD
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Arborwood Community Development District
Profit & Loss Budget vs. Actual
 October 2016 through February 2017

	Oct '16 - Feb 17	Budget	\$ Over Budget	% of Budget
Income				
01-3100 · O & M Assessments (On-Roll)	193,145.09	199,367.00	-6,221.91	96.9%
01-3301 · O&M Assessments-Off Roll-Pulte	16,646.50	12,873.00	3,773.50	129.3%
01-3302 · O&M Assesmnts-Off Roll-GL Homes	0.00	15,745.00	-15,745.00	0.0%
01-3305 · O&M Assessments-Off Roll - WCI	0.00	17,263.00	-17,263.00	0.0%
01-3814 · Debt Assessments-2005-2-Master	1,876,402.55	1,936,947.87	-60,545.32	96.9%
01-3816 · Debt Assessments (2006A-2)	24,023.10	24,800.00	-776.90	96.9%
01-3817 · Debt Assessments (2006A-3)	793,690.95	819,295.75	-25,604.80	96.9%
01-3818 · Debt Assessments (2014A-1)	175,507.90	181,152.13	-5,644.23	96.9%
01-3819 · Debt Assessments (2014A-2)	36,980.05	38,198.94	-1,218.89	96.8%
01-3824 · Dbt Asses-To Trustee-05-2-Mastr	-1,804,568.65	-2,131,103.00	326,534.35	84.7%
01-3826 · Debt Asses-Pd To Trustee-2006A2	-23,103.45	-23,388.00	284.55	98.8%
01-3827 · Debt Asses-Pd To Trustee-2006A3	-763,306.30	-770,138.00	6,831.70	99.1%
01-3829 · Debt Asses-Pd To Trustee-2014A1	-356,143.95	-500,185.00	144,041.05	71.2%
01-3830 · Assessment Fees	-7,305.60	-63,995.00	56,689.40	11.4%
01-3831 · Assessment Discounts	-111,361.50	-127,990.00	16,628.50	87.0%
01-3832 · Debt Asses-Pd To Trustee-2014A2	-75,016.80	-103,143.00	28,126.20	72.7%
01-3833 · Debt Assess-Pd To Trustee-2014B	-345,000.00	-690,000.00	345,000.00	50.0%
01-3883 · Bond Prepayments-Series 2006A3	185,000.00			
01-3893 · Prepaid Bonds To Trustee-2006A3	-185,000.00			
01-3914 · Debt Assess-Off Roll-2005-2-Mst	0.00	310,799.00	-310,799.00	0.0%
01-3919 · Debt Assesmnt-Off Roll-2014A-1	187,335.00	329,245.00	-141,910.00	56.9%
01-3920 · Debt Assesmnt-Off Roll-2014A-2	39,502.50	67,893.00	-28,390.50	58.2%
01-3921 · Debt Assessment-Off Roll-2014B	345,000.00	690,000.00	-345,000.00	50.0%
01-9420 · Carryover Balance	0.00	200,000.00	-200,000.00	0.0%
Total Income	202,427.39	433,637.69	-231,210.30	46.7%
Expense				
01-1130 · Payroll Tax Expense	229.50	912.00	-682.50	25.2%
01-1131 · Supervisor Fees	3,000.00	12,000.00	-9,000.00	25.0%
01-1310 · Engineering	12,570.18	28,000.00	-15,429.82	44.9%
01-1311 · Management Fees	14,166.65	33,999.00	-19,832.35	41.7%
01-1313 · Website Management	625.00	1,500.00	-875.00	41.7%
01-1315 · Legal Fees	10,172.87	60,000.00	-49,827.13	17.0%
01-1318 · Assessment/Tax Roll	0.00	5,000.00	-5,000.00	0.0%
01-1320 · Audit Fees	0.00	5,700.00	-5,700.00	0.0%
01-1321 · Amoritation Schedule	0.00	1,000.00	-1,000.00	0.0%
01-1330 · Arbitrage Rebate Fee	500.00	4,000.00	-3,500.00	12.5%
01-1450 · Insurance	14,496.00	15,500.00	-1,004.00	93.5%
01-1480 · Legal Advertisements	1,000.61	5,000.00	-3,999.39	20.0%
01-1512 · Miscellaneous	507.73	3,000.00	-2,492.27	16.9%
01-1513 · Postage and Delivery	138.49	1,000.00	-861.51	13.8%
01-1514 · Office Supplies	361.25	2,500.00	-2,138.75	14.5%
01-1540 · Dues, License & Subscriptions	175.00	175.00	0.00	100.0%
01-1553 · Trustee Fees Series 2014	32,229.23	47,000.00	-14,770.77	68.6%
01-1743 · Continuing Disclosure Fee	0.00	5,000.00	-5,000.00	0.0%
01-1807 · Lake Maintenance	0.00	2,000.00	-2,000.00	0.0%
01-1811 · Professional Fee & Permits (GF)	0.00	2,000.00	-2,000.00	0.0%
01-1814 · Electricity	49.69	2,000.00	-1,950.31	2.5%
01-1816 · Off-Site Miti Maint(Tree Line)	0.00	5,000.00	-5,000.00	0.0%
01-1818 · DRI / Traffic Monitoring	0.00	10,000.00	-10,000.00	0.0%
01-1819 · Wetland Monitoring (Passarella)	10,313.23	10,000.00	313.23	103.1%
01-1820 · Off-Site Miti Maint (Panther)	0.00	150,000.00	-150,000.00	0.0%
01-1821 · Miti Maintenance (Parcel C)	0.00	5,000.00	-5,000.00	0.0%
01-1822 · Street Lighting - Utility	5,842.32	15,000.00	-9,157.68	38.9%
01-1850 · Capital Outlay - Small	0.00	1,000.00	-1,000.00	0.0%
Total Expense	106,377.75	433,286.00	-326,908.25	24.6%
Net Income	96,049.64	351.69	95,697.95	27,310.9%