



**ARBORWOOD
COMMUNITY DEVELOPMENT
DISTRICT**

**LEE COUNTY
REGULAR BOARD MEETING
JANUARY 16, 2023
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
Amenity Center Community Room
Somerset at the Plantation
10401 Dartington Drive
Fort Myers, Florida, 33913
REGULAR BOARD MEETING
January 16, 2023
9:00 A.M.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Seat New Board Members
- D. Administer Oath of Office & Review Board Member Responsibilities and Duties
- E. Establish Quorum
- F. Election of Officers
 - Chairman
 - Vice Chairman
 - Secretary/Treasurer
 - Assistant Secretaries
- G. Additions or Deletions to Agenda
- H. Comments from the Public for Items Not on the Agenda
- I. Approval of Minutes
 - 1. November 28, 2022 Special Board Meeting.....Page 2
- J. Old Business
- K. New Business
 - 1. Consider Proposal for Treeline Preserve Maintenance.....Page 6
 - 2. Consider Resolution No. 2023-01 – Authorizing Electronic Approvals and Check Signers.....Page 7
- L. Administrative Matters
 - 1. Manager’s Report
 - a. Consider Individual Board Members Acceptance/Waiver of Supervisor Stipend
 - b. Financials.....Page 8
 - 2. Attorney’s Report
 - 3. Engineer Report
 - 4. Field Inspectors Report
- M. Board Members Comments
- N. Adjourn

The News-Press
media group
 news-press.com A GANNETT COMPANY

Attn:

ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT
2501 BURNS RD STE A
PALM BEACH GARDENS, FL 33410

State of Wisconsin, County of Brown:

Before the undersigned authority personally appeared

Lana Kanitz, 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

ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE
 Regular Meetings of the Board of Supervisors of the Arborwood Community

In the Twentieth Judicial Circuit Court was published in said newspaper editions dated in the issues of or by publication on the newspaper's website, if authorized, on :

10/07/2022

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County 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 said newspaper editions dated:

Sworn to and Subscribed before me this 7th of October 2022, by legal clerk who is personally known to me.

Lana Kanitz

Affiant

Nicole Jacobs

Notary State of Wisconsin, County of Brown

8-21-26

My commission expires

of Affidavits 1

This is not an invoice

NICOLE JACOBS
 Notary Public
 State of Wisconsin

ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023 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 Bridgetown at the Plantation Amenity Center - Barbados Room located at 11741 Kingsbridge Boulevard, Fort Myers, Florida 33913 on the following dates:

October 17, 2022
 November 21, 2022
 December 19, 2022
 January 16, 2023
 February 20, 2023
 March 20, 2023
 April 17, 2023
 May 15, 2023
 June 19, 2023
 July 17, 2023
 August 21, 2023
 September 18, 2023

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 Meneely
 District Manager
 Arborwood Community Development District
 www.arborwoodcdd.org
 Ad#5432121 October 7, 2022

**ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT
SPECIAL BOARD MEETING
NOVEMBER 28, 2022**

A. CALL TO ORDER

The November 28, 2022, Special Board Meeting of the Arborwood Community Development District (the "District") was called to order at 9:00 a.m. in the Barbados Room of Bridgetown at the Plantation Amenity Center located at 11741 Kingsbridge Boulevard, Fort Myers, Florida 33913.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Special Board Meeting had been published in the *Fort Myers News-Press* on November 18, 2022, 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		Vacant
Vice Chairman	Joan Pattison	Present
Supervisor	Jack Aycock	Present
Supervisor		Vacant
Supervisor	Jeff Gordish	Present

Staff members in attendance were:

District Manager	Kathleen Meneely	Special District Services, Inc.
District Manager	Michelle Krizen	Special District Services, Inc.
General Counsel	Wes Haber (via phone)	Kutak Rock, LLC
District Engineer	Josh Evans	JR Evans Engineering
Field Inspector	Bohdan Hirniak	

Others present were: Tony Telesmaric, Gene Crawford, Chris Anderson, Gregg Berliner, David and Diane Schneider, Crystal McClary and Donald Schrodenboh.

D. ADDITIONS OR DELETIONS TO THE AGENDA

Mr. Gordish requested and it was the consensus of the Board to move Consider Appointments to Board Vacancies to the end of the meeting.

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. August 15, 2022, Regular Board Meeting

The August 15, 2022, Regular Board Meeting minutes were presented for consideration.

It was noted that Helen Shoney's name was misspelled. It should be spelled "Shorey."

A **motion** was then made by Mr. Gordish, seconded by Mr. Aycock and passed unanimously approving the August 15, 2022, Regular Board Meeting minutes, as amended.

G. OLD BUSINESS

There were no Old Business items to come before the Board.

H. NEW BUSINESS

1. Consider Resolution No. 2022-05 – Adopting a Fiscal Year 2021/2022 Amended Budget

Resolution No. 2022-05 was presented, entitled:

RESOLUTION NO. 2022-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2021/2022 BUDGET ("AMENDED BUDGET"), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

Ms. Meneely presented the amended budget. There were no questions from the Board Members.

A **motion** was made by Mr. Aycock, seconded by Mr. Gordish and passed unanimously adopting Resolution No. 2022-05, as presented.

2. Consider Agreement between the District and Passarella & Associates, Inc. for Wetland Monitoring and Reporting Services

Passarella & Associates inspects all District preserves. Woods and Wetlands provides the treatment to the District preserves. Passarella & Associates ensures the work is done correctly.

A **motion** was made by Mr. Gordish, seconded by Mr. Aycock and passed unanimously approving the agreement between the District and Passarella & Associates, Inc. for wetland monitoring and reporting services.

3. Consider Ratification Requesting Arborwood Preserve to Cost Share Sewer Viewer to TV Pipes

Mr. Evans identified an area where the water was not traveling correctly. He was able to narrow it down to a specific area. The Sewer Viewer was able to identify a block in Arborwood Preserve's pipe. Arborwood Preserves cleared the blockage and the water is once again flowing correctly. Discussion ensued about asking Arborwood Preserves to cover a portion of this cost based on linear foot. The total cost of Sewer Viewer was \$2,750.

A **motion** was made by Mr. Gordish, seconded by Mr. Aycock and passed unanimously ratifying requesting Arborwood Preserves to cost share the Sewer Viewer cost with the District.

I. ADMINISTRATIVE MATTERS

1. Manager's Report

a. Financials

Ms. Meneely reviewed the financials. There were no questions from the Board Members.

b. Meeting Schedule

There was a consensus of the Board to cancel the December 19, 2022, meeting. The next meetings would then be January 16, 2023, and February 20, 2023.

2. Attorney's Report

a. Update on Assessment Research for Treeline Commercial Property Change

Mr. Haber reported that there were documents that indicate Treeline Commercial Property will be used for housing instead of commercial use. Once this is confirmed, a new methodology will be completed for an assessment change on the property. The anticipated timeline for this process will be to present the new methodology with the budget. Mr. Gordish would like to see the new methodology done based on doors not building or acreage. Mr. Gordish also requested clarification on who does pay for the preserves.

3. Engineer's Report

There have been reports of the newer golf course maintenance people dumping grass clippings into the lakes. Mr. Evans will talk with them to ensure it does not continue. The lake bank inspection will be in January. The streetlights have damage and will be repaired, when possible. They are awaiting parts/equipment for the remainder.

4. Field Inspector's Report

The stormwater system survived the hurricane with no issues. Lake levels are starting to come back down. The rainfall was 35% higher than average this time of year. The erosion repairs made at Hole 13 look good. Hole 4 is being repaired by the golf course and they will contact Mr. Evans once complete.

J. BOARD MEMBER COMMENTS

1. Discussion on Pipe Inspections for Marina Bay & Botanica Lakes – Aycock

The District Engineer can only work on systems owned by the District. The recommendation is that Marina Bay and Botanica Lakes use their own engineer to do the inspections. Mr. Evans thought it would be a conflict of interest to take on this project.

2. Consider Appointments to Seat Vacancies

There were five qualified applicants: Gregg Berliner, Gene Crawford, Karin Hagen (not present at today's meeting), Donald Schrottenboer and Anthony Telesmanic. The applicants introduced themselves.

The Board then voted by paper for 2 applicants. Karin Hagen, Donald Schrotenboer and Anthony Telesmanic each received 2 votes. The Board voted a second time after eliminating the candidates with no votes. The vote was again tied with 2 votes for all three candidates. The Board decided to vote for their top candidate. Donald Schrotenboer received 2 votes; Karin Hagen received 1 vote; and Anthony Telesmanic received no votes. The Board then voted to have Donald Schrotenboer and Karin Hagen join the Board.

3. Administer Oath of Office and review Board Member Duties and Responsibilities

Ms. Krizen administered the Oath of Office to Donald Schrotenboer and Mr. Haber reviewed the Sunshine Law and Board Member responsibilities.

K. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Aycock, seconded by Mr. Gordish and passed unanimously to adjourn the Special Board Meeting at 10:20 a.m.

Secretary/Assistant Secretary

Chair/Vice-Chair



Trusted Experience. Sustainable Solutions.

PROPOSAL

December 20, 2022

PROJECT: Treeline Preserve Maintenance
CLIENT: Arborwood CDD

SCOPE OF WORK

Woods and Wetlands Inc. will provide all equipment, labor, and materials for a one-time vegetation treatment event within the **eastern and northern portions** of Arborwood's Treeline Conservation Area located just NW of Treeline Parkway and Daniels Parkway in Fort Myers, FL. The treatment area will include portions of the berm that are within the Conservation Easement but will not extend beyond toe of slope into the lake. This event will include the treatment of all nuisance and Category I and II species listed on the most recent FISC list of invasive, non-native species. All nuisance and listed species will be killed in place with the appropriate herbicide and left in place to naturally decompose. Optional maintenance events for the balance of the CA and one future maintenance event thereafter are offered.

DATE AND PRICE OF WORK

DEC 2022	Eastern/Northern area- \$4,500.00
TBD 2023	Southern balance of Conservation Easement- \$7,500.00
DEC 2023	Entire Conservation Area- \$6,500.00

Woods and Wetlands Inc will perform all the services described in the above referenced SCOPE OF WORK in a professional and workman-like manner and in compliance with all applicable Florida state and local statutes, rules and regulations.

TERMS AND CONDITIONS

Invoices are due and payable upon receipt. Prices are valid for 30 days. This Proposal becomes an Agreement when signed by both the Client and Woods and Wetlands Inc and modifications or services not specifically included by reference herein will be undertaken and completed only by Change Order(s) signed by an authorized representative of each of the above and will be invoiced as additional services to the Client. In the event of an issue, clarification of intent or dispute at some future date, this Proposal/Agreement shall be interpreted according to the laws of the State of Florida.

Accepted this _____ day of _____, 2022.

Arborwood CDD

Woods & Wetlands Inc.

Title

Title

RESOLUTION NO. 2023-01

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, Michelle Krizen 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 six (6) 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 16th day of January, 2023.

ATTEST:

**ARBORWOOD
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Arborwood Community Development District
Budget vs. Actual
October through December 2022

	<u>Oct - Dec 22</u>	<u>22/23 Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Income				
01-3100 · O & M Assessments (On-Roll)	300,867.20	503,606.00	-202,738.80	59.74%
01-3305 · O&M Assesmnts-Off Roll-WCI-LNNR	0.00	1,011.00	-1,011.00	0.0%
01-3812 · Debt Assessments (2018)	1,575,247.65	2,636,069.00	-1,060,821.35	59.76%
01-3818 · Debt Assessments (2014A)	360,817.25	603,623.00	-242,805.75	59.78%
01-3822 · Debt Assess-Pd To Trustee-2018	-1,509,381.55	-2,530,626.00	1,021,244.45	59.65%
01-3829 · Debt Asses-Pd To Trustee-2014A	-345,730.40	-609,673.00	263,942.60	56.71%
01-3830 · Assessment Fees	-4,110.00	-10,000.00	5,890.00	41.1%
01-3831 · Assessment Discounts	-89,423.29	-149,732.00	60,308.71	59.72%
01-3922 · Debt Direct Bill - Lennar	0.00	30,195.00	-30,195.00	0.0%
01-9400 · Other Revenue	0.00	18,000.00	-18,000.00	0.0%
Total Income	288,286.86	492,473.00	-204,186.14	58.54%
Expense				
01-1130 · Payroll Tax Expense	45.90	880.00	-834.10	5.22%
01-1131 · Supervisor Fees	600.00	11,000.00	-10,400.00	5.46%
01-1310 · Engineering	4,731.75	32,500.00	-27,768.25	14.56%
01-1311 · Management Fees	9,642.00	38,568.00	-28,926.00	25.0%
01-1313 · Website Management	499.98	2,000.00	-1,500.02	25.0%
01-1315 · Legal Fees	1,176.50	22,000.00	-20,823.50	5.35%
01-1318 · Assessment/Tax Roll	0.00	5,000.00	-5,000.00	0.0%
01-1320 · Audit Fees	0.00	5,350.00	-5,350.00	0.0%
01-1321 · Amortization Schedule	0.00	500.00	-500.00	0.0%
01-1330 · Arbitrage Rebate Fee	0.00	2,000.00	-2,000.00	0.0%
01-1450 · Insurance	10,839.00	12,000.00	-1,161.00	90.33%
01-1480 · Legal Advertisements	653.44	5,500.00	-4,846.56	11.88%
01-1512 · Miscellaneous	274.49	3,300.00	-3,025.51	8.32%
01-1513 · Postage and Delivery	62.89	1,150.00	-1,087.11	5.47%
01-1514 · Office Supplies	177.05	2,300.00	-2,122.95	7.7%
01-1540 · Dues, License & Subscriptions	175.00	175.00	0.00	100.0%
01-1550 · Trustee Fees - 2005 School	0.00	30,000.00	-30,000.00	0.0%
01-1743 · Continuing Disclosure Fee	0.00	4,000.00	-4,000.00	0.0%

Arborwood Community Development District
Budget vs. Actual
October through December 2022

	<u>Oct - Dec 22</u>	<u>22/23 Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
01-1811 · Professional Fee & Permits	0.00	1,250.00	-1,250.00	0.0%
01-1815 · Miscellaneous Maintenance	13,556.01	0.00	13,556.01	100.0%
01-1816 · Treeline Preserve Maint-Exotics	0.00	6,000.00	-6,000.00	0.0%
01-1818 · DRI / Traffic Monitoring	0.00	10,000.00	-10,000.00	0.0%
01-1819 · Environmentl Cnsltng-Passarella	4,727.50	22,000.00	-17,272.50	21.49%
01-1820 · Panther Mitigation Mnt-Exotics	40,000.00	80,000.00	-40,000.00	50.0%
01-1822 · Street Lighting-Utility & Maint	1,959.66	13,000.00	-11,040.34	15.07%
01-1824 · Field Inspector - Somerset Only	6,279.60	25,500.00	-19,220.40	24.63%
01-1825 · Lake Maintenance-Somerset Only	11,517.00	46,100.00	-34,583.00	24.98%
01-1826 · Preserve Maint - Somerset Only	0.00	35,000.00	-35,000.00	0.0%
01-1827 · Flowway Maintenance	0.00	4,600.00	-4,600.00	0.0%
01-1828 · Preserve Maint (Parcel C Only)	0.00	10,800.00	-10,800.00	0.0%
01-1829 · Lake Bank Erosion Mte(Somerset)	0.00	36,500.00	-36,500.00	0.0%
01-1830 · Strmwtr Drains Ins/MTE-Somerset	0.00	20,000.00	-20,000.00	0.0%
01-1831 · Strmwtr Drains Ins (Bridgetown)	0.00	2,500.00	-2,500.00	0.0%
01-1850 · Capital Outlay - Small	0.00	1,000.00	-1,000.00	0.0%
Total Expense	<u>106,917.77</u>	<u>492,473.00</u>	<u>-385,555.23</u>	<u>21.71%</u>
	<u>181,369.09</u>	<u>0.00</u>	<u>181,369.09</u>	<u>100.0%</u>

Bank Balance As Of 12/31/22	\$ 2,409,959.58
Accounts Payable As Of 12/31/22	\$ 1,917,560.21
Other Assets As Of 12/31/22	\$ -
Total Fund Balance As Of 12/31/22	\$ 492,399.37

Series 2014A-1 Bond Balance As Of 12/31/22	\$ 4,410,000.00
Series 2014A-2 Bond Balance As Of 12/31/22	\$ 930,000.00
Series 2018A-1 Bond Balance As Of 12/31/22	\$ 19,900,000.00
<u>Series 2018A-2 Bond Balance As Of 12/31/22</u>	<u>\$ 6,870,000.00</u>
Total Bond Balance As Of 12/31/22	\$ 32,110,000.00