



**ARBORWOOD
COMMUNITY DEVELOPMENT
DISTRICT**

**LEE COUNTY
REGULAR BOARD MEETING
MARCH 18, 2024
9:00 A.M.**

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

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AGENDA
ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT
Amenity Center Community Room
Somerset at the Plantation
10401 Dartington Drive
Fort Myers, Florida, 33913
REGULAR BOARD MEETING
March 18, 2024
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 19, 2024 Regular Board Meeting.....Page 2
- G. Old Business
 - 1. Update Regarding Road and School Impact Fee Credits
 - 2. Update Regarding Treeline Streetlighting
 - 3. Update Regarding Tree Removal
- H. New Business
 - 1. Consider Approval of Proposals for Annual Exotic Removal at Arborwood Preserve (Parcel C) and the Treeline Mitigation Parcel.....Page 5
- I. Administrative Matters
 - 1. Manager’s Report
 - a. Financials.....Page 7
 - 2. Attorney’s Report
 - 3. Engineer Report
 - 4. Field Inspectors Report
 - 5. Preserves Compliance Updates
- J. Board Members Comments
- K. Adjourn

NOTICE OF REGULAR BOARD MEETING

ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors (the Board) of the Arborwood Community Development District (the District) will hold a Regular Board Meeting (the Meeting) on March 18, 2024, at 9:00 a.m. in the Amenity Center Community Room, Somerset at the Plantation, 10401 Dartington Drive, Fort Myers, Florida, 33913. The purpose of the Regular Board Meeting is for the Board to consider any business which may properly come before it.

The Meeting is open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Meeting may be continued in progress without additional notice to a time, date, and location stated on the record. A copy of the agenda for the Meeting may be obtained from the Districts website or by contacting the District Manager, Special District Services, at (941) 223-2475. 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 this Meeting 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. 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 the 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.

District Manager

Arborwood Community Development District

www.arborwoodcdd.org

March 8, 2024

**ARBORWOOD COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
FEBRUARY 19, 2024**

A. CALL TO ORDER

The February 19, 2024, Regular Board Meeting of the Arborwood Community Development District (the “District”) was called to order at 9:00 a.m. in the Amenity Center Community Room of the 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 9, 2024, 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	Joan Pattison	Present
Vice Chairman	Jeff Gordish	Present
Supervisor	Jack Aycock	Present
Supervisor	Donald Schrotenboer	Present
Supervisor	Karin Hagen	Present via phone

Staff members in attendance were:

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

Also present was Bethany Brosious of Passarella & Associates.

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. January 15, 2024, Regular Board Meeting

The January 15, 2024, Regular Board Meeting minutes were presented for consideration.

A **motion** was made by Mr. Schrotenboer, seconded by Mr. Gordish and passed unanimously approving the January 15, 2024, Regular Board Meeting minutes, as presented.

G. OLD BUSINESS

1. Update Regarding Road and School Impact Fee Credits

Ms. Krizen was able to get in touch with the second entity regarding the credits. Neither recipient has provided any documentation.

2. Update Regarding Treeline Streetlighting

FPL came out and repaired the lights. Unfortunately they have gone out again. Todd Lanius with American Infrastructure Services Inc. has scheduled an FPL repair. The streetlight repairs have almost been completed. AIS has been in contact with the County regarding the repairs prior to the transfer to the County. There is \$48,537 in the construction fund account that can be used to pay for the items that were on the County's punch list prior to conveyance. The "extra" light was discussed. AIS has stated that the County requested this to be placed there. The list from the County to the District has the blank base. The District will revisit this closer to conveyance, if needed.

H. NEW BUSINESS

1. Update on SFWMD December 2023 Visit to Review Tree Topping

The entire Memo was shared with the Board. There are an additional two trees in Somerset and eight trees in Bridgetown. The entire Memo was also shared with Bridgetown. The Preserve Maintenance Agreement identifies the topping/removal as a Bridgetown HOA expense.

Mrs. Pattison stated that she preferred topping since it is a preserve and woodpeckers and other birds enjoy the dead trees. The Board was in agreement.

A **motion** was made by Mr. Gordish, seconded by Mr. Schrotenboer and passed unanimously to top or remove, if topping is not possible, the two trees identified in the Memo for a not to exceed cost of \$3,000.

The Memo referenced preserve signs. Since they are not required in the District permit this was just a suggestion. There was a consensus of the Board to not add signage.

2. Kutak Rock Discussion Regarding Required Ethics Training

Mr. Haber reported that the Memo from Kutak with the required Ethics Training was included in the meeting book. Each Board Member is required to complete 4 hours of training before December 31 annually. The Memo provides a few free options for the Board Members to consider.

Form 1 will need to be completed electronically. The Board email will be used for registration with the Commission on Ethics.

I. ADMINISTRATIVE MATTERS

1. Manager's Report

a. Financials

Ms. Krizen went over the financials with the Board. The line item “Street Lighting Utility & Maintenance” currently is \$66,000 over budget. There is a footnote explaining that \$74,590 was for hurricane repairs and was covered, minus 5% with the 2022/2023 insurance reimbursement.

2. Attorney’s Report

Mr. Haber had nothing further to report but was available for questions.

Mr. Gordish updated Mr. Haber and the rest of the Board regarding the golf course property lines. The golf course was going to reach out to their legal team to work on a resolution. Mr. Haber stated he was available if needed to provide more information.

3. Engineer’s Report

Mr. Lorenz reported that the lake bank inspections were underway with the goal of presenting to the Board at the March meeting.

4. Field Inspector’s Report

This weekend there was 1 ½ inches of rain. The lake levels are up slightly and are healthy. Plant and animal life looks good. Solitude sprayed the cattails once and will complete a second application shortly.

5. Preserves Compliance Report

Passarella & Associates will inspect the preserves prior to Woods and Wetland’s treatments. A visit to the offsite preserve has been completed. The offsite parcel looks good and will receive a treatment prior to the rainy season.

J. BOARD MEMBER COMMENTS

If a nuisance alligator is reported the new policy requires the CDD give permission to Florida Fish and Wildlife (FFW). This is because the CDD owns the lakes and the FFW cannot trespass. If a resident notifies a Board Member of a nuisance gator, please report it and make District management aware. If available, Ms. Krizen will report it, however due to her schedule, this is not always the best option. If you do not receive a timely response from Ms. Krizen, please make the necessary phone calls.

K. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Schrotenboer, seconded by Mr. Aycock and passed unanimously adjourning the Regular Board Meeting at 9:35 a.m.



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PROPOSAL

February 14, 2024

PROJECT: Arborwood Preserve (fka Parcel C) – Preserve Maintenance
CLIENT: Arborwood CDD

SCOPE OF WORK

Woods and Wetlands Inc. will provide all equipment, labor, and materials for a one-time invasive vegetation control event within the 4 conservation areas totaling ± 23.30 acres at the site known as Arborwood Preserve (fka Parcel C) in Lee County, FL. This event will include the treatment of all nuisance and species listed on [2019 FISC List of Invasive Plant Species](#). All nuisance and Category I and II species will be killed in place with the appropriate herbicide and left in place to naturally decompose.

DATE AND PRICE OF WORK

March 2024 One-time event- **\$7,000.00**

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 _____, 2024.

Arborwood CDD

Woods and Wetlands Inc.

TITLE

TITLE



Trusted Experience. Sustainable Solutions.

PROPOSAL

February 14, 2024

PROJECT: Treeline Mitigation Area – Preserve Maintenance
CLIENT: Arborwood CDD

SCOPE OF WORK

Woods and Wetlands Inc. will provide all equipment, labor, and materials for a one-time invasive vegetation control event within the ±12.97-acre conservation areas at the site known as Treeline Mitigation Area in Lee County, FL. This event will include the treatment of all nuisance and species listed on [2019 FISC List of Invasive Plant Species](#). All nuisance and Category I and II species will be killed in place with the appropriate herbicide and left in place to naturally decompose.

DATE AND PRICE OF WORK

March 2024 One-time event- **\$6,000.00**

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 _____, 2024.

Arborwood CDD

Woods and Wetlands Inc.

TITLE

TITLE

Arborwood Community Development District
Budget vs. Actual
October 2023 through February 2024

	<u>Oct '23 - Feb 24</u>	<u>23/24 Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Income				
01-3100 • O & M Assessments	518,776.72	539,375.00	-20,598.28	96.18%
01-3812 • Debt Assessments (2018)	2,533,132.50	2,633,569.00	-100,436.50	96.19%
01-3818 • Debt Assessments (2014)	595,087.65	618,715.00	-23,627.35	96.18%
01-3822 • Debt Assess-Pd To Trustee-2018	-2,427,293.60	-2,528,226.00	100,932.40	96.01%
01-3829 • Debt Asses-Pd To Trustee-2014	-570,224.00	-593,966.00	23,742.00	96.0%
01-3830 • Assessment Fees	-11,715.00	-10,000.00	-1,715.00	117.15%
01-3831 • Assessment Discounts	-140,637.15	-151,642.00	11,004.85	92.74%
01-9400 • Other Revenue	<u>0.00</u>	<u>18,000.00</u>	<u>-18,000.00</u>	<u>0.0%</u>
Total Income	497,127.12	525,825.00	-28,697.88	94.54%
Expense				
01-1130 • Payroll Tax Expense	229.50	880.00	-650.50	26.08%
01-1131 • Supervisor Fees	3,000.00	11,000.00	-8,000.00	27.27%
01-1310 • Engineering	8,640.70	50,000.00	-41,359.30	17.28%
01-1311 • Management Fees	16,550.00	39,720.00	-23,170.00	41.67%
01-1313 • Website Management	833.30	2,000.00	-1,166.70	41.67%
01-1315 • Legal Fees	3,047.50	22,000.00	-18,952.50	13.85%
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%
01-1330 • Arbitrage Rebate Fee	500.00	2,000.00	-1,500.00	25.0%
01-1332 • Amortization Schedule Fee	0.00	500.00	-500.00	0.0%
01-1450 • Insurance	12,466.00	12,000.00	466.00	103.88%
01-1480 • Legal Advertisements	698.90	5,500.00	-4,801.10	12.71%
01-1512 • Miscellaneous	853.05	3,300.00	-2,446.95	25.85%
01-1513 • Postage and Delivery	291.72	1,150.00	-858.28	25.37%
01-1514 • Office Supplies	232.15	2,300.00	-2,067.85	10.09%
01-1540 • Dues, License & Subscriptions	175.00	175.00	0.00	100.0%
01-1555 • Trustee Fees	12,738.75	30,000.00	-17,261.25	42.46%
01-1743 • Continuing Disclosure Fee	0.00	4,000.00	-4,000.00	0.0%
01-1811 • Professional Fee & Permits	0.00	1,250.00	-1,250.00	0.0%
01-1816 • Treeline Preserve Maint-Exotics	0.00	6,000.00	-6,000.00	0.0%

Arborwood Community Development District
Budget vs. Actual
October 2023 through February 2024

	<u>Oct '23 - Feb 24</u>	<u>23/24 Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
01-1818 • DRI / Traffic Monitoring	0.00	10,000.00	-10,000.00	0.0%
01-1819 • Environmentl Cnsltng-Passarella	7,961.05	22,000.00	-14,038.95	36.19%
01-1820 • Panther Mitigation Mnt-Exotics	0.00	80,000.00	-80,000.00	0.0%
01-1822 • Street Lighting-Utility & Maint	76,524.09	10,000.00	66,524.09	765.24%
01-1824 • Field Inspector - Somerset Only	9,805.12	25,500.00	-15,694.88	38.45%
01-1825 • Lake Maintenance-Somerset Only	19,502.12	46,100.00	-26,597.88	42.3%
01-1826 • Preserve Maint - Somerset Only	11,250.00	35,000.00	-23,750.00	32.14%
01-1827 • Flowway Maintenance	0.00	4,600.00	-4,600.00	0.0%
01-1828 • Preserve Maint (Parcel C Only)	0.00	7,000.00	-7,000.00	0.0%
01-1829 • Lake Bank Erosion Mte(Somerset)	0.00	45,000.00	-45,000.00	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%
01-1839 • Lake Bank Inspection-Somerset	0.00	6,500.00	-6,500.00	0.0%
01-1840 • Lake Bank Inspection-Bridgetown	0.00	6,500.00	-6,500.00	0.0%
01-1850 • Capital Outlay - Small	0.00	1,000.00	-1,000.00	0.0%
Total Expense	<u>185,298.95</u>	<u>525,825.00</u>	<u>-340,526.05</u>	<u>35.24%</u>
Net Income	<u><u>311,828.17</u></u>	<u><u>0.00</u></u>	<u><u>311,828.17</u></u>	<u><u>100.0%</u></u>

Note: Street Lighting - Utility & Maintenance Includes \$74,590 Expenditure which was almost entirely covered by Fiscal Year 2022/2023 Insurance Claim Reimbursements.

Bank Balance As Of 2/29/24	\$ 827,579.36
Accounts Payable As Of 2/29/24	\$ 86,756.79
Other Assets As Of 2/29/24	\$ -
Total Fund Balance As Of 2/29/24	\$ 740,822.57

Series 2014A-1 Bond Balance As Of 2/29/24	\$ 4,220,000.00
Series 2014A-2 Bond Balance As Of 2/29/24	\$ 890,000.00
Series 2018A-1 Bond Balance As Of 2/29/24	\$ 18,750,000.00
Series 2018A-2 Bond Balance As Of 2/29/24	\$ 6,470,000.00
Total Bond Balance As Of 2/29/24	\$ 30,330,000.00