

**MINUTES OF MEETING
THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of The District Community Development District held a Regular Meeting on January 17, 2023, at 1:30 p.m., at 602 Shetter Avenue, Jacksonville Beach, Florida 32250.

Present at the meeting were:

Art Lancaster
Jay Dodson
Jean Patton

Chair
Assistant Secretary
Assistant Secretary

Also present were:

Craig Wrathell
Sarah Sandy
Bill Schilling (via telephone)
John Cockriel

District Manager
District Counsel
District Engineer
Kimley-Horn and Associates, Inc.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 1:33 p.m.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Item *(limited to 3 minutes per individual)*

There were no public comments.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Supervisor, Jean Patton [SEAT 5]; *Term Expires November 2026 (the following will be provided in a separate package)*

Mr. Wrathell, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Jean Patton. He advised Ms. Patton of the Sunshine law prior to the meeting and reviewed the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**

- I. Form 1: Statement of Financial Interests
- II. Form 1X: Amendment to Form 1, Statement of Financial Interests
- III. Form 1F: Final Statement of Financial Interests
- D. Form 8B - Memorandum of Voting Conflict
 - ROLL CALL

Supervisors Lancaster, Jay Dodson and Jean Patton were present. Supervisor John Dodson was not present. One seat remains vacant.

FOURTH ORDER OF BUSINESS **Consider Appointment to Fill Unexpired Term of Vacant Seat 4; Term Expires November 2024**

- Administration of Oath of Office to Newly Appointed Supervisor
This item was deferred.

FIFTH ORDER OF BUSINESS **Consideration of Resolution 2023-10, Designating Certain Officers of the District, and Providing for an Effective Date**

This item was deferred.

SIXTH ORDER OF BUSINESS **Consent Agenda**

A. Ratification of Requisitions

Mr. Wrathell presented the following:

- I. Number 2020-103: J.B. Coxwell Contracting, Inc. [\$532,931.24]
- II. Number 2020-104: Ferguson Waterworks [\$37,322.40]
- III. Number 2020-105: Kimley-Horn and Associates, Inc. [\$159,993.19]
- IV. Number 2020-106: Kutak Rock, LLP [\$971.50]
- V. Number 2020-107: J.B. Coxwell Contracting, Inc. [\$1,344,364.15]

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, Requisition Numbers 2020-103 through 2020-107, were ratified.

SEVENTH 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

- *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*
- *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*

These items were be addressed below.

- A. **Affidavit/Proof of Publication**
- B. **Mailed Notice to Property Owner(s)**
- C. **Amended and Restated Engineer’s Report *(for informational purposes)***
- D. **Amended and Restated Master Special Assessment Methodology Report *(for informational purposes)***

These items were included for informational purposes.

Mr. Wrathell noted for the record that published and mailed notice of the public hearings were provided in accordance with statute as demonstrated by the affidavit/proof of publication and mailed notice to property owner(s) included in the agenda. Ms. Sandy noted that neither report had any substantive changes to since the November 28, 2022 meeting where they were originally approved.

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, the Public Hearing was opened.

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

Public comment was requested. No members of the public or affected property owners spoke.

- *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*

The Board, sitting as the Equalizing Board, made no changes to the assessment levels.

On MOTION by Mr. Jay Dodson and seconded by Mr. Lancaster, with all in favor, the Public Hearing was closed.

- E. Consideration of Resolution 2023-11, [RESOLUTION IMPOSING DEBT ASSESSMENTS – REVISED MASTER ASSESSMENTS], A Resolution Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Debt Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; Addressing Conflicts with Resolution 2019-35 and Other Resolutions; and Providing for Severability, Conflicts and an Effective Date

Mr. Wrathell presented Resolution 2023-11.

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, Resolution 2023-11, [RESOLUTION IMPOSING DEBT ASSESSMENTS – REVISED MASTER ASSESSMENTS], A Resolution Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Debt Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; Addressing Conflicts with Resolution 2019-35 and Other Resolutions; and Providing for Severability, Conflicts and an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2023-12, Ratifying, Confirming, and Approving the Sale of the District Community Development District Bond Anticipation Note, Series 2022 (Taxable) (Public Marina Project); Ratifying, Confirming and Approving the Actions of the Chairman, Vice Chairman, Treasurer, Secretary, Assistant Secretaries, and All District Staff Regarding the

Sale and Closing of the District Community Development District Bond Anticipation Note, Series 2022 (Taxable) (Public Marina Project); and Determining Such Actions as Being in Accordance With the Authorization Granted by the Board; Providing a Severability Clause; and Providing an Effective Date [NTE \$5,000,000 Bond Anticipation Note, Series 2022 (Taxable) (Public Marina Project)]

Mr. Wrathell presented Resolution 2023-12. Ms. Sandy reviewed the terms of the Bond Anticipation Notes (BANs) for the Marina Project, issued in December 2022. This Resolution ratifies the actions taken in conjunction with issuing the BANs, including entering into a new Acquisition Agreement specific to the Marina Project, and updating the Marina Engineer’s Report to clarify the inclusion of project costs for the marina entitlements, and determining to issue the BANs as taxable. Ms. Sandy noted such updated Marina Engineer’s Report would be used for purposes of validating the Marina bonds.

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, Resolution 2023-12, Ratifying, Confirming, and Approving the Sale of the District Community Development District Bond Anticipation Note, Series 2022 (Taxable) (Public Marina Project); Ratifying, Confirming and Approving the Actions of the Chairman, Vice Chairman, Treasurer, Secretary, Assistant Secretaries, and All District Staff Regarding the Sale and Closing of the District Community Development District Bond Anticipation Note, Series 2022 (Taxable) (Public Marina Project); and Determining Such Actions as Being in Accordance With the Authorization Granted by the Board; Providing a Severability Clause; and Providing an Effective Date [NTE \$5,000,000 Bond Anticipation Note, Series 2022 (Taxable) (Public Marina Project)], was adopted.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2023-13 Ratifying the Acquisition of Certain Marina Development Rights; Providing General Authorization; and Addressing Severability, Conflicts and an Effective Date

Mr. Wrathell presented Resolution 2023-13. Ms. Sandy stated the CDD acquired the development entitlements needed in order to build the marina, including the 125 marina slips, from the Developer and the BANs were issued as taxable for various reasons. In late-December,

\$3 million was wired to Elements Development of Jacksonville, LLC, for the acquisition of the Development Rights.

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, Resolution 2023-13 Ratifying the Acquisition of Certain Marina Development Rights; Providing General Authorization; and Addressing Severability, Conflicts and an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2023-14 Approving the Acquisition of Certain Work Product; Providing General Authorization; and Addressing Severability, Conflicts and an Effective Date [Marina]

Mr. Wrathell presented Resolution 2023-14. Ms. Sandy stated that these work product acquisition items will not exceed \$225,000, and will be acquired with proceeds from the marina BANS.

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, Resolution 2023-14, Approving the Acquisition of Certain Work Product; Providing General Authorization; and Addressing Severability, Conflicts and an Effective Date [Marina], was adopted.

ELEVENTH ORDER OF BUSINESS

Ratification of Termination of Temporary Construction Easement with Duval County School Board, Developer, and the District

Mr. Wrathell presented the Termination of Temporary Construction Easement.

On MOTION by Mr. Lancaster and seconded by Mr. Jay Dodson, with all in favor, the Termination of Temporary Construction Easement with the Duval County School Board, Developer and the District, was ratified.

TWELFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of November 30, 2022

On MOTION by Mr. Jay Dodson and seconded by Mr. Lancaster, with all in favor, the Unaudited Financial Statements as of November 30, 2022, were accepted.

THIRTEENTH ORDER OF BUSINESS

Approval of Minutes

- A. **November 21, 2022 Landowners' Meeting**
- B. **November 28, 2022 Regular Meeting**

On MOTION by Mr. Jay Dodson and seconded by Mr. Lancaster, with all in favor, the November 21, 2022 Landowners' Meeting and November 28, 2022 Regular Meeting Minutes, as presented, were approved.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

- A. **District Counsel: *Kutak Rock LLP***
There was no report.
- B. **District Engineer: *Kimley-Horn and Associates, Inc.***
There was no report.
- C. **District Manager: *Wrathell, Hunt and Associates, LLC***

- **NEXT MEETING DATE: February 20, 2023 at 1:30 P.M.**
 - **QUORUM CHECK**

The next meeting will be on February 20, 2023, unless cancelled.

Mr. Schilling stated that contracts for the marina design might be ready to present at the February meeting.

FIFTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

SIXTEENTH ORDER OF BUSINESS

**Public Comments: Non-Agenda Items
(limited to 3 minutes per individual)**

There were no public comments.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Jay Dodson and seconded by Ms. Patton, with all in favor, the meeting adjourned at 1:50 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair