

MINUTES OF MEETING

*Babcock Ranch Community Independent Special District
Board of Supervisors' Meeting
Thursday, April 27, 2017 at 1:02 p.m.
14740 SR 31, Punta Gorda FL, 33982*

Present and constituting a quorum:

Gary Nelson	Board Member
Elizabeth Andres	Board Member
Gail Maltese	Board Member
Bill Vander May	Board Member

Also present were:

Jill Burns	Fishkind & Associates	
Johnathan Johnson	Hopping Green & Sams	
John Broderick	Kitson & Partners	
Andy Tilton	Johnson Engineering	
Jen Walden	Fishkind & Associates	(via phone)
Camille Evans	Greenburg Taurig	(via phone)
Sarah Warren	Hopping Green & Sams	(via phone)
Kellie Clark	Kimley Horn	(via phone)

FIRST ORDER OF BUSINESS

Call to Order

The meeting was called to order at 1:02 p.m. and Ms. Burns proceeded with roll call. Board Members Gary Nelson, Elizabeth Andres, Gail Maltese, and Bill Vander May were present, constituting a quorum.

SECOND ORDER OF BUSINESS

Organizational Matters

Public Comment Period

There were no public comments at this time.

**Consideration of the Minutes of the
March 23, 2017 Auditor Selection
Committee Meeting**

The Board reviewed the minutes of the March 23, 2017 Auditor Selection Committee Meeting.

Ms. Evans joined the meeting in progress via phone.

On MOTION by Mr. Vander May, seconded by Ms. Maltese, with all in favor, the Board approved the minutes of the March 23, 2017 Auditor Selection Committee Meeting.

**Consideration of the Minutes of the
March 23, 2017 Board of
Supervisors' Meeting**

The Board reviewed the minutes of the March 23, 2017 Board of Supervisors' Meeting. Ms. Burns received two typos from Ms. Andres one on page three and the other on the last page.

On MOTION by Ms. Maltese, seconded by Ms. Andres, with all in favor, the Board approved the minutes of the March 23, 2017 Board of Supervisors' Meeting, as amended.

THIRD ORDER OF BUSINESS

Business Matters

Consideration of Resolution 2017-14, Approving a Preliminary Budget for Fiscal Year 2018 and Setting a Public Hearing Date

The proposed budget is attached to the resolution as Exhibit A. The District will be setting the cap amount of the budget now and refining it throughout the summer. The budget presented was in the amount of \$802,566.00 and the overall budget that was sent last year was \$803,000.00. Ms. Burns does not think it will be over the cap amount unless there are items that need to be added that were not taken into account in the build out budget that the District approved last year.

Mr. Vander May noted that the District will come to a more detailed and refined budget. A discussion took place and it was decided to place the platted lots on the tax roll so, Ms. Burns suggested July 27, 2017 as the date of the public hearing. Mr. Jonnson noted that the resolution has the wrong County listed and it should be Charlotte County and Lee County.

On MOTION by Mr. Vander May, seconded by Ms. Andres, with all in favor, the Board approved Resolution 2017-14, Approving a Preliminary Budget for Fiscal Year 2018 and setting the public hearing date for July 27, 2017 at 1:00 p.m. at this location, as amended.

Consideration of Supplemental Engineer's Report for Bond Validation

Mr. Johnson said that the District will not be approving the Engineer's Report today but Mr. Tilton will make a presentation about the Supplemental Engineer's Report. Mr. Johnson said that when the District entered into the Lease Purchase Transaction with Town & Country Utilities, the District has an obligation under those documents to validate their ability to enter into that transaction and issue the Bonds that the District is attempting to issue down the road. The District also amended the boundaries of the District to include the Lee County lands which is a separate reason to reissue the notion of the Bond Validation and to have the court bless that the District has followed appropriate procedures, that the purposes for which the District intent to issue the Bonds are appropriate. He has worked with the landowner and staff to comprehensively look to see if there are other improvements and services that the District might provide beyond utilities which are reflected in the draft Engineer's Report such as waste collection and disposal as well as extending the same kinds of facilities and services into Lee County. Mr. Johnson's hope was to present the Engineer's Report and Ms. Burns will talk about the Validation Report. He does not expect to take action on the reports today because the District is still working through the nuances of the waste collection and disposal business and how that might be acquired. If it is acquired pursuant to a lease purchase arrangement then that would make some changes to these documents. He expects to have updated documents at a future meeting.

Mr. Tilton stated that there are 4 reasons for the Supplemental Engineer's Report. Which are the expansion into Lee County, the District acquiring the Utility System, the waste collection, and a public transportation component. Table 1 depicts who is responsible for operation maintenance and ownership of these different pieces. Table 2 depicts the cost. There were no questions from the Board and no action was required.

Consideration of Validation Report

Ms. Burns stated this report corresponds to the numbers in the Engineer's report. It is Dr. Fishkind's recommendation that the District move forward in validating \$12,000,000,000.00. for the costs to include Lee County as well. Mr. Johnson explained

that this creates the bondable improvements and it allows the District to set to opportunities to provide funding for some of these improvements. Ms. Andres asked about the cost per acre and asked if it is normal for it to be higher. Mr. Johnson said that it is due to the cost of offsite roadway obligations, the location of the property, and the environmental aspects of the property. Mr. Tilton added that the District is layering in the Lease Purchase Agreement with Town & Country. Mr. Johnson added that the it is creating opportunities for the District to have eligible bondable improvements. There were no other questions on the Validation Report.

Consideration of Resolution 2017-15, Amending Bond Resolution- Tabled

Mr. Johnson suggested that the District table the resolution and come back when the Board is ready to take action.

Ratification of Funding Request 122-123

Ms. Burns stated that this funding request has already been approved by the Chair and need to be ratified by the Board.

On MOTION by Mr. Vander May, seconded by Ms. Maltese, with all in favor, the Board ratified Funding Request 122-123.

Ratification of Deficit Funding Request No. 1

Ms. Burns spoke with Mr. Vander May and decided that the District was having a little bit of lag time with getting some funding and thought that it would be a good idea to have a reserve in the account so that the District does not have past due invoices. This has been approved and Ms. Burns is waiting on the funding to come in for that but will keep a \$50,000.00 balance in the account so that when the funding request is sent they will replenish the reserve. Ms. Burns requested a motion to ratify Deficit Funding Request No. 1.

On MOTION by Ms. Maltese, seconded by Ms. Andres, with all in favor, the Board ratified Deficit Funding Request No. 1.

Statement of District Financial Position

There was no action required by the Board.

FOURTH ORDER OF BUSINESS

Other Business

Staff Reports

Attorney- Mr. Johnson said that the District is anticipating entering into a Lease Purchase Transaction and evaluating how that would be structured for waste disposal services. He mentioned that the District might need to provide those services in the interim and requested the authority of the Board with the Chairs approval after ratification to negotiate a month to month contract with Ecologic so that they can provide the services until the District has concluded the other transaction.

On MOTION by Mr. Vander May, seconded by Ms. Andres with all in favor, the Board authorized Mr. Johnson to negotiate a month to month contract with Ecologic under the Chairs Supervision.

Engineer- Ms. Clark prepared an Engineer's Opinion of Probable Cost and a Letter for the Phase 1B1 Plat dated March 23, 2017. She completed 4 COs in the Phase 1A area and completed the utility review for Phase 2A.

Manager- The next meeting is scheduled for May 25, 2017

Status Report on Construction-

Mr. Broderick said he is continuing to move on with final plat of 1B1 and is hopeful to have that plat filed in the County in the next 30-60 days. He just submitted another preliminary plat for Trap 2A which is South East of 1B1. He is working to the west for another 150 single family homes and is hopeful to have that platted by the end of this year. Mr. Broderick said that TCU has been up and running since January which is the first phase and he said that he is in the process of putting together the permits to go down to DEP for Phase 2 which is in the process right now and he hopes to have the permit for that in the summer.

Ms. Burns requested that when he gets the final recorded plat for 1B1 to make sure her office gets a copy so that Ms. Glasgow can update the lien book.

FIFTH ORDER OF BUSINESS

**Audience Comments and
Supervisors Requests**

Mr. Nelson said that last month the Board discussed the idea of going forward with a State Infrastructure Bank Loan for State Road 31 improvements. The District submitted a Letter of Interest to the State for that purpose which would move funds forward for the District to move forward with the 4 lane, 31 from State Road 70A to River Road.

SIXTH ORDER OF BUSINESS

Adjournment

There were no further questions or comments. Ms. Burns requested a motion to adjourn.

On MOTION by Ms. Andres, seconded by Ms. Maltese, with all in favor, the April 27, 2017 Board of Supervisors meeting for the Babcock Ranch Community Independent Special District was adjourned.


Secretary/Assistant Secretary


Chairman