

**MINUTES OF MEETING  
BABCOCK RANCH  
COMMUNITY INDEPENDENT SPECIAL DISTRICT**

The Board of Supervisors of the Babcock Ranch Community Independent Special District held a Regular Meeting on Thursday, June 28, 2018 at 1:00 p.m., at 14750 SR 31, Punta Gorda, Florida 33982.

**Present at the meeting were:**

Gary Nelson	Chair
Bill Vander May	Vice Chair
Gail Maltese	Assistant Secretary
Elizabeth Andres	Assistant Secretary
Kathy Valentine	Assistant Secretary

**Also present were:**

Craig Wrathell	District Manager
Cindy Cerbone	Wrathell, Hunt and Associates, LLC
Alyssa Willson	District Counsel
Amy Wicks	District Engineer
John Broderick	Construction Manager
Gary Broidis	AIS Street Lighting
Erica Woods	Kitson & Partners

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Wrathell called the meeting to order at 1:01 p.m.

**SECOND ORDER OF BUSINESS**

**Roll Call**

Mr. Wrathell stated that all Supervisors were present, in person.

**THIRD ORDER OF BUSINESS**

***Public Comments [any members of the public desiring to speak on a specific agenda item may address the Board]***

There being no public comments, the next item followed.

**FOURTH ORDER OF BUSINESS**

**Continued Discussion: Proposed Budget  
for Fiscal Year 2018/2019**

Mr. Wrathell stated that the updated insurance premiums for the solid waste and water and sewer utilities are in the different utility funds and will not affect assessments and will be covered by operating revenues. The actual premiums are included in the agenda.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2018-30,  
Adopting a District Lake Use Policy**

Mr. Wrathell presented Resolution 2018-30. Copies of the Lake Use Policy and a map were distributed. The following change was made:

Fishing Rules, Paragraph 1, Line 2: Change “retention” to “detention”

Ms. Willson stated that the Watershed criteria are consistent with the Covenants placed on the residential lots and is included for consistency purposes with all of the other entity documents. The Homeowner’s Association (HOA) would enforce the policy, instead of the Independent Special District (ISD). Mr. Vander May stated that the policy will be revisited by the property manager as future areas are developed and it will be made available to the public. It will also be condensed into a handout and distributed to the Association Manager, security staff and individuals who may not be aware of the policy. Staff will coordinate with the property manager to install signage in the appropriate areas referencing that the resolution was approved by the District. Board Members pointed out that a section of the map, the “No Fishing” sign and the contacts should be amended. Mr. Vander May stated that any credits to Kimley-Horn will be excluded and he would communicate the changes to District Staff.

**On MOTION by Ms. Maltese and seconded by Mr. Vander May, with all in favor, Resolution 2018-30, Adopting a District Lake Use Policy, in substantial form, with the revisions noted in the policy and the map, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Restroom Lease  
Agreement**

This item was deferred.

**SEVENTH ORDER OF BUSINESS**

**Approval of Unaudited Financial Statements as of May 31, 2018**

Mr. Wrathell presented the Unaudited Financial Statements as of May 31, 2018.

**On MOTION by Mr. Vander May and seconded by Ms. Maltese, with all in favor, the Unaudited Financial Statements as of May 31, 2018, were approved.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of May 24, 2018 Continued Public Hearings and Regular Meeting Minutes**

Mr. Wrathell presented the May 24, 2018 Continued Public Hearings and Regular Meeting Minutes and asked for any additions, deletions or corrections.

**On MOTION by Ms. Andres and seconded by Mr. Vander May with all in favor, the May 24, 2018 Continued Public Hearings and Regular Meeting Minutes, as presented, were approved.**

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *Hopping Green & Sams, P.A***

**i. State Infrastructure Bank Loan**

Ms. Willson stated the State Infrastructure Bank (SIB) loan and related State Road 31 infrastructure construction process will re-commence soon. Staff is requesting a general authorization to begin the Design Build procurement for the State Road 31 Improvements by publishing the required notices. A Developer Funding Agreement may be necessary, in the event the District incurs any liability, to compensate a contractor prior to finalizing the loan and receiving those funds. The Board will be updated periodically.

**On MOTION by Mr. Vander May and seconded by Ms. Maltese, with all in favor, authorizing Staff to proceed with the Design Build Procurement Process for State Road 31 Improvements, was approved.**

**B. District Engineer: *Kimley-Horn & Associates***

Ms. Wicks stated plot plans for review, as well as three or four Certificates of Occupancy (COs) per week, are received and Staff is currently working through an initial review for a multi-family development parcel that arrived yesterday.

**C. Field Operations Manager**

It was noted that Mr. Joe Cook, CCMC Regional President, who handles the Property Owners Association (POA), as well as the ISD, is in the process of interviewing replacement candidates for Mr. Evans, the Operations Manager. Mr. Cook is in the process of instituting a number of things that will help with the overall management of the community, including an automated work order management system, as well as implementation of a software program to manage resident requests for architectural review. He also reviews and updates the ISD and the HOA websites to ensure that all residents can access their respective websites.

**D. Construction Manager****i. Capital Improvement Irrigation Recharge Well**

Mr. Broderick presented the Kitson & Partners Contract Approval Form, between Babcock Ranch Irrigation, LLC (BRI) and the Mitchell & Stark Construction Company, in the amount of \$82,318.20. According to various water use permits, every gallon of water that is extracted from a lake must be replaced by another gallon; hence, a one-to-one exchange and, in installing potable water mains throughout all the communities, the water must be blown out in order to be kept fresh. Recently, the ISD invested in a \$20,000 water treatment method, which keeps all chlorine levels suspended in the water much longer than usual; thereby, reducing the need to blow out as much water. Since too little water is being replaced into the pond, a recharge well is needed to pump water back into the lake so that the District can continue irrigating.

Mr. Wrathell stated that this improvement is for the water sewer utility, which would adjust the base rent that the District is paying. Ms. Willson recommended that the Board approve the capital improvement, pursuant to the terms of the Lease Purchase Agreement, and authorize the Chair to execute any written approvals, as required by the lease.

**On MOTION by Mr. Vander May and seconded by Ms. Andres, with all in favor, the Babcock Ranch Irrigation, LLC contract, in the amount of \$82,318.20, and authorizing the Chair to execute any written approvals, as required by the Lease Purchase Agreement, were approved.**

**ii. Phase II Expansion Update**

Mr. Broderick stated that there are currently almost 800 platted lots in the community and a new Developer will potentially develop another 1,000 lots and a golf course. All of this activity will trigger the Phase II of the treatment plant and require the Lessor to enter into a Design Build contract for Phase II of the treatment plant and the only items that will be immediately contracted are the soft costs, such as the engineering costs. There are many unknowns regarding the treatment facility, at this point, and the Lessor wants to guard against receiving a not-to-exceed (NTE) price from a contractor with a certain amount of contingency built into it and not having control on how funds are expended. The focus is on completing only the soft cost work, including all designs and permitting, in the current year and at year's end. The Lessor would obtain a firm, NTE price from a contractor for the hard costs for the completion of the work. The contract was basically ready, except for finalization of the "damages", and he anticipated being able to distribute copies at a future meeting. Mr. Wrathell asked if action on the Lease Purchase Option Agreement must be taken today. Mr. Vander May stated that anything regarding the lease would not change until the plan is put in service. Mr. Broderick stated that the earliest that an invoice could be due would be the first quarter of 2019. It was very likely that construction would not commence until the first quarter of 2019 and the project could take another 12 to 18 months to complete. Mr. Vander May understood that the project would be financed directly, with IDA Bonds with Town and Country, and then the Board would be involved in the implementation of additions of CapEx per finished plan. Ms. Willson stated that, under the current Lease Purchase Agreement, there is a process for submittal of those plans for the Board to sign off on and approve them as the process develops. Mr. Broderick stated that Staff is trying to be responsible with the ISD's money and did not want to construct any unnecessary improvements. Ms. Willson stated that, as the plan becomes available, it will be presented at future meetings.

Mr. Broderick presented the AIS Street Lighting Contract. A linear park is being installed on the west side of track 1B-2, which will be named "Telegraph Park". The streetlights are the same price as all the others purchased from AIS, which has very competitive prices and even more affordable than Florida Power & Light (FPL). The proposed contract is to illuminate the linear park area, which will be approximately 80' to 100' wide in different spots, with a meandering path, and will be outfitted with lights, benches and play areas. Ms. Willson stated that this is consistent with all the other AIS Agreements that the District previously executed. In response to a Board Member's question, Mr. Broderick confirmed that payments will not be necessary until the lights come on. Mr. Wrathell asked if the park will be linear or lineal. Mr. Vander May did not feel that the park is linear since it meanders and suggested modifying the description. Ms. Woods suggested calling it "Telegraph Park Lighting", which will help when the invoices are received.

**On MOTION by Mr. Vander May and seconded by Ms. Maltese, with all in favor, the AIS Street Lighting Contract to illuminate Telegraph Park, was approved.**

Mr. Broderick stated that he is coordinating with District Counsel on reimbursement of the Track 2-A Improvements. A total of \$1.768 million is in the balance sheets and Staff is almost finished acquiring all certifications and other essential documents. Receipt of all related paperwork was anticipated within the next week or two.

**E. District Manager: *Wrathell, Hunt and Associates, LLC***

**i. ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Technological Audit**

Mr. Wrathell stated that, recently, one plaintiff filed complaints against 36 or more Community Development Districts for not having ADA-compliant websites. Babcock Ranch has not yet been affected and Management is coordinating with District Counsel and the District's insurance carrier to prevent that from occurring. The firm ADA Site Compliance Incorporated (ADASC) was engaged to perform a technological audit of the District's website and already affixed their logo and policy on all websites of Districts managed by Mr. Wrathell's firm. This should discourage law firms from filing frivolous lawsuits against CDDs for website compliance. It will cost the District \$200 per year for ADASC's services, which is the most

economical way to address the issue and; Staff will provide updates, as new technological data regarding filing PDF documents and legal arguments regarding ADA compliance occur.

**On MOTION by Mr. Vander May and seconded by Ms. Maltese, with all in favor, the ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Technological Audit, in the amount of \$200 per year, was approved.**

**ii. NEXT MEETING DATE: July 26, 2018 at 1:00 P.M.**

The next meeting will be on Thursday, July 26, 2018 at 1:00 p.m., at this location. Mr. Wrathell will not be available for the next meeting. Ms. Cerbone will preside in his absence.

**TENTH ORDER OF BUSINESS Board Members' Comments/Requests**

There being no Board Members' comments or requests, the next item followed.

**ELEVENTH ORDER OF BUSINESS Public Comments**

There being no public comments, the next item followed.

**TWELFTH ORDER OF BUSINESS Adjournment**

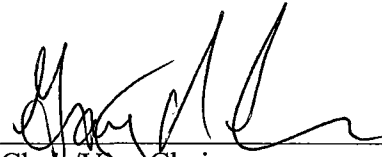
There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Vander May and seconded by Ms. Maltese, with all in favor, the meeting adjourned at 1:45 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE



Secretary/Assistant Secretary



Chair/Vice Chair