

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

CFM COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the CFM Community Development District was held on **Thursday, July 18, 2019 at 11:31 a.m.** at the office of Rizzetta & Company, Inc., located at 9530 Marketplace Road, Suite 206, Fort Myers, FL 33912.

Present and constituting a quorum:

Leah Popelka	Board Supervisor, Chairperson
Scott Campbell	Board Supervisor, Vice Chairman
Paul Mayotte	Board Supervisor, Assistant Secretary
Chip Jones, Jr.	Board Supervisor, Assistant Secretary
Sue Streeter	Board Supervisor, Board Supervisor

Also present were:

Belinda Blandon	District Manager, Rizzetta & Company, Inc.
Scott Brizendine	Rizzetta & Company, Inc. (via speaker phone)
Tucker Mackie	District Counsel, Hopping Green & Sams, P.A. (via speaker phone)
Brent Burford	District Engineer, Johnson Engineering
Carl McCarthy	Greenberg Traurig (via speaker phone)
Courtney Wilson	Greenberg Traurig (via speaker phone)
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Blandon called the meeting to order and read the roll call.

SECOND ORDER OF BUSINESS

Public Comment

Ms. Blandon opened the floor for public comment.

Mr. Streeter addressed the Board regarding non-residents accessing the community and the streets being public. Ms. Mackie advised that the streets were financed through Bond funds, are owned by the CDD, and therefore are public roads. Ms. Popelka suggested installation of security cameras in order to make residents feel more secure. Ms. Mackie advised that the guardhouse may ask for identifying information and ask where the visitor is going but the visitor does not have to provide the information. Discussion ensued. Ms. Blandon suggested having the HOA send a communication to

the homeowners regarding suspicious activity and advising that residents should contact the proper authorities. Mr. Mayotte recommended sending a communication to DR Horton clarifying that the roads are public and the gates are soft. Mr. Jones, Jr. recommended that the letter come from the CDD and be sent to DR Horton with a carbon copy to Chris Quarles.

Ms. Blandon recommended moving item 4F to be discussed next. Ms. Mackie and the Board concurred.

THIRD ORDER OF BUSINESS

**Discussion Relating to Proposed
Trifurcation of CFM Community
Development District Capital
Improvement Revenue Bonds, Series
2004A**

Ms. Mackie introduced Mr. Carl McCarthy and Ms. Courtney Wilson of Greenberg Traurig and advised that Greenberg Traurig is a representative of the Trustee and are reviewing the District's outstanding defaulted bonds and are proposing a trifurcation of the outstanding bonds in order to set up three sets of bonds. She advised that Greenberg Traurig is not asking for any action today but are on the line to answer any questions that the Board may have. Mr. McCarthy introduced himself and advised that his firm represents the bond trustee and advised that this is a part of the process that has been going on for a number of years to restructure the bonds of the district into three bonds: 2004A impaired, 2004A-1 promising, and 2004A-2 performing. He reviewed the handout that was provided to the Board. Mr. Campbell asked for clarification that the process will not result in any changes to the existing residents' current situation and bond payments. Mr. McCarthy confirmed. Ms. Popelka provided an overview of the transaction and process. Discussion ensued.

FOURTH ORDER OF BUSINESS

**Consideration of the Minutes of the
Board of Supervisors' Meeting held on
May 16, 2019**

Ms. Blandon presented the Minutes of the Board of Supervisors' meeting held on May 16, 2019. She asked if there were any questions related to the minutes. There were none.

<p>On a Motion by Mr. Jones, Jr., seconded by Mr. Mayotte, with all in favor, the Board Approved the Minutes of the Board of Supervisors' Meeting held on May 16, 2019, for the CFM Community Development District.</p>

FIFTH ORDER OF BUSINESS

**Consideration of the Operations and
Maintenance Expenditures for the
Months of April, May, and June 2019**

Ms. Blandon provided an overview of the expenditures paid for the period of April

1-30, 2019 which totaled \$14,491.89, the period of May 1-31, 2019 which totaled \$58,972.73, and the period of June 1-30, 2019 which totaled \$26,577.62. She asked if there were any questions related to any item of expenditure. Discussion ensued regarding various invoices.

On a Motion by Ms. Popelka, seconded by Mr. Campbell, with all in favor, the Board Approved the Operations and Maintenance Expenditures for the Months of April 2019 (\$14,491.89), May 2019 (\$58,972.73, and June 2019 (\$26,577.62), for the CFM Community Development District.

SIXTH ORDER OF BUSINESS

**Review and Acceptance of Arbitrage
Rebate Calculations, Series 2004A &
2004B, for Period Ended April 30, 2019**

Ms. Blandon advised that as of April 30, 2019 there was no arbitrage liability related to the Series 2004A and 2004B bonds. She asked if there were any questions. There were none.

On a Motion by Ms. Streeter, seconded by Mr. Jones, Jr., with all in favor, the Board Accepted the Arbitrage Rebate Calculations, Series 2004A and 2004B, for Period Ended April 30, 2019, for the CFM Community Development District.

SEVENTH ORDER OF BUSINESS

**Consideration of Landscape
Recommendations**

Ms. Blandon reviewed the email received from Ms. Southwick of Magnolia Landing regarding several areas that are in need of attention. She recommended that the Board table this item in order to provide time to have the proposals consolidated. The Board concurred.

EIGHTH ORDER OF BUSINESS

**Consideration of Renewal of Aquatic
Maintenance Contract with Solitude**

Ms. Blandon provided an overview of the renewal for lake maintenance, including the addition of three new lakes, as received from Solitude Lake Management, in the amount of \$27,336.00 per year. She advised that the renewal is included in the budget for fiscal year 2019/2020. Discussion ensued regarding the fountains installed by DR Horton that have not yet been turned over to the CDD.

On a Motion by Mr. Mayotte, seconded by Mr. Campbell, with all in favor, the Board Approved the Contract Renewal with Solitude Lake Management, for Aquatic Maintenance, in the Amount of \$27,336.00, Subject to Review and Preparation of an Agreement by Counsel, for the CFM Community Development District.

NINTH ORDER OF BUSINESS

**Consideration of Proposals for ADA
Website Compliance**

Ms. Blandon distributed a summary comparison of the proposals received from ADA Site Compliance, Campus Suite, and V Global Tech. She advised that Egis has recommended the three companies that have provided proposals and Egis has set an October 1st deadline to have something in place in order to be covered in the event of a claim. Ms. Mackie provided an overview of the requirements related to ADA websites and advised that the WCAG 2.0 standards are the minimum standards to be met. Ms. Blandon advised that the company selected by the Board will host and backup the website; she reviewed in detail the proposals. Ms. Mackie responded to questions from the Board.

On a Motion by Ms. Popelka, seconded by Ms. Streeter, with all in favor, the Board Approved the Proposal from ADA Site Compliance, for ADA Website Compliance and Ongoing Maintenance, Subject to Preparation of an Agreement by Counsel, for the CFM Community Development District.

TENTH ORDER OF BUSINESS

**Discussion Regarding DR Horton
Reimbursement of Roadway Repairs**

Ms. Blandon advised that a check for roadway repair reimbursement was received from DR Horton in the amount of \$18,900.00 and not the full amount of \$21,500.00. She advised that the amount received was different from the amount approved by the Board. Mr. Campbell advised that he had a discussion with DR Horton and they have reimbursed is based on the invoices from PMI. Discussion ensued. Ms. Mackie advised that the total cost to the District was \$33,812.00 and the Board had approved a settlement of \$21,500.00. Mr. Jones, Jr. asked that Mr. Campbell reach out to DR Horton again in order to attempt to collect the difference. Mr. Campbell advised that he will work with Ms. Blandon to obtain back up to then present to DR Horton in order to attempt to collect the difference between the approved amount of \$21,500.00 and the amount previously paid of \$18,900.00.

ELEVENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
Ms. Mackie advised that she had no report but would be happy to answer any questions. There were no questions for Ms. Mackie.

- B. District Engineer
Mr. Burford advised that regarding the entrance lighting; he has emails and calls into LCEC to get an update. He advised that regarding the second lift asphalt he is awaiting a return call from Mr. Quarles. Mr. Burford advised that related to the non-compliance of the mitigation project, he has been working with Earth Tech and to remove the remaining material that was supposed to be taken out originally, the price is in excess of \$400,00.00 and could be well in excess. He advised that the original mitigation plan allowed for material to be killed in place and in 2007 the SFWMD rules changed and

the materials have to come out in order to get the exotic vegetation down to less than five percent and so the stuff that was killed needs to be removed. Mr. Jones, Jr. inquired as to burying the exotic plant materials as the District cannot afford the costs for removal. Mr. Burford advised the he is obtaining additional pricing. Mr. Burford advised the will also look into phasing the removal of the exotic vegetation and other options available to the District.

C. District Manager

Ms. Bandon advised the next meeting of the Board of Supervisors is scheduled for Thursday, August 15, 2019 at 11:30 a.m.

Mr. Campbell inquired regarding landscape improvements at the entry features as requested by DR Horton. Ms. Bandon advised that she will review the proposals from Ms. Southwick.

Ms. Streeter inquired regarding the removal of the dead grasses along Magnolia Landing. She asked that Ms. Bandon reach out to Ms. Southwick for removal.

TWELFTH ORDER OF BUSINESS

Supervisor Requests

Ms. Bandon opened the floor for Supervisor requests and comments.

Ms. Bandon opened the floor to Audience requests and comments. There were none.

THIRTEENTH ORDER OF BUSINESS

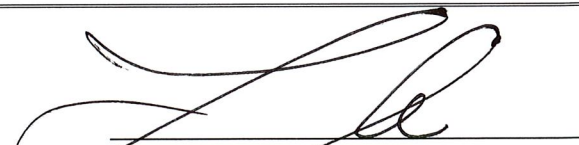
Adjournment

Ms. Bandon advised there is no further business to come before the Board and asked for a motion to adjourn.

On a Motion by Mr. Jones, Jr., seconded by Mr. Campbell, with all in favor, the Board adjourned the meeting at 12:38 p.m., for the CFM Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman