

**MINUTES OF MEETING  
PARKLANDS LEE  
COMMUNITY DEVELOPMENT DISTRICT**

A Public Hearing and Regular Meeting of the Parklands Lee Community Development District's Board of Supervisors was held on **Thursday, September 12, 2013 at 1:15 p.m.**, at **The Renaissance Center, 28121 Palmira Blvd., Bonita Springs, Florida 34135.**

**Present and constituting a quorum were:**

Russell Rupp	Chair
John Gainey	Vice Chair
Emmet "Ben" Potter	Assistant Secretary
Harvey Fontaine	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
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**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 1:16 p.m., and noted, for the record, that Supervisors Rupp, Gainey, Potter and Fontaine were present, in person. Supervisor Schwartz was not present.

**SECOND ORDER OF BUSINESS**

**Affidavit of Publication**

Mr. Adams presented the affidavit of publication for today's public hearing and regular meeting.

**THIRD ORDER OF BUSINESS**

**Public Hearing to Consider Resolution  
2013-9, Adopting the Final Budget for the  
Fiscal Year Beginning October 1, 2013  
and Ending September 30, 2014**

Mr. Adams presented Resolution 2013-9 for the Board's consideration. He indicated that the proposed budget is included as an exhibit to the resolution, behind Tab 3. Mr. Adams reported that the Budget has not changed since the Board last reviewed it, during the May

meeting. The budget is status quo, year-over-year, in terms of appropriations, revenue projections and assessment levels.

Mr. Adams recalled that the Board elected to utilize fund balance to maintain the same assessment level, year-over-year. Noting that the change was not made in the budget, Mr. Adams requested that the motion to adopt the resolution include a revision to the budget to maintain the same assessment amount of \$313.07 as the prior fiscal year.

In response to a Board Member’s question, Mr. Adams confirmed that Sorrento/Parcel 14 is located within the boundaries of the District and is included on the assessment roll. Mr. Adams explained that 180 units were originally assigned to Sorrento/Parcel 14 and it will continue to be assessed with that number, until there is an approved development plan reflecting a change in the number of units. Mr. Adams advised that D.R. Horton might increase the number of units to 200 or 220, which would result in a reduction to the per-unit assessment, in future years. Mr. Adams confirmed that D.R. Horton is the landowner and is responsible for the assessments until the units are sold.

Mr. Adams indicated that the Debt Service Fund and the amortization schedule were updated to reflect the refinancing that was completed earlier in the year. On Page 8, Mr. Adams noted the significant, year-over-year, reductions, across all product types, from the debt service perspective.

**\*\*\*Mr. Adams opened the Public Hearing.\*\*\***

Mr. Adams noted, for the record, that no members of the public were present.

**\*\*\*Mr. Adams closed the Public Hearing.\*\*\***

**On MOTION by Mr. Gainey and seconded by Mr. Rupp, with all in favor, Resolution 2013-9, Adopting the Final Budget for the Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014, as amended, utilizing fund balance to maintain the same assessment level in Fiscal Year 2014, as in Fiscal Year 2013, was adopted.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2013-10, Imposing Special Assessments and Certifying an Assessment Roll**

Mr. Adams presented Resolution 2013-10 for the Board’s consideration. He indicated that this is the final step in the budget process. Mr. Adams explained that the resolution takes

into consideration the budget that the Board just adopted, the appropriation and assessment levels and directs and authorizes Staff to finalize and certify the assessment roll and transmit it to the Lee County Tax Collector for placement on the tax bill.

**On MOTION by Mr. Potter and seconded by Mr. Fontaine, with all in favor, Resolution 2013-10, Imposing Special Assessments and Certifying an Assessment Roll, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Binding Language in Sorrento Declaration to Address 2<sup>nd</sup> Entrance to be Emergency Only (Article V, Section 7)**

Mr. Adams recalled the Board’s prior approval of the sale of the future right-of-way that bisects Parcel 14, to Mr. Steve Hagenbuckle, of TerraCap Management Corp (TerraCap). He noted that it intended to facilitate an additional entry off of Bonita Beach Road, into that parcel. The District wanted to ensure that this entry was designated as an emergency exit only.

Mr. Adams indicated that the Board discussed achieving this goal by obtaining binding approved plans from the City of Bonita Beach, which were received, as well as the preparation of a recorded agreement. He indicated that, during preparation of the agreement, Mr. Hagenbuckle and D.R. Horton felt that it was more appropriate for the agreement to be between the District and the future developer/landowner, D.R. Horton. Mr. Adams reported that D.R. Horton included a provision in Sorrento’s declaration, designating the second entrance as an emergency exit only.

Mr. Adams referred to Sorrento’s declaration and noted that, on Page 2, Section 5, “Parklands West” will be amended to “Parklands Lee”. Pages 10 and 11 reflect that the association will maintain, repair and replace, as necessary, the 20’-wide stabilized emergency exit/entrance. On Page 11, the declaration stipulates that, in the event that the association does not fulfill its responsibilities, the District has the authority to maintain, repair and replace and seek reimbursement from the association. The declaration authorizes the District to seek collection methods, including reasonable attorney’s fees, if the association does not comply with the District’s request for reimbursement. Mr. Adams reported that District Counsel had an opportunity to review the declaration and he is comfortable with the verbiage, with the exception of the noted change on Page 2.

A Board Member asked if there were other options for that right-of-way. Mr. Adams explained that it could have been a fully functional entrance but two (2) methods of ingress and egress were needed, from an emergency perspective; in this case, it will be designated for emergency purposes only and will not have a fully functional gate, which was the Board’s initial concern. In response to a question, Mr. Adams indicated that changes can be made to the declaration through a public hearing process and the District would be noticed.

It was noted that that the third paragraph, under “Witnesseth”, on Page 1, states “...shall not be required, to develop the Property as a residential community...”, if D.R. Horton does not want to. Mr. Adams clarified that the property is also zoned for commercial use; however, it is currently pursued for residential development. That property has always been zoned for commercial or residential development.

Mr. Adams indicated that District Counsel will prepare the sales contract.

**On MOTION by Mr. Rupp and seconded by Mr. Gainey, with all in favor, the Binding Language in Sorrento Declaration to Address 2<sup>nd</sup> Entrance to be Emergency Only (Article V, Section 7), as amended, was approved.**

**SIXTH ORDER OF BUSINESS**

**Approval of May 9, 2013 Regular Meeting Minutes**

Mr. Reinders presented the May 9, 2013 Regular Meeting Minutes and asked for any additions, deletions or corrections.

**On MOTION by Mr. Gainey and seconded by Mr. Potter, with all in favor, the May 9, 2013 Regular Meeting Minutes, as presented, were approved.**

**SEVENTH ORDER OF BUSINESS**

**Other Business**

Discussion ensued regarding plantings. Mr. Adams indicated that he is comfortable that the water table will remain high and planting can be completed in November and December. Mr. Adams noted that the contractor will be planting the washouts.

In response to a Board Member’s question regarding the LakeMasters contract, Mr. Adams indicated that he will undertake the bidding process. It was noted that LakeMasters’ services have deteriorated.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being no report, the next item followed.

**B. Engineer**

There being no report, the next item followed.

**C. Manager**

**i. Approval of Unaudited Financial Statements as of July 31, 2013**

Mr. Adams presented the Unaudited Financial Statements as of July 31, 2013. He highlighted that assessment collections were at 101%, year-to-date. He noted that the \$5,000 “Developer contribution” was made by TerraCap to pay for the appraisal of the parcel. Referring to the “Appraisal services”, on Page 2, Mr. Adams indicated that the total expenditure was \$7,000, which was equally divided between the Parklands Lee and Parklands West CDDs. He indicated that there will be a return of the difference to TerraCap, subsequent to the sale of the parcel.

**ii. Fiscal Year 2014 Proposed Meeting Schedule**

Mr. Adams presented the Fiscal Year 2014 Proposed Meeting Schedule for the Board’s consideration. He indicated that the schedule was kept virtually the same as the prior year’s schedule.

**On MOTION by Mr. Rupp and seconded by Mr. Gainey, with all in favor, the Fiscal Year 2014 Proposed Meeting Schedule, as presented, and directing Staff to advertise, accordingly, was approved.**

**NINTH ORDER OF BUSINESS**

**Audience  
Requests**

**Comments/Supervisors’**


There being no audience comments or Supervisors’ requests, the next item followed.

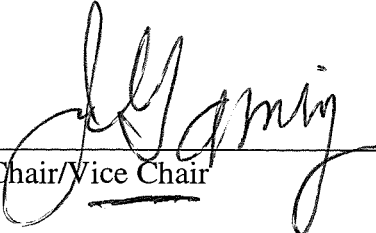
**TENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Gainey and seconded by Mr. Rupp, with all in favor, the meeting adjourned at 1:33 p.m.**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair