

**MINUTES OF MEETING  
VERANDAH WEST  
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Verandah West Community Development District's Board of Supervisors was held on **Wednesday, May 11, 2016 at 1:30 p.m.**, at the **Verandah Sales Office, 11571 Verandah Blvd., Ft. Myers, Florida 33905.**

**Present and constituting a quorum were:**

Jeffrey Jordan	Chair
Susie McIntyre ( <i>via telephone</i> )	Vice Chair
Donald Newman	Assistant Secretary
Paul Zampiceni	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Alyssa Cameron ( <i>via telephone</i> )	Hopping Green & Sams
Dave Robson	District Engineer
Gerry Baldwin	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 1:34 p.m., and noted, for the record, that Supervisors Jordan, Newman, and Zampiceni were present, in person. Supervisor McIntyre was attending via telephone.

**SECOND ORDER OF BUSINESS**

**Public Comments [3 minutes per person]**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Acceptance of Resignation of Supervisor  
Douglas Sinnard [Seat 5, Term Expires  
November, 2016]**

Mr. Adams presented the letter of resignation from Mr. Douglas Sinnard.

**On MOTION by Mr. Jordan and seconded by Mr. Zampiceni, with all in favor, the Resignation of Mr. Douglas Sinnard, dated February 24, 2016, was accepted.**

- **Consideration of Appointment of *Gerry Baldwin* to Fill Unexpired Term**

Mr. Adams stated that, statutorily, the remainder of the Board must appoint a replacement for Seat 5, which expires in November, 2016. Mr. Adams introduced Mr. Gerald Baldwin, a qualified elector, living within the Verandah West CDD.

**On MOTION by Mr. Zampiceni and seconded by Mr. Newman, with all in favor, the appointment of Mr. Gerald Baldwin to Seat 5, term expires November, 2016, was approved.**

- **Administration of Oath of Office (*the following to be provided in a separate package*)**

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Baldwin. Mr. Adams provided and briefly explained 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**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-1, Electing Officers**

Mr. Adams advised that, following an election or appointment, the Board is required to consider the slate of officers. Mr. Adams indicated that, currently, Mr. Jordon serves as Chair, Ms. McIntyre serves as Vice Chair, the remainder of the Board Members serve as Assistant Secretaries, he serves as Secretary and Mr. Wrathell serves as Treasurer and Assistant Secretary.

The Board had the option of electing a new slate of officers or considering the existing slate, and appointing Mr. Baldwin as an Assistant Secretary. Mr. Jordon nominated the existing slate of officers, with Mr. Baldwin serving as the Assistant Secretary.

**On MOTION by Mr. Jordon and seconded by Mr. Newman, with all in favor, Resolution 2016-1, Electing Officers, and nominated, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-2, Approving the District's Proposed Budgets for Fiscal Year 2016/2017 and Setting a Public Hearing Thereon Pursuant to Florida Law; and Providing an Effective Date**

Mr. Adams presented Resolution 2016-2 for the Board's consideration. Each year, the Board is required to approve a proposed budget for the upcoming fiscal year and schedule a Public Hearing for the purpose of final adoption. The Public Hearing was scheduled for August 10, 2016 at 1:30 p.m., at this location. The District Manager would submit a copy of the proposed budget to Lee County, at least 60 days prior to the Public Hearing, and the budget would be posted on the District's website.

Mr. Adams noted no significant changes to the proposed budget, other than a reduction in the overall appropriations. As a result, there was a slight reduction in the assessment amount under the "General Fund", on Page 2. The on-roll assessments, which are typically all residents, decreased from \$218.12 to \$217.78, and the off-roll, direct-billed to the major landowner, decreased from \$204.50 to \$204.20. The difference between the two assessments was the cost of collection; collecting through a property tax bill versus a direct bill. The operating budget is shared with Verandah East CDD, based on the number of rooftops between the two communities that are online and benefiting from the operations of the District.

Mr. Adams referred to the "Debt Service: fund budget, on Pages 12, 13 and 15. The Series 2013 bonds were refinanced and the District realized a significant savings. The bonds are a product of the amortization schedule that outlines the repayment obligation for the annual principal and interest payments.

**On MOTION by Mr. Newman and seconded by Mr. Zampiceni, with all in favor, Resolution 2016-2 Approving the District’s Proposed Budgets for Fiscal Year 2016/2017 and Setting a Public Hearing for August 10, 2016 at 1:30 p.m., at this location, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Award of Contract –  
Lake & Wetland Maintenance**

Mr. Adams stated that the Lake & Wetland Maintenance contract was about to expire and it was time to consider a new contract.

Ms. Crismond explained that the contract would expire at the end of May. Three contractors submitted bids, in response to the Request for Proposals (RFP), based on the contract specifications provided by the District. LakeMasters has been the District’s contractor for many years; their proposal was \$115,164 for the first and second years and their current contract was \$111,535, per year. The slight increase was due to increased labor costs. Mr. Adams noted that, on Page 2, \$116,808 would be changed to \$115,164.

Mr. Jordan asked why there was a huge discrepancy between Lake & Wetland Management, Inc., (Lake & Wetland), and the other two proposals. Ms Crismond surmised that Lake & Wetland was not interested in the project.

Mr. Adams stated that Staff’s recommendation was to award the first year contract to LakeMasters, in the amount of \$115,164.

**On MOTION by Mr. Jordan and seconded by Mr. Newman, with all in favor, awarding the Lake & Wetland Maintenance contract to LakeMasters, for one year, in a not-to-exceed cost of \$115,164, was approved.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-3,  
Placing Special District Candidates on  
General Election Ballot**

Mr. Adams presented Resolution 2016-3 for the Board’s consideration. This resolution places Special District candidates on the General Election Ballot. Seat 1, currently held by Mr. Jordon, Seat 3, currently held by Mr. Newman, and Seat 5, currently held by Mr. Baldwin are up for election. The General Election would be held on November 8, 2016. The qualifying period

for candidates is Noon, June 20, through Noon, June 24, 2016. Interested candidates can pre-qualify as early as June 6, as indicated on the Supervisor of Elections (SOE) website, [www.Leevote.org](http://www.Leevote.org). The District is required to advertise 30 days prior to the qualifying period.

Mr. Jordan asked if interested parties must file applications. Mr. Adams replied yes' the application, Form 1 and \$25 fee must be filed. To wave the \$25 fee, candidates can collect signatures from 20 qualified electors in this District and submit those signatures to the Supervisor of Elections by May 23.

**On MOTION by Mr. Zampiceni and seconded by Mr. Jordan, with all in favor, Resolution 2016-3 Placing Special District Candidates on General Election Ballot, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Discussion: Sediment Discharge Event at 13060 River Bluff Drive and Proposed Settlement Agreement Between SFWMD, CDD and the Builder**

Mr. Adams reported a sedimentation issue at 13060 River Bluff Court and a proposed settlement agreement between South Florida Water Management District (SFWMD), the CDD and Wyman Stokes Builder LLC, (Wyman Stokes), the builder. Mr. Adams recalled a significant amount of rainfall, in January, which resulted in sediment leaving the jobsite and flowing across the District's conservation area, immediately adjacent to the Orange River, which created a build up of sediment in the river. The incident was reported to the Army Corps of Engineers (Corps) and SFWMD. The Corps requested pictures of the event, which were forwarded by the builder. On January 22, 2016, the District was notified of the event via a letter from a SFWMD Environmental Scientist. Lee County was made aware of the incident by Mr. Robson and the County moved quickly to notify Wyman Stokes, issued a \$500 citation and ordered the builder to install a silt erosion barrier fence around the construction site. The property line was also staked.

District Staff met with SFWMD and the Engineer, at the construction site, and it was determined that the heavier bulk material was within the property lines of the site and there were three conservation area signs within 2' to 3' feet of the property line. The District relocated those signs closer to the property line. SFWMD observed that the District had significant vegetation in the conservation area, mostly a saw palmetto type, and asked the District to add

more diversity of vegetation. The District installed four different types of foliage, 25 of each, which added more color to the area. This was the same area where a request for easement to build an observation dock was made and the builder had staked a path to the observation dock.

Mr. Adams stated that, in the notice of violation, SFWMD identified the CDD as the offending owner of the conservation area, not the party who caused the run off that created the issue. A division of District Counsel's firm, who deals with environmental issues, stepped in and brought to SFWMD's attention that the CDD was not the offending party in this incident; the CDD is the owner of the conservation area that the runoff traveled across but had no control over an individual job site. The CDD does not have the power to build, inspect, create or enforce sediment controls on the job site. The CDD requested a settlement agreement with the builder. SFWMD agreed to the CDD's request and levied a fine of \$2,600 in civil penalties and \$2,500 in staff investigative costs and attorney fees and the CDD requested that the builder acknowledge responsibility and pay the SFWMD fine and the CDD's attorney fees incurred during the course of the investigation. Hopping Green made the offer on the District's behalf and, on April 1, SFWMD indicated that they were amenable to the counter offer and would add Wyman Stokes as an additional party to the agreement. Mr. Adams advised that, on April 5, 2016, Wyman Stokes sent an email acknowledging that they were amenable to the counter offer and willing to accept responsibility, as outlined by the CDD.

Mr. Newman stated that, several weeks ago, the Board talked about the 16' x 24' observation dock and asked if it was authorized. Mr. Adams stated it was authorized and the permit was secured. The District acknowledged that, once the observation dock is constructed and surveyed, it would become the legal description for the easement that the Board will grant.

**On MOTION by Mr. Zampiceni and seconded by Mr. Newman, with all in favor, the proposed settlement agreement between South Florida Water Management District, the CDD and the builder, as outlined, and authorizing Staff to finalize the agreement with the South Florida Water Management District, and the Chair and District Manager, as necessary, to execute documents, were approved.**

Mr. Adams presented the October 14, 2015 Regular Meeting Minutes and asked for any additions, deletions or corrections.

**On MOTION by Mr. Jordan and seconded by Mr. Newman, with all in favor, the October 14, 2015 Regular Meeting Minutes, as presented, was approved.**

**TENTH ORDER OF BUSINESS**

**Other Business**

There being no other business, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

There being no report, the next item followed.

**B. District Engineer**

Mr. Jordan reported a significant washout on the fifth hole, going into the lake on the golf course, behind Building 3051, which was getting larger.

Mr. Adams would locate the area on the map following the meeting.

**C. District Manager**

**i. Approval of Unaudited Financial Statements as of March 31, 2016**

Mr. Adams presented the Unaudited Financial Statements as of March 31, 2016. On Page 2, the settlement revenue was related to the conservation area clear out on Cypress Marsh Drive. Engineering was high, to date, due to the clear out of sediment issue. Assessment roll preparation, website and annual district filing fee were one-time expenses. On Page 4, the first interest payment on the Debt Service Fund was made. On May 1, a principal and interest payment was made.

**ii. 770 Registered Voters in District as of April 15, 2016**

Mr. Adams stated that there were 770 registered voters residing within the boundaries of the District as of April 15, 2016.

**iii. NEXT MEETING DATE: August 10, 2016 at 1:30 P.M.**

The next meeting will be held on August 10, 2016 at 1:30 p.m., at this location.

**TWELFTH ORDER OF BUSINESS**

**Supervisors' Requests**

There being no Supervisors' requests, the next item followed.

**THIRTEENTH ORDER OF BUSINESS                      Adjournment**

There being no further business to discuss, the meeting adjourned.

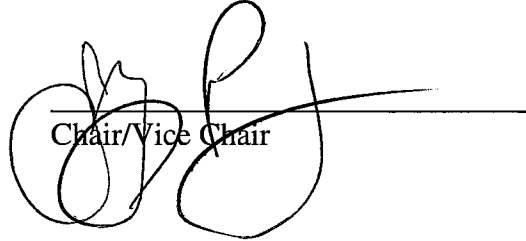
**On MOTION by Mr. Zampiceni and seconded by Mr. Jordan,  
with all in favor, the meeting adjourned at 2:17 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]





Secretary/Assistant Secretary



Chair/Vice Chair