

# BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT

### **LEE COUNTY**

REGULAR BOARD MEETING DECEMBER 13, 2022 1:00 P.M.

> Special District Services, Inc. 27499 Riverview Center Boulevard, #253 Bonita Springs, FL 33134

> > www.delwebboakcreekcdd.org 561.630.4922 Telephone 877.SDS.4922 Toll Free 561.630.4923 Facsimile

#### AGENDA BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT Conference Room of the Offices of Lennar

10461 Ben C. Pratt, Six Mile Cypress Parkway Fort Myers, Florida 33966 REGULAR BOARD MEETING December 13, 2022 1:00 P.M.

A.	Call to Order
B.	Proof of PublicationPage 1
C.	Seat New Board Members
D.	Administer Oath of Office & Review Board Member Responsibilities and Duties
E.	Establish Quorum
F.	Election of Officers
	<ul> <li>Chairman</li> <li>Vice Chairman</li> <li>Secretary/Treasurer</li> <li>Assistant Secretaries</li> </ul>
G.	Additions or Deletions to Agenda
H.	Comments from the Public for Items Not on the Agenda
I.	Approval of Minutes
	1. June 27, 2022 Regular Board Meeting & Public HearingPage 2
	2. October 18, 2022 Special Board MeetingPage 6
J.	Old Business
K.	New Business
	1. Discussion on Hurricane Ian Impacts
	2. Consider Resolution No. 2022-05 – Adopting a Fiscal Year 2021/2022 Amended BudgetPage 8
	3. Consider Approval of Sandhill 2023 ProposalPage 13
	4. Consider Approval of Audit RenewalPage 14
L.	Administrative Matters
	1. Manager's Report
	2. Engineer's Report
M.	Board Members Comments

N. Adjourn

PART OF THE USA TODAY NETWORK Published Daily Naples, FL 34110

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BLUE LAKE COMM. DEVE LOPMENT 2501 BURNS RD # A

PALM BEACH GARDENS, FL 33410-5207

#### Affidavit of Publication

STATE OF WISCONSIN COUNTY OF BROWN

Before the undersigned they serve as the authority, personally appeared said legal clerk who on oath says that he/she serves as Legal Clerk of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida; distributed in Collier and Lee counties of Florida; that the attached copy of the advertising was published in said newspaper on dates listed. Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said

Collier County, Florida; distributed in Collier and Lee counties of Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper issue(s) dated or by publication on the newspaper's website, if authorized, on

Issue(s) dated: 09/30/2022

Subscribed and sworn to before on September 30, 2022:

Notary, State of WI County of Brown

My commission expires

Publication Cost: \$406.00 Ad No: 0005421705 Customer No: 1501703 PO #: FY 22/23

# of Affidavits1

This is not an invoice

#### BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Blue Lake Community Development District will hold Regular Board Meetings in the Conference Room of the offices of Lennar located at 10461 Ben C. Pratt, Six Mile Cypress Parkway, Fort Myers, Florida 33966 at 1:00 p.m. on the following dates:

> October 11, 2022 November 8, 2022 December 13, 2022 January 10, 2023 February 14, 2023 March 14, 2023 April 11, 2023 May 9, 2023 June 13, 2023 July 11, 2023 August 8, 2023 September 12, 2023

The purpose of the meetings is to conduct any business coming The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website or by contacting the District Manager at 239-444-5790 and/or toll free at 1-877-737-4922 prior to the date of the particular meeting.

From time to time one or two Supervisors may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Said meeting(s) may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabiltites Act, any person requiring special accommodations or an in-terpreter to participate at any of these meetings should contact the District Manager at 239-444-5790 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.

BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT

www.bluelakecdd.org Pub Date: Sept. 30, 2022

No. 5421705

NANCY HEYRMAN Notary Public State of Wisconsin

#### BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT PUBLIC HEARING & REGULAR BOARD MEETING JUNE 27, 2022

#### A. CALL TO ORDER

The June 27, 2022, Regular Board Meeting of the Blue Lake Community Development District (the "District") was called to order at 1:00 p.m. in the Conference Room of the Offices of Lennar located at 10461 Ben C. Pratt, Six Mile Cypress Parkway, Fort Myers, Florida 33966.

#### **B. PROOF OF PUBLICATION**

Proof of publication was presented which showed that notice of the Regular Board Meeting had been published in the *Naples Daily News* on October 13, 2021, as part of the District's Fiscal Year 2021/2022 Meeting Schedule, as legally required.

#### C. ESTABLISH A QUORUM

It was determined that the attendance of the following Board Members constituted a quorum:

Chairman	Russell Smith	Absent
Vice Chairman	Tommy Dean	Present
Supervisor	Barry Ernst	Present
Supervisor	Walter Fluegel	Present
Supervisor	Scott Edwards	Absent

Also virtually present were the following Staff Members:

District Manager	Kathleen Meneely	Special District Services, Inc.		
District Counsel	Wes Haber (via phone)	Kutak Rock LLP		
District Engineer	Carl Barraco, Jr.	Barraco and Associates, Inc.		

#### D. ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

#### E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public for items not on the agenda.

#### F. APPROVAL OF MINUTES

#### 1. March 28, 2022, Regular Board Meeting

The March 28, 2022, Regular Board Meeting minutes were presented for consideration.

A **motion** was made by Mr. Fluegel, seconded by Mr. Ernst and passed unanimously approving the minutes of the March 28, 2022, Regular Board Meeting, as presented.

The Regular Board Meeting was then recessed and the Public Hearing was opened.

#### G. PUBLIC HEARING 1. Proof of Publication

Proof of publication was presented which showed that notice of the Public Hearing had been published in the *Naples Daily News* on June 6, 2022, and June 13, 2022, as legally required.

#### 2. Receive Public Comment on Fiscal Year 2022/2023 Final Budget

There was no public comment on the Fiscal Year 2022/2023 Final Budget.

#### 3. Consider Resolution No. 2022-02 – Adopting a Fiscal Year 2022/2023 Final Budget

Resolution No. 2022-02 was presented, entitled:

#### **RESOLUTION 2022-02**

THE ANNUAL APPROPRIATION RESOLUTION OF THE BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT") RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGETS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Mr. Ernst, seconded by Mr. Dean and passed unanimously adopting Resolution No. 2022-02, as presented.

# 4. Consider Resolution No. 2022-03 – Adopting a Fiscal Year 2022/2023 Annual Assessments Roll

Resolution No. 2022-03 was presented, entitled:

#### **RESOLUTION 2022-03**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT AND IMPOSING SPECIAL ASSESSMENTS FOR FISCAL YEAR 2022/2023; PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS, INCLUDING BUT NOT LIMITED TO PENALTIES AND INTEREST THEREON; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Haber noted that the letter to all property owners regarding the increase in assessments had been sent out.

A **motion** was made by Mr. Ernst, seconded by Mr. Dean and passed unanimously adopting Resolution No. 2022-03, as presented.

The Public Hearing was then closed and the Regular Board Meeting was reconvened.

#### H. OLD BUSINESS

There were no Old Business items to come before the Board.

#### I. NEW BUSINESS

#### 1. Consider Resolution No. 2022-04 – Adopting a Fiscal Year 2022/2023 Meeting Schedule

Resolution no. 2022-04 was presented, entitled:

#### **RESOLUTION NO. 2022-04**

#### A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2022/2023 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

Ms. Meneely noted that the schedule presented would switch the meeting to the second Tuesday of each month, beginning in October 2022.

A **motion** was made by Mr. Fluegel, seconded by Mr. Dean and passed unanimously adopting Resolution No. 2022-04, as presented.

#### J. ADMINISTRATIVE MATTERS 1. Manager's Report a. Update on Homeowners' Meeting

Ms. Meneely advised that a meeting had been held with homeowners on May 25, 2022, and was well attended with Messrs. Smith and Barraco also in attendance.

#### 2. Engineer's Update

• Stormwater Needs Analysis

Mr. Barraco indicated that the report had been completed and submitted to the County.

#### • Update on Individual Residential Drainage Issues

#### K. BOARD MEMBER COMMENTS

There were no Board Member comments.

#### L. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Ernst, seconded by Mr. Dean and passed unanimously adjourning the meeting at 1:25 p.m.

ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair

#### BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT SPECIAL BOARD MEETING OCTOBER 18, 2022

#### A. CALL TO ORDER

The October 18, 2022, Special Board Meeting of the Blue Lake Community Development District (the "District") was called to order at 11:00 a.m. in the Conference Room of the Offices of Lennar located at 10461 Ben C. Pratt, Six Mile Cypress Parkway, Fort Myers, Florida 33966.

#### **B. PROOF OF PUBLICATION**

Proof of publication was presented which showed that notice of the Special Board Meeting had been published in the *Naples Daily News* on October 11, 2022, as legally required.

#### C. ESTABLISH A QUORUM

It was determined that the attendance of the following Board Members constituted a quorum:

Chairman	Russell Smith	Absent
Vice Chairman	Tommy Dean	Present
Supervisor	Barry Ernst	Present
Supervisor	Walter Fluegel	Absent
Supervisor	Scott Edwards	Present

Also virtually present were the following Staff Members:

District Manager	Kathleen Meneely	Special District Services, Inc.		
Michelle Krizen		Special District Services, Inc.		
District Counsel	Wes Haber (via phone)	Kutak Rock LLP		
District Engineer	Carl Barraco, Jr.	Barraco and Associates, Inc.		

#### D. ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

#### E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public for items not on the agenda.

#### F. NEW BUSINESS

#### 1. Discussion Regarding Hurricane Ian Damage

Discussion ensued regarding damage still under review in the District. Mr. Haber recommended, since there is an October 28 deadline for filing for FEMA claims, the Board should delegate a Board Member to work with staff to move forward with FEMA action, if it is the best option and the appropriate party. Mr. Haber indicated that Lennar was willing to sign an advanced funding agreement if it is necessary for repairs. Mr. Barraco went over the damage to the retaining wall, lake bank, fence and perimeter berm. A **motion** was made by Mr. Ernst, seconded by Mr. Dean and passed unanimously delegating authority to Scott Edwards to work with staff to take any actions necessary in order to make a claim with FEMA.

#### G. ADMINISTRATIVE MATTERS

Mr. Haber explained that the Board Members were all employed by Lennar and must remember when voting that they can vote for things that are good for Lennar if they are also good for District. All the Board Members acknowledged they were comfortable with this. Mr. Haber will create a memo for the Board Members to sign stating the same.

Kathleen Meneely stated that the next regular meeting as well as the Landowners' Meeting would be held November 8, 2022, at 1:00 p.m. and that there were 3 seats up for election (Russell Smith, Walter Fluegel, Tommy Dean).

#### H. BOARD MEMBER COMMENTS

There were no Board Member comments.

#### I. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Ernst, seconded by Mr. Dean and passed unanimously adjourning the meeting at 11;18 a.m.

ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair

#### **RESOLUTION NO. 2022-05**

#### A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2021/2022 BUDGET ("AMENDED BUDGET"), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Board of Supervisors of the Blue Lake Community Development District ("District") is empowered to provide a funding source and to impose special assessments upon the properties within the District; and,

WHEREAS, the District has prepared for consideration and approval an Amended Budget.

#### NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT, THAT:

Section 1. The Amended Budget for Fiscal Year 2021/2022 attached hereto as Exhibit "A" is hereby approved and adopted.

<u>Section 2</u>. The Secretary/Assistant Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

**PASSED, ADOPTED and EFFECTIVE** this <u>13<sup>th</sup></u> day of <u>December</u>, 2022.

#### ATTEST:

#### BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT

By:\_\_\_\_

By:\_\_\_\_\_

Chairperson/Vice Chairperson

Secretary/Assistant Secretary

# Blue Lake Community Development District

# Amended Final Budget For Fiscal Year 2021/2022 October 1, 2021 - September 30, 2022

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- I AMENDED FINAL OPERATING FUND BUDGET
- II AMENDED FINAL DEBT SERVICE FUND BUDGET

#### AMENDED FINAL BUDGET BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT OPERATING FUND FISCAL YEAR 2021/2022 OCTOBER 1, 2021 - SEPTEMBER 30, 2022

	2	CAL YEAR 021/2022 BUDGET	AMENDED FINAL BUDGET		40	YEAR TO DATE ACTUAL
REVENUES	10/1	/21 - 9/30/22	10/1/21 - 9/30		10	/1/21 - 9/29/22
O & M Assessments		142,830		85,724		85,724
Direct Bill - Debt		0		53,960		53,960
Developer Contribution - O&M		27,500		180,750		167,500
Debt Assessments		663,697		399,964		399,964
Developer Contribution - Debt		0	2	248,290		248,290
Other Revenues		0		0		0
Interest Income		60		90		90
Total Revenues	\$	834,087	\$9	68,778	\$	955,528
EXPENDITURES						
Supervisor Fees		0		0		0
Engineering/Inspections		15,000		29,000		22,634
Mitigation Monitoring		45,000	•	160,000		153,300
Lake Maintenance		30,000		65,000		61,805
Flow Way Inspection Certification		2,500		2,500		0
Management		27,996		27,996		27,996
Legal		15,000		7,000		5,045
Assessment Roll		4,000		4,000		4,000
Audit Fees		3,800		3,800		3,800
Arbitrage Rebate Fee		650		650		650
Insurance		5,900		5,706		5,706
Legal Advertisements		4,000		4,300		3,829
Miscellaneous		1,150		750		283
Postage		300		340		330
Office Supplies		1,300		575		538
Dues & Subscriptions		175		175		175
Trustee Fees		4,050		4,031		4,031
Continuing Disclosure Fee		1,000		1,000		1,000
TOTAL EXPENDITURES	\$	161,821	\$ 3	16,823	\$	295,122
Excess/ (Shortfall)	\$	672,266	\$ 6	51,955	\$	660,406
Bond Payments		(623,875)	(6	32,675)		(632,675)
Balance	\$	48,391	\$	19,280	\$	27,731
County Appraiser & Tax Collector Fee		(16,130)		(620)		(620)
Discounts For Early Payments		(32,261)	(	18,542)		(18,542)
Net Excess/ (Shortfall)	\$	-	\$	118	\$	8,569

FUND BALANCE AS OF 9/30/21	\$16,346
FY 2020/20201 ACTIVITY	\$118
FUND BALANCE AS OF 9/30/22	\$16,464

#### AMENDED FINAL BUDGET BLUE LAKE COMMUNITY DEVELOPMENT DISTRICT DEBT SERVICE FUND FISCAL YEAR 2021/2022 OCTOBER 1, 2021 - SEPTEMBER 30, 2022

		FISCAL YEARAMENDED2021/2022FINALBUDGETBUDGET		YEAR TO DATE ACTUAL		
REVENUES	10/1/	21 - 9/30/22	10/1/21 -	9/30/22	10/1/2	21 - 9/29/22
Interest Income		25		34		34
NAV Tax Collection		623,875		384,385		384,385
Payment By Developer		0		248,290		248,290
Total Revenues	\$	623,900	\$	632,709	\$	632,709
EXPENDITURES						
Principal Payments		195,000		195,000		195,000
Interest Payments		425,575		428,988		428,988
Bond Redemption		3,275		0		0
Transfer To Construction Fund		50		15		15
Total Expenditures	\$	623,900	\$	624,003	\$	624,003
Excess/ (Shortfall)	\$	-	\$	8,706	\$	8,706

FUND BALANCE AS OF 9/30/21	\$533,259
FY 2021/2022 ACTIVITY	\$8,706
FUND BALANCE AS OF 9/30/22	\$541,965

#### Notes

Reserve Fund Balance = \$311,937\*. Revenue Fund Balance = \$230,028\*. Revenue Fund Balance To Be Used To Make 12/15/2022 Interest Payment Of \$211,081. \* Approximate Amounts

#### Series 2019 Bond Information

Original Par Amount =	\$10,400,000	Annual Principal Payments Due:
Interest Rate =	3.50% - 4.5%	June 15th
Issue Date =	May 2019	Annual Interest Payments Due:
Maturity Date =	June 2049	June 15th & December 15th
Par Amount As Of 9/30/22 =	\$9,830,000	

### **SANDHILL** Grow-Enhance-Restore

Sandhill Environmental Services, LLC 5980 SE County Road 760 Arcadia, Fl 34266

#### Prepared by:

Lauren Edinger Mobile | 863-990-9260 Office | 863-494-9737 Fax | 863-494-1364 LEdinger@SandhillGrowers.com

### Proposal

Date	Estimate #
12/6/2022	2914

#### Prepared for:

Blue Lake Community Development District c/o Special Services District 2501A Burns Road Palm Beach Gardens, FL 33410

		Te	erms	Pr	oject
		Due Upon Completion		Vist	a Blue
Item	Description		Qty	Cost	Total
	2022-2023 Vista Blue Mitigation Area I Exot Maintenance	lic			
Maintenance	Mar/Apr 2023: One treatment of Category Florida Invasive Species Council (FISC-liste vegetation and dog fennel within Mitigati (112.74± acres).	d) exotic	1	23,200.00	23,200.00
	2022-2023 Vista Blue Mitigation Area J Exo Maintenance	tic			
Maintenance	Dec 2022/Jan 2023: One treatment of Ca and 2 FISC-listed exotic vegetation and de within Mitigation Area J (186.11± acres).		1	39,800.00	39,800.00
Maintenance	One-time treatment of vines on wildlife fer within Vista Blue bordering Mitigation Area be completed in conjunction with any on maintenance event within the preserves ( Vines shall be killed in-place. Proposal doe include removal/disposal of treated vines	as I and J to le above). es not	1	2,800.00	2,800.00
	Services, LLC is hereby authorized to perform and/or the named entity to pay in full.	supply the abov	ve work	Total	\$65,800.00

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

#### Specializing In

Natural Areas Weed Management • Nuisance & Exotic Species Removal Lake/Littoral Shelf Plant Installation • Wetland & Upland Restoration Planting December 13, 2022

RE: Blue Lake Community Development District Auditor Renewal

At the October 28, 2019 Blue Lake Community Development District Board Of Supervisors meeting, the firm of Grau & Associates was selected to perform the 9-30-2019, 9-30-2020 and 9-30-2021 year end audits of the District with an option to perform the 9-30-2022 and 9-30-2023 audits.

The fees for the 9-30-2019 audit were \$3,600. The fees for the 9-30-2020 audit were \$3,700. And the fees for the 9-30-2021 audit were \$3,800. The proposed fees for the 9-30-2022 audit is \$3,900, which is the budgeted amount for audit fees for Fiscal Year 2022/2023. The proposed fee for the 9-30-2023 audit is \$4,000.

Management is pleased with the professionalism and the competence of the Grau & Associates partners and staff; therefore, management recommends that the Board approve the renewal option for the Fiscal Year Ending 9-30-2022 and 9-30-2023 audits for Grau & Associates.

Special District Services, Inc.