

**MINUTES OF MEETING
RESERVE AT VAN OAKS
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Reserve at Van Oaks Community Development District held a Regular Meeting on February 6, 2023 at 1:00 p.m., at the Holiday Inn Express & Suites Lakeland North I-4, 4500 Lakeland Park Drive, Lakeland, Florida 33809.

Present at the meeting:

Garth Noble	Chair
Martha Schiffer	Vice Chair
Chris Torres	Assistant Secretary
Edmond Rakipi (via telephone)	Assistant Secretary

Also present were:

Kristen Suit	District Manager
Jere Earlywine	District Counsel
Meredith Hammock (via telephone)	KE Law Group
Eric Warren (via telephone)	District Engineer
Dean Garrow	Home River Property Management
Jose Ponton (via telephone)	Home River Property Management

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Suit called the meeting to order at 1:03 p.m. Supervisors Noble, Schiffer and Torres were present. Supervisor Rakipi attended via telephone. Supervisor Tomberlin was not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

**Acceptance of Resignation of Supervisor
Jerry Tomberlin [SEAT 1]; *Term Expires
November 2026***

Ms. Suit presented Mr. Jerry Tomberlin's resignation.

On MOTION by Mr. Noble and seconded by Mr. Torres, with all in favor, the resignation of Mr. Jerry Tomberlin, dated December 14, 2022, was accepted.

- A. Administration of Oath of Office to Newly Appointed Supervisor (the following will be provided in a separate package)**
 - I. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
 - II. Membership, Obligations and Responsibilities**
 - III. Financial Disclosure Forms**
 - a. Form 1: Statement of Financial Interests**
 - b. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - c. Form 1F: Final Statement of Financial Interests**
 - IV. Form 8B: Memorandum of Voting Conflict**
- B. Consideration of Resolution 2023-01, Designating Certain Officers of the District, and Providing for an Effective Date**

These items were deferred.

FIFTH ORDER OF BUSINESS

Discussion: Amenity Rules and Policies

Ms. Suit presented the Amenity Rules and Policies.

Mr. Earlywine discussed the following parts of the Amenity Rules:

Part 1: Amenity Operating Rules, including a Consent and Waiver Agreement

Part 2: Rule for Amenities Rates

Part 3: Disciplinary and Enforcement Rule

Discussion ensued regarding policy modifications for rentals, on-site staff, Americans with Disabilities Act (ADA) chairlift compliance, pool, non-resident annual user fee, trespass resolution and key fobs.

Ms. Suit stated that the per unit operation and maintenance (O&M) assessment is \$1,306.55.

Mr. Earlywine will make the changes discussed and email the final version to Ms. Suit and the Board.

On MOTION by Ms. Schiffer and seconded by Mr. Torres, with all in favor, setting a Public Hearing to adopt the Amenity Rules and Policies for May 1, 2023 at the Holiday Inn Express & Suites Lakeland North I-4, 4500 Lakeland Park Drive, Lakeland, Florida 33809, and setting forth the Rules and Policies, on an interim basis, effective immediately, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2023-02, Authorizing Trespass Enforcement and the Issuance of Correspondence Regarding the Same; Providing a Severability Clause; and Providing an Effective Date

Ms. Suit presented Resolution 2023-02 and read the title.

Mr. Earlywine stated, if there is no on-site staff at the CDD, a resolution is adopted oftentimes authorizing the District Manager to contact local law enforcement regarding trespassers. This Resolution will be attached to the Amenity Rules and sent to the Sheriff’s Office for enforcement within the CDD. In addition to Ms. Suit, the Resolution will be amended to identify Mr. Garrow, Mr. Ponton and Envera representatives as Authorized Representatives of the CDD for the purposes of this matter.

On MOTION by Ms. Schiffer and seconded by Mr. Torres, with all in favor, Resolution 2023-02, as amended and in substantial form, Authorizing Trespass Enforcement and the Issuance of Correspondence Regarding the Same; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Ratification of Tree Farm 2, Inc., D/B/A Cornerstone Solutions Group, Landscape Services Agreement

Ms. Suit presented the Tree Farm 2, Inc., D/B/A Cornerstone Solutions Group, Landscape Services Agreement, which was previously-executed.

On MOTION by Ms. Schiffer and seconded by Mr. Torres, with all in favor, the Tree Farm 2, Inc., D/B/A Cornerstone Solutions Group, Landscape Services Agreement, was ratified.

EIGHTH ORDER OF BUSINESS

Consideration of Envera Services Agreement

Ms. Suit presented the Envera Services Agreement, which was executed by Ms. Schiffer on the behalf of the CDD.

On MOTION by Mr. Noble and seconded by Mr. Torres, with all in favor, the Envera Services Agreement, was approved.

NINTH ORDER OF BUSINESS

Consideration of Letter Agreement for Acquisition of Reserve at Van Oaks Phase 1 Improvements and Work Product

Mr. Earlywine presented the Letter Agreement for Acquisition of Reserve at Van Oaks Phase 1 Improvements and Work Product. He recommended approval in substantial form and in the amount set forth in the Engineer’s Report.

On MOTION by Ms. Schiffer and seconded by Mr. Torres, with all in favor, the Letter Agreement for Acquisition of Reserve at Van Oaks Phase 1 Improvements and Work Product, in substantial form, in the amount set forth in the Engineer’s Report, was approved.

TENTH ORDER OF BUSINESS

Ratification of Quit Claim Deed with Grant and Reservation of Easements (Phase 1)

Mr. Earlywine presented the Quit Claim Deed with Grant and Reservation of Easements, which was previously executed by Mr. Torres.

On MOTION by Mr. Noble and seconded by Mr. Torres, with all in favor, the Quit Claim Deed with Grant and Reservation of Easements for Phase 1, was ratified.

ELEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-03, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date

Ms. Suit presented Resolution 2023-03.

On MOTION by Mr. Noble and seconded by Ms. Schiffer, with all in favor, Resolution 2023-03, Designating 1049 Oak Valley Drive, Auburndale, Florida 33823, as the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date, was adopted.

TWELFTH ORDER OF BUSINESS

Ratification of CSS Clean Star Services of Central Florida, Inc., Agreement for Janitorial Maintenance Services

Ms. Suit presented the CSS Clean Star Services of Central Florida, Inc., Agreement for Janitorial Maintenance Services, which was previously executed by the Vice Chair.

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, the CSS Clean Star Services of Central Florida, Inc., Agreement for Janitorial Maintenance Services, was ratified.

THIRTEENTH ORDER OF BUSINESS

Ratification of McDonnell Corporation D/B/A Resort Pool Services, Agreement for Pool Maintenance Services

Ms. Suit presented the McDonnell Corporation, D/B/A Resort Pool Services, Agreement for Pool Maintenance Services, which was previously executed.

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, the McDonnell Corporation, D/B/A Resort Pool Services, Agreement for Pool Maintenance Services, was ratified.

FOURTEENTH ORDER OF BUSINESS

Consideration of Responses to Request for Qualifications (RFQ) for Engineering Services

- A. Affidavit of Publication**
- B. RFQ Package**
- C. Respondent: Poulos & Bennett, LLC**

These items were included for informational purposes.

D. Competitive Selection Criteria/Ranking

Ms. Suit stated, since there was only one respondent, the Board can collectively rank Poulos & Bennett, LLC as the #1 ranked respondent.

E. Award of Contract

On MOTION by Mr. Noble and seconded by Mr. Torres, with all in favor, ranking Poulos & Bennett, LLC, the sole respondent to the Request for Qualifications for Engineering Services, as the #1 ranked respondent and awarding the Engineering Services Contract to Poulos & Bennett, LLC, the #1 ranked respondent and authorizing District Staff to negotiate a form of contract, was approved.

FIFTEENTH ORDER OF BUSINESS

Consideration of Responses to Request for Proposals (RFP) for Annual Audit Services

A. Affidavit of Publication

B. RFP Package

C. Respondent: Berger, Toombs, Elam, Gaines & Frank

These items were included for informational purposes.

D. Auditor Evaluation Matrix/Ranking

Ms. Suit reviewed the fee schedule and noted, since there was only one respondent, the Board can collectively rank Berger, Toombs, Elam, Gaines & Frank (BTEGF) the #1 ranked respondent.

E. Award of Contract

Asked if District Staff reviewed the Proposal for Audit Services, Ms. Suit stated BTEGF performs very well and has consistently completed audits on time.

On MOTION by Ms. Schiffer and seconded by Mr. Noble, with all in favor, ranking Berger, Toombs, Elam, Gaines & Frank, the sole respondent to the Request for Proposals for Annual Audit Services, as the #1 ranked respondent and awarding the Audit Services Contract to Berger, Toombs, Elam, Gaines & Frank, the #1 ranked respondent and authorizing a form of contract, was approved.

SIXTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2022

On MOTION by Ms. Schiffer and seconded by Mr. Torres, with all in favor, the Unaudited Financial Statements as of December 31, 2022, were accepted.

On MOTION by Ms. Schiffer and seconded by Mr. Torres, with all in favor, the September 21, 2022 Public Hearing and Regular Meeting Minutes, as presented, were approved.

EIGHTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *KE Law Group, PLLC*

There was no report.

Discussion ensued the regarding Phase 2 construction timing, number of units, assessments, bond issuance and the Phase 1 closing.

B. District Engineer (Interim): *Poulos & Bennett, LLC*

There was no report.

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

- **NEXT MEETING DATE: March 6, 2023 at 1:00 PM**
 - **QUORUM CHECK**

The March 6, 2023 meeting was cancelled. The proposed Fiscal Year 2024 budget, appointment to fill Seat 1, adoption of Resolution 2023-01 Designating officers of the CDD and the Public Hearing to adopt the Amenity Rules and Policies will be addressed.

NINETEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Ms. Schiffer asked when should Seat 1 be filled. Ms. Suit stated when the Board is ready.

TWENTIETH ORDER OF BUSINESS

Public Comments

There were no public comments.

TWENTY-FIRST ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Noble and seconded by Ms. Schiffer, with all in favor, the meeting adjourned at 1:41 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair