

**MINUTES OF MEETING
ARBORS
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Arbors Community Development District held Public Hearings and a Regular Meeting on July 9, 2024 at 1:00 p.m., at the Arbors Amenity Center, 12520 Russian Olive Road, Jacksonville, Florida 32218.

Present were:

Sarah Wicker	Chair
Christopher Williams	Vice Chair
Heather Allen	Assistant Secretary
James Teagle	Assistant Secretary

Also present:

Ernesto Torres	District Manager
Katie Buchanan (via telephone)	District Counsel
Vince Dunn (via telephone)	District Engineer
Tony Shiver	Amenity Manager
Beth Grossman	Forestar
Several residents	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Torres called the meeting to order at 1:00 p.m.

Supervisors Wicker, Williams, Allen and Teagle were present. Supervisor Denton was not present.

SECOND ORDER OF BUSINESS

Public Comments

Mr. Torres explained the protocols for public comments and how the meeting will be conducted.

No members of the public spoke.

THIRD ORDER OF BUSINESS**Public Hearing on Adoption of Fiscal Year
2024/2025 Budget****A. Affidavit of Publication**

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2024-11, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Torres reviewed the proposed Fiscal Year 2025 budget, including any line item increases, total operation and maintenance (O&M) expenditures, debt service payments, amortization table and on-roll and off-roll assessment amounts.

On MOTION by Ms. Allen and seconded by Ms. Wicker, with all in favor, the Public Hearing was opened.

A resident asked who selected the Board and voiced his disapproval of the proposed Fiscal Year 2025 budget and of the maintenance staff.

Mr. Torres stated this Board is elected/appointed by the Developer. Mr. Teagle stated the Board will talk to the Facility Manager about how the facility is being maintained.

A resident asked about the HOA. He questioned the different fees and the increases and stated he has never been in a situation where there are three expenditures going on. Ms. Wicker explained the difference between the Arbors HOA and the Arbors CDD and stated property owners pay two entities, not three. The CDD facilitates the bond debt service assessment and the operations and maintenance (O&M) expenses. This information should have been on the title documents that are executed at the closing. Regarding the increases, Mr. Torres stated the amenity center was not budgeted for last year because it was not opened yet. There was an increase in field operations for the landscaping; these two significant increases are the reason for the budget increase.

A resident questioned the increase in the landscape and maintenance budget from \$60,000 to \$100,000 and “Repairs and maintenance” at \$50,000, voiced their opinion that the landscape company is not maintaining the retention ponds, asked if another fountain will be installed and asked about aquatic maintenance, special events and where the funds from amenity center rentals are applied. Mr. Shiver stated he recently photographed the ponds, sent the photos to the Regional Manager and followed up with the Account Manager. He stated that one fountain will be installed and the aquatics are treated monthly. Mr. Torres stated the “Repairs and maintenance” allotment is used to facilitate required repairs to the facility, the fountain, monuments, sprayers or street signs and income from amenity center rentals goes into the General Fund/CDD budget.

Resident Stephanie Tolliver asked about the janitorial services cleaning schedule and if the “Special events” line item is only for Christmas decorations. Mr. Shiver stated the amenity center restrooms are cleaned on Monday, Wednesday, Friday and on weekends and the \$3,000 allocated for special events is to be determined.

The Board and Staff responded to questions regarding who determines/plans the special events, the fiscal year, the Fiscal Year 2024 budget, landscaping, un-mowed areas, the amenity center, if an additional pool and pickleball courts will be constructed, if resident input/feedback will be considered regarding amenities, the significant increase in assessments, if CDD assessments will decrease as more homes are sold and if Board meetings will always be held during the day when most residents are at work.

Asked if assessments will keep increasing and become unsustainable, Mr. Torres stated the Debt Service amount is fixed but the O&M has a tendency to have slight increases, over time, depending on increases in expenses, necessary repairs, additional services/staffing, etc.

A resident voiced his opinion that the \$700 assessment is shocking, disturbing and negatively impacts all property owners, especially those who are retired and on fixed incomes.

A Board Member stated the Board understands the concerns about the increase and that the Fiscal Year 2024 budget was less because the facilities were not yet completed. Ms. Buchanan explained that the property must provide a benefit in order to assess property owners so, essentially, since the amenity center did not exist before, it was not providing a

benefit at the time that the Fiscal Year 2024 budget was adopted. In her experience, there is always an increase in assessments in the first year post-construction, as the amenities come online and, in time, the assessments will stabilize.

Resident Danita Beckwith asked for the CDD assessments for Fiscal Year 2024 and what property owners will pay in Fiscal Year 2025. Mr. Torres referred to Page 8 of the proposed Fiscal Year 2025 budget and reviewed the on-roll and off-roll assessment comparisons.

Ms. Tolliver asked about the "Unassigned" funds on Page 2. Mr. Torres stated that the \$92,895 is the fund balance as of March 31, 2024, when the actual document was prepared; it was the amount in the CDD's accounts to pay monthly bills. Ms. Buchanan explained that the fiscal year ends on September 30 and the assessments collected via the tax bills do not start getting paid until November or December. The CDD must have sufficient funds to cover the gap from the end of September through December so the unassigned funds are used to pay the operating expenses until revenues are received. Mr. Torres stated the current ending fund balance is \$91,218.

On MOTION by Ms. Allen and seconded by Ms. Wicker, with all in favor, the Public Hearing was closed.

Mr. Torres presented Resolution 2024-11 and read the title.

On MOTION by Ms. Wicker and seconded by Mr. Williams, with all in favor, Resolution 2024-11, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2024/2025, Pursuant to Florida Law

A. Proof/Affidavit of Publication

B. Mailed Notice(s) to Property Owners

These items were included for informational purposes.

C. Consideration of Resolution 2024-12, Providing for Funding for the FY 2025 Adopted Budget(s); 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. Torres presented Resolution 2024-12, which accomplishes the following:

- Approves the assessment roll for the on-roll assessments.
- Provides a schedule of payments for the off-roll assessments, outlined in Paragraph 4B, and provides the due dates for when those payments will be collected, which are December 1, 2024, February 1, 2025 and May 1, 2025.

On MOTION by Mr. Teagle and seconded by Ms. Wicker, with all in favor, the Public Hearing was opened.

Ms. Buchanan explained the difference between the off-roll and on-roll assessments.

No affected property owners or members of the public spoke.

On MOTION by Mr. Teagle and seconded by Ms. Wicker, with all in favor, the Public Hearing was closed.

On MOTION by Ms. Wicker and seconded by Mr. Teagle, with all in favor, Resolution 2024-12, Providing for Funding for the FY 2025 Adopted Budget(s); 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, was adopted.

FIFTH ORDER OF BUSINESS

Public Hearing to Hear Public Comments and Objections to the Adoption of the Amenity Facilities Rules, Policies and Fees

Pursuant to Sections 120.54 and 190.035,
Florida Statutes

- A. **Affidavits of Publication**
- B. **Consideration of Resolution 2024-13, Adopting Amenity Facilities Policies, Rates, and Fees; Providing for Severability Clause and an Effective Date**

Mr. Torres presented Resolution 2024-12 and presented the Amenity Rules, Policies and Fees.

On MOTION by Ms. Allen and seconded by Mr. Teagle, with all in favor, the Public Hearing was opened.

In response to a resident's question, Mr. Torres explained that the District must approve certain rules, which detail use of the pool and the fitness center, age restrictions for those amenities, fishing and lake policies, a guest policy, renter's provisions, general swimming pool rules related to the facility only and rule enforcement. The document is posted on the CDD website and is a living document that can be adjusted at any time by the Board if necessary.

Ms. Tolliver asked for an explanation of the rates and if the pool is accessible to renters in a nearby community. A Board Member stated there is a non-resident user fee that the Board is obligated to establish. Mr. Torres stated, by law, the CDD must offer amenity access to the public because bond funds were used to construct the facilities but the CDD can establish a user fee; the user fee for non-residents is \$4,000.

The Board and Staff responded to questions regarding published notices, food trucks, indemnity insurance, overnight parking, fireworks, grills, the lap pool, athletic field and the fishing policy.

A resident suggested reducing the "Amenity Room Rental fee (up to 50 guests)" fee on Page 17 from \$250 to \$100. The Board agreed to reduce the fee. Mr. Torres stated Staff will adjust the rental rate as stated.

On MOTION by Ms. Wicker and seconded by Ms. Allen, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Williams and seconded by Mr. Teagle, with all in favor, Resolution 2024-13, Adopting Amenity Facilities Policies, Rates, and Fees, as amended; Providing for Severability Clause and an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS**Presentation of Audited Financial Report
for the Fiscal Year Ended September 30,
2023, Prepared by Grau & Associates**

Mr. Torres presented the Audited Financial Report for the Fiscal Year Ended September 30, 2023 and noted the pertinent information. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit.

SEVENTH ORDER OF BUSINESS**Consideration of Resolution 2024-14,
Hereby Accepting the Audited Annual
Financial Report for the Fiscal Year Ended
September 30, 2023**

Mr. Torres presented Resolution 2024-14.

On MOTION by Mr. Williams and seconded by Mr. Teagle, with all in favor, Resolution 2024-14, Hereby Accepting the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2023, was adopted.

EIGHTH ORDER OF BUSINESS**Presentation of Special Warranty Deed
[Phase 1A, 1B, 3A, 3B and 4A]**

Mr. Torres presented the Special Warranty Deed between the CDD and Forestar (USA) Real Estate Group Inc. for phases 1A, 1B, 3A and 4A.

Ms. Buchanan stated this is a warranty deed, which essentially completes the turnover process in connection with the common areas that were initially owned by the Developer, improved upon by the CDD or the Developer and are intended to be owned by the CDD.

On MOTION by Ms. Wicker and seconded by Mr. Teagle, with all in favor, the Special Warranty Deed between the CDD and Forestar (USA) Real Estate Group Inc. for Phases 1A, 1B, 3A and 4A, was approved.

NINTH ORDER OF BUSINESS**Acceptance of Unaudited Financial
Statements as of May 31, 2024**

On MOTION by Ms. Wicker and seconded by Mr. Teagle, with all in favor, the Unaudited Financial Statements as of May 31, 2024, were accepted.

TENTH ORDER OF BUSINESS**Approval of June 3, 2024 Regular Meeting
Minutes**

The following change was made:

Line 23: Change "Heather Brady" to "Beth Grossman"

On MOTION by Ms. Allen and seconded by Mr. Teagle, with all in favor, the June 3, 2024 Regular Meeting Minutes, as amended, were approved.

ELEVENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: Kutak Rock LLP**

Ms. Buchanan stated the City of Jacksonville approved adding additional lands to the CDD's boundaries and Staff completed the process. The CDD is currently larger than it was and an ordinance was executed and returned to the CDD.

B. District Engineer: Dunn & Associates, Inc.

There was no report.

C. Field and Amenity Manager: First Coast Management Services

Mr. Shiver reported the following:

- The lake banks are a major issue. He is meeting with the Regional Manager in the coming week and expects to have resolution.

➤ There have been several warranty issues. He has been working with the contractors to make the necessary repairs.

Mr. Shiver responded to a question about closing the facility in case of a storm.

D. District Manager: Wrathell, Hunt and Associates, LLC

- **76 Registered Voters in District as of April 15, 2024**
- **NEXT MEETING DATE: August 6, 2024 at 1:00 PM**
 - **QUORUM CHECK**

Ms. Buchanan noting that, if there are no open items, it is cost-effective to cancel meetings. Property owners/residents do not have to wait until a meeting to register complaints or concerns; they can contact Mr. Shiver or Mr. Torres between meetings.

TWELFTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

THIRTEENTH ORDER OF BUSINESS

Public Comments

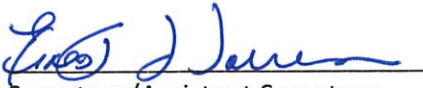
Mr. Torres responded to questions regarding when meeting minutes are posted on the CDDs website, if residents can participate in meetings via Zoom, internet installation in the amenity center and adjusting the meeting schedule.

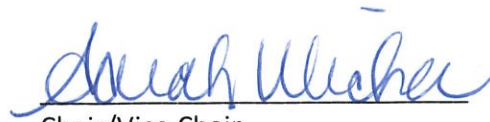
FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Wicker and seconded by Mr. Williams, with all in favor, the meeting adjourned at 2:30 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair