

**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 November 12, 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
Mikel Denton	Assistant Secretary
James Teagle	Assistant Secretary

Also present:

Ernesto Torres	District Manager
Katie Buchanan	District Counsel
Vince Dunn (via telephone)	District Engineer
Tony Shiver	Amenity Manager
Sergio Trebion	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Wicker called the meeting to order at 1:00 p.m. Supervisors Wicker and Denton along with Supervisors-Elect Williams, Teagle and Allen were present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisors (James Teagle - Seat 3, Heather Allen - Seat 4, Christopher Williams - Seat 5) (the following to be provided under a separate cover)

Mr. Torres, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Teagle, Ms. Allen and Mr. Williams. All were already familiar with the following:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**

C. Sample Form 1: Statement of Financial Interests/Instructions**D. Form 8B – Memorandum of Voting Conflict****FOURTH ORDER OF BUSINESS****Consideration of Resolution 2025-01, Canvassing and Certifying the Results of the Landowners' Election of Supervisors held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date**

Mr. Torres presented Resolution 2025-01 and recapped the results of the Landowners' Election as follows:

Seat 3	James Teagle	350 votes	4-Year Term
Seat 4	Heather Allen	350 votes	4-Year Term
Seat 5	Christopher Williams	300 votes	2-Year Term

On MOTION by Ms. Wicker and seconded by Mr. Teagle, with all in favor, Resolution 2025-01, Canvassing and Certifying the Results of the Landowners' Election of Supervisors held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS**Consideration of Resolution 2025-02, Electing and Removing Officers of the District and Providing for an Effective Date**

Mr. Torres presented Resolution 2024-02. Mr. Teagle nominated the following:

Sarah Wicker	Chair
Christopher William	Vice Chair
James Teagle	Assistant Secretary
Heather Allen	Assistant Secretary
Mikel Denton	Assistant Secretary

The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell	Secretary
Ernesto Torres	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

On MOTION by Mr. Teagle and seconded by Ms. Wicker, with all in favor, Resolution 2025-02, Electing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date

- A. Affidavit/Proof of Publication**
- B. Consideration of Resolution 2025-03, Expressing Its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Arbors Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

This item was presented following the Seventh Order of Business.

SEVENTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements

- A. Affidavit/Proof of Publication**
- B. Mailed Notice to Property Owner(s)**
These items were included for informational purposes.
- C. First Supplemental Engineer's Report (for informational purposes)**

- D. Final Second Supplemental Special Assessment Methodology Report (for informational purposes)
- E. Consideration of Resolution 2025-04, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190 and 197, Florida Statutes; Confirming the District's Intention to Issue Capital Improvement Revenue Bonds; Making Provisions for Transfers of Real Property to Homeowners Associations, Property Owners Association and/or Governmental Entities; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date

Ms. Buchanan presented Resolution 2025-04. This officially levies the special assessments on Phases 5 and 6, only; it does not impact any other lands within the CDD.

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

- Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.

Mr. Trebion asked for the District Manager's name, title and employer. He voiced his frustrations and expressed his opinion that, although what is happening is legal, it is not ethical.

Mr. Torres stated he will provide his contact information at the end of the meeting.

The following questions were asked and answered:

Ms. Buchanan: Regarding the Capital Improvement Plan (CIP), do you believe that the costs estimates are reasonable and proper?

Mr. Dunn: Yes, I do.

Ms. Buchanan: Do you have any reason to believe the project cannot be carried out?

Mr. Dunn: All approvals are in place and construction is almost complete.

Ms. Buchanan: Ernesto, do you believe the assessments are reasonably apportioned among the lands?

Mr. Torres: Yes.

Ms. Buchanan: Do you believe the lands receive special benefit from the District's Improvement Plan?

Mr. Torres: Yes.

Ms. Buchanan: Do you believe that the benefits will be equal to or in excess of the special assessments based on the Methodology adopted?

Mr. Torres: Yes.

- **Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.**

Ms. Buchanan stated, based on the information from Staff, the lack of audience comments about the Methodology and the Board's prior consensus that it is not inclined to make any adjustments, it is appropriate to close the public hearing and adopt the resolution.

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

On MOTION by Ms. Allen and seconded by Mr. Williams, with all in favor, Resolution 2025-04, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190 and 197, Florida Statutes; Confirming the District's Intention to Issue Capital Improvement Revenue Bonds; Making Provisions for Transfers of Real Property to Homeowners Associations, Property Owners Association and/or Governmental Entities; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date , was adopted.
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- **Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date**

This item, previously the Sixth Order of Business, was presented out of order.

- A. Affidavit/Proof of Publication
- B. Consideration of Resolution 2025-03, Expressing Its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Arbors Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

Ms. Buchanan presented Resolution 2025-03.

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

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 2025-03, Expressing Its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Arbors Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2025-05, Setting Forth the Specific Terms of the Arbors Community Development District Capital Improvement Revenue Bonds, Series 2024 (2024 Project Area); Confirming the District's Provision of the Series 2024 Project and Adopting an Engineer's Report; Confirming and Adopting a Supplemental Assessment Report; Confirming, Allocating and Authorizing the Collection of Special Assessments Securing Series 2024 Bonds; Providing for the Application of True-Up Payments; Providing for the Supplement to the Improvement Lien Book; Providing for the Recording of a Notice of Series 2024 Special Assessments; Providing for

Conflicts, Severability and an Effective Date

Ms. Buchanan presented Resolution 2024-05, which essentially incorporates the terms of the bonds and establishes the Debt Service Schedule.

On MOTION by Mr. Williams and seconded by Ms. Wicker, with all in favor, Resolution 2025-05, Setting Forth the Specific Terms of the Arbors Community Development District Capital Improvement Revenue Bonds, Series 2024 (2024 Project Area); Confirming the District's Provision of the Series 2024 Project and Adopting an Engineer's Report; Confirming and Adopting a Supplemental Assessment Report; Confirming, Allocating and Authorizing the Collection of Special Assessments Securing Series 2024 Bonds; Providing for the Application of True-Up Payments; Providing for the Supplement to the Improvement Lien Book; Providing for the Recording of a Notice of Series 2024 Special Assessments; Providing for Conflicts, Severability and an Effective Date, was adopted.

NINTH ORDER OF BUSINESS**Consideration of Developer Ancillary Agreements**

Ms. Buchanan presented the following:

- A. Acquisition Agreement**
- B. Collateral Assignment**
- C. Completion Agreement**
- D. Declaration of Consent to Jurisdiction**
- E. True-Up Agreement**

On MOTION by Ms. Allen and seconded by Ms. Wicker, with all in favor, the Acquisition Agreement, Collateral Assignment, Completion Agreement, Declaration of Consent to Jurisdiction and True-Up Agreement, were approved.

TENTH ORDER OF BUSINESS**Consideration of BrightView Landscape Services Proposal for Extra Work [Arbors CDD: 12640 Cacao Tree Trail Washout Repair]**

Mr. Torres presented the BrightView Landscape Services Proposal for Extra Work for the 12640 Cacao Tree Trail Washout Repair. This item was previously approved and should be for ratification, not consideration.

On MOTION by Ms. Wicker and seconded by Mr. Williams, with all in favor, the BrightView Landscape Services Proposal for Extra Work for the 12640 Cacao Tree Trail Washout Repair, was ratified.

ELEVENTH ORDER OF BUSINESS**Acceptance of Unaudited Financial Statements as of September 30, 2024**

On MOTION by Ms. Wicker and seconded by Mr. Teagle, with all in favor, the Unaudited Financial Statements as of September 30, 2024, were accepted.

TWELFTH ORDER OF BUSINESS**Approval of September 30, 2024 Special Meeting Minutes**

On MOTION by Mr. Teagle and seconded by Ms. Wicker, with all in favor, the September 30, 2024 Special Meeting Minutes, as presented, were approved.

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

Ms. Buchanan stated, as a follow up to the bond issuance, the Board must approve the assignment of a construction contract to the CDD to allow it to use the bond proceeds and acquire the improvements completed to date and, further, to pay the contract as it progresses. Mr. Williams confirmed that the contract is with Florida Roads, in the amount of \$14,608,295. Asked how much was expended to date, Mr. Williams stated \$7 million. Ms. Buchanan described the standard Acquisition Packet and suggested the Board authorize an Assignment Contract from the Developer to the CDD.

On MOTION by Ms. Wicker and seconded by Mr. Teagle, with all in favor, authorizing assigning the Construction Contract with Florida Roads, in the amount of \$14,608,295, to the CDD from the Developer, was approved.

Ms. Buchanan stated, since at least \$7 million was expended on public improvements under that Contract, Staff recommends authorizing a requisition in an amount not to exceed \$7 million, contingent on review and approval by the District Engineer.

On MOTION by Ms. Allen and seconded by Ms. Wicker, with all in favor, authorizing a Requisition in a not to exceed amount of \$7 million, contingent on review and approval by the District Engineer, was approved.

B. District Engineer: Dunn & Associates, Inc.

Mr. Dunn will coordinate with Staff and District Counsel on the requisitions.

C. Field and Amenity Manager: First Coast Management Services

Mr. Shiver reported that Staff is facilitating repairs to a cracked pump near the entrance and the splashpad. The chemical pump for the splashpad should cost about \$800 and the damaged pump in the front entails plumbing work.

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

Mr. Torres stated the meeting schedule will be amended at the next meeting.

- **NEXT MEETING DATE: January 6, 2025 at 9:00 AM**
 - **QUORUM CHECK**

FOURTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

FIFTEENTH ORDER OF BUSINESS

Public Comments

Mr. Trebion voiced his dissatisfaction with the CDD and janitorial staff and Clubhouse rentals. He questioned how District funds are expended.

Discussion ensued regarding Clubhouse maintenance, Clubhouse rental deposits and the Amenity Rules and Regulations.

SIXTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Wicker and seconded by Mr. Teagle, with all in favor, the meeting adjourned at 1:32 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair