

**MINUTES OF MEETING  
UNIVERSITY VILLAGE  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the University Village Community Development District held a Regular Meeting on May 9, 2019 at 11:30 a.m., at Miromar Development Corporation, 10801 Corkscrew Road, Suite 305, Estero, Florida 34928.

**Present and constituting a quorum were:**

|                 |                     |
|-----------------|---------------------|
| Tim Byal        | Chair               |
| Jeffery Staner  | Vice Chair          |
| Rich Pomeroy    | Assistant Secretary |
| Mark Geschwendt | Assistant Secretary |

**Also present was:**

|             |                  |
|-------------|------------------|
| Chuck Adams | District Manager |
|-------------|------------------|

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 11:44 a.m. Supervisors Byal, Staner, Pomeroy and Geschwendt were present, in person. Supervisor Elgin was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Newly Elected Supervisors, Jeffery Staner [Seat 1], Tim Byal [Seat 2] and Mark Geschwendt [Seat 3] (*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 the newly elected Supervisors. He provided 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 2019-01, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes; Providing a Severability Clause; Providing for Conflict and Providing an Effective Date**

Mr. Adams presented Resolution 2019-01 and recapped the Landowners’ Election results as follows:

|        |                 |           |                |
|--------|-----------------|-----------|----------------|
| Seat 1 | Jeffery Staner  | 294 Votes | Two-year Term  |
| Seat 2 | Tim Byal        | 295 Votes | Four-year Term |
| Seat 3 | Mark Geschwendt | 295 Votes | Four-year Term |

**On MOTION by Mr. Byal and seconded by Geschwendt, with all in favor, Resolution 2019-01, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes; Providing a Severability Clause; Providing for Conflict and Providing an Effective Date, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Acceptance of Resignation of Supervisor Michael Elgin, Seat 4; term expires November, 2020**

Mr. Adams presented Mr. Elgin’s resignation letter.

**On MOTION by Mr. Byal and seconded by Mr. Geschwendt, with all in favor, the resignation of Mr. Michael Elgin from Seat 4, was accepted.**

**SIXTH ORDER OF BUSINESS**

**Consider Appointment to Vacant Seat 4**

- **Administration of Oath of Office to Newly Appointed Supervisor**  
This item was deferred to the next meeting.

**UNIVERSITY VILLAGE CDD  
SEVENTH ORDER OF BUSINESS**

**May 9, 2019**

**Consideration of Resolution 2019-02,  
Electing the Officers of the District;  
Providing For Conflict; and Providing an  
Effective Date**

Mr. Adams presented Resolution 2019-02. Mr. Byal nominated the current slate of officers as follows:

|                     |                 |
|---------------------|-----------------|
| Chair               | Tim Byal        |
| Vice Chair          | Jeffery Staner  |
| Secretary           | Chuck Adams     |
| Assistant Secretary | Mark Geschwendt |
| Assistant Secretary | Rich Pomeroy    |
| Assistant Secretary | Vacant          |
| Assistant Secretary | Craig Wrathell  |
| Treasurer           | Craig Wrathell  |
| Assistant Treasurer | Jeff Pinder     |

No other nominations were made.

**On MOTION by Mr. Byal and seconded by Mr. Pomeroy, with all in favor, Resolution 2019-02, Electing the Officers of the District, as nominated; Providing For Conflict; and Providing an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-03,  
Approving Proposed Budgets for Fiscal  
Year 2019/2020 and Setting a Public  
Hearing Thereon Pursuant to Florida Law;  
Addressing Transmittal, Posting and  
Publication Requirements; and Providing  
an Effective Date**

Mr. Adams presented Resolution 2019-03. He reviewed the proposed Fiscal Year 2020 budget, including line item increases, decreases, adjustments and additions and/or deletions compared to Fiscal Year 2019 and explained the reasons for any changes. Significant reductions were reflected in the proposed Fiscal Year 2020 budget because actual expenses in Fiscal Year 2019 were lower than budgeted; this resulted in approximately \$43,000 less in Operating Costs for Fiscal Year 2020. Notable was "Maintenance, monitoring & reporting", on Page 1; the

stormwater contract, recently awarded to Aquagenix for preserve maintenance, was 50% less than the competing proposal. Aquagenix began service on May 1<sup>st</sup>.

In response to the question of whether DBI was notified, Mr. Adams stated that, while DBI’s Management was aware they did not receive this contract, it still may be necessary to advise DBI that the current contract ended. As of May 1, there are no Developer obligations.

Mr. Adams stated that the landscape maintenance costs would decrease further because Florida Gulf Coast University (FGCU) committed to mowing the north side of the right-of-way (ROW) and around the pond; the contract for landscape maintenance would be reduced to the immediate entry monument area, into the Parkway off Ben Hill Griffin Parkway, and the center median.

In response to a question regarding the scope of work done by Aquagenix, Mr. Adams stated that Aquagenix would maintain all the conservation areas; SOLitude would maintain the ponds.

**On MOTION by Mr. Byal and seconded by Mr. Geschwendt, with all in favor, Resolution 2019-03, Approving Proposed Budgets for Fiscal Year 2019/2020 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 8, 2019 at 11:30 a.m., at Miromar Development Corporation, 10801 Corkscrew Road, Suite 305, Estero, Florida 33928; Addressing Transmittal, Posting and Publication Requirements; and Providing an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Ratification of Special Warranty Deed, Tract OS1 and OS2**

Mr. Adams presented the Special Warranty Deed for Tracts OS1 and OS2, deeding the tracts from the Developer to the District. These were entered into on August 30, 2018 and require official ratification for the record.

**On MOTION by Mr. Geschwendt and seconded by Mr. Pomeroy, with all in favor, the Special Warranty Deed for Tracts OS1 and OS2, was ratified.**

**TENTH ORDER OF BUSINESS**

**Consider Acceptance of Request to Transfer Environmental Resource Permit for Preserves**

Mr. Adams presented the Request to Transfer Environmental Resource Permit for Preserves. He and Mr. Byal were working with Mr. Paul Owens on this matter. The permit is all-encompassing; portions of the preserve program are undeveloped and conceptual at this point, necessitating the breakout of the permit to transfer to operating. A portion would come to the CDD and a portion would remain with the Developer. Because it is conceptual, there are no bonding requirements and the CDD would be accepting all responsibility for mitigation. The Developer should be able to stop paying on the bond and the District was not required to pay a bond because it is a governmental entity. Mr. Owens was working with the South Florida Water Management District (SFWMD) to finalize the permit break out.

Mr. Geschwendt asked whether all the conservation areas were mitigated and found to be in compliance. Mr. Adams replied affirmatively and stated that baselines were established. Mr. Geschwendt asked, if the permit is breaking out the areas that are done, what is left. Mr. Byal stated that the conceptual and undeveloped areas would remain, while the developed areas would be broken out.

Mr. Byal stated that the CDD would retain part of the permit, while some is transferred to operating; this process eliminates the need for the current \$2.1 million bond, which expires sometime in the calendar year 2019. A small amount would be credited back if the bond is canceled, because it is a pro-rata adjustment less a minimum earned amount. The goal was to have this transfer completed before the bond would require renewal.

**On MOTION by Mr. Geschwendt and seconded by Mr. Pomeroy, with all in favor, the Request to Transfer Environmental Resource Permit for the Preserves and authorizing the Chair and District Manager to finalize documents that are a part of the permit break out and transfer to Operations, was approved.**

**ELEVENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of March 31, 2019**

Mr. Adams presented the Unaudited Financial Statements as of March 31, 2019.

**On MOTION by Mr. Byal and seconded by Mr. Pomeroy, with all in favor, Unaudited Financial Statements as of March 31, 2019, were accepted.**

Approval of Minutes

A. August 9, 2018 Public Hearing and Regular Meeting Minutes

Mr. Adams presented the August 9, 2018 Public Hearing and Regular Meeting Minutes.

On MOTION by Mr. Staner and seconded by Mr. Pomeroy, with all in favor, the August 9, 2018 Public Hearing and Regular Meeting Minutes, as presented, were approved.

B. November 8, 2018 Landowners' Meeting

Mr. Adams presented the November 8, 2018 Landowners' Meeting Minutes.

On MOTION by Mr. Byal and seconded by Mr. Staner, with all in favor, the November 8, 2018 Landowners' Meeting Minutes, as presented, were approved.

THIRTEENTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Coleman, Yovanovich & Koester, P.A.*

Mr. Adams reported that the bond validation was scheduled for May 20, 2019 at 10:00 a.m.; he, Mr. Krebs and Mr. Urbancic would attend the validation hearing. Anyone else wishing to attend should let him know. Community Bank of Naples advised that they are open to an extension; an extension to July 1 was requested, recognizing the upcoming hearing on May 20<sup>th</sup> and the 30-day appeal period.

B. District Engineer: *Hole Montes*

There being no report, the next item followed.

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

i. 0 Registered Voters in District as of April 15, 2019.

There were no registered voters residing within the District as of April 15, 2019.

ii. NEXT MEETING DATE: August 8, 2019 at 11:30 a.m.

The next meeting will be held on August 8, 2019 at 11:30 a.m.

**Supervisors' Requests**

Mr. Geschwendt asked when mitigation of the conservation areas was completed. It was confirmed to have been completed recently.

Mr. Adams stated that the Fiscal Year ends September 30<sup>th</sup>; the Fiscal Year 2018 audit would be completed by June 15<sup>th</sup> and copies would be forwarded to the Board Members.

**SIXTEENTH ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**SEVENTEENTH ORDER OF BUSINESS**

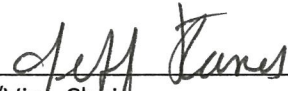
**Adjournment**

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

**On MOTION by Mr. Staner and seconded by Pomeroy, with all in favor, the meeting adjourned at approximately 12:03 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair