

**MINUTES OF MEETING
RIDGE AT APOPKA
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Ridge at Apopka Community Development District held Multiple Public Hearings and a Regular Meeting on December 7, 2021, immediately following the adjournment of the Landowners' Meeting at 2:30 P.M., at the office of GrayRobinson, P.A., 301 East Pine Street, Suite 1400, Orlando, Florida 32801

Present at the meeting were:

Ernesto Mitsumasu (via telephone)	Chair
Craig Perry	Vice Chair
Kevin Walsh	Assistant Secretary
Dean Perry	Assistant Secretary
Thomas Pagnotta (via telephone)	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Kristen Suit	Wrathell, Hunt and Associates, LLC (WHA)
Jere Earlywine	District Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 2:40 p.m.

SECOND ORDER OF BUSINESS

Public Comments

This item was not addressed.

GENERAL DISTRICT ITEMS

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Elected Supervisors (*the following will be provided in a separate package*)

Mr. Wrathell recapped the results of the Landowners' Election, as follows:

Seat 1	Craig Perry	10 votes	4-Year Term
Seat 2	Kevin Walsh	10 votes	4-Year Term
Seat 3	Dean Perry	5 votes	2-Year Term
Seat 4	Thomas Pagnotta	5 votes	2-Year Term
Seat 5	Ernesto Mitsumasu	5 votes	2-Year Term

Mr. Wrathell, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Craig Perry, Mr. Dean Perry and Mr. Walsh. A Notary administered the Oath of Office to Mr. Mitsumasu and Mr. Pagnotta at their physical location; each notarized Oath would be emailed to Mr. Wrathell.

Mr. Wrathell stated that the Board Members were already familiar with the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Chapter 190, Florida Statutes**
- D. 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**
- E. Form 8B: Memorandum of Voting Conflict**

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-01, 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. Wrathell presented Resolution 2022-01. He reiterated the election results, which would be inserted into the Resolution.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2022-01, 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 2022-02, Designating Certain Officers of the District, and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-02. Mr. Craig Perry nominated the following slate of officers:

Ernesto Mitsumasu	Chair
Craig Perry	Vice Chair
Craig Wrathell	Secretary
Kevin Walsh	Assistant Secretary
Dean Perry	Assistant Secretary
Thomas Pagnotta	Assistant Secretary
Cindy Cerbone	Assistant Secretary
Kristen Suit	Assistant Secretary

No other nominations were made. Prior appointments by the Board for Treasurer and Assistant Treasurer(s) remain unaffected by this Resolution.

On MOTION by Mr. Walsh and seconded by Mr. Craig Perry, with all in favor, Resolution 2022-02, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

ORGANIZATIONAL MATTERS

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

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-03, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Ridge at Apopka Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

Mr. Wrathell explained that this Resolution allows Staff to use the services of the Property Appraiser and Tax Collector.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the Public Hearing was closed.

Mr. Wrathell presented Resolution 2022-03.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2022-03, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Ridge at Apopka Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

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

- *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.*
- *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.*

These items were addressed later in the meeting.

- A. **Affidavit/Proof of Publication**
- B. **Mailed Notice to Property Owner(s)**
- C. **Engineer’s Report (for informational purposes)**
- D. **Master Special Assessment Methodology Report (for informational purposes)**

Mr. Wrathell presented the above items, which were included for informational purposes.

- E. **Consideration of Resolution 2022-04, Marking Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date**

A Board Member asked how the issue of the five lots happened. Mr. Earlywine believed it was a result of the survey. Discussion ensued as to the best course of action to take to address the matter of the surveyor identifying 30’ of gap outside the boundaries of the CDD. Several options and affects to correct the matter were presented, including filing a boundary amendment with the City but it would not be a cost-effective option, placing a lien and

allocating assessments on the five lots per folio number. The original legal description for Parcels 2, 4 and 9 differed from the Surveyor's Report.

The consensus was that Mr. Craig Perry would discuss ways to resolve the issue of property outside the boundaries of the CDD with Mr. Kessler during a conference call tomorrow. The Bond Validation Hearing was scheduled for January in order to close on the bonds in late February or early March.

Mr. Craig Perry discussed an email with Mr. Prowell in which he was updating the Engineer's Report to include a footnote regarding Parcels 2, 4 and 9 and the CDD boundary and providing a legal description.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, approving the Engineer's Report, subject to confirmation of the legal description as to how it may or may not need to be revised and recorded, was approved.

- *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.*

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the Public Hearing was opened.

There were no comments.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the Public Hearing was closed.

- *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.*

The Board, sitting as the Equalizing Board, had no changes.

Mr. Wrathell presented Resolution 2022-04 for Master Project and Neighborhood Projects for Parcels 2, 4 and 9 and read the title.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2022-04, Marking Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2021/2022 Budget

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-05, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Wrathell stated that the proposed Fiscal Year 2022 budget was unchanged since it was presented at the Organizational Meeting. He noted that this is a Developer-funded District.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the Public Hearing was closed.

Mr. Wrathell presented Resolution 2022-05.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2022-05, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes

A. Affidavits of Publication

The affidavits of publication were included for informational purposes.

B. Consideration of Resolution 2022-06, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the Public Hearing was closed.

Mr. Wrathell presented Resolution 2022-06.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2022-06, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

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

A. Affidavit of Publication

B. RFP Package

These items were included for informational purposes.

C. Respondents

I. Berger, Toombs, Elam, Gaines & Frank

II. Grau & Associates

Mr. Wrathell reviewed each respondents’ fee schedule. Mr. Craig Perry asked about this being a five-year term and the respondents’ fees. It was confirmed that, of the two respondents, Grau & Associates (Grau) performed slightly more audits for WHA’s CDD than the Berger, Toombs, Elam, Gaines & Frank (BTEGF) and BTEGF also did not specify fees for any bond issuances in their bid.

Ms. Suit noted that new legislation extended the terms to five years, and that the Auditors based their fees upon reviewing the CDD’s budget, which was included in the RFP package.

Mr. Wrathell stated that both firms are qualified and noted that BTEGF struggled with submitting audits timely last year, due to staffing issues; he believed the issue was now resolved but he was not certain. With the difference in price, he recommended awarding the contract to Grau, based on BTEGF’s problem last year.

D. Auditor Evaluation Matrix /Ranking

Mr. Wrathell recommended awarding total points, as follows:

- #1 Grau & Associates 99 Points
- #2 Berger, Toombs, Elam, Gaines & Frank 94 Points

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, acceptance of the recommended rankings, ranking Grau & Associates the #1 ranked respondent for Annual Audit Services, was approved.

E. Award of Contract

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, awarding the Annual Audit Services Contract to Grau & Associates, the #1 ranked respondent, and authorizing the Chair or Vice Chair to execute the contract, was approved.

ELEVENTH ORDER OF BUSINESS

Consideration of Response(s) to Request for Qualifications (RFQ) for Engineering Services

A. Affidavit of Publication

B. RFQ Package

These items were included for informational purposes.

C. Respondent(s):

I. VHB

Mr. Wrathell noted that VHB, the CDD's Interim Engineer, was the only respondent to the RFQ and stated that VHB is highly qualified.

D. Competitive Selection Criteria/Ranking

Mr. Wrathell stated and Mr. Earlywine confirmed that, as the sole respondent, the Board could rank VHB as the #1 ranked respondent and award the contract accordingly.

E. Award of Contract

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, ranking VHB as the #1 ranked respondent, and awarding the contract for Engineering Services to VHB and authorizing Staff to prepare a form of Agreement and for the Chair or Vice Chair to execute, was approved.

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2022-07, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date

This item was deferred.

THIRTEENTH ORDER OF BUSINESS

Consideration of Resolution 2022-08, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

This item was deferred.

FOURTEENTH ORDER OF BUSINESS

Update: Stormwater Reporting Requirements

Mr. Earlywine gave an overview of his memorandum regarding new legislation that will require CDDs to prepare a Stormwater Management Needs Analysis Report using the template provided by the State. The Report must be submitted to the State by June 30, 2022 and every five years thereafter. Information would include the cost to install, operate and maintain the stormwater system, along with determining the needs for the next 20 or more years.

Discussion ensued regarding monitoring and the cost to the CDD. Ms. Suit would request a Work Authorization from the District Engineer and include it in the next agenda.

FIFTEENTH ORDER OF BUSINESS

Consideration of Resolution 2022-09, Directing the Chairman and District Staff to Request the Passage of an Ordinance by the City of Apopka, Florida, Amending the District's Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date

Mr. Earlywine presented Resolution 2022-09. To prevent delays, he recommended approval, subject to the Chair’s final direction.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, Resolution 2022-09, Directing the Chairman and District Staff to Request the Passage of an Ordinance by the City of Apopka, Florida, Amending the District’s Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process, subject to the Chair’s final direction after consulting with Mr. Jon Kessler, the District’s Underwriter for the Bond Issuance; and Providing an Effective Date, was adopted.

SIXTEENTH ORDER OF BUSINESS

Consideration of Boundary Amendment Funding Agreement

Mr. Wrathell presented the Boundary Amendment Funding Agreement.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the Boundary Amendment Funding Agreement, subject to the Chair’s final direction after consulting with Mr. Jon Kessler, the Bond Underwriter, was approved.

Regarding whether Mr. Prowell needs to revise documents, Mr. Craig Perry stated that Mr. Prowell was aware that he needs the legal descriptions for Parcels 2, 4 and 9, as part of the Engineer’s Report, for the Bond Validation Joint Stipulation, within the new two weeks.

SEVENTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of October 31, 2021

Mr. Wrathell presented the Unaudited Financial Statements as of October 31, 2021.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the Unaudited Financial Statements as of October 31, 2021, were accepted.

EIGHTEENTH ORDER OF BUSINESS

**Approval of September 28, 2021
Organizational Meeting Minutes**

Mr. Wrathell presented the September 28, 2021 Organizational Meeting Minutes.

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the September 28, 2021 Organizational Meeting Minutes, as presented, were approved.

NINETEENTH ORDER OF BUSINESS

Staff Reports

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

Mr. Earlywine noted that the bond validation hearing was set for February 2, 2022 and bonds could be issued 30 days following the hearing.

B. District Engineer [Interim]: *VHB*

“Interim” would be removed from future agendas.

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

- **NEXT MEETING DATE: TBD**
 - **QUORUM CHECK**

Management will send calendar invitations, as the meetings are scheduled.

TWENTIETH ORDER OF BUSINESS

Board Members’ Comments/Requests

There were no Board Members’ comments or requests.

TWENTY- FIRST ORDER OF BUSINESS

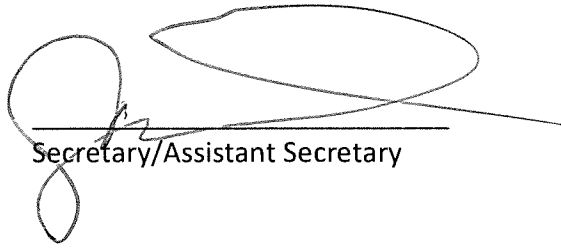
Public Comments

There were no public comments.

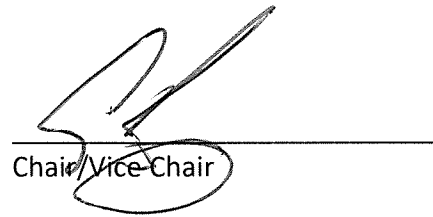
TWENTY- SECOND ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Craig Perry and seconded by Mr. Dean Perry, with all in favor, the meeting adjourned at 3:36 p.m.



Secretary/Assistant Secretary



Chair/Vice-Chair