

# **WILLOWS**

## **COMMUNITY DEVELOPMENT DISTRICT**

**November 6, 2020**

**BOARD OF SUPERVISORS**

**REGULAR MEETING**

**AGENDA**

**Willows Community Development District**  
**OFFICE OF THE DISTRICT MANAGER**  
**2300 Glades Road, Suite 410W•Boca Raton, Florida 334313**  
**Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013**

October 30, 2020

Board of Supervisors  
Willows Community Development District

<p><b><u>ATTENDEES:</u></b> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.</p>
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Dear Board Members:

The Board of Supervisors of the Willows Community Development District will hold a Regular Meeting on November 6, 2020 at 10:00 a.m., at the office of ZNS Engineering, 201 5<sup>th</sup> Ave. Dr. E, Bradenton, Florida 34208. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Newly Elected Supervisors [SEATS 3, 4 & 5] *(the following to be provided in a separate package)*
  - 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
4. Consideration of Resolution 2021-01, 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
5. Consideration of Resolution 2021-02, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the Brookstone Community Development District, and Providing for an Effective Date
6. Acceptance of Unaudited Financial Statements as of September 30, 2020

7. Approval of August 7, 2020 Public Hearing and Regular Meeting Minutes

8. Staff Reports

A. District Counsel: *Hopping Green & Sams, PA*

B. District Engineer: *ZNS Engineering, L.C.*

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

- NEXT MEETING: December 4, 2020 at 10:00 a.m.

○ QUORUM CHECK

<b>SEAT 1</b>	Ryan Zook	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
<b>SEAT 2</b>	Anne Mize	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
<b>SEAT 3*</b>		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
<b>SEAT 4*</b>		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
<b>SEAT 5*</b>		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

*\*Seats subject to November 3, 2020 Landowners' Election*

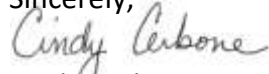
9. Board Members' Comments/Requests

10. Public Comments

11. Adjournment

Should you have any questions or concerns, please do not hesitate to contact me directly at 561-346-5294.

Sincerely,



Cindy Cerbone  
District Manager

# **WILLOWS**

**COMMUNITY DEVELOPMENT DISTRICT**

**4**

**RESOLUTION 2021-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WILLOWS COMMUNITY DEVELOPMENT DISTRICT 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**

**WHEREAS**, the Willows Community Development District ("District") is a local unit of special-purpose government created by, and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Manatee County, Florida; and

**WHEREAS**, pursuant to Section 190.006(2), Florida Statutes, a landowners' meeting is required to be held within 90 days of the District's creation and every two years following the creation of the District for the purpose of electing supervisors of the District; and

**WHEREAS**, such landowners' meeting was held on November 3, 2020, and the below recited person was duly elected by virtue of the votes cast in his/her favor; and

**WHEREAS**, the Board of Supervisors of the District, by means of this Resolution, desire to canvass the votes and declare and certify the results of said election.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WILLOWS COMMUNITY DEVELOPMENT DISTRICT:**

**Section 1.** The following persons are found, certified, and declared to have been duly elected as Supervisor of and for the District, having been elected by the votes cast in their favor as shown:

_____	Seat 3	Votes _____
_____	Seat 4	Votes _____
_____	Seat 5	Votes _____

**Section 2.** In accordance with Section 190.006(2), Florida Statutes, and by virtue of the number of votes cast for the Supervisor, the above-named persons are declared to have been elected for the following term of office:

_____	4-Year Term
_____	4-Year Term
_____	2-Year Term

**Section 3.** This resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED THIS 6<sup>th</sup> DAY OF NOVEMBER, 2020.**

Attest:

**WILLOWS COMMUNITY DEVELOPMENT  
DISTRICT**

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Secretary/Assistant Secretary

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Chair/Vice Chair, Board of Supervisors

# **WILLOWS**

**COMMUNITY DEVELOPMENT DISTRICT**

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**RESOLUTION 2021-02**

**A RESOLUTION DESIGNATING A CHAIR, A VICE CHAIR, A SECRETARY, ASSISTANT SECRETARIES, A TREASURER AND AN ASSISTANT TREASURER OF THE WILLOWS COMMUNITY DEVELOPMENT DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Willows Community Development District (“District”) is a local unit of special-purpose government created by, and existing pursuant to Chapter 190, *Florida Statutes*, being situated in Manatee County, Florida; and

**WHEREAS**, the Board of Supervisors of the District desires to appoint the below-recited persons to the offices specified.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WILLOWS COMMUNITY DEVELOPMENT DISTRICT:**

1. **DISTRICT OFFICERS.** The District officers are as follows:

\_\_\_\_\_ is appointed Chair

\_\_\_\_\_ is appointed Vice Chair

Craig Wrathell is appointed Secretary

\_\_\_\_\_ is appointed Assistant Secretary

\_\_\_\_\_ is appointed Assistant Secretary

\_\_\_\_\_ is appointed Assistant Secretary

Cindy Cerbone is appointed Assistant Secretary

Daniel Rom is appointed Assistant Secretary

Craig Wrathell is appointed Treasurer

Jeff Pinder is appointed Assistant Treasurer



2. **EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

**Adopted this 6<sup>th</sup> day of November, 2020.**

**ATTEST:**

**WILLOWS COMMUNITY DEVELOPMENT  
DISTRICT**

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Secretary/Assistant Secretary

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Chair/Vice Chair, Board of Supervisors

# **WILLOWS**

**COMMUNITY DEVELOPMENT DISTRICT**

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**WILLOWS  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
SEPTEMBER 30, 2020**

**WILLOWS  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
SEPTEMBER 30, 2020**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
<b>ASSETS</b>				
Cash	\$ 30,346	\$ -	\$ -	\$ 30,346
Investments				
Reserve 2019	-	658,865	-	658,865
Cap interest 2019	-	6,676	-	6,676
Construction 2019	-	-	4,102,154	4,102,154
Cost of issuance	-	39	-	39
Undeposited funds	-	250,767	-	250,767
Prepaid expense	5,199	-	-	5,199
Total assets	<u>\$ 35,545</u>	<u>\$ 916,347</u>	<u>\$ 4,102,154</u>	<u>\$ 5,054,046</u>
<b>LIABILITIES AND FUND BALANCES</b>				
Liabilities:				
Contracts payable	\$ -	\$ -	\$ 5,489	\$ 5,489
Due to Developer	17,468	-	-	17,468
Developer advance	3,083	-	-	3,083
Total liabilities	<u>20,551</u>	<u>-</u>	<u>5,489</u>	<u>26,040</u>
Fund balances:				
Restricted for:				
Debt service	-	916,347	-	916,347
Capital projects	-	-	4,096,665	4,096,665
Unassigned	14,994	-	-	14,994
Total fund balances	<u>14,994</u>	<u>916,347</u>	<u>4,096,665</u>	<u>5,028,006</u>
Total liabilities and fund balances	<u>\$ 35,545</u>	<u>\$ 916,347</u>	<u>\$ 4,102,154</u>	<u>\$ 5,054,046</u>

**WILLOWS**  
**COMMUNITY DEVELOPMENT DISTRICT**  
**GENERAL FUND**  
**STATEMENT OF REVENUES, EXPENDITURES,**  
**AND CHANGES IN FUND BALANCES**  
**FOR THE PERIOD ENDED SEPTEMBER 30, 2020**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: off-roll	\$ -	\$ 100,530	\$ 100,530	100%
Developer contribution	-	172	-	N/A
Total revenues	<u>-</u>	<u>100,702</u>	<u>100,530</u>	100%
<b>EXPENDITURES</b>				
<b>Professional &amp; administrative</b>				
Supervisors	-	2,153	6,000	36%
Management/accounting/recording	3,750	45,000	45,000	100%
DSF accounting/assessment collections	458	5,500	5,500	100%
Legal	968	10,519	20,000	53%
Engineering	-	-	1,500	0%
Audit	-	5,500	5,500	100%
Arbitrage rebate calculation	-	750	750	100%
Dissemination agent	83	1,000	1,000	100%
Trustee	-	4,031	5,500	73%
Telephone	17	200	200	100%
Postage	9	9	500	2%
Printing & binding	42	500	500	100%
Legal advertising	-	947	1,500	63%
Annual special district fee	-	175	175	100%
Insurance	-	5,000	5,500	91%
Contingencies/bank charges	19	250	500	50%
Website				
Hosting & maintenance	-	705	705	100%
ADA compliance	-	199	200	100%
Total professional & administrative	<u>5,346</u>	<u>82,438</u>	<u>100,530</u>	82%
Excess/(deficiency) of revenues over/(under) expenditures	(5,346)	18,264	-	
Fund balances - beginning	<u>20,340</u>	<u>(3,270)</u>	<u>-</u>	
Fund balances - ending	<u>\$ 14,994</u>	<u>\$ 14,994</u>	<u>\$ -</u>	

**WILLOWS**  
**COMMUNITY DEVELOPMENT DISTRICT**  
**STATEMENT OF REVENUES, EXPENDITURES,**  
**AND CHANGES IN FUND BALANCES**  
**DEBT SERVICE FUND SERIES 2019**  
**FOR THE PERIOD ENDED SEPTEMBER 30, 2020**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>REVENUES</b>				
Assessment levy: off-roll	\$ 250,767	\$ 250,767	\$ 250,767	100%
Interest	4	7,356	-	N/A
Total revenues	<u>250,771</u>	<u>258,123</u>	<u>250,767</u>	103%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Interest	-	530,788	530,789	100%
Total debt service	<u>-</u>	<u>530,788</u>	<u>530,789</u>	100%
Excess/(deficiency) of revenues over/(under) expenditures	250,771	(272,665)	(280,022)	
<b>OTHER FINANCING SOURCES/(USES)</b>				
Transfer out	(3)	(4,764)	-	N/A
Total other financing sources	<u>(3)</u>	<u>(4,764)</u>	<u>-</u>	N/A
Net change in fund balances	250,768	(277,429)	(280,022)	
Fund balances - beginning	665,579	1,193,776	1,189,654	
Fund balances - ending	<u>\$ 916,347</u>	<u>\$ 916,347</u>	<u>\$ 909,632</u>	

**WILLOWS  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
CAPITAL PROJECTS FUND SERIES 2019  
FOR THE PERIOD ENDED SEPTEMBER 30, 2020**

	Current Month	Year To Date
<b>REVENUES</b>		
Interest	\$ 27	\$ 40,819
Total revenues	27	40,819
<b>EXPENDITURES</b>		
Construction costs	9,007	1,571,007
Total expenditures	9,007	1,571,007
Excess/(deficiency) of revenues over/(under) expenditures	(8,980)	(1,530,188)
<b>OTHER FINANCING SOURCES/(USES)</b>		
Transfer in	3	4,764
Total other financing sources/(uses)	3	4,764
Net change in fund balances	(8,977)	(1,525,424)
Fund balances - beginning	4,105,642	5,622,089
Fund balances - ending	\$ 4,096,665	\$ 4,096,665

# **WILLOWS**

**COMMUNITY DEVELOPMENT DISTRICT**

**7**



**DRAFT**

**MINUTES OF MEETING  
WILLOWS  
COMMUNITY DEVELOPMENT DISTRICT**

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The Board of Supervisors of the Willows Community Development District held a Public Hearing and Regular Meeting on August 7, 2020 at 10:00 a.m., remotely, via conference call at 1-888-354-0094, Conference ID 8518503.

**Present at the meeting were:**

Ryan Zook	Chair
John Snyder	Vice Chair
Anne Mize	Assistant Secretary
Hal Lutz	Assistant Secretary
Greg Mundell	Assistant Secretary

**Also present were:**

Cindy Cerbone	District Manager
Tucker Mackie	District Counsel

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 11:14 a.m. In consideration of the COVID-19 pandemic, this meeting was being held telephonically, as permitted under the Florida Governor’s Executive Orders, which allow local governmental public meetings to occur via telephone. The meeting was advertised to be telephonic and the telephone number, conference ID, District Manager’s contact information and the meeting agenda were posted on the District’s website.

All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year  
2020/2021 Budget**

39 **A. Proof/Affidavit of Publication**

40 The affidavit of publication was included for informational purposes.

41 **B. Consideration of Resolution 2020-08, Relating to the Annual Appropriations and**  
42 **Adopting the Budgets for the Fiscal Year Beginning October 1, 2020, and Ending**  
43 **September 30, 2021; Authorizing Budget Amendments; and Providing an Effective**  
44 **Date**

45 Ms. Cerbone presented Resolution 2020-08. She reviewed the proposed Fiscal Year  
46 2021 budget and stated there were no monetary changes since the May meeting.

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48 **On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the**  
49 **Public Hearing was opened.**

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52 No members of the public spoke.

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54 **On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the**  
55 **Public Hearing was closed.**

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58 **On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor,**  
59 **Resolution 2020-08, Relating to the Annual Appropriations and Adopting the**  
60 **Budgets for the Fiscal Year Beginning October 1, 2020, and Ending September**  
61 **30, 2021; Authorizing Budget Amendments; and Providing an Effective Date,**  
62 **was adopted.**

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65 **FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-09,**  
**Making a Determination of Benefit and**  
**Imposing Special Assessments for Fiscal**  
**Year 2020/2021; Providing for the**  
**Collection and Enforcement of Special**  
**Assessments; Certifying an Assessment**  
**Roll; Providing for Amendments to the**  
**Assessment Roll; Providing a Severability**  
**Clause; and Providing an Effective Date**

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75 Ms. Cerbone presented Resolution 2020-09.

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**On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, Resolution 2020-09, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2020/2021; Providing for the Collection and Enforcement of Special Assessments; 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**

**Consideration of Matters Pertaining to District Construction Contract with Oak City South, LLC**

Ms. Mackie stated that Pay Application 8, in the amount of \$1,424,239, was received from Oak City South. District Staff was awaiting one outstanding document from Oak City South in order to finalize the requisition for the Trustee. The requisition would remit funds to SFTEN, LLC, pursuant to Oak City South’s direction. Ms. Mackie requested authorization for the Chair and Staff to execute the requisition once finalized. The final requisition would be presented for ratification at the next meeting.

**On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the requisition and authorizing the Chair and Staff to execute and submit it to the Trustee for payment to SFTEN, LLC, for the requisition described, in the amount of \$1,424,239, with ratification at the next meeting, was approved .**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-10, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2020/2021 and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2020-10 and read the title. A Landowners’ Meeting would be held on Tuesday November 3, 2020. Seats 3, 4 and 5, currently held by Supervisors Snyder, Mundell and Lutz, respectively, would be up for election.

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**On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, Resolution 2020-10, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2020/2021 and Providing for an Effective Date, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Presentation of Audited Financial Report for Fiscal Year Ended September 30, 2019, Prepared by Grau and Associates**

Ms. Cerbone presented the Audited Annual Financial Report for Fiscal Year Ended September 30, 2019. There were no findings, irregularities or instances of noncompliance; it was a clean audit. Regarding a notation on Page 4, under Financial Highlights, that stated, on September 30, 2019, the liabilities of the District exceeded its assets by approximately \$571,000, Ms. Cerbone stated this is not unusual in the early stages of a District and it does not mean the District is in a precarious financial position.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-11, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2019**

Ms. Cerbone presented Resolution 2020-11 and read the title.

**On MOTION by Ms. Mize and seconded by Mr. Zook, with all in favor, Resolution 2020-11, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2019, was adopted.**

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of June 30, 2020**

Ms. Cerbone presented the Unaudited Financial Statements as of June 30, 2020.

**On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the Unaudited Financial Statements as of June 30, 2020, were accepted.**

151 TENTH ORDER OF BUSINESS

Approval of May 1, 2020 Telephonic Public Meeting Minutes

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154 Ms. Cerbone presented the May 1, 2020 Telephonic Public Meeting Minutes.

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156 **On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the**  
157 **May 1, 2020 Telephonic Public Meeting Minutes, as presented, were approved.**

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160 ELEVENTH ORDER OF BUSINESS

Staff Reports

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162 A. District Counsel: *Hopping Green & Sams, P.A.*

163 There being nothing additional to report, the next item followed.

164 B. District Engineer: *ZNS Engineering, L.C.*

165 There being no report, the next item followed.

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

167 • NEXT MEETING: September 4, 2020 at 10:00 a.m.

168 ○ QUORUM CHECK

169 The September 4, 2020 meeting would be canceled if not necessary.

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171 TWELFTH ORDER OF BUSINESS

Board Members' Comments/Requests

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173 There being no Board Members' comments or requests, the next item followed.

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175 THIRTEENTH ORDER OF BUSINESS

Public Comments

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177 There being no public comments, the next item followed.

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179 FOURTEENTH ORDER OF BUSINESS

Adjournment

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181 There being nothing further to discuss, the meeting adjourned.

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183 **On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the**  
184 **meeting adjourned at 11:27 a.m.**

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Secretary/Assistant Secretary

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Chair/Vice Chair

# **WILLOWS**

**COMMUNITY DEVELOPMENT DISTRICT**

**8C**

## WILLOWS COMMUNITY DEVELOPMENT DISTRICT

### BOARD OF SUPERVISORS FISCAL YEAR 2020/2021 MEETING SCHEDULE

#### LOCATION

ZNS Engineering, 201 5<sup>th</sup> Avenue Dr. E., Bradenton, Florida 34208

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 2, 2020 <b>CANCELED</b>	Regular Meeting	10:00 AM
November 3, 2020	Landowners' Meeting	10:00 AM
November 6, 2020	Regular Meeting	10:00 AM
December 4, 2020	Regular Meeting	10:00 AM
January 8, 2021*	Regular Meeting	10:00 AM
February 5, 2021	Regular Meeting	10:00 AM
March 5, 2021	Regular Meeting	10:00 AM
April 2, 2021	Regular Meeting	10:00 AM
May 7, 2021	Regular Meeting	10:00 AM
June 4, 2021	Regular Meeting	10:00 AM
July 2, 2021	Regular Meeting	10:00 AM
August 6, 2021	Public Hearing & Regular Meeting	10:00 AM
September 3, 2021	Regular Meeting	10:00 AM

**\*Exception**

*January meeting is one week later to accommodate New Year's Day Holiday*

In the event that the COVID-19 public health emergency prevents the meetings from occurring in-person, the District may conduct the meetings by telephone or video conferencing communications media technology pursuant to governmental orders, including but not limited to Executive Orders 20-52, 20-69, 20-150, 20-179 and 20-193 issued by Governor, and any extensions or supplements thereof, and pursuant to Section 120.54(5)(b)2., Florida Statutes.