

**MINUTES OF MEETING
WILLOWS COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Willows Community Development District held a Regular Meeting on April 29, 2021 at 11:00 a.m., at the office of ZNS Engineering, 201 5th Avenue Dr. E., Bradenton, Florida 34208.

Present were:

Ryan Zook	Chair
Anne Mize	Assistant Secretary
Greg Mundell	Assistant Secretary

Also present were:

Daniel Rom	District Manager
Cindy Cerbone (via telephone)	Wrathell Hunt and Associates, LLC (WHA)
Tucker Mackie (via telephone)	District Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 11:00 a.m. Supervisors, Zook, Mize and Mundell were present, in person. Supervisors Snyder and Lutz were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

**Consideration of Resolution 2021-03,
Approving Proposed Budgets for Fiscal
Year 2021/2022 and Setting a Public
Hearing Thereon Pursuant to Florida Law;
Addressing Transmittal, Posting and
Publication Requirements; Addressing
Severability; and Providing an Effective
Date**

Mr. Rom presented Resolution 2021-03. He reviewed the proposed Fiscal Year 2022 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2021 budget, and explained the reasons for any adjustments.

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, Resolution 2021-03, Approving Proposed Budgets for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 6, 2021 at 10:00 a.m., at the office of ZNS Engineering, 201 5th Avenue Dr. E., Bradenton, Florida 34208; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2021-04, 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

Mr. Rom presented Resolution 2021-04 and read the title. The following change was made to the Fiscal Year 2022 Meeting Schedule:

TIME: Change “ 10:00 AM” to “11:00 AM”

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, Resolution 2021-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022, as amended, and Providing for an Effective Date , was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Matters Pertaining to Construction and Acquisition of District Infrastructure

- A. Bill of Sale**
- B. Warranty and Release of Restrictions on the Willows Community Development District’s Right to Use and Rely Upon Drawings, Plans, Specifications and Related Documents Created or Undertaken in Connection with the Construction of Certain Infrastructure Improvements**
- C. ZNS Engineering, L.C., Certification to Willows Community Development District Regarding Silverstone Phase 1A & B Improvements**
- D. Affidavit Regarding Costs Paid**

- E. Letter from Developer Regarding Acquisition of Silverstone Phase 1A & 1B Improvements Described in Exhibit "A"**
- F. Acknowledgement of Acquisition of Certain Infrastructure Improvements and the Right to Rely Upon Any Warranties and Contract Terms for the Construction of Same**
- G. Document Checklist for Willows CDD Acquisition of Silverstone Phase 1A & 1B Improvements**

Items A through G were included for informational purposes.

Ms. Mackie stated none of the items require Board approval except for Item 5E, which summarizes the actions that the Board would take today, if amenable. She discussed the following:

- The CDD previously entered into a contract with Oak City for horizontal site work.
- The construction of the horizontal improvement was undertaken by D.R. Horton and is nearing completion, with respect to the utilities, stormwater system and roadway.
- D.R. Horton asked that the CDD acquire the infrastructure, as it is nearing completion and Staff received the central site development contracts and the most recent pay application, which resulted in Exhibit A.
- Exhibit A contains a cost breakout between the various improvements, including what has been paid to date by D.R. Horton, what remains to be paid, which is minimal, and 10% retainage, which was reserved by the contractor.
- The total acquisition price is \$5.9 million, which is greater than the amount in the District's construction account.
- It is anticipated that the entirety of the acquisition will deplete all of the construction account to provide for the 2019 project.
- Pursuant to the Completion Agreement that the District has with the Developer, D.R. Horton will complete the remaining Silverstone Phases 1A and 1B improvements, on the District's behalf.
- Staff would verify everything required under the Acquisition Agreement prior to processing the requisition.

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor acquisition of the Silverstone Phase 1A and 1B improvements described in Exhibit "A", in a not to exceed amount of \$5,944,201.12, subject to the receipt of the various documentation required under the CDD Acquisition Agreement with D.R. Horton, was approved.

SIXTH ORDER OF BUSINESS

Authorization for Chair to Review and Accept Fiscal Year 2020 Audit for Purpose of Timely Filing with the State

Mr. Rom stated the Board is not scheduled to meet again until August and the Fiscal Year 2020 Audit must be filed no later than June so, in lieu of scheduling a meeting before the filing deadline, Staff requested authorization to review the Fiscal Year 2020 Audit with the Board Chair and for the necessary parties to execute the associated Resolution; the actions would be ratified at the next meeting.

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, authorizing Staff to review the Fiscal Year 2020 Audit with the Board Chair and, for the purpose of timely filing with the State, authorizing execution of the associated Resolution by the necessary parties, after review with District Staff, and for all actions to be ratified at the next meeting, was approved.

SEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2021

Mr. Rom presented the Unaudited Financial Statements as of March 31, 2021.

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the Unaudited Financial Statements as of March 31, 2021, were accepted.

EIGHTH ORDER OF BUSINESS

Approval of March 5, 2021 Regular Meeting Minutes

Mr. Rom presented the March 5, 2021 Regular Meeting Minutes.

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the March 5, 2021 Regular Meeting Minutes, as presented, were approved.

NINTH ORDER OF BUSINESS

Staff Reports

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

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

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

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, 2021

There were no registered voters residing within the District as of April 15, 2021.

II. NEXT MEETING: June 4, 2021 at 10:00 a.m.

o QUORUM CHECK

The next meeting would be held on August 6, 2021; the June and July meetings would be cancelled.

TENTH ORDER OF BUSINESS

Board Members' Comments/Requests

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

ELEVENTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

TWELFTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the meeting adjourned at 11:10 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair