

**ZEPHYR LAKES COMMUNITY
DEVELOPMENT DISTRICT**

Advanced Meeting Package

***Board of Supervisors
Regular Meeting***

***Tuesday
November 6, 2018***

9:00 a.m.

***RESIDENCE INN
2101 Northpoint Parkway
Lutz, Florida***

Note: The Advanced Meeting Package is a working document and thus all materials are considered DRAFTS prior to presentation and Board acceptance, approval or adoption.

ZEPHYR LAKES COMMUNITY DEVELOPMENT DISTRICT AGENDA

At the Residence Inn, 2101 Northpointe Parkway, Lutz FL

District Board of Supervisors	Mike Lawson Doug Draper Lori Price Ted Sanders	Chairman Vice Chairman Assistant Secretary Assistant Secretary
District Manager	Paul Cusmano Lore Yeira	DPFG DPFG
District Attorney	Vivek Babbar	Straley Robin Vericker
District Engineer	Tonja Stewart	Stantec Consulting Services, Inc.

All cellular phones and pagers must be turned off during the meeting.

The District Agenda is comprised of six different sections:

The first section which is called **Audience Questions and Comments**. The Audience Comment portion of the agenda is where individuals may comment on matters that concern the District. Each individual is limited to three (3) minutes for such comment. The Board of Supervisors or Staff is not obligated to provide a response until sufficient time for research or action is warranted. IF THE COMMENT CONCERNS A MAINTENANCE RELATED ITEM, THE ITEM WILL NEED TO BE ADDRESSED BY THE DISTRICT MANAGER OUTSIDE THE CONTEXT OF THIS MEETING. The second section is called **Administrative Matters** and contains items that require the review and approval of the District Board of Supervisors as a normal course of business. The third section is called **Business Matters**. The business matters section contains items for approval by the District Board of Supervisors that may require discussion, motion and votes on an item-by-item basis. Occasionally, certain items for decision within this section are required by Florida Statute to be held as a Public Hearing. During the Public Hearing portion of the agenda item, each member of the public will be permitted to provide one comment on the issue, prior to the Board of Supervisors' discussion, motion and vote. Agendas can be reviewed by contacting the Manager's office at (813) 374-9105 at least seven days in advance of the scheduled meeting. Requests to place items on the agenda must be submitted in writing with an explanation to the District Manager at least fourteen (14) days prior to the date of the meeting. The fourth section is called **Staff Reports**. This section allows the District Manager and Maintenance Supervisor to update the Board of Supervisors on any pending issues that are being researched for Board action. The fifth section which is called **Audience Comments on Other Items** provides members of the Audience the opportunity to comment on matters of concern to them that were not addressed during the meeting. The same guidelines used during the first audience comment section will apply here as well. The final section is called **Supervisor Requests**. This is the section in which the Supervisors may request Staff to prepare certain items in an effort to meet residential needs.

Public workshops sessions may be advertised and held in an effort to provide informational services. These sessions allow staff or consultants to discuss a policy or business matter in a more informal manner and allow for lengthy presentations prior to scheduling the item for approval. Typically no motions or votes are made during these sessions.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the District Office at (813) 374-9105, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770, who can aid you in contacting the District Office.

Any person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that this same person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

ZEPHYR LAKES COMMUNITY DEVELOPMENT DISTRICT

Date of Meeting: **Tuesday November 6, 2018**
Time: 9:00 a.m.
Location: Residence Inn
2101 Northpointe Parkway
Lutz, Florida 33558
Conference Call No.: (563) 999-2090
Code: 686859#

AGENDA

- I. Roll Call**

- II. Audience Comment**

- III. Consent Agenda**
 - A. Approval of Minutes of October 2, 2018 Meeting** **Exhibit 1**

- IV. Business Matters**
 - A. Consideration and Adoption of Resolution 2019-02** **Exhibit 2**
Canvassing and Certifying the Landowners Election

 - B. Consideration and Adoption of Resolution 2019-03** **Exhibit 3**
Designating Officers

 - C. Consideration and Approval of Resolution 2019-04** **Exhibit 4**
Adopting the Revised Budget Amendment

- V. Staff Reports**
 - A. District Manager**

 - B. Attorney**

 - C. District Engineer**

- VI. Supervisors Requests**

- VII. Audience Questions and Comments on Other Items**

- VIII. Adjournment**

Exhibit 1

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**MINUTES OF MEETING
ZEPHYR LAKES
COMMUNITY DEVELOPMENT DISTRICT**

9 The Regular Meeting of the Board of Supervisors of the Zephyr Lakes Community Development
10 District was held on Tuesday, October 2, 2018 at 9:00 a.m. at the Residence Inn, 2101 Northpointe Parkway,
11 Lutz, Florida 33558.

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FIRST ORDER OF BUSINESS – Roll Call

16 Ms. Yeira called the meeting to order and conducted roll call.

17 Present and constituting a quorum were:

18 Mike Lawson Board Supervisor, Chairman
19 Doug Draper Board Supervisor, Vice Chairman
20 Lori Price Board Supervisor, Assistant Secretary

21 Also present were:

22 Paul Cusmano District Manager, DPF, Inc.
23 Lore Yeira Assistant District Manager, DPF, Inc.
24 Maik Aagaard Assistant Treasurer, DPF, Inc.

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The following is a summary of the discussions and actions taken at the October 2, 2018 Zephyr Lakes CDD Board of Supervisors meeting.

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SECOND ORDER OF BUSINESS – Audience Comments

35 Ms. Yeira opened the floor for the audience to ask questions and to comment on agenda items.
36 There being none, next item followed.

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THIRD ORDER OF BUSINESS – Consent Agenda

41 Ms. Yeira presented the consent agenda items that included the minutes of the Board of Supervisors
42 regular meeting and audit committee meeting held on September 19, 2018 (**Exhibit 1**) and the August 2018
43 Unaudited Financial Statement (**Exhibit 2**) to the Board for their review and consideration.

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On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board approved the consent agenda items A & B for the Zephyr Lakes Community Development District.

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FOURTH ORDER OF BUSINESS – Business Matters

50 Ms. Yeira presented the business matters that included Resolution 2019-01 (**Exhibit 3**) to the Board
51 for their review and consideration.

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On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the Board approved Resolution **2019-01**; Designating a Date, Time, and Location for a Landowners Meeting to be held on November 6, 2018 at 9:00 a.m. at the Residence Inn, 2101 Northpointe Parkway, Lutz, Florida for the Zephyr Lakes Community Development District.

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FIFTH ORDER OF BUSINESS – Staff Reports

58 Ms. Yeira opened the floor for the district staff to present their reports. There being none, next item
59 followed.

46 **SIXTH ORDER OF BUSINESS – Supervisors Requests**

47 Ms. Yeira opened the floor for the supervisors to present their requests. There being none, next
48 item followed.

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50 **SEVENTH ORDER OF BUSINESS – Audience Questions and Comments on Other Items**

51 Ms. Yeira opened the floor for the audience to ask questions and to comment on other items. There
52 being none, next item followed.

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54 **EIGHTH ORDER OF BUSINESS – Adjournment**

55 Ms. Yeira asked for final questions, comments, or corrections before adjourning the meeting. There
56 being none, Mr. Lawson made a motion to adjourn the meeting.

57 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board adjourned
58 the meeting for the Zephyr Lakes Community Development District.

59 **Each person who decides to appeal any decision made by the Board with respect to any matter considered*
60 *at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made,*
61 *including the testimony and evidence upon which such appeal is to be based.*

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63 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed**
64 **meeting held on _____.**

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Signature

Signature

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Printed Name

Printed Name

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68 **Title:** **Secretary** **Assistant Secretary**

Title: **Chairman** **Vice Chairman**

Exhibit 2

RESOLUTION 2019- 02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF ZEPHYR LAKES COMMUNITY DEVELOPMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES, ADDRESSING SEAT NUMBER DESIGNATIONS ON THE BOARD OF SUPERVISORS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Zephyr Lakes Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; 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, following proper publication and notice thereof, on November 6, 2018, the owners of land within the District held a meeting for the purpose of electing supervisors to the District’s Board of Supervisors (“Board”); and

WHEREAS, at the November 6, 2018 meeting, the below recited persons were duly elected by virtue of the votes cast in their respective favor; and

WHEREAS, the Board, by means of this Resolution, desires to canvas the votes, declare and certify the results of the landowner’s election, and announce the Board Members, seat number designations on the Board.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF ZEPHYR LAKES COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The recitals as stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

SECTION 2. The following persons are found, certified, and declared to have been duly elected as Supervisors of and for the District, having been elected by the votes cast in their favor as shown below:

_____	_____	Votes	(4 year term)	Seat # 1
_____	_____	Votes	(4 year term)	Seat # 2
_____	_____	Votes	(2 year term)	Seat # 5

SECTION 3. Said terms of office commence on November 6, 2018.

SECTION 4. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect. To the extent the provisions of this Resolution conflict

with the provisions of any other resolution of the District, the provisions of this Resolution shall prevail.

PASSED AND ADOPTED this 6th day of November, 2018.

ATTEST:

**ZEPHYR LAKES COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/ Assistant Secretary
Print Name: _____

Chair/ Vice Chair
Print Name: _____

Exhibit 3

RESOLUTION 2019- 03

**A RESOLUTION OF THE BOARD OF SUPERVISORS
DESIGNATING THE OFFICERS OF ZEPHYR LAKES
COMMUNITY DEVELOPMENT DISTRICT, AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Zephyr Lakes Community Development District (the “District”), is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within the County of Pasco; and

WHEREAS, the Board of Supervisors (hereinafter the “Board”) now desires to designate the Officers of the District per F.S. 190.006(6).

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

1. The following persons are elected to the offices shown, to wit:

<u>Michael Lawson</u>	Chairman
<u>Doug Draper</u>	Vice-Chairman
<u>Paul Cusmano</u>	Secretary
<u>Patricia Comings-Thibault</u>	Treasurer
<u>Maik Aagaard</u>	Assistant Treasurer
<u>Lori Price</u>	Assistant Secretary
<u>Lore Yeira</u>	Assistant Secretary
<u>Janet Johns</u>	Assistant Secretary
_____	Assistant Secretary

2. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 6TH DAY OF NOVEMBER, 2018.

ATTEST:

**ZEPHYR LAKES COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/ Assistant Secretary
Print Name: _____

Chair/ Vice Chair
Print Name: _____

Exhibit 4

RESOLUTION 2019- 04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ZEPHYR LAKES COMMUNITY DEVELOPMENT DISTRICT AMENDING ITS BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017, AND ENDING SEPTEMBER 30, 2018; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors (the “**Board**”) of the Zephyr Lakes Community Development District (the “**District**”) previously adopted its budget for fiscal year 2017/2018;

WHEREAS, the Board desires to relocate funds budgeted to reflect appropriated revenues and expenses approved during the fiscal year;

WHEREAS, the District is empowered by section 189.016, Florida Statutes to adjust the budget based on actual revenues and expenses; and

WHEREAS, the District Manager has submitted a proposed amended budget to reflect appropriated revenues and expenses approved during the fiscal year 2017/2018 (the “**Amended Budget**”), attached hereto as **Exhibit A** and incorporated as a material part of this Resolution by this reference.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. **Recitals.** The foregoing recitals are hereby incorporated as the findings of fact of the Board.
2. **Amended Budget.** The Board hereby finds and determines as follows:
 - a. That the Board has reviewed the Amended Budget, a copy of which is on the District’s website, on file with the office of the District Manager, and at the District’s Records Office.
 - b. The Amended Budget is hereby adopted and shall accordingly amend the previously adopted budget for fiscal year 2017/2018.
 - c. That the Amended Budget shall be maintained in the office of the District Manager and at the District’s Records Office and identified as the “Amended Budget for the Zephyr Lakes Community Development District for the Fiscal Year Beginning October 1, 2017, and Ending September 30, 2018”.
 - d. The Amended Budget shall be posted by the District Manager on the District’s official website within five (5) days after adoption and remain on the website for at least two (2) years.
3. **Severability.** If any section or part of a section of this Resolution is declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such

other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

4. **Conflicts.** This Resolution is intended to supplement the original resolution adopting the budget for fiscal year 2017/2018, which remain in full force and effect. This Resolution and the original resolution shall be construed to the maximum extent possible to give full force and effect to the provisions of each resolution. All District resolutions or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded and repealed.
5. **Effective Date.** This Resolution shall become effective upon its adoption.

Passed and adopted this 6th day of November 2018.

Attest:

**Zephyr Lakes
Community Development District**

Lore Yeira
Assistant Secretary

Chair/ Vice Chair of the Board of Supervisors

Exhibit A: 2017/2018 Amended Budget

STATEMENT 1
ZEPHYR LAKES CDD
FY 2018 PROPOSED BUDGET GENERAL FUND AMENDMENT - #2

	FY 2018 ADOPTED	FY 2018 Amended Budget #1	FY 2018 ACTUALS	FY 2018 Amendment #2	FY 2018 Amended Budget #2
REVENUE					
OFF ROLL FUNDING (a)	\$ 101,032	\$ 72,959	\$ 68,297	\$ 1,640	\$ 74,599
MISCELLANEOUS	-	-	-	-	-
TOTAL REVENUE	101,032	72,959	68,297	1,640	74,599
EXPENDITURES					
ADMINISTRATIVE					
SUPERVISORS COMPENSATION	12,000	3,600	3,600	-	3,600
PAYROLL TAXES	918	276	276	0	276
PAYROLL SERVICE FEES	676	459	470	11	470
MANAGEMENT CONSULTING SERVICES	21,000	21,000	21,000	-	21,000
PLANNING, COORDINATING & CONTRACT SRVCS	36,000	36,000	36,000	-	36,000
CONSTRUCTION ACCOUNTING SERVICES	-	1,000	-	(1,000)	-
BANK FEES	120	49	52	3	52
MISCELLANEOUS	316	330	330	-	330
AUDITING SERVICES	4,000	2,600	2,600	-	2,600
TRAVEL PER DIEM	75	24	21	(3)	21
REGULATORY AND PERMIT FEES	175	175	175	-	175
LEGAL ADVERTISEMENTS	1,200	847	1,275	428	1,275
ENGINEERING SERVICES	4,000	500	-	(500)	-
LEGAL SERVICES	7,000	2,829	4,660	1,831	4,660
WEBISTE DEVELOPMENT & HOSTING	720	720	740	20	740
COUNTY ASSESSMENT COLLECTION FEE	-	-	-	-	-
CONTINGENCY	-	-	850	850	850
TOTAL ADMINISTRATIVE	88,200	70,409	72,049	1,640	72,049
INSURANCE					
INSURANCE (Liability, Property & Casualty)	2,651	2,550	2,550	-	2,550
TOTAL INSURANCE	2,651	2,550	2,550	-	2,550
PHYSICAL ENVIRONMENT					
FIELD MANAGER	8,781	-	-	-	-
FIELD TRAVEL EXPENDITURE	1,400	-	-	-	-
TOTAL PHYSICAL ENVIRONMENT	10,181	-	-	-	-
TOTAL EXPENDITURES	101,032	72,959	74,599	1,640	74,599
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	-	0	(6,302)	(0)	-
FUND BALANCE - BEGINNING	-	-	-	-	-
FUND BALANCE - ENDING	\$ -	\$ 0	\$ (6,302)	\$ (0)	\$ -