

Hacienda North Community Development District

707 Orchid Drive, Naples, FL 34102
P. 239-269-1341

**BOARD OF SUPERVISORS
HACIENDA NORTH COMMUNITY
DEVELOPMENT DISTRICT**

Monday, October 17, 2022, 9:00 a.m.
4001 Tamiami Trail N. Suite 300
Naples, Florida 34103

I. Roll Call.

II. Public Comments on Agenda Items.

III. Organizational Matters:

None to be considered at this time.

IV. Administrative Matters

A. Consideration of Resolution 2022-37: A Resolution of the Board of Supervisors of the Hacienda North Community Development District amending the date of the public hearing on the Fiscal Year 2021-2022 proposed budget; providing for severability; providing for conflicts and providing for an effective date.

Exhibit 1

B. Consideration of Resolution 2022-38: A Resolution of the Board of Supervisors of the Hacienda North Community Development District amending the date of the public hearing on the Fiscal Year 2022-2023 proposed budget; providing for severability; providing for conflicts and providing for an effective date.

Exhibit 2

C. Approval of Minutes of the September 19, 2022 Supervisors Meeting.

Exhibit 3

D. Acceptance of September 2022 2022 Financial Statements

Exhibit 4

V. Business Matters

None to be considered at this time

VI. Financial Matters

- A. Update on Bond Validation and Series 2022/23 Bond Issue

VII. Staff Reports.

- A. Manager.
- B. Legal Counsel.
- C. Engineer.

VIII. Public Comments

IX. Supervisors' Requests.

X. Adjournment.

EXHIBIT 1

RESOLUTION 2022-37

A RESOLUTION OF THE BOARD OF SUPERVISORS OF HACIENDA NORTH COMMUNITY DEVELOPMENT DISTRICT AMENDING THE DATE OF THE PUBLIC HEARING ON THE FISCAL YEAR 2021-2022 PROPOSED BUDGET; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors (“Board”) of the Hacienda North Community Development District (“District”) has previously set the date of the public hearing on the Proposed Budget for Fiscal Year 2021-2022 for September 14, 2022; and

WHEREAS, the Board desires to change the date of the public hearing on the Proposed Budget for Fiscal Year 2021-2022 to be November 7, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HACIENDA NORTH COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. INCORPORATION OF WHEREAS CLAUSES. That the foregoing whereas clauses are true and correct and incorporated herein as if written into this Section.

SECTION 2. AMENDED PUBLIC HEARING DATE, TIME, AND LOCATION. Resolution 2022-20 is hereby amended to reflect that the public hearing on the Fiscal Year 2021-2022 budget is hereby declared and re-set for the following date, hour, and location:

DATE: November 7, 2022
HOOR: 9:00 A.M.
LOCATION: Office of Coleman, Yovanovich & Koester, P.A.
Northern Trust Bank Building,
4001 Tamiami Trail N., Suite 300
Naples, Florida 34103

SECTION 3. NOTICE OF PUBLIC HEARING. Notice of this public hearing on the budget shall be published in a newspaper of general circulation in the area of the District once a week for two (2) consecutive weeks, except that the first publication shall not be fewer than fifteen (15) days prior to the date of the public hearing. The notice(s) shall further contain a designation of the day, time, and place of the public hearing. At the time and place designated in the notice(s), the Board shall hear all objections to the budget as proposed and may make such changes as the board deems necessary. Further, in accordance with Section 189.016, Florida Statutes the proposed budget will be posted on the District’s website at least two (2) days prior to budget public hearing. The District Manager’s actions in causing publication of the notice of the public hearing in accordance with Florida law, with the amended date, time, and location, is hereby ratified.

SECTION 4. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 5. CONFLICTS. All Sections or parts of Sections of any Resolutions or actions of the Board of Supervisors in conflict are hereby repealed to the extent of such conflict.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 17th day of October, 2022.

Attest:

**HACIENDA NORTH COMMUNITY
DEVELOPMENT DISTRICT**

Secretary

Chairman/Vice Chairman

EXHIBIT 2

RESOLUTION 2022-38

A RESOLUTION OF THE BOARD OF SUPERVISORS OF HACIENDA NORTH COMMUNITY DEVELOPMENT DISTRICT AMENDING THE DATE OF THE PUBLIC HEARING ON THE FISCAL YEAR 2022-2023 PROPOSED BUDGET; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors (“Board”) of the Hacienda North Community Development District (“District”) has previously set the date of the public hearing on the Proposed Budget for Fiscal Year 2022-2023 for October 17, 2022; and

WHEREAS, the Board desires to change the date of the public hearing on the Proposed Budget for Fiscal Year 2022-2023 to be November 7, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HACIENDA NORTH COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. INCORPORATION OF WHEREAS CLAUSES. That the foregoing whereas clauses are true and correct and incorporated herein as if written into this Section.

SECTION 2. AMENDED PUBLIC HEARING DATE, TIME, AND LOCATION. Resolution 2022-30 is hereby amended to reflect that the public hearing on the Fiscal Year 2022-2023 budget is hereby declared and re-set for the following date, hour, and location:

DATE: November 7, 2022
HOOR: 9:00 A.M.
LOCATION: Office of Coleman, Yovanovich & Koester, P.A.
Northern Trust Bank Building,
4001 Tamiami Trail N., Suite 300
Naples, Florida 34103

SECTION 3. NOTICE OF PUBLIC HEARING. Notice of this public hearing on the budget shall be published in a newspaper of general circulation in the area of the District once a week for two (2) consecutive weeks, except that the first publication shall not be fewer than fifteen (15) days prior to the date of the public hearing. The notice(s) shall further contain a designation of the day, time, and place of the public hearing. At the time and place designated in the notice(s), the Board shall hear all objections to the budget as proposed and may make such changes as the board deems necessary. Further, in accordance with Section 189.016, Florida Statutes the proposed budget will be posted on the District’s website at least two (2) days prior to budget public hearing. The District Manager’s actions in causing publication of the notice of the public hearing in accordance with Florida law, with the amended date, time, and location, is hereby ratified.

SECTION 4. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 5. CONFLICTS. All Sections or parts of Sections of any Resolutions or actions of the Board of Supervisors in conflict are hereby repealed to the extent of such conflict.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 17th day of October, 2022.

Attest:

**HACIENDA NORTH COMMUNITY
DEVELOPMENT DISTRICT**

Secretary

Chairman/Vice Chairman

EXHIBIT 3

EXHIBIT 3

EXHIBIT 3

HACIENDA NORTH COMMUNITY DEVELOPMENT DISTRICT
Suite 100, 707 Orchid Drive
Naples, FL 34102

MINUTES OF MEETING

Board of Supervisors Meeting
Monday September 19, 2022, 9:29 a.m.
Coleman Yovanovich & Koester, P.A.
Northern Trust Bank Building
4001 Tamiami Trail North, Suite 300
Naples, Florida 34104

Present and constituting a quorum were:

Maritza Aguiar	Board Member
Dwight Nadeau	Board Member
Bob Mulhere	Board Member

Absent:

Gary Hains	Board Member
Clifford "Chip" Olson	Board Member

Also present were:

Russ Weyer	District Manager, Real Estate Econometrics, Inc.
Greg Urbancic	District Counsel, Coleman, Yovanovich & Koester, P.A.
David Torres	Hacienda Lakes of Naples LLC
Jacquelyn Larocque	Atwell, LLC (On Zoom)
Misty Taylor	Bryant Miller Olive P.A. (On Zoom)

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

Mr. Weyer called the meeting to order and proceeded with the roll call. The members in attendance are as outlined above. He noted that the meeting was advertised according to Florida Statute requirements.

1 **SECOND ORDER OF BUSINESS**

2
3 Mr. Weyer noted that the Florida Statutes require that there be an opportunity for Public
4 Comment.

5
6 There were no public comments.

7
8 **THIRD ORDER OF BUSINESS**

Organizational Matters

9
10 Mr. Weyer said that there were three public hearings to be considered at this meeting and
11 all three were advertised as such.

12
13 Mr. Weyer requested a vote of the Board of Supervisors to open the public hearing on the
14 District's Rules of Procedure.

15
16 On MOTION by Ms. Aguiar and seconded by Mr. Nadeau, with all in favor, the Board of
17 Supervisors of the Hacienda North Community Development District opened the Public Hearing
18 on the District's Rules of Procedure.

19
20
21 **A. Consideration of Resolution 2022-34: Adopting the Hacienda North Community**
22 **Development District's Rules of Procedure.**

23
24 Mr. Urbancic explained that these are general rules of procedure that are common with
25 CDDs that provide a framework for the operations of the District such as bidding, etc. and
26 are in the same form that were brought forward at a prior District meeting. He asked that
27 the Board approve the resolution.

28
29 On MOTION by Mr. Nadeau and seconded by Ms. Aguiar, with all in favor, the Board of
30 Supervisors of the Hacienda North Community Development District approved Resolution 2022-
31 34 adopting the District's Rules of Procedure.

32
33 Mr. Weyer requested a vote of the Board of Supervisors to close the public hearing on the
34 District's Rules of Procedure.

35
36 On MOTION by Mr. Nadeau and seconded by Ms. Aguiar, with all in favor, the Board of
37 Supervisors of the Hacienda North Community Development District closed the Public Hearing
38 on the District's Rules of Procedure.

39
40 Mr. Weyer then provided the affidavit of publication for the District's Rules of Procedure
41 public hearing.

1 **FOURTH ORDER OF BUSINESS**

Administrative Matters

2
3 Next, Mr. Weyer requested a vote of the Board of Supervisors to open the public hearing
4 for Resolution 2022-35 that authorizes a capital improvement plan (“CIP”) and provides
5 certain findings that relate to the issuance of assessments that in part fund the CIP.
6

7 On MOTION by Mr. Mulhere and seconded by Mr. Nadeau, with all in favor, the Board of
8 Supervisors of the Hacienda North Community Development District opened the Public Hearing
9 for Resolution 2022-35.

10
11 **A. Consideration of Resolution 2022-35: A Resolution of the Board of**
12 **Supervisors of the Hacienda North Community Development District making**
13 **certain findings; authorizing a capital improvement plan; adopting an**
14 **engineer’s report; equalizing, confirming and levying special assessments;**
15 **addressing the finalization of special assessments; addressing the payment**
16 **of special assessments and the method of collection; providing for the**
17 **allocation of special assessments and true-up payments; addressing**
18 **government property, and making provisions relating to the transfer of real**
19 **property to units of local, state and federal government; authorizing the**
20 **recording of an assessment notice; and providing for severability, conflicts**
21 **and an effective date.**
22

23 Mr. Urbancic said that we essentially started this process at the last meeting with the
24 adoption of the engineer’s report and assessment methodology which are in the same form
25 in this resolution and the Board is sitting as the Equalization Board to the extent that there
26 are any comments or issues with respect to how we laid out the assessments and the
27 adoption of the Capital Improvement Program. He noted that the resolution is in order for
28 the final levy of those assessments. He asked that the Board approve the resolution.
29

30 On MOTION by Ms. Aguiar and seconded by Mr. Nadeau, with all in favor, the Board of
31 Supervisors of the Hacienda North Community Development District approved Resolution 2022-
32 35 authorizing a capital improvement plan (“CIP”) and provides certain findings that relate to the
33 issuance of assessments that in part fund the CIP and levying of the assessments.

34
35 Mr. Weyer requested a vote of the Board of Supervisors to close the public hearing on
36 Resolution 2022-35.
37

38 On MOTION by Mr. Mulhere and seconded by Ms. Aguiar, with all in favor, the Board of
39 Supervisors of the Hacienda North Community Development District closed the Public Hearing
40 on Resolution 2022-35.

41
42 Mr. Weyer then provided the affidavit of publication for the District’s Rules of Procedure
43 public hearing on Resolution 2022-35.
44

45 Mr. Weyer also provide the affidavit for the Notice of Assessment letter mailing.
46

1 Next, Mr. Weyer requested a vote of the Board of Supervisors to open the public hearing
2 for Resolution 2022-36 that provides for a uniform method of levying, collecting and
3 enforcing non-ad valorem assessments which may be levied by the Hacienda North
4 Community Development District.
5

6 On MOTION by Mr. Nadeau and seconded by Ms. Aguiar, with all in favor, the Board of
7 Supervisors of the Hacienda North Community Development District opened the Public Hearing
8 for Resolution 2022-36.
9

10 **B. Consideration of Resolution 2022-36: A Resolution of the Board of Supervisors of the**
11 **Hacienda North Community Development District expressing its intent to utilize the**
12 **uniform method of levying, collecting, and enforcing non-ad valorem assessments**
13 **which may levied by the Hacienda North Community Development District in**
14 **accordance with section 197.3632, Florida Statutes; providing a severability clause;**
15 **and providing an effective date.**
16

17 Mr. Urbancic said this is a step the District has to take in order to put our non-ad valorem
18 assessments on the county property tax bill for normal uniform collection and transmittal
19 to the county property appraiser. There was no further discussion.
20

21 On MOTION by Ms. Aguiar and seconded by Mr. Mulhere, with all in favor, the Board of
22 Supervisors of the Hacienda North Community Development District approved Resolution 2022-
23 36 that provides for a uniform method of levying, collecting and enforcing non-ad valorem
24 assessments which may be levied by the Hacienda North Community Development District.
25

26 Mr. Weyer requested a vote of the Board of Supervisors to close the public hearing on
27 Resolution 2022-36.
28

29 On MOTION by Mr. Mulhere and seconded by Ms. Aguiar, with all in favor, the Board of
30 Supervisors of the Hacienda North Community Development District closed the Public Hearing
31 on Resolution 2022-36.
32

33 Mr. Weyer then provided the affidavit of publication for the District's Rules of Procedure
34 public hearing on Resolution 2022-36.
35

36 **C. Consideration of the Meeting Minutes from the August 15, 2022 Board of Supervisors**
37 **Meeting.**
38

39 There were no comments or discussion.
40

41 On MOTION by Mr. Mulhere and seconded by Ms. Aguiar, with all in favor, the Board of
42 Supervisors of the Hacienda North Community Development District accepted the meeting
43 minutes from the August 15, 2022 Board of Supervisors meeting.
44

1 **D. Consideration of the August 2022 Financial Statements.**

2
3 Mr. Weyer presented the cash flow for the District through August 2022. There is about
4 \$12,000 in the checking account. He said that all of the expenses are administrative. Mr.
5 Torres asked and Mr. Weyer confirmed that the cash is for expenses through September.
6 There was no further discussion.
7

8 On MOTION by Mr. Mulhere and seconded by Mr. Nadeau, with all in favor, the Board of
9 Supervisors of the Hacienda North Community Development District accepted the District's
10 financials through August 2022.

11
12
13 **FIFTH ORDER OF BUSINESS**

Business Matters

14
15 Mr. Weyer noted that there were no business matters to be considered at this time.
16

17 **SIXTH ORDER OF BUSINESS**

Financial Matters

18
19 Mr. Urbancic noted that we filed the complaint and the State Attorney accepted service and
20 also filed an answer. We will file a joint stipulation with the State Attorney in advance of
21 the hearing, which is scheduled for October 31, 2022. He doesn't foresee any issues but
22 we will be prepared if something comes up.
23

24 Mr. Weyer asked Ms. Larocque and Ms. Taylor if they had any comments. They did not
25 and there was no further discussion.
26

27 **SEVENTH ORDER OF BUSINESS**

Staff Reports

28
29 **Manager's Report –**

30
31 Mr. Weyer had nothing further to report.
32

33 **Attorney's Report –**

34
35 Mr. Urbancic had nothing further to report.
36

37 **Engineer's Report –**

38
39 Ms. Larocque had nothing further to report.
40

41 **EIGHTH ORDER OF BUSINESS**

Supervisors Requests

42
43 There were no Supervisor Requests.
44
45

NINTH ORDER OF BUSINESS

Public Comments

There were no public comments.

TENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Nadeau and seconded by Mr. Mulhere, with all in favor, the meeting of the Board of Supervisors of the Hacienda North Community Development District was adjourned.

Secretary/Assistant Secretary

Chairperson/Vice-Chairperson

Print Name

Print Name

EXHIBIT 4

Hacienda North Community Development District
Cash Flow
September, 2022

	<u>Total</u>
Revenue	
Off Roll Assessments	\$ 27,087.00
Total Revenue	<u>\$ 27,087.00</u>
Expenditures	
Administrative	
Board of Supervisors Stipend	\$ 2,200.00
Management Consulting Services	7,500.00
Office Expense	32.67
District Filing Fee	100.00
Legal Advertising	8,050.90
Accounting Services	1,152.00
Legal Services	7,343.50
Total Administrative	<u>\$ 26,379.07</u>
Total Expenditures	<u>\$ 26,379.07</u>
Net Cash Flow	<u>\$ 707.93</u>