

CANOE CREEK RESERVE

**COMMUNITY DEVELOPMENT
DISTRICT**

BOARD OF SUPERVISORS

September 17, 2024

**PUBLIC HEARING AND
REGULAR MEETING
AGENDA**

CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT

AGENDA
LETTER

Canoe Creek Reserve Community Development District

OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Toll-free: (877) 276-0889 • Fax: (561) 571-0013

September 10, 2024

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Board of Supervisors

Canoe Creek Reserve Community Development District

Dear Board Members:

The Board of Supervisors of the Canoe Creek Reserve Community Development District will hold a Public Hearing and Regular Meeting on September 17, 2024 at 2:00 p.m., at KPM Franklin, 222 Church Street, Kissimmee, Florida 34741. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Consideration of Resolution 2024-43, Ratifying the Actions of the District Manager and District Staff in Re-Scheduling and Re-Noticing the Budget Hearing for Fiscal Year 2023/2024 and Fiscal Year 2024/2025; Providing a Severability Clause; and Providing an Effective Date
4. Public Hearing on Adoption of Fiscal Year 2023/2024 and Fiscal Year 2024/2025 Budgets
 - A. Affidavit of Publication
 - B. Consideration of Resolution 2024-42, Relating to the Annual Appropriations and Adopting the Budget for the Remainder of the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Adopting the Budget for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date
5. Consideration of Resolution 2024-17, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date
6. Consideration of Osceola County Property Appraiser Agreement
7. Consideration of Osceola County Tax Collector Agreement
8. Consideration of Resolution 2024-08, Designating the Location of the Local District Records Office and Providing an Effective Date

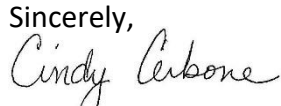
9. Acceptance of Unaudited Financial Statements as of July 31, 2024
10. Approval of Minutes
 - A. July 15, 2024 Landowners' Meeting
 - B. July 15, 2024 Public Hearings, Regular Meeting and Audit Committee Meeting
11. Staff Reports
 - A. District Counsel: *Kilinski / Van Wyk PLLC*
 - Memorandum: Goals and Objectives Reporting
 - B. District Engineer: *KPM Franklin*
 - Update: CDD Boundary
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - NEXT MEETING DATE: TBD

○ QUORUM CHECK

SEAT 1	STEVE McCONN	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 2	CASEY DARE	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 3	AARON REID	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 4	SUSAN KANE	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 5	TYLER HARDING	☐ IN PERSON	☐ PHONE	☐ NO

12. Board Members' Comments/Requests
13. Public Comments
14. Adjournment

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

Sincerely,

Cindy Cerbone
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

CALL-IN NUMBER: 1-888-354-0094

PARTICIPANT PASSCODE: 801 901 3513

CANOE CREEK RESERVE

COMMUNITY DEVELOPMENT DISTRICT

3

RESOLUTION 2024-43

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CANOE CREEK RESERVE COMMUNITY DEVELOPMENT DISTRICT RATIFYING THE ACTIONS OF THE DISTRICT MANAGER AND DISTRICT STAFF IN RE-SCHEDULING AND RE-NOTICING THE BUDGET HEARING FOR FISCAL YEAR 2023/2024 AND FISCAL YEAR 2024/2025; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Canoe Creek Reserve Community Development District ("**District**") is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated in Osceola County, Florida; and

WHEREAS, due to a lack of quorum for the originally scheduled hearing, the District Manager and District staff re-scheduled the date of the hearing on the Proposed Budgets, as defined in Resolution No. 2024-23, for September 17, 2024, at 2:00 p.m., at KPM Franklin, 222 Church Street, Kissimmee, Florida 34741, and caused notice thereof to be provided pursuant to Florida law; and

WHEREAS, the Board desires to ratify all the actions taken by the District Manager and District staff in re-setting said hearing, and to amend Resolution 2024-23 to reflect the same.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CANOE CREEK RESERVE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. Resolution 2024-23 is hereby amended to reflect the re-scheduled date of the hearing on the Proposed Budgets for the following date, time, and location:

DATE:	September 17, 2024
HOUR:	2:00 p.m.
LOCATION:	KPM Franklin 222 Church Street Kissimmee, Florida 34741

SECTION 2. The actions of the District Manager and District staff in re-scheduling and re-noticing the hearing on the Proposed Budgets, are hereby ratified and approved.

SECTION 3. Except as otherwise provided herein, all of the provisions of Resolution 2024-23 continue in full force and effect.

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.

SECTION 5. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED THIS 17TH DAY OF SEPTEMBER, 2024.

ATTEST:

**CANOE CREEK RESERVE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT

4A

AFFIDAVIT OF PUBLICATION

Osceola News-Gazette
222 Church Street
(407) 846-7600

I, Tatiana Dorval, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Osceola News-Gazette, a publication that is a "legal newspaper" as that phrase is defined for the city of Kissimmee, for the County of Osceola, in the state of Florida, that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

PUBLICATION DATES:

Aug. 29, 2024

Sep. 5, 2024

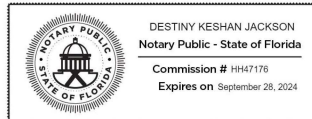
Notice ID: VGLv0dbk10a26E3lOlia

Notice Name: CANOE CREEK RESERVE CDD*FY24 & FY25 Budget

PUBLICATION FEE: \$161.00

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true,

Tatiana Dorval
Agent



VERIFICATION

State of Florida
County of Duval

Signed or attested before me on this: 09/05/2024

Destiny K. Jackson

Notary Public
Notarized remotely online using communication technology via Proof.

CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARINGS TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2023/2024 BUDGET AND FISCAL YEAR 2024/2025 BUDGET; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.

The Board of Supervisors ("Board") of the Canoe Creek Reserve Community Development District ("District") will hold public hearings on September 17, 2024, at 2:00 p.m., at KPM Franklin, 222 Church Street, Kissimmee, Florida 34741 for the purpose of hearing comments and objections on the adoption of the proposed budgets of the District for the fiscal year beginning October 1, 2023, and ending September 30, 2024 (the "2023/2024 Proposed Budget"), as well as the proposed budget for Fiscal Year 2024/2025 ("2024/2025 Proposed Budget" and, along with the 2023/2024 Proposed Budget, the "Proposed Budgets"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it. A copy of the agenda and Proposed Budgets may be obtained at the offices of the District Manager, Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida, 33431, (561) 571-0010 ("District Manager's Office"), during normal business hours.

The public hearings and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. The public hearings and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office at least three (3) business days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of 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 such appeal is to be based.

District Manager
August 29, 2024/September 5, 2024

CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT

4B

RESOLUTION 2024-42

RESOLUTION OF THE CANOE CREEK RESERVE COMMUNITY DEVELOPMENT DISTRICT RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE REMAINDER OF THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Canoe Creek Reserve Community Development District ("**District**") was established by the Board of County Commissioners for Osceola County, Florida on May 20, 2024, which became effective on May 22, 2024; and

WHEREAS, the District Manager has submitted to the Board of Supervisors ("**Board**") of the District a proposed budget for the remainder of the fiscal year beginning October 1, 2023 and ending September 30, 2024 ("**Fiscal Year 2023/2024 Proposed Budget**") and a proposed budget for the fiscal year beginning October 1, 2024 and ending September 30, 2025 ("**Fiscal Year 2024/2025 Proposed Budget**") and along with the Fiscal Year 2023/2024 Proposed Budget, the "**Proposed Budgets**") along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, to the extent practical and recognizing the establishment date of the District, at least sixty (60) days prior to the adoption of the Proposed Budgets, the District filed copies of the Proposed Budgets with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

WHEREAS, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, Section 190.008(2)(a), *Florida Statutes*, requires that the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared the Proposed Budgets, whereby each budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal years.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CANOE CREEK RESERVE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budgets, copies of which are on file with the office of the District Manager and at the District's Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.
- b. The Proposed Budgets, attached hereto as **Exhibit A** and **B**, as amended by the Board, are hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* ("**Adopted Budgets**"), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budgets may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budgets, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the Canoe Creek Reserve Community Development District for the Fiscal Year Ending September 30, 2024" and "The Budget for the Canoe Creek Reserve Community Development District for the Fiscal Year Ending September 30, 2025," respectively.
- d. The Adopted Budgets shall be posted by the District Manager on the District's official website within thirty (30) days after adoption and shall remain on the website for at least 2 years.

SECTION 2. APPROPRIATIONS

- a. There is hereby appropriated out of the revenues of the District, for Fiscal Year 2023/2024, the sum of \$54,015 to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	\$54,015
TOTAL ALL FUNDS	\$54,015

- b. There is hereby appropriated out of the revenues of the District, for Fiscal Year 2024/2025, the sum of \$98,790 to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	\$98,790
TOTAL ALL FUNDS	\$98,790

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within the Fiscal Year 2023/2024, Fiscal Year 2024/2025, or within 60 days following the end of that Fiscal Year, may amend its Adopted Budget for that same fiscal year as follows:

- a. A line-item appropriation for expenditures within a fund may be decreased or increased by motion of the Board recorded in the minutes, and approving the expenditure, if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may approve an expenditure that would increase or decrease a line-item appropriation for expenditures within a fund if the total appropriations of the fund do not increase and if either (i) the aggregate change in the original appropriation item does not exceed the greater of \$15,000 or 15% of the original appropriation, or (ii) such expenditure is authorized by separate disbursement or spending resolution.
- c. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and Section 189.016, *Florida Statutes*, among other applicable laws. Among other procedures, the District Manager or Treasurer must ensure that any amendments to budget under subparagraph c. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 12TH DAY OF SEPTEMBER, 2024.

ATTEST:

**CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Fiscal Year 2023/2024 Budget

Exhibit B: Fiscal Year 2024/2025 Budget

Exhibit A: Fiscal Year 2023/2024 Budget

**CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2024**

**CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT
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**CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2024**

	Proposed Budget
REVENUES	
Landowner contribution	\$ 54,015
Total revenues	<u>54,015</u>
EXPENDITURES	
Professional & administrative	
Supervisors	-
Management/accounting/recording**	10,000
Legal	25,000
Engineering	2,000
Audit	-
Arbitrage rebate calculation*	-
Dissemination agent*	-
Trustee*	-
Telephone	200
Postage	500
Printing & binding	500
Legal advertising	7,500
Annual special district fee	175
Insurance	5,500
Contingencies/bank charges	750
Website hosting & maintenance	1,680
Website ADA compliance	210
Total expenditures	<u>54,015</u>
Excess/(deficiency) of revenues over/(under) expenditures	-
Fund balance - beginning (unaudited)	-
Fund balance - ending (projected)	-
Unassigned	-
Fund balance - ending	<u><u>\$ -</u></u>

*These items will be realized when bonds are issued.

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

Supervisors	\$ -
Statutorily set at \$200 for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year.	
Management/accounting/recording**	10,000
Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.	
Legal	25,000
General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.	
Engineering	2,000
The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.	
Audit	-
Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.	
Arbitrage rebate calculation*	-
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Dissemination agent*	-
The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.	
Trustee*	-
Telephone	200
Postage	500
Telephone and fax machine.	
Printing & binding	500
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Legal advertising	7,500
Letterhead, envelopes, copies, agenda packages	
Annual special district fee	175
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.	
Insurance	5,500
Annual fee paid to the Florida Department of Economic Opportunity.	
Contingencies/bank charges	750
Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.	
Website hosting & maintenance	1,680
Website ADA compliance	210
Total expenditures	<u><u>\$ 54,015</u></u>

*These items will be realized when bonds are issued.

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Exhibit B: Fiscal Year 2024/2025 Budget

**CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2025**

**CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT
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**CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2025**

	Proposed Budget
REVENUES	
Landowner contribution	\$ 98,790
Total revenues	<u>98,790</u>
EXPENDITURES	
Professional & administrative	
Supervisors	-
Management/accounting/recording**	48,000
Legal	25,000
Engineering	2,000
Audit	5,500
Arbitrage rebate calculation*	500
Dissemination agent*	2,000
Trustee*	5,500
Telephone	200
Postage	500
Printing & binding	500
Legal advertising	1,750
Annual special district fee	175
Insurance	5,500
Contingencies/bank charges	750
Website hosting & maintenance	705
Website ADA compliance	210
Total expenditures	<u>98,790</u>
Excess/(deficiency) of revenues over/(under) expenditures	-
Fund balance - beginning (unaudited)	-
Fund balance - ending (projected)	
Unassigned	-
Fund balance - ending	<u><u>\$ -</u></u>

*These items will be realized when bonds are issued.

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

Supervisors	\$ -
Statutorily set at \$200 for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year.	
Management/accounting/recording**	48,000
Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.	
Legal	25,000
General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.	
Engineering	2,000
The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.	
Audit	5,500
Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.	
Arbitrage rebate calculation*	500
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Dissemination agent*	2,000
The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.	
Trustee*	5,500
Telephone	200
Postage	500
Telephone and fax machine.	
Printing & binding	500
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Legal advertising	1,750
Letterhead, envelopes, copies, agenda packages	
Annual special district fee	175
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.	
Insurance	5,500
Contingencies/bank charges	750
Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.	
Website hosting & maintenance	705
Website ADA compliance	210
Total expenditures	<u><u>\$ 98,790</u></u>

*These items will be realized when bonds are issued.

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

CANOE CREEK RESERVE

COMMUNITY DEVELOPMENT DISTRICT

5

RESOLUTION 2024-17

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CANOE CREEK RESERVE COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT FOR FISCAL YEAR 2024/2025 AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Canoe Creek Reserve Community Development District ("**District**") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the District is required by Section 189.015, *Florida Statutes*, to file quarterly, semi-annually, or annually a schedule (including date, time, and location) of its regular meetings with local governing authorities; and

WHEREAS, further, in accordance with the above-referenced statute, the District shall also publish quarterly, semi-annually, or annually the District's regular meeting schedule in a newspaper of general paid circulation in the county in which the District is located.

WHEREAS, the Board desires to adopt the Fiscal Year 2024/2025 meeting schedule attached as **Exhibit A**.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CANOE CREEK RESERVE COMMUNITY DEVELOPMENT DISTRICT:

1. ADOPTING FISCAL YEAR 2024/2025 ANNUAL MEETING SCHEDULE. The Fiscal Year 2024/2025 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

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

PASSED AND ADOPTED this ____ day of _____, 2024.

ATTEST:

**CANOE CREEK RESERVE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EXHIBIT "A"

CANOE CREEK RESERVE COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2024/2025 MEETING SCHEDULE		
LOCATION		
TBD		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October __, 2024	Regular Meeting	__:__ AM/PM
November __, 2024	Regular Meeting	__:__ AM/PM
December __, 2024	Regular Meeting	__:__ AM/PM
January __, 2025	Regular Meeting	__:__ AM/PM
February __, 2025	Regular Meeting	__:__ AM/PM
March __, 2025	Regular Meeting	__:__ AM/PM
April __, 2025	Regular Meeting	__:__ AM/PM
May __, 2025	Regular Meeting	__:__ AM/PM
June __, 2025	Regular Meeting	__:__ AM/PM
July __, 2025	Regular Meeting	__:__ AM/PM
August __, 2025	Regular Meeting	__:__ AM/PM
September __, 2025	Regular Meeting	__:__ AM/PM

CANOE CREEK RESERVE

COMMUNITY DEVELOPMENT DISTRICT

6

AGREEMENT

THIS AGREEMENT is made and entered into this 15th day of August 2024, by and between Canoe Creek Reserve Community Development District (CDD), and **Katrina S. Scarborough, Osceola County Property Appraiser** (Property Appraiser), who understand and agree as follows:

WITNESSETH

Whereas, Canoe Creek Reserve CDD has declared its intent to use the uniform method of collecting non-ad valorem assessment as authorized by section 197.3631, Florida Statutes (2015), pursuant to the method provided for in sections 197.3632 and 197.3635, Florida Statutes (2015).

Whereas, section 197.3632(2), Florida Statutes (2015), requires that a written agreement be entered into between Canoe Creek Reserve CDD and Property Appraiser providing for reimbursement by Canoe Creek Reserve CDD of the necessary administrative costs incurred by the Property Appraiser under section 197.3632.

Now Therefore the parties agree that:

1. The Property Appraiser shall perform those services specified in section 197.3632, to be performed by a property appraiser for the benefit of Canoe Creek Reserve CDD. In performing those services, the Property Appraiser may obtain the assistance of Osceola County.
2. Canoe Creek Reserve CDD shall reimburse the Property Appraiser for all necessary administrative costs incurred providing such services, including any administrative costs incurred by Osceola County at the request of the Property Appraiser as set forth in section 197.3632(2).
3. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming as prescribed in section 197.3632(2). Canoe Creek Reserve CDD also agrees to hold the Property

Appraiser harmless for any and all costs, court costs, and attorney's fees resulting from or arising from any and all challenges, both administrative and judicial, which the Property Appraiser may be required to defend involving the imposition and/or levy of non-ad valorem assessment. All such administrative costs and additional costs, court costs, and attorney's fees incurred by the Property Appraiser in both administrative and judicial challenges shall be paid to the Property Appraiser within fifteen (15) days of the presentment of a statement or invoice setting forth the amount due and the reason therefore.

4. This Agreement is the minimum necessary to implement the law and will be amended as necessary from time to time to clarify or supplement the provisions hereof.

5. The parties hereto agree that the Property Appraiser, by executing this Agreement and agreeing to assist Canoe Creek Reserve CDD in the collection of non-ad valorem assessments, does not warrant either the legal efficacy or validity of any levies made by Canoe Creek Reserve CDD as non-ad valorem assessments, or the correctness of the amount of the levy or charge imposed against the parcels of property to be subject to the levy, or any individual parcel subject to said levy.

6. The parties agree that any errors made in the amount of the levy or imposition or any other errors of omission or commission regardless of the nature or cause of same, shall be processed and corrected exclusively and solely by Canoe Creek Reserve CDD and that the Property Appraiser shall not be responsible for same. The parties further agree that all requests or claims made by any affected property owner for correction shall be processed exclusively by Canoe Creek Reserve

CDD and shall be filed with Canoe Creek Reserve CDD, or its designee, provided that its designee shall not be the Property Appraiser.

7. The term of this Agreement shall commence with the 2025 non-ad valorem assessment rolls of Canoe Creek Reserve CDD and shall continue and extend uninterrupted from year to year from the effective date as indicated below unless a notice of discontinuance shall be issued by any party. A notice of discontinuance shall be in writing and shall be delivered not less than ninety (90) days in advance of the commencement of the next fiscal year of Canoe Creek Reserve CDD save and except during those years when Canoe Creek Reserve CDD in timely fashion notifies the Tax Collector and the Property Appraiser that it needs to collect and enforce the assessment pursuant to other provisions of law.

8. The parties to this Agreement agree to consult and cooperate as necessary and practical for the efficient and timely listing, preparation, submissions, certification, collection and enforcement against delinquencies of Canoe Creek Reserve CDD non-ad valorem or special assessment rolls and levies, including provision by Canoe Creek Reserve CDD to the other parties of any staff assistance reasonably necessary and required to effect the purposes of this Agreement.

9. The parties shall perform all their obligations under this Agreement in accordance with good faith and prudent practice.

10. This Agreement constitutes the entire agreement between the parties with respect to the subject matter contained herein and may not be amended, modified or discontinued, unless otherwise provided in this Agreement, except in writing and signed by all the parties hereto. Should any provision of this Agreement be declared to be invalid, the remaining provisions of this Agreement

shall remain in full force and effect, unless such provision found to be invalid alter substantially the benefits of the Agreement for either of the parties or renders the statutory and regulatory obligations unperformable.

11. This Agreement shall be governed by the laws of the State of Florida.

12. Written notice shall be given to the parties at the following address, or such other place or person as each of the parties shall designate by similar notice:

a. Canoe Creek Reserve CDD: 2300 Glades Road, Suite 410W
Boca Raton, FL 33431

b. Property Appraiser: 2505 E. Irlo Bronson Memorial Highway
Kissimmee, Florida 34744-4909

In Witness Where of the parties have hereunto set their hand and seals and such of them as are corporations have caused these presents to be signed by their duly authorized officers.

ATTEST:

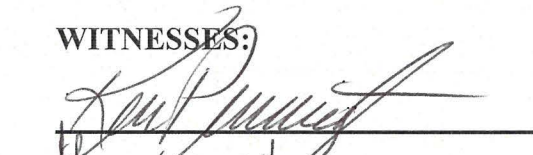
Canoe Creek Reserve CDD

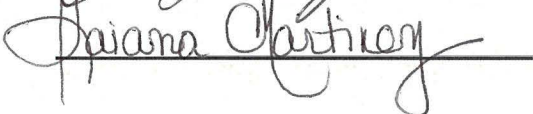
By: _____

By: _____

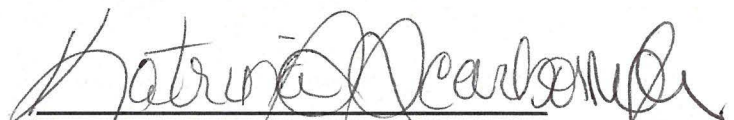
As authorized for execution by the
_____ of Canoe Creek Reserve CDD
at its _____ regular meeting

WITNESSES:





**OSCEOLA COUNTY PROPERTY
APPRAISER:**



Katriana S. Scarborough, CFA, CCF, MCF
Osceola County Property Appraiser

CANOE CREEK RESERVE

COMMUNITY DEVELOPMENT DISTRICT

7

AGREEMENT

THIS AGREEMENT made and entered into this day of **August**, 2024 , by and between **Canoe Creek Reserve Community Development District**, an independent special district created by Resolution No. 2024-38(hereinafter referred to as "the District), whose address is 2300 Glades Road, Suite 410W Boca Raton, Florida 33431, and the **OSCEOLA COUNTY TAX COLLECTOR**, a constitutional officer of the State of Florida, whose address is 2501 E. Irlo Bronson Memorial Hwy, Kissimmee, Florida 34744 (hereinafter referred to as "Tax Collector").

WITNESSETH:

WHEREAS, the District is authorized to impose non-ad valorem assessments and by resolution has expressed its intent to use the uniform method of notice, levy, collection and enforcement of such assessments, as authorized by Section 197.3632, Florida Statutes (2021); and

WHEREAS, the uniform methodology with its enforcement provisions including the use of tax certificates and tax deeds for enforcing against any delinquencies, is more fair to the delinquent property owner than traditional lien foreclosure methodology; and

WHEREAS, the uniform method will provide for more efficiency of collection by virtue of the assessment being on the tax notice issued by the Tax Collector which will produce positive economic benefits to Osceola; and

WHEREAS, as the uniform methodology will tend to eliminate confusion and to promote local government accountability; and

WHEREAS, Section 197.3632 (2), Florida Statutes, provides that the District shall enter into a written agreement with the Tax Collector for reimbursement of necessary administrative costs incurred in implementing said section; and

WHEREAS, Section 197.3632 (7), Florida Statutes, provides that the District shall bear all costs associated with any separate notice in the event Tax Collector is unable to merge a non-ad valorem assessment roll to produce the annual. tax notice; and

WHEREAS, Section 197.3632 (8) (c), Florida Statutes, provides that the District shall compensate the Tax Collector for actual costs of collection of non-ad valorem assessments and, Section 192.091(2)(b), Florida Statutes, entitles Tax Collector to receive a 2% commission.

NOW, THEREFORE, for and in consideration of the foregoing, including mutual terms, covenants and conditions herein contained, the parties do contract and agree as follows:

ARTICLE I

PURPOSE

The purpose of this Agreement is to establish the terms and conditions under which the Tax Collector shall collect and enforce the collection of those certain non-ad valorem assessments levied by the District to include reimbursement by the District to the Tax Collector for actual costs of collection pursuant to Section 197.3632(8)(c), Florida Statutes; any costs involved in separate mailings because of non-merger of any non-ad valorem assessment roll as certified by Canoe Creek Reserve Community Development District Board of Supervisors Chairman or its designee, pursuant to Section 197.3632 (7), Florida Statutes; and for necessary administrative costs, including, but not limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage and programming which attend all of the collection and enforcement duties imposed upon the Tax Collector by the uniform methodology, as provided in Section 197.3632 (2), Florida Statutes,

ARTICLE II

TERM

The term of this Agreement shall commence on January 1, and shall run through December 31 of the same year, the date of signature of the parties notwithstanding, and shall automatically be renewed thereafter for successive periods not to exceed one (1) year each. However, the Canoe Creek Reserve Community Development District Board of Supervisors shall inform the Tax Collector, as well as the Property Appraiser and the Department of Revenue, by January 10 in any calendar year in which it intends to discontinue to use the uniform method of collecting each such assessment pursuant to Section 197.3632 (6), Florida Statutes.

ARTICLE III

COMPLIANCE WITH LAWS AND REGULATIONS

The parties shall comply with all statutes, rules and regulations pertaining to the levy and collection of non-ad valorem assessments by, and any ordinances promulgated by Osceola County not inconsistent with, nor contrary to, the provisions of Section 197.3632, Florida Statutes, and Section 197.3635, Florida Statutes, and any subsequent amendments to said statutes, and any rules duly promulgated pursuant to said statutes.

This Agreement incorporates the provisions of Section 197.3632, Florida Statutes as they exist on the date of execution hereof and as they may be from time to time hereafter be amended or renumbered.

ARTICLE IV

DUTIES AND RESPONSIBILITIES OF THE DISTRICT

The District agrees, covenants and contracts to:

- (a) Timely reimburse the Tax Collector for actual collection costs incurred pursuant to Section 197.3632, Florida Statutes;
- (b) Timely reimburse Tax Collector for necessary administrative costs for the Collection and enforcement of the applicable non-ad valorem assessment by the Tax Collector pursuant to Section 197.3632(2), Florida Statutes, to include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage and programming.
- (c) To timely pay for or alternatively to timely reimburse the Tax Collector for any separate tax notice necessitated by the Tax Collector not being able to merge the non-ad valorem assessment roll certified by the District Chairman or, its designee pursuant to Section 197.3632 (7), Florida Statutes.
- (d) The District, upon being timely billed, shall pay directly for necessary advertising relating to implementation of the uniform non-ad valorem assessment law pursuant to Sections 197.3632 and 197.3635, Florida Statutes, and any applicable rules promulgated by the Department of Revenue thereunder.
- (e) By September 15 of each calendar year, the chairperson of the District, or its designee, shall officially certify to the Tax Collector the non-ad valorem assessment roll on compatible electronic medium, tied to the property parcel identification number, and otherwise conforming in format to that contained on the ad- valorem tax rolls submitted by the Property Appraiser to the Department of Revenue. The District shall post the non-ad valorem assessment roll and shall exercise its responsibility that such non-ad valorem assessment roll be free of errors and omissions.
- (f) The District agrees to cooperate with the Tax Collector to implement the uniform method of notice, levy, collection and enforcement of each non-ad valorem assessment, pursuant to, and consistent with, all the provisions of Sections 197.3632 and 197.3635, Florida Statutes, or its successor of statutory provisions and all applicable rules promulgated by the Department of Revenue and their successor rules.

ARTICLE V

DUTIES OF THE TAX COLLECTOR

(a) The Tax Collector shall timely perform all acts and duties required of a tax collector under the provisions of sections 197.3632 and 197.3635, Florida Statutes and the rules promulgated from time to time by the Department of Revenue.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals and have caused these presents to be signed by their duly authorized officers, the date first above written.

ATTEST:

Tax Collector

Witness

Bruce Vickers

ATTEST:

Secretary

By: _____
Chairman of the Board

CANOE CREEK RESERVE

COMMUNITY DEVELOPMENT DISTRICT

8

RESOLUTION 2024-08

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE LOCATION OF THE
LOCAL DISTRICT RECORDS OFFICE AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Canoe Creek Reserve 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 Osceola County, Florida; and

WHEREAS, the District is statutorily required to designate a local district records office location for the purposes of affording citizens the ability to access the District’s records, promoting the disclosure of matters undertaken by the District, and ensuring that the public is informed of the activities of the District in accordance with Chapter 119 and Section 190.006(7), *Florida Statutes*; and

WHEREAS, District records are available for public review and inspection at:

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

SECTION 1. The District’s local records office shall be located at:

SECTION 2. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2024.

ATTEST:

**CANOE CREEK RESERVE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED
FINANCIAL
STATEMENTS

**CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JULY 31, 2024**

**CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
JULY 31, 2024**

	General Fund	Debt Service Fund	Total Governmental Funds
ASSETS			
Undeposited funds	\$ 24,683	\$ -	\$ 24,683
Due from Landowner	3,640	3,006	6,646
Due from general fund	-	1,348	1,348
Total assets	<u>28,323</u>	<u>4,354</u>	<u>32,677</u>
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	\$ 17,630	\$ 4,354	\$ 21,984
Due to Landowner	-	4,354	4,354
Due to debt service fund	1,348	-	1,348
Landowner advance	13,500	-	13,500
Total liabilities	<u>32,478</u>	<u>8,708</u>	<u>41,186</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred receipts	3,640	-	3,640
Total deferred inflows of resources	<u>3,640</u>	<u>-</u>	<u>3,640</u>
Fund balances:			
Restricted for:			
Debt service	-	(4,354)	(4,354)
Unassigned	(7,795)	-	(7,795)
Total fund balances	<u>(7,795)</u>	<u>(4,354)</u>	<u>(12,149)</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 28,323</u>	<u>\$ 4,354</u>	<u>\$ 32,677</u>

**CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED JULY 31, 2024**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Landowner contribution	\$ 9,835	\$ 9,835	\$ 54,015	18%
Total revenues	<u>9,835</u>	<u>9,835</u>	<u>54,015</u>	18%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording	2,000	4,000	10,000	40%
Legal	1,582	9,359	25,000	37%
Engineering	-	-	2,000	0%
Telephone	16	33	200	17%
Postage	-	-	500	0%
Printing & binding	42	84	500	17%
Legal advertising	-	4,154	7,500	55%
Annual special district fee	-	-	175	0%
Insurance	-	-	5,500	0%
Contingencies/bank charges	-	-	750	0%
Website hosting & maintenance	-	-	1,680	0%
Website ADA compliance	-	-	210	0%
Total professional & administrative	<u>3,640</u>	<u>17,630</u>	<u>54,015</u>	33%
Total expenditures	<u>3,640</u>	<u>17,630</u>	<u>54,015</u>	33%
Excess/(deficiency) of revenues over/(under) expenditures	6,195	(7,795)	-	
Fund balances - beginning	(13,990)	-	-	
Fund balances - ending	<u>\$ (7,795)</u>	<u>\$ (7,795)</u>	<u>\$ -</u>	

**CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2021
FOR THE PERIOD ENDED JULY 31, 2024**

	Current Month	Year To Date
REVENUES	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
EXPENDITURES		
Debt service		
Cost of issuance	<u>3,006</u>	<u>4,354</u>
Total debt service	<u>3,006</u>	<u>4,354</u>
Excess/(deficiency) of revenues over/(under) expenditures	(3,006)	(4,354)
Fund balances - beginning	<u>(1,348)</u>	<u>-</u>
Fund balances - ending	<u><u>\$ (4,354)</u></u>	<u><u>\$ (4,354)</u></u>

CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT

MINUTES A

DRAFT

**MINUTES OF MEETING
CANOE CREEK RESERVE COMMUNITY DEVELOPMENT DISTRICT**

The Canoe Creek Reserve Community Development District held a Landowners' Meeting on July 15, 2024 at 1:30 p.m., at KPM Franklin, 222 Church Street, Kissimmee, Florida 34741.

Present were:

Cindy Cerbone	District Manager
Grace Kobitter	District Counsel
Jennifer Kilinski (via telephone)	Kilinski Van Wyk PLLC
Kevin White	Interim District Engineer
James Makransky	Officer, KB Home Orlando LLC
Steve McConn	KB Home Orlando LLC
Aaron Reid	KB Home Orlando LLC
Casey Dare	KB Home Orlando LLC
Susan Kane	Taylor Morrison
Tyler Harding	Taylor Morrison
Gaylon Barcom	Taylor Morrison
Alex Makransky	Public

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 1:37 p.m.

SECOND ORDER OF BUSINESS

Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

THIRD ORDER OF BUSINESS

Election of Chair to Conduct Landowners' Meeting

Mr. James Makransky, an Officer of KB Home Orlando LLC, one of the CDD's two Landowners, agreed to have Ms. Cerbone Chair the meeting and read his nominations and ballot into the record.

FOURTH ORDER OF BUSINESS

Election of Supervisors [All Seats]

A. Nominations

Mr. Makransky nominated the following:

Seat 1 Steve McConn

Seat 2 Casey Dare

Seat 3 Aaron Reid

Seat 4 Susan Kane

Seat 5 Tyler Harding

No other nominations were made.

No other Landowners, representatives of other Landowners or proxy holders were present.

B. Casting of Ballots

- Determine Number of Voting Units Represented**

A total of 84 voting units were represented. Mr. James Makransky is an officer and representative of the Landowner KB Home Orlando LLC, which owns 83.23 acres, equating to 84 votes. Mr. Makransky is eligible to cast up to 84 votes per seat.

- Determine Number of Voting Units Assigned by Proxy**

None of the voting units were assigned by proxy.

Mr. Makransky cast the following votes:

Seat 1 Steve McConn 80 votes

Seat 2 Casey Dare 70 votes

Seat 3 Aaron Reid 70 votes

Seat 4 Susan Kane 80 votes

Seat 5 Tyler Harding 70 votes

C. Ballot Tabulation and Results

The ballot tabulation, results and term lengths were as follows:

Seat 1 Steve McConn 80 votes 4-year Term

Seat 2 Casey Dare 70 votes 2-year Term

Seat 3 Aaron Reid 70 votes 2-year Term

Seat 4 Susan Kane 80 votes 4-year Term

69 Seat 5 Tyler Harding 70 votes 2-year Term

70

71 **FIFTH ORDER OF BUSINESS**

Landowners' Questions/Comments

72

73 There were no Landowners' questions or comments.

74

75 **SIXTH ORDER OF BUSINESS**

Adjournment

76

77 There being nothing further to discuss, the meeting adjourned at 1:39 p.m.

78

79

80

81 [SIGNATURES APPEAR ON THE FOLLOWING PAGE]

82

83

84

85

86

87 _____
Secretary/Assistant Secretary

Chair/Vice Chair

CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT

MINUTES B

DRAFT

MINUTES OF MEETING

CANOE CREEK RESERVE COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Canoe Creek Reserve Community Development District held Public Hearings, a Regular Meeting and an Audit Committee Meeting on July 15, 2024 at 1:30 p.m., at KPM Franklin, 222 Church Street, Kissimmee, Florida 34741.

Present were:

Steve McConn	Chair
Susan Kane	Vice Chair
Aaron Reid	Assistant Secretary
Casey Dare	Assistant Secretary
Tyler Harding	Assistant Secretary

Also present:

Cindy Cerbone	District Manager
Michal Szymonowicz	Wrathell, Hunt and Associates, LLC (WHA)
Grace Kobitter	District Counsel
Jennifer Kilinski (via telephone)	Kilinski Van Wyk PLLC
Kevin White	District Engineer
James Makransky	KB Home Orlando LLC
Gaylon Barcom	Taylor Morrison
Alex Makransky	Public

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 1:41 p.m. Ms. Cerbone stated that Mr. Stephen McConn, Ms. Susan Kane, Mr. Casey Dare, Mr. Aaron Reid and Mr. Tyler Harding were just elected at the Landowners' meeting.

▪ **Administration of Oath of Office to Elected Board of Supervisors**

This item, previously the Third Order of Business, occurred out of order.

Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Stephen McConn, Ms. Susan Kane, Mr. Casey Dare, Mr. Aaron Reid and Mr. Tyler Harding.

All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

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

The Oath of Office was administered during the First Order of Business. The Board Members are already familiar with the following:

A. Required Ethics Training and Disclosure Filing

- **Sample Form 1 2023/Instructions**

B. Membership, Obligation and Responsibilities

C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees

D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers

Mr. Dare left the meeting at 1:44 p.m.

Ms. Cerbone discussed the need for the Supervisors to register with the Florida Commission on Ethics (FCOE) and to file Form 1, electronically, by July 1, 2024.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2024-36, 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

Ms. Cerbone presented Resolution 2024-36. The results of the Landowners' Election will be inserted into Sections 1 and 2. The Landowners' Election results were as follows:

Seat 1	Steve McConn	80 votes	4-year Term
Seat 2	Casey Dare	70 votes	2-year Term
Seat 3	Aaron Reid	70 votes	2-year Term
Seat 4	Susan Kane	80 votes	4-year Term
Seat 5	Tyler Harding	70 votes	2-year Term

On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, Resolution 2024-36, 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 2024-37,
Designating Certain Officers of the District,
and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2024-37. Mr. McConn nominated the following:

Chair	Stephen McConn
Vice Chair	Susan Kane
Assistant Secretary	Casey Dare
Assistant Secretary	Aaron Reid
Assistant Secretary	Tyler Harding

No other nominations were made. Prior appointments by the Board for Secretary, Treasurer, Assistant Treasurer, and Assistant Secretary Cindy Cerbone, remain unaffected by this Resolution.

On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, Resolution 2024-37, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

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.

On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, the Public Hearing was closed.

- B. Consideration of Resolution 2024-38, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Canoe Creek Reserve Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone presented Resolution 2024-38 and read the title.

On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, Resolution 2024-38, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Canoe Creek Reserve 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 Relating to the Financing and Securing of Certain Public Improvements

- A. Affidavit/Proof of Publication
B. Mailed Notice to Property Owner(s)

These items were presented for informational purposes.

On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, the Public Hearing was opened.

- 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.

No affected property owners or members of the public spoke.

- **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 questions and made no changes.

Ms. Kane asked what portions of property the two owners, Sontag and Peacher, own and asked if they are assessed. It was noted that another parcel is owned by the State of Florida.

Mr. Michal Szymonowicz joined the meeting via telephone.

Discussion ensued regarding the Mailed Notices sent to three parties other than KB Home and American Saint Cloud.

The consensus was that the District Engineer and District Counsel will review the CDD boundaries and parcels that should be in or out, if any, with respect to these Mailed Notices. An update will be provided at the next meeting.

C. Engineer's Report (for informational purposes)

Mr. White stated the Engineer's Report is unchanged since it was last presented.

The following questions were posed and answered:

Ms. Kobitter: Based on your experience, are the cost estimates in your Engineer's Report, as supplemented, reasonable and proper?

Mr. White: They are.

Ms. Kobitter: Do you have any reason to believe the Capital Improvement Plan cannot be carried out by the District?

Mr. White: I do not.

D. Master Special Assessment Methodology Report (for informational purposes)

Ms. Cerbone reviewed the pertinent information in the Master Special Assessment Methodology Report dated May 30, 2024 and noted that the Report references the District Engineer's Report with respect to acres, units and estimated and probable construction costs.

The following questions were posed and answered:

Ms. Kobitter: In your professional opinion, do the lands subject to the assessments receive special benefits from the District's Capital Improvement Plan?

187 **Ms. Cerbone:** Yes.

188 **Ms. Kobitter:** In your professional opinion, are the Master Assessments reasonably
189 apportioned among the lands subject to the special assessments?

190 **Ms. Cerbone:** Yes.

191 **Ms. Kobitter:** In your professional opinion, is it reasonable, proper and just to assess the
192 costs of the Capital Improvement Plan as a system of improvements and against the lands in
193 the District in accordance with your methodology?

194 **Ms. Cerbone:** Yes.

195 **Ms. Kobitter:** Is it your opinion that the special benefits the lands will receive, as set
196 forth in the final assessment roll, will be equal to or in excess of the maximum master
197 assessments thereon when allocated as set forth in the Methodology?

198 **Ms. Cerbone:** Yes.

199 **Ms. Kobitter:** Is it your opinion that it is in the best interest of the District that the
200 master assessments be paid and collected in accordance with the Methodology and the
201 District's assessment resolutions?

202 **Ms. Cerbone:** Yes.

203 Ms. Cerbone asked if the Board had any further questions. The response was no.

204 **Mr. Szymonowicz left the call at 2:11 p.m.**

205 **After a brief disconnection, Ms. Kilinski rejoined the call.**

206

207 **On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, the**
208 **Public Hearing was closed.**

209

210

211 **E. Consideration of Resolution 2024-39, Authorizing District Projects for Construction**
212 **and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming,**
213 **and Levying Special Assessments on Property Specially Benefited by Such Projects to**
214 **Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special**
215 **Assessments by the Methods Provided for by Chapters 170, 190, and 197, Florida**
216 **Statutes; Confirming the District's Intention to Issue Special Assessment Bonds;**
217 **Making Provisions for Transfers of Real Property to Governmental Bodies; Providing**
218 **for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an**
219 **Effective Date**

Ms. Cerbone presented Resolution 2024-39 and read the title.

On MOTION by Mr. Reid and seconded by Ms. Kane, with all in favor, Resolution 2024-39, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190, and 197, Florida Statutes; Confirming the District's Intention to Issue Special Assessment Bonds; Making Provisions for Transfers of Real Property to Governmental Bodies; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date, was adopted.

Regarding whether any additional Board action is needed, based on the work to be done by Mr. White and District Staff related to the parcels in or outside the CDD, Ms. Kobitter stated that Staff direction was given and Staff will present the findings to the Board.

EIGHTH ORDER OF BUSINESS

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

A. Affidavits of Publication

The affidavits of publication were included for informational purposes.

Ms. Cerbone presented the Rules of Procedure, which clarify how Florida Statutes are implemented regarding various matters, such as Board Members, voting, conflicts and appeals.

Ms. Kobitter stated that one public hearing can be opened to consider both Resolutions.

Ms. Cerbone presented the Facility Rule and Rates related to public improvements, which protect the CDD. Exhibit A addresses a proposed range for the Non-Resident Annual User Fee, Access Card replacement and administrative fees for a Rule violation. The Rules provide for suspension and termination of privileges.

On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, the Public Hearing was closed.

- B. Consideration of Resolution 2024-40, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date**

On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, Resolution 2024-40, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

- C. Consideration of Resolution 2024-41, Adopting a Suspension and Termination Rule; Adopting Rates, Fees and Charges; Providing a Severability Clause; and Providing an Effective Date**

On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, Resolution 2024-41, Adopting a Suspension and Termination Rule; Adopting Rates, Fees and Charges; Providing a Severability Clause; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

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

- A. Affidavit of Publication**
B. RFQ Package
C. Respondent: KPM Franklin
D. Competitive Selection Criteria/Ranking

Ms. Cerbone noted that the only respondent to the RFQ was KPM Franklin, who is already serving as the Interim District Engineer. If the Board finds that KPM Franklin meets all the requirements of the RFQ/Selection Criteria, the respondent can be deemed the most responsive bidder and awarding the contract to KPM Franklin can proceed.

Ms. Kobitter stated, if approved, Staff will prepare the CDD's standard form of District Engineering Services Agreement.

E. Award of Contract

On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, deeming the response from KPM Franklin, the sole respondent to the RFQ for Engineering Services, as the most responsive bidder; awarding the contract for District Engineering Services to KPM Franklin; and authorizing Staff to prepare the CDD's Engineering Services Agreement, was approved.

TENTH ORDER OF BUSINESS

**Recess Regular Meeting/Commencement
of Audit Selection Committee Meeting**

The Regular Meeting recessed at 2:23 p.m., and the Audit Selection Committee Meeting convened.

ELEVENTH ORDER OF BUSINESS

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

A. Affidavit of Publication

B. RFP Package

C. Respondent(s)

Ms. Cerbone stated that she has worked with both respondents and voiced her opinion that both are qualified to perform the CDD's audit.

I. Berger, Toombs, Elam, Gaines & Frank

Berger, Toombs, Elam, Gaines & Frank (BTEGF) bid \$3,315 without bonds and \$4,575 with bonds.

II. Grau & Associates

Grau & Associates (Grau) bid \$3,100 without bonds plus a \$1,500 fee for bond issuance for a total of \$4,600 with bonds.

D. Auditor Evaluation Matrix/Ranking

Ms. Cerbone noted that the bids are fairly close in cost and stated, while she would give BTEGF more points for price overall, in recent years, BTEGF has struggled to complete audits by the June 30th deadline.

Ms. Cerbone presented her overall scores and ranking, as follows:

331 #1 Grau & Associates 99 points
332 #2 Berger, Tombs, Elam, Gaines & Frank 95 points
333

334 On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor,
335 accepting the District Manager's scores, ranking and recommendation, ranking
336 Grau & Associates, as the #1 ranked respondent for Annual Audit Services, as
337 the Audit Selection Committee's own, was approved.

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340 **TWELFTH ORDER OF BUSINESS**

**Termination of Audit Selection Committee
Meeting/Reconvene Regular Meeting**

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343 The Audit Selection Committee Meeting terminated at 2:28 p.m., and the Regular
344 Meeting reconvened.
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346 **THIRTEENTH ORDER OF BUSINESS**

**Consider Recommendation of Audit
Selection Committee**

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349 • **Award of Contract**
350
351

352 On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor,
353 accepting the Audit Selection Committee's scores, ranking and
354 recommendation, ranking Grau & Associates, as the #1 ranked respondent for
355 Annual Audit Services, as the Board's own; awarding the contract for Audit
356 Services to Grau & Associates, the #1 ranked respondent to the RFP for Audit
357 Services; and authorizing Staff to prepare a form of Agreement, was approved.

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360 **FOURTEENTH ORDER OF BUSINESS**

**Consideration of Interlocal Agreement
Between Osceola County, Florida and
Canoe Creek Reserve Community
Development District Regarding the
Exercise of Powers and Cooperation on
Providing Additional Disclosure and
Notices and the Provision of Enhanced
Improvements and Infrastructure**

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369 On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, the
370 Interlocal Agreement Between Osceola County, Florida and Canoe Creek
371 Reserve Community Development District Regarding the Exercise of Powers
372 and Cooperation on Providing Additional Disclosure and Notices and the
373 Provision of Enhanced Improvements and Infrastructure, was approved.
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FIFTEENTH ORDER OF BUSINESS

Approval of May 30, 2024 Organizational Meeting Minutes

On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, the May 30, 2024 Organizational Meeting Minutes, as presented, were approved.

SIXTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kilinski | Van Wyk PLLC

Ms. Kobitter stated that the bond validation complaint was filed. Staff is working to secure the soonest hearing date available. Currently, the earliest hearing date is in October.

B. District Engineer (Interim): KPM Franklin

There was no report.

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

- NEXT MEETING DATE: August 8, 2024 at 2:30 PM [Adoption of FY2024 and FY2025 Budgets]
 - QUORUM CHECK

SEVENTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

EIGHTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

NINETEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. McConn and seconded by Ms. Kane, with all in favor, the meeting adjourned at 2:27 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair

CANOE CREEK RESERVE
COMMUNITY DEVELOPMENT DISTRICT

STAFF
REPORTS



KILINSKI | VAN WYK

MEMORANDUM

To: Board of Supervisors; District Manager

From: Kilinski | Van Wyk PLLC

Date: June 2024

Re: Section 189.0694, *Florida Statutes* (Performance Measures and Standards Reporting)

The purpose of this memorandum is to provide you with additional information regarding new performance measures and standards reporting requirements for special districts. This new requirement was enacted during Florida's 2024 Legislative Session and was originally reported in our legislative newsletters. It has been codified as Section 189.0694, *Florida Statutes*, effective July 1, 2024.

What is required?

The new statute requires special districts (including community development districts) to establish goals and objectives for its programs and activities and performance measures and standards to determine if its goals and objectives have been achieved. The goals, objectives, and performance measures and standards must be established by **October 1, 2024**, or by the end of the first full fiscal year after a District's creation, whichever is later.

The new statute also requires annual reporting each **December 1** (beginning December 1, 2025) on whether the goals and objectives were achieved, which goals or objectives were not achieved, and what measures were used to make the determination.

Are there any mandated goals, objectives, or performance measures/standards?

No. The new statute allows a great deal of flexibility for special districts to adopt the goals, objectives, and performance measures and standards that fit their needs. It is likely that many special districts with similar activities and programs may adopt similar measures, but special districts may also add specialized measures if they wish. Attached is a potential starting point for development of these goals, objectives and performance measures/standards in **Attachment A**. If you have questions about the new legal requirements, please consult your Kilinski | Van Wyk attorney.

Text of the Bill: 189.0694 Special districts; performance measures and standards.

(1) Beginning October 1, 2024, or by the end of the first full fiscal year after its creation, whichever is later, each special district must establish goals and objectives for each program and activity undertaken by the district, as well as performance measures and standards to determine if the district's goals and objectives are being achieved.

(2) By December 1 of each year thereafter, each special district must publish an annual report on the district's website describing:

(a) The goals and objectives achieved by the district, as well as the performance measures and standards used by the district to make this determination.

(b) Any goals or objectives the district failed to achieve.

Exhibit A:

Goals, Objectives and Annual Reporting Form

**Canoe Creek Reserve Community Development District
Performance Measures/Standards & Annual Reporting Form
October 1, 2024 – September 30, 2025**

1. Community Communication and Engagement

Goal 1.1: Public Meetings Compliance

Objective: Hold regular Board of Supervisor meetings to conduct CDD-related business and discuss community needs.

Measurement: Number of public board meetings held annually as evidenced by meeting minutes and legal advertisements.

Standard: A minimum of eight board meetings were held during the Fiscal Year or more as may be necessary or required by local ordinance and establishment requirements.

Achieved: Yes ☐ No ☐

Goal 1.2: Notice of Meetings Compliance

Objective: Provide public notice of each meeting at least seven days in advance, as specified in Section 190.007(1), using at least two communication methods.

Measurement: Timeliness and method of meeting notices as evidenced by posting to CDD website, publishing in local newspaper and via electronic communication.

Standard: 100% of meetings were advertised with 7 days' notice per statute by at least two methods (i.e., newspaper, CDD website, electronic communications).

Achieved: Yes ☐ No ☐

Goal 1.3: Access to Records Compliance

Objective: Ensure that meeting minutes and other public records are readily available and easily accessible to the public by completing monthly CDD website checks.

Measurement: Monthly website reviews will be completed to ensure meeting minutes and other public records are up to date as evidenced by District Management's records.

Standard: 100% of monthly website checks were completed by District Management.

Achieved: Yes ☐ No ☐

2. Infrastructure and Facilities Maintenance

Goal 2.1: Engineer or Field Management Site Inspections

Objective: Engineer or Operations Manager will conduct inspections to ensure safety and proper functioning of the District's infrastructure.

Measurement: Operations Manager and/or District Engineer visits were successfully completed per agreement as evidenced by Operations Manager and/or District Engineer's reports, notes or other record keeping method.

Standard: 100% of site visits were successfully completed as described within the applicable services agreement

Achieved: Yes ☐ No ☐

Goal 2.2: District Infrastructure and Facilities Inspections

Objective: District Engineer will conduct an annual inspection of the District's infrastructure and related systems as may be required by Indenture.

Measurement: A minimum of one inspection completed per year as evidenced by District Engineer's report related to district's infrastructure and related systems as may be required by the District's bond Indenture.

Standard: Minimum of one inspection was completed in the Fiscal Year by the District's Engineer as may be required by the District's bond Indenture.

Achieved: Yes ☐ No ☐

3. Financial Transparency and Accountability

Goal 3.1: Annual Budget Preparation

Objective: Prepare and approve the annual proposed budget by June 15 and adopt the final budget by September 30 each year.

Measurement: Proposed budget was approved by the Board before June 15 and final budget was adopted by September 30 as evidenced by meeting minutes and budget documents listed on CDD website and/or within district records.

Standard: 100% of budget approval & adoption were completed by the statutory deadlines and posted to the CDD website.

Achieved: Yes ☐ No ☐

Goal 3.2: Financial Reports

Objective: Publish to the CDD website the most recent versions of the following documents: Annual audit, current fiscal year budget with any amendments, and most recent financials within the latest agenda package.

Measurement: Annual audit, previous years' budgets, and financials are accessible to the public as evidenced by corresponding documents on the CDD's website.

Standard: CDD website contains 100% of the following information: Most recent annual audit, most recently adopted/amended fiscal year budget, and most recent agenda package with updated financials.

Achieved: Yes ☐ No ☐

Goal 3.3: Annual Financial Audit

Objective: Conduct an annual independent financial audit per statutory requirements and publish the results to the CDD website for public inspection and transmit to the State of Florida.

Measurement: Timeliness of audit completion and publication as evidenced by meeting minutes showing board approval and annual audit is available on the CDD's website and transmitted to the State of Florida.

Standard: Audit was completed by an independent auditing firm per statutory requirements and results were posted to the CDD website and transmitted to the State of Florida.

Achieved: Yes ☐ No ☐

Chair/Vice Chair:_____

Date:_____

Print Name:_____

Canoe Creek Reserve Community Development District

District Manager:_____

Date:_____

Print Name:_____

Canoe Creek Reserve Community Development District