

HARBOR VILLAGE

COMMUNITY DEVELOPMENT

DISTRICT

May 9, 2023

BOARD OF SUPERVISORS

REGULAR

MEETING AGENDA

HARBOR VILLAGE
COMMUNITY DEVELOPMENT DISTRICT

AGENDA
LETTER

Harbor Village 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

May 2, 2023

Board of Supervisors
Harbor Village Community Development District

Dear Board Members:

The Board of Supervisors of the Harbor Village Community Development District will hold a Regular Meeting on May 9, 2023 at 12:30 p.m., at the Centennial Park Recreation Center, 1120 Centennial Boulevard, Port Charlotte, Florida 33953. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Consideration of Resolution 2023-01, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date
4. Ratification of Engagement with Jere Earlywine at Kutak Rock LLP
 - Consideration of Retention and Fee Agreement
5. Consideration of Resolution 2023-02, Extending the Terms of Office of All Current Supervisors to Coincide with the General Election Pursuant to Section 190.006, Florida Statutes; Providing for Severability; and Providing an Effective Date
6. Acceptance of Unaudited Financial Statements as of March 31, 2023
7. Approval of September 13, 2022 Public Hearings and Regular Meeting Minutes
8. Staff Reports
 - A. District Counsel: *Kutak Rock LLP*
 - B. District Engineer (Interim): *Morris Engineering*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - 0 Registered Voters in District as of April 15, 2023
 - NEXT MEETING DATE: July 11, 2023 at 12:30 PM

ATTENDEES:

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

○ QUORUM CHECK

SEAT 1	JAMES "JIM" HARVEY	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 2	PAUL MARTIN	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 3	JIM MANNERS	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 4	CANDICE SMITH	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 5	GREG MEATH	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO

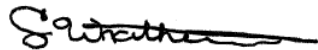
9. Board Members' Comments/Requests

10. Public Comments

11. Adjournment

Should have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675 or Kristen Suit at (410) 207-1802.

Sincerely,



Craig Wrathell
District Manager

FOR BOARD AND STAFF TO ATTEND BY TELEPHONE
CALL-IN NUMBER: 1-888-354-0094
PARTICIPANT PASSCODE: 943 865 3730

HARBOR VILLAGE

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HARBOR VILLAGE COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2023/2024 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW; ADDRESSING TRANSMITTAL, POSTING AND PUBLICATION REQUIREMENTS; ADDRESSING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has heretofore prepared and submitted to the Board of Supervisors ("**Board**") of the Harbor Village Community Development District ("**District**") prior to June 15, 2023, a proposed budget ("**Proposed Budget**") for the fiscal year beginning October 1, 2023 and ending September 30, 2024 ("**Fiscal Year 2023/2024**"); and

WHEREAS, the Board has considered the Proposed Budget and desires to set the required public hearing thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HARBOR VILLAGE COMMUNITY DEVELOPMENT DISTRICT:

1. **PROPOSED BUDGET APPROVED.** The Proposed Budget prepared by the District Manager for Fiscal Year 2023/2024 attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said Proposed Budget.

2. **SETTING A PUBLIC HEARING.** A public hearing on said approved Proposed Budget is hereby declared and set as follows:

DATE: _____

HOUR: _____

LOCATION: Centennial Park Recreation Center
1120 Centennial Boulevard
Port Charlotte, Florida 33953

3. **TRANSMITTAL OF PROPOSED BUDGET TO LOCAL GENERAL PURPOSE GOVERNMENT.** The District Manager is hereby directed to submit a copy of the Proposed Budget to Charlotte County at least 60 days prior to the hearing set above.

4. **POSTING OF PROPOSED BUDGET.** In accordance with Section 189.016, *Florida Statutes*, the District's Secretary is further directed to post the approved Proposed Budget on the District's website at least two days before the budget hearing date as set forth in Section 2 and shall remain on the website for at least 45 days.

5. **PUBLICATION OF NOTICE.** Notice of this public hearing shall be published in the manner prescribed in Florida law.

6. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

7. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 9TH DAY OF MAY, 2023.

ATTEST:

**HARBOR VILLAGE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Fiscal Year 2023/2024 Proposed Budget

Exhibit A: Fiscal Year 2023/2024 Proposed Budget

**HARBOR VILLAGE
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2024**

**HARBOR VILLAGE
COMMUNITY DEVELOPMENT DISTRICT
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**HARBOR VILLAGE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2024**

	Fiscal Year 2023				Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023	Total Actual & Projected	
REVENUES					
Landowner contribution	\$ 98,790	\$ 22,831	\$ 75,834	\$ 98,665	\$ 98,790
Total revenues	<u>98,790</u>	<u>22,831</u>	<u>75,834</u>	<u>98,665</u>	<u>98,790</u>
EXPENDITURES					
Professional & administrative					
Management/accounting/recording	48,000	24,000	24,000	48,000	48,000
Legal	25,000	1,121	23,879	25,000	25,000
Engineering	3,500	-	3,500	3,500	3,500
Audit	5,000	-	5,000	5,000	5,000
Arbitrage rebate calculation*	500	-	500	500	500
Dissemination agent**	1,000	-	1,000	1,000	1,000
Trustee***	6,000	-	6,000	6,000	6,000
Telephone	200	100	100	200	200
Postage	500	8	492	500	500
Printing & binding	500	250	250	500	500
Legal advertising	1,500	-	1,500	1,500	1,500
Annual special district fee	175	175	-	175	175
Insurance	5,500	5,375	-	5,375	5,500
Contingencies/bank charges	500	-	500	500	500
Website					
Hosting & maintenance	705	705	-	705	705
ADA compliance	210	-	210	210	210
Total expenditures	<u>98,790</u>	<u>31,734</u>	<u>66,931</u>	<u>98,665</u>	<u>98,790</u>
Net increase/(decrease) of fund balance	-	(8,903)	8,903	-	-
Fund balance - beginning (unaudited)	-	-	(8,903)	-	-
Fund balance - ending (projected)	<u>\$ -</u>	<u>\$ (8,903)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

*This expense will be realized the year after the issuance of bonds.

**This expense will be realized when bonds are issued

***This expense is paid from the costs of issuance in the initial year. Thereafter, this will be a budgeted expense.

**HARBOR VILLAGE
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

Management/accounting/recording	\$ 48,000
<p>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.</p>	
Legal	25,000
<p>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.</p>	
Engineering	3,500
<p>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.</p>	
Audit	5,000
<p>Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.</p>	
Arbitrage rebate calculation	500
<p>To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.</p>	
Dissemination agent	1,000
<p>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.</p>	
Trustee	6,000
<p>Annual fee for the service provided by trustee, paying agent and registrar.</p>	
Telephone	200
<p>Telephone and fax machine.</p>	
Postage	500
<p>Mailing of agenda packages, overnight deliveries, correspondence, etc.</p>	
Printing & binding	500
<p>Letterhead, envelopes, copies, agenda packages, etc.</p>	
Legal advertising	1,500
<p>The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.</p>	
Annual special district fee	175
<p>Annual fee paid to the Florida Department of Economic Opportunity.</p>	
Insurance	5,500
<p>The District will obtain public officials and general liability insurance.</p>	
Contingencies/bank charges	500
<p>Bank charges and other miscellaneous expenses incurred during the year.</p>	
Website	
Hosting & maintenance	705
ADA compliance	210
Total expenditures	<u><u>\$ 98,790</u></u>

HARBOR VILLAGE

COMMUNITY DEVELOPMENT DISTRICT

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Harbor Village Community Development District
c/o Craig Wrathell and
Wrathell, Hunt & Associates, LLC
2300 Glades Road Suite 410W
Boca Raton, Florida 33431
wrathellc@whhassociates.com

RE: District Counsel Matter

Dear Sirs or Madams,

Effective February 6, 2023, Jere Earlywine will resign from KE LAW GROUP PLLC to join the law firm of KUTAK ROCK LLP.

Mr. Earlywine was providing services to you on the above-referenced matter. Therefore, this letter is to inform you that you have the option to choose to have Mr. Earlywine continue to represent you in this matter at his new law firm, or you may have KE LAW GROUP PLLC continue to represent you, in which case representation will be handled by Meredith Hammock and Lauren Gentry in KE LAW GROUP PLLC's Tampa Office. Alternatively, you can choose to retain an entirely new lawyer.

If you wish to have Jere Earlywine or a new lawyer continue to represent you, please be aware that you remain liable for fees and costs for services already provided by members of KE LAW GROUP PLLC through the date of this letter. Further, given the manner in which legal fees for open financing matters are structured, no fee has been paid to date. Should you elect to have this matter go with Mr. Earlywine, the fee may be apportioned between KE LAW GROUP PLLC and KUTAK ROCK LLP.

Please advise Jere Earlywine and KE Law Group PLLC in writing, as quickly as possible, of the District's decision so that continuity in your representation is assured. You may do so by indicating your choice below and returning a signed and dated copy. Please retain the additional copy of this designation letter for your records.

Yours truly,

/s/ Jere Earlywine

Instructions

I wish my file to stay with KE LAW GROUP PLLC.

I wish my file and trust account balance to be transferred to Jere Earlywine at KUTAK ROCK LLP.

I will retain new counsel and have them contact KE LAW GROUP PLLC to coordinate transfer of my file.



For the Client Cardice Smith
Vice Chairman

2-7-23

RETENTION AND FEE AGREEMENT

I. PARTIES

THIS RETENTION AND FEE AGREEMENT (“**Agreement**”) is made and entered into by and between the following parties:

- A. Harbor Village Community Development District (“**Client**”)
c/o Wrathell, Hunt & Associates, LLC
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431

and

- B. Kutak Rock LLP (“**Kutak Rock**”)
107 West College Avenue
Tallahassee, Florida 32301

II. SCOPE OF SERVICES

In consideration of the mutual undertakings and agreements contained herein, the parties agree as follows:

- A. The Client agrees to employ and retain Kutak Rock as its attorney and legal representative for general advice, counseling and representation of Client and its Board of Supervisors.
- B. Kutak Rock accepts such employment and agrees to serve as attorney for and provide legal representation to the Client in connection with those matters referenced above. No other legal representation is contemplated by this Agreement. Any additional legal services to be provided under the terms of this Agreement shall be agreed to by Client and Kutak Rock in writing. Unless set forth in a separate agreement to which Client consents in writing, Kutak Rock does not represent individual members of the Client’s Board of Supervisors.

III. CLIENT FILES

The files and work product materials (“**Client File**”) of the Client generated or received by Kutak Rock will be maintained confidentially to the extent permitted by law and in accordance with the Florida Bar rules. At the conclusion of the representation, the Client File will be stored by Kutak Rock for a minimum of five (5) years. After the five (5) year storage period, the Client hereby acknowledges and consents that Kutak Rock may confidentially destroy or shred the Client File. Notwithstanding the prior sentence, if the Client provides Kutak Rock with a written request for the return of the Client File before the end of the five (5) year storage period, then Kutak Rock will return the Client File to Client at Client’s expense.

IV. FEES

- A. The Client agrees to compensate Kutak Rock for services rendered in connection with any matters covered by this Agreement on an hourly rate basis plus actual expenses incurred by Kutak Rock in accordance with the attached Expense Reimbursement Policy (Attachment A, incorporated herein by reference). Time will be billed in increments of one-tenth (1/10) of an hour. Certain work related to issuance of bonds and bond anticipation notes may be performed under a flat fee to be separately established prior to or at the time of bond or note issuance.
- B. Attorneys and staff, if applicable, who perform work for Client will be billed at their regular hourly rates, as may be adjusted from time to time. The hourly rates of those initially expected to handle the bulk of Client’s work are as follows:

Jere Earlywine	\$295
Associates	\$265
Contract Attorney	\$235
Paralegals	\$190

Kutak Rock’s regular hourly billing rates are reevaluated annually and are subject to change not more than once in a calendar year. Client agrees to Kutak Rock’s annual rate increases to the extent hourly rates are not increased beyond \$15/hour.

- C. To the extent practicable and consistent with the requirements of sound legal representation, Kutak Rock will attempt to reduce Client’s bills by assigning each task to the person best able to perform it at the lowest rate, so long as he or she has the requisite knowledge and experience.
- D. Upon consent of Client, Kutak Rock may subcontract for legal services in the event that Client requires legal services for which Kutak Rock does not have adequate capabilities.
- E. Kutak Rock will include costs and expenses (including interest charges on past due statements) on its billing statements for Client reimbursement in accordance with the attached Expense Reimbursement Policy.

V. BILLING AND PAYMENT

The Client agrees to pay Kutak Rock’s monthly billings for fees and expenses incurred within thirty (30) days following receipt of an invoice, or the time permitted by Florida law, whichever is greater. Kutak Rock shall not be obligated to perform further legal services under this Agreement if any such billing statement remains unpaid longer than thirty (30) days after submittal to and receipt by Client. Non-payment of billing statements shall be a basis for Kutak Rock to immediately withdraw from the representation without regard to remaining actions necessitating attention by Kutak Rock as part of the representation.

VI. DEFAULT; VENUE

In any legal proceeding to collect outstanding balances due under this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees in addition to costs and outstanding balances due under this Agreement. Venue of any such action shall be exclusive in the state courts of the Second Judicial Circuit in and for Leon County, Florida.

VII. CONFLICTS

It is important to disclose that Kutak Rock represents a number of special districts, trustees ("Trustees"), bondholders, developers, builders, and other entities throughout Florida and the United States of America relating to community development districts, special districts, local governments and land development. Kutak Rock or its attorneys may also have represented the entity which petitioned for the formation of the Client. Kutak Rock understands that Client may enter into an agreement with a Trustee in connection with the issuance of bonds, and that Client may request that Kutak Rock simultaneously represent Client in connection with the issuance of bonds, while Kutak Rock is also representing such Trustee on unrelated matters. By accepting this Agreement Client agrees that (1) Client was provided with an explanation of the implications of the common representation(s) and the advantages and risks involved; (2) Kutak Rock will be able to provide competent and diligent representation of Client, regardless of Kutak Rock's other representations, and (3) there is not a substantial risk that Kutak Rock's representation of Client would be materially limited by Kutak Rock's responsibilities to another client, a former client or a third person or by a personal interest. Acceptance of this Agreement will constitute Client's waiver of any "conflict" with Kutak Rock's representation of various special districts, Trustees, bondholders, developers, builders, and other entities relating to community development districts, special districts, local governments and land development.

VIII. ACKNOWLEDGMENT

Client acknowledges that the Kutak Rock cannot make any promises to Client as to the outcome of any legal dispute or guarantee that Client will prevail in any legal dispute.

IX. TERMINATION

Either party may terminate this Agreement upon providing prior written notice to the other party at its regular place of business. All fees due and payable in accordance with this Agreement shall accrue and become payable pursuant to the terms of this Agreement through the date of termination.

X. EXECUTION OF AGREEMENT

This Agreement shall be deemed fully executed upon its signing by Kutak Rock and the Client. The contract formed between Kutak Rock and the Client shall be the operational contract between the parties.

XI. ENTIRE CONTRACT

This Agreement constitutes the entire agreement between the parties.

Accepted and Agreed to:

**HARBOR VILLAGE COMMUNITY
DEVELOPMENT DISTRICT**

KUTAK ROCK LLP

By: _____

Its: _____

Date: _____



By: _____

Jere L. Earlywine

Date: March 6, 2023

ATTACHMENT A

KUTAK ROCK LLP CDD EXPENSE REIMBURSEMENT POLICY

The following is Kutak Rock's expense reimbursement policy for community development district representation. This policy applies unless a different arrangement has been negotiated based on the unique circumstances of a particular client or matter.

All expenses are billed monthly. Billings ordinarily reflect expenses for the most recent month, except where there are delays in receiving bills from third party vendors.

Photocopying and Printing. In-house photocopying and printing are charged at \$0.25 per page (black & white) and \$0.50 per page (color). Outside copying is billed as a pass-through of the outside vendor's charges.

Postage. Postage is billed at actual cost.

Overnight Delivery. Overnight delivery is billed at actual cost.

Local Messenger Service. Local messenger service is billed pursuant to the State of Florida approved reimbursement rate (i.e., pursuant to Chapter 112, Florida Statutes). Should the State of Florida increase the mileage allowance, Kutak Rock shall, without further action, be entitled to reimbursement at the increased rate.

Computerized Legal Research. Charges for computerized legal research are billed at an amount approximating actual cost.

Travel. Travel (including air fare, rental cars, taxicabs, hotel, meals, tips, etc.) is billed at actual cost. Where air travel is required, coach class is used wherever feasible. Out-of-town mileage is billed pursuant to the State of Florida approved reimbursement rate (i.e., pursuant to Chapter 112, Florida Statutes). Should the State of Florida increase the mileage allowance, Kutak Rock shall, without further action, be entitled to reimbursement at the increased rate. Reasonable travel-related expenses for meals, lodging, gratuities, taxi fares, tolls, and parking fees shall also be reimbursed.

Consultants. Unless prior arrangements are made, consultants are ordinarily employed directly by the client. Where consulting or testifying experts are employed by the firm, their charges are passed through with no mark-up. The client is responsible for notifying the firm of any particular billing arrangements or procedures which the client requires of the consulting or testifying experts.

Other Expenses. Other outside expenses, such as court reporters, agency copies, conference calls, etc. are billed at actual cost.

HARBOR VILLAGE

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HARBOR VILLAGE COMMUNITY DEVELOPMENT DISTRICT EXTENDING THE TERMS OF OFFICE OF ALL CURRENT SUPERVISORS TO COINCIDE WITH THE GENERAL ELECTION PURSUANT TO SECTION 190.006, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Harbor Village Community Development District (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the current members of the Board of Supervisors (“**Board**”) were elected by the landowners within the District based on a one acre/one vote basis; and

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the Board to adopt a resolution extending or reducing the terms of office of Board members to coincide with the general election in November; and

WHEREAS, the Board finds that it is in the best interests of the District to adopt this Resolution extending the terms of office of all current Board members of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HARBOR VILLAGE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The following terms of office are hereby extended to coincide with the general election to be held in November of 2024:

Seat #1 (currently held by James Harvey)
Seat #4 (currently held by Candice Smith)
Seat #5 (currently held by Greg Meath)

The following terms of office are hereby extended to coincide with the general election to be held in November of 2026:

Seat #2 (currently held by Paul Martin)
Seat #3 (currently held by Jim Manners)

SECTION 2. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 3. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 9th day of May, 2023.

ATTEST:

**HARBOR VILLAGE COMMUNITY
DEVELOPMENT DISTRICT**

Print Name: _____
Secretary/Assistant Secretary

Print Name: _____
Chair/Vice Chair, Board of Supervisors

HARBOR VILLAGE
COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED
FINANCIAL
STATEMENTS

**HARBOR VILLAGE
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
MARCH 31, 2023**

**HARBOR VILLAGE
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
MARCH 31, 2023**

	General Fund	Debt Service Fund	Total Governmental Funds
ASSETS			
Cash	\$ 6,000	\$ -	\$ 6,000
Due from Landowner	4,182	-	4,182
Total assets	\$ 10,182	\$ -	\$ 10,182
 LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	\$ 4,182	\$ -	\$ 4,182
Due to Landowner	-	6,024	6,024
Landowner advance	6,000	-	6,000
Total liabilities	10,182	6,024	16,206
 DEFERRED INFLOWS OF RESOURCES			
Deferred receipts	4,182	-	4,182
Total deferred inflows of resources	4,182	-	4,182
 Fund balances:			
Restricted for:			
Debt service	-	(6,024)	(6,024)
Unassigned	(4,182)	-	(4,182)
Total fund balances	(4,182)	(6,024)	(10,206)
 Total liabilities, deferred inflows of resources and fund balances			
	\$ 10,182	\$ -	\$ 10,182

**HARBOR VILLAGE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED MARCH 31, 2023**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Landowner contribution	\$ 4,058	\$ 22,831	\$ 98,790	23%
Total revenues	<u>4,058</u>	<u>22,831</u>	<u>98,790</u>	23%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording	4,000	24,000	48,000	50%
Legal	116	1,121	25,000	4%
Engineering	-	-	3,500	0%
Audit	-	-	5,000	0%
Arbitrage rebate calculation*	-	-	500	0%
Dissemination agent**	-	-	1,000	0%
Trustee***	-	-	6,000	0%
Telephone	16	100	200	50%
Postage	8	8	500	2%
Printing & binding	42	250	500	50%
Legal advertising	-	-	1,500	0%
Annual special district fee	-	175	175	100%
Insurance	-	5,375	5,500	98%
Contingencies/bank charges	-	-	500	0%
Website				
Hosting & maintenance	-	705	705	100%
ADA compliance	-	-	210	0%
Total professional & administrative	<u>4,182</u>	<u>31,734</u>	<u>98,790</u>	32%
Excess/(deficiency) of revenues over/(under) expenditures	(124)	(8,903)	-	
Fund balances - beginning	<u>(4,058)</u>	<u>4,721</u>	-	
Fund balances - ending	<u>\$ (4,182)</u>	<u>\$ (4,182)</u>	<u>\$ -</u>	

*This expense will be realized the year after the issuance of bonds.

**This expense will be realized when bonds are issued.

***This expense is paid from the costs of issuance in the initial year. Thereafter, this will be a budgeted expense.

**HARBOR VILLAGE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND
FOR THE PERIOD ENDED MARCH 31, 2023**

	Current Month	Year To Date
REVENUES	\$ -	\$ -
Total revenues	-	-
 EXPENDITURES		
Debt service		
Cost of issuance	-	1,349
Total debt service	-	1,349
 Excess/(deficiency) of revenues over/(under) expenditures	-	(1,349)
 Fund balances - beginning	(6,024)	(4,675)
Fund balances - ending	\$ (6,024)	\$ (6,024)

HARBOR VILLAGE
COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT
MINUTES OF MEETING
HARBOR VILLAGE
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Harbor Village Community Development District held Multiple Public Hearings and a Regular Meeting on September 13, 2022 at 12:30 P.M., at the Comfort Inn and Suites, 812 Kings Highway, Port Charlotte, Florida 33980.

Present at the meeting were:

Paul Martin	Vice Chair
Jim Manners	Assistant Secretary
Candice Smith	Assistant Secretary

Also present were:

Kristen Suit	District Manager
Jere Earlywine (via telephone)	District Counsel
Matt Morris	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Suit called the meeting to order at 1:43 p.m. Supervisors Martin, Manners and Smith were present, in person. Supervisors Meath and Harvey were not present. For quorum purposes, the Oath of Office was administered to Ms. Smith at the onset of the meeting.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

**Administration of Oath of Office to Supervisors Jim Harvey and Candice Smith
*(the following will also be provided in a separate package)***

Administration of the Oath of Office to Ms. Smith was addressed during the First Order of Business. The Oath of Office would be administered to Supervisors Harvey at a future meeting. Having served on numerous CDD Boards, Ms. Smith is familiar with following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**

41 C. Financial Disclosure Forms

42 I. Form 1: Statement of Financial Interests

43 II. Form 1X: Amendment to Form 1, Statement of Financial Interests

44 III. Form 1F: Final Statement of Financial Interests

45 D. Form 8B: Memorandum of Voting Conflict

46

47 **FOURTH ORDER OF BUSINESS**

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

48

49

50 A. Proof/Affidavit of Publication

51 The affidavit of publication was included for informational purposes.

52 B. Consideration of Resolution 2022-14, Relating to the Annual Appropriations and
53 Adopting the Budgets for the Fiscal Year Beginning October 1, 2020, and Ending
54 September 30, 2021; Authorizing Budget Amendments; and Providing an Effective
55 Date

56 Ms. Suit presented Resolution 2022-14 and the proposed Fiscal Year 2021 budget, which
57 is a Landowner-funded budget.

58

59 **On MOTION by Mr. Manners and seconded by Mr. Martin, with all in favor, the
60 Public Hearing was opened.**

61

62

63 No members of the public spoke.

64

65 **On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the
66 Public Hearing was closed.**

67

68

69 **On MOTION by Mr. Manners and seconded by Ms. Smith, with all in favor,
70 Resolution 2022-14, Relating to the Annual Appropriations and Adopting the
71 Budgets for the Fiscal Year Beginning October 1, 2020, and Ending September
72 30, 2021; Authorizing Budget Amendments; and Providing an Effective Date,
73 was adopted.**

74

75

76 **FIFTH ORDER OF BUSINESS**

Consideration of Funding Agreement

77

78 Ms. Suit presented the Funding Agreement.

79 Discussion ensued regarding what Developer should be listed in the Agreement and
80 including an assignment provision.

81 Approval of the Fiscal Year 2021 Agreement, in substantial form, subject to confirmation
82 of the correct entity name and inclusion of an assignment provision, was suggested.

83

84 **On MOTION by Mr. Manners and seconded by Ms. Smith, with all in favor, the**
85 **Funding Agreement for Fiscal 2021, in substantial form, was approved.**

86

87

88 **SIXTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year
2021/2022 Budget**

89

90

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

92 The affidavit of publication was included for informational purposes.

93 **B. Consideration of Resolution 2022-15, Relating to the Annual Appropriations and**
94 **Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending**
95 **September 30, 2022; Authorizing Budget Amendments; and Providing an Effective**
96 **Date**

97

98 **On MOTION by Mr. Manners and seconded by Ms. Smith, with all in favor, the**
99 **Public Hearing was opened.**

100

101

102 Ms. Suit presented Resolution 2022-15 and the proposed Fiscal Year 2022 budget, which
103 is a Landowner-funded budget.

104 No members of the public spoke.

105

106 **On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the**
107 **Public Hearing was closed.**

108

109

110 Discussion ensued regarding whether the Budget Funding Agreements and Resolution
111 sets forth that the actual expenses will be funded as expenses are incurred.

112 Ms. Smith wanted assurance that the Landowner will only be required to pay the actual
113 expenses and not the full budget amount. Mr. Earlywine stated they will only be required to

114 pay the actual expenses; full funding of a budget only occurs when assessments are imposed;
115 the Budget Funding Agreements are always on an “as-needed” basis, based on actual expenses.

116 Ms. Smith asked for the verbiage in the Funding Agreements, Resolutions and wherever
117 else necessary to specify those terms.

118 Adoption of Resolution 2022-15 by motion was overlooked. Ratification of adoption of
119 Resolution 2022-15 will be included on the next agenda.

120

121 **SEVENTH ORDER OF BUSINESS**

Consideration of Funding Agreement

122

123 This item was discussed during the Sixth Order of Business. The Agreement will be
124 approved in substantial form to accommodate the changes previously discussed for the Funding
125 Agreements.

126

127 **On MOTION by Ms. Smith and seconded by Mr. Manners, with all in favor, the**
128 **Funding Agreement for Fiscal Year 2022, in substantial form, was approved.**

129

130

131 **EIGHTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year
2022/2023 Budget**

132

133

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

135 The affidavit of publication was included for informational purposes.

136 **B. Consideration of Resolution 2022-16, Relating to the Annual Appropriations and**
137 **Adopting the Budgets for the Fiscal Year Beginning October 1, 2022, and Ending**
138 **September 30, 2023; Authorizing Budget Amendments; and Providing an Effective**
139 **Date**

140 Ms. Suit presented Resolution 2022-16 and reviewed the proposed Fiscal Year 2023
141 budget, which is a Landowner-funded budget.

142

143 **On MOTION by Mr. Martin and seconded by Ms. Smith, with all in favor, the**
144 **Public Hearing was opened.**

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147 No members of the public spoke.

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

On MOTION by Mr. Martin and seconded by Ms. Smith, with all in favor, Resolution 2022-16, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Consideration of Funding Agreement

Ms. Suit presented the Funding Agreement. The Agreement will be approved in substantial form to accommodate the changes previously discussed for the three Funding Agreements.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Funding Agreement for Fiscal Year 2023, in substantial form, was approved.

TENTH ORDER OF BUSINESS

Consideration of Bond Validation Engineer's Report

Mr. Morris presented the Bond Validation Engineer's Report. He reported the following:

➤ Minor details related to legal descriptions and other matters are being worked on with District Counsel.

➤ The Opinion of Probable Costs Table sets forth the anticipated Capital Improvement Plan (CIP) costs at slightly over \$52 million.

Regarding whether the CIP includes any costs related to the commercial property, Mr. Morris stated that it does not; the commercial property is noted as in development in their parcels and will be privately funded.

Regarding why the commercial property is within the CDD when it is not receiving any funding, Mr. Manners thought the intent is for it to receive funded. Mr. Earlywine recalled that, when the CDD was established, it was unclear whether the commercial owner wanted to be part of the assessments and he believed that Mr. Harvey wanted to be able to assess them for Operations and Maintenance (O&M).

186 Discussion ensued regarding whether the apartment parcel is included within the CDD
187 boundaries and the ability to assess the commercial property.

188 Mr. Earlywine stated that separate assessment areas are created for debt purposes so, if
189 the commercial parcel wants bonds, it can; the commercial property will be subject to O&M
190 assessments if it is within the CDD boundaries.

191 Discussion ensued regarding possibly amending the boundaries.

192 Mr. Earlywine stated that, for validation purposes, it would be helpful for the Engineer’s
193 Report to include the benefit to the apartments and commercial property; therefore, he
194 recommended approval, in substantial form, and update the Report, as necessary.

195

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Bond Validation Engineer’s Report, in substantial form, subject to review of the commercial property and apartment allocations, was approved.

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ELEVENTH 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

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A. Proof/Affidavit of Publication

The proof/affidavit of publication was included for informational purposes.

217

B. Consideration of Resolution 2022-17, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Harbor Village Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

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On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Public Hearing was closed.

Ms. Suit presented Resolution 2022-17.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, Resolution 2022-17, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Harbor Village Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

TWELFTH ORDER OF BUSINESS

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

A. Affidavits of Publication

The affidavits of publication were included for informational purposes.

B. Consideration of Resolution 2022-18, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the Public Hearing was closed.

265 Ms. Suit presented Resolution 2022-17.

266

267 **On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor,**
268 **Resolution 2022-18, Adopting Rules of Procedure; Providing a Severability**
269 **Clause; and Providing an Effective Date, was adopted.**

270

271

272 **THIRTEENTH ORDER OF BUSINESS** **Update: Stormwater Needs Analysis**

273

274 Ms. Suit presented the letter submitted to the County regarding the Stormwater
275 Management Needs Analysis Report requirement advising that the CDD does not yet have any
276 stormwater facilities.

277

278 **FOURTEENTH ORDER OF BUSINESS** **Acceptance of Unaudited Financial**
279 **Statements as of July 31, 2022**

280

281 Ms. Suit presented the Unaudited Financial Statements as of July 31, 2022.

282

283 **On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the**
284 **Unaudited Financial Statements as of July 31, 2022, was accepted.**

285

286

287 **FIFTEENTH ORDER OF BUSINESS** **Approval of June 14, 2022 Regular Meeting**
288 **Minutes**

289

290 Ms. Suit presented the June 14, 2022 Regular Meeting Minutes.

291

292 **On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the**
293 **June 14, 2022 Regular Meeting Minutes, as presented, were approved.**

294

295

296 **SIXTEENTH ORDER OF BUSINESS** **Staff Reports**

297

298 **A. District Counsel: *KE Law Group, PLLC***

299 Mr. Earlywine stated that the bond validation is scheduled for next week.

300 **B. District Engineer (Interim): *Morris Engineering***

301 There was no report.

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

- 303 • NEXT MEETING DATE: October 11, 2022 at 12:30 P.M. (*Centennial Park*
304 *Recreation Center, Located at 1120 Centennial Boulevard, Port Charlotte,*
305 *Florida 33953*

306 The next meeting will be on October 11, 2022, unless cancelled.
307

308 **SEVENTEENTH ORDER OF BUSINESS** **Board Members' Comments/Requests**
309

310 There were no Board Members' comments or requests.
311

312 **EIGHTEENTH ORDER OF BUSINESS** **Public Comments**
313

314 There were no public comments.
315

316 **NINETEENTH ORDER OF BUSINESS** **Adjournment**
317

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319 **On MOTION by Mr. Martin and seconded by Mr. Manners, with all in favor, the**
320 **meeting adjourned at 2:16 p.m.**
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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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332 _____
Secretary/Assistant Secretary

_____ Chair/Vice Chair

HARBOR VILLAGE
COMMUNITY DEVELOPMENT DISTRICT

STAFF
REPORTS



May 2, 2023

DAPHNE GILLYARD
Director of Administrative Services
Wrathell, Hunt and Associates, LLC
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431

Dear Ms. Gillyard;

Per your request for the number of registered voters as of April 15, 2023, for the following districts:

Babcock Ranch Community Independent Special District – 2,923
Coral Creek Community Development District – 0 (zero)
Harbor Village Community Development District - 0 (zero)
The Cove at Rotonda Community Development District - 0 (zero)
Tuckers Pointe Community Development District - 0 (zero)
West Port Community Development District - 278

If you have any questions, please do not hesitate to contact me.

Sincerely,

Vincenza F. Treppiedi, MFCEP
Chief Deputy
941-833-5407
vinnie@soecharlottecountyfl.gov
Representing the Office of
Hon. Leah Valenti
Supervisor of Elections
Charlotte County, FL

HARBOR VILLAGE COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE

LOCATION

Centennial Park Recreation Center, 1120 Centennial Boulevard, Port Charlotte, Florida 33953

**Comfort Inn and Suites, 812 Kings Highway, Port Charlotte, Florida 33980*

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 11, 2022 CANCELED	Regular Meeting	12:30 PM
November 8, 2022 CANCELED	Regular Meeting	12:30 PM
December 13, 2022 CANCELED	Regular Meeting	12:30 PM
January 10, 2023 CANCELED	Regular Meeting	12:30 PM
February 14, 2023 CANCELED	Regular Meeting	12:30 PM
March 14, 2023 CANCELED	Regular Meeting	12:30 PM
April 11, 2023 CANCELED	Regular Meeting	12:30 PM
May 9, 2023	Regular Meeting	12:30 PM
July 11, 2023*	Regular Meeting	12:30 PM
<i>Comfort Inn and Suites, 812 Kings Highway, Port Charlotte, Florida 33980</i>		
August 8, 2022	Regular Meeting	12:30 PM
September 12, 2022	Regular Meeting	12:30 PM