

Lake Deer
Community Development District

Meeting Agenda

September 7, 2021

AGENDA

Lake Deer

Community Development District

219 E. Livingston St., Orlando, Florida 32801

Phone: 407-841-5524 – Fax: 407-839-1526

August 31, 2021

**Board of Supervisors
Lake Deer
Community Development District**

Dear Board Members:

The regular meeting of the Board of Supervisors of the **Lake Deer Community Development District** will be held **Tuesday, September 7, 2021**, at **2:00 PM** at **346 East Central Ave., Winter Haven, FL 33880**.

Zoom Video Link: <https://us06web.zoom.us/j/88605544298>

Call-In Number: 1-646-876-9923

Meeting ID: 886 0554 4298

Following is the advance agenda for the meeting:

Board of Supervisors Meeting

1. Roll Call
2. Public Comment Period (¹Speakers will fill out a card and submit it to the District Manager prior to the beginning of the meeting)
3. Organizational Matters
 - A. Administration of Oath of Office to Newly Elected Board Member Patrick Marone (Elected at Previous Landowners' Meeting on August 3, 2021)
4. Approval of Minutes of the August 3, 2021 Landowners' Meeting and Board of Supervisors Meeting
5. Public Hearing
 - A. Public Hearing on the Adoption of the District's Fiscal Year 2020-2021 and 2021-2022 Budgets
 - i. Consideration of Resolution 2021-33 Adoption of the District's Fiscal Year 2020-2021 and 2021-2022 Budgets and Appropriating Funds

¹ Comments will be limited to three (3) minutes

6. Consideration of Notice of Phase 1 RFP for Construction Services and Approval of Evaluation Criteria – **ADDED**
7. Staff Reports
 - A. Attorney
 - i. Memorandum Regarding Wastewater Services and Stormwater Management Needs Analysis
 - B. Engineer
 - C. District Manager's Report
 - i. Approval of Funding Request #2
 - ii. Balance Sheet & Income Statement
8. Other Business
9. Supervisors Requests and Audience Comments
10. Adjournment

MINUTES

**MINUTES OF MEETING
LAKE DEER
COMMUNITY DEVELOPMENT DISTRICT**

The Landowners' meeting of the Board of Supervisors of the Lake Deer Community Development District was held Tuesday, **August 3, 2021** at 2:00 p.m. at 346 E. Central Avenue, Winter Haven, Florida.

Present were:

Rennie Heath
Lauren Schwenk
Justin Frye
Andrew Rhinehart
Jill Burns
Roy Van Wyk
Rey Malave *by Zoom*

FIRST ORDER OF BUSINESS

**Determination of Number of Voting Units
Represented**

Ms. Burns stated that a proxy named Andrew Rhinehart the proxy holder for Avatar Properties Inc. which owns 150.23 acres within the community. He is authorized to cast 151 votes.

SECOND ORDER OF BUSINESS

Call to Order

Ms. Burns called the meeting to order.

THIRD ORDER OF BUSINESS

**Election of Chairman for the Purpose of
Conducting the Landowners' Meeting**

Ms. Burns asked that she be named Chairperson to conduct the meeting.

FOURTH ORDER OF BUSINESS

Nominations for the Position of Supervisor

Ms. Burns asked Mr. Rhinehart to nominate the five available seats and he nominated himself, Rennie Heath, Lauren Schwenk, Justin Frye, and Patrick Marone.

FIFTH ORDER OF BUSINESS

Casting of Ballots

Mr. Rhinehart casted 150 votes for Andrew Rhinehart and Rennie Heath and casted 148 votes for Lauren Schwenk, Justin Frye, and Patrick Marone.

SIXTH ORDER OF BUSINESS

Ballot Tabulation

Ms. Burns reported that Mr. Rhinehart and Mr. Heath will serve four-year terms while Ms. Schwenk, Mr. Frye, and Mr. Marone will serve two-year terms.

SEVENTH ORDER OF BUSINESS

Landowner's Questions and Comments

There being none, the next item followed.

EIGHTH ORDER OF BUSINESS

Adjournment

Ms. Burns adjourned the meeting.

Secretary/Assistant Secretary

Chairman/Vice Chairman

**MINUTES OF MEETING
LAKE DEER
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Lake Deer Community Development District was held Tuesday, **August 3, 2021** at 2:00 p.m. at 346 E. Central Avenue, Winter Haven, Florida.

Present and constituting a quorum:

Rennie Heath	Chair
Lauren Schwenk	Vice Chair
Justin Frye	Assistant Secretary
Andrew Rhinehart	Assistant Secretary

Also present were:

Jill Burns	District Manager, GMS
Roy Van Wyk	KE Law Group
Rey Malave <i>by Zoom</i>	Dewberry

FIRST ORDER OF BUSINESS

Roll Call

Ms. Burns called the meeting to order and called the roll. Four Board members were present constituting a quorum. Ms. Burns then swore in the Board members in order to vote in the meeting. Supervisor Marone will be sworn in at a later date as he was not present.

SECOND ORDER OF BUSINESS

Public Comment Period

There being none, the next item followed.

THIRD ORDER OF BUSINESS

**Ratification of Joint Letter from Hopping,
Green & Sams Regarding District Counsel
Representation**

Ms. Burns stated this has already been executed outside of the meeting and that they would just be looking for a motion to ratify.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Joint Letter from Hopping Green & Sams Regarding District Counsel Representation, was ratified.

FOURTH ORDER OF BUSINESS

Consideration of Fee Agreement with KE Law Group

Ms. Burns presented the fee agreement to the Board that can be found in the agenda package and asked for any questions. There being none, there was a motion of approval.

On MOTION by Mr. Rhinehart seconded by Ms. Schwenk, with all in favor, the Fee Agreement with KE Law Group, was approved.

FIFTH ORDER OF BUSINESS

Organizational Matters

A. Administration of Oaths of Office to Newly Elected Board Members

Oaths of office were given under the first order of business.

B. Consideration of Resolution 2021-27 Canvassing the Results of the Landowners' Election

Ms. Burns stated that the Landowners' Election was just held prior to the meeting and stated the results have Mr. Heath and Mr. Rhinehart serving four-year terms while Ms. Schwenk, Mr. Frye, and Mr. Marone will serve two-year terms.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2021-27 Canvassing the Results of the Landowners' Election, was approved.

C. Election of Officers

Ms. Burns stated that a Chair and Vice Chair will be named while the remaining Board members will be appointed the position of Assistant Secretaries.

D. Consideration of Resolution 2021-28 Electing Officers

Ms. Burns asked that that the Board appoint her as Secretary and George Flint from the GMS office as Assistant Secretary. The Board agreed to name Rennie Heath as the Chairman, Lauren Schwenk as the Vice Chair, and the remaining Board members as Assistant Secretaries.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2021-28 Electing Officers as slated above, was approved.

SIXTH ORDER OF BUSINESS

**Approval of Minutes of the June 23, 2021
Board of Supervisors Meeting**

Ms. Burns presented the minutes of the June 23, 2021 Board of Supervisors meeting and asked for any comments or corrections from the Board. There being none, there was a motion of approval.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Minutes from the June 23, 2021 Board of Supervisors Meeting, were approved.

SEVENTH ORDER OF BUSINESS

Public Hearings

A. Public Hearing on the Imposition of Special Assessments

Ms. Burns stated that the public hearing was published in the paper and mailed notice was sent to the property owners.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Public Hearing was Opened.
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i. Presentation of Engineer's Report

Mr. Malave presented the engineer's report to the Board dated June 21st of this year. It provides a description of the property and total acreage of 160 acres. The report provides the Capital Improvement Plan as well as the boundary of the District providing for 40 and 50' lots for a total of 597 lots for the project. There is a description of all the improvements as well as a cost estimate of what the proposed improvements will cost. Mr. Van Wyk asked Mr. Malave if there was any reason that the project cannot be constructed as planned, and Mr. Malave answered, no. Mr. Van Wyk asked Mr. Malave if the costs are reasonable for the scope and the improvements that are outlined in the report, Mr. Malave answered, yes.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Engineer's Report, was approved.
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ii. Presentation of Assessment Methodology

Ms. Burns presented the Master Assessment Methodology to the Board. Table 1 shows the development program with 396 40' lots and 201 50' lots total 597 lots withing the community. Table 2 shows the improvement costs which is \$18,060, 702. Table 3 shows a bond sizing of \$24,000,000 used for validation purposed. The improvement costs per unit are shown at \$27,904 for the 40' lots and \$34,880 for the single family 50' lots. The remaining tables show the par debt per unit. A copy of the Assessment Methodology can be found in the agenda package.

Mr. Van Wyk asked Ms. Burns if it is Ms. Burns professional opinion that the assessments placed on the parcels are equal to or less than the burden placed on the properties by the assessment, to which she answered, yes they are. Mr. Van Wyk asked Ms. Burns if it is also her opinion that the assessments are fairly and reasonably apportioned across the product types within the District, to which she answered, yes they are.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Assessment Methodology, was approved.

iii. Consideration of Resolution 2021-29 Levying Special Assessments

Ms. Burns stated that the resolution is included in the agenda package. There being no questions there was a motion of approval.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, Resolution 2021-09 Levying Special Assessments, was approved.

iv. Consideration of Notice of Special Assessments

Ms. Burns noted that they are looking for a motion to authorize counsel to record this to make potential property owners aware of the assessments on the property.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, Authorization for Staff to Record the Notice of Special Assessments, was approved.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Public Hearing was Closed.

B. Public Hearing on Adoption of District Rules of Procedure

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Public Hearing was Opened.

i. Consideration of Resolution 2021-30 Adopting the Rules of Procedure

Ms. Burns stated that the rules can be found in the agenda package, and they have not changed since the Board has seen them the last time.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, Resolution 2021-30 Adopting the Rules of Procedure, was approved.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Public Hearing was Closed.

C. Public Hearing on the District's Use of the Uniform Method of Levying, Collection, and Enforcement of Non-Ad Valorem Assessments

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Public Hearing was Opened.

i. Consideration of Resolution 2021-31 Expressing the District's Intent to Utilize the Uniform of Collection

Ms. Burns stated that this resolution will allow them to collect the assessments on the tax bill when they are ready to do so.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, Resolution 22021-31 Expressing the District's Intent to Utilize the Uniform of Collection, was approved.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Public Hearing was Closed.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2021-32 Re-Designating the Registered Agent for the District

Ms. Burns stated registered agent would be her and her office would be the registered agent for the district.

On MOTION by Mr. Rhinehart seconded by Mr. Heath, with all in favor, Resolution 2021-32 Re-Designating the Registered Agent for the District, was approved.

NINTH ORDER OF BUSINESS

Ranking of Proposals for District Engineering Services and Selection of District Engineer

Ms. Burns presented the rankings for engineer services and noted that they only received one response from the RFQ from Dewberry Engineers. Her recommendation to the Board would be to rank them as #1 and authorize staff to send them a notice of intent to award.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Ranking of Proposals for District Engineering Services and Selection of the #1 Ranked Firm Dewberry as the District Engineer and Authorizing Staff to Send Dewberry a Notice of Intent to Award, was approved.

TENTH ORDER OF BUSINESS

Consideration of Work Authorization from Dewberry

Ms. Burns noted that this is included in the agenda package and that it is a work authorization for general engineering work.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, the Work Authorization from Dewberry, was approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Van Wyk stated that the bond hearing will be on September 15th at 11:00 a.m.

B. Engineer

There being none, the next item followed.

C. District Manager's Report

There being none, the next item followed.

TWELTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS

**Supervisors
Comments**

Requests

and

Audience

There being none, the next item followed.

FOURTEENTH ORDER OF BUSINESS

Adjournment

Ms. Burns adjourned the meeting.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the meeting was adjourned.
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Secretary/Assistant Secretary

Chairman/Vice Chairman

SECTION V

SECTION A

SECTION 1

RESOLUTION 2021-33

THE ANNUAL APPROPRIATION RESOLUTION OF THE LAKE DEER COMMUNITY DEVELOPMENT DISTRICT RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGETS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021 AND FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Lake Deer Community Development District (the “**District**”) was established by Ordinance No. 2021-030, adopted by the County Commissioners of Polk County, Florida, effective as June 15, 2021; and

WHEREAS, the District Manager has prepared and submitted to the Board of Supervisors of the Lake Deer Community Development District (the “**Board**”) the proposed budget for the Fiscal Year 2020-2021, which concludes September 30, 2021, and for the Fiscal Year 2021-2022, which concludes September 30, 2022 (together, the “**Proposed Budgets**”); 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, prior to October 1st of each year, 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 the Proposed Budgets 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 year.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LAKE DEER COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budgets, a copy of which is 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,”** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* (together, the “**Adopted Budget**”), and incorporated herein by reference; provided, however, that the comparative figures contained in the

Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.

- c. The Adopted Budget, 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 Lake Deer Community Development District for the Fiscal Year Ending September 30, 2021, and Fiscal Year Ending September 30, 2022."
- d. The Adopted Budget 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

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2020/2021, the sum of \$ 50,953 to be raised by the levy of assessments and/or otherwise; and

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2021/2022, the sum of \$ 131,810 to be raised by the levy of assessments and/or otherwise.

Which sums are 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 (Fiscal Year 2020/2021)	<u>\$ 50,953</u>
TOTAL GENERAL FUND (Fiscal Year 2021/2022)	<u>\$ 131,810</u>
TOTAL ALL FUNDS	<u>\$ 182,763</u>

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2020/2021 and/or Fiscal Year 2021/2022 (together, the "**Fiscal Years**"), or within 60 days following the end of the Fiscal Years may amend its Adopted Budget for that 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 ensure that any amendments to the budget under paragraph 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 7th DAY OF SEPTEMBER 2021.

ATTEST:

**LAKE DEER COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

By: _____

Its: _____

Lake Deer
Community Development District

Proposed Budgets
FY2021 - FY2022



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1 General Fund

2-4 General Fund Narrative

Lake Deer

Community Development District

Proposed Budget

General Fund

Description	Proposed Budget FY2021*	Proposed Budget FY2022
<u>Revenues</u>		
Developer Contributions	\$ 50,953	\$ 131,810
Total Revenues	\$ 50,953	\$ 131,810
<u>Expenditures</u>		
<i><u>General & Administrative</u></i>		
Supervisor Fees	\$ 4,000	\$ 12,000
Engineering	\$ 5,000	\$ 15,000
Attorney	\$ 8,333	\$ 25,000
Annual Audit	\$ -	\$ 4,000
Assessment Administration	\$ -	\$ 5,000
Arbitrage	\$ -	\$ 450
Dissemination	\$ -	\$ 5,000
Trustee Fees	\$ -	\$ 3,600
Management Fees	\$ 11,667	\$ 35,000
Information Technology	\$ 600	\$ 1,800
Website Maintenance **	\$ 2,150	\$ 1,200
Telephone	\$ 100	\$ 300
Postage & Delivery	\$ 500	\$ 1,000
Insurance	\$ 5,000	\$ 5,000
Printing & Binding	\$ 500	\$ 1,000
Legal Advertising	\$ 10,000	\$ 10,000
Other Current Charges	\$ 2,500	\$ 5,000
Office Supplies	\$ 208	\$ 625
Travel Per Diem	\$ 220	\$ 660
Dues, Licenses & Subscriptions	\$ 175	\$ 175
Total Expenditures	\$ 50,953	\$ 131,810
Excess Revenues/(Expenditures)	\$ -	\$ -

* Budget is prorated from June 2021 to September 2021.

** FY21 Budget amount includes a one-time website creation fee.

Lake Deer

Community Development District

General Fund Narrative

Revenues:

Developer Contributions

The District will enter into a funding agreement with the Developer to fund the General Fund expenditures for the Fiscal Year.

Expenditures:

General & Administrative:

Supervisor Fees

Chapter 190, Florida Statutes, allows for each Board member to receive \$200 per meeting, not to exceed \$4,800 per year paid to each Supervisor for the time devoted to District business and meetings.

Engineering

The District's engineer will be providing general engineering services to the District, e.g. attendance and preparation for monthly board meetings, review invoices and various projects as directed by the Board of Supervisors and the District Manager.

Attorney

The District's legal counsel will be providing general legal services to the District, e.g. attendance and preparation for meetings, preparation and review of agreements, resolutions, etc. as directed by the Board of Supervisors and the District Manager.

Annual Audit

The District is required by Florida Statutes to arrange for an independent audit of its financial records on an annual basis.

Assessment Administration

The District will contract to levy and administer the collection of non-ad valorem assessment on all assessable property within the District.

Arbitrage

The District will contract with an independent certified public accountant to annually calculate the District's Arbitrage Rebate Liability on an anticipated bond issuance.

Dissemination

The District is required by the Security and Exchange Commission to comply with Rule 15c2-12(b)(5) which relates to additional reporting requirements for unrated bond issues. This cost is based upon an anticipated bond issuance.

Lake Deer

Community Development District

General Fund Narrative

Trustee Fees

The District will incur trustee related costs with the issuance of its' issued bonds.

Management Fees

The District receives Management, Accounting and Administrative services as part of a Management Agreement with Governmental Management Services-Central Florida, LLC. The services include but are not limited to, recording and transcription of board meetings, administrative services, budget preparation, all financial reports, annual audits, etc.

Information Technology

Represents costs related to the District's information systems, which include but are not limited to video conferencing services, cloud storage services and servers, security, accounting software, etc.

Website Maintenance

Represents the costs associated with monitoring and maintaining the District's website created in accordance with Chapter 189, Florida Statutes. These services include site performance assessments, security and firewall maintenance, updates, document uploads, hosting and domain renewals, website backups, etc.

Telephone

Telephone and fax machine.

Postage & Delivery

The District incurs charges for mailing of Board meeting agenda packages, overnight deliveries, correspondence, etc.

Insurance

The District's general liability and public official's liability insurance coverages.

Printing & Binding

Printing and Binding agenda packages for board meetings, printing of computerized checks, stationary, envelopes, etc.

Legal Advertising

The District is required to advertise various notices for monthly Board meetings, public hearings, etc. in a newspaper of general circulation.

Other Current Charges

Bank charges and any other miscellaneous expenses incurred during the year.

Lake Deer
Community Development District
General Fund Narrative

Office Supplies

Any supplies that may need to be purchased during the fiscal year, e.g., paper, minute books, file folders, labels, paper clips, etc.

Travel Per Diem

The Board of Supervisors can be reimbursed for travel expenditures related to the conducting of District business.

Dues, Licenses & Subscriptions

The District is required to pay an annual fee to the Florida Department of Economic Opportunity for \$175. This is the only expense under this category for the District.

SECTION VI

LAKE DEER COMMUNITY DEVELOPMENT DISTRICT

REQUEST FOR PROPOSALS

CONSTRUCTION SERVICES FOR PROJECT IMPROVEMENTS

POLK COUNTY, FLORIDA

Notice is hereby given that the Lake Deer Community Development District (“District”) will receive proposals for the following District project:

Project construction site work for District construction, including offsite improvements, stormwater management, utilities, roadway, entry features, and parks and amenities.

The Project Manual will be available beginning _____ at ____ AM EST at the offices of the Lake Deer Community Development Project Engineer, Wood & Associates Engineering, LLC, located at 1925 Bartow Road, Lakeland, Florida 33801 or by calling (863) 940-2040 or emailing bids@woodcivil.com. Each Project Manual will include, but not be limited to, the Request for Proposals, proposal and contract documents, and construction plans and specifications.

The District reserves the right to reject any and all proposals, make modifications to the work, award the contract in whole or in part with or without cause, provide for the delivery of the project in phases, and waive minor or technical irregularities in any Proposal, as it deems appropriate, if it determines in its discretion that it is in the District’s best interests to do so. Each proposal shall be accompanied by a proposal guarantee in the form of a proposal bond or certified cashier’s check in an amount not less than five percent (5%) of the total bid to be retained in the event the successful proposer fails to execute a contract with the District and file the requisite Performance and Payment Bonds and insurance within fourteen (14) calendar days after the receipt of the Notice of Award.

Any person who wishes to protest the Project Manual, or any component thereof, shall file with the District a written notice of protest within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after the Project Manual is made available, and shall file a formal written protest with the District within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the date of timely filing the initial notice of protest. Filing will be perfected and deemed to have occurred upon receipt by the District Engineer directed to Dennis Wood at bids@woodcivil.com. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object to or protest the contents of the District’s Project Manual. The formal written protest shall state with particularity the facts and law upon which the protest is based.

Ranking of proposals will be made on the basis of qualifications according to the evaluation criteria contained within the Project Manual; however, please note that proposals received from firms failing to meet the following minimum qualifications/requirements will not be considered or evaluated: (1) Proposer will have constructed three (3) improvements similar in quality and scope with a minimum of \$1,000,000 in total volume construction cost within the last five (5) years; (2) Proposer will have minimum bonding capacity of \$1,000,000 from a surety company acceptable to the District; (3) Proposer is authorized to do business in Florida; and (4) Proposer is registered with Polk County and is a licensed contractor in the State of Florida.

Any and all questions relative to this project shall be directed in email only to bids@woodcivil.com no later than : **PM EST**, _____.

Firms desiring to provide services for this project must submit one (1) original and (1) electronic copy in PDF included with the submittal package of the required proposal no later than : **PM EST**, _____, at the offices of Wood & Associates Engineering, LLC, 1925 Bartow Road Lakeland, Florida 33801. Proposals shall be submitted in a sealed opaque package, shall bear the name of the proposer on the outside of the package and shall identify the name of the project. Proposals will be **opened at a public meeting to be held at : PM EST**, _____, at the offices of Wood & Associates Engineering, LLC, 1925 Bartow Road, Lakeland, Florida 33801. No official action will be taken at the meeting. Proposals received after the time and date stipulated above will be returned un-opened to the proposer. Any proposal not completed as specified or missing the required proposal documents as provided in the Project Manual may be disqualified.

The meeting is open to the public and will be conducted in accordance with the provisions of Florida law. If held in person, there may be occasions when one or more Board Supervisors or staff members will participate by telephone. At the above location will be present a speaker telephone so that any Board Supervisor or staff member can attend the meeting and be fully informed of the discussions taking place either in person or by telephone communication. The meeting may be continued in progress without additional notice to a time, date, and location stated on the record.

Any person requiring special accommodations to participate in this meeting is asked to advise the District Manager's Office at (407) 841-5524, at least 48 hours before the meetings. 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.

Lake Deer Community Development District

District Manager

Run Date: _____, __, _____

LAKE DEER COMMUNITY DEVELOPMENT DISTRICT EVALUATION
CRITERIA

CONSTRUCTION SERVICES FOR MASTER INFRASTRUCTURE IMPROVEMENTS
POLK COUNTY, FLORIDA

PERSONNEL **(5 POINTS)**

E.g., geographic location of firm’s headquarters; adequacy and capabilities of key personnel, including the project manager and field supervisor; present ability to manage this project; evaluation of existing work load; proposed staffing levels, etc.

EXPERIENCE **(15 POINTS)**

E.g., past record and experience of the respondent in self performing similar projects; past performance for this District and other community development district's in other contracts; character, integrity, reputation of respondent, etc.;

UNDERSTANDING SCOPE OF WORK **(20 POINTS)**

Demonstration of the Proposer's understanding of the project requirements.

FINANCIAL CAPABILITY **(10 POINTS)**

Extent to which the proposal demonstrates the adequacy of the Proposer’s financial resources and stability as a business entity, necessary to complete the services required.

SCHEDULE **(25 POINTS)**

Demonstration of Proposer’s understanding (through presentation in the proposal of a milestone schedule) of how to meet the required substantial and final completion dates. Consideration will be given to proposers that indicate an ability to credibly complete the project in advance of the required substantial and final completion dates without a premium cost for accelerated work.

PRICE **(25 POINTS)**

Points available for price will be allocated as follows:

15 Points will be awarded to the Proposer submitting the lowest cost proposal for completing the work. All other Proposers will receive a percentage of this amount based upon the difference between the Proposer’s bid and the low proposer.

10 Points are allocated for the reasonableness of unit prices and balance of proposer.

TOTAL POINTS **(100 POINTS)**

SECTION VII

SECTION A

SECTION 1



MEMORANDUM

To: District Manager, District Engineer
From: District Counsel
Date: August 31, 2021
Subject: Wastewater Services and Stormwater Management Needs Analysis
(Chapter 2021-194, Laws of Florida/HB53)

We are writing to inform you of a new law requiring special districts that either own or operate stormwater management systems, stormwater management programs or wastewater services to create a 20-year needs analysis of such system(s). The requirements relating to wastewater services are found in Section 4 of Chapter 2021-194, Laws of Florida, creating Section 403.9301, Florida Statutes, and the requirements relating to stormwater management programs and systems are found in Section 5 of Chapter 2021-194, Laws of Florida, creating Section 403.9302, Florida Statutes (attached hereto for reference).

A brief summary of the new law and its requirements is set forth below. Please feel free to contact us with any questions.

What is required?

The Office of Economic and Demographic Research (“OEDR”) is expected to promulgate additional details about the requirements of the needs analyses. However, certain general requirements are set forth in the new law.

For wastewater services, the needs analysis must include:

- a) A detailed description of the facilities used to provide wastewater services.
- b) The number of current and projected connections and residents served calculated in 5-year increments.
- c) The current and projected service area for wastewater services.
- d) The current and projected cost of providing wastewater services calculated in 5-year increments.
- e) The estimated remaining useful life of each facility or its major components.
- f) The most recent 5-year history of annual contributions to, expenditures from, and balances of any capital account for maintenance or expansion of any facility or its major components.
- g) The local government’s plan to fund the maintenance or expansion of any facility or its major components. The plan must include historical and estimated future revenues and expenditures with an evaluation of how the local government expects to close any projected funding gap.

For stormwater management programs and stormwater management systems, the needs analysis must include:

- a) A detailed description of the stormwater management program or stormwater management system and its facilities and projects.
- b) The number of current and projected residents served calculated in 5-year increments.



- c) The current and projected service area for the stormwater management program or stormwater management system.
- d) The current and projected cost of providing services calculated in 5-year increments.
- e) The estimated remaining useful life of each facility or its major components.
- f) The most recent 5-year history of annual contributions to, expenditures from, and balances of any capital account for maintenance or expansion of any facility or its major components.
- g) The local government's plan to fund the maintenance or expansion of any facility or its major components. The plan must include historical and estimated future revenues and expenditures with an evaluation of how the local government expects to close any projected funding gap.

When is the deadline?

For both wastewater and stormwater, the first analysis must be created by **June 30, 2022**, and the analysis must be updated every five (5) years thereafter. The needs analysis, along with the methodology and any supporting data necessary to interpret the results, must be submitted to the county in which the largest portion of the service area or stormwater system is located.

What steps should districts take?

District engineers and district managers should begin by evaluating what information is already available to the district, and what new information may need to be gathered. Each district should approve a work authorization for their district engineer to create the needs analysis report and should consider proposals for any outside consulting or evaluation that may be necessary, though in most cases we expect this will not be required. In order to provide ample time for completion of the necessary needs analysis reports, we recommend presenting these items for board consideration no later than the first quarter of 2022, or as soon thereafter as is practical. OEDR is anticipated to provide further guidelines for the reporting requirements, none of which we expect to be particularly burdensome, and which will likely include information readily available to districts' engineering and/or environmental professionals. Once we receive further guidance, we will supplement this informational memorandum.

CHAPTER 2021-194

Committee Substitute for Committee Substitute for Committee Substitute for House Bill No. 53

An act relating to public works; amending s. 255.0991, F.S.; revising a prohibition relating to any solicitation for construction services paid for with state appropriated funds; amending s. 255.0992, F.S.; revising the definition of the term “public works project”; prohibiting the state or any political subdivision that contracts for a public works project from taking specified action against certain persons that are engaged in a public works project or have submitted a bid for such a project; providing applicability; amending s. 403.928, F.S.; requiring the Office of Economic and Demographic Research to include an analysis of certain expenditures in its annual assessment; creating s. 403.9301, F.S.; providing definitions; requiring counties, municipalities, and special districts that provide wastewater services to develop a needs analysis that includes certain information by a specified date; requiring municipalities and special districts to submit such analyses to a certain county; requiring the county to file a compiled document with the coordinator of the Office of Economic and Demographic Research by a specified date; requiring the office to evaluate the document and include an analysis in its annual assessment; providing applicability; creating s. 403.9302, F.S.; providing definitions; requiring counties, municipalities, and special districts that provide stormwater management to develop a needs analysis that includes certain information by a specified date; requiring municipalities and special districts to submit such analyses to a certain county; requiring the county to file a compiled document with the Secretary of Environmental Protection and the coordinator of the Office of Economic and Demographic Research by a specified date; requiring the office to evaluate the document and include an analysis in its annual assessment; providing applicability; providing a determination and declaration of important state interest; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 255.0991, Florida Statutes, is amended to read:

255.0991 Contracts for construction services; prohibited local government preferences.—

(2) For any a competitive solicitation for construction services paid for with any in which 50 percent or more of the cost will be paid from state-appropriated funds which have been appropriated at the time of the competitive solicitation, a state college, county, municipality, school district, or other political subdivision of the state may not use a local ordinance or regulation to prevent a certified, licensed, or registered contractor,

subcontractor, or material supplier or carrier, from participating in the bidding process that provides a preference based upon:

- (a) ~~The contractor's~~ Maintaining an office or place of business within a particular local jurisdiction;
- (b) ~~The contractor's~~ Hiring employees or subcontractors from within a particular local jurisdiction; or
- (c) ~~The contractor's~~ Prior payment of local taxes, assessments, or duties within a particular local jurisdiction.

Section 2. Paragraph (b) of subsection (1) and subsections (2) and (3) of section 255.0992, Florida Statutes, are amended to read:

255.0992 Public works projects; prohibited governmental actions.—

(1) As used in this section, the term:

(b) “Public works project” means an activity exceeding \$1 million in value that is of which 50 percent or more of the cost will be paid for with any from state-appropriated funds that were appropriated at the time of the competitive solicitation and which consists of the construction, maintenance, repair, renovation, remodeling, or improvement of a building, road, street, sewer, storm drain, water system, site development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or other facility, project, or portion thereof that is owned in whole or in part by any political subdivision.

(2)(a) Except as required by federal or state law, the state or any political subdivision that contracts for a public works project may not take the following actions:

(a) Prevent a certified, licensed, or registered contractor, subcontractor, or material supplier or carrier, from participating in the bidding process based on the geographic location of the company headquarters or offices of the contractor, subcontractor, or material supplier or carrier submitting a bid on a public works project or the residences of employees of such contractor, subcontractor, or material supplier or carrier.

(b) Require that a contractor, subcontractor, or material supplier or carrier engaged in a public works such project:

1. Pay employees a predetermined amount of wages or prescribe any wage rate;
2. Provide employees a specified type, amount, or rate of employee benefits;
3. Control, limit, or expand staffing; or

4. Recruit, train, or hire employees from a designated, restricted, or single source.

~~(c)(b) The state or any political subdivision that contracts for a public works project may not~~ Prohibit any contractor, subcontractor, or material supplier or carrier able to perform such work that who is qualified, licensed, or certified as required by state or local law to perform such work from receiving information about public works opportunities or from submitting a bid on the public works project. This paragraph does not apply to vendors listed under ss. 287.133 and 287.134.

(3) This section does not apply to the following:

(a) Contracts executed under chapter 337.

(b) A use authorized by s. 212.055(1) which is approved by a majority vote of the electorate of the county or by a charter amendment approved by a majority vote of the electorate of the county.

Section 3. Paragraph (e) is added to subsection (1) of section 403.928, Florida Statutes, to read:

403.928 Assessment of water resources and conservation lands.—The Office of Economic and Demographic Research shall conduct an annual assessment of Florida's water resources and conservation lands.

(1) WATER RESOURCES.—The assessment must include all of the following:

(e) Beginning with the assessment due January 1, 2022, an analysis of the expenditures necessary to repair, replace, and expand water-related infrastructure. As part of this analysis, the office shall periodically survey public and private utilities.

Section 4. Section 403.9301, Florida Statutes, is created to read:

403.9301 Wastewater services projections.—

(1) The Legislature intends for each county, municipality, or special district providing wastewater services to create a 20-year needs analysis.

(2) As used in this section, the term:

(a) "Domestic wastewater" has the same meaning as provided in s. 367.021.

(b) "Facility" means any equipment, structure, or other property, including sewerage systems and treatment works, used to provide wastewater services.

(c) "Treatment works" has the same meaning as provided in s. 403.031(11).

(d) “Wastewater services” means service to a sewerage system, as defined in s. 403.031(9), or service to domestic wastewater treatment works.

(3) By June 30, 2022, and every 5 years thereafter, each county, municipality, or special district providing wastewater services shall develop a needs analysis for its jurisdiction over the subsequent 20 years. In projecting such needs, each local government shall include the following:

(a) A detailed description of the facilities used to provide wastewater services.

(b) The number of current and projected connections and residents served calculated in 5-year increments.

(c) The current and projected service area for wastewater services.

(d) The current and projected cost of providing wastewater services calculated in 5-year increments.

(e) The estimated remaining useful life of each facility or its major components.

(f) The most recent 5-year history of annual contributions to, expenditures from, and balances of any capital account for maintenance or expansion of any facility or its major components.

(g) The local government’s plan to fund the maintenance or expansion of any facility or its major components. The plan must include historical and estimated future revenues and expenditures with an evaluation of how the local government expects to close any projected funding gap.

(4) Upon completing the requirements of subsection (3), each municipality or special district shall submit its needs analysis, as well as the methodology and any supporting data necessary to interpret the results, to the county within which the largest portion of its service area is located. Each county shall compile all analyses submitted to it under this subsection into a single document and include its own analysis in the document. The county shall file the compiled document with the coordinator of the Office of Economic and Demographic Research no later than July 31, 2022, and every 5 years thereafter.

(5) The Office of Economic and Demographic Research shall evaluate the compiled documents from the counties for the purpose of developing a statewide analysis for inclusion in the assessment due January 1, 2023, pursuant to s. 403.928.

(6) This section applies to a rural area of opportunity as defined in s. 288.0656 unless the requirements of this section would create an undue economic hardship for the county, municipality, or special district in the rural area of opportunity.

Section 5. Section 403.9302, Florida Statutes, is created to read:

403.9302 Stormwater management projections.—

(1) The Legislature intends for each county, municipality, or special district providing a stormwater management program or stormwater management system to create a 20-year needs analysis.

(2) As used in this section, the term:

(a) “Facility” means any equipment, structure, or other property, including conveyance systems, used or useful in connection with providing a stormwater management program or stormwater management system.

(b) “Stormwater management program” has the same meaning as provided in s. 403.031(15).

(c) “Stormwater management system” has the same meaning as provided in s. 403.031(16).

(3) By June 30, 2022, and every 5 years thereafter, each county, municipality, or special district providing a stormwater management program or stormwater management system shall develop a needs analysis for its jurisdiction over the subsequent 20 years. In projecting such needs, each local government shall include the following:

(a) A detailed description of the stormwater management program or stormwater management system and its facilities and projects.

(b) The number of current and projected residents served calculated in 5-year increments.

(c) The current and projected service area for the stormwater management program or stormwater management system.

(d) The current and projected cost of providing services calculated in 5-year increments.

(e) The estimated remaining useful life of each facility or its major components.

(f) The most recent 5-year history of annual contributions to, expenditures from, and balances of any capital account for maintenance or expansion of any facility or its major components.

(g) The local government’s plan to fund the maintenance or expansion of any facility or its major components. The plan must include historical and estimated future revenues and expenditures with an evaluation of how the local government expects to close any projected funding gap.

(4) Upon completing the requirements of subsection (3), each municipality or special district shall submit its needs analysis, as well as the

methodology and any supporting data necessary to interpret the results, to the county within which the largest portion of its stormwater management program or stormwater management system is located. Each county shall compile all analyses submitted to it under this subsection into a single document and include its own analysis in the document. The county shall file the compiled document with the Secretary of Environmental Protection and the coordinator of the Office of Economic and Demographic Research no later than July 31, 2022, and every 5 years thereafter.

(5) The Office of Economic and Demographic Research shall evaluate the compiled documents from the counties for the purpose of developing a statewide analysis for inclusion in the assessment due January 1, 2023, pursuant to s. 403.928.

(6) This section applies to a rural area of opportunity as defined in s. 288.0656 unless the requirements of this section would create an undue economic hardship for the county, municipality, or special district in the rural area of opportunity.

Section 6. The Legislature determines and declares that this act fulfills an important state interest.

Section 7. This act shall take effect July 1, 2021.

Approved by the Governor June 29, 2021.

Filed in Office Secretary of State June 29, 2021.

SECTION C

SECTION 1

Lake Deer
Community Development District

Funding Request #2
August 30, 2021

Bill to: Cascara II

General Fund
FY2021

1 Operations & Maintenance Funding

\$ 10,000.00

\$ 10,000.00

Total:

\$ 10,000.00

Please make check payable to:

Lake Deer Community Development District
6200 Lee Vista Blvd, Suite 300
Orlando, FL 32822

SECTION 2

Lake Deer
Community Development District

Unaudited Financial Reporting
July 31, 2021



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1	<hr/>	<u>Balance Sheet</u>
2	<hr/>	<u>General Fund</u>
3	<hr/>	<u>Month to Month</u>

Lake Deer
Community Development District
Combined Balance Sheet
July 31, 2021

	<i>General Fund</i>	
Assets:		
Due From Developer	\$	20,000
Total Assets	\$	20,000
Liabilities:		
Accounts Payable	\$	16,503
Total Liabilities	\$	16,503
Fund Balances:		
Unassigned	\$	3,497
Total Fund Balances	\$	3,497
Total Liabilities & Fund Balance	\$	20,000

Lake Deer
Community Development District
General Fund
Statement of Revenues, Expenditures, and Changes in Fund Balance
For The Period Ending July 31, 2021

	Proposed	Prorated Budget	Actual	
	Budget	Thru 07/31/21	Thru 07/31/21	Variance
Revenues				
Developer Contributions	\$ 50,953	\$ 20,000	\$ 20,000	\$ -
Total Revenues	\$ 50,953	\$ 20,000	\$ 20,000	\$ -
Expenditures:				
<u>General & Administrative:</u>				
Supervisors Fees	\$ 4,000	\$ 2,000	\$ 1,000	\$ 1,000
Engineering	\$ 5,000	\$ 2,500	\$ -	\$ 2,500
Attorney	\$ 8,333	\$ 4,167	\$ 3,730	\$ 437
Management Fees	\$ 11,667	\$ 5,833	\$ 2,917	\$ 2,917
Information Technology	\$ 600	\$ 300	\$ 150	\$ 150
Website Maintenance	\$ 2,150	\$ -	\$ -	\$ -
Telephone	\$ 100	\$ 50	\$ -	\$ 50
Postage & Delivery	\$ 500	\$ 250	\$ 1	\$ 249
Insurance	\$ 5,000	\$ 5,000	\$ 1,369	\$ 3,631
Printing & Binding	\$ 500	\$ 250	\$ 31	\$ 219
Legal Advertising	\$ 10,000	\$ 7,205	\$ 7,205	\$ -
Other Current Charges	\$ 2,500	\$ 1,250	\$ -	\$ 1,250
Office Supplies	\$ 208	\$ 104	\$ -	\$ 104
Travel Per Diem	\$ 220	\$ 110	\$ -	\$ 110
Dues, Licenses, & Subscriptions	\$ 175	\$ 175	\$ 100	\$ 75
Total Expenditures	\$ 50,953	\$ 29,194	\$ 16,503	\$ 12,691
Excess Revenues (Expenditures)	\$ -	\$ -	\$ 3,497	
Fund Balance - Beginning	\$ -	\$ -	\$ -	
Fund Balance - Ending	\$ -	\$ -	\$ 3,497	

Lake Deer
Community Development District
Month to Month

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total
Revenues													
Developer Contributions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	20,000	\$ -	\$ -	\$ -	20,000
Total Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	20,000	\$ -	\$ -	\$ -	20,000
Expenditures:													
<i>General & Administrative:</i>													
Supervisor Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,000	\$ -	\$ -	\$ -	1,000
Engineering	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	\$ -	\$ -	-
Attorney	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	3,531	\$ 199	\$ -	\$ -	3,730
Management Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ 2,917	\$ -	\$ -	2,917
Information Technology	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ 150	\$ -	\$ -	150
Website Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	\$ -	\$ -	-
Telephone	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	\$ -	\$ -	-
Postage & Delivery	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ 1	\$ -	\$ -	1
Insurance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,369	\$ -	\$ -	\$ -	1,369
Printing & Binding	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ 31	\$ -	\$ -	31
Legal Advertising	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	345	\$ 6,860	\$ -	\$ -	7,205
Other Current Charges	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	\$ -	\$ -	-
Office Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	\$ -	\$ -	-
Travel Per Diem	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	\$ -	\$ -	-
Dues, Licenses, & Subscriptions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	100	\$ -	\$ -	\$ -	100
Total Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	6,345	\$ 10,158	\$ -	\$ -	16,503
Excess Revenues (Expenditures)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	13,655	\$ (10,158)	\$ -	\$ -	3,497