

Chapel Creek Community Development District

Board of Supervisors' Meeting August 6, 2019

District Office: 5844 Old Pasco Road, Suite 100 Pasco, Florida 33544 813.994.1615

www.chapelcreekcdd.org

Professionals in Community Management

Rizzetta & Company, Inc., 5844 Old Pasco Road, Suite 100, Wesley Chapel, FL 33544

Board of Supervisors	Chip Jones Bob Bishop Milton Andrade Brian Walsh John Blakley	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
District Manager	Jordan Lansford	Rizzetta & Company, Inc.
District Counsel	Roy Van Wyk	Hopping, Green & Sams, P.A.
District Engineer	Tonja Stewart	Stantec Consulting Services, Inc.

All cellular phones must be placed on mute while in the meeting room.

The Audience Comment portion of the agenda is where individuals may make comments on matters that concern the District. Individuals are limited to a total of three (3) minutes to make comments during this time.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (813) 994-1001. 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), who can aid you in contacting the District Office.

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

CHAPEL CREEK COMMUNITY DEVEOPMENT DISTRICT DISTRICT OFFICE • 5844 OLD PASCO ROAD • SUITE 100 • WESLEY CHAPEL FL 33544 www.chapelcreekcdd.org

July 29, 2019

Board of Supervisors Chapel Creek Community **Development District**

AGENDA

Dear Board Members:

The regular meeting of the Board of Supervisors' of the Chapel Creek Community Development District will be held on Tuesday, August 6, 2019 at 5:00 p.m. at the office of Rizzetta & Company, Inc., located at 5844 Old Pasco Road, Suite 100, Wesley Chapel, FL 33544. The following is the agenda for this meeting:

1. CALL TO ORDER/ROLL CALL

2. AUDIENCE COMMENTS

3. **BUSINESS ADMINISTRATION**

	Α.	Consideration of Minutes of the Board of Supervisors' Meeting	
		held on July 2, 2019Tab 1	
	В.	Consideration of Operation and Maintenance Expenditures for	
		the Month of June 2019Tab 2	
	C.	Ratification of Series 2006A & B Capital Improvement	
		Requisitions – #313 – 319Tab 3	
4.	BUSI	SUSINESS ITEMS	
	Α.	Presentation of Aquatic Systems ReportTab 4	
	В.	Presentation of Hopping Green & Sams Resignation LetterTab 5	
	C.	Consideration of Engagement Letter for District Counsel	
		Services from Straley, Robin & Vericker (under separate cover)	
	D.	Consideration of Rizzetta Technology Services Contract	
	E.	Public Hearing on Fiscal Year 2019/2020 BudgetTab 7	
		i. Consideration of Resolution 2019-04; Adopting Fiscal	
		Year 2019/2020 BudgetTab 8	
	F.	Public Hearing on Fiscal Year 2019/2020 Assessments	
		i. Consideration of Resolution 2019-05; Imposing	
	_	Special AssessmentsTab 9	
	G.	Consideration of Resolution 2019-06; Adopting FY 2019/2020	
	_	Meeting ScheduleTab 10	
5.	STAF	F REPORTS	
	Α.	District Counsel	
	В.	District Engineer	
	C.	District Manager	

- 6. SUPERVISOR REQUESTS
- 7. ADJOURNMENT

5.

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We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call us at (813) 933-5571.

Sincerely,

Jordan Lansford Jordan Lansford

District Manager

cc: Roy Van Wyk, Hopping, Green and Sam Tonja Stewart, Stantec Consulting

Tab 1

	MINUTES OF MEETING		
any matter considered at the n	appeal any decision made by the Board with respect to neeting is advised that the person may need to ensure e proceedings is made, including the testimony and eal is to be based.		
	CHAPEL CREEK		
COMMUNITY DEVELOPMENT DISTRICT			
Development District was held o	e Board of Supervisors of the Chapel Creek Community n Tuesday, July 2, 2019, at 12:22 p.m. at the offices of ated at 5844 Old Pasco Road, Suite 100, Wesley		
Present and constituting a quoru	ım:		
John Blakley Brian Walsh Milton Andrade	Board Supervisor, Assistant Secretary Board Supervisor, Assistant Secretary Board Supervisor, Assistant Secretary		
Also present were:			
Jordan Lansford Roy Van Wyk	District Manager, Rizzetta & Company, Inc. District Counsel, Hopping, Green & Sam (via conference call)		
Bob Gang	Representative, Stantec Consulting (via conference call)		
Scott Brizendine	District Financial Serv. Mgr., Rizzetta & Co., Inc.		
Audience	None		
FIRST ORDER OF BUSINESS	Call to Order		
Ms. Lansford called the quorum.	e meeting to order and read the roll call confirming a		
SECOND ORDER OF BUSINES	SS Audience Comments on Agenda Items		
There were no audience members present.			
	Consideration of Minutes from the		

CHAPEL CREEK COMMUNITY DEVELOPMENT DISTRICT July 2, 2019 Minutes of Meeting Page 2

46 Ms. Lansford presented the May 7, 2019 Meeting Minutes to the Board of Supervisors. 47 48 On a Motion by Mr. Blakely, seconded by Mr. Jones, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors Meeting held on May 7, 2019, as presented, for Chapel Creek Community Development District. 49 FOURTH ORDER OF BUSINESS 50 Consideration of Operation and Maintenance Expenditures for April 51 52 and May 2019 53 54 Ms. Lansford presented the April and May 2019 Operation and Maintenance 55 Expenditures to the Board of Supervisors in the amount of \$12,493.47 for April and \$15,485.64 for May 2019. 56 57 On a Motion by Mr. Walsh, seconded by Mr. Blakely, with all in favor, the Board of Supervisors ratified the Operation and Maintenance Expenditures in the amount of \$12,493.47 for April and \$15,485.64 for May 2019, for Chapel Creek Community Development District. 58 59 FIFTH ORDER OF BUSINESS Ratification of Series 2006A & B **Improvements Requisitions 307-311** 60 61 Ms. Lansford presented Series 2006A & B Capital Improvements Requisitions 62 63 307-311 to the Board of Supervisors. 64 On a Motion by Mr. Blakely, seconded by Mr. Walsh, with all in favor, the Board of Supervisors ratified the Series 2006A & B Capital Improvements Requisitions 307-311, in the amount of \$71,403.03, for May 2019, for Chapel Creek Community Development District. 65 66 SIXTH ORDER OF BUSINESS Ratification of Series 2006A & B 67 **Capital Improvements Requisition 312** 68 69 Ms. Lansford presented Series 2006A & B Capital Improvements Requisition 312 to the Board of Supervisors in the amount of \$50,000.00. 70 71 On a Motion by Mr. Walsh, seconded by Mr. Blakely, with all in favor, the Board of Supervisors ratified the Series 2006A & B Capital Improvements Requisition 312, in the amount of \$50,000.00, for May 2019, for Chapel Creek Community Development District. 72

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SEVENTH ORDER OF BUSINESS	Presentation of Aquatic Systems Report
Ms. Lansford presented the Aquatic S	Systems report to the Board.
EIGHTH ORDER OF BUSINESS	Consideration of Website ADA Proposals
•	ADA Proposals to the Board of Supervisors. nt, with termination of proprietary rights, with
	Mr. Andrade, with all in favor, the Board of ment, with termination of proprietary rights, mmunity Development District.
NINTH ORDER OF BUSINESS	Consideration of Year End 2018 Financial Audit
Ms. Lansford presented the Chapel C he Board.	Creek CDD Year End 2018 Financial Audit to
	/ Mr. Blakely, with all in favor, the Board of CDD Year End 2018 Financial Audit, for istrict.
TENTH ORDER OF BUSINESS	Staff Reports
A. District Counsel No report.	
 B. District Engineer No report. 	
 C. District Manager Ms. Lansford reminded the Board of 2019, at 5:00 p.m. 	of the next meeting scheduled for August 6,
ELEVENTH ORDER OF BUSINESS	Supervisor Requests
No Supervisor Requests.	

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TWELFTH ORDER OF BUSINESS	Adjournment
3	onded by Mr. Bishop, with all in favor, the Board of ting at 12:39 p.m. for Chapel Creek Community
Assistant Secretary	Chairman/Vice Chairman

Tab 8

RESOLUTION 2019-04

THE ANNUAL APPROPRIATION RESOLUTION OF THE CHAPEL CREEK COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT") RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGETS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has, prior to the fifteenth (15th) day in June, 2019, submitted to the Board of Supervisors ("Board") of the Chapel Creek Community Development District ("District") proposed budgets ("Proposed Budget") for the fiscal year beginning October 1, 2019 and ending September 30, 2020 ("Fiscal Year 2019/2020") along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

WHEREAS, the Board set August 7, 2019, as the date for 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, the District Manager posted the Proposed Budget on the District's website at least two days before the public hearing; 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 a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

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

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budget, 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 Budget, 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* (**"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 Chapel Creek Community Development District for the Fiscal Year Ending September 30, 2020."
- 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 2019/2020, the sum of \$_______ to be raised by the levy of assessments and otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	\$
DEBT SERVICE FUND – SERIES	\$
TOTAL ALL FUNDS	\$

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2019/2020 or within 60 days following the end of the Fiscal Year 2019/2020 may amend its Adopted Budget for that fiscal year as follows:

a. The Board may authorize an increase or decrease in line item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.

- b. The District Manager or Treasurer may authorize an increase or decrease in line item appropriations within a fund if the total appropriations of the fund do not increase and if the aggregate change in the original appropriation item does not exceed \$10,000 or 10% of the original appropriation.
- c. By resolution, the Board may increase any appropriation item and/or fund to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.
- d. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and Section 189.016, *Florida Statutes*, among other applicable laws. Among other procedures, the District Manager or Treasurer must ensure that any amendments to budget under subparagraphs c. and d. 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 6th DAY OF AUGUST, 2019.

ATTEST:

CHAPEL CREEK COMMUNITY DEVELOPMENT DISTRICT

Assistant Secretary

By:_____

Its:

Exhibit A: Adopted Budgets for Fiscal Year 2019/2020

Exhibit A:

Adopted Budgets for Fiscal Year 2019/2020

Tab 9

RESOLUTION 2019-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CHAPEL CREEK COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT AND IMPOSING SPECIAL ASSESSMENTS FOR FISCAL YEAR 2019/2020; PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS, INCLUDING BUT NOT LIMITED TO PENALTIES AND INTEREST THEREON; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Chapel Creek Community Development District ("District") is a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

WHEREAS, the District is located in Pasco, Florida ("County"); and

WHEREAS, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District's adopted capital improvement plan and Chapter 190, *Florida Statutes*; and

WHEREAS, the Board of Supervisors ("Board") of the District hereby determines to undertake various operations and maintenance and other activities described in the District's budget ("Adopted Budget") for the fiscal year beginning October 1, 2019 and ending September 30, 2020 ("Fiscal Year 2019/2020"), attached hereto as Exhibit "A;" and

WHEREAS, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the Adopted Budget; and

WHEREAS, the provision of such services, facilities, and operations is a benefit to lands within the District; and

WHEREAS, Chapter 190, *Florida Statutes*, provides that the District may impose special assessments on benefitted lands within the District; and

WHEREAS, it is in the best interests of the District to proceed with the imposition of the special assessments for operations and maintenance in the amount set forth in the Adopted Budget; and

WHEREAS, the District has previously levied an assessment for debt service, which the District desires to collect for Fiscal Year 2019/2020; and

WHEREAS, Chapter 197, *Florida Statutes*, provides a mechanism pursuant to which such special assessments may be placed on the tax roll and collected by the local tax collector ("**Uniform Method**"), and the District has previously authorized the use of the Uniform Method by, among other things, entering into agreements with the Property Appraiser and Tax Collector of the County for that purpose; and

WHEREAS, it is in the best interests of the District to adopt the assessment roll ("Assessment Roll") attached to this Resolution as Exhibit "B," and to certify the portion of the Assessment Roll related to certain developed property ("Tax Roll Property") to the County Tax Collector pursuant to the Uniform Method and to directly collect the portion of the Assessment Roll relating to the remaining property ("Direct Collect Property"), all as set forth in Exhibit "B;" and

WHEREAS, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll adopted herein, including that portion certified to the County Tax Collector by this Resolution, as the Property Appraiser updates the property roll for the County, for such time as authorized by Florida law.

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

SECTION 1. BENEFIT & ALLOCATION FINDINGS. The provision of the services, facilities, and operations as described in **Exhibit "A"** confers a special and peculiar benefit to the lands within the District, which benefit exceeds or equals the cost of the assessments. The allocation of the assessments to the specially benefitted lands is shown in **Exhibits "A" and "B,"** and is hereby found to be fair and reasonable.

SECTION 2. ASSESSMENT IMPOSITION. Pursuant to Chapter 190, *Florida Statutes*, and using the procedures authorized by Florida law for the levy and collection of special assessments, a special assessment for operation and maintenance is hereby imposed and levied on benefitted lands within the District and in accordance with **Exhibits "A" and "B."** The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution. Moreover, pursuant to Section 197.3632(4), *Florida Statutes*, the lien amount shall serve as the "maximum rate" authorized by law for operation and maintenance assessments.

SECTION 3. COLLECTION AND ENFORCEMENT; PENALTIES; INTEREST.

- A. **Tax Roll Assessments.** The operations and maintenance special assessments and previously levied debt service special assessments imposed on the Tax Roll Property shall be collected at the same time and in the same manner as County taxes in accordance with the Uniform Method, as set forth in **Exhibits "A" and "B."**
- B. **Direct Bill Assessments.** The operations and maintenance special assessments and previously levied debt service special assessments imposed on the Direct Collect

Property shall be collected directly by the District in accordance with Florida law, as set forth in Exhibits "A" and "B." Assessments directly collected by the District are due in full on December 1, 2018; provided, however, that, to the extent permitted by law, the assessments due may be paid in several partial, deferred payments and according to the following schedule: 50% due no later than December 1, 2018, 25% due no later than February 1, 2019 and 25% due no later than May 1, 2019. In the event that an assessment payment is not made in accordance with the schedule stated above, the whole assessment – including any remaining partial, deferred payments for Fiscal Year 2019/2020, shall immediately become due and payable; shall accrue interest, penalties in the amount of one percent (1%) per month, and all costs of collection and enforcement; and shall either be enforced pursuant to a foreclosure action, or, at the District's sole discretion, collected pursuant to the Uniform Method on a future tax bill, which amount may include penalties, interest, and costs of collection and enforcement. Any prejudgment interest on delinquent assessments shall accrue at the rate of any bonds secured by the assessments, or at the statutory prejudgment interest rate, as applicable. In the event an assessment subject to direct collection by the District shall be delinquent, the District Manager and District Counsel, without further authorization by the Board, may initiate foreclosure proceedings pursuant to Chapter 170, Florida Statutes, or other applicable law to collect and enforce the whole assessment, as set forth herein.

C. Future Collection Methods. The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

SECTION 4. ASSESSMENT ROLL. The Assessment Roll, attached to this Resolution as **Exhibit "B,"** is hereby certified for collection. That portion of the Assessment Roll which includes the Tax Roll Property is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to the District.

SECTION 5. ASSESSMENT ROLL AMENDMENT. The District Manager shall keep apprised of all updates made to the County property roll by the Property Appraiser after the date of this Resolution, and shall amend the Assessment Roll in accordance with any such updates, for such time as authorized by Florida law, to the County property roll. After any amendment of the Assessment Roll, the District Manager shall file the updates in the District records.

SECTION 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.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect upon the passage and adoption of this Resolution by the Board.

PASSED AND ADOPTED this 6th day of August, 2019

ATTEST:

CHAPEL CREEK COMMUNITY DEVELOPMENT DISTRICT

Assistant Secretary

By:_____

Its:_____

- **Exhibit A:** Adopted Budgets for Fiscal Year 2019/2020
- Exhibit B: Assessment Roll (Uniform Method) Assessment Roll (Direct Collect)

Exhibit A:

Adopted Budgets for Fiscal Year 2019/2020

Exhibit B:

Assessment Roll (Uniform Method) Assessment Roll (Direct Collect)

Tab 10

RESOLUTION 2019-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF CHAPEL CREEK COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIME AND LOCATION FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

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

WHEREAS, the District's Board of Supervisors (hereinafter the "Board") is statutorily authorized to exercise the powers granted to the District; and

WHEREAS, all meetings of the Board shall be open to the public and governed by the provisions of Chapter 286, Florida Statutes; and

WHEREAS, the Board is statutorily required to file annually, with the local governing authority and the Florida Department of Community Affairs, a schedule of its regular meetings.

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

<u>Section 1</u>. Regular meetings of the Board of Supervisors of the District shall be held as provided on the schedule attached as Exhibit "A".

<u>Section 2</u>. In accordance with Section 189.015(1), Florida Statutes, the District's Secretary is hereby directed to file annually, with Pasco County, a schedule of the District's regular meetings.

Section 3. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 6th DAY OF AUGUST 2019.

CHAPEL CREEK COMMUNITY DEVELOPMENT DISTRICT

CHAIRMAN/VICE CHAIRMAN

ATTEST:

SECRETARY/ASSISTANT SECRETARY

EXHIBIT "A" BOARD OF SUPERVISORS MEETING DATES CHAPEL CREEK COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2019/2020

October 1, 2019 November 5, 2019 December 3, 2019* January 7, 2020 February 4, 2020 March 3, 2020 April 7, 2020 May 5, 2020 June 2, 2020 July 7, 2020 August 4, 2020 * September 1, 2020

The meetings will convene at 11:00 a.m. (except for the months with * which will be held at 5:00 p.m.) at the offices of Rizzetta & Company, Inc., located at 5844 Old Pasco Road, Suite 100, Wesley Chapel, FL 33544