

**MINUTES OF MEETING  
WATERFORD LANDING  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Waterford Landing Community Development District held a Special Meeting on December 12, 2024 at 11:00 a.m., at the Linsford Amenity Center, 4101 Dutchess Park Road, Fort Myers, Florida 33916.

**Present:**

Charles Cox	Chair
Marcina Strang (via telephone)	Vice Chair
Bill Smith	Assistant Secretary
Ronald J. Bozinovich	Assistant Secretary
Edward Fitzgerald III	Assistant Secretary

**Also present:**

Daniel Rom	District Manager
Kristen Thomas (via telephone)	Wrathell, Hunt and Associates, LLC
Whitney Sousa (via telephone)	District Counsel
Frank Savage (via telephone)	District Engineer
Cynthia Wilhelm	Bond Counsel
Brett Sealy (via telephone)	MBS Capital Markets, LLC
Kendall Bulliet (via telephone)	MBS Capital Markets, LLC
Kevin O'Connor	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Rom called the meeting to order at 11:00 a.m. Supervisors Cox, Smith, Fitzgerald and Bozinovich were present. Supervisor Strang attended via telephone.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Newly Elected Supervisors [Bill J Smith - Seat 1, Ronald J Bozinovich - Seat 2] (the following will also be provided in a separate package)**

Mr. Rom stated that, to establish a quorum, Mr. Smith and Mr. Bozinovich were sworn in prior to the meeting commencing. He provided and explained the following:

- A. Required Ethics Training and Disclosure Filing**
  - **Sample Form 1 2023/Instructions**
- B. Membership, Obligations and Responsibilities**
- C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

Ms. Sousa discussed Sunshine Law violations, public records law, conflicts of interest and cautioned against using social media to conduct District business.

#### **FOURTH ORDER OF BUSINESS**

#### **Consideration of Resolution 2025-03, Electing and Removing Officers of the District and Providing for an Effective Date**

Mr. Rom presented Resolution 2025-03. Ms. Strang nominated the following:

Charles P. Cox, Sr.	Chair
Edward Fitzgerald III	Vice Chair
Marcina Ann Strang	Assistant Secretary
Bill Smith	Assistant Secretary
Ron Bozinovich	Assistant Secretary
Kristen Thomas	Assistant Secretary

No other nominations were made.

This Resolution removes the following Officers from the Board as of December 12, 2024:

Joyce L. Hein	Assistant Secretary
Robert E. Stillman	Assistant Secretary

The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell	Secretary
Daniel Rom	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

**On MOTION by Mr. Fitzgerald and seconded by Mr. Smith, with all in favor, Resolution 2025-03, Electing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.**

▪ **MBS Refunding Summary**

**This item was an addition to the Agenda.**

Referencing a handout, Mr. Sealy recalled that the Board previously approved proceeding with Truist Bank serving, in its capacity, as the purchaser of the bonds, under Option B. He stated the information before the Board represents the final refunding results and noted the following:

- The cost of issuance came in lower than originally projected.
- Staff was able to use certain of the Fiscal Year 2025 assessment revenues as a source of funds toward the refunding, which also assisted in creating more favorable results.
- Ultimately, there will be slightly over \$70,000 in surplus funds on November 2, 2025, for which Staff has provided documents to utilize it for any lawful purpose.
- Staff anticipates closing the refinancing transaction on December 16, 2024.

**FIFTH ORDER OF BUSINESS**

**Presentation of Final Second Supplemental  
Special Assessment Methodology Report**

Mr. Rom presented the Final Second Supplemental Special Assessment Methodology Report dated December 3, 2024. He reviewed the pertinent data, including the purpose, the Capital Improvement Program (CIP), financing program, special benefits, general benefits, benefit allocation, lienability test, assessment roll and the Appendix Tables in the Methodology Report.

**On MOTION by Mr. Cox and seconded by Mr. Fitzgerald, with all in favor, the Final Second Supplemental Special Assessment Methodology Report, in substantial form, was approved.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2025-01,  
Approving the Sale, Issuance and Terms of  
Sale of the Waterford Landing Community**

Development District Capital Improvement Revenue Refunding Bond, Series 2024 (the "Series 2024 Bond") in Order to Currently Refund and Redeem All of the Outstanding Principal Amount of the District's Capital Improvement Revenue Bonds, Series 2014 (the "Refunded Bonds"); Establishing the Interest Rate, Maturity Date, Redemption Provisions and Other Details Thereof; Approving a Private Placement for the Series 2024 Bond; Ratifying the Master Trust Indenture and Approving the Form of Second Supplemental Trust Indenture and Authorizing the Execution and Delivery Thereof by Certain Officers of the District; Appointing a Trustee, Paying Agent and Bond Registrar for the Series 2024 Bond; Approving the Form of the Series 2024 Bond; Authorizing Certain Officers of the District to Take All Actions Required and to Execute and Deliver All Documents, Instruments and Certificates Necessary in Connection with the Issuance, Sale and Delivery of the Series 2024 Bond; Authorizing the Vice Chairman and Assistant Secretaries to Act in the Stead of the Chairman or the Secretary, as the Case May Be; Specifying the Application of the Proceeds of the Series 2024 Bond; Approving the Form of the Escrow Deposit Agreement and Appointing an Escrow Agent Thereunder; Authorizing Certain Officers of the District to Take All Actions and Enter into All Agreements Required in Connection with the Refunding of the Refunded Bonds; Appointing a Verification Agent; Designating the Series 2024 Bond as a "Qualified Tax Exempt Obligation" Pursuant to Section 265(B)(3) of the Internal Revenue Code of 1986, as Amended; and Providing an Effective Date

Ms. Wilhelm presented Resolution 2025-01, which accomplishes the following:

- Authorizes the final refunding.

- Appoints Truist Bank as the new Trustee.
- Approves the Form of Supplemental Indenture.
- Sets forth the \$8,615,000 principal amount not to exceed amount of the bond.
- Approves the Escrow Deposit Agreement.
- Designates the Series 2024 bond as a qualified tax-exempt obligation.

**On MOTION by Mr. Bozinovich and seconded by Mr. Fitzgerald, with all in favor, Resolution 2025-01, Approving the Sale, Issuance and Terms of Sale of the Waterford Landing Community Development District Capital Improvement Revenue Refunding Bond, Series 2024 (the "Series 2024 Bond") in Order to Currently Refund and Redeem All of the Outstanding Principal Amount of the District's Capital Improvement Revenue Bonds, Series 2014 (the "Refunded Bonds"); Establishing the Interest Rate, Maturity Date, Redemption Provisions and Other Details Thereof; Approving a Private Placement for the Series 2024 Bond; Ratifying the Master Trust Indenture and Approving the Form of Second Supplemental Trust Indenture and Authorizing the Execution and Delivery Thereof by Certain Officers of the District; Appointing a Trustee, Paying Agent and Bond Registrar for the Series 2024 Bond; Approving the Form of the Series 2024 Bond; Authorizing Certain Officers of the District to Take All Actions Required and to Execute and Deliver All Documents, Instruments and Certificates Necessary in Connection with the Issuance, Sale and Delivery of the Series 2024 Bond; Authorizing the Vice Chairman and Assistant Secretaries to Act in the Stead of the Chairman or the Secretary, as the Case May Be; Specifying the Application of the Proceeds of the Series 2024 Bond; Approving the Form of the Escrow Deposit Agreement and Appointing an Escrow Agent Thereunder; Authorizing Certain Officers of the District to Take All Actions and Enter into All Agreements Required in Connection with the Refunding of the Refunded Bonds; Appointing a Verification Agent; Designating the Series 2024 Bond as a "Qualified Tax Exempt Obligation" Pursuant to Section 265(B)(3) of the Internal Revenue Code of 1986, as Amended; and Providing an Effective Date, was adopted.**

#### SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2025-02, Approving the Execution of All Documents, Instruments, and Certificates in Connection with the District's Series 2024 Capital Improvement Revenue Refunding Bond; Setting Forth the Final Terms of the Special Assessments Which Secure the Series 2024 Capital Improvement Revenue Refunding Bond; Adopting the Final Second**

**Supplemental Special Assessment  
Methodology Report; and Providing for  
Severability, Conflicts and an Effective Date**

Ms. Sousa presented Resolution 2025-02. This Resolution lays out the prior bond that was issued in 2014 to finance a portion of the public infrastructure that benefits lands in the District. The current Series 2024 bond will be repaid by levying special assessments on the property within the District that is specifically benefited by the infrastructure described in the prior Engineer's Report.

Mr. Fitzgerald asked if it is advisable or necessary to indicate in the Resolution that the Board considered the option of refinancing the bond in 10 years, as opposed to one that precluded refinancing at all. Ms. Sousa replied not in this Resolution; however, additional language could be added to the Resolution about this after the meeting.

**On MOTION by Mr. Fitzgerald and seconded by Mr. Smith, with all in favor, Resolution 2025-02, Approving the Execution of All Documents, Instruments, and Certificates in Connection with the District's Series 2024 Capital Improvement Revenue Refunding Bond; Setting Forth the Final Terms of the Special Assessments Which Secure the Series 2024 Capital Improvement Revenue Refunding Bond; Adopting the Final Second Supplemental Special Assessment Methodology Report; and Providing for Severability, Conflicts and an Effective Date, was adopted.**

Mr. Fitzgerald asked to reconsider Resolution 2025-01 to incorporate a provision that reflects that the Board considered two interest options and selected one at a slightly higher rate to enable the possibility of refinancing in 10 years.

Ms. Sousa will include verbiage of the Board's term options in Paragraph 11 of Resolution 2025-01; Approval of Prior Actions, reflecting that they selected Option B rather than Option A.

**On MOTION by Mr. Fitzgerald and seconded by Mr. Bozinovich, with all in favor, Resolution 2025-02, as amended to include verbiage under Paragraph 11 regarding the Term Options A and B and reflecting that they selected Option B rather than Option A, Approving the Execution of All Documents, Instruments, and Certificates in Connection with the District's Series 2024 Capital Improvement Revenue Refunding Bond; Setting Forth the Final Terms of the Special Assessments Which Secure the Series 2024 Capital Improvement**

**Revenue Refunding Bond; Adopting the Final Second Supplemental Special Assessment Methodology Report; and Providing for Severability, Conflicts and an Effective Date, as amended, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Truist Bank Proposal for Bond Trustee Services**

Mr. Rom presented the Truist Bank Proposal for Bond Trustee Services.

**On MOTION by Mr. Bozinovich and seconded by Mr. Fitzgerald, with all in favor, the Truist Bank Proposal for Bond Trustee Services, was approved.**

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2025-04, Directing the District Manager to Establish a Local Bank Account and Appoint Signors on the Account; and Providing an Effective Date**

Mr. Rom presented Resolution 2025-04.

**On MOTION by Mr. Smith and seconded by Mr. Bozinovich, with all in favor, the Resolution 2025-04, Directing the District Manager to Establish a Local Bank Account and Appoint Signors on the Account; and Providing an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of October 31, 2024**

**On MOTION by Mr. Fitzgerald and seconded by Mr. Smith, with all in favor, the Unaudited Financial Statements as of October 31, 2024, were accepted.**

**ELEVENTH ORDER OF BUSINESS**

**Approval of November 14, 2024 Special Meeting Minutes**

**On MOTION by Mr. Cox and seconded by Mr. Smith, with all in favor, the November 14, 2024 Special Meeting Minutes, as presented, were approved.**

**TWELFTH ORDER OF BUSINESS****Staff Reports****A. District Counsel: Straley Robin Vericker**

There was no report.

**B. District Engineer: Barraco and Associates, Inc.**

Mr. Savage reported the following:

- Staff has been coordinating with the vendor, Sea Breeze Erosion Solutions, for the next steps of the Phase 1 restoration repairs.
- Staff recently coordinated and facilitated a virtual team call with Mr. Savage, a few Sea Breeze representatives, Management and District Counsel. The group discussed the next steps, including setting up an internal meeting with District Staff and Sea Breeze for next week. The purpose of the meeting is to consider the logistics of how the project will work. Sea Breeze will handle the majority of the work and Engineering will assist, as per the Board's designation.
- Concurrent to the internal meeting, Staff advised and will arrange meetings with the City of Fort Myers and the South Florida Water Management District (SFWMD). The purpose of the meeting with local authorities is to verify that there are no permitting requirements associated with the remediation work.
- There were Staff discussions regarding the identification of any upstream impacts. While Sea Breeze is restoring CDD property, which is the CDD's obligation, it is also concurrently restoring anything that is impacting the CDD's property, specifically, private lots that have drainage concerns leading to lake bank erosion that will be repaired. Sea Breeze asked the District Engineer to coordinate with them to identify those locations.

Mr. Savage suggested the Board designate a representative to serve as a liaison to participate in some of the scheduled meetings and coordinate with Staff and the vendor.

Mr. Fitzgerald voiced his belief that there should be inspection requirements and payment certifications along the way in a project of this magnitude.

Discussion ensued regarding the upcoming meeting with Sea Breeze, which Supervisor will represent the Board during meetings with the vendor, having District Counsel draft an agreement between the CDD and the vendor, active communication with homeowners and the HOA via e-blast or mailings, who will inspect/oversee the work, the District Engineer's level of service and permitting requirements.



Mr. Cox was authorized to serve as CDD Liaison in lake bank restoration project meetings and discussions and to coordinate with Staff regarding the District Engineer's involvement in the project.

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

- **NEXT MEETING DATE: January 23, 2025 at 11:00 AM**
  - **QUORUM CHECK**

**THIRTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Mr. Fitzgerald asked for the status of a recent discussion with the City regarding the second access on Alderman's for Serena Park. He reported that a few homeowners near the lake, between Crofton and Alderman's, complained that the lake has a bad odor.

Mr. Rom stated, per the City's request, Staff sent a formal letter stating that the CDD is amenable to the discussions about maintenance obligations. Next, their Counsel will draft and present an agreement to the Board.

Discussion ensued regarding an interlocal agreement to maintain Alderman's, an additional access at Valencia Way, the HOA, negotiating with the City to control speeding on Alderman's, responsibility for lake/aquatic maintenance and inviting City Councilperson Watson to the next CDD meetings.

**FOURTEENTH ORDER OF BUSINESS**


**Public Comments**

Resident Kevin O'Connor thanked the Board and Staff for pursuing the refinancing to lower assessments for property owners. He commented on the importance of over-communication with residents regarding the lake bank remediation project and speed reduction on Alderman's Way.

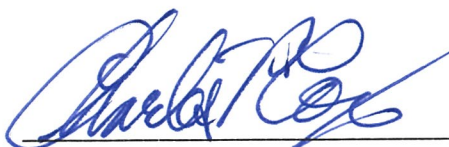
**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Fitzgerald and seconded by Mr. Smith, with all in favor, the meeting adjourned at 12:37 p.m.**

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Secretary/Assistant Secretary

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Chair/Vice Chair