

**MINUTES OF MEETING
CODDINGTON COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Coddington Community Development District held Multiple Public Hearings and a Regular Meeting on March 2, 2022, immediately following the adjournment of the Landowners' Meeting, scheduled to commence at 11:00 a.m., at the Country Inn & Suites, Bradenton/Lakewood Ranch, 5610 Manor Hill Lane, Bradenton, Florida 34203.

Present at the meeting were:

| | |
|------------------|---------------------|
| Christian Cotter | Chair |
| Mary Moulton | Vice Chair |
| Andre Carmack | Assistant Secretary |

Also present were:

| | |
|--------------------------------|--|
| Daniel Rom | District Manager |
| Cindy Cerbone | Wrathell, Hunt and Associates, LLC (WHA) |
| Andrew Kantarzhi | Wrathell, Hunt and Associates, LLC (WHA) |
| Jere Earlywine (via telephone) | District Counsel |
| John Cavoli (via telephone) | Interim District Engineer |
| Robert Price (via telephone) | Forestar (USA) Real Estate Group, Inc. (Forestar) |
| John Barnott (via telephone) | Forestar |

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 11:04 a.m. Supervisors Cotter, Moulton and Carmack were present, in person. Supervisors Zook and Vincent were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

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

Mr. Rom administered the Oath of Office to Mr. Cotter, Ms. Moulton and Mr. Carmack. He provided the following items and stated that Mr. Cotter, Ms. Moulton and Mr. Carmack hold seats on multiple CDD Boards so it was not necessary to review the new Board Member packet.

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Chapter 190, Florida Statutes**
- D. Financial Disclosure Forms**
 - I. Form 1: Statement of Financial Interests**
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - III. Form 1F: Final Statement of Financial Interests**
- E. Form 8B: Memorandum of Voting Conflict**

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-27, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date

Mr. Rom presented Resolution 2022-27. He recapped the results of the Landowners’ Election held just prior to this meeting, as follows:

| | | | |
|--------|------------------|-----------|-------------|
| Seat 1 | Christian Cotter | 121 votes | 4-Year Term |
| Seat 2 | Mary Moulton | 121 votes | 4-Year Term |
| Seat 3 | Andre Carmack | 120 votes | 2-Year Term |
| Seat 4 | Ryan Zook | 120 votes | 2-Year Term |
| Seat 5 | Ty Vincent | 120 votes | 2-Year Term |

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, Resolution 2021-29, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-28, Designating Certain Officers of the District, and Providing for an Effective Date

Mr. Rom presented Resolution 2022-28. Mr. Cotter nominated the following:

| | |
|------------------|---------------------|
| Christian Cotter | Chair |
| Mary Moulton | Vice Chair |
| Craig Wrathell | Secretary |
| Andre Carmack | Assistant Secretary |
| Ryan Zook | Assistant Secretary |
| Ty Vincent | Assistant Secretary |
| Cindy Cerbone | Assistant Secretary |
| Daniel Rom | Assistant Secretary |
| Craig Wrathell | Treasurer |
| Jeff Pinder | Assistant Treasurer |

No other nominations were made.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, Resolution 2022-28, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District’s Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date

A. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-29, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Coddington Community Development District in Accordance with

Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

Mr. Rom presented Resolution 2022-29 and read the title. This Resolution sets forth the CDD’s intent to utilize the Uniform Method of levying and collecting special assessments using the services of the Property Appraiser and Tax Collector.

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

There were no public comments.

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

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, Resolution 2022-29, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Coddington Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements

- *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*
- *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*

These activities occurred below.

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

These items were included for informational purposes.

C. Master Engineer’s Report (*for informational purposes*)

The Master Engineer’s Report was included for informational purposes.

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

The Master Special Assessment Methodology was included for informational purposes.

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

- *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*

There were no comments from affected property owners or members of the public.

- *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*

Mr. Rom asked if the Board, sitting as an Equalizing Board, wished to consider any adjustments to the assessments, as proposed. The Board, sitting as the Equalizing Board, did not make any changes.

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

E. Consideration of Resolution 2022-30, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date

Mr. Rom presented Resolution 2022-30 and read the title.

Mr. Earlywine stated that the Engineer’s Report and Assessment Methodology Report have not changed since the last meeting. He noted the following two requirements that must be met in order for the assessments to be valid:

- The Engineer’s Report specifically stated that there is sufficient benefit to justify the assessments in the amount set forth in the Report.
- The Methodology Report makes that finding and further states that the assessments are fairly and reasonably allocated.

Mr. Earlywine stated that Resolution 2022-30 confirms that the findings are legal and valid, levies and imposes the debt assessment, provides for True-up payments and includes prepayment provisions.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, Resolution 2022-30, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

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

A. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-31, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

Mr. Rom explained the purpose of the CDD’s Rules of Procedures.

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

There were no public comments.

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

Mr. Rom presented Resolution 2022-31.

On MOTION by Mr. Carmack and seconded by Mr. Cotter, with all in favor, Resolution 2022-31, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2022-32, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date

Mr. Earlywine presented Resolution 2022-32. This Resolution helps facilitate CDD improvement projects and avoid delays between meetings.

On MOTION by Mr. Carmack and seconded by Mr. Cotter, with all in favor, Resolution 2022-32, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date, and authorizing the Chair to execute, was adopted.

TENTH ORDER OF BUSINESS

Consideration of Integra Realty Resources Proposal/Authorization for Valuation and Consulting Services

Mr. Rom presented the Integra Realty Resources Proposal/Authorization for Valuation and Consulting Services for ratification. This pertains to the appraisal that the Board approved at the Organizational Meeting; this was previously executed by the vendor and the Chair.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the Integra Realty Resources Proposal/Authorization for Valuation and Consulting Services and the Chair’s execution, was ratified.

ELEVENTH ORDER OF BUSINESS

Consideration of Acquisition Agreement

Mr. Earlywine presented the Acquisition Agreement between Forestar (USA) Real Estate Group, Inc., and the CDD. The Agreement authorizes the CDD to acquire and complete improvements, work product and land from the Developer, as they approach completion.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the Acquisition Agreement between Forestar (USA) Real Estate Group Inc., and the CDD, and authorizing the Chair to execute, was approved.

Mr. Earlywine asked about the timing of the utilities’ turnover and preparation of the as-builts. Mr. Price stated the utilities would be conveyed next month. Mr. Earlywine would confer with Mr. Price and Mr. Barnott in two weeks regarding the as-builts.

TWELFTH ORDER OF BUSINESS

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

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. RFQ Package

A copy of the RFQ package was included for informational purposes.

C. Respondent: Cavoli Engineering, Inc.

Cavoli Engineering, Inc. (Cavoli) was the sole respondent to the RFQ.

D. Competitive Selection Criteria/Ranking

This was waived because there was only one respondent to the RFQ. Mr. Earlywine recommended a motion be made finding Cavoli, the sole respondent, responsive and qualified.

E. Award of Contract

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, , deeming the sole respondent to the RFQ for District Engineering Services, Cavoli Engineering, Inc., as responsive and well-qualified and authorizing Staff to negotiate a form of contract with Cavoli Engineering, Inc., was approved.

THIRTEENTH ORDER OF BUSINESS

Consideration by District Audit Committee of Responses to Request for Proposals (RFP) for Annual Audit Services

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. RFP Package

A copy of the RFP package was included for informational purposes.

C. Respondents

I. Berger, Toombs, Elam, Gaines & Frank

II. Carr, Riggs & Ingram, LLC

Asked about the difference in cost, Mr. Rom stated the difference was approximately \$1,500. He noted that Berger, Toombs, Elam, Gaines & Frank (BTEGF) proposed \$3,250 and Carr, Riggs & Ingram, LLC (CRI) proposed \$4,750. The RFP asked bidders to provide the cost for bond issuances. CRI’s proposed a fee of \$1,250 per bond issuance and BTEGF did not provide its bond issuance fees in its proposal. Mr. Rom stated that he contacted BTEGF regarding this and was informed that BTEGF’s fee would be \$1,250 per bond issuance, as well.

D. Auditor Evaluation Matrix/Ranking

Mr. Rom reviewed the Evaluation Matrix Criteria.

Ms. Cerbone stated both Respondents are well-qualified and the rankings are typically determined by price and firms with the lower fees are usually ranked higher than the firms with higher fees. The Board scored and ranked the respondents, as follows:

- #1 Berger, Toombs, Elam, Gaines & Frank (BTEGF) 100 points
- #2 Carr, Riggs & Ingram, LLC (CRI) 99 points

E. Award of Contract

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, accepting the collective ranking of 100 points for Berger Toombs, Elam, Gaines & Frank and 99 points for Carr, Riggs & Ingram, LLC, ranking Berger Toombs, Elam, Gaines & Frank as the #1 ranked firm, awarding the contract for Annual Audit Services to the Berger Toombs, Elam, Gaines & Frank, the #1 ranked firm, and authorizing District Staff to negotiate a contract, was approved.

FOURTEENTH ORDER OF BUSINESS

Consideration of Resolution 2022-07, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date

This item was deferred.

FIFTEENTH ORDER OF BUSINESS

Consideration of Resolution 2022-14, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

Mr. Rom presented Resolution 2022-14. The following information would be inserted into the Fiscal Year 2021/2022 Meeting Schedule:

DATE: Fourth Wednesday of each month

TIME: 10:00 A.M.

LOCATION: Country Inn & Suites, Bradenton/Lakewood Ranch, 5610 Manor Hill Lane, Bradenton, Florida 34203.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, Resolution 2022-14, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date, was adopted.

SIXTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of January 31, 2022

Mr. Rom presented the Unaudited Financial Statements as of January 31, 2022.

On MOTION by Ms. Moulton and seconded by Mr. Cotter, with all in favor, the Unaudited Financial Statements as of January 31, 2022, were accepted.

SEVENTEENTH ORDER OF BUSINESS

**Approval of January 13, 2022
Organizational Meeting Minutes**

Mr. Rom presented the January 13, 2022 Organizational Meeting Minutes.

On MOTION by Mr. Carmack and seconded by Mr. Cotter, with all in favor, the January 13, 2022 Organizational Meeting Minutes, as presented, were approved.

EIGHTEENTH ORDER OF BUSINESS

Staff Reports

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

Mr. Earlywine stated the bond validation hearing is scheduled for March 28, 2022. He recommended presenting the Delegation Resolution at the March 29, 2022 meeting and issuing the bonds one month later.

B. District Engineer (Interim): *Cavoli Engineers, Inc.*

There was no report.

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

Ms. Cerbone recapped the following items:

➤ At the March 29, 2022 meeting, the Board will adopt the Delegation Resolution and the Fiscal Year 2021/2022 budgets and Staff would present the proposed Fiscal Year 2023 budget.

➤ Per Ms. Moulton, the CDD would contract with the HOA for all maintenance and the CDD will not budget for Field Ops.

- **NEXT MEETING DATE: March 29, 2022 at 11:00 A.M.**

- **QUORUM CHECK**

The next meeting would be held on March 29, 2022.

▪ Adjournment

This item was an addition to the agenda.

On MOTION by Mr. Carmack and seconded by Mr. Cotter, with all in favor, the meeting adjourned at 11:33 a.m.



Secretary/Assistant Secretary



Chair/Vice Chair