



DEVELOPMENT PLANNING & FINANCING GROUP, INC.

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***BRIGHTWATER
COMMUNITY DEVELOPMENT DISTRICT***

Advanced Meeting Package

Regular Meeting

***Thursday
May 28, 2020
8:30 a.m.***

***Location:
Conducted Via Electronic Teleconference***

Note: The Advanced Meeting Package is a working document and thus all materials are considered DRAFTS prior to presentation and Board acceptance, approval or adoption.

Brightwater Community Development District

Development Planning and Financing Group

250 International Parkway, Suite 280
Lake Mary FL 32746
321-263-0132 Ext. 4205

15310 Amberly Drive, Suite 175
Tampa, Florida 33647
813-374-9105

Board of Supervisors
Brightwater Community Development District

Dear Board Members:

A Meeting of the Board of Supervisors of the Brightwater Community Development District is scheduled for **Thursday, May 28, 2020 at 8:30 a.m.**

Due to current issues related to COVID-19, the Florida Governor released Executive Order 20-69 which allows governmental public meetings and required quorums to be completed via telephone conference. In respect of current social distancing recommendations this meeting will be conducted via telephone in order to protect the health and safety of the public. Both members of the board and the public may join this meeting via telephone as follows:

Call in phone number: 929-205-6099
Meeting ID: 819 8665 2894
Password: 010972

The advanced copy of the agenda for the meeting is attached along with associated documentation for your review and consideration. Any additional support material will be distributed at the meeting.

The agenda items are for immediate business purposes and for the health and safety of the community. Staff will present their reports at the meeting. If you have any questions, please contact me. I look forward to seeing you there.

Sincerely,

Tonya Elliott-Moore

Tonya Elliott-Moore
District Manager

Cc: Attorney
Engineer
District Records

District: **BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT**

Date of Meeting: Thursday, May 28th, 2020
Time: 8:30 AM
Location: Via Electronic Teleconference
Due to COVID 19
Per Gov Exec Order 20-69

Dial-in Number: **(929) 205-6099**
Meeting ID: 81986652894#

Agenda

I. Roll Call

Mike Lawson - Chairman **Doug Draper – Vice Chair**
Lori Price – Assist. Secretary **Christie Ray – Assist. Secretary**

II. Audience Comments – *(limited to 3 minutes per individual on agenda items)*

III. Consent Agenda

- A. Consideration and Approval of the February 26, 2020 Regular Meeting Minutes
- B. Acceptance of the February - April 2020 Unaudited Financial Statements

IV. Business Matters

- A. Consideration and Adoption of **Resolution 2020-04**, Appointing a Secretary Exhibit 1
- B. Consideration and Adoption of **Resolution 2020-05**, Landowner Election Exhibit 2
- C. Consider and Approve Proposed Budget for FY 2020-2021 Exhibit 3
- D. Consideration and Adoption of **Resolution 2020-06**, Approving Proposed Budget and Setting Public Hearing (FY 2020-2021) Exhibit 4

V. Administrative Matters

VI. Staff Reports

- A. District Manager
- B. District Attorney
- C. District Engineer

VII. Supervisors Requests

VIII. Audience Comments – New Business – *(limited to 3 minutes per individual for non-agenda items)*

IX. Adjournment

EXHIBIT 1.

RESOLUTION 2020-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE SECRETARY OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Brightwater Community Development District (“**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Lee County, Florida; and

WHEREAS, Paul Cusmano, has resigned as secretary of the District; and

WHEREAS, the Board of Supervisors (“**Board**”) desires to name the Secretary for the District.

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

1. Tonya Elliott-Moore is appointed Secretary.
2. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 28th day of May, 2020.

ATTEST:

**BRIGHTWATER COMMUNITY
DEVELOPMENT DISTRICT**

Printed Name: _____
Secretary/Assistant Secretary

Michael Lawson
Chair, Board of Supervisors

EXHIBIT 2.

RESOLUTION 2020-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A DATE, TIME, AND LOCATION FOR A LANDOWNERS' MEETING FOR THE PURPOSE OF ELECTING 3 MEMBERS OF THE BOARD; PROVIDING FOR PUBLICATION; PROVIDING SAMPLE NOTICE, INSTRUCTIONS, PROXY, AND BALLOT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the District was established on January 17, 2018 by Ordinance No. 18-02 of the Lee County Board of County Commissioners;

WHEREAS, the terms for Board seats **3, 4, and 5** are set to expire in November 2020; and

WHEREAS, the District is statutorily required to announce a meeting of the landowners of the District for the purpose of electing 3 members of the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD:

Section 1. In accordance with Section 190.006(2)(b), Florida Statutes the landowners’ meeting to elect 3 members of the Board, to Board seats **3, 4, and 5**, will be held on November 17, 2020 (the third Tuesday of November), at 9:00 a.m. at the Hyatt Place Fort Myers at the Forum, 2600 Champion Ring Road, Fort Myers, Florida.

Section 2. The District’s Secretary is hereby directed to publish notice of this landowners’ meeting in accordance with the requirements of Section 190.006(2)(a), Florida Statutes.

Section 3. Pursuant to Section 190.006(2)(b), Florida Statutes, a sample notice of landowners’ meeting and election, instructions on how all landowners may participate in the election, a sample proxy, and a sample ballot form are attached hereto as **Exhibit A**. Copies of such documents can be obtained from the District Manager’s office.

Section 4. This Resolution shall become effective immediately upon its adoption.

Passed and Adopted on May 28, 2020.

Attest:

**Brightwater Community
Development District**

Print Name: _____
Secretary/ Assistant Secretary

Michael Lawson
Chair of the Board of Supervisors

**Notice of Landowners' Meeting and Election and
Meeting of the Board of Supervisors of the
Brightwater Community Development District**

Notice is hereby given to the public and all landowners within the Brightwater Community Development District (the "**District**"), comprised of approximately 340.29 acres in Lee County, Florida, advising that a landowners' meeting will be held for the purpose of electing 3 members of the Board of Supervisors of the District. Immediately following the landowners' meeting there will be convened a meeting of the Board of Supervisors for the purpose of considering certain matters of the Board to include election of certain District officers, and other such business which may properly come before the Board.

Date: November 17, 2020
Time: 9:00 a.m.
Place: Hyatt Place Fort Myers at the Forum
2600 Champion Ring Road
Fort Myers, Florida

Each landowner may vote in person or by written proxy. Proxy forms and instructions relating to landowners' meeting may be obtained upon request at the office of the District Manager located at 250 International Parkway, Suite 280, Lake Mary, Florida. A copy of the agenda for these meetings may be obtained from the District Manager at the above address.

The landowners' meeting and the Board of Supervisors meeting are open to the public and will be conducted in accordance with the provisions of Florida law. One or both of the meetings may be continued to a date, time, and place to be specified on the record at such meeting. There may be an occasion where one or more supervisors will participate by telephone.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to contact the District Manager at (813) 418-7473, at least 48 hours before the hearing. If you are hearing or speech impaired, please contact the Florida Relay Service at 711 for aid in contacting the District Manager.

A person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that such 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.

Tonya Elliott-Moore, District Manager
Run Date(s): October 28 and November 1, 2020

Instructions Relating to Landowners' Meeting of the Brightwater Community Development District for the Election of Members of the Board of Supervisors

Date: November 17, 2020

Time: 9:00 a.m.

Location: Hyatt Place Fort Myers at the Forum
2600 Champion Ring Road
Fort Myers, Florida

Pursuant to Chapter 190, Florida Statutes, and after a community development district (“**District**”) has been established and the landowners have held their initial election, there shall be subsequent landowners’ meeting for the purpose of electing members of the Board of Supervisors of the District (“**Board**”) every 2 years until the District qualifies to have its board members elected by the qualified electors of the District. The following instructions on how all landowners may participate in the election are intended to comply with Section 190.006(2)(b), Florida Statutes.

A landowner within the District may vote in person at the landowners’ meeting or the landowner may nominate a proxy holder to vote at the meeting in place of the landowner. Whether in person or by proxy, each landowner shall be entitled to cast 1 vote per acre of land owned by him or her and located within the District, for each seat on the Board that is open for election for the upcoming term. A fraction of an acre shall be treated as 1 acre, entitling the landowner to 1 vote with respect thereto. Please note that a particular parcel of real property is entitled to only 1 vote for each eligible acre of land or fraction thereof; therefore, 2 or more people who own real property in common, that is 1 acre or less, are together entitled to only 1 vote for that real property. Platted lots shall be counted individually and entitled to 1 vote. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner’s proxy.

At the landowners’ meeting, the first step is to elect a chair for the meeting, who may be any person present at the meeting. The landowners shall also elect a secretary for the meeting who may be any person present at the meeting. The secretary shall be responsible for the minutes of the meeting. The chair shall conduct the nominations and the voting. If the chair is a landowner or proxy holder of a landowner, he or she may nominate candidates and make and second motions. Candidates must be nominated and then shall be elected by a vote of the landowners.

This year, 3 seats on the Board will be up for election by landowners. The 2 candidates receiving the highest number of votes will receive a 4-year term and the 1 candidate receiving the next highest number of votes will receive a 2-year term. The term of office for each successful candidate shall commence upon election.

A proxy is available upon request. To be valid, each proxy must be signed by 1 of the legal owners of the property for which the vote is cast and must contain the typed or printed name of the individual who signed the proxy; the street address, legal description of the property, or tax parcel identification number; and the number of authorized votes. If the proxy authorizes more than 1 vote, each property must be listed and the number of acres of each property must be included. The signature on a proxy does not need to be notarized. Electronic signatures are not accepted because the integrity and security control processes required by Sections 668.001-.006, Florida Statutes are not feasible for the District at this time.

Landowner Proxy

Brightwater Community Development District Landowners' Meeting – November 17, 2020

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints _____ (“Proxy Holder”) for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Brightwater Community Development District to be held at Hyatt Place Fort Myers at the Forum, 2600 Champion Ring Road, Fort Myers, Florida, on November 17, 2020, at 9:00 a.m., and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner that the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing that may be considered at said meeting including, but not limited to, the election of members of the Board of Supervisors. Said Proxy Holder may vote in accordance with his or her discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally be considered at said meeting.

Any proxy heretofore given by the undersigned for said meeting is hereby revoked. This proxy is to continue in full force and effect from the date hereof until the conclusion of the landowners' meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the landowners' meeting prior to the Proxy Holder's exercising the voting rights conferred herein.

Printed Name of Legal Owner	Signature of Legal Owner	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

Address/Legal/or Parcel ID #	Acreage/or # of Platted Lots	Authorized Votes
_____	_____	_____
_____	_____	_____
_____	_____	_____

[Insert above the street address of each parcel, the legal description of each parcel, or the tax parcel identification number of each parcel. If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

Total Number of Authorized Votes: _____

NOTES:

- 1. Pursuant to Section 190.006(2)(b), Florida Statutes, a fraction of an acre is treated as 1 acre entitling the landowner to 1 vote with respect thereto.*
- 2. 2 or more persons who own real property in common that is 1 acre or less are together entitled to only 1 vote for that real property.*
- 3. If the fee simple landowner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto (e.g., bylaws, corporate resolution, etc.).*
- 4. Electronic signatures are not accepted because the integrity and security control processes required by Sections 668.001-.006, Florida Statutes are not feasible for the District at this time.*

Official Ballot

Brightwater Community Development District Landowners' Meeting – November 17, 2020 (Election of 3 Supervisors)

The 2 candidates receiving the highest number of votes will receive a 4-year term and the 1 candidate receiving the next highest number of votes will receive a 2-year term, with the term of office for each of the successful candidates commencing upon election.

The undersigned certifies that he/she/it is the fee simple owner of land, or the proxy holder for the fee simple owner of land, located within the Brightwater Community Development District and described in [] the attached proxy or [] as follows:

Address/Legal/or Parcel ID #	Acreage/or # of Platted Lots	Authorized Votes
_____	_____	_____
_____	_____	_____
_____	_____	_____

[Insert above the street address of each parcel, the legal description of each parcel, or the tax parcel identification number of each parcel. If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

Total Number of Authorized Votes: _____

I, _____, as landowner, or as the proxy holder of _____ (landowner) pursuant to the Landowner Proxy attached hereto, do cast my votes as follows:

Name Of Candidate	Number Of Votes
1. _____	_____
2. _____	_____
3. _____	_____

Date: _____

Signature: _____

Printed Name: _____

EXHIBIT 3.

**STATEMENT 1
BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT
FY 2021 PROPOSED BUDGET - GENERAL FUND (O&M)**

	FY 2020 BUDGET	FY 2020 March YTD	FY 2021 PROPOSED	VARIANCE 2020-2021
I. REVENUE				
GENERAL FUND REVENUE /(1)	\$ 211,873	\$ 27,008	\$ 464,222	\$ 252,349
TOTAL REVENUE	211,873	27,008	464,222	252,349
II. EXPENDITURES				
GENERAL ADMINISTRATIVE:				
SUPERVISORS COMPENSATION	12,000	-	8,000	(4,000)
PAYROLL TAXES	918	-	612	(306)
PAYROLL PROCESSING	660	-	490	(170)
MANAGEMENT CONSULTING SERVICES	21,000	7,000	21,000	-
CONSTRUCTION ACCOUNTING SERVICES	9,000	-	9,000	-
PLANNING, COORDINATING & CONTRACT SERVICES	36,000	21,400	36,000	-
ADMINISTRATIVE SERVICES	3,500	-	3,600	100
BANK FEES	300	-	300	-
MISCELLANEOUS	500	-	500	-
AUDITING SERVICES	3,500	-	3,500	-
TRAVEL PER DIEM	-	-	500	500
INSURANCE	2,805	2,614	8,305	5,500
REGULATORY AND PERMIT FEES	175	175	175	-
LEGAL ADVERTISEMENTS	2,000	2,523	1,800	(200)
ENGINEERING SERVICES	4,000	-	4,000	-
LEGAL SERVICES	7,500	1,808	4,000	(3,500)
WEBSITE HOSTING	2,265	1,071	1,650	(615)
TOTAL GENERAL ADMINISTRATIVE	106,123	36,591	103,432	(2,691)
DEBT ADMINISTRATION:				
DISSEMINATION AGENT	5,000	-	5,000	-
TRUSTEE FEES	8,000	-	8,000	-
ARBITRAGE	750	-	750	-
TOTAL DEBT ADMINISTRATION	13,750	-	13,750	-

**STATEMENT 1
BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT
FY 2021 PROPOSED BUDGET - GENERAL FUND (O&M)**

	FY 2020	FY 2020	FY 2021	VARIANCE
PHYSICAL ENVIRONMENT EXPENDITURES:				
STREETPOLE LIGHTING	30,000	-	30,100	100
ELECTRICITY (IRRIGATION & POND PUMP)	7,000	-	7,500	500
WATER	-	-	10,000	10,000
LANDSCAPE MAINTENANCE PHASE 2	25,000	-	103,440	78,440
LANDSCAPE REPLINISHMENT	10,000	-	5,000	(5,000)
IRRIGATION MAINTENANCE	10,000	-	5,000	(5,000)
MITIGATION MONITORING & MAINTENANCE	-	-	5,400	5,400
PET WASTE REMOVAL	-	-	-	-
SIGNAGE	-	-	-	-
SECURITY	10,000	-	-	(10,000)
POND MAINTENANCE	15,000	-	15,000	-
POND EROSION	-	-	-	-
GATE MAINTENANCE	-	-	1,600	1,600
CARD ACCESS & FOBS	-	-	6,000	6,000
COMPREHENSIVE FIELD TECH SERVICES	8,000	-	8,000	-
HOLIDAY DECORATION/EVENTS	-	-	-	-
PHYSICAL ENVIRONMENT CONTINGENCY	-	-	150,000	150,000
TOTAL PHYSICAL ENVIRONMENT EXPENDITURES	92,000	-	347,040	232,040
AMENITY CENTER OPERATIONS:				
POOL SERVICE CONTRACT	-	-	-	-
POOL PERMITS	-	-	-	-
AMENITY MANAGEMENT	-	-	-	-
AMENITY CENTER POWER WASH	-	-	-	-
AMENITY CENTER CLEANING & MAINTENANCE	-	-	-	-
AMENITY CENTER INTERNET	-	-	-	-
AMENITY CENTER ELCTRIC	-	-	-	-
AMENITY CENTER WATER	-	-	-	-
AMENITY CENTER PEST CONTROL	-	-	-	-
REFUSE SERVICE	-	-	-	-
AMENITY CENTER LANDSCAPE MAINTENANCE	-	-	-	-
AMENITY CENTER LANDSCAPE INFILL	-	-	-	-
AMENITY CENTER CONTINGENCY	-	-	-	-
TOTAL AMENITY CENTER OPERATIONS	-	-	-	-
TOTAL EXPENDITURES	211,873	36,591	464,222	229,349
III. EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	-	(9,584)	-	-
FUND BALANCE - BEGINNING	-	-	-	-
FUND BALANCE - ENDING	\$ -	\$ (9,584)	\$ -	\$ -

Footnote:

(1) Revenue collections from County tax collector and/or budget funding agreement as needed only based on actual expenditures. Draws upon budget funding agreement can only be based on actual expenditures.

STATEMENT 2

BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT

CONTRACT SUMMARY

FINANCIAL STATEMENT CATEGORY	SERVICE PROVIDER (VENDOR)	SERVICE PROVIDED	CONTRACT/ AGREEMENT YES/NO	ANNUAL AMOUNT OF CONTRACT	PAYMENT SCHEDULE	COMMENTS (SCOPE OF SERVICE)
EXPENDITURES ADMINISTRATIVE:						
SUPERVISORS COMPENSATION	NA	NA	NA	8,000	MONTHLY	5 supervisors , 8 Meetings
PAYROLL TAXES	NA	NA	NA	612	MONTHLY	7.65% of total payroll
PAYROLL PROCESSING	Innovative	NA	NA	490	MONTHLY	\$55 per payroll plus \$50 year end processing
MANAGEMENT CONSULTING SRVS	DPFG	DISTRICT MGMT.	YES	21,000	MONTHLY	District Mgmt.
CONSTRUCTION ACCOUNTING SERVICES	DPFG	CONSTRUCTION ACCTNG	NA	9,000	MONTHLY	Accounting for the construction using bond funds
PLANNING, COORDINATING, & CONTRACT SERVICES	DPFG	COORDINATE SVCS	YES	36,000	MONTHLY	Consulting Service
ADMINISTRATIVE SERVICES	DPFG	OFFICE EXPENSES	NA	3,600	MONTHLY	Administrative Services
BANK FEES			NA	300	QUARTERLY	
MISCELLANEOUS			YES	500	RANDOM	AS needed
AUDITING SERVICES	Dibartolomeo	ANNUAL AUDIT	YES	3,500	MONTHLY	RFP for Auditor FY21
TRAVEL PER DIEM	PGIT		NA	500	RANDOM	Estimated
INSURANCE	Florida	INSURANCE	REQUIRED	8,305	ANNUALLY	Liability \$2805 Property \$5,500 (6months)
REGULATORY & PERMIT FEES	DEO	ANNUAL FILING FEE	NO	175	ANNUALLY	Annual fee
LEGAL ADVERTISEMENTS	TIME PUBLISHING	PUBLIC NOTICE	NO	1,800	RANDOM	Meeting dates, RFP ads, budget ads
ENGINEERING SERVICES	STANTEC	DISTRICT ENGINEER	YES	4,000	RANDOM	OM-BW-002
LEGAL SERVICES	STRALEY & ROBIN	DISTRICT ATTORNEY	YES	4,000	RANDOM	
WEBSITE HOSTING	Innersync/Campus Suite	ADA Website	YES	1,650	ANNUALLY	OM-BW-DPFG-001
EXPENDITURES DEBT ADMINISTRATION:						
DISSEMINATION AGENT				5,000	ANNUAL	
TRUSTEE FEES				8,000	ANNUAL	US BANK
ARBITRAGE				750		Arbitrage as required by the Trust Indenture

PHYSICAL ENVIRONMENT EXPENDITURES:						
STREETPOLE LIGHTING				30,100		Solar lights 4.3K deposit- Gig Fiber 43 lights \$600/light assume 1 light every 150' - 200 (
ELECTRICITY (IRRIGATION & POND PUMP)				7,500		Estimate
WATER				10,000		Estimate
LANDSCAPE MAINTENANCE PHASE 2				103,440		Estimate same as Big Tree for 6 months and Southern \$3,120/mo 12 months
LANDSCAPE REPLINISHMENT				5,000		
IRRIGATION MAINTENANCE				5,000		Estimate
MITIGATION MONITORING & MAINTENANCE				5,400		Est \$450/mo
PET WASTE REMOVAL				-		
SIGNAGE				-		
SECURITY				-		
POND MAINTENANCE				15,000		Estimate 8 ponds and creek maintenance (mirror SBN)
POND EROSION				-		
GATE MAINTENANCE				1,600		Gates operational by May 2021 2 gates \$50/mo wireless and \$1,000/gate maint (1/2 year)
CARD ACCESS & FOBS				6,000		200 clickers @ \$30
COMPREHENSIVE FIELD TECH SERVICES				8,000		
HOLIDAY DECORATION/EVENTS				-		\$5,000 allowance for holiday decorations and \$2k for event FY22
PHYSICAL ENVIRONMENT CONTINGENCY				150,000		Need to add number
AMENITY CENTER OPERATIONS:						
POOL SERVICE CONTRACT				-		
POOL PERMITS				-		
AMENITY MANAGEMENT				-		
AMENITY CENTER POWER WASH				-		
AMENITY CENTER CLEANING & MAINTENANCE				-		
AMENITY CENTER INTERNET				-		
AMENITY CENTER ELCTRIC				-		
AMENITY CENTER WATER				-		
AMENITY CENTER PEST CONTROL				-		
REFUSE SERVICE				-		
AMENITY CENTER LANDSCAPE MAINTENANCE				-		
AMENITY CENTER LANDSCAPE INFILL				-		
AMENITY CENTER CONTINGENCY				-		

EXHIBIT 4.

RESOLUTION 2020-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED OPERATION AND MAINTENANCE BUDGET FOR FISCAL YEAR 2020/2021; SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW; ADDRESSING TRANSMITTAL, POSTING, AND PUBLICATION REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager prepared and submitted to the Board of Supervisors (“**Board**”) of the Brightwater Community Development District (“**District**”) prior to June 15, 2020 a proposed operation and maintenance budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021 (“**Proposed Budget**”); and

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

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

1. **PROPOSED BUDGET APPROVED.** The Proposed Budget, including any modifications made by the Board, attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said Proposed Budget.

2. **SETTING A PUBLIC HEARING.** The public hearing on said Proposed Budget is hereby declared and set for the following date, hour, and location:

DATE: August 27, 2020

HOUR: 9:00 a.m.

LOCATION*: Hyatt Place Ft. Myers/At the Forum
2600 Champion Ring Road
Ft. Myers FL

**Please note that pursuant to Governor DeSantis’ Executive Order 20-69 (as extended by Executive Order 20-112 and as it may be further extended or amended) relating to the COVID-19 public health emergency and to protect the public and follow the CDC guidance regarding social distancing, such public hearing and meeting may be held telephonically or virtually. Please check on the District’s website for the latest information: <http://www.brightwatercdd.org>.*

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

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

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

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

PASSED AND ADOPTED ON MAY 28, 2020.

Attest:

**Brightwater Community
Development District**

Print Name: _____
Secretary / Assistant Secretary

Michael Lawson
Chair of the Board of Supervisors

Exhibit A: Proposed Budget for Fiscal Year 2020/2021