

DPFG Management & Consulting, LLC  
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## ***HAWTHORNE MILL NORTH COMMUNITY DEVELOPMENT DISTRICT***

### ***Regular Meeting Package***

### ***Board of Supervisors Organizational Meeting***

***Tuesday  
August 13, 2019***

***10:00 a.m.***

***At:***

***The Offices of JSK Consulting  
5904 Hillside Heights Drive  
Lakeland, Florida 33812***

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.

# **Hawthorne Mill North Community Development District**

DPFG Management & Consulting LLC  
250 International Parkway, Suite 280, Lake Mary, FL 32746  
Phone: (321) 263-0132 Ext. 4205

Board of Supervisors  
**Hawthorne Mill North Community  
Development District**

Dear Board Members:

The Organizational Meeting of the Hawthorne Mill North Community Development District is scheduled for **Tuesday, August 13, 2019 at 10:00 a.m.**, at the offices of JSK Consulting, 5904 Hillside Heights Drive, Lakeland, Florida 33812.

*The advanced copy of the agenda for the meeting is attached along with associated documentation for your consideration.* Any additional support material will be forwarded to you under separate cover or distributed at the meeting.

In the meantime if you have any questions, please contact me.

Sincerely,

*Patricia Comings-Thibault*  
Patricia Comings-Thibault  
District Manager

District: **HAWTHORNE MILL NORTH COMMUNITY DEVELOPMENT DISTRICT**

Date of Meeting: Tuesday, August 13, 2019

Time: 10:00 AM

Location: The Offices of JSK Consulting  
5904 Hillside Heights Drive  
Lakeland, Florida 33812

Dial-in Number: 712-775-7031  
Guest Access Code: 109-516-380

### *Agenda*

#### **I. Roll Call**

#### **II. Audience Comments** – *(limited to 3 minutes per individual for agenda items-Supervisors will respond during agenda item presentation)*

#### **III. Consent Agenda**

A. Approval of the July 9, 2019 Meeting Minutes Exhibit 1

B. Acceptance of the Unaudited June 2019 Financial Statements Exhibit 2

#### **IV. Business Matters**

A. Consideration of **Resolution 2019-36**, Designating Meeting Dates, Times, & Location Exhibit 3

##### **B. Fiscal Year 2019-2020 Budget Public Hearing**

➤ Open the Public Hearing

➤ Presentation of the FY 2019-2020 Budget Exhibit 4

➤ Public Comments

➤ Close the Public Hearing

C. Consideration of **Resolution 2019-37**, Adopting the Fiscal Year 2019-2020 Budget Exhibit 5

➤ Budget Funding Agreement

##### **D. Fiscal Year 2019-2020 Special Debt Assessments Public Hearing**

➤ Open the Public Hearing

➤ This meeting continued to September 17<sup>th</sup> at the Offices of JSK Consulting at 10 am.

**V. Staff Reports**

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

**VI. Supervisors Requests**

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

**VIII. Adjournment**

# EXHIBIT 1

1 **MINUTES OF MEETING**  
2 **HAWTHORNE MILL NORTH**  
3 **COMMUNITY DEVELOPMENT DISTRICT**  
4

5 The Regular Meeting of the Board of Supervisors of the Hawthorne Mill North Community  
6 Development District was held on Tuesday, July 9, 2019 at 10:00 a.m. at The Offices of JSK Consulting,  
7 5904 Hillside Heights Drive, Lakeland, Florida 33812.

8  
9 **FIRST ORDER OF BUSINESS – Roll Call**

10 Ms. Comings-Thibault called the meeting to order and conducted roll call.

11 Present and constituting a quorum were:

12 Mike Lawson Board Supervisor, Chairman  
13 Doug Draper Board Supervisor, Vice Chairman  
14 Lori Price Board Supervisor, Assistant Secretary  
15

16 Also present were:

17 Patricia Comings-Thibault District Manager, DPFM Management & Consulting LLC  
18

19 *The following is a summary of the discussions and actions taken at the July 9, 2019 Hawthorne Mill*  
20 *North CDD Board of Supervisors Organizational Meeting.*

21  
22 **SECOND ORDER OF BUSINESS – Audience Comments**

23 There being none, the next item followed.

24 **THIRD ORDER OF BUSINESS – Administration Matters**

25 A. Exhibit 1: Approval of the April 9, 2019 Meeting Minutes

26 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the  
27 Board approved the Minutes of the Board of Supervisors Regular Meeting held on April 9, 2019 for the  
28 Hawthorne Mill North Community Development District.

29 B. Exhibit 2: Acceptance of the Unaudited May 2019 Financial Statements

30 On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the Board approved  
31 the Unaudited May 2019 Financial Statements for the Hawthorne Mill North Community Development  
32 District.

33 **FOURTH ORDER OF BUSINESS – Business Items – Capital Improvements & Bond Financing**  
34 **Related Matters**

35 A. Exhibit 3: Presentation of the Engineers Report – Dated July 1, 2019

36 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the  
37 Board accepted the Engineers Report for the Hawthorne Mill North Community Development District.

38 B. Exhibit 4: Presentation of the Master Assessment Methodology Report – Dated July 9, 2019

39 On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the Board approved  
40 the Master Assessment Methodology Report for the Hawthorne Mill North Community Development  
41 District.

42 C. Exhibit 5: Consideration of Resolution 2019-34, Preliminary Assessment Resolution for  
43 Declaring Special Assessments

- 44 ➤ Master Special Assessment Methodology Report – Dated July 9, 2019  
45 ➤ Engineers Report – Date July 1, 2019

46 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board adopted  
47 Resolution 2019-34, Preliminary Assessment Resolution for Declaring Special Assessments for the  
48 Hawthorne Mill North Community Development District.

49 D. Exhibit 6: Consideration of Resolution 2019-35, Setting a Public Hearing on Special Debt  
50 Assessments for August 13, 2019

51 On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the Board adopted  
52 Resolution 2019-35, Setting a Public Hearing on Special Debt Assessments for August 13, 2019 for the  
53 Hawthorne Mill North Community Development District.

54 **FIFTH ORDER OF BUSINESS – Staff Reports**

55 A. District Manager

56 There being none, the next item followed.

57 B. District Attorney

58 There being none, the next item followed.

59 C. District Engineer

60 There being none, the next item followed.

61 **SIXTH ORDER OF BUSINESS – Supervisors Requests**

62 There being none, the next item followed.

63 **SEVENTH ORDER OF BUSINESS – Audience Comments – New Business**

64 There being none, the next item followed.

65 **EIGHTH ORDER OF BUSINESS – Adjournment**

66 Ms. Comings-Thibault asked for final questions, comments, or corrections before adjourning the  
67 meeting. There being none, Mr. Lawson made a motion to adjourn the meeting.

68 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board  
69 adjourned the meeting for the Hawthorne Mill North Community Development District.

70 *\*Each person who decides to appeal any decision made by the Board with respect to any matter  
71 considered at the meeting is advised that person may need to ensure that a verbatim record of the  
72 proceedings is made, including the testimony and evidence upon which such appeal is to be based.*

74 Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed  
75 meeting held on \_\_\_\_\_.

76

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

77

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

78

79 Title:  Secretary  Assistant Secretary

Title:  Chairman  Vice Chairman



# EXHIBIT 2

# Hawthorne Mill North Community Development District

Financial Statements  
(Unaudited)

Period Ending  
June 30, 2019

# HAWTHORNE MILL NORTH CDD

## BALANCE SHEET JUNE 30, 2019

<u>ASSETS:</u>	<u>GENERAL FUND</u>	
CASH	\$	266
ACCOUNTS RECEIVABLE		3,418
<b>TOTAL ASSETS</b>	<b>\$</b>	<b>3,684</b>
<u>CURRENT LIABILITIES</u>		
ACCTS PAYABLE/ACCRUED EXPENSES	\$	2,353
<u>FUND BALANCE:</u>		
NONSPENDABLE:		
PREPAID AND DEPOSITS		-
RESTRICTED FOR:		-
ASSIGNED:		-
UNASSIGNED:		1,331
<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b>\$</b>	<b>3,684</b>

# HAWTHORNE MILL NORTH CDD

## STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE FOR THE PERIOD ENDING JUNE 30, 2019

	2019 ADOPTED BUDGET	BUDGET YEAR-TO-DATE	ACTUAL YEAR-TO-DATE	VARIANCE FAVORABLE (UNFAVORABLE)
<b>REVENUES</b>				
DEVELOPER CONTRIBUTION	\$ 63,143	46,901	19,264	(27,637)
MISCELLANEOUS REVENUE	-	-	4	4
<b>TOTAL REVENUES</b>	<b>63,143</b>	<b>46,901</b>	<b>19,268</b>	<b>(27,633)</b>
<b>EXPENDITURES</b>				
SUPERVISOR COMPENSATION	4,200	3,150	-	3,150
PAYROLL TAXES	321	241	-	241
PAYROLL PROCESSING	385	289	-	289
MGMT. CONSULTING SERVICES	14,000	10,500	-	10,500
CONSTRUCTION ACCOUNTING SERVICES	-	-	-	-
PLANNING, COORDINATING & CONTRACTS	24,000	18,000	-	18,000
ADMINISTRATIVE SERVICES	2,042	1,532	-	1,532
BANK FEES	300	225	22	203
MISCELLANEOUS	-	-	31	(31)
AUDITING SERVICES	2,500	-	-	-
TRAVEL PER DIEM	-	-	-	-
INSURANCE	5,500	5,500	-	5,500
REGULATORY AND PERMIT FEES	175	175	125	50
LEGAL ADVERTISEMENTS	3,500	2,625	12,163	(9,538)
ENGINEERING SERVICES	2,000	1,500	-	1,500
LEGAL SERVICES	3,500	2,625	3,171	(546)
PERFORMANCE & WARRANTY BOND PREMIUM	-	-	-	-
WEBSITE HOSTING	720	540	2,425	(1,885)
ADMINISTRATIVE CONTINGENCY	-	-	-	-
<b>TOTAL</b>	<b>63,143</b>	<b>46,901</b>	<b>17,937</b>	<b>28,964</b>
<b>TOTAL EXPENDITURES</b>	<b>63,143</b>	<b>46,901</b>	<b>17,937</b>	<b>28,964</b>
<b>EXCESS OF REVENUE OVER (UNDER) EXPENDITURES</b>	<b>-</b>	<b>-</b>	<b>1,330</b>	<b>1,330</b>
FUND BALANCE - BEGINNING	-	-	-	-
<b>FUND BALANCE - ENDING</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,330</b>	<b>\$ -</b>

# HAWTHORNE MILL NORTH CDD

## BANK RECONCILIATION

June 30, 2019

	<u>TOTAL</u>
<b>Balance Per Bank Statement</b>	\$ 265.83
Less: Outstanding Checks	-
<b><i>Balance Per Bank</i></b>	<b><u>\$ 265.83</u></b>
<b>Beginning Bank Balance Per Books</b>	\$ 2,346.83
Deposits	2,173.26
Cash Disbursements	(4,254.26)
<b><i>Balance Per Books</i></b>	<b><u>\$ 265.83</u></b>

# HAWTHORNE MILL NORTH CDD

## CHECK REGISTER FY 2019

Date	Num	Name	Memo	Deposits	Payments	Balance
<b>2/1/2019</b>				<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
02/25/2019		Dune FL and Land I Sub	Deposit	4,299.15		4,299.15
<b>2/28/2019</b>		<b>EOM</b>		<b>4,299.15</b>	<b>0.00</b>	<b>4,299.15</b>
03/05/2019	ACH030519	Bank United	Check order		22.35	4,276.80
03/14/2019	1001	FLORIDA DEPT OF ECONOMIC OPP	Annual Special District Fee FY19		125.00	4,151.80
03/14/2019	1002	Straley Robin Vericker	VOID: Legal Services through 1/15/19	0.00		4,151.80
03/14/2019	1003	VenturesIn.com, Inc.	Web Hosting		160.00	3,991.80
03/14/2019	1004	Straley Robin Vericker	Legal Services through 1/15/19		1,174.15	2,817.65
03/27/2019	1005	Straley Robin Vericker	Legal Services through 2/15/19		1,775.60	1,042.05
<b>3/31/2019</b>		<b>EOM</b>		<b>0.00</b>	<b>3,257.10</b>	<b>1,042.05</b>
04/05/2019	9000	VenturesIn.com, Inc.	Web hosting - April		60.00	982.05
04/12/2019	1007	The Ledger	Legal Advertisement 3/3, 3/29		861.00	121.05
04/18/2019	3435	Dune FL Land I Sub LLC	GF 2019-3 & 2019-7	7,091.77		7,212.82
04/18/2019	1008	Doug Draper	Mileage Reimbursement 4/9/19		31.32	7,181.50
04/18/2019	1009	The Ledger	Legal Advertisements		7,060.45	121.05
04/25/2019		Dune FL Land I Sub LLC	GF 2019-4 & 2019-7	1,421.00		1,542.05
<b>4/30/2019</b>		<b>EOM</b>		<b>8,512.77</b>	<b>8,012.77</b>	<b>1,542.05</b>
05/06/2019	9003	VenturesIn.com, Inc.	Web hosting - May		60.00	1,482.05
05/13/2019		Bank United	closed Hawthorne mill account xfered t	3.78		1,485.83
05/31/2019	3550	Dune FL Land I Sub LLC	GF 2019-5	861.00		2,346.83
<b>5/31/2019</b>		<b>EOM</b>		<b>864.78</b>	<b>60.00</b>	<b>2,346.83</b>
06/07/2019	1010	The Ledger	Legal Advertisement 4/5		861.00	1,485.83
06/07/2019	1011	VenturesIn.com, Inc.	Web hosting - June		60.00	1,425.83
06/10/2019	3560	Dune FL Land I Sub LLC	Developer Funding	2,173.26		3,599.09
06/12/2019	1012	Innersync	CDD Website Hosting & ADA onboarding		2,085.00	1,514.09
06/12/2019	1013	Straley Robin Vericker	Legal Services through 5/15/19		88.26	1,425.83
06/20/2019	ACH062019	The Ledger	VOID: Legal Advertisement 2/4-3/3 (Re	0.00		1,425.83
06/20/2019	ACH062019	The Ledger	Legal Advertisement 2/4-3/3 (Received 6/19/19)		1,160.00	265.83
<b>6/30/2019</b>		<b>EOM</b>		<b>2,173.26</b>	<b>4,254.26</b>	<b>265.83</b>

# EXHIBIT 3

**RESOLUTION 2019-36**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF HAWTHORNE MILL NORTH COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIME AND LOCATION FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Hawthorne Mill North 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 the City of Lakeland, Florida; and

**WHEREAS**, the District’s Board of Supervisors (hereinafter the “Board”), is statutorily authorized to exercise the powers granted to the District, but has not heretofore met; 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 District is required by Florida law to prepare an annual schedule of its regular public meetings which designates the date, time, and location of the District’s meetings.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HAWTHORNE MILL NORTH COMMUNITY DEVELOPMENT DISTRICT THAT:**

**Section 1.** The annual public meeting schedule of the Board of Supervisors for the Fiscal Year 2019/2020 attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and will be published and filed in accordance with the requirements of Florida law.

**Section 2.** The District Manager is hereby directed to submit a copy of the Fiscal Year 2019/2020 annual public meeting schedule to the City of Lakeland, Florida.

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

**PASSED AND ADOPTED THIS 13<sup>th</sup> DAY OF AUGUST, 2019.**

**ATTEST:**

**HAWTHORNE MILL NORTH  
COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/ Assistant Secretary  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Chair/ Vice Chair  
Print Name: \_\_\_\_\_



**Notice of Meetings  
Fiscal Year 2020  
Hawthorne Mill North  
Community Development District**

As required by Chapters 189 and 190 of Florida Statutes, notice is hereby given that the Fiscal Year 2020 regular meetings of the Board of Supervisors of the Hawthorne Mill North Community Development District are scheduled to be held on the second Tuesday of every month at 10:00 a.m. at the offices of JSK Engineering, 5904 Hillside Drive, Lakeland FL. The meeting dates are as follows [exceptions are noted below]:

October 8, 2019  
November 12, 2019  
December 10, 2019  
January 14, 2020  
February 11, 2020  
March 10, 2020  
April 14, 2020  
May 12, 2020  
June 9, 2020  
July 14, 2020  
August 11, 2020  
September 8, 2020

The meeting is open to the public and will be conducted in accordance with the provision of Florida Law for Community Development Districts. The meeting may be continued with no additional notice to a date, time, and place to be specified on the record at the meeting. A copy of the agenda for the meetings listed above may be obtained from DPF Management and Consulting, LLC, 15310 Amberly Drive, Suite 175, Tampa, Florida 33647 at (321) 263-0132 Ext. 4205, one week prior to the meeting.

There may be occasions when one or more Supervisors will participate by telephone.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District's Management Company, Development Planning & Financing Group at the number listed above. If you are hearing or speech impaired, please contact the Florida Relay Service at 711 for aid in contacting the District Office at least two (2) business days prior to the date of the hearing and meeting.

Each person who decides to appeal any action taken at these meetings 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 such appeal is to be based.

District Manager

# EXHIBIT 4

**STATEMENT 1  
HAWTHORNE MILL NORTH COMMUNITY DEVELOPMENT DISTRICT  
FY 2020 PROPOSED BUDGET - GENERAL FUND (O&M)**

	FY 2020
<b>I. REVENUE</b>	
GENERAL FUND REVENUE /(a)	\$ 153,643
INTEREST	
<b>TOTAL REVENUE</b>	<b>153,643</b>
<b>II. EXPENDITURES</b>	
<b>GENERAL ADMINISTRATIVE</b>	
SUPERVISORS COMPENSATION (3 Supervisors-12 Meetings)	7,200
PAYROLL TAXES	551
PAYROLL PROCESSING	660
MANAGEMENT CONSULTING SERVICES	21,000
CONSTRUCTION ACCOUNTING SERVICES	9,000
PLANNING, COORDINATING & CONTRACT SERVICES	36,000
ADMINISTRATIVE SERVICES	3,600
BANK FEES	300
MISCELLANEOUS	-
AUDITING SERVICES	2,800
TRAVEL PER DIEM	-
INSURANCE	5,500
REGULATORY AND PERMIT FEES	175
LEGAL ADVERTISEMENTS	4,000
ENGINEERING SERVICES	5,500
LEGAL SERVICES	5,500
PERFORMANCE & WARRANTY BOND PREMIUM	-
WEBSITE HOSTING	720
ADMINISTRATIVE CONTINGENCY	-
<b>TOTAL GENERAL ADMINISTRATIVE</b>	<b>102,506</b>
<b>DEBT ADMINISTRATION:</b>	
DISSEMINATION AGENT	5,000
TRUSTEE FEES	5,387
ARBITRAGE	750
<b>TOTAL DEBT ADMINISTRATION</b>	<b>11,137</b>
<b>PHYSICAL ENVIRONMENT EXPENDITURES</b>	
COMPREHENSIVE FIELD SERVICES	15,000
STREETPOLE LIGHTING	-
ELECTRICITY (IRRIGATION & POND PUMPS)	-
WATER	-
LANDSCAPING MAINTENANCE	-
IRRIGATION MAINTENANCE	-
ELECTRICAL IRRIGATION PUMP	-
POND MAINTENANCE	-
CONTINGENCY FOR PHYSICAL ENVIRONMENT	25,000
<b>TOTAL PHYSICAL ENVIRONMENT EXPENDITURES</b>	<b>40,000</b>
<b>TOTAL EXPENDITURES</b>	<b>153,643</b>
<b>III. EXCESS OF REVENUE OVER (UNDER) EXPENDITURES</b>	<b>-</b>
FUND BALANCE - BEGINNING	-
<b>FUND BALANCE - ENDING</b>	<b>\$ -</b>

**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.

# EXHIBIT 5

## RESOLUTION 2019-37

### **THE ANNUAL APPROPRIATION RESOLUTION OF THE HAWTHORNE MILL NORTH COMMUNITY DEVELOPMENT DISTRICT RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020; APPROVING A BUDGET FUNDING AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the District Manager has, prior to the fifteenth (15<sup>th</sup>) day in June, 2019, submitted to the Board of Supervisors (the “**Board**”) a proposed budget for the next ensuing budget year (the “**Proposed Budget**”), along with an explanatory and complete financial plan for each fund of the Hawthorne Mill North Community Development District (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 13, 2019 at 10:00 am, as the date and time 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 1, of each year, the District 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 Proposed Budget projects 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; and

**WHEREAS**, in order for the Developer to fund a portion of the Budget, the Board desires to approve a form of the Budget Funding Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HAWTHORNE MILL NORTH COMMUNITY DEVELOPMENT DISTRICT:**

**Section 1. Budget**

- a. That the Board of Supervisors has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Records Office, and hereby approves certain amendments thereto, as shown below.
- b. That the Proposed Budget as amended by the Board attached hereto as **Exhibit A**, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), Florida Statutes, 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 for fiscal year 2018/2019 and/or revised projections for fiscal year 2019/2020.
- c. That the adopted budget, as amended, shall be maintained in the office of the District Manager and at the District’s Records Office and identified as “The Budget for the Hawthorne Mill North Community Development District for the Fiscal Year Beginning October 1, 2019, and Ending September 30, 2020,” as adopted by the Board of Supervisors on August 13, 2019.
- d. The final adopted budget shall be posted by the District Manager on the District’s official website within thirty (30) days after adoption.

**Section 2. Appropriations**

There is hereby appropriated out of the revenues of the District, for the fiscal year beginning October 1, 2019, and ending September 30, 2020, the sum of \$153,643 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	<u>\$153,643</u>
TOTAL DEBT SERVICE FUNDS	<u>\$0</u>
TOTAL ALL FUNDS	<u>\$153,643*</u>

\*Not inclusive of any collection costs.

**Section 3. Budget Amendments**

Pursuant to Section 189.016, Florida Statutes, the District at any time within the fiscal year or within 60 days following the end of the fiscal year may amend its 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 and Section 189.016 of the Florida Statutes, among other applicable laws. Among other procedures, the District Manager or Treasurer must ensure that any amendments to budget(s) under subparagraphs c. and d. above are posted on the District’s website within 5 days after adoption.

**Section 4. Budget Funding Agreement**

The form of the Budget Funding Agreement, attached as **Exhibit B** hereto, is hereby approved in order to fund the Developer’s portion of the budget for Fiscal Year 2019/2020.

**Section 5. Effective Date.**

This Resolution shall take effect upon the passage and adoption of this Resolution by the Board.

**PASSED AND ADOPTED THIS 13TH DAY OF AUGUST, 2019.**

**ATTEST:**

**HAWTHORNE MILL NORTH  
COMMUNITY DEVELOPMENT  
DISTRICT**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Michael Lawson  
Chair of the Board of Supervisors

**Exhibit A:** FY 2019/2020 Budget  
**Exhibit B:** Budget Funding Agreement



**STATEMENT 1  
HAWTHORNE MILL NORTH COMMUNITY DEVELOPMENT DISTRICT  
FY 2020 PROPOSED BUDGET - GENERAL FUND (O&M)**

	FY 2020
<b>I. REVENUE</b>	
GENERAL FUND REVENUE /(a)	\$ 153,643
INTEREST	
<b>TOTAL REVENUE</b>	<b>153,643</b>
<b>II. EXPENDITURES</b>	
<b>GENERAL ADMINISTRATIVE</b>	
SUPERVISORS COMPENSATION (3 Supervisors-12 Meetings)	7,200
PAYROLL TAXES	551
PAYROLL PROCESSING	660
MANAGEMENT CONSULTING SERVICES	21,000
CONSTRUCTION ACCOUNTING SERVICES	9,000
PLANNING, COORDINATING & CONTRACT SERVICES	36,000
ADMINISTRATIVE SERVICES	3,600
BANK FEES	300
MISCELLANEOUS	-
AUDITING SERVICES	2,800
TRAVEL PER DIEM	-
INSURANCE	5,500
REGULATORY AND PERMIT FEES	175
LEGAL ADVERTISEMENTS	4,000
ENGINEERING SERVICES	5,500
LEGAL SERVICES	5,500
PERFORMANCE & WARRANTY BOND PREMIUM	-
WEBSITE HOSTING	720
ADMINISTRATIVE CONTINGENCY	-
<b>TOTAL GENERAL ADMINISTRATIVE</b>	<b>102,506</b>
<b>DEBT ADMINISTRATION:</b>	
DISSEMINATION AGENT	5,000
TRUSTEE FEES	5,387
ARBITRAGE	750
<b>TOTAL DEBT ADMINISTRATION</b>	<b>11,137</b>
<b>PHYSICAL ENVIRONMENT EXPENDITURES</b>	
COMPREHENSIVE FIELD SERVICES	15,000
STREETPOLE LIGHTING	-
ELECTRICITY (IRRIGATION & POND PUMPS)	-
WATER	-
LANDSCAPING MAINTENANCE	-
IRRIGATION MAINTENANCE	-
ELECTRICAL IRRIGATION PUMP	-
POND MAINTENANCE	-
CONTINGENCY FOR PHYSICAL ENVIRONMENT	25,000
<b>TOTAL PHYSICAL ENVIRONMENT EXPENDITURES</b>	<b>40,000</b>
<b>TOTAL EXPENDITURES</b>	<b>153,643</b>
<b>III. EXCESS OF REVENUE OVER (UNDER) EXPENDITURES</b>	<b>-</b>
FUND BALANCE - BEGINNING	-
<b>FUND BALANCE - ENDING</b>	<b>\$ -</b>

**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.

**Budget Funding Agreement**  
Fiscal Year 2019/2020

This Agreement is made and entered into this 13th day of August, 2019, by and between the **Hawthorne Mill North Community Development District**, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, and located in the City of Lakeland, Florida (hereinafter "**District**"), and **Dune FL Land I Sub LLC**, a Delaware limited liability company (hereinafter "**Developer**").

**Recitals**

WHEREAS, the District is a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes and located in the City of Lakeland, Florida, (the "**City**") for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure; and

WHEREAS, the District, pursuant to Chapter 190, Florida Statutes, is authorized to levy such taxes, special assessments, fees and other charges as may be necessary in furtherance of the District's activities and services; and

WHEREAS, Developer presently owns real property within the District, which property will benefit from the timely construction and acquisition of the District's facilities, activities and services and from the continued operations of the District; and

WHEREAS, the District is adopting its general fund budget for the Fiscal Year 2019/2020, which year commences on October 1, 2019 and concludes on September 30, 2020; and

WHEREAS, the District will need a funding mechanism to enable it to proceed with its operations and services during Fiscal Year 2019/2020 as described in **Exhibit "A"** attached hereto; and

WHEREAS, the Developer desires to provide such funds, as are necessary, to the District to proceed with its operations and services for Fiscal Year 2019/2020, as described in Exhibit "A," and as may be amended from time to time by the District.

**NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:**

1. The Developer agrees to make available to the District the monies necessary for the operation of the District as called for in the budget attached hereto as Exhibit "A", as may be amended from time to time, within thirty (30) days of written request by the District. The monies to be funded by the Developer will be the difference between any actual on-roll and other non-off roll revenues received by the District minus the actual expenditures incurred by the District and will be provided on an "as needed" basis only. The funds shall be placed in the District's general checking account. These payments are made by the Developer in lieu of taxes, fees or assessments

which might otherwise be levied or imposed by the District. However, at the end of each fiscal year if it is determined there is a surplus that is related to the deficit funding provided by the Developer; the Developer will be entitled to a return of such funds up to the total amount deficit funded.

2. The parties hereto recognize that a portion of the aforereferenced operating expenses may be required in support of the District's effort to implement its capital improvements program which are to be financed in the form of note(s), bond(s) or future developer advances and as such may be considered to be reimbursable expenses. The District agrees that upon the issuance of its note(s) or bonds(s) that there will be included an amount sufficient to reimburse the Developer for a portion of the advances made pursuant to this agreement and such reimbursement will be made within thirty (30) days of receiving the proceeds of the note(s) or bond(s). The advances made pursuant to this agreement and reimbursement of same will not include any interest charge since it is anticipated that the District will proceed in a timely fashion to obtain its note(s) or bond(s).

3. This instrument shall constitute the final and complete expression of the agreement between the parties relating to the subject matter of this Agreement. Amendment to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing which is executed by both of the parties hereto.

4. The execution of this Agreement has been duly authorized by the appropriate body or official of all parties hereto, each party has complied with all the requirements of law, and each party has full power and authority to comply with the terms and provisions of this instrument.

5. This Agreement may be assigned, in whole or in part by either party only upon the written consent of the other. Any purported assignment without such written consent shall be void.

6. A default by either party under this Agreement shall entitle the other to all remedies available at law or in equity, which shall include, but not be limited to, the right of damages and specifically including the ability of the District to enforce any and all payment obligations under this Agreement through the imposition and enforcement of a contractual or other lien on property owned by the Developer.

7. In the event that either party is required to enforce this Agreement by court proceedings or otherwise, then the parties agree that the prevailing party shall be entitled to recover from the other all costs incurred, including reasonable attorneys' fees and costs for, trial alternative dispute resolution, or appellate proceedings.

8. This Agreement is solely for the benefit of the formal parties herein and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal party hereto. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or corporation other than the parties hereto any right, remedy or claim under or by reason of this Agreement or any provisions or

conditions hereof; and all of the provisions, representations, covenants and conditions herein contained shall inure to the sole benefit of and shall be binding upon the parties hereto and their respective representatives, successors and assigns.

9. This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida.

10. This Agreement has been negotiated fully between the parties as an arm's length transaction. The parties participated fully in the preparation of this Agreement with the assistance of their respective counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the parties are each deemed to have drafted, chosen and selected the language, and the doubtful language will not be interpreted or construed against any party.

11. The Agreement shall be effective after execution by both parties hereto.

IN WITNESS WHEREOF, the parties execute this agreement the day and year first written above.

Attest:

**Hawthorne Mill North Community  
Development District**

\_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Michael Lawson  
Chair of the Board of Supervisors

\_\_\_\_\_  
Witness

**Dune FL Land I Sub LLC**  
a Delaware limited liability company

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
John Ryan, Manager

**Exhibit "A" – Fiscal Year 2019/2020 General Fund Budget**

**STATEMENT 1  
HAWTHORNE MILL NORTH COMMUNITY DEVELOPMENT DISTRICT  
FY 2020 PROPOSED BUDGET - GENERAL FUND (O&M)**

	FY 2020
<b>I. REVENUE</b>	
GENERAL FUND REVENUE /(a)	\$ 153,643
INTEREST	
<b>TOTAL REVENUE</b>	<b>153,643</b>
<b>II. EXPENDITURES</b>	
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IRRIGATION MAINTENANCE	-
ELECTRICAL IRRIGATION PUMP	-
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<b>III. EXCESS OF REVENUE OVER (UNDER) EXPENDITURES</b>	<b>-</b>
FUND BALANCE - BEGINNING	-
<b>FUND BALANCE - ENDING</b>	<b>\$ -</b>

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