

**ZEPHYR LAKES COMMUNITY  
DEVELOPMENT DISTRICT**

***Advanced Meeting Package***

***Board of Supervisors  
Regular Meeting***

***Tuesday  
November 6, 2018***

***9:00 a.m.***

***RESIDENCE INN  
2101 Northpoint Parkway  
Lutz, Florida***

***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.***

# **ZEPHYR LAKES COMMUNITY DEVELOPMENT DISTRICT AGENDA**

At the Residence Inn, 2101 Northpointe Parkway, Lutz FL

<b>District Board of Supervisors</b>	Mike Lawson Doug Draper Lori Price Ted Sanders	Chairman Vice Chairman Assistant Secretary Assistant Secretary
<b>District Manager</b>	Paul Cusmano Lore Yeira	DPFG DPFG
<b>District Attorney</b>	Vivek Babbar	Straley Robin Vericker
<b>District Engineer</b>	Tonja Stewart	Stantec Consulting Services, Inc.

**All cellular phones and pagers must be turned off during the meeting.**

**The District Agenda is comprised of six different sections:**

The first section which is called **Audience Questions and Comments**. The Audience Comment portion of the agenda is where individuals may comment on matters that concern the District. Each individual is limited to three (3) minutes for such comment. The Board of Supervisors or Staff is not obligated to provide a response until sufficient time for research or action is warranted. IF THE COMMENT CONCERNS A MAINTENANCE RELATED ITEM, THE ITEM WILL NEED TO BE ADDRESSED BY THE DISTRICT MANAGER OUTSIDE THE CONTEXT OF THIS MEETING. The second section is called **Administrative Matters** and contains items that require the review and approval of the District Board of Supervisors as a normal course of business. The third section is called **Business Matters**. The business matters section contains items for approval by the District Board of Supervisors that may require discussion, motion and votes on an item-by-item basis. Occasionally, certain items for decision within this section are required by Florida Statute to be held as a Public Hearing. During the Public Hearing portion of the agenda item, each member of the public will be permitted to provide one comment on the issue, prior to the Board of Supervisors' discussion, motion and vote. Agendas can be reviewed by contacting the Manager's office at (813) 374-9105 at least seven days in advance of the scheduled meeting. Requests to place items on the agenda must be submitted in writing with an explanation to the District Manager at least fourteen (14) days prior to the date of the meeting. The fourth section is called **Staff Reports**. This section allows the District Manager and Maintenance Supervisor to update the Board of Supervisors on any pending issues that are being researched for Board action. The fifth section which is called **Audience Comments on Other Items** provides members of the Audience the opportunity to comment on matters of concern to them that were not addressed during the meeting. The same guidelines used during the first audience comment section will apply here as well. The final section is called **Supervisor Requests**. This is the section in which the Supervisors may request Staff to prepare certain items in an effort to meet residential needs.

Public workshops sessions may be advertised and held in an effort to provide informational services. These sessions allow staff or consultants to discuss a policy or business matter in a more informal manner and allow for lengthy presentations prior to scheduling the item for approval. Typically no motions or votes are made during these sessions.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the District Office at (813) 374-9105, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770, who can aid you in contacting the District Office.

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

## **ZEPHYR LAKES COMMUNITY DEVELOPMENT DISTRICT**

Date of Meeting: **Tuesday November 6, 2018**  
Time: 9:00 a.m.  
Location: Residence Inn  
2101 Northpointe Parkway  
Lutz, Florida 33558  
Conference Call No.: (563) 999-2090  
Code: 686859#

### ***AGENDA***

- I. Roll Call**
  
- II. Audience Comment**
  
- III. Consent Agenda**
  - A. Approval of Minutes of October 2, 2018 Meeting** **Exhibit 1**
  
- IV. Business Matters**
  - A. Consideration and Adoption of Resolution 2019-02** **Exhibit 2**  
**Canvassing and Certifying the Landowners Election**
  
  - B. Consideration and Adoption of Resolution 2019-03** **Exhibit 3**  
**Designating Officers**
  
  - C. Consideration and Approval of Resolution 2019-04** **Exhibit 4**  
**Adopting the Revised Budget Amendment**
  
- V. Staff Reports**
  - A. District Manager**
  
  - B. Attorney**
  
  - C. District Engineer**
  
- VI. Supervisors Requests**
  
- VII. Audience Questions and Comments on Other Items**
  
- VIII. Adjournment**

## **Exhibit 1**

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**MINUTES OF MEETING  
ZEPHYR LAKES  
COMMUNITY DEVELOPMENT DISTRICT**

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The Regular Meeting of the Board of Supervisors of the Zephyr Lakes Community Development District was held on Tuesday, October 2, 2018 at 9:00 a.m. at the Residence Inn, 2101 Northpointe Parkway, Lutz, Florida 33558.

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**FIRST ORDER OF BUSINESS – Roll Call**

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Ms. Yeira called the meeting to order and conducted roll call.

Present and constituting a quorum were:

Mike Lawson	Board Supervisor, Chairman
Doug Draper	Board Supervisor, Vice Chairman
Lori Price	Board Supervisor, Assistant Secretary

Also present were:

Paul Cusmano	District Manager, DPF, Inc.
Lore Yeira	Assistant District Manager, DPF, Inc.
Maik Aagaard	Assistant Treasurer, DPF, Inc.

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*The following is a summary of the discussions and actions taken at the October 2, 2018 Zephyr Lakes CDD Board of Supervisors meeting.*

**SECOND ORDER OF BUSINESS – Audience Comments**

Ms. Yeira opened the floor for the audience to ask questions and to comment on agenda items. There being none, next item followed.

**THIRD ORDER OF BUSINESS – Consent Agenda**

Ms. Yeira presented the consent agenda items that included the minutes of the Board of Supervisors regular meeting and audit committee meeting held on September 19, 2018 (**Exhibit 1**) and the August 2018 Unaudited Financial Statement (**Exhibit 2**) to the Board for their review and consideration.

On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board approved the consent agenda items A & B for the Zephyr Lakes Community Development District.
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**FOURTH ORDER OF BUSINESS – Business Matters**

Ms. Yeira presented the business matters that included Resolution 2019-01 (**Exhibit 3**) to the Board for their review and consideration.

On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the Board approved Resolution <b>2019-01</b> ; Designating a Date, Time, and Location for a Landowners Meeting to be held on November 6, 2018 at 9:00 a.m. at the Residence Inn, 2101 Northpointe Parkway, Lutz, Florida for the Zephyr Lakes Community Development District.
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**FIFTH ORDER OF BUSINESS – Staff Reports**

Ms. Yeira opened the floor for the district staff to present their reports. There being none, next item followed.

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

47 Ms. Yeira opened the floor for the supervisors to present their requests. There being none, next  
48 item followed.

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50 **SEVENTH ORDER OF BUSINESS – Audience Questions and Comments on Other Items**

51 Ms. Yeira opened the floor for the audience to ask questions and to comment on other items. There  
52 being none, next item followed.

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54 **EIGHTH ORDER OF BUSINESS – Adjournment**

55 Ms. Yeira asked for final questions, comments, or corrections before adjourning the meeting. There  
56 being none, Mr. Lawson made a motion to adjourn the meeting.

57 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board adjourned  
58 the meeting for the Zephyr Lakes Community Development District.

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

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

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\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Signature**

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

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

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68 **Title:**  **Secretary**     **Assistant Secretary**

**Title:**  **Chairman**     **Vice Chairman**

## **Exhibit 2**

**RESOLUTION 2019- 02**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF ZEPHYR LAKES COMMUNITY DEVELOPMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES, ADDRESSING SEAT NUMBER DESIGNATIONS ON THE BOARD OF SUPERVISORS, AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS**, pursuant to Section 190.006(2), Florida Statutes, a landowners meeting is required to be held within 90 days of the District’s creation and every two years following the creation of the District for the purpose of electing supervisors of the District; and

**WHEREAS**, following proper publication and notice thereof, on November 6, 2018, the owners of land within the District held a meeting for the purpose of electing supervisors to the District’s Board of Supervisors (“Board”); and

**WHEREAS**, at the November 6, 2018 meeting, the below recited persons were duly elected by virtue of the votes cast in their respective favor; and

**WHEREAS**, the Board, by means of this Resolution, desires to canvas the votes, declare and certify the results of the landowner’s election, and announce the Board Members, seat number designations on the Board.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF ZEPHYR LAKES COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** The recitals as stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

**SECTION 2.** The following persons are found, certified, and declared to have been duly elected as Supervisors of and for the District, having been elected by the votes cast in their favor as shown below:

_____	_____	Votes	(4 year term)	Seat # 1
_____	_____	Votes	(4 year term)	Seat # 2
_____	_____	Votes	(2 year term)	Seat # 5

**SECTION 3.** Said terms of office commence on November 6, 2018.

**SECTION 4.** If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect. To the extent the provisions of this Resolution conflict



with the provisions of any other resolution of the District, the provisions of this Resolution shall prevail.

**PASSED AND ADOPTED** this 6th day of November, 2018.

**ATTEST:**

**ZEPHYR LAKES COMMUNITY  
DEVELOPMENT DISTRICT**

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

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

Exhibit 3



Exhibit 4

**RESOLUTION 2019- 04**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ZEPHYR LAKES COMMUNITY DEVELOPMENT DISTRICT AMENDING ITS BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017, AND ENDING SEPTEMBER 30, 2018; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**WHEREAS**, the Board of Supervisors (the “**Board**”) of the Zephyr Lakes Community Development District (the “**District**”) previously adopted its budget for fiscal year 2017/2018;

**WHEREAS**, the Board desires to relocate funds budgeted to reflect appropriated revenues and expenses approved during the fiscal year;

**WHEREAS**, the District is empowered by section 189.016, Florida Statutes to adjust the budget based on actual revenues and expenses; and

**WHEREAS**, the District Manager has submitted a proposed amended budget to reflect appropriated revenues and expenses approved during the fiscal year 2017/2018 (the “**Amended Budget**”), attached hereto as **Exhibit A** and incorporated as a material part of this Resolution by this reference.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:**

1. **Recitals.** The foregoing recitals are hereby incorporated as the findings of fact of the Board.
2. **Amended Budget.** The Board hereby finds and determines as follows:
  - a. That the Board has reviewed the Amended Budget, a copy of which is on the District’s website, on file with the office of the District Manager, and at the District’s Records Office.
  - b. The Amended Budget is hereby adopted and shall accordingly amend the previously adopted budget for fiscal year 2017/2018.
  - c. That the Amended Budget shall be maintained in the office of the District Manager and at the District’s Records Office and identified as the “Amended Budget for the Zephyr Lakes Community Development District for the Fiscal Year Beginning October 1, 2017, and Ending September 30, 2018”.
  - d. The Amended Budget shall be posted by the District Manager on the District’s official website within five (5) days after adoption and remain on the website for at least two (2) years.
3. **Severability.** If any section or part of a section of this Resolution is declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such

other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

4. **Conflicts.** This Resolution is intended to supplement the original resolution adopting the budget for fiscal year 2017/2018, which remain in full force and effect. This Resolution and the original resolution shall be construed to the maximum extent possible to give full force and effect to the provisions of each resolution. All District resolutions or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded and repealed.
5. **Effective Date.** This Resolution shall become effective upon its adoption.

Passed and adopted this 6th day of November 2018.

**Attest:**

**Zephyr Lakes  
Community Development District**

\_\_\_\_\_  
Lore Yeira  
Assistant Secretary

\_\_\_\_\_  
Chair/ Vice Chair of the Board of Supervisors

Exhibit A: 2017/2018 Amended Budget

STATEMENT 1  
ZEPHYR LAKES CDD  
FY 2018 PROPOSED BUDGET GENERAL FUND AMENDMENT - #2

	FY 2018 ADOPTED	FY 2018 Amended Budget #1	FY 2018 ACTUALS	FY 2018 Amendment #2	FY 2018 Amended Budget #2
<b>REVENUE</b>					
OFF ROLL FUNDING (a)	\$ 101,032	\$ 72,959	\$ 68,297	\$ 1,640	\$ 74,599
MISCELLANEOUS	-	-	-	-	-
<b>TOTAL REVENUE</b>	<b>101,032</b>	<b>72,959</b>	<b>68,297</b>	<b>1,640</b>	<b>74,599</b>
<b>EXPENDITURES</b>					
<b>ADMINISTRATIVE</b>					
SUPERVISORS COMPENSATION	12,000	3,600	3,600	-	3,600
PAYROLL TAXES	918	276	276	0	276
PAYROLL SERVICE FEES	676	459	470	11	470
MANAGEMENT CONSULTING SERVICES	21,000	21,000	21,000	-	21,000
PLANNING, COORDINATING & CONTRACT SRVCS	36,000	36,000	36,000	-	36,000
CONSTRUCTION ACCOUNTING SERVICES	-	1,000	-	(1,000)	-
BANK FEES	120	49	52	3	52
MISCELLANEOUS	316	330	330	-	330
AUDITING SERVICES	4,000	2,600	2,600	-	2,600
TRAVEL PER DIEM	75	24	21	(3)	21
REGULATORY AND PERMIT FEES	175	175	175	-	175
LEGAL ADVERTISEMENTS	1,200	847	1,275	428	1,275
ENGINEERING SERVICES	4,000	500	-	(500)	-
LEGAL SERVICES	7,000	2,829	4,660	1,831	4,660
WEBISTE DEVELOPMENT & HOSTING	720	720	740	20	740
COUNTY ASSESSMENT COLLECTION FEE	-	-	-	-	-
CONTINGENCY	-	-	850	850	850
<b>TOTAL ADMINISTRATIVE</b>	<b>88,200</b>	<b>70,409</b>	<b>72,049</b>	<b>1,640</b>	<b>72,049</b>
<b>INSURANCE</b>					
INSURANCE (Liability, Property & Casualty)	2,651	2,550	2,550	-	2,550
<b>TOTAL INSURANCE</b>	<b>2,651</b>	<b>2,550</b>	<b>2,550</b>	<b>-</b>	<b>2,550</b>
<b>PHYSICAL ENVIRONMENT</b>					
FIELD MANAGER	8,781	-	-	-	-
FIELD TRAVEL EXPENDITURE	1,400	-	-	-	-
<b>TOTAL PHYSICAL ENVIRONMENT</b>	<b>10,181</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL EXPENDITURES</b>	<b>101,032</b>	<b>72,959</b>	<b>74,599</b>	<b>1,640</b>	<b>74,599</b>
<b>EXCESS OF REVENUE OVER (UNDER) EXPENDITURES</b>	<b>-</b>	<b>0</b>	<b>(6,302)</b>	<b>(0)</b>	<b>-</b>
FUND BALANCE - BEGINNING					
<b>FUND BALANCE - ENDING</b>	<b>\$ -</b>	<b>\$ 0</b>	<b>\$ (6,302)</b>	<b>\$ (0)</b>	<b>\$ -</b>