

**ZEPHYR LAKES  
COMMUNITY DEVELOPMENT DISTRICT**

**Advanced Meeting Package**

**Board of Supervisors  
Regular Meeting**

**Thursday  
April 4, 2019  
6:00 P.M.**

**Hampton Inn  
2740 Cypress Ridge Blvd  
Wesley Chapel, 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

<b>District Board of Supervisors</b>	Mike Lawson Doug Draper Lori Price Christie Ray	Chairman Vice Chairman Assistant Secretary
<b>District Manager</b>	Paul Cusmano Lore Yeira	DPFG DPFG
<b>District Attorney</b>	John Vericker	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: **Thursday, April 4, 2019**  
Time: 6:00 p.m.  
Location: Hampton Inn  
2740 Cypress Ridge Blvd.  
Wesley Chapel, Florida 33558

Conference Call No.: (563) 999-2090  
Code: 686859#

### *Agenda*

- I. Roll Call**
- II. Audience Comment**
- III. Consent Agenda**
  - A. Approval of Minutes from November 6, 2018 Regular Meeting **Exhibit 1**
  - B. Approval of Minutes from November 6, 2018 Landowners Meeting **Exhibit 2**
- IV. Business Matters**
  - A. Ratification of Resolution 2019-05 Re-Designating Officers **Exhibit 3**
  - B. Consideration and Adoption of Resolution 2019-06 Authorizing Chairman to Execute Conveyance, Documents and Plats **Exhibit 4**
  - C. Consideration and Adoption of Resolution 2019-07 Payment of Developer's Counsel Fee **Exhibit 5**
- 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**

10 The Regular Meeting of the Board of Supervisors of the Zephyr Lakes Community  
11 Development District was held on Tuesday, November 6, 2018 at 9:00 a.m. at the Residence Inn,  
12 2101 Northpointe Parkway, Lutz, Florida 33558.

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**FIRST ORDER OF BUSINESS – Roll Call**

18 Mr. Cusmano called the meeting to order and conducted roll call.

19 Present and constituting a quorum were:

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

25 Also present were:

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Paul Cusmano	District Manager, DPF Management & Consulting LLC
Lore Yeira	Assistant District Manager

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*The following is a summary of the discussions and actions taken at the November 6, 2018 Zephyr Lakes CDD Board of Supervisors meeting.*

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**SECOND ORDER OF BUSINESS – Audience Comments**

36 There being none, next item followed.

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**THIRD ORDER OF BUSINESS – Consent Agenda**

A. **Exhibit 1:** Approval of the October 2, 2018 Meeting

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On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board approved the consent agenda items A for the Zephyr Lakes Community Development District.

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**FOURTH ORDER OF BUSINESS – Business Matters**

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A. **Exhibit 2:** Consideration and Adoption of Resolution 2019-02, Canvassing and Certifying the Landowners Election

49 The results of the Landowners Election are as follows:

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- **Seat #3:** Ms. Lori Price with **215** Votes
  - **Seat #4:** Ms. Sonia Valentin with **210** Votes
  - **Seat #5:** Ms. Christie Ray with **210** Votes

40 On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the  
41 Board adopted Resolution **2019-02**; Canvassing and Certifying the Landowners Election for the  
42 Zephyr Lakes Community Development District.

43 **B. Exhibit 3:** Consideration and Adoption of Resolution 2019-03, Designating Officers

44 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the  
45 Board adopted Resolution **2019-03**; designating the Officers of the District as follows: Mr.  
46 Michael Lawson to serve as Chairman, Mr. Doug Draper to serve as Vice Chairman, and Ms.  
47 Lori Price, Ms. Sonia Valentin, and Ms. Christie Ray to serve as Assistant Secretaries; District  
48 staffing as follows: Mr. Paul Cusmano as Secretary, Ms. Patricia Comings-Thibault as Treasurer,  
49 Mr. Maik Aagaard as Assistant Treasurer; and Ms. Lore Yeira and Ms. Janet Johns as Assistant  
50 Secretaries for the Zephyr Lakes Community Development District.

51 **C. Exhibit 4:** Consideration and Approval of Resolution 2019-04, Adopting the Revised  
52 Budget Amendment

53 On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the  
54 Board adopted Resolution **2019-04**, Adopting the Revised Budget Amendment for the Zephyr  
55 Lakes Community Development District.

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

58 **A. District Manager**

59 There being none, next item followed.

60 **B. Attorney**

61 There being none, the next item followed.

62 **C. District Engineer**

63 There being none, the next item followed.

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

66 There being none, the next item followed.

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

69 There being none, the next item followed.

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71 **EIGHTH ORDER OF BUSINESS – Adjournment**

72 Mr. Cusmano asked if there were any other items of new business. There being no new  
73 additional items, and upon a motion duly made, seconded and unanimously carried, Mr. Lawson  
74 declared the meeting adjourned.

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

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

81  
82 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly**  
83 **noticed meeting held on \_\_\_\_\_.**  
84

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

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

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

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

86  
87 **Title:**  **Secretary**     **Assistant Secretary**

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

**EXHIBIT 2.**





40 *\*Each person who decides to appeal any decision made by the Board with respect to any matter*  
41 *considered at the meeting is advised that person may need to ensure that a verbatim record of the*  
42 *proceedings is made, including the testimony and evidence upon which such appeal is to be based.*  
43

44 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed**  
45 **meeting held on \_\_\_\_\_.**  
46

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

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

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

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

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49 **Title:**  **Secretary**     **Assistant Secretary**

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

**EXHIBIT 3.**

RESOLUTION 2019-05

A RESOLUTION RE-DESIGNATING OFFICERS OF THE  
ZEPHYR LAKES COMMUNITY DEVELOPMENT DISTRICT

WHEREAS, the Board of Supervisors of the Zephyr Lakes Community Development District at the business meeting held on \_\_\_\_\_, 2019 desires to appoint the below recited persons to the offices specified.

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

1. The following persons were appointed to the offices shown, to wit:

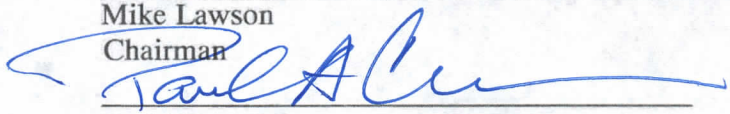
<u>Mike Lawson</u>	Chairman
<u>Doug Draper</u>	Vice Chairman
<u>Paul Cusmano</u>	Secretary
<u>Patricia Comings-Thibault</u>	Treasurer
<u>Maik Aagaard</u>	Assistant Treasurer
<u>Janet Johns</u>	Assistant Secretary
<u>Lori Price</u>	Assistant Secretary
<u>Christie Ray</u>	Assistant Secretary
_____	Assistant Secretary

2. That this resolution supersedes all previous resolutions and motions designating, electing or appointing officers adopted by the Board of Supervisors of the Zephyr Lakes Community Development District and are hereby declared null and void.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2019.

  
\_\_\_\_\_  
Mike Lawson

Chairman

  
\_\_\_\_\_  
Paul Cusmano

Secretary

**EXHIBIT 4.**

**RESOLUTION 2019-06**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ZEPHYR LAKES COMMUNITY DEVELOPMENT DISTRICT GRANTING THE AUTHORITY TO EXECUTE REAL AND PERSONAL PROPERTY CONVEYANCE AND DEDICATION DOCUMENTS, AND 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.**

**WHEREAS**, the Zephyr Lakes Community Development District ("**District**") is a local unit of special purpose government created and existing pursuant to Chapter 190, Florida Statutes, and situated within the City of Zephyrhills, Florida; and

**WHEREAS**, Chapter 190, Florida Statutes, authorizes the District to construct, install, operate, and/or maintain systems and facilities for certain basic infrastructure including, but not limited to, stormwater management system, roadway improvements, water and sewer utility systems, recreation improvements, underground electric, and other improvements; and

**WHEREAS**, the District has adopted, or intends to adopt, a report of its District Engineer, as may be amended and/or supplemented ("**Engineer's Report**"), which sets forth the scope of the District's capital improvement plan and the improvements which are to be constructed therewith ("**Improvements**"); and

**WHEREAS**, in connection with the development of the Improvements in accordance with the Engineer's Report, which includes, but is not limited to, obtaining all necessary permits and approvals from local governments and agencies for the construction and/or operation of infrastructure improvements, the District is required, from time to time, to accept, convey and dedicate certain interests in real and personal property, including, but not limited to easements, plat dedications, deeds and bills of sale for infrastructure improvements ("**Permits and Conveyances**"); and

**WHEREAS**, to facilitate the efficient development of the Improvements, the District desires to authorize the Chair of the Board of Supervisors to approve and execute the Permits and Conveyances necessary to finalize the development of the District's capital improvement plan ("**Conveyance Authority**"); and

**WHEREAS**, the Conveyance Authority shall be subject to the District Engineer and District Counsel agreeing that each such proposed Permit or Conveyance is legal, consistent with the District's improvement plan and necessary for the development of the Improvements; and

**WHEREAS**, the Board of Supervisors finds that granting to the Chair the Conveyance Authority is in the best interests of the District so that the development of the Improvements may proceed expeditiously, subject to the terms and limitations imposed by this Resolution.

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

**1. INCORPORATION OF RECITALS.** The recitals so stated are true and correct and by this reference are incorporated into and form a material part of this Resolution.

**2. DELEGATION OF AUTHORITY.** The Chair of the District’s Board of Supervisors is hereby authorized to sign, accept or execute Permits and Conveyances as defined above. In the event that the Chair is unavailable, any Board Supervisor is authorized to sign, accept or execute Permits and Conveyances as defined above. The Vice Chair, Secretary, and Assistant Secretary of the District’s Board of Supervisors are hereby authorized to countersign any such Permits and Conveyances. Such authority shall be subject to the District Engineer and District Counsel’s review and approval.

**3. SEVERABILITY.** If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**4. EFFECTIVE DATE.** This Resolution shall take effect upon its passage and shall remain in effect unless rescinded or repealed.

**PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

**ZEPHYR LAKES COMMUNITY DEVELOPMENT DISTRICT**

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

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

**EXHIBIT 5.**



**RESOLUTION NO. 2019-07**

**A RESOLUTION OF THE ZEPHYR LAKES COMMUNITY DEVELOPMENT DISTRICT APPROVING A REQUISITION FOR PAYMENT OF CERTAIN COSTS OF ISSUANCE WITH RESPECT TO THE BONDS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on January 28, 2019, the Zephyr Lakes Community Development District (the "District") issued its \$6,460,000 Capital Improvement Revenue Bonds, Series 2019 (the "Bonds"), pursuant to a Master Trust Indenture, dated as of January 1, 2019, between the District and U.S. Bank National Association, as trustee (the "Trustee"), as supplemented by a First Supplemental Trust Indenture, dated as of January 1, 2019, between the District and the Trustee (collectively, the "Indenture");

**WHEREAS**, in connection with the issuance of the Bonds, certain costs of issuance, as listed in the final numbers prepared by FMS Bonds, Inc., were paid from the Series 2019 Costs of Issuance Account pursuant to the Indenture;

**WHEREAS**, the fee of Shutts & Bowen LLP ("Developer's Counsel") was inadvertently left out of the costs of issuance listed in the final numbers and as a result, a like amount was deposited to the Series 2019 Acquisition and Construction Account;

**WHEREAS**, the Developer's Counsel fee will need to be paid out of the Series 2019 Acquisition and Construction Account;

**WHEREAS**, in order to disburse funds from the Series 2019 Acquisition and Construction Account, the District is required to submit to the Trustee a requisition in the form attached as an exhibit to the Indenture;

**WHEREAS**, such form of requisition requires that if the requisition is for a disbursement from other than the Costs of Issuance Account or for payment of capitalized interest, there shall be attached to the requisition a resolution of the Governing Body of the District approving such requisition;

**WHEREAS**, the Board of Supervisors of the District has determined that it is in the best interests of the District to approve such requisition.

**NOW, THEREFORE, BE IT RESOLVED** that:

**1. Approval of Requisition.** The form of requisition attached hereto as Exhibit "A" is hereby authorized and approved.

**2. Effective Date.** This Resolution shall take effect immediately upon its adoption.

**PASSED** in Public Session of the Board of Supervisors of Zephyr Lakes Community Development District, this 4th day of April, 2019.

**ZEPHYR LAKES COMMUNITY  
DEVELOPMENT DISTRICT**

Attest:

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Paul Cusmano  
Secretary/Assistant Secretary

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Mike Lawson  
Chairman/Vice Chairman, Board of Supervisors

**EXHIBIT A**

**FORM OF REQUISITION**

(attached)

## REQUISITION FOR SERIES 2019 PROJECT

The undersigned, an Authorized Officer of Zephyr Lakes Community Development District (the "District") hereby submits the following requisition for disbursement under and pursuant to the terms of the Master Trust Indenture from the District to U.S. Bank National Association, Orlando, Florida, as trustee (the "Trustee"), dated as of January 1, 2019 (the "Master Indenture"), as amended and supplemented by the First Supplemental Trust Indenture from the District to the Trustee, dated as of January 1, 2019 (the Master Indenture as amended and supplemented is hereinafter referred to as the "Indenture") (all capitalized terms used herein shall have the meaning ascribed to such term in the Indenture):

(A) Requisition Number: 2019-09

(B) Name of Payee: Shutts & Bowen LLP

(C) Amount Payable: \$20,000.00

(D) Purpose for which paid or incurred (refer also to specific contract if amount is due and payable pursuant to a contract involving progress payments, or, state Costs of Issuance, if applicable): Developer's Counsel fee in connection with the issuance of the Series 2019 Bonds.

The undersigned hereby certifies that obligations in the stated amount set forth above have been incurred by the District, that each disbursement set forth above is a proper charge against the Series 2019 Acquisition and Construction Account, that each disbursement set forth above was incurred in connection with the acquisition and construction of the Series 2019 Project and each represents a Cost of the Series 2019 Project, and has not previously been paid.

The undersigned hereby further certifies that there has not been filed with or served upon the District notice of any lien, right to lien, or attachment upon, or claim affecting the right to receive payment of, any of the moneys payable to the Payee set forth above, which has not been released or will not be released simultaneously with the payment hereof.

The undersigned hereby further certifies that such requisition contains no item representing payment on account of any retained percentage which the District is at the date of such certificate entitled to retain.

If this requisition is for a disbursement from other than the Costs of Issuance Account or for payment of capitalized interest, there shall be attached a resolution of the Governing Body of the District approving this requisition or approving the

specific contract with respect to which disbursements pursuant to this requisition are due and payable.

Attached hereto are copies of the invoice(s) from the vendor of the property acquired or services rendered with respect to which disbursement is hereby requested.

**ZEPHYR LAKES COMMUNITY  
DEVELOPMENT DISTRICT**

By: \_\_\_\_\_  
Authorized Officer