



Rizzetta & Company

# **Bexley Community Development District**

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## **Board of Supervisors' Meeting August 26, 2020**

**Via conference call pursuant to Governor DeSantis' Executive Order**

**20-69 (as extended by Executive Order 20-193)**

**<https://zoom.us/j/6015680675/>**

**Meeting ID: 601 568 0675**

**One tap mobile**

**+19292056099, 564 720 3598# US (New York)**

**[www.bexleycdd.org](http://www.bexleycdd.org)**

**BEXLEY  
COMMUNITY DEVELOPMENT DISTRICT**

<b>Board of Supervisors</b>	Doug South Amanda King John Blakley Pete Williams Jessica Robinson	Chairman Assistant Secretary Assistant Secretary Assistant Secretary Assistant Secretary
<b>District Manager</b>	Jennifer Goldyn	Rizzetta & Company, Inc.
<b>District Counsel</b>	Alyssa Willson	Hopping Green & Sams, PA
<b>District Engineer</b>	Jordan Schrader	Clearview Land Design

**All cellular phones must be placed on mute while in the meeting room.**

The Audience Comment portion of the agenda is where individuals may make comments on matters that concern the District. Individuals are limited to a total of three (3) minutes to make comments during this time.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (813) 933-5571. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) 1-800-955-8770 (Voice), who can aid you in contacting the District Office.

A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop 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 the appeal is to be based.

**BEXLEY COMMUNITY DEVELOPMENT DISTRICT**  
**DISTRICT OFFICE □5844 OLD PASCO ROAD □SUITE 100 □WESLEY CHAPEL, FL**  
**33544**

[WWW.BEXLEYCDD.ORG](http://WWW.BEXLEYCDD.ORG)

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August 19, 2020

**Board of Supervisors**  
**Bexley Community**  
**Development District**

**FINAL AGENDA**

Dear Board Members:

The regular meeting of the Board of Supervisors of the Bexley Community Development District will be held on **Wednesday, August 26, 2020 at 11:00 a.m. via conference call pursuant to Governor DeSantis' Executive Order 20-69 (as extended by Executive Order 20-193)**. The following is the final agenda for this meeting:

- 1. CALL TO ORDER/ROLL CALL**
- 2. AUDIENCE COMMENTS**
- 3. BUSINESS ADMINISTRATION**
  - A. Consideration of the Minutes of the Board of Supervisors Meeting held on July 22, 2020..... Tab 1
  - B. Consideration of Operation and Maintenance Expenditures for July 2020..... Tab 2
  - C. Ratification of Series 2018 Requisitions - Under \$100K – #399-400..... Tab3
  - D. Ratification of Series 2018 Requisitions Over \$100K – None
  - E. Ratification of Change Orders – None
- 4. BUSINESS ITEMS**
  - A. Public Hearing on FY 2020/2021 Final Budget
    1. Consideration of Resolution 2020-13, Approving FY 2020/2021 Final Budget..... Tab 4
  - B. Public Hearing on FY 2020/2021 Annual Assessments
    2. Consideration of Resolution 2020-14, Annual Assessments..... Tab 5
  - C. Discussion regarding no trespassing signs
  - D. Consideration of the Bill of Sale..... Tab 6
  - E. Maintenance Easement for the exercise Equipment..... Tab 7
- 5. STAFF REPORTS**
  - A. District Counsel
  - B. District Engineer
  - C. Field Services Manager
    1. Presentation of Field Services Report (under separate cover)
  - D. Clubhouse Manager
    1. Presentation of Clubhouse Report..... Tab 8

- E. District Manager
- 6. **SUPERVISOR REQUESTS**
- 7. **ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call us at (813) 533-2950, or email Jennifer Goldyn at [jgoldyn@rizzetta.com](mailto:jgoldyn@rizzetta.com).

Sincerely,  
[Jennifer Goldyn](#)  
District Manager

**MINUTES OF MEETING**

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

**BEXLEY**  
**COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Bexley Community Development District was held on Wednesday, July 22, 2020 at 5:00 p.m. via conference call pursuant to Governor DeSantis' Executive Order 20-69 (as extended by Executive Order 20-193).

Present and constituting a quorum were:

Doug South	<b>Board Supervisor, Chairman</b>
Jessica Robinson	<b>Board Supervisor, Vice Chair</b>
John Blakley	<b>Board Supervisor, Assistant Secretary</b>
Pete Williams	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Jennifer Goldyn	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Alyssa Willson	<b>District Counsel, Hopping Green &amp; Sam's</b>
Bryan Cooper	<b>Clubhouse Manager</b>
John Toborg	<b>Field Services, Rizzetta &amp; Company</b>
Chris Cipollina	<b>Aquatic Systems</b>

Audience

**FIRST ORDER OF BUSINESS**

**Call to Order**

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

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There were no audience comments.

50 **THIRD ORDER OF BUSINESS**

**Consideration of Minutes of the Board  
of Supervisors' Meeting held May 27,  
2020**

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Ms. Goldyn presented the May 27, 2020 Minutes of the Board of Supervisors' Meeting Minutes to the Board for consideration.

On a Motion by Mr. South, seconded by Mr. Blakley, with all in favor, the Board of Supervisors approved the Minutes of the Board of Supervisors' meeting held on May 27, 2020, as is, for Bexley Community Development District.

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58 **FOURTH ORDER OF BUSINESS**

**Consideration of Operation and  
Maintenance Expenditures for May  
and June 2020**

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Ms. Goldyn presented the Operation and Maintenance Expenditures for May and June 2020 to the Board for consideration.

Mr. South requested line item of the soccer balls before soccer nets of \$129.97.

On a Motion by Mr. South, seconded by Mr. Blakely, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for May 2020 (\$88,505.98) and June 2020 (\$182,425.17), for Bexley Community Development District.

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68 **FIFTH ORDER OF BUSINESS**

**Ratification of Series 2016 Requisition  
#369 and #397**

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Ms. Goldyn presented Series 2016 Requisition #396 and #397 to the Board of Supervisors.

On a Motion by Mr. Blakley, seconded by Mr. South, with all in favor, the Board of Supervisors ratified Requisition #396 and #397, for Bexley Community Development District.

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75 **SIXTH ORDER OF BUSINESS**

**Consideration of Cost Share  
Agreement lot B-3 and B-4**

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Ms. Goldyn presented Cost Share Agreement lot B-3 and B-4 to the Board of Supervisors.

On a Motion by Mr. South, seconded by Mr. Blakley, with all in favor, the Board of Supervisors approved the Cost Share Agreement lot B-3 and B-4, for Bexley Community Development District.

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85 **SEVENTH ORDER OF BUSINESS** **First Amendment to Cost Share**  
86 **Agreement**  
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88 Ms. Goldyn presented the First Amendment to Cost Share Agreement to the  
89 Board of Supervisors.  
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On a Motion by Mr. South, seconded by Mr. Blakley, with all in favor, the Board of Supervisors approved the First Amendment to Cost Share Agreement, for Bexley Community Development District.

91 **EIGHTH ORDER OF BUSINESS** **Ratification of Arbitrage Engagement**  
92 **Letter**  
93  
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95 Ms. Goldyn presented the Arbitrage Engagement Letter to the Board of  
96 Supervisors.  
97

On a Motion by Mr. Williams, seconded by Mr. South, with all in favor, the Board of Supervisors ratified the Arbitrage Engagement Letter, for Bexley Community Development District.

98 **NINTH ORDER OF BUSINESS** **Consideration of Third Amendment to**  
99 **Agreement for Landscape and**  
100 **Irrigation Maintenance**  
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103 Ms. Goldyn presented the Third Amendment to Agreement for Landscape and  
104 Irrigation Maintenance.  
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On a Motion by Mr. Williams, seconded by Mr. South, with all in favor, the Board of Supervisors approved the Third Amendment to Agreement for Landscape and Irrigation Maintenance, for Bexley Community Development District.

106 **TENTH ORDER OF BUSINESS** **Consideration of Resolution 2020-07,**  
107 **Setting FY 2020/2021 Meeting**  
108 **Schedule**  
109  
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111 Ms. Lansford presented the Agreement with Developer Regarding Maintenance  
112 of Trail to the Board for consideration.  
113

On a Motion by Mr. South, seconded by Mr. Williams, with all in favor, the Board of Supervisors adopted Resolution 2020-07, Setting FY 2020/2021 Meeting Schedule, for Bexley Community Development District.

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120 **ELEVENTH ORDER OF BUSINESS** **Consideration of Resolution 2020-11,**  
121 **Designating a Date, Time and**  
122 **Location for the Landowner’s Meeting**  
123 **and Election**  
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125 Ms. Goldyn presented Resolution 2020-11, Designating a Date, Time and  
126 Location for the Landowner’s Meeting and Election.  
127

On a Motion by Mr. Williams, seconded by Mr. Blakley, with all in favor, the Board of Supervisors adopted Resolution 2020-11, Designating a Date, Time and Location for the Landowner’s Meeting and Election for, Bexley Community Development District.

128 **TWELFTH ORDER OF BUSINESS** **Consideration of Resolution 2020-12,**  
129 **Re-designating Assistant Secretary**  
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132 Ms. Goldyn presented Resolution 2020-12, Re-designating Assistant Secretary to  
133 the Board of Supervisors.  
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On a Motion by Mr. Williams, seconded by Mr. South, with all in favor, the Board of Supervisors adopted Resolution 2020-12, Re-designating Assistant Secretary, for Bexley Community Development District.

135 **THIRTEENTH ORDER OF BUSINESS** **Review of July Pond Inspection**  
136 **Report**  
137  
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139 The Board of Supervisors reviewed the July Pond Inspection Report.  
140

141 **FOURTEENTH ORDER OF BUSINESS** **Consideration of Pond Restoration**  
142 **Assessment proposal for pond #50**  
143

144 Ms. Goldyn presented the Pond Restoration Assessment proposal for pond #50  
145 to the Board of Supervisors.  
146

On a Motion by Mr. Williams, seconded by Mr. South, with all in favor, the Board of Supervisors approved the Pond Restoration proposal for pond #50, for Bexley Community Development District.

147 **FIFTEENTH ORDER OF BUSINESS** **Staff Reports**  
148  
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150 **A. District Counsel**  
151 Present, no report.  
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153 **B. District Engineer**  
154 Not present, no report.  
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156 **C. Field Services Manager**  
157 Mr. Toborg presented the Field Service Report to the Board of  
158 Supervisors.  
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**D. Clubhouse Manager**

Mr. Cooper presented the Clubhouse Report.

**E. District Manager**

Ms. Goldyn reminded the Board that the next meeting would be held on August 26, 2020 at 11:00 a.m., via zoom.

**SIXTEENTH ORDER OF BUSINESS**

**Supervisor Requests**

No Supervisor requests.

**SEVENTEENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. South, seconded by Mr. Blakely, with all in favor, the Board of Supervisors adjourned the meeting at 5:52 p.m. for Bexley Community Development District.
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\_\_\_\_\_  
Secretary / Assistant Secretary

\_\_\_\_\_  
Chairman / Vice Chairman

# BEXLEY COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 12750 CITRUS PARK LANE · SUITE 115 · TAMPA, FLORIDA 33625

## Operations and Maintenance Expenditures July 2020 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from July 1, 2020 through July 31, 2020. This does not include expenditures previously approved by the Board.

The total items being presented: **\$89,564.51**

Approval of Expenditures:

\_\_\_\_\_

\_\_\_\_\_ Chairperson

\_\_\_\_\_ Vice Chairperson

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

# BEXLEY COMMUNITY DEVELOPMENT DISTRICT

## Paid Operation & Maintenance Expenditures

July 1, 2020 Through July 31, 2020

<u>Vendor Name</u>	<u>Check number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Bexley Homeowners Association, Inc.	001984	070120 PR	CDD Payroll Cost Share 07/20	\$ 1,800.00
Bryan Taylor	001977	B062020	Monthly Maintenance - Removal of Pet Waste 06/20	\$ 1,139.55
Custom Wall Art & Signs, Inc.	001985	2019298	No Trespassing Signs 07/20	\$ 650.00
DCSI, Inc.	001975	27247	Service Call 06/20	\$ 105.00
Duke Energy	001981	31827 20102 07/20	3758 Tour Trace Lift 07/20	\$ 61.00
Duke Energy	001971	39208 93584 05/20	16950 Vibrant Way Lite 05/20	\$ 3,491.95
Duke Energy	001979	Summary 06/20 A	Electric Summary 06/20A	\$ 5,663.40
Duke Energy	001979	Summary Duke 06/20 B	Electric Summary 06/20	\$ 1,663.80
Hopping Green & Sams	001976	115406	General/Monthly Legal Services Billed Through 05/31/20	\$ 3,353.00
Landscape Forms, Inc.	001982	071320-Landscape	Repayment Vandalized Trash Can 07/20	\$ 565.55
Landscape Maintenance Professionals, Inc.	001972	153079	Irrigation Repair 06/20	\$ 115.00
Landscape Maintenance Professionals, Inc.	001972	153103	Irrigation Repair 06/20	\$ 330.00
Landscape Maintenance Professionals, Inc.	001972	153104	Irrigation Repair 06/20	\$ 180.00

# BEXLEY COMMUNITY DEVELOPMENT DISTRICT

## Paid Operation & Maintenance Expenditures

July 1, 2020 Through July 31, 2020

<u>Vendor Name</u>	<u>Check number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Landscape Maintenance Professionals, Inc.	001987	153367	Raise Turf Heads 06/20	\$ 108.00
Landscape Maintenance Professionals, Inc.	001987	153369	Irrigation Repair 06/20	\$ 240.00
Landscape Maintenance Professionals, Inc.	001987	153522	St Augustine. Bahia & Bermuda Fert 2A 06/30	\$ 809.00
Landscape Maintenance Professionals, Inc.	001987	153523	Pest Control 2A 06/20	\$ 270.00
Landscape Maintenance Professionals, Inc.	001987	153524	St Augustine. Bahia & Bermuda Fert 2B 06/20	\$ 2,252.00
Landscape Maintenance Professionals, Inc.	001987	153525	Pest Control 2B 06/20	\$ 305.00
Landscape Maintenance Professionals, Inc.	001987	153526	St Augustine. Bahia & Bermuda Fert 3B 06/20	\$ 2,044.00
Landscape Maintenance Professionals, Inc.	001987	153527	Pest Control 3B 06/20	\$ 55.00
Landscape Maintenance Professionals, Inc.	001987	153528	St Augustine. Bahia & Bermuda Fert 06/20	\$ 13,179.00
Landscape Maintenance Professionals, Inc.	001987	153529	Pest Control 06/20	\$ 740.00
Landscape Maintenance Professionals, Inc.	001987	153569	Irrigation Repair 06/20	\$ 90.00
Landscape Maintenance Professionals, Inc.	001987	153650	Irrigation Repair 07/20	\$ 90.00
Landscape Maintenance Professionals, Inc.	001987	153700	Irrigation Repair 07/20	\$ 150.00

# BEXLEY COMMUNITY DEVELOPMENT DISTRICT

## Paid Operation & Maintenance Expenditures

July 1, 2020 Through July 31, 2020

<u>Vendor Name</u>	<u>Check number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Landscape Maintenance Professionals, Inc.	001987	153701	Irrigation Repair 07/20	\$ 90.00
Landscape Maintenance Professionals, Inc.	001987	153735	Irrigation Repair 07/20	\$ 184.00
Landscape Maintenance Professionals, Inc.	001987	153736	Irrigation Repair 07/20	\$ 96.00
Landscape Maintenance Professionals, Inc.	001987	153738	Irrigation Repair 07/20	\$ 120.00
Landscape Maintenance Professionals, Inc.	001987	153746	Irrigation Repair 07/20	\$ 232.00
Landscape Maintenance Professionals, Inc.	001987	153751	Install Sod 07/20	\$ 925.00
Landscape Maintenance Professionals, Inc.	001987	153755	Install Sod 07/20	\$ 300.00
Landscape Maintenance Professionals, Inc.	001987	153763	Annual Installation 07/20	\$ 4,625.00
Landscape Maintenance Professionals, Inc.	001987	153785	Install Sod 07/20	\$ 700.00
Landscape Maintenance Professionals, Inc.	001987	153799	Irrigation Repair 07/20	\$ 180.00
Pasco County Utilities Services Branch	001980	Pasco Water Summary 06/20	Unclaimed Water Usage 06/20	\$ 4,325.72
Rizzetta & Company, Inc.	001973	INV0000050775	District Management Fees 07/20	\$ 4,940.42
Rizzetta Technology Services, LLC	001974	INV0000006016	Email & Website Hosting Services 07/20	\$ 175.00

# BEXLEY COMMUNITY DEVELOPMENT DISTRICT

## Paid Operation & Maintenance Expenditures

July 1, 2020 Through July 31, 2020

<u>Vendor Name</u>	<u>Check number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Solitude Management LLC	001988	PI-A00436502	Lake and Wetland Services 07/20	\$ 5,962.00
Solitude Management LLC	001988	PI-A00436503	Monthly Mitigation Services 07/20	\$ 5,245.00
Spectrum Business	001978	071794201062520	16950 Vibrant Way - WIFI at Dog Park 06/20	\$ 109.98
Times Publishing Company	001989	0000095857	Acct # 71068 Legal Advertising 07/12/20	\$ 242.00
U. S. Department of Agriculture	001983	3003508453	Animal & Plant Inspection 06/20	\$ 17,513.76
U.S. Bank	001990	5750835	Trustee Fees 05/01/20 - 04/30/21	<u>\$ 4,148.38</u>
<b>Report Total</b>				<b><u>\$ 89,564.51</u></b>

## RESOLUTION 2020-13

### THE ANNUAL APPROPRIATION RESOLUTION OF THE BEXLEY COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGETS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the District Manager has, prior to the fifteenth (15<sup>th</sup>) day in June, 2020, submitted to the Board of Supervisors (“**Board**”) of the Bexley Community Development District (“**District**”) proposed budgets (“**Proposed Budget**”) for the fiscal year beginning October 1, 2020 and ending September 30, 2021 (“**Fiscal Year 2020/2021**”) along with an explanatory and complete financial plan for each fund of 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 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<sup>st</sup> of each year, the 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 District Manager has prepared a Proposed Budget, whereby the budget shall project 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.

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BEXLEY COMMUNITY DEVELOPMENT DISTRICT:**

#### **SECTION 1. BUDGET**

- a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

- b. The Proposed Budget, attached hereto as **Exhibit "A,"** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes ("Adopted Budget")*, 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.
- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the Bexley Community Development District for the Fiscal Year Ending September 30, 2021."
- d. The Adopted Budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

**SECTION 2. APPROPRIATIONS**

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2020/2021, the sum of \$\_\_\_\_\_ to be raised by the levy of assessments and/or 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	\$_____
DEBT SERVICE FUND (SERIES 2016)	\$_____
TOTAL ALL FUNDS	\$_____

**SECTION 3. BUDGET AMENDMENTS**

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2020/2021 or within 60 days following the end of the Fiscal Year 2020/2021 may amend its Adopted 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 3 and Section 189.016, *Florida Statutes*, among other applicable laws. Among other procedures, the District Manager or Treasurer must ensure that any amendments to budget under subparagraphs c. and d. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED THIS 26<sup>th</sup> DAY OF AUGUST, 2020.**

ATTEST:

**BEXLEY COMMUNITY  
DEVELOPMENT DISTRICT**

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

By: \_\_\_\_\_

Its: \_\_\_\_\_

**RESOLUTION 2020-14**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BEXLEY COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT AND IMPOSING SPECIAL ASSESSMENTS FOR FISCAL YEAR 2020/2021; PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS, INCLUDING BUT NOT LIMITED TO PENALTIES AND INTEREST THEREON; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Bexley Community Development District ("**District**") is a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

**WHEREAS**, the District is located in Pasco County, Florida ("**County**"); and

**WHEREAS**, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District's adopted capital improvement plan and Chapter 190, *Florida Statutes*; and

**WHEREAS**, the Board of Supervisors ("**Board**") of the District hereby determines to undertake various operations and maintenance and other activities described in the District's budget ("**Adopted Budget**") for the fiscal year beginning October 1, 2020 and ending September 30, 2021 ("**Fiscal Year 2020/2021**"), attached hereto as **Exhibit "A;"** and

**WHEREAS**, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the Adopted Budget; and

**WHEREAS**, the provision of such services, facilities, and operations is a benefit to lands within the District; and

**WHEREAS**, Chapter 190, *Florida Statutes*, provides that the District may impose special assessments on benefitted lands within the District; and

**WHEREAS**, it is in the best interests of the District to proceed with the imposition of the special assessments for operations and maintenance in the amount set forth in the Adopted Budget; and

**WHEREAS**, the District has previously levied an assessment for debt service, which the District desires to collect for Fiscal Year 2020/2021; and

**WHEREAS**, Chapter 197, *Florida Statutes*, provides a mechanism pursuant to which such special assessments may be placed on the tax roll and collected by the local tax collector (“**Uniform Method**”), and the District has previously authorized the use of the Uniform Method by, among other things, entering into agreements with the Property Appraiser and Tax Collector of the County for that purpose; and

**WHEREAS**, it is in the best interests of the District to adopt the assessment roll (“**Assessment Roll**”) attached to this Resolution as **Exhibit “B,”** and to certify the portion of the Assessment Roll related to certain developed property (“**Tax Roll Property**”) to the County Tax Collector pursuant to the Uniform Method and to directly collect the portion of the Assessment Roll relating to the remaining property (“**Direct Collect Property**”), all as set forth in **Exhibit “B;”** and

**WHEREAS**, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll adopted herein, including that portion certified to the County Tax Collector by this Resolution, as the Property Appraiser updates the property roll for the County, for such time as authorized by Florida law.

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

**SECTION 1. BENEFIT & ALLOCATION FINDINGS.** The provision of the services, facilities, and operations as described in **Exhibit “A”** confers a special and peculiar benefit to the lands within the District, which benefit exceeds or equals the cost of the assessments. The allocation of the assessments to the specially benefitted lands is shown in **Exhibits “A” and “B,”** and is hereby found to be fair and reasonable.

**SECTION 2. ASSESSMENT IMPOSITION.** Pursuant to Chapter 190, *Florida Statutes*, and using the procedures authorized by Florida law for the levy and collection of special assessments, a special assessment for operation and maintenance is hereby imposed and levied on benefitted lands within the District and in accordance with **Exhibits “A” and “B.”** The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution. Moreover, pursuant to Section 197.3632(4), *Florida Statutes*, the lien amount shall serve as the “maximum rate” authorized by law for operation and maintenance assessments.

**SECTION 3. COLLECTION AND ENFORCEMENT; PENALTIES; INTEREST.**

A. **Tax Roll Assessments.** The operations and maintenance special assessments and previously levied debt service special assessments imposed on the Tax Roll Property shall be collected at the same time and in the same manner as County taxes in accordance with the Uniform Method, as set forth in **Exhibits “A” and “B.”**

- B. Direct Bill Assessments.** The operations and maintenance special assessments and previously levied debt service special assessments imposed on the Direct Collect Property shall be collected directly by the District in accordance with Florida law, as set forth in **Exhibits "A" and "B."** Assessments directly collected by the District are due in full on December 1, 2020; provided, however, that, to the extent permitted by law, the assessments due may be paid in several partial, deferred payments and according to the following schedule: 50% due no later than December 1, 2020, 25% due no later than February 1, 2021 and 25% due no later than May 1, 2021. In the event that an assessment payment is not made in accordance with the schedule stated above, the whole assessment – including any remaining partial, deferred payments for Fiscal Year 2020/2021, shall immediately become due and payable; shall accrue interest, penalties in the amount of one percent (1%) per month, and all costs of collection and enforcement; and shall either be enforced pursuant to a foreclosure action, or, at the District's sole discretion, collected pursuant to the Uniform Method on a future tax bill, which amount may include penalties, interest, and costs of collection and enforcement. Any prejudgment interest on delinquent assessments shall accrue at the rate of any bonds secured by the assessments, or at the statutory prejudgment interest rate, as applicable. In the event an assessment subject to direct collection by the District shall be delinquent, the District Manager and District Counsel, without further authorization by the Board, may initiate foreclosure proceedings pursuant to Chapter 170, *Florida Statutes*, or other applicable law to collect and enforce the whole assessment, as set forth herein.
- C. Future Collection Methods.** The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

**SECTION 4. ASSESSMENT ROLL.** The Assessment Roll, attached to this Resolution as **Exhibit "B,"** is hereby certified for collection. That portion of the Assessment Roll which includes the Tax Roll Property is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to the District.

**SECTION 5. ASSESSMENT ROLL AMENDMENT.** The District Manager shall keep apprised of all updates made to the County property roll by the Property Appraiser after the date of this Resolution, and shall amend the Assessment Roll in accordance with any such updates, for such time as authorized by Florida law, to the County property roll. After any amendment of the Assessment Roll, the District Manager shall file the updates in the District records.

**SECTION 6. SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

**SECTION 7. EFFECTIVE DATE.** This Resolution shall take effect upon the passage and adoption of this Resolution by the Board.

**PASSED AND ADOPTED** this 26<sup>th</sup> day of August, 2020.

ATTEST:

**BEXLEY COMMUNITY DEVELOPMENT  
DISTRICT**

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Secretary / Assistant Secretary

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Chairman, Board of Supervisors

**Exhibit A:** Budget  
**Exhibit B:** Assessment Roll (Uniform Method)  
Assessment Roll (Direct Collect)