

**MINUTES OF MEETING  
THE WOODLANDS  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of The Woodlands Community Development District was held on Thursday, July 7, 2016 at 10:50 a.m. at the offices of DMK Associates, 421 Commercial Court, Venice, Florida.

Present and constituting a quorum were:

|                            |               |
|----------------------------|---------------|
| Carl Impastato (via phone) | Chairman      |
| William Richardson         | Vice Chairman |
| James Rodger Underwood     | Supervisor    |
| Walter Cote                | Supervisor    |
| Larry Tinkham (via phone)  | Supervisor    |

Also present were:

|                |                   |
|----------------|-------------------|
| Mark Vega      | District Manager  |
| Dorian Popescu | District Engineer |
| Tracy Robin    | District Counsel  |

*The following is a summary of the discussion and actions taken at the July 7, 2016 Woodlands Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Vega called the meeting to order and called roll.

On MOTION by Mr. Underwood seconded by Mr. Cote with all in favor to accept Mt. Impastato and Mr. Tinkham to participate and vote telephonically. 3-0

**SECOND ORDER OF BUSINESS**

**Public Comment on Agenda Items**

Audience Comments were requested; there being none the next item followed.

**THIRD ORDER OF BUSINESS**

**Consent Agenda**

- A. Minutes – April 7, 2016, May 5, 2016, and May 26, 2016 Continued Meeting
- B. Financials – Period Ending May 31, 2016

On MOTION by Mr. Underwood seconded by Mr. Cote with all in favor the Consent Agenda was approved as presented. 5-0

**FOURTH ORDER OF BUSINESS**

**Public Hearing to Consider Resolution 2016- 5 Adopting the Budget for Fiscal Year 2017 and Resolution 2016-6 Levy of Non Ad Valorem Assessments**

Mr. Vega opened the Public Hearing to take comments regarding the the FY 2017 budget and levy on non-ad valorem assessments.

There being no public comment Mr. Vega closed the Public Hearing.

**A. Resolution 2016-5 Adopting the Budget for FY 2017**

On MOTION by Mr. Underwood seconded by Mr. Richardson with all in favor Resolution 2016 a Resolution of The Woodlands Community Development District Relating to the Annual Appropriations of the District and Adopting the Budget for the Fiscal Year Beginning October 1, 2016; and Ending September 30, 2017, and Referencing the Operations and Maintenance Special Assessments to be Levied by the District for said Fiscal Year was adopted. 5-0

**B. Resolution 2016-6 Levy of Non Ad Valorem Assessments**

On MOTION by Mr. Underwood seconded by Mr. Cote with all in favor Resolution 2016-6 a Resolution of The Woodlands Community Development District Imposing Special Assessments; Providing for Collection and Enforcement of Special Assessments; Adopting and Certifying an Assessment Roll; Providing for Amendment of the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date was adopted. 5-0

**FIFTH ORDER OF BUSINESS**

**Attorney's Report**

**A. Resolution 2016-3 - Declaring the 2004 Project Complete**

Mr. Robin confirmed the District Engineer provided a Certificate of Completion indicating he reviewed the project and the status of the construction; the disbursements to date; and declared the 2004 project is complete. Resolution 2016-3 adopts the Engineer's Certificate of Completion and finalizes the Series 2004A assessments addressing severability and conflicts, and providing for an effective date.

On MOTION by Mr. Richardson seconded by Mr. Underwood with all in favor Resolution 2016-3 a Resolution of The Woodlands Community Development District Declaring the 2004 Project Complete and Adopting the Engineer's Certificate of Completion for the 2004 Project; Finalizing the 2004 Special Assessments; and Addressing Severability, Conflicts and an Effective Date was adopted. 5-0

The District was cited by the City of North Port for Code Enforcement Violations for high grass and for the removal of rubbish. Arguments on behalf of the District were made at a Hearing before the Code Enforcement Officer and the Hearing Officer dismissed the cases. The City issued a Motion for a Rehearing for the Hearing Officer to reconsider his decision stating it deprives the City of the ability to have other recourse against the District. No determination has been made by the Hearing Officer to-date if he will allow a rehearing, although it is fully expected. This matter has not been fully resolved and may very well still be pending. In the meantime, another Notice of Violation was sent for high grass along Panacea, but a hearing has not yet been scheduled to address this violation. There is no written agreement between the City and the District for the District to maintain the landscaping.

If the Hearing Officer changes his decision and rules against the District, the District has the right to appeal the decision in Circuit Court located in Sarasota County.

District Counsel does not believe the City should have the legal right to enforce a code enforcement lien against the District which is based on the understanding the District is not a person under the statutory definition for purposes of falling within the jurisdiction of a code enforcement structure. The District is a unit of local government, and it is prohibited by law to levy a lien against the District, therefore there is no meaningful mechanism for the City to collect the fine and it should not be levied.

The Board is in agreement for District Counsel to proceed with the defense of the claims at the local level; and if an adverse claim is received, District Counsel is authorized to proceed with the understanding there will be associated expenses to file the appeal in Circuit Court.

On MOTION by Mr. Richardson seconded by Mr. Underwood with all in favor directing District Counsel to continue to defend the Code Enforcement liens and if necessary appeal any adverse opinions.  
5-0

**SIXTH ORDER OF BUSINESS**

**Engineer's Report**

**A. Cardno Report and Update on Irrigation Pumps**

The Cardno report was reviewed. In summary the deep well at Daisy is too high in salt and it is recommended to shut it down; the remainder of the wells are fine.

A summary report will be provided once it is confirmed everything is working and functioning as designed.

On MOTION by Mr. Underwood seconded by Mr. Richardson with all in favor to continue the Cardno recharge well study to include the Cedar Groves location in an amount NTE 5,000. 5-0

**SEVENTH ORDER OF BUSINESS**

**District Manager's Report**

**A. Meeting Schedule FY 2017**

Mr. Vega presented a draft meeting schedule for FY 2017 and confirmed the location for the meeting. By consensus the meeting schedule presented was approved, noting FY 2017 meetings will be held at the Cypress Falls Clubhouse.

**EIGHTH ORDER OF BUSINESS**

**Supervisors' Requests**

Tracy Robin noted there is no apparent reason to not transfer computer equipment to the Cypress Falls HOA to control the irrigation system previously controlled by CDD. The equipment can be sold to the HOA for \$1 and a Bill of Sale can be delivered. In doing so, the District will be relieved of all responsibility for controlling the irrigation system.

On MOTION by Mr. Underwood seconded by Mr. Richardson with all in favor to authorize the transfer and delivery of the laptop computer and Rainbird controller the Cypress Falls HOA, and for District Counsel to prepare a Bill of Sale for execution by the Chair or Vice-Chair. 5-0

**NINTH ORDER OF BUSINESS**

**Audience Comments**

There being none the next item followed..

**TENTH ORDER OF BUSINESS**

**Adjourn**

On MOTION by Mr. Cote seconded by Mr. Richardson to adjourn the meeting. 5-0

  
Chairman/Vice Chairman