



VILLAGEWALK OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT

**LEE COUNTY
REGULAR BOARD MEETING
APRIL 18, 2023
3:00 P.M.**

**Special District Services, Inc.
27499 Riverview Center Boulevard, #253
Bonita Springs, FL 33134**

www.villagewalkofbonitaspringscdd.org

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AGENDA
VILLAGEWALK OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT
Town Center at VillageWalk of Bonita Springs
15321 Latitude Drive
Bonita Springs, Florida 34135
REGULAR BOARD MEETING
April 18, 2023
3:00 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. February 21, 2023 Regular Board Meeting.....Page 2
- G. Old Business
- H. New Business
 - 1. Consider Resolution No. 2023-01 – Adopting a Fiscal Year 2023/2024 Proposed Budget.....Page 5
 - 2. Consider Resolution No. 2023-02 – Adopting a Records Retention Policy.....Page 13
- I. Engineering Report
- J. Administrative Matters
- K. Board Members Comments
- L. Adjourn

Miscellaneous Notices

Published in Naples Daily News on April 7, 2023

Location

Collier County, Florida

Notice Text

VILLAGEWALK OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING. The Board of Supervisors ("Board") of the VillageWalk of Bonita Springs Community Development District ("District") will hold a Regular Board of Supervisors' Meeting on April 18, 2023, at 3:00 p.m. at the Town Center at VillageWalk of Bonita Springs located at 15321 Latitude Drive, Bonita Springs, Florida 34135 where the Board may consider any business that may properly come before it. A copy of the agenda may be obtained at the offices of the District Manager, Special District Services, Inc., 27499 Riverview Center Blvd., #253, Bonita Springs, Florida 34134, (239) 444-5790 ("District Manager's Office"), during normal business hours, or by visiting the District's website at www.villagewalkbonitaspringscdd.org. The meeting is open to the public and will be conducted in accordance with the provisions of Florida law. The meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone. Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. 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), for aid in contacting the District Manager's Office. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that person will need a record of 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. Kathleen Meneely District Manager VILLAGEWALK OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT www.villagewalkbonitaspringscdd.org Pub Date: April 7, 2023 #5649163

**VILLAGEWALK OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
FEBRUARY 21, 2023**

A. CALL TO ORDER

The February 21, 2023, Regular Board Meeting of the Village Walk Community Development District (the “District”) was called to order at 3:00 p.m. at the Town Center at VillageWalk of Bonita Springs located at 15321 Latitude Drive, Bonita Springs, Florida 34135.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Regular Board Meeting had been published in the *Naples Daily News* on February 10, 2023, as legally required.

C. SEAT NEW BOARD MEMBER

Ms. Meneely advised that Messrs. Ellabarger and Robinson had been sworn-in between meetings. The two newest Board Members took their seats at the dais.

D. REVIEW BOARD MEMBER RESPONSIBILITIES

Mr. Haber went over public records and the Sunshine Law, as well as the code of ethics and conflicts of interest.

E. ESTABLISH A QUORUM

A quorum was established with the following Supervisors present:

Supervisor	Jerry Robinson	Present
Vice-Chairperson	Laura Ray	Present
Supervisor	Dan Ellabarger	Present
Supervisor	Matt Jacovelli	Present
Supervisor	Mike Hertz	Present

Staff members in attendance were:

District Manager	Kathleen Meneely	Special District Services, Inc.
General Counsel	Wes Haber (via phone)	Kutak Rock
District Engineer	Chris Wright	RWA, Inc.

Others in attendance were Marcia Senior, Len Boucher, Mario Massa, Bill Kirby, Marie McCusker, Dorothy Marcianti, Chris Cubbison, Debbie DeNoia, Elaine & Rod Hook, Ted Krull, Kris Larse, Pete Struble and Kara Blewett – HOA ACM

F. ELECTION OF OFFICERS

A **motion** was made by Mr. Jacovelli, seconded by Mr. Hertz electing Laura Ray as the District's Chairperson. That **motion** carried unanimously.

A **motion** was made by Ms. Ray, seconded by Mr. Jacovelli and passed unanimously electing Michael Hertz as the District's Vice Chairman.

A **motion** was made by Ms. Ray, seconded by Mr. Jacovelli and passed unanimously electing Kathleen Meneely as the District's Secretary/Treasurer.

A **motion** was made by Mr. Hertz, seconded by Mr. Robinson and passed unanimously electing Matt Jacovelli, Dan Ellabarger and Jerry Robinson as the District's Assistant Secretaries.

G. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

H. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Mr. Cubbison asked for an explanation for what the CDD does. Mr. Haber explained that the CDD was a small unit of government and went over its role and responsibilities.

Ms. Marcianti asked when the bonds would be paid off and Ms. Meneely went over the schedule.

Mr. Krull asked why there were different rates and Ms. Ray went over the different bonds.

Mr. Massa asked about Bonita Beach Road and Mr. Jacovelli explained the easement.

I. APPROVAL OF MINUTES

1. November 15, 2022, Regular Board Meeting

The November 15, 2022, Regular Board Meeting minutes were presented for approval.

Ms. Ray noted under "K" that "Jerry" should read "Terry."

A **motion** was made by Mr. Hertz, seconded by Ms. Ray and passed unanimously approving the minutes of the November 15, 2022, Regular Board Meeting, as amended.

J. OLD BUSINESS

There were no Old Business items to come before the Board.

K. NEW BUSINESS

1. Discussion Regarding Erosion around District Ponds

Mr. Jacovelli asked the engineer if inspections could start early, as the vendor was ready. Mr. Wright indicated that inspections are done when the water levels are at their lowest and he will try to schedule a meeting with the HOA for any ideas and/or concerns.

Mr. Jacovelli noted a problem with baby tears and he was looking at grass carp to handle. Discussion ensued on this method and others, along with the costs involved.

L. ENGINEERING REPORT

Mr. Wright stated there was no additional report.

Ms. Ray asked about the water quality test results and Mr. Wright indicated he would follow up with WSA.

Mr. Ellabarger asked how often the water quality reports were done and Mr. Wright responded that they are done three times per year, possibly two times per year, if the quality is consistently good. He added that the development had a very healthy lake system. Mr. Jacovelli stated that the HOA restocks the fish, which keeps the water quality high.

M. ADMINISTRATIVE MATTERS

Ms. Meneely went over the upcoming meeting schedule and budget dates. There was a consensus of the Board to cancel the March meeting and to hold budget hearings in April and August.

Ms. Meneely asked about the Board Members receiving a stipend for attending meetings and Mr. Haber went over the law. Ms. Ray and Mr. Hertz declined the \$200 per meeting stipend and Messrs. Jacovelli, Robinson and Ellabarger accepted the stipend.

N. BOARD MEMBER COMMENTS

Mr. Hertz welcomed the new Board Members and congratulated Ms. Ray on her appointment as Chairperson. Mr. Robinson went over his background and spoke of a tagging program.

O. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Hertz, seconded by Mr. Jacovelli and passed unanimously adjourning the Regular Board Meeting at 4:00 p.m.

Secretary/Assistant Secretary

Chair/Vice-Chair

RESOLUTION NO. 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE VILLAGEWALK OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2023/2024; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors (“Board”) of the VillageWalk Of Bonita Springs Community Development District (“District”) is required by Chapter 190.008, *Florida Statutes*, to approve a Proposed Budget for each fiscal year; and,

WHEREAS, the Proposed Budget including the Assessments for Fiscal Year 2023/2024 has been prepared and considered by the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE VILLAGEWALK OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT THAT:

Section 1. The Proposed Budget including the Assessments for Fiscal Year 2023/2024 attached hereto as Exhibit “A” is approved and adopted.

Section 2. A Public Hearing is hereby scheduled for August 15, 2023 at 3:00 p.m. in the Town Center at VillageWalk of Bonita Springs, 15321 Latitude Drive, Bonita Springs, Florida 34135, for the purpose of receiving public comments on the Proposed Fiscal Year 2023/2024 Budget.

PASSED, ADOPTED and EFFECTIVE this 18th day of April, 2023.

ATTEST:

**VILLAGEWALK OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairman/Vice Chairman

Village Walk Of Bonita Springs Community Development District

**Proposed Budget For
Fiscal Year 2023/2024
October 1, 2023 - September 30, 2024**

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- V ASSESSMENT COMPARISON**

PROPOSED BUDGET
VILLAGE WALK OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2023/2024 BUDGET
REVENUES	
O & M ASSESSMENTS	100,052
DEBT ASSESSMENTS - SERIES 2015	397,658
DEBT ASSESSMENTS - SERIES 2018	600,785
OTHER REVENUES	0
INTEREST INCOME	360
TOTAL REVENUES	\$ 1,098,855
EXPENDITURES	
SUPERVISOR FEES	4,000
PAYROLL TAXES	320
ENGINEERING/MAINTENANCE	35,000
MANAGEMENT	43,452
SECRETARIAL	4,200
LEGAL	9,500
ASSESSMENT ROLL	10,000
AUDIT FEES	3,900
ARBITRAGE REBATE FEE - SERIES 2015	650
ARBITRAGE REBATE FEE - SERIES 2018	650
INSURANCE	7,300
LEGAL ADVERTISING	2,200
MISCELLANEOUS	1,000
POSTAGE	500
OFFICE SUPPLIES	700
DUES & SUBSCRIPTIONS	175
WEBSITE MANAGEMENT	2,000
TRUSTEE FEES - SERIES 2015	4,600
TRUSTEE FEES - SERIES 2018	3,900
CONTINUING DISCLOSURE FEE	1,000
TOTAL EXPENDITURES	\$ 135,047
REVENUES LESS EXPENDITURES	\$ 963,808
BOND PAYMENTS - SERIES 2015	(377,775)
BOND PAYMENTS - SERIES 2018	(570,746)
BALANCE	\$ 15,287
COUNTY APPRAISER & TAX COLLECTOR ADMINISTRATIVE COSTS	(10,984)
DISCOUNTS FOR EARLY PAYMENTS	(43,940)
EXCESS/ (SHORTFALL)	\$ (39,637)
CARRYOVER FROM PRIOR YEAR	39,637
NET EXCESS/ (SHORTFALL)	\$ -

Note: Projected Available Funds Balance As Of 9-30-23 is \$160,000

DETAILED PROPOSED BUDGET
VILLAGE WALK OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

REVENUES	FISCAL YEAR 2021/2022 ACTUAL	FISCAL YEAR 2022/2023 BUDGET	FISCAL YEAR 2023/2024 BUDGET	COMMENTS
O & M ASSESSMENTS	100,628	100,052	100,052	Expenditures Less Interest & Carryover/.95
DEBT ASSESSMENTS - SERIES 2015	397,658	397,658	397,658	Bond Payments/.95
DEBT ASSESSMENTS - SERIES 2018	600,785	600,785	600,785	Bond Payments/.95
OTHER REVENUES	0	0	0	
INTEREST INCOME	347	360	360	Interest Projected At \$30 Per Month
TOTAL REVENUES	\$ 1,099,418	\$ 1,098,855	\$ 1,098,855	
EXPENDITURES				
SUPERVISOR FEES	1,000	4,000	4,000	Supervisor Fees
PAYROLL TAXES	76	320	320	Projected At 8% Of Supervisor Fees
ENGINEERING/MAINTENANCE	684	37,000	35,000	Includes Street Testing
MANAGEMENT	40,968	42,192	43,452	CPI Adjustment (Capped At 3%)
SECRETARIAL	4,200	4,200	4,200	No Change From 2022/2023 Budget
LEGAL	938	10,000	9,500	FY 22/23 Expenditure Through Jan 2023 Was \$395
ASSESSMENT ROLL	10,000	10,000	10,000	As Per Contract
AUDIT FEES	3,700	3,800	3,900	Accepted Amount For 2022/2023 Audit
ARBITRAGE REBATE FEE - SERIES 2015	650	650	650	No Change From 2022/2023 Budget
ARBITRAGE REBATE FEE - SERIES 2018	650	650	650	No Change From 2022/2023 Budget
INSURANCE	5,992	6,750	7,300	FY 22/23 Expenditure Was \$6,442
LEGAL ADVERTISING	679	2,200	2,200	FY 22/23 Expenditure Through Jan 2023 Was \$1,204
MISCELLANEOUS	639	1,000	1,000	No Change From 2022/2023 Budget
POSTAGE	107	525	500	\$25 Decrease From 2022/2023 Budget
OFFICE SUPPLIES	376	725	700	\$25 Decrease From 2022/2023 Budget
DUES & SUBSCRIPTIONS	175	175	175	No Change From 2022/2023 Budget
WEBSITE MANAGEMENT	2,000	2,000	2,000	No Change From 2022/2023 Budget
TRUSTEE FEES - SERIES 2015	4,327	4,700	4,600	\$100 Decrease From 2022/2023 Budget
TRUSTEE FEES - SERIES 2018	3,709	3,900	3,900	No Change From 2022/2023 Budget
CONTINUING DISCLOSURE FEE	1,000	1,000	1,000	No Change From 2022/2023 Budget
TOTAL EXPENDITURES	\$ 81,870	\$ 135,787	\$ 135,047	
REVENUES LESS EXPENDITURES	\$ 1,017,548	\$ 963,068	\$ 963,808	
BOND PAYMENTS - SERIES 2015	(381,071)	(377,775)	(377,775)	2024 Principal & Interest Payments
BOND PAYMENTS - SERIES 2018	(575,712)	(570,746)	(570,746)	2024 Principal & Interest Payments
BALANCE	\$ 60,765	\$ 14,547	\$ 15,287	
COUNTY APPRAISER & TAX COLLECTOR ADMINISTRATIVE COSTS	(3,427)	(10,984)	(10,984)	One Percent Of Total Assessment Roll
DISCOUNTS FOR EARLY PAYMENTS	(41,741)	(43,940)	(43,940)	Four Percent Of Total Assessment Roll
EXCESS/ (SHORTFALL)	\$ 15,597	\$ (40,377)	\$ (39,637)	
CARRYOVER FROM PRIOR YEAR	0	40,377	39,637	Carryover From Prior Year
NET EXCESS/ (SHORTFALL)	\$ 15,597	\$ -	\$ -	

Note: Projected Available Funds Balance As Of 9-30-23 is \$160,000

DETAILED PROPOSED DEBT SERVICE (SERIES 2015) FUND BUDGET**VILLAGE WALK OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT****FISCAL YEAR 2023/2024****OCTOBER 1, 2023 - SEPTEMBER 30, 2024**

	FISCAL YEAR 2021/2022	FISCAL YEAR 2022/2023	FISCAL YEAR 2023/2024	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	853	25	100	Projected Interest For 2023/2024
NAV Collection	381,071	377,775	377,775	Maximum Debt Service Collection
Total Revenues	\$ 381,924	\$ 377,800	\$ 377,875	
EXPENDITURES				
Principal Payments	230,000	235,000	240,000	Principal Payment Due In 2024
Interest Payments	146,831	136,981	129,525	Interest Payments Due In 2024
Bond Redemption	10,000	5,819	8,350	Estimated Excess Debt Collections
Total Expenditures	\$ 386,831	\$ 377,800	\$ 377,875	
Excess/ (Shortfall)	\$ (4,907)	\$ -	\$ -	

Series 2015 Bond Refunding Information

Original Par Amount =	\$5,625,000	Annual Principal Payments Due =	May 1st
Interest Rate =	2.00% - 3.625%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	January 2015		
Maturity Date =	May 2036		
Par Amount As Of 1/1/2023 =	\$4,075,000		

DETAILED PROPOSED DEBT SERVICE (SERIES 2018) FUND BUDGET**VILLAGE WALK OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT****FISCAL YEAR 2023/2024****OCTOBER 1, 2023 - SEPTEMBER 30, 2024**

	FISCAL YEAR 2021/2022	FISCAL YEAR 2022/2023	FISCAL YEAR 2023/2024	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	758	25	100	Projected Interest For 2023/2024
NAV Collection	575,712	570,746	570,746	Maximum Debt Service Collection
Total Revenues	\$ 576,470	\$ 570,771	\$ 570,846	
EXPENDITURES				
Principal Payments	346,000	358,000	370,000	Principal Payment Due In 2024
Interest Payments	228,898	211,835	200,005	Interest Payments Due In 2024
Bond Redemption	0	936	841	Estimated Excess Debt Collections
Total Expenditures	\$ 574,898	\$ 570,771	\$ 570,846	
Excess/ (Shortfall)	\$ 1,572	\$ -	\$ -	

Series 2018 Bond Refunding Information

Original Par Amount =	\$8,382,000	Annual Principal Payments Due =	May 1st
Interest Rate =	3.25% - 5.15%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	January 2018		
Maturity Date =	May 2037		
Par Amount As Of 1/1/2023 =	\$6,697,000		

Village Walk Community Development District Assessment Comparison

Lot Size		Fiscal Year 2020/2021 Assessment*	Fiscal Year 2021/2022 Assessment*	Fiscal Year 2022/2023 Assessment*	Fiscal Year 2023/2024 Projected Assessment*
Phases I & 2					
Townhome 26'	O & M	\$ 60.46	\$ 60.46	\$ 60.46	\$ 60.46
Cayman	Debt	\$ 494.57	\$ 494.57	\$ 494.57	\$ 494.57
	Total	\$ 555.03	\$ 555.03	\$ 555.03	\$ 555.03
Duplex 36'	O & M	\$ 60.46	\$ 60.46	\$ 60.46	\$ 60.46
Capri	Debt	\$ 494.57	\$ 494.57	\$ 494.57	\$ 494.57
	Total	\$ 555.03	\$ 555.03	\$ 555.03	\$ 555.03
Single Family 50'	O & M	\$ 60.46	\$ 60.46	\$ 60.46	\$ 60.46
Oakmont	Debt	\$ 581.92	\$ 581.92	\$ 581.92	\$ 581.92
	Total	\$ 642.38	\$ 642.38	\$ 642.38	\$ 642.38
Single Family 60'	O & M	\$ 60.46	\$ 60.46	\$ 60.46	\$ 60.46
Carlyle	Debt	\$ 669.25	\$ 669.25	\$ 669.25	\$ 669.25
	Total	\$ 729.71	\$ 729.71	\$ 729.71	\$ 729.71
Phases 3 & 4					
Townhome 26'	O & M	\$ 60.46	\$ 60.46	\$ 60.46	\$ 60.46
Cayman	Debt	\$ 541.00	\$ 541.00	\$ 541.00	\$ 541.00
	Total	\$ 601.46	\$ 601.46	\$ 601.46	\$ 601.46
Duplex 36'	O & M	\$ 60.46	\$ 60.46	\$ 60.46	\$ 60.46
Capri	Debt	\$ 541.00	\$ 541.00	\$ 541.00	\$ 541.00
	Total	\$ 601.46	\$ 601.46	\$ 601.46	\$ 601.46
Single Family 40'	O & M	\$ 60.46	\$ 60.46	\$ 60.46	\$ 60.46
Garden	Debt	\$ 611.00	\$ 611.00	\$ 611.00	\$ 611.00
	Total	\$ 671.46	\$ 671.46	\$ 671.46	\$ 671.46
Single Family 50'	O & M	\$ 60.46	\$ 60.46	\$ 60.46	\$ 60.46
Oakmont	Debt	\$ 636.00	\$ 636.00	\$ 636.00	\$ 636.00
	Total	\$ 696.46	\$ 696.46	\$ 696.46	\$ 696.46
Single Family 50'	O & M	\$ 60.46	\$ 60.46	\$ 60.46	\$ 60.46
Classic	Debt	\$ 719.00	\$ 719.00	\$ 719.00	\$ 719.00
	Total	\$ 779.46	\$ 779.46	\$ 779.46	\$ 779.46
Single Family 60'	O & M	\$ 60.46	\$ 60.46	\$ 60.46	\$ 60.46
Carlyle	Debt	\$ 732.00	\$ 732.00	\$ 732.00	\$ 732.00
	Total	\$ 792.46	\$ 792.46	\$ 792.46	\$ 792.46
Single Family 65'	O & M	\$ 60.46	\$ 60.46	\$ 60.46	\$ 60.46
Estate	Debt	\$ 821.00	\$ 821.00	\$ 821.00	\$ 821.00
	Total	\$ 881.46	\$ 881.46	\$ 881.46	\$ 881.46

* Assessments Include the Following :
4% Discount for Early Payments
1% County Tax Collector Costs/Property Appraiser Costs

Community Information:

Phase I			Maximum Annual Debt Assessment	Bond Prepayments	
No. of Units	Type	Name			
126	Townhome	Cayman	\$ 494.57	1	
356	Duplex	Capri/Carrington	\$ 494.57	4	
195	SF	Oakmont	\$ 581.92	1	
73	SF	Carlyle	\$ 669.25	0	
750				6	
Phase II			Maximum Annual Debt Assessment	Bond Prepayments	Lot Differential Prepayment*
No. of Units	Type	Name			
112	Townhouse	Cayman	\$ 541	0	0
76	Duplex	Capri/Carrington	\$ 541	0	0
307	SF	Garden	\$ 611	0	(133)
127	SF	Oakmont	\$ 636	0	(10)
215	SF	Classic	\$ 719	0	64
33	SF	Carlyle	\$ 732	0	0
74	SF	Estate	\$ 821	0	40
944				0	-39

* Developer made Bond Prepayment in November 2015 for 39 lot differential (143 Units replaced with 104 Units)

Phase 1	750
Phase 2	905
Total Units	1655

MEMORANDUM

TO: VILLAGEWALK OF BONITA SPRINGS COMMUNITY DEVELOPMENT
DISTRICT BOARD OF SUPERVISORS

FROM: WESLEY S. HABER

DATE: MARCH 16, 2023

RE: PUBLIC RECORDS RETENTION

The purpose of this memorandum and attached resolutions are to update and/or establish the District's Records Retention Policy, including to reflect management of transitory messages and establishment that the electronic record is considered the official record.

The District essentially has two options to ensure compliance with applicable Records Retention laws.

First, the District can adopt the Florida Records Retention Schedules modified to ensure the District is also retaining the records required by federal law and the trust indenture. This option allows for the timely destruction of records while ensuring that the District's policy is in compliance with state and federal laws. Kutak Rock has prepared a resolution that implements this option, and it is attached hereto as **Option 1**.

Second, a District can adopt the Florida Records Retention Schedules as written and adopt a policy that states that the District will not be destroying any records at this point in time, with the exception of Transitory Messages. Kutak Rock has prepared a resolution that implements this option, and it is attached hereto as **Option 2**.

It is important to note that the District could change its Records Retention policy at a later date so long as the District's amendment was consistent with the notice and hearing provisions found in Chapter 190.

OPTION 1

RESOLUTION 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE VILLAGEWALK OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR THE APPOINTMENT OF A RECORDS MANAGEMENT LIAISON OFFICER; PROVIDING THE DUTIES OF THE RECORDS MANAGEMENT LIAISON OFFICER; ADOPTING A RECORDS RETENTION POLICY; DETERMINING THE ELECTRONIC RECORD TO BE THE OFFICIAL RECORD; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Villagewalk of Bonita Springs Community Development District (the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, Section 257.36(5), *Florida Statutes*, requires the District to establish and maintain an active and continuing program for the economical and efficient management of records and to provide for the appointment of a records management liaison officer ("Records Management Liaison Officer"); and

WHEREAS, the District desires for the Records Management Liaison Officer to be an employee of the District or an employee of the District Manager; and

WHEREAS, the District desires to authorize the District's records custodian to appoint a Records Management Liaison Officer, which may or may not be the District's records custodian; and

WHEREAS, the District desires to prescribe duties of the Records Management Liaison Officer and provide for the assignment of additional duties; and

WHEREAS, the District's Board of Supervisors ("Board") finds that it is in the best interests of the District to adopt by resolution a Records Retention Policy (the "Policy") for immediate use and application; and

WHEREAS, the District desires to provide for future amendment of the Records Retention Policy.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE VILLAGEWALK OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The District hereby authorizes the District's records custodian to appoint a Records Management Liaison Officer and report such appointment to the appropriate State of Florida agencies. A Records Management Liaison Officer shall be an employee of the District or

the District Manager. The Board, and the District's records custodian, shall each have the individual power to remove the Records Management Liaison Officer at any time for any reason. Immediately following the removal or resignation of a Records Management Liaison Officer, the District's records custodian shall appoint a replacement Records Management Liaison Officer.

SECTION 2. The duties of the Records Management Liaison Officer shall include the following:

- A.** Serve as the District's contact with the Florida Department of State, State Library and Archives of Florida;
- B.** Coordinate the District's records inventory;
- C.** Maintain records retention and disposition forms;
- D.** Coordinate District records management training;
- E.** Develop records management procedures consistent with the attached Records Retention Policy, as amended;
- F.** Participate in the development of the District's development of electronic record keeping systems;
- G.** Submit annual compliance statements;
- H.** Work with the Florida Department of State, State Library and Archives of Florida to establish individual retention schedules for the District, from time to time and as may be necessary; and
- I.** Such other duties as may be assigned by the Board or the District's records custodian in the future.

SECTION 3. The District hereby adopts as its Records Retention Policy the applicable provisions of Section 257.36(5), *Florida Statutes*, the rules adopted by the Division of Library and Information Services of the Department of State ("Division") pursuant to Section 257.36, *Florida Statutes*, and the General Records Schedules established by the Division. However, the District will retain certain records longer than required by the General Records Schedules established by the Division as set forth in **Exhibit A**. To the extent the above statute, rules or schedules are amended or supplemented in the future, the District's Records Retention Policy shall automatically incorporate such amendment or supplement provided that such automatic amendment shall not reduce the retention times set forth in **Exhibit A**. The Records Retention Policy shall remain in full force and effect until such time as the Board amends the Policy.

SECTION 4. In accordance with section 668.50, Florida Statutes, and section 119.01, Florida Statutes, the Board finds that the electronic record shall be considered the official record

and any paper originals are hereby duplicates which may be disposed of unless required to be preserved by any applicable statute, rule or ordinance.

SECTION 5. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 6. This resolution shall become effective upon its passage; shall replace, supplant, and supersede any prior policy or resolution of the District regarding records retention; and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 18th day of April 2023.

ATTEST:

**VILLAGEWALK OF BONITA SPRINGS COMMUNITY
DEVELOPMENT DISTRICT**

Secretary / Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: District Amendments to General Records Schedules Established by the Division

Exhibit A

District Amendments to General Records Schedules established by the Division

ADVERTISEMENTS: LEGAL (Item #25)

The District shall retain mailed and published legal advertisements, and corresponding affidavits, relating to proceedings under uniform method of collection of debt assessments permanently. The District shall retain mailed and published legal advertisements, and corresponding affidavits, relating to the levy of assessments securing bonds for five (5) fiscal years provided applicable audits have been released, or until three (3) calendar years after related bonds are redeemed, whichever is later.

AUDITS: INDEPENDENT (Item #56)

The District shall retain the record copy of independent audits for ten (10) fiscal years or until three (3) calendar years after all related bonds are redeemed, whichever is later.

DISBURSEMENT RECORDS: DETAIL (Item #340)

The District shall retain the record copy of disbursement records relating to the use of bonds for five (5) fiscal years provided applicable audits have been released or until three (3) calendar years after related bonds are redeemed, whichever is later.

DISBURSEMENT RECORDS: SUMMARY (Item #341)

The District shall retain the record copy of disbursement records relating to the use of bonds for ten (10) fiscal years provided applicable audits have been released or until three (3) calendar years after related bonds are redeemed, whichever is later.

FINANCIAL REPORTS: LOCAL GOVERNMENT ANNUAL REPORTS (Item #107)

The District shall retain the record copy of disbursement records relating to the use of bonds for ten (10) fiscal years provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later.

INCIDENT REPORT FILES (Item #241)

The District shall retain incident reports for five (5) anniversary years from the date of the incident.

MINUTES: OFFICIAL MEETINGS (PRELIMINARY/AUDIO RECORDINGS/VIDEO RECORDINGS (Item #4)

The District shall retain audio recordings of board of supervisor meetings for five (5) calendar years after adoption of the official minutes.

PROJECT FILES: CAPITAL IMPROVEMENT (Item #136)

The District shall retain the record copy of project files for projects funded with bonds for ten (10) fiscal years after completion of the project provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later.

REAL PROPERTY RECORDS: CONDEMNATION/DEMOLITION (Item #364)

The District shall retain the record copy of project files for condemnation/demolition projects funded with bonds for five (5) anniversary years after final action or until three (3) calendar years after all related bonds are redeemed, whichever is later. The record copy of deeds and easements shall be kept permanently.

REAL PROPERTY RECORDS: PROPERTY ACQUIRED (Item #172)

The District shall retain the record copy of documents related to property acquisitions funded with bonds for three (3) fiscal years after final disposition of the property provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later. The record copy of deeds and easements shall be kept permanently.

OPTION 2

RESOLUTION 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE VILLAGEWALK OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR THE APPOINTMENT OF A RECORDS MANAGEMENT LIAISON OFFICER; PROVIDING THE DUTIES OF THE RECORDS MANAGEMENT LIAISON OFFICER; ADOPTING A RECORDS RETENTION POLICY; DETERMINING THE ELECTRONIC RECORD TO BE THE OFFICIAL RECORD; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, Section 257.36(5), *Florida Statutes*, requires the District to establish and maintain an active and continuing program for the economical and efficient management of records and to provide for the appointment of a records management liaison officer (“Records Management Liaison Officer”); and

WHEREAS, the District desires for the Records Management Liaison Officer to be an employee of the District or an employee of the District Manager; and

WHEREAS, the District desires to authorize the District’s records custodian to appoint a Records Management Liaison Officer, which may or may not be the District’s records custodian; and

WHEREAS, the District desires to prescribe duties of the Records Management Liaison Officer and provide for the assignment of additional duties; and

WHEREAS, the District’s Board of Supervisors (“Board”) finds that it is in the best interests of the District to adopt by resolution a Records Retention Policy (the “Policy”) for immediate use and application; and

WHEREAS, the District desires to provide for future amendment of the Records Retention Policy.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE VILLAGEWALK OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The District hereby authorizes the District’s records custodian to appoint a Records Management Liaison Officer and report such appointment to the appropriate State of Florida agencies. A Records Management Liaison Officer shall be an employee of the District or

the District Manager. The Board, and the District's records custodian, shall each have the individual power to remove the Records Management Liaison Officer at any time for any reason. Immediately following the removal or resignation of a Records Management Liaison Officer, the District's records custodian shall appoint a replacement Records Management Liaison Officer.

SECTION 2. The duties of the Records Management Liaison Officer shall include, but not be limited to, the following:

- A.** Serve as the District's contact with the Florida Department of State, State Library and Archives of Florida;
- B.** Coordinate the District's records inventory;
- C.** Maintain records retention and disposition forms;
- D.** Coordinate District records management training;
- E.** Develop records management procedures consistent with the attached Records Retention Policy, as amended;
- F.** Participate in the District's development of electronic record keeping systems.
- G.** Submit annual compliance statements;
- H.** Work with the Florida Department of State, State Library and Archives of Florida to establish individual retention schedules for the District, from time to time and as may be necessary; and
- I.** Such other duties as may be assigned by the Board or the District's records custodian in the future.

SECTION 3. The District hereby adopts as its Records Retention Policy the applicable provisions of Section 257.36(5), *Florida Statutes*, the rules adopted by the Division of Library and Information Services of the Department of State ("Division") pursuant to Section 257.36, *Florida Statutes*, and the General Records Schedules established by the Division. However, the District hereby extends the minimum retention guidelines contained in the General Records Schedules so that the District will retain all public records relating to District business until the Board of Supervisors amends the Records Retention Policy to address the disposition of the same. Notwithstanding the foregoing, the District shall only retain Transitory Messages until the Transitory Message is obsolete, superseded or administrative value is lost in accordance with *the General Records Schedule for State and Local Government Agencies, Item #146*, as incorporated by reference in Rule 1B-24.003(1)(a), Florida Administrative Code. To the extent the above statute, rules, or schedules are amended or supplemented in the future, the District's Records Retention Policy shall automatically incorporate such amendment or supplement provided that such automatic change does not permit the disposition of District records without further action

of the Board. The Records Retention Policy shall remain in full force and effect until such time as the Board amends the Policy.

SECTION 4. In accordance with section 668.50, Florida Statutes, and section 119.01, Florida Statutes, the Board finds that the electronic record shall be considered the official record and any paper originals are hereby duplicates which may be disposed of unless required to be preserved by any applicable statute, rule or ordinance.

SECTION 5. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 6. This resolution shall become effective upon its passage; shall replace, supplant, and supersede any prior policy or resolution of the District regarding records retention; and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 18th day of April 2023.

ATTEST:

**VILLAGEWALK OF BONITA SPRINGS COMMUNITY
DEVELOPMENT DISTRICT**

Secretary / Assistant Secretary

Chairperson, Board of Supervisors

Composite Exhibit A: General Records Schedules, GS1-SL and GS3

Composite Exhibit A

General Records Schedules Established by the Division (GS1-SL and GS3)

[attach, if Option 2 adopted]