

## 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.*

### PORTICO COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Portico Community Development District was held on **Thursday, November 15, 2018 at 10:16 a.m.** at the office of Rizzetta & Company, Inc., located at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912.

Present and constituting a quorum:

David Caldwell	<b>Board Supervisor, Chairman</b>
Barry Ernst	<b>Board Supervisor, Vice Chairman</b>
Scott Edwards	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Belinda Blandon	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Mike Eckert	<b>District Counsel, Hopping Green &amp; Sams P.A.</b>
Michelle Rigoni	<b>District Counsel, Hopping Green &amp; Sams P.A.</b> <b>(via speaker phone)</b>
David Robson	<b>Johnson Engineering, Inc.</b>

#### FIRST ORDER OF BUSINESS

#### Call to Order

Ms. Blandon called the meeting to order and read the roll call. Ms. Blandon stated for the record that she administered to oath of office to Mr. Ernst and Mr. Edwards prior to the onset of the Board of Supervisors' meeting. Ms. Blandon further advised that both Mr. Ernst and Mr. Edwards elected to waive Supervisor Compensation

#### SECOND ORDER OF BUSINESS

#### Public Comment

Ms. Blandon stated for the record that no members of the public were present.

#### THIRD ORDER OF BUSINESS

#### Consideration of the Minutes of the Audit Committee Meeting held on August 16, 2018

Ms. Blandon presented the Minutes of the Audit Committee meeting held on August 16, 2018, and asked if there were any additions, deletions, or corrections to the Minutes. There were none.

On a Motion by Mr. Caldwell, seconded by Mr. Edwards, with all in favor, the Board Accepted the Minutes of the Audit Committee Meeting held on August 16, 2018, for the Portico Community Development District.

**FOURTH ORDER OF BUSINESS**

**Consideration of the Minutes of the Board of Supervisors' Meeting held on August 16, 2018**

Ms. Blandon presented the Minutes of the Board of Supervisors' meeting held on August 16, 2018, and asked if there were any additions, deletions, or corrections to the Minutes. There were none.

On a Motion by Mr. Ernst, seconded by Mr. Caldwell, with all in favor, the Board Approved the Minutes of the Board of Supervisors' Meeting held on August 16, 2018, for the Portico Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of the Operations and Maintenance Expenditures for the Months of July, August, and September 2018**

Ms. Blandon advised the expenditures for the period of July 1-31, 2018 total \$15,499.50, the expenditures for the period of August 1-31, 2018 total \$9,615.03, and the expenditures for the period of September 1-30, 2018 total \$22,530.24. She asked if there were any questions regarding any item of expenditure. There were none.

On a Motion by Mr. Ernst, seconded by Mr. Caldwell, with all in favor, the Board Approved the Operations and Maintenance Expenditures for the Months of July, August, and September 2018, for the Portico Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-01, Canvassing and Certifying Results of the November 25, 2018 Landowner Election**

Ms. Blandon provided an overview of the resolution advising that the Landowner's Election was held prior to the onset of the Board of Supervisors' meeting and the results were as follows: Mr. Scott Edwards received 265 votes and will fill seat 3 with a two-year term, Mr. Barry Ernst 266 votes and will fill seat 4 with a four-year term, and Mr. Russell Smith received 266 votes and will fill seat 5 with a four-year term. Ms. Blandon asked if there were any questions. There were none.

On a Motion by Mr. Ernst, seconded by Mr. Edwards, with all in favor, the Board Adopted Resolution 2019-01, Canvassing and Certifying Results of the Landowner's Election held on November 15, 2018, for the Portico Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-02,  
Appointing Officers of the District**

Ms. Blandon presented resolution 2019-02 and advised that after an election it is appropriate to designate officers of the District.

On a Motion by Mr. Edwards, seconded by Mr. Ernst, with all in favor, the Board Adopted Resolution 2019-02, Designating Officers of the District as follows: Mr. David Caldwell to Serve as Chairman, Mr. Barry Ernst to Serve as Vice Chairman, and Mr. Scott Edwards, Mr. Russell Smith, Mr. Chris Hasty, Ms. Belinda Blandon, and Mr. Joe Roethke to Serve as Assistant Secretaries, for the Portico Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Earth Tech  
Environmental Proposal for 2019  
Preserve Maintenance**

Ms. Blandon provided an overview of the Earth Tech Environmental Proposal for 2019 Preserve Maintenance advising that the proposal calls for four events in February, May, September, and December at a cost of \$15,000.00.

On a Motion by Mr. Caldwell, seconded by Mr. Ernst, with all in favor, the Board Approved the Proposal from Earth Tech Environmental for 2019 Preserve Maintenance, in the Amount of \$15,000.00, for the Portico Community Development District.

**NINTH ORDER OF BUSINESS**

**Acceptance of Contract for  
Professional District Services**

Ms. Blandon provided an overview of the Contract advising that agreement reflects the increase for accounting services, as approved in the 2019 Budget. Mr. Eckert provided an overview of the agreement.

On a Motion by Mr. Ernst, seconded by Mr. Edwards, with all in favor, the Board Accepted the Contract for Professional District Services, for the Portico Community Development District.

**TENTH ORDER OF BUSINESS**

**Discussion Regarding Deferred Costs**

Mr. Eckert provided an overview of deferred costs sub accounts which are used to pay back the developer for funds expended by the developer for the benefit of the District. He advised that currently there is approximately \$200,000.00 and he is working with the District Manager to confirm that there are requisitions that have been approved but not paid in at least the amount of deferred costs funds in the account. If there are not any requisitions that have been approved and not paid then the District would hold off until such time as there is a requisition to be paid in at least the amount in the deferred cost sub account. Discussion ensued regarding what the project entails and has it been deemed complete. Mr. Robson confirmed that at this point he cannot deem the project complete based upon the Engineer's Report. Discussion ensued. Mr. Robson advised that there is an asset map which identifies the requisitions for infrastructure and he will ensure a copy is sent to Mr. Caldwell.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

- A. District Counsel  
Mr. Eckert advised that he would like to further discuss the responsibilities related to pond bank repairs. Mr. Caldwell advised that the lot owners own to the water's edge and the District owns the pond water management areas; and so, if or when erosion occurs on the pond bank, owned by the lot owner, monies are in the Association budget for repair of the pond banks for erosion, should it occur. Mr. Eckert advised that the District has the right but not the obligation to maintain the pond banks, the HOA has the right to maintain the pond banks per the covenants and restrictions, and the HOA has the affirmative duty to maintain the pond banks per the plat. Mr. Eckert advised that if the HOA needs to physically get in the pond to perform lake bank repairs then a document with the CDD can be drafted to identify requirements for the vendor conducting the repairs. Mr. Caldwell advised that the responsibility of pond bank maintenance and repairs will be on the HOA and they will begin budgeting for this in the 2019 budget.
  
- B. District Engineer  
Mr. Robson advised he had no report.
  
- C. District Manager  
Ms. Blandon advised the next meeting of the Board of Supervisors is scheduled for Thursday, February 21, 2019 at 10:00 a.m.

**TWELFTH ORDER OF BUSINESS**

**Supervisor Requests and Comments**

Ms. Blandon opened the floor for Supervisor requests or comments. There were none.

**THIRTEENTH ORDER OF BUSINESS**

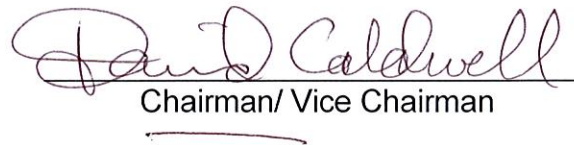
**Adjournment**

Ms. Blandon advised there is no further business to come before the Board and asked for a motion to adjourn.

On a Motion by Mr. Caldwell, seconded by Mr. Ernst, with all in favor, the Board adjourned the meeting at 10:36 a.m. for the Portico Community Development District.



Secretary/Assistant Secretary



Chairman/ Vice Chairman