

**BERRY BAY
COMMUNITY DEVELOPMENT DISTRICT**

March 26, 2020 Minutes of Special Organizational Meeting

Minutes of the Special Organizational Meeting

The Special Organizational Meeting of the Board of Supervisors for the Berry Bay Community Development District was held on **Friday, March 26, 2020 at 2:00 p.m.** via conference call at 1-866-906-9330 with access code 4863181.

1. CALL TO ORDER

Debby Nussel called the Special Organizational Meeting of the Board of Supervisors of the Berry Bay Community Development District to order on **Friday, March 26, 2020 at 2:21 p.m.**

Board Members Present and Constituting a Quorum:

- Jeff Hills Supervisor
- Ryan Motko Supervisor
- Steve Luce Supervisor
- Nick Dister Supervisor
- Albert Viera Supervisor

Staff Members Present:

- Brian Lamb District Manager, Meritus
- Debby Nussel District Manager, Meritus
- John Vericker District Counsel, Straley Robin Vericker
- Tonja Stewart District Engineer, Stantec

There were no members of the general public in attendance.

2. PUBLIC COMMENT PERIOD

There were no public comments.

3. ADMINISTER OATHS OF OFFICE TO BOARD ASSIGNED IN PETITION

Mr. Lamb stated that the new Board members already have been sworn in and their Oaths of Office are on record.

4. SEAT NEW BOARD MEMBERS

A. Overview of Forms, Sunshine Amendment, Code of Ethics, Supervisor Responsibilities

Mrs. Nussel went over that the Board members are all well-versed in Sunshine Laws, the Code of Ethics, and supervisor responsibilities.

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5. APPOINTMENT OF OFFICERS – Resolution 2020-01

- A. Chairman**
- B. Vice Chairman**
- C. Secretary**
- D. Treasurer**
- E. Assistant Secretaries**

The Board discussed the officer positions. Supervisor Hills will be the Chair, and Supervisor Dister will be the Vice Chair. Brian Lamb with Meritus will be the Secretary, and Eric Davidson with Meritus will be the Treasurer. The rest of the Board will be Assistant Secretaries, and Brian Howell with Meritus will be an additional Assistant Secretary.

MOTION TO:	Approve Resolution 2020-01 as stated.
MADE BY:	Supervisor Hills
SECONDED BY:	Supervisor Luce
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

6. APPOINTMENT OF CONSULTANTS

A. Consider Appointment of District Manager/Assessment Consultant– Resolution 2020-02

Meritus will be the District Manager/Assessment Consultant.

B. Designation of Registered Agent/Office – Resolution 2020-03

Brian Lamb/Meritus will be the Registered Agent/Office.

C. Consider Appointment of District General Counsel – Resolution 2020-04

Straley Robin Vericker will be District Counsel.

D. Consider Appointment of Interim District Engineer – By Motion
i. Authorize RFQ for District Engineer

Stantec will be the Interim Engineer. The Board authorized an RFQ for District Engineer.

E. Consider Appointment of Bond Counsel – Akerman, LLP

Ackerman, LLP will be Bond Counsel.

94 **F. Consider Appointment of Investment Banker – FMS Bonds**

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96 FMS Bonds will be the Investment Banker.

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98 **G. Consider Appointment of Trustee – US Bank**

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100 US Bank will be the Trustee.

MOTION TO:	Approve the appointment of consultants as stated, subject to review of the Chair.
MADE BY:	Supervisor Dister
SECONDED BY:	Supervisor Hills
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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111 **7. BUSINESS MATTERS**

- 112 **A. Consider Authorizing Notice of Establishment – Resolution 2020-05**
- 113 **B. Consider Policy of Compensation for Board Members – Resolution 2020-06**
- 114 **C. Consider Policy of Reimbursement of District Travel Expenses – Resolution**
- 115 **2020-07**
- 116 **D. Consider Designation of Primary Administrative Officer and Local Records**
- 117 **Office – Resolution 2020-08**
- 118 **E. Consider District Records Retention Schedule – Resolution 2020-09**
- 119 **F. Consider Fiscal Year 2020 Regular Meeting Schedule and Location – Resolution**
- 120 **2020-10**
- 121 **G. Consider Landowners’ Meeting Date, Time, and Location – Resolution 2020-11**
- 122 **H. Consider Proposed FY 2020 Annual Budget & Set Public Hearing – Resolution**
- 123 **2020-12**
- 124 **I. Set Public Hearing for Uniform Method of Collections – Resolution 2020-13**
- 125 **J. Consider Rules of Procedure & Setting Public Hearing – Resolution 2020-14**
- 126 **K. Consider Policy Re: Support & Legal Defense for Board & Staff – Resolution**
- 127 **2020-15**
- 128 **L. Authorization to Obtain General Liability and Public Officers Insurance – By**
- 129 **Motion**
- 130 **M. Consider Designation of a Qualified Public Depository – Resolution 2020-16**
- 131 **N. Authorization of Signatories – Resolution 2020-17**
- 132 **O. Authorization to Disburse Funds for Expenses – Resolution 2020-18**
- 133 **P. Consideration Adoption of Investment Policy – Resolution 2020-19**
- 134 **Q. Consider Approval of Florida Statewide Mutual Aid Agreement – Resolution**
- 135 **2020-20**
- 136 **R. Consider Provisions for Public Comments – Resolution 2020-21**
- 137 **S. Consider Authorization of RFP for Auditing Services**
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139 Mr. Lamb went over all of the Business Items with the Board. All of the Board members waived
140 the supervisor fees. The Landowners election and public hearings will be held on May 7, 2020 at
141 2:00 p.m. at the office of Meritus. The Board authorized obtaining general liability and public
142 officers insurance. The Board appointed the Board as the Audit Committee and authorized the
143 RFP for auditing services.
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145	MOTION TO:	Approve Business Matters A-S as stated.
146	MADE BY:	Supervisor Dister
147	SECONDED BY:	Supervisor Hills
148	DISCUSSION:	None further
149	RESULT:	Called to Vote: Motion PASSED
150		5/0 - Motion Passed Unanimously

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153 **8. PRELIMINARY REPORT PRESENTATION – ASSESSMENT BONDS**
154 **A. Consider Engineer’s Validation Report**
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156 Ms. Stewart reviewed the Engineer’s Validation Report with the Board.
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158	MOTION TO:	Approve the Engineer’s Validation Report in 159 substantial form, subject to review of various 160 counsels.
161	MADE BY:	Supervisor Hills
162	SECONDED BY:	Supervisor Dister
163	DISCUSSION:	None further
164	RESULT:	Called to Vote: Motion PASSED
165		5/0 - Motion Passed Unanimously

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B. Consider Master Assessment Methodology Report

169 Mr. Lamb reviewed the Master Assessment Methodology Report with the Board.
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171	MOTION TO:	Approve the Master Assessment Methodology Report 172 in substantial form.
173	MADE BY:	Supervisor Dister
174	SECONDED BY:	Supervisor Hills
175	DISCUSSION:	None further
176	RESULT:	Called to Vote: Motion PASSED
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C. Authorizing Issuance of Bonds/Filing of Validation Complaint – Resolution 2020-22
i. Master Trust Indenture

Mr. Vericker went over the resolution with the Board.

MOTION TO:	Approve Resolution 2020-22 in substantial form.
MADE BY:	Supervisor Hills
SECONDED BY:	Supervisor Dister
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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D. Consider Declaring Special Assessments – Resolution 2020-23

Mr. Lamb went over the resolution with the Board.

MOTION TO:	Approve Resolution 2020-23.
MADE BY:	Supervisor Hills
SECONDED BY:	Supervisor Dister
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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E. Consider Setting Public Hearing for Special Assessments – Resolution 2020-24

Mr. Lamb went over the resolution with the Board. The public hearing will be held on May 7, 2020 at 2:00 p.m.

MOTION TO:	Approve Resolution 2020-24.
MADE BY:	Supervisor Dister
SECONDED BY:	Supervisor Hills
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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F. Consider Authorization of Chairman to Accept or Execute Certain Documents – Resolution 2020-25

Mr. Lamb reviewed the resolution with the Board.

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MOTION TO:	Approve Resolution 2020-25.
MADE BY:	Supervisor Hills
SECONDED BY:	Supervisor Dister
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

G. Other Matters Related to Financing

9. ADMINISTRATIVE MATTERS

A. Request for Working Capital – By Motion

Mr. Lamb went over that there will be some costs associated with bringing the District website into ADA compliance, obtaining insurance, and legal advertising.

10. STAFF REPORTS

- A. District Counsel**
- B. District Engineer**
- C. District Manager**

There were no further reports from staff at this time.

11. BOARD MEMBERS' COMMENTS

There were no Board member comments.

12. PUBLIC COMMENTS

There were no public comments.

257 **13. ADJOURNMENT**

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MOTION TO:	Adjourn.
MADE BY:	Supervisor Dister
SECONDED BY:	Supervisor Hills
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED
	5/0 - Motion Passed Unanimously

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**Please note the entire meeting is available on disc.*

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**These minutes were done in summary format.*

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**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 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.*

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275 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly**
276 **noticed meeting held on 08/06/2020.**

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Brian Lamb

Jeffery S. Hills

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Signature

Signature

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Brian Lamb

Jeffery S. Hills

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Printed Name

Printed Name

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Title:

Title:

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Secretary

Chairman

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Assistant Secretary

Vice Chairman

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Berry Bay Community Development District

SEAL

Recorded by Records Administrator

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Established March 11, 2020
Hillsborough County, Florida

Brittany Crutchfield

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Signature

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08/06/2020

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Official District Seal

Date

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