MINUTES OF MEETING
DEERING PARK STEWARDSHIP DISTRICT

The Board of Supervisors of the Deering Park Stewardship District held a Regular Meeting on April 6, 2022 at 3:00 p.m., at the Storch Law Firm, located at 420 S. Nova Road, Daytona Beach, Florida 32114-4514.

Present were:

Glenn Storch	Chair
Earl Underhill (via telephone)	Assistant Secretary
James (Jim) Boyd	Assistant Secretary
Matthew West	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC (WHA)
Jamie Sanchez	Wrathell, Hunt and Associates, LLC (WHA)
Jonathan Johnson (via telephone)	District Counsel
Mary DeMan (via telephone)	Miami Corporation Management, LLC
Robbie Lee	

FIRST ORDER OF BUSINESS **Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 3:00 p.m. Supervisors Storch, West and Boyd were present, in person. Supervisor Underhill was attending via telephone. One seat was vacant.

SECOND ORDER OF BUSINESS **Public Comments**

No members of the public spoke.

THIRD ORDER OF BUSINESS **Consider Appointment of Robbie Lee to Fill Unexpired Term of Seat 1; *Expires November, 2024***

Mr. Storch nominated Mr. Robbie Lee to fill Seat 1. No other nominations were made.

On MOTION by Mr. Storch and seconded by Mr. Boyd, with all in favor, the appointment of Mr. Robbie Lee to Seat 1, was approved.

Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Robbie Lee. She provided and explained the following items:

A. Administration of Oath of Office *(the following to be provided in a separate package)*

I. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees

II. Membership, Obligations and Responsibilities

III. Financial Disclosure Forms

a. Form 1: Statement of Financial Interests

b. Form 1X: Amendment to Form 1, Statement of Financial Interests

c. Form 1F: Final Statement of Financial Interests

IV. Form 8B: Memorandum of Voting Conflict

Ms. Cerbone recommended using the Stewardship District email address that Management is creating, when conducting District business.

The record retention policy, public records requests, recommendation to separate District files from business and personal files and copying Ms. Cerbone if using a different email to conduct District business, were discussed.

Ms. Cerbone stated Management will check on how the Supervisors' email addresses were set up and how the emails are processed, as emails might be processing through the District's email address and then be forwarded to the Supervisor's personal email address or emails might be sent directly to personal email addresses.

Mr. Johnson stated that the courts are becoming stricter about meeting obligations when responding to public records requests; therefore, Board Members who use their personal email address for District business should also always copy their District email address on all emails.

B. Consideration of Resolution 2022-01, Removing and Designating Certain Officers of the District and Providing for an Effective Date

Ms. Cerbone presented Resolution 2022-01 Mr. West nominated the following slate of officers:

Glenn Storch	Chair
Robbie Lee	Vice Chair
Matthew West	Assistant Secretary
Earl Underhill	Assistant Secretary
James (Jim) Boyd	Assistant Secretary
Cindy Cerbone	Assistant Secretary

No other nominations were made.

Prior appointments by the Board for Secretary, Treasurer and Assistant Treasurer remain unaffected by the Resolution.

On MOTION by Mr. West and seconded by Mr. Storch, with all in favor, Resolution 2022-01, Removing and Designating Certain Officers of the District and Providing for an Effective Date, as presented, was adopted.

FOURTH ORDER OF BUSINESS **Consideration of Resolution 2022-02, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; and Providing an Effective Date**

Ms. Cerbone presented Resolution 2022-02. She reviewed the proposed Fiscal Year 2023 budget, which reflects increases to certain budget line items that will only be realized if and when bonds are issued.

Ms. Deman noted that Ms. Hutchens reviewed the proposed Fiscal Year 2023 budget and her only comment was her request to avoid certain dates when setting the public hearing.

On MOTION by Mr. Lee and seconded by Mr. Boyd, with all in favor, Resolution 2022-02, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law for July 29, 2022 at 2:00 p.m., at the Storch Law Firm, located at 420 S. Nova Road, Daytona Beach, Florida 32114-4514; Addressing Transmittal, Posting and Publication Requirements; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS **Consideration of Resolution 2022-03, Designating a Date, Time, and Location for a Landowners' Meetings and Election; Providing for Publication; Establishing Forms for the Landowner Election; and Providing for Severability and an Effective Date**

Ms. Cerbone presented Resolution 2022-03. Seats 4 and 5, currently held by Supervisors Boyd and West, respectively, will be up for election at the Landowners' Meeting. She explained the meeting and election process and noted that Landowners may attend in person or appoint a proxyholder to cast votes. Board Members are not required to attend the Landowners' Meeting. Supervisors Boyd and West agreed to serve another term, if elected.

On MOTION by Mr. Storch and seconded by Mr. West, with all in favor, Resolution 2022-03, Designating a Date, Time, and Location of November 8, 2022 at 2:00 p.m., at the Storch Law Firm, located at 420 S. Nova Road, Daytona Beach, Florida 32114-4514 for a Landowners' Meetings and Election; Providing for Publication; Establishing Forms for the Landowner Election; and Providing for Severability and an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS **Ratification of HGS Transition Letter**

- **Consideration of Kutak Rock LLP Retention and Fee Agreement**

Mr. Johnson presented the executed Hopping Green & Sams (HGS) joint letter to transition District Counsel Services to Kutak Rock, LLP, and the Kutak Rock LLP Retention and Fee Agreement, which is identical in terms and rates to the HGS Agreement, apart from changing firms.

On MOTION by Mr. Storch and seconded by Mr. Lee, with all in favor, the HGS, P.A. and Kutak Rock LLP Transition Letter and the Kutak Rock, LLP Retention and Fee Agreement, to serve as District Counsel, were ratified and approved.

SEVENTH ORDER OF BUSINESS **Consideration of Resolution 2022-04, Authorizing and Approving Change of Designated Registered Agent and Registered Office; and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2022-04.

On MOTION by Mr. Boyd and seconded by Mr. Underhill, with all in favor, Resolution 2022-04, Authorizing and Approving Change of Designated Registered Agent to Mr. Jonathan Johnson and the Registered Office to the office of Kutak Rock, LLP, 107 W College Avenue, Tallahassee, Florida 32301; and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS **Discussion: Statutory Changes from 2021 Legislative Session**

Mr. Johnson and Ms. Cerbone provided the following updates:

A. Wastewater and Stormwater Needs Analysis

New legislation requires governmental entities to submit a 20-year Wastewater and Stormwater Management Needs Analysis Report to the County by June 30, 2022 and then every five years thereafter. A letter indicating that the District is not subject to this filing requirement will be submitted to the County, in lieu of a Report.

Mr. Johnson explained that the reporting obligation belongs to the entity responsible for maintaining and operating such systems. Upon completion of the stormwater system and if it remains with the District, the District will complete the reporting obligation during the next reporting cycle.

B. Prompt Payment Policies

The existing Prompt Payment Policies and Procedures were amended and restated to reflect legislative changes.

- **Consideration of Resolution 2022-05, Adopting Amended and Restated Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

Ms. Cerbone presented Resolution 2022-05.

On MOTION by Mr. Boyd and seconded by Mr. Lee, with all in favor, Resolution 2022-05, Adopting Amended and Restated Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS **Acceptance of Unaudited Financial Statements as of February 28, 2022**

Ms. Cerbone presented the Unaudited Financial Statements as of February 28, 2022. It was noted that Mr. Hutchens reviewed the unaudited financial statements and had no comments.

On MOTION by Mr. Storch and seconded by Mr. Boyd, with all in favor, the Unaudited Financial Statements as of February 28, 2022, were accepted.

TENTH ORDER OF BUSINESS **Consideration of July 30, 2021 Public Hearings and Regular Meeting Minutes**

Ms. Cerbone presented the July 30, 2021 Public Hearings and Regular Meeting Minutes. The following change was made:

Line 66: Change “2022” to “2021”

On MOTION by Mr. Storch and seconded by Mr. West, with all in favor, the July 30, 2021 Public Hearings and Regular Meeting Minutes, as amended, were approved.

ELEVENTH ORDER OF BUSINESS **Staff Reports**

A. District Counsel: *Kutak Rock LLP*

Mr. Johnson discussed the process of conveying legislative updates to the Board and the recent adoption of a "Lobbying Ban" amendment and a memorandum that provided direction to the Board. He opined that the Board Members do not meet the criteria as stated in the memorandum emailed to the Board.

B. District Manager: *Wrathell, Hunt and Associates, LLC*

- **NEXT MEETING DATE: ________________________**
  - **QUORUM CHECK**

The next meeting will be held on July 29, 2022.

TWELFTH ORDER OF BUSINESS **Board Members' Comments/Requests**

There were no Board Members' comments or requests.

THIRTEENTH ORDER OF BUSINESS **Public Comments**

There were no public comments.

FOURTEENTH ORDER OF BUSINESS **Adjournment**

There being no further business to discuss, the meeting adjourned.

On MOTION by Mr. Lee and seconded by Mr. Boyd, with all in favor, the meeting adjourned at 3:50 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

Cindy Cerbone
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Secretary/Assistant Secretary

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Chair/Vice Chair