MINUTES OF MEETING
LAKES AT COCOA GROVE COMMUNITY DEVELOPMENT DISTRICT

The Lakes at Cocoa Grove Community Development District held Public Hearings, a Regular Meeting and an Audit Committee Meeting on February 20, 2024, at 1:00 p.m., at the offices of BSE Consultants Inc., 312 S. Harbor City Blvd., Melbourne, Florida 32901.

Present at the meeting were:

Ana Laura Robayna	Chair
Brian Dominguez	Vice Chair
Omar Mesa	Assistant Secretary
Alicia Quiñones	Assistant Secretary

Also present:

Cindy Cerbone	District Manager
Jamie Sanchez	Wrathell, Hunt and Associates, LLC
Molly Maggiano (via telephone)	District Counsel
Jennifer Kilinski (via telephone)	Kilinski | Van Wyk PLLC
Hassan Kamal	District Engineer
Eduardo Robayna	Developer

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

Ms. Sanchez called the meeting to order at 1:00 p.m.

Ms. Sanchez noted that the Oath of Office was administered to Mr. Mesa and Ms. Quiñones prior to the meeting.

Supervisors Robayna, Dominguez, Mesa and Quiñones were present. Supervisor Nuñez was not present.

SECOND ORDER OF BUSINESS **Public Comments**

No members of the public were present.

▪ **Consideration of Financing Items**

This item, previously the Sixth Order of Business, was presented out of order.

A. Master Engineer's Report, dated February 20, 2024

Mr. Kamal reviewed the changes to the Master Engineer's Report dated February 20, 2024, which were based on input from Bond Counsel, Tax Bond Counsel and Ms. Kilinski.

Ms. Kilinski noted significant changes were made to the product types in Table A, which lists several variations amongst the planned unit types. Approval of the Engineer's Report and the Methodology Report are included as part of adopting the Assessment Resolution.

B. Special Assessment Methodology Report, dated February 20, 2024

Ms. Cerbone reviewed the changes to the Master Special Assessment Methodology Report dated February 20, 2024, which restates the same updates as the Engineer's Report, including transitioning to square footage instead of using a unit type or front footage.

To prepare for the bond validation, Ms. Cerbone stated District Management typically recommends spreading the maximum assessment costs across the entire project in case things change during the process; the amount will probably be lower than anticipated.

C. Resolution 2024-36, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in Which the Assessments are to Be Paid; Designating the Lands Upon Which the Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date

Ms. Kilinski presented Resolution 2024-36, which accomplishes the following:

- Declares the assessments and sets the public hearing on the Master Assessment Lien for March 21, 2024.
- Rescinds and replaces the previous assessment proceedings, as the key parties agreed it is best to apply assessments on a square footage basis, given the varied product types throughout the CDD.
- Approves the forms of the Engineer's Report and the Methodology Report.

On MOTION by Ms. Robayna and seconded by Mr. Mesa, with all in favor, Resolution 2024-36, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in Which the Assessments are to Be Paid; Designating the Lands Upon Which the Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings on March 21, 2024, at 10:00 a.m., at BSE Consultants, Inc., 312 S. Harbor City Blvd., Suite 4, Melbourne, Florida 32901; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date, was adopted.

THIRD ORDER OF BUSINESS **Administration of Oath of Office to Supervisors Omar Mesa and Alicia Quiñones**

This item was addressed during the First Order of Business.

Ms. Sanchez provided and explained the following items:

A. Required Ethics Training and Disclosure Filing

- **Sample Form 1 2023/Instructions**

B. Membership, Obligation and Responsibilities

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

D. Form 8B – Memorandum of Voting Conflict for County, Municipal and other Local Public Officers

FOURTH ORDER OF BUSINESS **Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for**

Severability; Providing for Conflict and Providing for an Effective Date

A. Affidavit/Proof of Publication

B. Consideration of Resolution 2024-33, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Lakes at Cocoa Grove Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Mr. Dominguez and seconded by Ms. Quiñones, with all in favor, the Public Hearing was opened.

No members of the public present and no affected property owners spoke.

On MOTION by Ms. Robayna and seconded by Mr. Mesa, with all in favor, the Public Hearing was closed.

Ms. Sanchez presented Resolution 2024-33 and read the title.

On MOTION by Ms. Robayna and seconded by Ms. Quiñones, with all in favor, Resolution 2024-33, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Lakes at Cocoa Grove Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS **Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Amenity Rates and Disciplinary Rule, Pursuant to Sections 120.54 and 190.035, Florida Statutes**

A. Affidavit/Proof of Publication

B. Consideration of Resolution 2024-34, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Mr. Mesa and seconded by Ms. Quiñones, with all in favor, the Public Hearing was opened.

There were no members of the public present.

On MOTION by Mr. Dominquez and seconded by Ms. Quiñones, with all in favor, the Public Hearing was closed.

On MOTION by Ms. Robayna and seconded by Mr. Dominguez, with all in favor, Resolution 2024-34, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

C. Consideration of Resolution 2024-35, Adopting Amenity Policies and Rates Including Suspension and Termination Policies; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Ms. Robayna and seconded by Ms. Quiñones, with all in favor, Resolution 2024-35, Adopting Amenity Policies and Rates Including Suspension and Termination Policies; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS **Consideration of Financing Items**

A. Master Engineer's Report, dated February 20, 2024

B. Special Assessment Methodology Report, dated February 20, 2024

C. Resolution 2024-36, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in Which the Assessments are to Be Paid; Designating the Lands Upon Which the

Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date

This Order of Business was presented following the Second Order of Business.

SEVENTH ORDER OF BUSINESS **Consideration of Resolution 2024-37, Ratifying the Action of the District Manager in Re-Setting the Date, Time and Location of the Public Hearing on the Proposed Budget for Fiscal Year 2023/2024; Amending Resolution 2024-21 to Reset the Hearing Thereon; Providing a Severability Clause; and Providing an Effective Date**

Ms. Sanchez presented Resolution 2024-37. Due to a quorum issue, it was necessary to reset the March 28, 2024 public hearing date to March 21, 2024.

On MOTION by Ms. Robayna and seconded by Mr. Dominguez, with all in favor, Resolution 2024-37, Ratifying the Action of the District Manager in Re-Setting the Date, Time and Location of the Public Hearing on the Proposed Budget for Fiscal Year 2023/2024; Amending Resolution 2024-21 to Reset the Hearing Thereon to March 21, 2024, at BSE Consultants, Inc., 312 S. Harbor City Blvd., Suite 4, Melbourne, Florida 32901; Providing a Severability Clause; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS **Consideration of Response(s) to Request for Qualifications (RFQ) for Engineering Services**

A. Affidavit of Publication

B. RFQ Package

C. Respondent: BSE Consultants, Inc.

D. Competitive Selection Criteria/Ranking

Ms. Sanchez stated that, as the only respondent to the RFQ for Engineering Services, the Board can rank BSE Consultants, Inc., as the #1 ranked respondent and award the contract.

E. Award of Contract

On MOTION by Ms. Robayna and seconded by Mr. Dominguez, with all in favor, awarding the District Engineering Services Contract to BSE Consultants, Inc., the #1 ranked respondent to the RFQ for Engineering Services, and authorizing District Staff to negotiate the District Engineering Services contract with BSE Consultants, Inc., was approved.

NINTH ORDER OF BUSINESS **Recess Regular Meeting/Commencement of Audit Selection Committee Meeting**

On MOTION by Ms. Robayna and seconded by Mr. Dominguez, with all in favor, the Regular Meeting recessed and the Audit Selection Committee Meeting commenced.

TENTH ORDER OF BUSINESS **Review of Responses to Request for Proposals (RFP) for Annual Audit Services**

A. Affidavit of Publication

B. RFP Package

C. Respondents

I. Berger, Toombs, Elam, Gaines & Frank

II. Grau & Associates

Ms. Sanchez stated that she has worked with both respondents and voiced her opinion that both are highly qualified to perform the CDD's annual audit.

D. Auditor Evaluation Matrix/Ranking

Ms. Sanchez shared her proposed scores and ranking, as follows, in which she scored each respondent the full points in each category, except in the price category:

#1	Berger, Toombs, Elam, Gaines & Frank	100 points
#2	Grau & Associates	99 points

Ms. Cerbone stated that Berger, Toombs, Elam, Gaines & Frank bid $4,445 with bonds and Grau & Associates bid $4,700 with bonds.

On MOTION by Ms. Robayna and seconded by Mr. Dominguez, with all in favor, accepting Ms. Sanchez's scores and ranking of the respondents to the Request for Proposals (RFP) for Annual Audit Services, as the Audit Committee's scores and ranking, was approved.

ELEVENTH ORDER OF BUSINESS **Termination of Audit Selection Committee Meeting/Reconvene Regular Meeting**

On MOTION by Ms. Robayna and seconded by Ms. Quiñones, with all in favor, the Audit Selection Committee Meeting terminated and the Regular Meeting reconvened.

TWELFTH ORDER OF BUSINESS **Consider Recommendation of Audit Selection Committee**

- **Award of Contract**

Ms. Sanchez presented the Audit Selection Committee's scores, ranking and recommendation, as follows:

#1	Berger, Toombs, Elam, Gaines & Frank	100 points
#2	Grau & Associates	99 points

On MOTION by Ms. Robayna and seconded by Mr. Mesa, with all in favor, accepting the Audit Selection Committee's scores, ranking and recommendation as the Board's own and awarding the Annual Audit Services contract to Berger, Toombs, Elam, Gaines & Frank, the #1 ranked respondent to the RFP for Annual Audit Services, was approved.

THIRTEENTH ORDER OF BUSINESS **Consideration of Resolution 2024-16, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date**

This item was deferred.

FOURTEENTH ORDER OF BUSINESS **Approval of Minutes**

A. January 12, 2024 Landowners' Meeting

B. January 12, 2024 Organizational Meeting

On MOTION by Ms. Robayna and seconded by Ms. Quiñones, with all in favor, the January 12, 2024 Landowners' Meeting and the January 12, 2024 Organizational Meeting Minutes, as presented, were approved.

FIFTEENTH ORDER OF BUSINESS **Staff Reports**

A. District Counsel: Kilinski|Van Wyk PLLC

B. District Engineer (Interim): BSE Consultants Inc.

District Counsel and the District Engineer had nothing further to report.

C. District Manager: Wrathell, Hunt and Associates, LLC

- **NEXT MEETING DATE: March 21, 2024 at 11:00 AM**
  - **QUORUM CHECK**

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

It was noted that the Board prefers having the CDD meetings commence at 1:00 p.m.

SEVENTEENTH ORDER OF BUSINESS **Public Comments**

No members of the public spoke.

EIGHTEENTH ORDER OF BUSINESS **Adjournment**

On MOTION by Mr. Dominguez and seconded by Ms. Robayna, with all in favor, the meeting adjourned at 1:40 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

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Chair/Vice Chair