

**MINUTES OF MEETING
UNIVERSITY SQUARE
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the University Square Community Development District held a Public Hearing and Regular Meeting on September 8, 2022 at 12:00 p.m., at the offices of Miromar Development Corporation, 10801 Corkscrew Road, Suite 305, Estero, Florida 33928.

Present were:

Jeffery Staner	Chair
Mark Geschwendt	Assistant Secretary
Rick Pomeroy	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Greg Urbancic (via telephone)	District Counsel
Charlie Krebs (via telephone)	District Engineer
Tammy Campbell (via telephone)	McDirmitt Davis

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 12:01 p.m. Supervisors Geschwendt, Staner and Pomeroy were present. Supervisor Byal was not present. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Consider Appointment to Fill Unexpired Term of Seat 4; Term Expires November 2022

This item was deferred.

FOURTH ORDER OF BUSINESS

Administration of Oath of Office to Newly Appointed Supervisor (*the following to be provided in a separate package*)

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**

C. Financial Disclosure Forms

- I. Form 1: Statement of Financial Interests
- II. Form 1X: Amendment to Form 1, Statement of Financial Interests
- III. Form 1F: Final Statement of Financial Interests

D. Form 8B: Memorandum of Voting Conflict

This item was deferred.

FIFTH ORDER OF BUSINESS

Acceptance of Resignation of Timothy Byal, Seat 2 (*Term Expires November 2022*)

On MOTION by Mr. Geschwendt and seconded by Mr. Staner, with all in favor, the resignation of Mr. Timothy Byal from Seat 2, was accepted.

SIXTH ORDER OF BUSINESS

Consider Appointment to Fill Unexpired Term of Seat 2.

- **Administration of Oath of Office to Newly Appointed Supervisor**

This item was deferred.

SEVENTH ORDER OF BUSINESS

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

Mr. Geschwendt nominated the following slate:

Jeff Staner	Chair
Mark Geschwendt	Vice Chair
Chesley E. Adams, Jr.	Secretary
Rich Pomeroy	Assistant Secretary
Craig Wrathell	Assistant Secretary

No other nominations were made. Prior appointments by the Board for Treasurer and Assistant Treasurer remain unaffected by this Resolution.

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

EIGHTH ORDER OF BUSINESS

Presentation of Audited Financial Report for Fiscal Year Ended September 30, 2021; Prepared by McDirmit Davis

Ms. Campbell presented the Audited Financial Report for the Fiscal Year Ended September 30, 2021 and noted the pertinent information. The CDD received an unmodified opinion, which is the best type of opinion the CDD can receive. There were no findings, recommendations, deficiencies in internal control or instances of non-compliance; it was a clean audit.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2022-05, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2021

<p>On MOTION by Mr. Geschwendt and seconded by Mr. Pomeroy, with all in favor, Resolution 2022-05, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2021, was adopted.</p>
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TENTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2022/2023 Budget

- A. Proof/Affidavit of Publication**
- B. Consideration of Resolution 2022-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Adams stated the proposed Fiscal Year 2023 budget was unchanged from when it was last presented.

Discussion ensued regarding the Disaster recovery budget line item, the CDD's inability to resize the outfall structure, maintenance, grass carp permit and the status of treating CDD lakes.

Mr. Adams opened the Public Hearing.

No members of the public spoke.

Mr. Adams closed the Public Hearing.

On MOTION by Mr. Geschwendt and seconded by Mr. Pomeroy, with all in favor, Resolution 2022-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS

Consideration of Resolution 2022-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Mr. Geschwendt and seconded by Mr. Pomeroy, with all in favor, Resolution 2022-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

TWELFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2022

Mr. Adams presented the Unaudited Financial Statements as of July 31, 2022.

- **Consideration of Resolution 2022-08; Amending the Fiscal Year 2021/2022 Budget**
This item was an addition to the agenda.

Mr. Adams stated that the CDD recently incurred additional, unbudgeted expenses of approximately \$28,000 to address outstanding South Florida Water Management District (SFWMD) compliance issues that were not handled by the prior Management Company in 2012. As expenses now exceed budget, it is necessary to amend the Fiscal Year 2021/2022 budget to avoid a finding in the next audit. He recommended a budget amendment to roll \$40,000 of surplus fund balance into the Operations budget to cover the unanticipated expense and any other expenditure overages.

Mr. Urbancic will prepare Resolution 2022-08.

On MOTION by Mr. Geschwendt and seconded by Mr. Staner, with all in favor, Resolution 2022-08; Amending the Fiscal Year 2021/2022 Budget, utilizing 40,000 of surplus fund balance to offset expense overages, was adopted.

The financials were accepted.

THIRTEENTH ORDER OF BUSINESS

Approval of May 12, 2022 Regular Meeting Minutes

On MOTION by Mr. Geschwendt and seconded by Mr. Pomeroy, with all in favor, the May 12, 2022 Regular Meeting Minutes, as presented, were approved.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Coleman Yovanovich Koester*

B. District Engineer: *Hole Montes, Inc.*

There were no District Counsel or District Engineer reports.

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

• **UPCOMING MEETINGS**

I. **November 15, 2022 at 11:45 a.m. [Landowners' Meeting]**

II. **May 11, 2023 at 12:00 p.m. [Regular Meeting]**

○ **QUORUM CHECK**

FIFTEENTH ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisors' request.

SIXTEENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Staner and seconded by Mr. Geschwendt with all in favor, the meeting adjourned at 12:24 p.m.


Secretary/Assistant Secretary

 
Chair/Vice Chair