

Blackburn Creek Community Development District

12051 Corporate Boulevard, Orlando, FL 32817

Phone 407-723-5900; Fax 407-723-5901

www.blackburncreekcdd.com

The meeting of the Board of Supervisors for the **Blackburn Creek Community Development District** will be held **Wednesday, November 10, 2021 at 12:00 p.m.** located at **5800 Lakewood Ranch Blvd, Sarasota, FL 34240**. The following is the proposed agenda for this meeting.

Call in number: 1-844-621-3956

Passcode: 790 562 990 #

BOARD OF SUPERVISORS' MEETING AGENDA

Organizational Matters

- Call to Order
- Roll Call
- Public Comment Period *[for any members of the public desiring to speak on any proposition before the Board]*

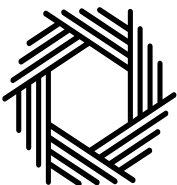
General Business Matters

1. Consideration of the Minutes of the October 11, 2021 Board of Supervisors' Meeting
2. Review of Correspondence pertaining to the Blackburn Creek Water Utility Company
3. Ratification of Payment Authorizations 162-164
4. Review of District Financial Statements *(under separate cover)*

Other Business

- Staff Reports
 - District Counsel
 - District Engineer
 - District Manager
- Audience Comments
- Supervisors Requests

Adjournment



pfm

**BLACKBURN CREEK COMMUNITY
DEVELOPMENT DISTRICT**

Consideration of the Minutes of the October 11,
2021 Board of Supervisors' Meeting

MINUTES OF MEETING

**BLACKBURN CREEK COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS MEETING MINUTES
Wednesday October 13, 2021 at 12:00 p.m.
5800 Lakewood Ranch Blvd., Sarasota, FL 34240**

Board Members Present via Speaker or in Person:

Kevin Johnson	Chairperson
Jerald Dell	Vice Chairperson
Kirk Fegley	Assistant Secretary
David Trast	Assistant Secretary
Pete Williams	Assistant Secretary

Also Present via Speaker or in Person:

Vivian Carvalho	District Manager- PFM Group Consulting LLC	
Venessa Ripoll	Assistant District Manager- PFM Group Consulting LLC	
	(via phone)	
Kim Ashton	District Counsel- Vogler Ashton	(via phone)
Bill Conerly	District Engineer- Kimley-Horn	(via phone)
Pam Curran	Neal Communities	
John Leinaweaver	Neal Communities	
John Blakley	Neal Communities	
Jim Schier	Neal Communities	
Dale Weidemiller	Neal Communities	(joined at 12:04 p.m.)
John McKay	Neal Communities	(joined at 12:08 p.m.)
Misty Taylor	Bryant Miller Olive	(via phone)

FIRST ORDER OF BUSINESS

Organizational Matters

Call to Order and Roll Call

Ms. Carvalho called to order at 12:00 p.m. the meeting of the Board of Supervisors of the Blackburn Creek Community Development District and proceeded with roll call. The persons in attendance are outlined above.

Public Comment Period

There were no public comments at this time.

SECOND ORDER OF BUSINESS

General Business Matters

**Consideration of the Minutes of
the September 8, 2021 Board of
Supervisors' Meeting**

The Board reviewed the Minutes of the September 8, 2021 Board of Supervisors' Meeting. A Board member noted Mr. Dell should be listed as Vice Chairperson for that meeting.

On MOTION by Mr. Johnson, seconded by Mr. Dell, with all in favor, the Board approved the Minutes of the September 8, 2021 Board of Supervisors' Meeting, as amended.

Consideration of Resolution 2022-01, Designating the Primary Administrative Office

Ms. Carvalho explained the PFM Orlando East recently relocated their office to 3501 Quadrangle Blvd., Suite, 270, Orlando, FL 32817 and the Primary Administrative Office needed changed to reflect the new location. The Principal Headquarters will remain with the address of 5800 Lakewood Ranch Bld., Sarasota, FL 32240.

On MOTION by Mr. Johnson, seconded by Mr. Trast, with all in favor, the Board approved Resolution 2022-01, Designating the Primary Administrative Office.

Consideration of Resolution 2022-02, Designating Registered Agent & Office

The Board reviewed Resolution 2022-02, Designating Registered Agent and office. Ms. Carvalho noted the only change District staff is suggesting is the location change of PFM's Orlando East Office to 3501 Quadrangle Blvd., Suite 270, Orlando, FL 32817 and Ms. Carvalho is still listed as the Registered Agent for the District. Ms. Carvalho requested a motion from the Board to approve Resolution 2022-02, Designating Registered Agent and office.

On MOTION by Mr. Johnson, seconded by Mr. Fongley, with all in favor, the Board approved Resolution 2022-02, Designating Registered Agent & Office.

Ratification of Payment Authorizations 159-161

The Board reviewed Payment Authorizations 159–161. These are contractual obligations for the District.

On MOTION by Mr. Johnson, seconded by Mr. Williams, with all in favor, the Board ratified Payment Authorizations 159–161.

Review of District Financial Statements

The Board reviewed the District Financial Statements through September 30, 2021. A question was asked why on the budget to actual there is no actual for stormwater and general repair and maintenance and hardscape. Ms. Carvalho stated these are carry forward that the Board approved last year that at the end of the Fiscal Year, whatever amount the District has in excess of the budget is supposed to be going toward those two budgetary line items. In the Actual column the District has not expensed anything as of now in those line items so it continues to build up as a reserve category.

Ms. Carvalho noted Mr. Weidemiller joined the meeting at 12:04 p.m. Ms. Carvalho requested a motion from the Board to accept the District Financials as presented.

On MOTION by Mr. Johnson, seconded by Mr. Trast, with all in favor, the Board accepted the District Financial Statements.

A Board Member asked when the District was supposed to amend the Budget. Ms. Carvalho stated since this is the last Financial Statement of the Fiscal Year 2021 and if there is a need to amend the Budget, she will present at the November meeting.

THIRD ORDER OF BUSINESS

Other Business

Staff Reports

District Counsel – No Report

District Engineer – Mr. Conerly provided an update from the Status Report of the turnover of assets. He stated there were some questions regarding the stormwater management system and the ownership and operations. Three meetings ago he made a statement that the District would be the operation and maintenance entity for the stormwater management system but he was later corrected that the operation and maintenance of the stormwater management system will be the responsibility of one of the Grand Palm neighborhood Associations. There are elements that fall in the right-of-way and those are components that would be the responsibility of the District which are the stormwater piping and the structure. The basin and the edges will be owned by Blackburn Creek Water Conservation and the operation and maintenance responsibility of the would be the Grand Palm Neighborhood Association.

Mr. Conerly noted there are several Environmental Resource Permits that are open through the Southwest Florida Water Management District that are still open because during construction it was modified and was inconsistent with what was designed and permitted. This had to do mainly with elevations of depth for excavation. He is in the process of remodeling those systems. There are 405 permits that have to be modified before it can be transferred to the operation and maintenance phase. The systems are still permissible through the Rules and Regulations but were inconsistent with what was previously permitted. The District needs to collect as built information and revised the models to reflect what the constructed condition was and the Water Management District will issue a modification, and once the District Engineer gets that modification he will certify those and place them into operations and maintenance. The goal is to have it done by the end of the year. The cost associated with this is a capital cost that is run through the Developer and will not be paid by the District.

District Manager – Ms. Carvalho noted Jim Shier joined the meeting in progress at 12:08 p.m. The next meeting is scheduled for November 10, 2021 at 12:00 p.m. at this location.

FOURTH ORDER OF BUSINESS

Audience Comments and Supervisors Requests

There were no Supervisor requests or audience comments.

FIFTH ORDER OF BUSINESS

Adjournment

There was no additional business to discuss. Ms. Carvalho requested a motion to adjourn.

On MOTION by Mr. Johnson, seconded by Mr. Fengley, with all in favor, the October 13, 2021 Meeting of the Board of Supervisors of the Blackburn Creek Community Development District was adjourned at 12:10 p.m.

Secretary/Assistant Secretary

Chairperson/Vice Chairperson

**BLACKBURN CREEK COMMUNITY
DEVELOPMENT DISTRICT**

Review of Correspondence pertaining to
the Blackburn Creek Water Utility Company

From: [Vivian Carvalho](#)
To: [Kevin Johnson](#)
Cc: [Venessa Ripoll](#)
Subject: RE: Blackburn Water Utility termination
Date: Wednesday, October 27, 2021 1:20:05 PM
Attachments: [image001.jpg](#)

Thank you Kevin for the email and in copying Venessa we will include this item on the Agenda for the Blackburn Creek CDD meeting.

Take care,

Vivian Carvalho
District Manager

PFM Group Consulting, LLC
Carvalhov@pfm.com | **Phone** 407-723-5900 | **Fax** 407-723-5901 | **Web** pfm.com
3501 Quadrangle Boulevard, Suite 270, Orlando, FL 32817



From: Kevin Johnson <johnsonkmrj@gmail.com>
Sent: Wednesday, October 27, 2021 12:47 PM
To: Vivian Carvalho <carvalhov@pfm.com>
Subject: Blackburn Water Utility termination

ALERT: This message is from an external source. **BE CAUTIOUS** before clicking any link or attachment

Vivian,
Below is an email forwarded to me from the HOA GP board member from Tracy Hecht stating that a decision has been made for the Blackburn Water Utility to terminate and transfer the assets to the Grand Palm HOA. Note that I do not have an effective date nor if this is a transfer of all water rights, obligations and assets in full to the HOA with the previous LLC dissolving thus not retaining any rights, etc. My assumption is that this is targeted for 2022.

For the next board meeting we should be prepared to discuss this and any/all impact to the Blackburn Creek CDD. Of particular note below is that the term that Tracy has been using to the confusion of the HOA members is "swale" in terms of the obligations of the CDD for M&O. Does this mean the ingress/egress of Alligator Creek and the wetlands areas?

As we move to a completed capital construction state and full turnover by year end based on Bill's projection of 100% licensed ponds from the various county and water districts, we need a simple clear statement of what is the responsibility of the CDD for stormwater systems and the exact components of each with a map and supporting documents that can be shared with the various HOA Boards and Access Management, the incumbent property management firm for Grand Palm.

Second request is the who and how is the CDD going to manage the remaining assets to

ensure they are inspected on a periodic basis and maintained proactively with an appropriate budget based on a life cycle projection?

Open to call and discuss with you.

Thanks
Kevin

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From: Tracy Hecht
<thecht@nealcommunities.com<mailto:thecht@nealcommunities.com>>
Sent: Monday, October 18, 2021 6:50 PM
To: 'GrandPalm MasterDirector1' <gpmdir1@gmail.com<mailto:gpmdir1@gmail.com>>;
'Steve Hatton' <shatton@accessdifference.com<mailto:shatton@accessdifference.com>>
Cc: 'annaeger@gmail.com' <annaeger@gmail.com<mailto:annaeger@gmail.com>>
<annaeger@gmail.com<mailto:annaeger@gmail.com>>
Subject: Blackburn Water Utility Update

Good evening All,

I'm writing this evening to notify you of a change in responsibilities that will affect the 2022 Budget. Neal has made the determination to terminate the Blackburn Water Utility entity. This will affect the responsibilities of the Master HOA however, it is a positive impact on the HOA control of its common property and the budget in that the HOA will no longer have to pay the Water Utility for any usage. This will take time to fully transfer however, we can begin to update the 2022 budget now in anticipation of these changes. I've copied Ann here as this will affect the 2022 budget. I will be working closely with Cathy and her team to incorporate these changes and will provide a copy for discussion at our review on Thursday the 21st.

The changes the Master HOA may expect to see are as follows:

The Master HOA will be responsible for all the operation and maintenance of the stormwater lakes at Grand Palm, including Adventure Lake, as well as the entire community irrigation system. All components of the stormwater system not maintained by the CDD will also be maintained by the Master HOA. The Lot Owners are still responsible for the irrigation system on his/her Lot. The CDD will continue to operate and maintain its smaller portion of the stormwater system to include, curbs, gutters, stormwater pipes and swales. This means the stormwater system maintenance at Grand Palm will be a bifurcated system between the Master HOA's maintenance and the CDD's maintenance. However, the Master HOA will be the reporting entity to SWFWMD.

Thank you and please do not hesitate to reach out should you have any questions.

Tracy Hecht

Community Association Manager, LCAM, CMCA, AMS, Realtor

941-328-1056 Ofc

941-328-1049 Fax

5800 Lakewood Ranch Blvd

Sarasota, FL 34240

thecht@nealcommunities.com<mailto:thecht@nealcommunities.com>

NealCommunities.com<<http://NealCommunities.com>>

CBC 1256375

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Kevin Johnson

11757 Altamonte Court, Venice, FL 34293-2248 | (M) +1 949.266.4809 ✉ johnsonkmrj@gmail.com

**BLACKBURN CREEK COMMUNITY
DEVELOPMENT DISTRICT**

Ratification of Payment Authorizations 162-164

BLACKBURN CREEK COMMUNITY DEVELOPMENT DISTRICT

Payment Authorization 162-164

PA #	Description	Amount	Total
162	Egis Insurance & Risk Advisors		
		\$ 6,436.00	
	PFM Group Consulting		
		\$ 2,500.00	
		\$ 15,000.00	
		\$ 28.75	
			\$23,964.75
163	Florida Department of Economic Opportunity		
		\$ 175.00	
	Vogler Ashton		
		\$ 1,535.50	
			\$1,710.50
164	PFM Group Consulting		
		\$ 2,750.00	
		\$ 12.28	
	Supervisor Fees - 10/13/2021 Meeting		
		\$ 200.00	
		\$ 200.00	
		\$ 200.00	
		\$ 200.00	
		\$ 200.00	
			\$3,762.28
		Total	\$29,437.53

Amanda Lane

From: Kevin Johnson <johnsonkmrj@gmail.com>
Sent: Friday, October 1, 2021 11:07 AM
To: Amanda Lane
Subject: Re: Blackburn Creek - PA 162 - review and approval to pay requested

ALERT: This message is from an external source. **BE CAUTIOUS** before clicking any link or attachment

Amanda,
You are hereby authorized to pay Payment Authorization #162 for Blackburn Creek CDD.
regards
Kevin Johnson

On Fri, Oct 1, 2021 at 10:50 AM Amanda Lane <lanea@pfm.com> wrote:

Kevin,

Please see attached for Payment Authorization(s) #162 for Blackburn Creek. Please provide authorization to pay (via email or signed cover sheet). If you have any questions, please let me know.

Amanda Lane

Assistant Chief District Accountant

PFM Group Consulting LLC

LaneA@pfm.com | web pfm.com

phone 407.723.5900 (direct phone 407.723.5925) | fax 407.723.5901

3501 Quadrangle Blvd., Ste. 270 | Orlando, FL 32817

(New address as of July 29, 2021)

**BLACKBURN CREEK
COMMUNITY DEVELOPMENT DISTRICT**

Payment Authorization No. 162

10/1/2021

Item No.	Payee	Invoice No.	General Fund	Fiscal Year
1	Egis Insurance & Risk Advisors			
	FY 2022 Insurance	14300	\$ 6,436.00	FY 2022
2	PFM Group Consulting			
	DM Fee: September 2021	DM-09-2021-05	\$ 2,500.00	FY 2021
	FY 2022 Tax Roll	FY22-TR-0004	\$ 15,000.00	FY 2022
	August Reimbursables	OE-EXP-09-06	\$ 28.75	FY 2021

TOTAL	\$ 23,964.75
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2,528.75	FY 2021
21,436.00	FY 2022

Venessa Ripoll

Secretary / Assistant Secretary

Chairman / Vice Chairman

Amanda Lane

From: Kevin Johnson <johnsonkmrj@gmail.com>
Sent: Friday, October 8, 2021 4:47 PM
To: Amanda Lane
Subject: Re: Blackburn Creek - PA 163 - review and approval to pay requested

ALERT: This message is from an external source. **BE CAUTIOUS** before clicking any link or attachment

You are hereby authorized to pay Payment Authorization #163 for Blackburn Creek CDD.
regards
Kevin Johnson

On Fri, Oct 8, 2021 at 4:43 PM Amanda Lane <lanea@pfm.com> wrote:

Kevin,

Please see attached for Payment Authorization(s) #163 for Blackburn Creek. Please provide authorization to pay (via email or signed cover sheet). If you have any questions, please let me know.

Amanda Lane

Assistant Chief District Accountant

PFM Group Consulting LLC

LaneA@pfm.com | web pfm.com

phone 407.723.5900 (direct phone 407.723.5925) | fax 407.723.5901

3501 Quadrangle Blvd., Ste. 270 | Orlando, FL 32817

(New address as of July 29, 2021)

**BLACKBURN CREEK
COMMUNITY DEVELOPMENT DISTRICT**

Payment Authorization No. 163

10/8/2021

Item No.	Payee	Invoice No.	General Fund	Fiscal Year
1	Florida Department of Economic Opportunity FY 2021 / 2022 Special District Fee	85226	\$ 175.00	FY 2022
2	Vogler Ashton General Counsel Through 09/30/2021	7172	\$ 1,535.50	FY 2021
TOTAL			\$ 1,710.50	

1,535.50	FY 2021
175.00	FY 2022

Venessa Ripoll

Secretary / Assistant Secretary

Chairman / Vice Chairman

Amanda Lane

From: Kevin Johnson <johnsonkmrj@gmail.com>
Sent: Friday, October 22, 2021 12:10 PM
To: Amanda Lane
Subject: Re: Blackburn Creek - PA 164 - review and approval to pay requested

ALERT: This message is from an external source. **BE CAUTIOUS** before clicking any link or attachment

Amanda,

Amanda,
You are hereby authorized to pay Payment Authorization #164 for Blackburn Creek CDD
regards
Kevin

On Fri, Oct 22, 2021 at 11:38 AM Amanda Lane <lanea@pfm.com> wrote:

Kevin,

Please see attached for Payment Authorization(s) #164 for Blackburn Creek. Please provide authorization to pay (via email or signed cover sheet). If you have any questions, please let me know.

Amanda Lane

Assistant Chief District Accountant

PFM Group Consulting LLC

LaneA@pfm.com | web pfm.com

phone 407.723.5900 (direct phone 407.723.5925) | fax 407.723.5901

[3501 Quadrangle Blvd., Ste. 270](#) | [Orlando, FL 32817](#)

(New address as of July 29, 2021)

--
Kevin Johnson

**BLACKBURN CREEK
COMMUNITY DEVELOPMENT DISTRICT**

Payment Authorization No. 164

10/22/2021

Item No.	Payee	Invoice No.	General Fund	Fiscal Year
1	PFM Group Consulting			
	DM Fee: October 2021	DM-10-2021-05	\$ 2,750.00	FY 2022
	September Reimbursables	OE-EXP-10-06	\$ 12.28	FY 2021
2	Supervisor Fees - 10/13/2021 Meeting			
	David Trast	--	\$ 200.00	FY 2022
	Pete Williams	--	\$ 200.00	FY 2022
	Kirk Fegley	--	\$ 200.00	FY 2022
	Kevin Johnson	--	\$ 200.00	FY 2022
	Jerald Dell	--	\$ 200.00	FY 2022

TOTAL	\$ 3,762.28
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12.28	FY 2021
3,750.00	FY 2022

Venessa Ripoll

Secretary / Assistant Secretary

Chairman / Vice Chairman

**BLACKBURN CREEK COMMUNITY
DEVELOPMENT DISTRICT**

Review of District Financial Statements
(under separate cover)