# **Hacienda Lakes Community Development District**

707 Orchid Drive, Naples, FL 34102 P. 239-269-1341

### BOARD OF SUPERVISORS HACIENDA LAKES COMMUNITY DEVELOPMENT DISTRICT

Monday, November 20, 2023, 9:00 a.m. 4100 Tamiami Trail N., Suite 300 Naples, Florida 34103

DEV	ELOPMENT DISTRICT	Naples, Florida 34103	
I.	Roll Call. Affidavit of Publication		Exhibit 1
II.	Public Comments on Agenda Items.		
III.	Organizational Matters		
A	Azure Lakes Transfer Deeds Consideration.		Exhibit 2
В	Consideration of Azure Water Management per	mit transfer.	Exhibit 3
IV.	Administrative Matters		
A	Approval of Minutes from the August 21, 2023	Public Hearing and Meeting.	Exhibit 4
В	Consideration of the Grau & Associates FY 202	22-2023 Audit Proposal.	Exhibit 5
V.	Business Matters		
	None to be considered at this time.		
VI.	Budget Matters		
A	Acceptance of October 2023 Financial Stateme	nts.	Exhibit 6
VII.	Financial Matters		

None to be considered at this time.

### VIII. Staff Reports.

### A. Manager.

- Monitoring well update
- Holiday Decorations
- Map of Construction Activity from HLN LLC
- Lakes Condition Update
- HOA Meetings
- ERP Compliance Letter

Exhibit 7

- **B.** Legal Counsel.
- C. Engineer.
- **IX.** Public Comments.
- **X.** Supervisors' Requests.
- XI. Adjournment.

EXHIBIT 1



Published Daily Naples, FL 34110

HACIENDA LAKES CDD 707 ORCHID DR

NAPLES, FL 34102-5014

### **Affidavit of Publication**

STATE OF WISCONSIN COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Naples Daily News, published in Collier County, Florida; that the attached copy of advertisement, being a Public Notices, was published on the publicly accessible website of Collier and Lee Counties, Florida, or in a newspaper by print in the issues of, on:

Issue(s) dated: 09/20/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally Known to me, on September 20, 2023:

Notary, State of WI, County of Brown

My commission expires

VICKY FELTY Notary Public State of Wisconsin

Publication Cost: \$231.00 Ad No: 0005828202 Customer No: 1305388

PO #:

# of Affidavits1

This is not an invoice

#### HACIENDA LAKES COMMUNITY DEVELOPMENT DISTRICT BOARD OF SUPERVISORS MEETING DATES FISCAL YEAR 2023-2024

The Board of Supervisors of the Hacienda Lakes Community Development District will hold their regular meetings for Fiscal Year 2023-2024 at the offices of Coleman, Yovanovich & Koester, PA, 4001 Tamiami Trial N., Suite 300, Naples, FL 34103 at 9:00 a.m. unless otherwise indicated as follows:

November 20, 2023 February 26, 2024\* May 20, 2024 August 19, 2024

Moved one week later due to President's Day holidays. The meetings are open to the public and will be conducted in accordance with the provision of Florida Law for Community Development Districts. The meetings may be continued to a date, time, and place to be specified on the record at the meeting.

There may be occasions when one or more Supervisors will participate by telephone.

Any person requiring special accommodations at a meeting because of a disability or physical impairment should contact the District Office at (239) 269-1341 at least two calendar days prior

to the meeting.

Each person who decides to appeal any action taken at these meetings is advised that person will need a record of the proceedings and that accordingly, the 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

District Manager Sept. 20, 2023

#5828202

EXHIBIT 2

Prepared by without the opinion of tile and after recording return to:

Gregory L. Urbancic, Esq. Coleman, Yovanovich & Koester, P.A. 4001 Tamiami Trail North, Suite 300 Naples, Florida 34103 (239) 435-3535

Consideration: \$10.00

Parcel Identification Number: 22726005024 22726009525
22726009541

[Space Above This Line For Recording Data]

### QUITCLAIM DEED

(Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees.)

WITNESSETH, that Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration paid by Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto Grantee forever, all the right, title, interest, claim and demand which Grantor has in and to the following described land, and all improvements and appurtenances thereto, in Collier County, Florida (the "Property"):

Tract L25A, Azure at Hacienda Lakes – Phase 2, according to the plat thereof recorded in Plat Book 65, Pages 72 through 76 of the Public Records of Collier County, Florida.

### AND

Tracts L26 and L27, Azure at Hacienda Lakes – Phase 3, according to the plat thereof recorded in Plat Book 68, Pages 32 through 36 of the Public Records of Collier County, Florida.

Subject to: (a) ad valorem real property taxes for the year 2023 and subsequent years; (b) zoning, building code and other use restrictions imposed by governmental authority; (c) outstanding oil, gas and mineral interests of record, if any; and (d) restrictions, reservations, and easements common to the subdivision.

TO HAVE AND TO HOLD, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Grantor, either in law or equity, for the use, benefit and profit of Grantee forever.

{Remainder of page intentionally left blank. Signatures appear on next page.}

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed on the day and year first written above.

### GRANTOR:

# ${\bf TOLL\; FL\; XIII\; LIMITED\; PARTNERSHIP,}$

a Florida limited partnership

WITNESSES:  Witness #1 Signature  Printed Name: Brandon Sinnery  Address: 24201 Wilder Carter Dr.  Stile 204 Bonda Springs, FL 34134  Witness #2 Signature  Printed Name: James Hepler  Address: 24201 Wilder Center Dr.  Sure 204 Bonda Springs FC 34134	By: Toll Southeast LP Company, Inc., a Delaware corporation, Its General Partner  By:  Name: Sean Walsh  Title: Director
STATE OF FLORIDA COUNTY OF	
orline notarization, this of NOUL of Toll Southeast LP C	dged before me by means of ( ) physical presence or ( ) , 2023, by 20 413 , as, as ompany, Inc., a Delaware corporation, General Partner of nited partnership, on behalf of the companies, who is ( ) iced as evidence of
(SEAL)	DON VILLE NOTARY PUBLIC 1/ DIG.
DIANE VAN AKEN Notary Public State of Florida Comm# HH398796	Name: Diene Ven / Jen (Type or Print) My Commission Expires: 8/17/2027

Expires 8/17/2027

EXHIBIT 3

### Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity

Instructions: Complete this form to transfer to the permit to the operation and maintenance entity. This form can be completed concurrently with, or within 30 days of approval of, the As-Built Certification and Request for Conversion to Operation Phase (Form 62-330.310(1)). Please include all documentation required under Section 12.2.1(b) of Applicant's Handbook Volume I (see checklist below). Failure to submit the appropriate final documents will result in the permittee remaining liable for operation and maintenance of the permitted activities.

Permit No.: 11-105331-P Application No(s): 210416-5946

Project Name: Azure at Hacienda Phase (if applicable):

Lakes

A. Request to Transfer: The permittee requests that the permit be transferred to the legal entity responsible for operation and maintenance (O&M).

Signature of Permittee

TolVFL XIII Limited Partnership by Toll Southeast LP Company, Inc.

Company Name

(239) 949-2308 / jhepler@tollbrothers.com

Phone/email address

James Hepler, VP

Name and Title

24201 Walden Center Drive, Suite 204

Company Address

Bonita Springs, FL 34134

City, State, Zip

B. Agreement for System Operation and Maintenance Responsibility: The below-named legal entity agrees to operate and maintain the works or activities in compliance with all permit conditions and provisions of Chapter 62-330, Florida Administrative Code (F.A.C.) and Applicant's Handbook Volumes I and II.

The operation and maintenance entity does not need to sign this form if it is the same entity that was approved for operation and maintenance in the issued permit.

Authorization for any proposed modification to the permitted activities shall be applied for and obtained prior to conducting such modification.

Ву:

Signature of Representative of O&M Entity
Robert Mulhere, Chairman of the Board of Supervisors

Name and Title weyer@ree-i.com

Email Address (239) 269-1341

Phone

Hacienda Lakes Community Development District

Name of Entity for O&M 707 Orchard Drive, Suite 100

Address

Naples, FL 34102

City, State, Zip

Date

### Enclosed are the following documents, as applicable:

N/A Copy of recorded transfer of title to the operating entity for the common areas on which the stormwater management system is located (unless dedicated by plat)

X Copy of all recorded plats

X Copy of recorded declaration of covenants and restrictions, amendments, and associated exhibits

N/ACopy of filed articles of incorporation (if filed before 1995)













## Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity

Instructions: Complete this form to transfer to the permit to the operation and maintenance entity. This form can be completed concurrently with, or within 30 days of approval of, the As-Built Certification and Request for Conversion to Operation Phase (Form 62-330.310(1)). Please include all documentation required under Section 12.2.1(b) of Applicant's Handbook Volume I (see checklist below). Failure to submit the appropriate final documents will result in the permittee remaining liable for operation and maintenance of the permitted activities.

Permit No.: 11-03312-P-05 Application No(s): 1	51215-2	
Project Name: Azure at Hacienda Phase (if applicable) Lakes (FKA Hacienda Lakes Tract B)	:	
<ul> <li>Request to Transfer: The permittee requests that responsible for operation and maintenance (O&amp;M).</li> </ul>	the permit be transferred to the legal entity	
Ву:	David E. Torres, Manager	
Signature of Permittee Hacienda Lakes of Naples, LLC	Name and Title 7742 Alico Road	
Company Name	Company Address	
(239) 208-4079 / david@torrescompanies.com Phone/email address	City, State, Zip	
Thomas and address	Oity, Otate, Zip	
B. Agreement for System Operation and Maintellegal entity agrees to operate and maintain the works conditions and provisions of Chapter 62-330, Florida Handbook Volumes I and II.	or activities in compliance with all permit	
The operation and maintenance entity does not need to sign this form if it is the same entity that was approved for operation and maintenance in the issued permit.		
Authorization for any proposed modification to the per prior to conducting such modification.	mitted activities shall be applied for and obtained	
By:	Hacienda Lakes Community Development Distric	
Signature of Representative of O&M Entity Robert Mulhere, Chairman of the Board of Supervisors	Name of Entity for O&M 707 Orchard Drive, Suite 100	
Name and Title	1.14.4	
	Address	
rweyer@ree-i.com	Naples, FL 34102	
rweyer@ree-i.com Email Address		
rweyer@ree-i.com	Naples, FL 34102	
rweyer@ree-i.com Email Address (239) 269-1341 Phone	Naples, FL 34102 City, State, Zip Date	
rweyer@ree-i.com Email Address (239) 269-1341 Phone  Enclosed are the following documents, as applicable:	Naples, FL 34102 City, State, Zip Date	
rweyer@ree-i.com Email Address (239) 269-1341 Phone  Enclosed are the following documents, as applicable:  A Copy of recorded transfer of title to the operating entity management system is located (unless dedicated by	Naples, FL 34102 City, State, Zip  Date  y for the common areas on which the stormwater	
rweyer@ree-i.com Email Address (239) 269-1341 Phone  Enclosed are the following documents, as applicable:  MA Copy of recorded transfer of title to the operating entity management system is located (unless dedicated by Copy of all recorded plats	Naples, FL 34102 City, State, Zip  Date  y for the common areas on which the stormwater plat)	
rweyer@ree-i.com Email Address (239) 269-1341 Phone  Enclosed are the following documents, as applicable:  A Copy of recorded transfer of title to the operating entity management system is located (unless dedicated by Copy of all recorded plats Copy of recorded declaration of covenants and restrict	Naples, FL 34102 City, State, Zip  Date  y for the common areas on which the stormwater plat) tions, amendments, and associated exhibits	
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rweyer@ree-i.com Email Address (239) 269-1341 Phone  Enclosed are the following documents, as applicable:  A Copy of recorded transfer of title to the operating entity management system is located (unless dedicated by Copy of all recorded plats Copy of recorded declaration of covenants and restrict	Naples, FL 34102 City, State, Zip  Date  y for the common areas on which the stormwater plat) tions, amendments, and associated exhibits	













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Instructions: Complete this form to transfer to the permit to the operation and maintenance entity. This form can be completed concurrently with, or within 30 days of approval of, the As-Built Certification and Request for Conversion to

Applicant's Handbook Volume I (see cho	<ol> <li>Please include all documentation required under Section 12.2.1(b) c ecklist below). Fallure to submit the appropriate final documents will result operation and maintenance of the permitted activities.</li> </ol>
Permit No.: 11-03312-P-06	Application No(s): 170726-6

A. Request to Transfer: The permittee requests that the permit be transferred to the legal entity responsible for operation and maintenance (O&M).

James Hepler, VP Name and Title Sidnature of Permitte 24201 Walden Center Drive, Suite 204 Tol FL XIII Limited Partnership by Toli Southeast LP Company, Inc. Company Address €ompany Name Bonita Springs, FL 34134 (239) 949-2308 / ihepler@tollbrothers.com

Phone/email address City, State, Zip

Project Name: Azure at Hacienda Phase (if applicable):

B. Agreement for System Operation and Maintenance Responsibility: The below-named legal entity agrees to operate and maintain the works or activities in compliance with all permit conditions and provisions of Chapter 62-330, Florida Administrative Code (F.A.C.) and Applicant's Handbook Volumes I and II.

The operation and maintenance entity does not need to sign this form if it is the same entity that was approved for operation and maintenance in the issued permit.

Authorization for any proposed modification to the permitted activities shall be applied for and obtained prior to conducting such modification.

Haclenda Lakes Community Development District By: Signature of Representative of O&M Entity Name of Entity for O&M 707 Orchard Drive, Suite 100 Robert Mulhere, Chairman of the Board of Supervisors Address Name and Title rweyer@ree-i.com Naples, FL 34102 **Email Address** City, State, Zip (239) 269-1341 Phone Date

### Enclosed are the following documents, as applicable:

- N/A Copy of recorded transfer of title to the operating entity for the common areas on which the stormwater management system is located (unless dedicated by plat)
- X Copy of all recorded plats
- X Copy of recorded declaration of covenants and restrictions, amendments, and associated exhibits N/ACopy of filed articles of incorporation (if filed before 1995)













EXHIBIT 4

#### HACIENDA LAKES COMMUNITY DEVELOPMENT DISTRICT 1 Suite 100, 707 Orchid Drive 2 **Naples, FL 34102** 3 4 5 6 **MINUTES OF MEETING** 7 8 **Board of Supervisors Meeting and Public Hearing** 9 Monday, August 21, 2023, 9:03 a.m. 8490 Viale Circle 10 11 Naples, Florida 34114 12 13 14 Present and constituting a quorum were: 15 16 Wayne Martin **Board Member** 17 Jason Tomassetti **Board Member** 18 Tom Bothe Board Member 19 Bob Mulhere Board Member 20 Clifford "Chip" Olson **Board Member** 21 22 Also present were: 23 24 Russ Weyer District Manager, Real Estate Econometrics, Inc. Greg Urbancic 25 District Counsel, 26 Coleman, Yovanovich & Koester, P.A. 27 **David Torres** Hacienda Lakes of Naples, LLC Terry Cole District Engineer, Hole Montes 28 29 Hacienda Lakes Residents See attached list 30 31 32 FIRST ORDER OF BUSINESS Call to Order and Roll Call 33 34 Mr. Weyer called the meeting to order and proceeded with the roll call. The members in 35 attendance are as outlined above. He pointed out the procedure for the meeting. 36 37

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#### 1 SECOND ORDER OF BUSINESS 2 3 Mr. Weyer noted that the Florida Statutes require that there be an opportunity for Public 4 Comment. There were none. 5 6 7 THIRD ORDER OF BUSINESS **Organizational Matters** 8 9 **Open Public Hearing #1** 10 11 Mr. Weyer requested a motion from the Board to open the first public hearing to adopt 12 the District's FY 2023-2024 Budget. 13 14 On MOTION by Mr. Olson and seconded by Mr. Mulhere, with all in favor, the Board of 15 Supervisors of the Hacienda Lakes Community Development District opened the public hearing 16 on the FY 2023-2024 budget. 17 18 Public Hearing to Consider FY 2023-2024 Budget and Levying of Assessments Α. 19 20 Mr. Weyer explained the District budgeting process with the preliminary budget being 21 adopted in May that sets the cap for the budget and then the final budget being adopted in 22 August after a 60-day window prescribed by Florida Statutes. The Board can move budget 23 amounts within the budget line items up to but can't exceed the total budget amount 24 adopted in May. 25 26 Mr. Weyer noted that the total general fund budget is \$386,705 and the debt service fund 27 budget is \$1,366,733.14. The total FY 2023-2024 budget is \$1,753,438.14. He went through the budget by line item. He noted that the South Florida Water Management 28 29 District is requiring that the District install a monitoring well going forward as a condition 30 of the District's renewed permit. He said that the well will cost \$17,000 but it is covered 31 with the additional pump replacement reserve so no special assessment is required. 32 Mr. Weyer asked for comments from the public in attendance and there were none. Mr. 33 34 Weyer then asked for Supervisor comments and Mr. Bothe asked if the final budget is the 35 same as the May preliminary budget. Mr. Wever stated that it is the same. 36 37 There was no further Board discussion. 38 39 Close Public Hearing #1 40 41 Mr. Weyer requested a motion from the Board to close the first public hearing to adopt 42 the District's FY 2022-2023 Budget. 43

On MOTION by Mr. Mulhere and seconded by Mr. Bothe, with all in favor, the Board of Supervisors of the Hacienda Lakes Community Development District closed the public hearing on the FY 2023-2024 budget.

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Mr. Weyer then requested a motion from the Board to adopt Resolution 2023-6 relating to the annual District appropriations and adopting the Fiscal Year 2023-2024 Budget.

1. Consideration of Resolution 2023-6 A resolution of the Hacienda Lakes Community Development District relating to the annual appropriations of the District and adopting the budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024, and referencing the maintenance and benefit special assessments to be levied by the District for said fiscal year.

There was no further Board discussion.

On MOTION by Mr. Martin and seconded by Mr. Olson, with all in favor, the Board of Supervisors of the Hacienda Lakes Community Development District adopted Resolution 2023-4 relating to the annual appropriations and adopting the FY 2023-2024 Budget.

### **Open Public Hearing #2**

Mr. Weyer requested a motion from the Board to open the second public hearing to levy non-ad valorem operations & maintenance assessments and debt assessments.

On MOTION by Mr. Bothe and seconded by Mr. Bothe, with all in favor, the Board of Supervisors of the Hacienda Lakes Community Development District opened the public hearing on the FY 2023-2024 assessment levy.

Mr. Weyer explained that the budget as approved is put into the operations & maintenance methodology workbook to determine the assessment amount for each product type in the District. The debt assessments are fixed for the 30-year life of the bonds. The two assessments are added together and submitted to the Collier County Property Appraiser who then passes the District's assessment roll to the Collier County Tax Collector who puts that amount on the property tax bill.

Mr. Weyer then asked for public comments and there were none.

Mr. Weyer asked for Supervisor comments and Mr. Bothe asked again if the assessments are the same as approved in May. Mr. Weyer said yes.

### **Close Public Hearing #2**

Mr. Weyer requested a motion from the Board to close the public hearing to levy the District's FY 2023-2024 Assessments.

On MOTION by Mr. Olson and seconded by Mr. Mulhere, with all in favor, the Board of Supervisors of the Hacienda Lakes Community Development District closed the public hearing on the FY 2023-2024 assessment levy.

Operations and Maintenance Assessments and Debt Assessments and Certifying the Assessment Roll for FY 2023-2024. Mr. Bothe asked Mr. Weyer to show the assessments by product type. There was no further Board discussion. On MOTION by Mr. Mulhere and seconded by Mr. Olson, with all in favor, the Board of Supervisors of the Hacienda Lakes Community Development District adopted Resolution 2023-7 relating to levying non-ad valorem operations and maintenance assessments and debt assessments for FY 2023-2024 Budget. Mr. Weyer disclosed and provided an affidavit of from the Naples Daily News showing that the ads were run according to the specifications set out in the Florida Statues. Mr. Weyer then showed the letter sent to the Collier County Manager on June 15th laying out the proposed FY 2023-2024 District budget. 3. Consideration of Resolution 2023-8 - relating to the designation of Officers for the District for Fiscal Year 2023-2024 and providing for an effective date. Mr. Weyer went through the list of officers and said that it hasn't changed since the resolution adopted after last year's November meeting after the election There was no further Board discussion. On MOTION by Mr. Martin and seconded by Mr. Tomassetti, with all in favor, the Board of Supervisors of the Hacienda Lakes Community Development District adopted Resolution 2023-8 relating to the designation of Officers for the District and providing for an effective date. 4. Consideration of Resolution 2023-9 adopting the FY 2023-2024 Meeting Schedule. Mr. Weyer said that the meetings are held quarterly starting in November, February, May and August. Mr. Weyer said that if the District needs a special meeting that it could be advertised if needed. There was no further Board discussion. On MOTION by Mr. Mulhere and seconded by Mr. Bothe, with all in favor, the Board of Supervisors of the Hacienda Lakes Community Development District adopted Resolution 2023-9 adopting the FY 2023-2024 Meeting Schedule. 

Mr. Weyer asked for a motion to accept Resolution 2023-7.

2. Consideration of Resolution 2023-7 relating to Levying a Non-Ad Valorem

### FOURTH ORDER OF BUSINESS

### **Administrative Matters**

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On MOTION by Mr. Martin and seconded by Mr. Mulhere, with all in favor, the Board of Supervisors of the Hacienda Lakes Community Development District approved the Minutes of the May 15, 2023 Board of Supervisors Meeting.

There were no changes noted from the Board.

# B. Consideration of the RMA GeoLogical Monitoring Well Installation Agreement

Approval of Minutes of the May 15, 2023 Board of Supervisors' Meeting

Mr. Weyer presented the RMA GeoLogical Monitoring Well Installation Agreement. The South Florida Water Management District now requires a monitoring well to measure chlorides and aquafer levels.

Mr. Bothe asked if Sapphire Cove has their own lake. Mr. Weyer affirmed that Sapphire Cove does have a lake. Their drainage runs south into a small preserve then flows west ultimately to the county drainage canal along 951.

There was no further discussion.

On MOTION by Mr. Mulhere and seconded by Mr. Olson, with all in favor, the Board of Supervisors of the Hacienda Lakes Community Development District approved the RMA GeoLogical Monitoring Well Installation Agreement.

# C. Consideration of the RMA GeoLogical Water Management Permit Monitoring Agreement

Mr. Weyer presented the RMA GeoLogical Water Management Permit Monitoring Agreement. He noted that their fee has increased due to the additional monitoring required for chlorides and aquifer level and that the increase was included in the preliminary and final budget adoption numbers.

There was no board action needed and no further discussion.

### D. Update on Toll Brothers / Azure Lake Turnover.

Mr. Weyer said that Toll Brothers has submitted most of the documentation for the lake turnover process. Mr. Cole said he has reviewed the documents and everything is in order.

There was no further discussion and no board action was taken.

# FIFTH ORDER OF BUSINESS

### **Business Matters**

Α.

There were none to be considered at this time.

Acceptance of the July 2023 Financial Statements

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### SIXTH ORDER OF BUSINESS

**Budget Matters** 

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Mr. Weyer presented the District's July 2023 Financial Statements. He pointed out that the District has collected \$425,000 of general fund revenue to date. The District's expenses to date are \$368,000 and the cash flow is positive by \$50,000 but the District has August through September to pay with those funds. Those expenses are about \$30,000. Mr. Weyer estimated that the District will have about a \$20,000 carry-over.

On MOTION by Mr. Bothe and seconded by Mr. Olson, with all in favor, the Board of Supervisors of the Hacienda Lakes Community Development District accepted the District's July 2023 Financial Statements as presented.

### B. Acceptance of the FY 2021-2022 Audit

The Hacienda Lakes CDD FY 2021-2022 Audit was presented to the Board. Mr. Weyer reviewed highlighted pages with the board and pointed out that the District is in very good shape financially, it was turned into the State on time and that there were no exceptions in the report.

Mr. Martin asked about the phrase "District has not met one or more of the financial emergency conditions". Mr. Weyer said that the phrase was worded poorly. It actually means that the District did not have any emergency conditions.

There was no further discussion.

On MOTION by Mr. Martin and seconded by Mr. Mulhere, with all in favor, the Board of Supervisors of the Hacienda Lakes Community Development District accepted the Fiscal Year 2021-2022 Audit.

### SEVENTH ORDER OF BUSINESS

### **Financial Matters**

### A. MBS Capital Markets, LLC IBA for Series 2014 Bonds

 Mr. Weyer asked Mr. Bret Sealy, managing partner with MBS Capital Markets, LLC. MBS Capital Markets was the underwriter for the Hacienda Lakes CDD Series 2014 and Series 2016 Bonds.

The municipal bonds are call-protected for 10 years so they cannot be refinanced. MBS continually monitors all of the bonds they underwrite to note when they will become

1 available for refinancing. The Series 2014 bonds first option call date is May 1 of 2024. 2 MBS would be engaged at their own cost and risk to undertake all of the credit work to 3 undertake a refunding to see if it is financially feasible to undertake the refinancing. MBS 4 would come back to the Board in February to report on the potential refinancing. 5 6 Mr. Martin asked what the current interest rate on the Bonds. Mr. Sealy reported that the 7 blended interest rate is 6.375%. Mr. Martin asked if the rates go up before February can 8 the District pause. Mr. Sealy said that the District can pause and wait until the markets 9 become favorable. Mr. Torres asked if the refinanced bonds would have a 10-year call-10 protection. Mr. Sealy said that would be typical if the board decides to go the public 11 offering process. 12 13 On MOTION by Mr. Olson and seconded by Mr. Tomassetti, with all in favor, the Board of 14 Supervisors of the Hacienda Lakes Community Development District accepted the MBS Capital 15 Markets engagement letter. 16 17 **Staff Reports** EIGHTH ORDER OF BUSINESS 18 19 Manager's Report -20 21 Mr. Weyer showed the board that the entry monument signs along 951 have been cleaned 22 and he is having the lights repaired. There is a disconnected portion of our irrigation 23 system that will be connected and buried at the north side of Rattlesnake Hammock Road. 24 25 Mr. Weyer also requested that Mr. Torres assist Mr. Weyer in preparing the map showing 26 what is being constructed around the area.

Mr. Weyer also gave a lake maintenance update.

Mr. Urbancic has nothing further to report.

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33 34 Attorney's Report -

Engineer's Report –		
Mr. Cole had nothing further to a	eport	
_		
SEVENTH ORDER OF BUSINESS	<b>Public Comments</b>	
A		
A resident asked what is the emergency management plan for hurricanes. Mr. Weyer said that all of the culverts are cleaned on an annual basis as needed, which allows for the flow		
of water offsite. In terms of landscaping, WLM prepares the landscaping for storm.		
of water offsite. In terms of fair	ascuping, well prepares the failuscuping for storm.	
Another resident asked if the co	ounty owns Rattlesnake Hammock Road in front of our	
	naintains the landscaping. Mr. Weyer reported that is the	
case.		
EIGHTH ORDER OF BUSINESS	Supervisors' Requests	
Mr. Rothe asked for Mr. Torres	give an update on what is being developed along Collier	
	oll property development and mentioned that most of the	
	luded in the future map that will be circulated.	
EIGHTH ORDER OF BUSINESS	A di a	
EIGHTH ORDER OF BUSINESS	Adjournment	
•	nded by Mr. Olson, with all in favor, the meeting of the akes Community Development District was adjourned.	
Secretary/Assistant Secretary	Chairperson/Vice-Chairperson	

EXHIBIT 5



951 Yamato Road • Suite 280 Boca Raton, Florida 33431 (561) 994-9299 • (800) 299-4728 Fax (561) 994-5823 www.graucpa.com

November 6, 2023

To Board of Supervisors Hacienda Lakes Community Development District 707 Orchid Drive, Suite 100 Naples, FL 34102

We are pleased to confirm our understanding of the services we are to provide Hacienda Lakes Community Development District, Collier County, Florida ("the District") for the fiscal year ended September 30, 2023. We will audit the financial statements of the governmental activities and each major fund, including the related notes to the financial statements, which collectively comprise the basic financial statements of Hacienda Lakes Community Development District as of and for the fiscal year ended September 30, 2023. In addition, we will examine the District's compliance with the requirements of Section 218.415 Florida Statutes. This letter serves to renew our agreement and establish the terms and fee for the 2023 audit.

Accounting principles generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the District's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the District's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis
- 2) Budgetary comparison schedule

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditor's report will not provide an opinion or any assurance on that information:

1) Compliance with FL Statute 218.39 (3) (c)

### **Audit Objectives**

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of the accounting records of the District and other procedures we consider necessary to enable us to express such opinions. We will issue a written report upon completion of our audit of the District's financial statements. We cannot provide assurance that an unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or add emphasis-of-matter or other-matter paragraphs. If our opinion on the financial statements is other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express an opinion or issue a report, or may withdraw from this engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the District's internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the District's internal control and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during our audit we become aware that the District is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

### **Examination Objective**

The objective of our examination is the expression of an opinion as to whether the District is in compliance with Florida Statute 218.415 in accordance with Rule 10.556(10) of the Auditor General of the State of Florida. Our examination will be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and will include tests of your records and other procedures we consider necessary to enable us to express such an opinion. We will issue a written report upon completion of our examination of the District's compliance. The report will include a statement that the report is intended solely for the information and use of management, those charged with governance, and the Florida Auditor General, and is not intended to be and should not be used by anyone other than these specified parties. We cannot provide assurance that an unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or add emphasis-of-matter or other-matter paragraphs. If our opinion on the District's compliance is other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the examination or are unable to form or have not formed an opinion, we may decline to express an opinion or issue a report, or may withdraw from this engagement.

### **Other Services**

We will assist in preparing the financial statements and related notes of the District in conformity with U.S. generally accepted accounting principles based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

### **Management Responsibilities**

Management is responsible for compliance with Florida Statute 218.415 and will provide us with the information required for the examination. The accuracy and completeness of such information is also management's responsibility. You agree to assume all management responsibilities relating to the financial statements and related notes and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. In addition, you will be required to make certain representations regarding compliance with Florida Statute 218.415 in the management representation letter. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Management is responsible for designing, implementing and maintaining effective internal controls, including evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with U.S. generally accepted accounting principles, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts or grant agreements, or abuse that we report.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

#### Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. Our responsibility as auditors is limited to the period covered by our audit and does not extend to later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

#### Audit Procedures—Internal Control

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

### **Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the District's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

### **Engagement Administration, Fees, and Other**

We understand that your employees will prepare all confirmations we request and will locate any documents selected by us for testing.

The audit documentation for this engagement is the property of Grau & Associates and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to a cognizant or oversight agency or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Grau & Associates personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies. Notwithstanding the foregoing, the parties acknowledge that various documents reviewed or produced during the conduct of the audit may be public records under Florida law. The District agrees to notify Grau & Associates of any public record request it receives that involves audit documentation.

Our fee for these services will not exceed \$7,000 for the September 30, 2023 audit, unless there is a change in activity by the District which results in additional audit work or if additional Bonds are issued.

Grau & Associates and its subcontractors warrant compliance with all federal immigration laws and regulations that relate to their employees. Grau agrees and acknowledges that the District is a public employer subject to the E-Verify requirements as set forth in Section 448.095, Florida Statutes, and that the provisions of Section 448.095, Florida Statutes apply to this Agreement. If the District has a good faith belief that the Grau has knowingly hired, recruited or referred an alien who is not authorized to work by the immigration laws or the Attorney General of the United States for employment under this Agreement, the District shall terminate this Agreement. If the District has a good faith belief that a subcontractor performing work under this

Agreement knowingly hired, recruited or referred an alien who is not duly authorized to work by the immigration laws or the Attorney General of the United States for employment under this Agreement, the District shall promptly notify Grau and order Grau to immediately terminate the contract with the subcontractor. Grau shall be liable for any additional costs incurred by the District as a result of the termination of a contract based on Grau's failure to comply with E-Verify requirements evidenced herein.

We will complete the audit within prescribed statutory deadlines, with the understanding that your employees will provide information needed to perform the audit on a timely basis.

If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the The audit documentation for this engagement will be retained for a minimum of five years after the report release date. audit finding for guidance prior to destroying the audit documentation.

in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. Invoices will be submitted in sufficient detail to demonstrate compliance with the terms of this agreement. In accordance with our firm policies, work may be suspended if your account becomes 60 days or more overdue and may not be resumed until your account is paid cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate.

This agreement may be renewed each year thereafter subject to the mutual agreement by both parties to all terms and fees. The fee for each annual renewal will be agreed upon separately The District has the option to terminate this agreement with or without cause by providing thirty (30) days written notice of termination to Grau & Associates. Upon any termination of this agreement, Grau & Associates shall be entitled to payment of all work and/or services rendered up until the effective termination of this agreement, subject to whatever claims or off-sets the District may have against Grau & Associates. We will provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2023 peer review report accompanies

accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us. We appreciate the opportunity to be of service to Hacienda Lakes Community Development District and believe this letter

Grau & Associates Antonio J. Grau Very truly yours,

# RESPONSE:

This letter correctly sets forth the understanding of Hacienda Lakes Community Development District.

By:
Title:
Date:





Peer Review Program

FICPA Peer Review Program Administered in Florida by The Florida Institute of CPAs AICPA Peer Review Program Administered in Florida by the Florida Institute of CPAs

February 20, 2020

Antonio Grau Grau & Associates 951 Yamato Rd Ste 280 Boca Raton, FL 33431-1809

Dear Antonio Grau:

It is my pleasure to notify you that on February 20, 2020, the Florida Peer Review Committee accepted the report on the most recent. System Review of your firm. The due date for your next review is. December 31, 2022. This is the date by which all review documents should be completed and submitted to the administering entity.

As you know, the report had a peer review rating of pass. The Committee asked me to convey its congratulations to the firm.

Thank you for your cooperation.

Sincerely, FICPA Peer Review Committee

Peer Review Team FICPA Peer Review Committee paul@ficpa.org 800-342-3197 ext. 251

Florida Institute of CPAs

cc: Daniel Hevia, Racquel McIntosh

Firm Number: 900004390114 Review Number: 571202

EXHIBIT 6

# Hacienda Lakes Community Development District Cash Flow

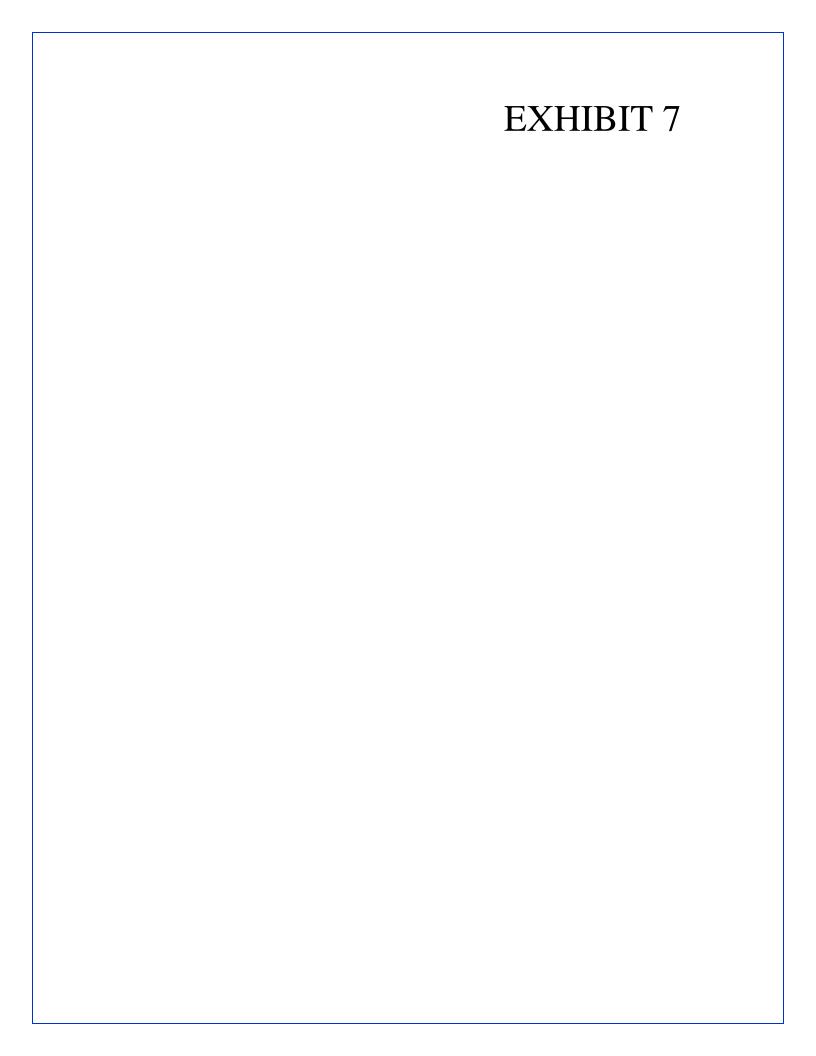
### October 2023

	Total
Income	
1363116 Off Roll Assessments	\$16,577.07
1363118 Excess Commission Refund	19,334.59
Total Income	\$35,911.66
Expenses	
1100000 Administrative	
1512100 Management Consulting Services	\$3,500.00
1513000 Miscellaneous Expense	676.04
1513014 Website Hosting & Management	199.98
1513048 District Filing Fee	175.00
1513055 Legal Advertising	231.00
1513060 Assessment Administration Servi	6,891.55
1513075 Accounting Services	750.00
1513080 Engineering Services	885.22
1513100 Insurance- General Liability	6,850.00
1514010 Legal Services	525.00
Total 1100000 Administrative	\$20,683.79
1160000 Field Operations	
1531010 Electricity - General	\$1,227.91
1572021 Aquifer Monitoring Well	14,900.00
1572030 Lake Maintenance	2,609.00
1572060 Water Use Monitoring	450.00
Total 1160000 Field Operations	\$19,186.91
Total Expenses	\$39,870.70
Net Operating Income	-\$3,959.04

Friday, Nov 17, 2023 10:59:24 AM GMT-8 - Accrual Basis

# **HLCDD General Fund Analysis**July 31, 2023

Fund Type	Amount
Bank Balance 10/31/23:	\$275,580.80
Off Roll Assessments Receivable	386,705.00
Remaining FY 2023 Budget:	-302,743.00
Pump Replacement Reserve:	-100,000.00
Lake Bank Restoration Reserve:	-25,000.00
General Reserves:	\$234,542.80





# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

October 16, 2023

Hacienda Lakes Community Development District ATTN: Russ Weyer 707 Orchid Dr, Naples Naples, FL 34102

Subject: Estilo

Notice of Inspection

Environmental Resource Permit (ERP) No. 11-03462-P

**Collier County** 

Dear Mr. Weyer:

This letter is to provide notification that a site inspection conducted on October 10, 2023 and a concurrent review of our files indicate that the referenced project is currently in compliance with the special conditions of the ERP.

The District appreciates your effort to maintain compliance with Special Condition 12 by managing the preserve area in perpetuity for nuisance and exotic plant species. The total cover of nuisance and exotic plant species shall not exceed 5% cover between maintenance events. Monitoring requirements may be reinstated if the wetlands are not adequately managed and maintained.

If you have any questions or require additional assistance, please contact Dylan Humenay at (239) 338-2929 ext 7755 or via email at dhumenay@sfwmd.gov.

Sincerely,

Dylan Humenay

Environmental Analyst III

eEnclosures: Location Map (201110-4667 Exhibit1 0 LocMap 20201222.pdf)

Inspection Report (11-03462-P ENV InspectionRpt 20231016.pdf)

c: David Torres, Lord's Way 30, LLC (E-Mail)

This document is filed in the ePermitting system under Permit Number 11-03462-P via the Application/Permit Section on the Records Search home page