



**HOBE-ST. LUCIE
CONSERVANCY DISTRICT**

MARTIN COUNTY

**REGULAR BOARD OF SUPERVISORS MEETING
DECEMBER 18, 2024
9:30 A.M.**

Special District Services, Inc.
The Oaks Center
2501A Burns Road
Palm Beach Gardens, FL 33410

www.hobestluciecd.org
561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
HOBE-ST. LUCIE CONSERVANCY DISTRICT
Conference Room at Becker Tree Farm
2400 SE Bridge Road
Hobe Sound, Florida 33455
REGULAR BOARD OF SUPERVISORS MEETING
December 18, 2024
9:30 a.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. December 4, 2024 Regular Board of Supervisors Meeting Minutes.....Page 2
- G. Old Business
 - 1. Status Update Regarding RG Reserve
 - 2. Update Regarding Access to Elise J Property
- H. New Business
 - 1. Consider Resolution 2024-13 – Accepting the Phase 2 Public Improvements and Authorizing Disbursement No. 2 in the amount of \$16,178.918.00.....Page 6
- I. Administrative Matters
 - 1. Engineer’s Report
 - 2. Attorney’s Report
 - 3. Manager’s Report
 - 4. Field Operations Report
- J. Board Members Comments
- K. Adjourn



Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

AFFIDAVIT OF PUBLICATION

Laura Archer
Peter Pimentel
Hobe-St. Lucie Conservancy District
2501 Burns RD # A
Palm Beach Gardens FL 33410-5207

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Indian River Press Journal/St Lucie News Tribune/Stuart News, newspapers published in Indian River/St Lucie/Martin Counties, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible websites of Indian River/St Lucie/Martin Counties, Florida, or in a newspaper by print in the issues of, on:

10/10/2024

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 10/10/2024

Keegan Horan

Legal Clerk

Kaitlyn Felty

Notary, State of WI, County of Brown

3-7-27

My commission expires

Publication Cost: \$149.00
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KAITLYN FELTY
Notary Public
State of Wisconsin

HOBEST. LUCIE CONSERVANCY DISTRICT
FISCAL YEAR 2024/2025
REGULAR MEETING SCHEDULE
NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Hobe-St. Lucie Conservancy District will hold Regular Meetings in the Conference Room at Becker Tree Farm located at 2400 SE Bridge Road, Hobe Sound, Florida 33455 at 9:30 a.m. on the following dates:
October 23, 2024
November 20, 2024
December 18, 2024
January 22, 2025
February 26, 2025
March 26, 2025
April 23, 2025
May 28, 2025
June 25, 2025
July 23, 2025
August 27, 2025
September 24, 2025

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. A copy of the Agenda for any of the meetings may be obtained from the District's website or by contacting the District Manager at (561) 630-4922 and/or toll free at 1-877-737-4922 prior to the date of the particular meeting.

From time to time one or more Supervisors may participate by telephone; therefore a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Said meetings may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at (561) 630-4922 and/or toll-free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.

HOBEST. LUCIE CONSERVANCY DISTRICT
www.hobestlucied.org
Pub: October 10, 2024
TCN10647755

MINUTES OF THE BOARD OF SUPERVISORS MEETING
OF HOBE-ST. LUCIE CONSERVANCY DISTRICT
December 4, 2024

Pursuant to the above Notice, the Board of Supervisors of Hobe-St. Lucie Conservancy District held its Board of Supervisors Meeting on December 4, 2024 at 9:30 A.M. at the Becker Tree Farm & Nursery located at 2400 SE Bridge Road, Hobe Sound, Florida 33455.

Present were Rick Melchiori, Edward Weinberg and Robert Brown (via telephone), Supervisors; Michael McElligott of Special District Services, Inc. as District Manager; Patick Helms of Higgins Engineering, Inc. as District Engineer; and Mary M. Viator, Attorney. Also in attendance was Mr. Ray Spears of The Grassroots Corp.

A. CALL TO ORDER

The Board of Supervisors Meeting was called to order by President Melchiori.

B. PROOF OF PUBLICATION

C. ESTABLISHMENT OF QUORUM

The President announced a quorum was present and it was in order to transact any business to come before the Board.

D. ADDITIONS OR DELETIONS TO AGENDA

None.

E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

None.

F. APPROVAL OF MINUTES

A motion was made by Mr. Weinberg, seconded by Mr. Brown and unanimously passed approving the Minutes of the October 23, 2024 Board of Supervisors Board Meeting.

G. OLD BUSINESS

1. Status Update Regarding RG Reserve

The Board was informed of the prospective purchase of the subject land.

No action was taken at this time.

2. Update Regarding Access to Elise J. Property:

The Board deferred action at this time.

H. NEW BUSINESS

1. Consider Resolution No. 2024-12 – Approving the Second Amendment to Public Improvement Acquisition Agreement (Distribution #2)

The Attorney explained for Phase 2, the identification of the Improvements to be transferred to the District and the purchase price will be determined by the Second Amendment to the Public Improvement Acquisition Agreement (Distribution #2). The Phase 2 Transfer includes the components of the Discovery PUD SWMS and any Improvements required to be transferred to the District in accordance with the Unit 1A Amended and Restated Water Control Plan. These Improvements are described in greater detail and certified by the District Engineer to be “functional, complete and operational” in the same manner as the Phase 1 Improvements. The purchase price for Phase 2 will as certified by the District Engineer, but payment for the Phase 2 Improvements will not exceed the amount of the District’s undisbursed and legally available Series 2024 Bond proceeds.

The Board discussed Disbursement #2.

A motion was made by Mr. Weinberg, seconded by Mr. Brown and unanimously passed to approve Resolution 2024-12 – Approving the Second Amendment to Public Improvement Acquisition Agreement (Distribution #2) as follows:

RESOLUTION NO. 2024-12

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HOBE ST. LUCIE
CONSERVANCY DISTRICT APPROVING THE SECOND AMENDMENT TO PUBLIC
IMPROVEMENT ACQUISITION AGREEMENT
(Distribution #2)

(Copy filed with District Records)

Mr. Melchiori and Mr. Weinberg announced a Conflict of Interest. Form 8B was filed with District Records.

1. ADMINISTRATIVE MATTERS

1. District Engineer's Report

None.

2. District Attorney's Report

None.

3. Manager's Report

The District Manager informed the Board that the deadline for completing the Ethics Training is December 31, 2024.

4. Field Operations Report

The Field Operations Manager, Mr. Spears, reported on the minimal debris left by Hurricane Helene and the ongoing cleanup efforts.

BOARD MEMBER COMMENTS

None.

NEXT MEETING

The Board confirmed the November Board meeting was cancelled and the next Board Meeting would occur on December 18, 2024.

ADJOURN

There being no further business to come before the Board, the Meeting was adjourned.

President

Secretary

RESOLUTION NO. 2024 - 13

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF HOBE-ST. LUCIE CONSERVANCY DISTRICT
ACCEPTING THE PHASE 2 PUBLIC
IMPROVEMENTS AND AUTHORIZING DISBURSEMENT #2
FOR THE SERIES 2024 PROJECT ACCOUNT**

WHEREAS, HOBE-ST. LUCIE CONSERVANCY DISTRICT is an independent special district organized and validly existing under the Constitution and Laws of the State of Florida, including applicable provisions of Chapter 298, Florida Statutes, as amended, and Chapter 2005-239, Laws of Florida and Chapter 2007-296, Laws of Florida; and

WHEREAS, District has found that it is in the best interests of the land within the District's Unit of Development No. 1 A ("Unit No. 1A") to construct, acquire, operate, maintain and/or convey to other governmental entities certain hereinafter identified public infrastructure facilities, works and improvements, together with provision of associated services rendered in regard thereto, including components thereof, that will serve the District and benefit the real property located within Unit No. 1A. These public infrastructure facilities, works and improvements and associated services, including components thereof, relating thereto may include but are not limited to potable water, sewer, stormwater drainage systems and facilities, and other public improvements, all as such services, facilities, and improvements being more specifically identified in the Water Control Plan for Unit of Development No. 1 A adopted by District's Board of Supervisors on June, 22, 2022, as may be amended from time to time, (referred to hereafter as the "Water Control Plan" or the "Project"); and

WHEREAS, in order to effectuate transfer, in one or more installments or conveyances, of all of Developer's right, title and interest in those public infrastructure improvements (and associated services relating thereto) (hereafter referred to individually or collectively as the "Public Improvements") identified in the Water Control Plan from Developer to District, the Parties executed that certain Public Improvement Acquisition Agreement, dated May 13, 2024 (hereafter referred to as the "Acquisition Agreement"), which established the terms and conditions of the transfer to District of public improvements as set forth therein; and

WHEREAS, the specific Public Improvements initially proposed to be transferred to the District were identified in Exhibit "A", attached to the Acquisition Agreement; and

WHEREAS, effective June 12, 2024, the Parties executed that certain First Amendment to the Acquisition Agreement, which revised the list of Public Improvements to be acquired by the District (hereafter referred to as the "Phase 1 Public Improvements") and established an agreed maximum amount to be paid to Developer for said Phase 1 Public Improvements; and

WHEREAS, effective December 4, 2024, the Parties executed that certain Second Amendment to the Acquisition Agreement, which further revised the list of Public Improvements to be acquired by the District (hereafter referred to as the "Phase 2 Public Improvements") and established an agreed maximum amount to be paid to Developer for said Phase 2 Public Improvements; and

WHEREAS, the Developer has asked District to accept Developer's right, title and interest in Phase 2 Public Improvements for the maximum amount to be paid to Developer for said Phase 2 Public Improvements as provided in the Second Amendment to the Improvement Acquisition Agreement and has presented sufficient evidence of compliance with its terms; and

WHEREAS, District accepts ownership and control of the Phase 2 Public Improvements upon the same terms and conditions as the Phase 1 Public Improvements specified in the Acquisition Agreement, except as modified in the Second Amendment to the Acquisition Agreement; and

WHEREAS, prior to payment by District to Developer for acquisition of the Phase 2 Public Improvements, District's Engineer ("District Engineer") has verified by one or more written signed and sealed certifications to the District that: (a) the Phase 2 Public Improvements being acquired by District are part of the Project and (b) the purchase price to be paid by District for acquisition of the Phase 2 Public Improvements does not exceed the lower of: (i) the actual cost of design, implementation and construction of such Phase 2 Public Improvements or (ii) District Engineer's estimated fair market value of such Phase 2 Public Improvements.

NOW, THEREFORE, be it resolved by the Board of Supervisors of HOBE-ST. LUCIE CONSERVANCY DISTRICT as follows:

1. That the Board of Supervisors hereby approves, reaffirms and ratifies the Second Amendment to Public Improvement Acquisition Agreement (Distribution #2) as set forth in the attached hereto as Exhibit "1".
2. The Board of Supervisors hereby accepts ownership and control of the Phase 2 Public Improvements and authorizes Disbursement Approval No. 2 for the Series 2024 Project Account.
3. This Resolution shall be filed with the Secretary of Hobe-St. Lucie Conservancy District.
4. All Resolutions and parts of Resolutions in conflict herewith are hereby repealed.
5. This Resolution shall take effect immediately upon its adoption.

THIS RESOLUTION PASSED AND WAS ADOPTED UNANIMOUSLY BY THE BOARD OF SUPERVISORS OF HOBE-ST. LUCIE CONSERVANCY DISTRICT ON DECEMBER 18, 2024.

HOBE-ST. LUCIE CONSERVANCY DISTRICT

ATTEST:

President

Secretary

(DISTRICT SEAL)

EXHIBIT "1"
DISCOVERY PLANNED UNIT DEVELOPMENT
HSLCD ACQUISITION OF PUBLIC IMPROVEMENTS, PHASE 2

Description	A	B=A* 10%	C	D=A-B-C
	Work Completed (Pay App #22)	Less 10% Retainage	Phase #1 Funding	Phase #2 Funding Request *
1400 Excavation	\$ 26,966,433	\$ 2,696,643	\$ 15,717,083	\$ 8,552,707
1450 Embankment	\$ 5,447,829	\$ 544,783	\$ 1,746,410	\$ 3,156,637
2100 Drainage	\$ 16,088,574	\$ 1,608,857	\$ 13,694,803	\$ 784,913
1000 Mobilization	\$ 264,306	\$ 26,431	\$ -	\$ 237,875
1100 Erosion Control	\$ 289,216	\$ 28,922	\$ -	\$ 260,295
1200 Clear Grub and Burn	\$ 1,780,222	\$ 178,022	\$ -	\$ 1,602,200
1300 Strip Site and Use in Green Areas	\$ 450,338	\$ 45,034	\$ -	\$ 405,304
1600 Finish Grade	\$ 939,194	\$ 93,919	\$ -	\$ 845,275
1500 Grade Lots	\$ 370,792	\$ 37,079	\$ -	\$ 333,713
Total	\$ 52,596,904	\$ 5,259,690	\$ 31,158,295	\$ 16,178,918

* Funding not to exceed District's undisbursed and legally available Series 2024 Bond proceeds

DISBURSEMENT APPROVAL FOR SERIES 2024 PROJECT ACCOUNT

The Bank of New York Mellon Trust Company, N.A., as trustee
Attention: Corporate Trust Department

Re: \$60,370,000.00 Hobe-St. Lucie Conservancy District, Improvement Bonds, Unit of
Development No. 1A, Series 2024 (the "Bonds")

Pursuant to the provisions of the Amended and Restated Resolution No. 2024-04 of Hobe-St. Lucie Conservancy District (the "Issuer") adopted March 27, 2024, as may be amended, supplemented and restated, including by Amended and Restated Resolution No. 2024-05 of the Issuer (collectively, the "Resolution"), you are hereby requested and directed to disburse from the Series 2024 Project Account referred to in the Resolution the amounts indicated below. Capitalized terms used herein not otherwise defined herein shall have the meanings ascribed thereto in the Resolution.

The undersigned hereby certifies:

1. This is Disbursement Approval number **2**
2. The name and address of the person(s), firm(s), or corporation(s) to whom the disbursement(s) is (are) due is (are), and the amount(s) thereof is (are) as follow(s):

See attached Disbursement Detail

Total Amount Due this Disbursement = \$16,178,918.00

The undersigned further certifies that:

1. This requisition is for a Cost of the Series 2024 Project payable from the Series 2024 Project Account that has not previously been paid; and
2. Each disbursement set forth above is a proper charge against the Series 2024 Project Account.

Pay from 2024 Project Fund Account # 00761908

Each disbursement set forth above is made as payment of a portion of the purchase price for the Series 2024 Project pursuant to a written agreement between the District and the other party named therein receiving payment and the undersigned represents that such agreement has not been modified or amended and is in full force and effect on the date hereof.

**HOBE-ST. LUCIE CONSERVANCY
DISTRICT**

By: _____
President, Board of Supervisors

Date: December 18, 2024