



Rizzetta & Company

# **CFM Community Development District**

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## **Board of Supervisors' Meeting**

### **December 21, 2023**

**District Office:  
9530 Marketplace Road, Suite 206  
Fort Myers, Florida 33912  
(239) 936-0913**

[www.cfmccd.org](http://www.cfmccd.org)

**CFM**  
**COMMUNITY DEVELOPMENT DISTRICT**

District Office · Ft. Myers, Florida · (239) 936-0913  
Mailing Address · 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614

www.cfmccd.org

<b>Board of Supervisors</b>	Paul Mayotte Sue Streeter Brian McGibbon Rodney Allen Terry Jo Gile	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
<b>District Manager</b>	Belinda Blandon	Rizzetta & Company, Inc.
<b>District Counsel</b>	Tucker Mackie	Kutak Rock, LLP
<b>District Engineer</b>	Brent Burford	Johnson Engineering, Inc.

**All cellular phones must be placed on mute while in the meeting room.**

The Audience Comment portion of the agenda is where individuals may make comments on matters that concern the District. Individuals are limited to a total of three (3) minutes to make comments during this time.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (239) 936-0913. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) 1-800-955-8770 (Voice), who can aid you in contacting the District Office.

A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop 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 the appeal is to be based.

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December 13, 2023

**Board of Supervisors  
CFM Community  
Development District**

**AGENDA**

Dear Board Members:

The regular meeting of the Board of Supervisors of the CFM Community Development District will be held on **Thursday, December 21, 2023, at 11:30 a.m.** at the office of Rizzetta & Company, Inc., 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912. The following is the agenda for the meeting:

- 1. CALL TO ORDER/ROLL CALL**
- 2. PUBLIC COMMENT – AGENDA ITEMS ONLY**
- 3. BUSINESS ADMINISTRATION**
  - A. Consideration of the Minutes of the Board of Supervisors’ Meeting held on November 16, 2023,..... Tab 1
  - B. Ratification of the Operations and Maintenance Expenditures for the Months of October and November 2023 ..... Tab 2
- 4. BUSINESS ITEMS**
  - A. Discussion regarding FEMA Determination Memorandum and consideration of appeal process ..... Tab 3
- 5. STAFF REPORTS**
  - A. District Counsel
  - B. District Engineer
  - C. District Manager ..... Tab 4
- 6. SUPERVISOR REQUESTS AND COMMENTS**
- 7. PUBLIC COMMENT**
- 8. ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call us at (239) 936-0913.

Very truly yours,

*Belinda Blandon*

Belinda Blandon  
District Manager

cc: Tucker Mackie, Kutak Rock, LLP

# Tab 1



47 replant smaller ones. The Board requested for Solitude to review the lakes discussed and  
48 proved a proposal with options.

49

50 **FOURTH ORDER OF BUSINESS**

**Consideration of the Minutes of the  
Board of Supervisors' Meeting held on  
October 19, 2023**

51

52

53

54 Ms. Blandon presented the Minutes of the Board of Supervisors' meeting held on  
55 October 19, 2023. She asked if there were any questions related to the minutes. There  
56 were none.

57

58 On a Motion by Ms. Streeter, seconded by Mr. Mayotte, with all in favor, the Board  
59 Approved the Minutes of the Board of Supervisors' Meeting held on October 19, 2023, for  
60 the CFM Community Development District.

61

62 **FIFTH ORDER OF BUSINESS**

**Ratification of the Operations and  
Maintenance Expenditures for the  
Month of September 2023**

63

64

65

66 Ms. Blandon advised that operations and maintenance expenditures for the period  
67 of September 1-30, 2023, totaled \$61,718.62. She asked if there were any questions.  
68 There were none.

69

70 On a Motion by Mr. Allen, seconded by Mr. McGibbon, with all in favor, the Board Ratified  
71 the Operations and Maintenance Expenditures for the Month of September 2023,  
72 (\$61,718.62.), for the CFM Community Development District.

73

74 **SIXTH ORDER OF BUSINESS**

**Discussion and Consideration of  
Proposals of Plants for Conservation  
Area**

75

76

77

78 Ms. Blandon advised the proposals of plantings has not been received. This item  
79 has been tabled until the next meeting.

80

81 **SEVENTH ORDER OF BUSINESS**

**Review of Conservation Area Policy  
and Consideration of Resolution 2024-  
02 Adapting Conservation Area Policy**

82

83

84

85 Ms. Mackie provided an overview of the Conservation Area Policy. She advised that  
86 at a prior meeting of the Board, the District wanted to put into writing its policy with respect  
87 to Conservation areas making it clear on where those specific areas were and to utilize  
88 communication to residents as the District often receive requests for cleaning of certain  
89 areas and whether the District can do that depending upon whether the area is in a  
90 conservation area. Ms. Mackie advised there were language changes and edits from Mr.  
91 Brent Burford and his team this morning. Ms. Blandon requested confirmation of how to

92 proceed, does the District want to approve the resolution with changes to the policy as noted.  
93 Ms. Mackie stated the changes were clarification items. She suggested the motion to  
94 approve the resolution with the revised version incorporating the edits from the District  
95 Engineer being attached as exhibit A. Ms. Mackie responded to questions from the Board.  
96 .

97 On a Motion by Ms. Streeter, seconded by Mr. Mayotte, with all in favor, the Board  
98 Approved the Resolution 2024-02, Adapting Conservation Area Policy with revised version  
99 incorporating the edits from the District Engineer being attached as exhibit A, for the CFM  
100 Community Development District.

101 **Supervisor Gile joined the Teams meeting.**

102  
103  
104 **EIGHTH ORDER OF BUSINESS**

**Consideration of Proposal for Annual  
Ground Cover**

105  
106  
107 Ms. Blandon gave an overview of the proposal for the Annual Ground Cover. She  
108 advised the amount did not increase from last year. She asked if there were any  
109 questions, there were none.  
110

111 On a Motion by Mr. McGibbon, seconded by Mr. Allen, with all in favor, the Board Approved  
112 Proposal for the Annual Ground Cover (\$27,700), for the CFM Community Development  
113 District.

114  
115 **NINTH ORDER OF BUSINES**

**Staff Reports**

116  
117 **A. District Counsel**

118 Ms. Mackie has advised she does not have a report. She advised that she would  
119 answer any questions from the board, there were none.  
120

121 **B. District Engineer**

122 Mr. Burford advised that he had updates on the notice of non-compliance received  
123 from the SFWMD. He advised there were areas of wetlands that needed additional  
124 attention, including the area off parcel H. He advised there are vines that are  
125 becoming a nuisance and although they are native, they need to be removed  
126 because they can take over an area and start pulling down trees and shrubs. Mr.  
127 Buford advised that signage needs to be addressed. He stated that signs will need  
128 to be installed every 100 feet along the residential properties. Mr. Burford  
129 responded to questions from the Board. Mr. Burford stated that he is going to report  
130 back to the Board with a map of where the signs are needed.  
131

132 The Board requested an update on the sediment filters being cleaned on Crosswater.  
133 Mr. Burford advised that he would have someone go by Crosswater. The Board  
134 inquired regarding the inlets being cleaned of debris, Mr. Burford advised the inlet in  
135 front of the maintenance facility is the responsibility of the golf course.  
136

137 The Board inquired regarding the lake bank repairs. Mr. Burford stated he would work  
138 on that once the water levels decreased.

139  
140 The Board spoke regarding the sign on the other side of the road of the District  
141 entrance. Mr. Burford stated he would put together an exhibit for the sign, using  
142 reflective paint so it can be sent to different sign companies for proposals.

143  
144 C. District Manager  
145 Ms. Bandon advised the next meeting of the Board of Supervisors' is scheduled  
146 to be held on Thursday, December 21, 2023, at 11:30 a.m. The DM recommended  
147 cancelling the December meeting. The Board agreed.

148  
149 Ms. Bandon advised that the trees have been trimmed at the monument sign  
150 allowing the entry monument to be more illuminated. She advised that she  
151 received a proposal this morning for the replacement plantings for around the  
152 bottom of the monument and discussed the options. Ms. Bandon stated the  
153 proposal included 106 annuals, which was within the Chairs spending budget. She  
154 advised that height wise the plants would not impede the lighting at the bottom of  
155 the monument. Ms. Bandon suggested that if the Board moves forward now the  
156 planting would be done before Christmas.

157  
158 Ms. Bandon advised that the monument has been power washed. Ms. Streeter  
159 stated it did not look like it has been power washed. Ms. Bandon stated she would  
160 have it painted.

161  
162 **TENTH ORDER OF BUSINESS** **Supervisor Requests and Audience**  
163 **Comments**

164  
165 Ms. Bandon opened the floor for Supervisor requests and audience comments.

166  
167 Ms. Streeter inquired who hit the sign at Chestnut and Magnolia. Ms. Bandon  
168 stated she does not know; however, she has ordered a new signpost for the location. She  
169 stated the sign for Cherry Palm Drive was ripped off and that signpost has also been  
170 ordered.

171  
172 Mr. Allen inquired regarding the pickleball sign. He stated it does not match the  
173 rest of the neighborhood. He would like it to be changed to the standard of the  
174 neighborhood. The Board requested that Ms. Bandon reach out to the Developer to have  
175 the sign changed.

176  
177 Ms. Streeter requested information regarding LCEC. She stated that several of the  
178 poles along Magnolia Landing, the bottom is not leveled with the ground. Ms. Bandon  
179 requested for the pole numbers to be provided and she will send them to LCEC and have  
180 them fixed. Mr. Allen advised the light on Magnolia Landing and Pickleball Court light is  
181 out.

182  
183 **ELEVENTH ORDER OF BUSINESS** **Adjournment**



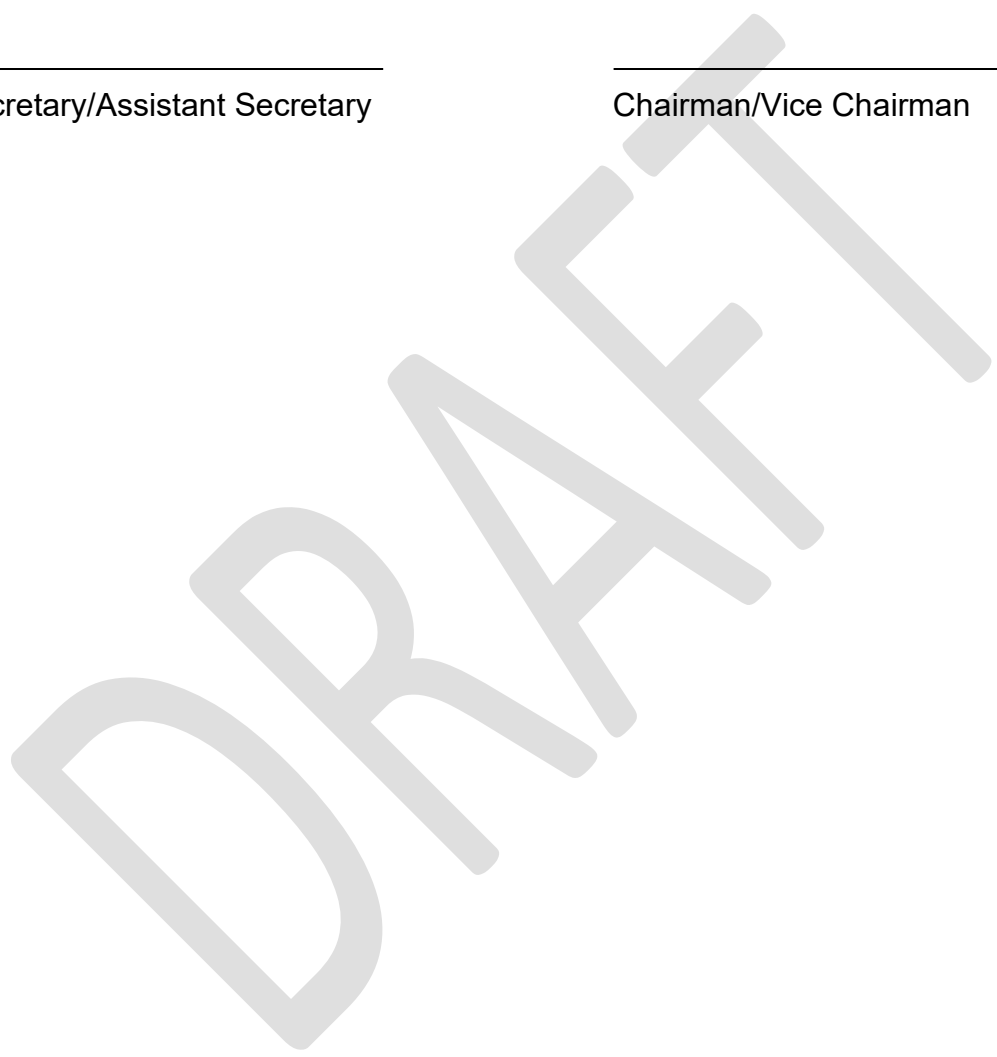
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196

Ms. Blandon advised there is no further business to come before the Board and asked for a motion to adjourn.

On a Motion by Ms. Streeter, seconded by Mr. Allen, with all in favor, the Board Adjourned the meeting at 12:22 p.m., for the CFM Community Development District.

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chairman/Vice Chairman



# Tab 2

# CFM COMMUNITY DEVELOPMENT DISTRICT

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## Operation and Maintenance Expenditures October 2023 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from October 1, 2023 through October 31, 2023. This does not include expenditures previously approved by the Board.

The total items being presented: **\$19,558.91**

Approval of Expenditures:

\_\_\_\_\_

\_\_\_\_\_ Chairperson

\_\_\_\_\_ Vice Chairperson

\_\_\_\_\_ Assistant Secretary

# CFM Community Development District

## Paid Operation & Maintenance Expenditures

October 1, 2023 Through October 31, 2023

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Brian McGibbon	100234	BM101923	Board of Supervisors Meeting 10/19/23	\$ 200.00
DR Horton, Inc.	100230	2310	LCEC Utility Bills Reimbursement 09/23	\$ 774.38
Florida Fountains & Equipment, LLC	100233	2023-341	Fountain Repair Service 09/23	\$ 216.50
Florida Fountains & Equipment, LLC	100233	F2023-39	Fountain Repair Service 09/23	\$ 779.00
Johnson Engineering, Inc.	100229	20236011-000-8	Magnolia Landing Water Use Permit Compliance Assistance 09/23	\$ 1,000.00
Kutak Rock, LLP	100231	3283541	Monthly Legal Services 08/23	\$ 2,152.27
Kutak Rock, LLP	100235	3295626	Monthly Legal Services 09/23	\$ 369.85
Magnolia Landing Golf, LLC	100232	CL00002992	Light Pole Status, Missing/Damaged Sign Report 10/23	\$ 360.00
Magnolia Landing Golf, LLC	100232	CL00002993	Mulch 10/23	\$ 1,155.00
Magnolia Landing Golf, LLC	100232	CL00002994	Tree Removal 10/23	\$ 250.00
Magnolia Landing Golf, LLC	100232	CL00002995	Tree Removal 10/23	\$ 350.00
Magnolia Landing Golf, LLC	100232	CL00002996	Tree Removal 10/23	\$ 250.00
Magnolia Landing Golf, LLC	100232	CL00002997	Tree Removal 10/23	\$ 250.00

# CFM Community Development District

## Paid Operation & Maintenance Expenditures

October 1, 2023 Through October 31, 2023

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Magnolia Landing Golf, LLC	100232	CL00002998	Re-stake Trees 10/23	\$ 630.00
Paul Mayotte	100236	PM101923	Board of Supervisors Meeting 10/19/23	\$ 200.00
Rizzetta & Company, Inc.	100228	INV0000084062	Assessment Roll FY 23-24	\$ 5,570.00
Rizzetta & Company, Inc.	100227	INV0000084160	District Management Fees 10/23	\$ 4,451.91
Rodney J Allen	100237	RA101923	Board of Supervisors Meeting 10/19/23	\$ 200.00
Sue Streeter	100238	SS101923	Board of Supervisors Meeting 10/19/23	\$ 200.00
Terry Jo Gile	100239	TJG101923	Board of Supervisors Meeting 10/19/23	<u>\$ 200.00</u>
<b>Report Total</b>				<b><u>\$ 19,558.91</u></b>

# CFM COMMUNITY DEVELOPMENT DISTRICT

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Mailing Address · 3434 Colwell Avenue, Suite 200 · Tampa, Florida 33614  
[www.cfmccd.org](http://www.cfmccd.org)

## **Operation and Maintenance Expenditures November 2023 For Board Approval**

Attached please find the check register listing the Operation and Maintenance expenditures paid from November 1, 2023 through November 30, 2023. This does not include expenditures previously approved by the Board.

The total items being presented: **\$92,044.87**

Approval of Expenditures:

\_\_\_\_\_

\_\_\_\_\_ Chairperson

\_\_\_\_\_ Vice Chairperson

\_\_\_\_\_ Assistant Secretary

# CFM Community Development District

## Paid Operation & Maintenance Expenditures

November 1, 2023 Through November 30, 2023

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Advancetek Services, Inc.	100242	230106-SSP-01	Sign Installation - Final 50% Balance 10/23	\$ 8,245.00
Brian McGibbon	100258	BM111623	Board of Supervisors Meeting 11/16/23	\$ 200.00
Custom Reserves LLC	100249	F1213.23	Final Payment - Reserve Study for CFM CDD 11/23	\$ 2,350.00
DR Horton, Inc.	100250	110623	LCEC Utility Bills Reimbursement 10/23	\$ 156.49
Florida Department of Commerce	100251	88591	Special District Fee FY 23/24	\$ 175.00
Gannett Florida LocaliQ	100259	5988030	Legal Advertising 10/23	\$ 272.40
Greatview Lawncare, LLC	100260	17809	Palm Trimming 11/23	\$ 297.00
Johnson Engineering, Inc.	100243	20044888-001-190	General Engineering 10/23	\$ 2,847.50
Johnson Engineering, Inc.	100243	20214225-002-11	Magnolia Landing Surface Water Quality Monitoring Through 09/30/23	\$ 869.70
Johnson Engineering, Inc.	100243	20214225-002-12	Magnolia Landing Surface Water Quality Monitoring 10/23	\$ 42.50
Johnson Engineering, Inc.	100243	20236011-000-9	Magnolia Landing Water Use Permit Compliance Assistance 10/23	\$ 1,000.00
LCEC	100241	6571809552 10/23	Electric Summary 10/23	\$ 10,917.24

# CFM Community Development District

## Paid Operation & Maintenance Expenditures

November 1, 2023 Through November 30, 2023

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Lee County Property Appraiser	100252	11514	Non Ad Valorem Roll FY 23/24	\$ 1,084.00
Lee County Tax Collector	100253	04-43-24-L4- 13RD1.0000 2023	2023 Non Ad Valorem Assessment Roll	\$ 22.21
Lerner Reporting Services, Inc.	100254	340	CFM CDD Annual Disclosure Fee 11/23	\$ 4,000.00
LLS Tax Solutions, Inc.	100247	3191	Arbitrage Series 2021 Refunding	\$ 500.00
Lykins Signtek, Inc.	100255	DI-205637	50% Deposit -Street Sign Fabrications & Installation 11/23	\$ 1,047.50
Magnolia Landing Master Association, Inc.	100244	MLM 10162023	Monthly Landscaping 10/23	\$ 6,357.52
Magnolia Landing Master Association, Inc.	100261	MLM 11162023	Monthly Landscaping 11/23	\$ 6,357.52
Mettauer Environmental Inc.	100245	2842	Grate Installation 03/23	\$ 1,975.00
Mettauer Environmental Inc.	100245	2843	Grate Replacement 04/23	\$ 1,350.00
Mettauer Environmental Inc.	100245	2844	Sign Repairs Hurricane Damage 03/23	\$ 8,119.50
Mettauer Environmental Inc.	100245	2961	Realign All Signage 07/23	\$ 1,475.00
Mettauer Environmental Inc.	100245	2974	Straighten and Secure Signs After Hurricane Idalia 09/23	\$ 1,012.50



# CFM Community Development District

## Paid Operation & Maintenance Expenditures

November 1, 2023 Through November 30, 2023

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Mettauer Environmental Inc.	100245	3011	Quarterly Conservation Area Maintenance Oct- Dec 2023	\$ 16,930.75
Paul Mayotte	100262	PM111623	Board of Supervisors Meeting 11/16/23	\$ 200.00
Premier Pressure Cleaning, LLC	100256	5131	Pressure Cleaning 11/23	\$ 250.00
Rizzetta & Company, Inc.	100240	INV0000084953	District Management Fees 11/23	\$ 4,451.91
Rodney J Allen	100263	RA111623	Board of Supervisors Meeting 11/16/23	\$ 200.00
Solitude Lake Management, LLC	100246	PSI016742	Lake & Pond Management Services 10/23	\$ 2,449.00
Solitude Lake Management, LLC	100257	PSI026489	Lake & Pond Management Services 11/23	\$ 2,449.00
Sue Streeter	100264	SS111623	Board of Supervisors Meeting 11/16/23	\$ 200.00
Terry Jo Gile	100265	TJG111623	Board of Supervisors Meeting 11/16/23	\$ 200.00
U.S. Bank	100248	7103972	Trustee Fees - Series 2021 (Refunding) 10/01/23- 09/30/24	<u>\$ 4,040.63</u>
<b>Report Total</b>				<b><u>\$ 92,044.87</u></b>

# Tab 3



**FEMA**

November 13, 2023

Kevin Guthrie  
Director  
Florida Division of Emergency Management  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

Belinda Blandon  
District Manager  
CFM Community Development District  
3000 Magnolia Landing Ln  
Fort Myers, Florida 33917

Re: FEMA Public Assistance Eligibility Determination – CFM Community Development District,  
PA ID 071-U3G4Q-00, FEMA-4673-DR-FL, Project 702877

Dear Kevin Guthrie and Belinda Blandon:

The Department of Homeland Security's Federal Emergency Management Agency (FEMA) has determined that the facility/work/cost is ineligible. Please see the enclosed FEMA Public Assistance Determination Memorandum for detailed information.

Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act and applicable regulations, CFM Community Development District is entitled to appeal this eligibility determination. The Applicant may appeal this determination to the FEMA Region 4 Regional Administrator pursuant to Title 44 Code of Federal Regulations § 206.206. The appeal must: (1) contain documented justification supporting the Applicant's position, (2) specify the monetary figure in dispute, and (3) cite the provisions in federal law, regulation, or policy with which the Applicant believes the initial action was inconsistent. The Applicant should also include a current email address to receive electronic correspondence. The Applicant must submit the appeal to the Florida Division of Emergency Management (Recipient) within 60 days of the Applicant's receipt of this determination. The Recipient must then transmit the appeal, with a written recommendation, to Region 4 within 60 days of receiving the Applicant's appeal.

Lastly, the Applicant must submit all relevant supporting information with its first appeal. For reference, a current index of documents relevant to this determination is enclosed.

FEMA-DR-4673-FL  
CFM Community Development District  
November 13, 2023

If you have any questions, please contact Marija Diceviciute, Florida Division of Emergency Management Appeals Officer, 850-815-4442 or email [FDEM-PA-APPEALS@em.myflorida.com](mailto:FDEM-PA-APPEALS@em.myflorida.com)

Sincerely,

**ANGELA D**  
**GILLMAN**

Digitally signed by  
ANGELA D GILLMAN  
Date: 2023.11.13  
15:34:41 -05'00'

Angela D. Gillman  
Infrastructure Branch Director  
Federal Emergency Management Agency  
FEMA 4673-DR-FL

Enclosures:  
FEMA PA Eligibility Determination Memorandum  
Index of Documents



## ELIGIBILITY DETERMINATION MEMORANDUM CFM Community Development District

Project No.	702877	Applicant Type	<input type="checkbox"/> State Agency
Version No.	0		<input checked="" type="checkbox"/> Local Government
Damage Inventory Nos.	1291476		<input type="checkbox"/> Tribe <input type="checkbox"/> Private Nonprofit
Project Title:	CFM CDD Debris Removal		
Category of Work:	B – Emergency Protective Measures		

Amount Requested:	\$87,341.46	Eligibility Issue Type(s)	<input type="checkbox"/> Applicant Eligibility
Amount Denied:	\$87,341.46		<input checked="" type="checkbox"/> Facility Eligibility <input checked="" type="checkbox"/> Work Eligibility <input checked="" type="checkbox"/> Cost Eligibility
Issue Keyword(s):	Ineligible work, Lack of documentation, Procurement, Debris Monitoring		

### Project Description:

Hurricane Ian caused strong winds and torrential rains which resulted in extensive damage in Florida. The incident period for this disaster is September 23, 2022, through November 4, 2022. The widespread damage resulted in a major disaster declaration (FEMA-4673-DR-FL) on September 29, 2022. This disaster declaration authorized Public Assistance (PA) in 67 counties.

The CFM Community Development District (Applicant) is an eligible applicant under the FEMA Public Assistance Program as a special district authorized by Florida Statute 190. Located in the declared county of Lee, the Applicant is an independent, multi-functional special district managed by a five-member Board of Supervisors and operates within the confines of Magnolia Landing Master Association, HOA. The Applicant claims that Hurricane Ian deposited vegetative debris, uprooted trees, and caused some trees to lean. The Applicant is requesting Category B funding in the amount of \$87,341.46 for the removal of debris and the cost of removing uprooted trees and staking of trees that were leaning.

### Issue:

Can FEMA reimburse costs for emergency work if the facility is not open to the public and legal responsibility has not been established?



Can FEMA reimburse emergency access if costs are not clearly discernible from other debris removal activities?

Can FEMA reimburse costs for debris removal activities if the contracted work was performed without being monitored?

## **Applicable Statutes, Regulations, and Policies in Effect as of the Declaration of the Emergency or Disaster:**

- **The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (2022) (Stafford Act):**

- § 102(8), Local Government (42 U.S.C. § 5122)
- § 312, Duplication of Benefits (42 U.S.C. § 5155)
- § 403 Essential Assistance (42 U.S.C. § 5170b)
- § 407, Debris Removal (42 U.S.C. § 5173)

- **Title 2 of the Code of Federal Regulations (2 C.F.R.) (2022):**

- § 200.317-200.327 Procurement standards.
- § 200.339 Remedies for noncompliance.
- § 200.403 Factors affecting allowability of costs.

- **Title 44 of the Code of Federal Regulations (44 C.F.R.) (2022):**

- § 206.201(b) Emergency Work.
- § 206.222(a) State and Local Governments.
- § 206.223(a) General Work Eligibility.
- § 206.224 Debris Removal
- § 206.225 Emergency work.

## **FEMA Policy:**

- **Public Assistance Program and Policy Guide FP 104-009-2 Version 4 (June 1, 2020) (PAPPG)**

- Chapter 3, Section VI, Applicant Eligibility, pp.42-44
- Chapter 4, Section I, General Work Eligibility, pp.51-56
- Chapter 5, Section III, Damage Information, p.63
- Chapter 6, Costs Eligibility, pp 65-66, Section VIII, pp. 76-85
- Chapter 7, Emergency Work Eligibility, pp. 97-109, 115



## Analysis:

FEMA is authorized to provide assistance for essential services to meet immediate threats to life and property resulting from a major disaster, including work that “reduce[s] immediate threats to life, property, and public health and safety.” *Stafford Act § 403(a)*. Section 403 specifically names debris removal as an example of such work. The Stafford Act also defines emergency work as work performed to clear and remove debris and wreckage. *Stafford Act § 403(c)(6)(B)*. Emergency work is defined as work which must be done immediately to save lives and to protect improved property and public health and safety, or to avert or lessen the threat of a major disaster. *44 C.F.R. § 206.201(b)*. Costs must be directly tied to the performance of eligible work, adequately documented, and “necessary and reasonable to accomplish the work properly and efficiently.” *2 C.F.R. § 200.403, 200.403(g)*.

Community development districts are special government districts that finance, plan, establish, acquire, construct, or reconstruct, operate, and maintain systems, facilities, and basic infrastructure within their respective jurisdictions. To be eligible, CDDs must own and be legally responsible for maintenance and operation of an eligible facility that is open to and serves the public. *PAPPG at 42-43*.

### *Facility Eligibility*

FEMA may provide PA funding for emergency and permanent work if minimum work eligibility requirements are met. *44 C.F.R. § 206.223(a)*. If an entity doesn’t comply with all applicable statutes, executive orders, regulations, and policies, FEMA may take one of several actions including disallowing all or part of the cost of the project in noncompliance. *2 C.F.R. § 200.339*. Eligible local governments include special districts, *Stafford Act § 102(8)*, *42 U.S.C. § 5122*; such as Community Development Districts (CDD). *PAPPG at 42-43*. However, to be eligible, a facility maintained by a CDD must provide a service to and be open to the general public. *Id at 43-44*. FEMA evaluates whether a CDD facility is open to the general public by considering the presence and intent of a barrier to a facility and non-resident restrictions.

CFM CDD is a gated, deed-restricted with overlapping organizations responsible for administering various aspects of the community.

### *CFM Community Development District*

The CDD District Manager’s responsibilities include: the preparation of contract specifications for District operations, including aquatics maintenance, street lighting, lake/pond bank maintenance, wetland monitoring & maintenance, landscape maintenance, aerator repairs & maintenance, roadway repairs & maintenance, and sidewalk repairs & maintenance. CFM is represented by a homeowner’s association (HOA). The HOA is responsible for the enforcement of the covenants and deed restrictions, as governed by the adopted by-laws. The services provided include Enforcement and Legal activities.



## *Magnolia Landing Master Association (HOA)*

The HOA is primarily responsible for enforcing the rules and restrictions outlined in the Master Declaration of Covenants, Conditions, Restrictions and Easements for Magnolia Landing, *Declaration of Covenants Conditions Restrictions & Easements.pdf* found at Website:

<https://engage.gonumerate.com/s/magnolialanding/dyndocuments.php?group=141236>

*Section 3.8 "Club Facilities" shall mean the portions of the Common Property comprising the tennis, swim, exercise, restaurant, social and related facilities and equipment to be owned, leased and/or operated by the Master Association or intended by Declarant to be owned, leased and/or operated by the Master Association, as the same may be modified from time to time. **The Club Facilities do not include the Golf Club Facilities, which are not Common Property.***

*Section 3.9 "Common Area" or "Common Property" shall be an inclusive term referring to all real property dedicated to, owned by, or held by the Master Association, or intended by Declarant to be devoted to the common use or enjoyment of the Members or for preservation within the Properties in accordance with this Declaration, including, without limitation, the Club Facilities. The term "Common Property" shall also include any personal property acquired by the Master Association if such designation is reasonable under the circumstances. Any land or personal property leased by the Master Association shall lose its character as Common Property upon the expiration of such lease. The Common Property may include, without limitation, entry features, landscaping, walls, fences, signage, private streets, streetlights, open space, and recreational facilities such as, by way of example, tennis, swim, exercise, dining and social facilities. CDD owned property is not common property.*

The Facility has restricted access through a single gatehouse entrance. The Gatehouse Staff greets visitors and offer assistance and directions. The Gatehouse Staff records: the driver's name; their destination and purpose; a vehicle description; vehicle license plate number, and time of entry. Roads within the community are public and access may not be refused. *Project #702877 - DR4673FL - CFM CDD - CFM - Gatehouse Post Orders 2023.03.pdf*. The golf course is open to the public for a nominal fee. However, use of amenities like the swimming pool, exercise-fitness center, bocce courts, lap pool & resort-style swimming pool only available to members. Additionally, The Applicant states that the District does not have facilities such as amenities and that all amenities are owned by the HOA. *Request for Information on CFM Community Development Districts.pdf*. These restrictions indicate that, while no persons are denied access to the CDD, use of facilities and amenities within the CDD are restricted to residents. These restrictions demonstrate that the CDD is not open to, nor does it serve the general public.





## *Work and Cost Eligibility*

FEMA is authorized to provide funding for emergency work, *44 C.F.R. § 206.201(b)* including emergency protective measures and debris removal. FEMA may make contributions for removal of storm-related debris to eliminate immediate threats to lives, public health, and safety and significant damage to improved property. *Stafford Act § 407, 42 U.S.C. § 5173*. Costs must be directly tied to the performance of eligible work, adequately documented, and “necessary and reasonable to accomplish the work properly and efficiently.” *2 C.F.R. § 200.403, 200.403(g); PAPPG at 51-56*.

To be eligible for reimbursement under the FEMA Public Assistance Program, costs must be:

- Directly tied to the performance of eligible work;
- Adequately documented; *2 C.F.R. § 200.403(g)*.
- Reduced by applicable credits such as insurance proceeds and salvage values; *Stafford Act § 312, 42 U.S.C. § 5155*;
- Authorized and not prohibited under Federal or SLTT government laws or regulations;
- Consistent with the Applicant’s internal policies, regulations, and procedures that apply uniformly to both Federal awards and other activities of the Applicant; and
- Necessary and reasonable to accomplish the work properly and efficiently. *2 C.F.R. § 200.403*.

Emergency clearance of debris from private roads in gated communities like those maintained by the Applicant is in the public interest if the debris impedes emergency access by local emergency responders, ambulances, fire, and police. Debris clearance from CDD rights-of-way would be funded under Category A. *PAPPG at 115*. The Applicant does not meet eligibility requirements for Category A work because the facility is not eligible.

FEMA requests information and documentation required to substantiate the eligibility of a project. The Applicant is responsible for providing this information and documentation to support that its facilities, work, and costs are eligible based on the applicable laws, regulations, EOs, and policies. At a minimum, FEMA usually requires the “who, what, when, where, why, and how much” for each item claimed. *Id at 63*.

To date, the Applicant has provided no documentation to support any of the claimed debris removal activities posed an immediate threat or provided documentation that the debris impeded emergency access.

## *Debris Removal and Monitoring*

Eligible Category B debris removal is limited to what is necessary to ensure roads and bridges remain passable. *Id at 115*. At a minimum, FEMA usually requires the “who, what, when, where, why, and how much” for each item claimed. *Id at 63*.



## *Debris Removal*

FEMA requires the Applicant to monitor all contracted debris operations to ensure that the quantities and work claimed are accurate and eligible. This includes documenting debris quantities by types, quantities reduced, reduction methods, and pickup and disposal locations. If the Applicant does not monitor contracted debris removal operations, it jeopardizes its PA funding for that work. *Id at 107*. The Applicant failed to provide documentation, e.g., monitoring reports, photos, and legal responsibility to substantiate locations (GPS coordinates) and quantities for debris removal; therefore, costs for debris removal enabling access to emergency responders cannot be determined.

## *Tree Removal / Root-ball Removal*

Eligible vegetative debris may include tree limbs, branches, stumps, or trees that are still in place, but damaged to the extent they pose an immediate threat. These items are ineligible if the hazard existed prior to the incident, or if the item is in a natural area and does not extend over improved property or public-use areas, such as trails, sidewalks, or playgrounds. *Id at 101*. FEMA considers incident-damaged trees to be hazardous and eligible if the tree has a diameter of 6 inches or greater measured 4.5 feet above ground level, and the tree:

- Has a split trunk;
- Has a broken canopy; or
- Is leaning at an angle greater than 30 degrees. *Id at 102*.

For trees that have 50 percent or more of the root-ball exposed, removal of the tree and root-ball and filling the root-ball hole are eligible. For contracted removal of a tree with a root-ball, FEMA will not reimburse two separate unit costs to remove the tree and its root-ball.

For trees that have less than 50 percent of the root-ball exposed, FEMA only provides PA funding to flush cut the item at ground level and dispose of the cut portion based on volume or weight. Grinding any residual stump after cutting the tree is ineligible.

## *Master Declaration of Covenants*

### ***Article VI Maintenance, Section 6.2 Maintenance by the Master***

***Association:*** Any walls, fences and landscaping surrounding portions of the Property shall be maintained by the Master Association, If such property is within the Areas of Common Responsibility, and a perpetual easement of ingress and egress over the walls, fences and landscaping, and Lots is hereby granted to the Master Association for purposes of construction and maintenance activities related to any such walls, fences and landscaping. The Master Association shall exercise its powers of ingress and egress over a Lot in a manner which does not unreasonably interfere with use of the Lot over which ingress or egress is utilized.



*Trees bordering the pavement edge of the roadways (street trees) as installed by Declarant or Merchant Builder throughout the Properties pursuant to a community-wide tree program will be maintained by the Master Association including trimming, fertilization and replacement. Each Owner shall be responsible for the proper irrigation of these trees and the cost of any maintenance, repair or replacement caused by the neglect of an Owner to maintain their irrigation system in a proper manner will be levied as a Benefit Assessment against such Owner. Owners shall be responsible for maintenance of trees bordering the pavement edge of the roadway to the extent installed by the Owner or by a Merchant Builder for the Owner, provided an Owner or Merchant Builder shall not install such trees unless approved in accordance with Article XIII hereof. Applicants web site:*  
<https://engage.goenumerate.com/s/magnolia/landing/files/4293/dyn141236/Declaration%20of%20Covenants%20Conditions%20Restrictions%20%26%20Easements.pdf>

The Applicant failed to provide documentation, e.g., immediate threat, monitoring reports, photos, GPS coordinates to substantiate locations for tree removal to establish legal responsibility, CDD vs. HOA. Therefore, eligibility of costs for tree removal/root-ball removal cannot be determined.

### *Bracing Trees (staking)*

Bracing a tree is eligible (as Category B) only when doing so is less costly than removal and disposal. If the Applicant chooses to brace a tree rather than remove it, the tree is ineligible for removal later if it dies. *Id at 101*. The conditions of tree removal above must be met before tree bracing would be eligible (i.e., has a split trunk; has a broken canopy; is leaning at an angle greater than 30 degrees; or has 50 percent or more of the root-ball exposed). The Applicant failed to provide documentation, (e.g., immediate threat, monitoring reports, photos, and GPS coordinates to substantiate locations and legal responsibility for bracing trees; therefore, eligibility of costs for bracing trees cannot be determined.

### *Procurement*

Pursuant to Title 2 of the Code of Federal Regulations 2 C.F.R. § 200.319, all procurement actions must be conducted in a manner that provides full and open competition. 2 C.F.R. § 200.319(a). Procurement by non-competitive proposal is only permitted in limited circumstances. 2 C.F.R. § 200.320(f). If a contract is not procured in accordance with Federal grant procurement requirements, FEMA may disallow all or part of the cost or activity not in compliance. 2 C.F.R. § 200.339, PAPPG at 82.

The non-Federal entity must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this section, for the acquisition of property or services required under a Federal award or subaward. The non-Federal entity's



documented procurement procedures must conform to the procurement standards identified in §§ 200.317 through 200.327. At a minimum, the Applicant must comply with Federal simplified acquisition threshold which is set at \$250,000.00. 2 C.F.R. § 200.320.

Here, the amount requested of \$87,341.46 is for emergency work, for the removal of storm-related debris, tree removal, and bracing of trees. Competitive procurement of services under the Federal Small Purchases Threshold requires simple and informal procurement methods to meet Federal procurement requirements. 2 C.F.R. § 200.320(b). When the value of the procurement for property or services under a Federal financial assistance award exceeds the simplified acquisition threshold, or a lower threshold established by a non-Federal entity, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with § 200.319 or paragraph (c) of this section. However, the Applicant did not provide a procurement policy, contract solicitation procedures, or copies of contract agreements. Nor were other procurement documents such as purchase orders or invoices provided to show contract values. As such, it is not possible to determine whether solicitation of contracted services complies with Federal procurement procedures. Therefore, contracts used to effect repairs requested for reimbursement in this project are considered noncompetitively procured.

Contract services and related costs procured under 2 C.F.R. § 200.320(f)(2) are limited to the duration of the public exigency or emergency. *Procurement Uniform Rules, at V-17*. For debris removal, a noncompetitive contract is appropriate for initial efforts to move debris from the roadway and to the roadside. Once the debris is moved to the roadside, the emergency situation no longer exists, and the use of a noncompetitive contract is no longer appropriate. To receive reimbursement for costs associated with contract work, Applicants must comply with Federal procurement requirements. Non-competitive procurement is allowed when public exigency will not permit a delay resulting from competitive solicitation. 2 C.F.R. 320(c)(3).

If the CDD can demonstrate that the costs claimed for debris removal, tree removal, and tree bracing were exigent in nature to enable immediate access to emergency response vehicles, costs associated with this type of work would be deemed eligible under this project for Category B emergency protective measures. As such, other non-exigent debris removal activities would be deemed as Category A, requiring formulation of a new project as well as documentation to demonstrate the contract was properly procured.

The Applicant has not provided any documentation to support proper procurement or any of the claimed emergency work activities. The information required to determine eligibility of work and costs has not been provided.

**Eligibility Determination:**  Partially Approved  Denied

CFM Community Development District is claiming contract work for debris removal, tree removal, and tree bracing (staking) in the amount of \$87,341.46 CDD grounds and facilities are not open to and do not serve the general public; therefore, the facility is ineligible. Had the



facility been eligible , the contracted debris work was not properly monitored, documented, and the contracts were not properly procured. The Applicant may be eligible for emergency debris clearance from roadways; however, the Applicant did not provide adequate documentation to support the eligibility for this or any other claimed work and costs. As such, \$87,341.46 in claimed costs are not eligible for Public Assistance reimbursement.

**Notice of Right to Appeal:**

**The Applicant may appeal this determination to the Regional Administrator, pursuant to Title 44 of the Code of Federal Regulations § 206.206, Appeals. If the Applicant elects to file an appeal, the appeal must:**

- 1) Contain documented justification supporting the Applicant’s position;**
- 2) Specify the monetary figure in dispute; and**
- 3) Cite the provisions in federal law, regulation, and/or policy with which the Applicant believes the initial action was inconsistent.**

**The appeal must be submitted to the Recipient, Florida Division of Emergency Management, by the Applicant within 60 days of its receipt of this determination. The Recipient’s transmittal of that appeal, with recommendation, is required to be submitted to our office within 60 days of the receipt of their letter. If you have any questions, please contact the Florida Division of Emergency Management, Marija Diceviciute at [marija.diceviciute@em.myflorida.com](mailto:marija.diceviciute@em.myflorida.com)**

**Approval:**

PA Management: Angela D. Gillman, Infrastructure Branch Director

Signature: ANGELA D GILLMAN Digitally signed by ANGELA D GILLMAN Date: 2023.11.13 15:35:19 -05'00' Date: \_\_\_\_\_

**Document Index:**

File Name	Document Description
<a href="https://www.cfmccd.org/">https://www.cfmccd.org/</a>	Website for CFM CDD
<a href="https://accessdifference.com/communities/magnolia-landing-master/">https://accessdifference.com/communities/magnolia-landing-master/</a>	Website for Magnolia Landing Master Association (HOA)
Project #702877 - DR4673FL - CFM CDD - CFM - Gatehouse Post Orders 2023.03.pdf	CFM CDD/ Magnolia Landing - Gatehouse Post Orders 2023.03
702877 - CFM CDD Debris Removal - Emergency Protective Measures - 4673DR-FL - CFM Community Development District - Email.pdf	Email From Applicant Representative - on PDMG Request



	for information on GPS and 2022 Gatehouse Post Orders
Project #702877 - DR4673FL - CFM CDD - Contractor Invoices.pdf	Contract Invoices
Project #702877 - DR4673FL - CFM CDD - Magnolia Landing Master Association Inc_Landscape Maintenance Agreement - 10-13-2011 - Executed.pdf	In-Place Landscape Contract
Project #702877 - DR4673FL - CFM CDD -2018-09-04 - CFM CDD - Second Amendment to MLMA-CFMCDD LMA - Executed.pdf	In-Place Landscape Contract 2 <sup>nd</sup> Amendment
Project #702877 - DR4673FL - CFM CDD - Contractor Invoices.pdf	Contractor Invoices
Project #702877 - DR4673FL - CFM CDD - Magnolia Landing - Non-Preserve Areas - Debris Removal Locations.pdf	Vegetative debris, tree removal, and staking at Non-Preserve Areas
Project #702877 - DR4673FL - CFM CDD - Hurricane Tree Staking Locations.pdf	Invoice description for Tree Staking Locations
Project #702877 - DR4673FL - CFM CDD -Restake Trees from Hurricane Nicole Locations.pdf	Invoice description for Tree Staking Locations
Project #702877 - DR4673FL - CFM CDD - Stump Locations.pdf	Invoice 2144 for removing 4 uprooted tree stumps
Project #702877 - DR4673FL - CFM CDD - Stake Medium Trees Location.pdf	Invoice description for Tree Staking Locations





# APPEALS QUICK REFERENCE

# WHEN YOU DISAGREE

## 3 STEPS TO YOUR APPEAL

An appeal can be made at **any time** while participating in the Federal Emergency Management Agency (FEMA) **Public Assistance (PA)** Program.

Any eligible **Applicant** may appeal any determination previously made related to an application for, or the provision of **Federal assistance**.

[SOURCE: 44 CFR 206.206]

### 1. REVIEW FEMA'S WRITTEN DETERMINATION

When you receive a written determination made by FEMA — and that determination is one with which you **disagree** — you have **60 DAYS** from receipt of a FEMA determination to appeal.

The clock starts ticking when you receive a written determination made by FEMA.

### 2. EXPLAIN IN WRITING

Explain in writing why you think FEMA's decision is incorrect.

**Include the following:**

- » Description of historical facts.
- » Monetary figure in dispute.
- » Narrative citing provisions in Federal law, regulation or policy with which you believe FEMA's determination was inconsistent.
- » Analysis supporting Applicant position.
- » Documentation supporting your appeal.

Include your FEMA Federal Information Processing Standards (FIPS) ID or PA ID and disaster number (shown at the top of your decision letter) in your letter of appeal.

### 3. SUBMIT YOUR APPEAL

Submit your appeal letter within **60 DAYS** of receipt of a FEMA determination through FDEM to:

**Florida Division of Emergency Management (FDEM)**  
(ATTENTION: Public Assistance - Appeals Section)  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399

**OR**

**Email:** [fdem-pa-appeals@em.myflorida.com](mailto:fdem-pa-appeals@em.myflorida.com)

[SOURCE: 44 CFR 206.206]

## APPEALS ROLES + RESPONSIBILITIES

ACTION	FROM	TO	TIMEFRAME
Written Appeal	Applicant	FDEM	To be received by FDEM within <b>60 DAYS</b> from your receipt of a FEMA determination.
Review	FDEM	FEMA	FDEM has <b>60 DAYS</b> to review your appeal and submit its evaluation and recommendation to FEMA.
Decision	FEMA	Applicant	FEMA has <b>90 DAYS</b> to render a decision or request additional information.

## REFERENCES

**FEMA Public Assistance Appeals Database (Searchable database)**  
<https://www.fema.gov/appeals>

**FEMA Public Assistance Second Appeals Tracker (Check status of second appeals at HQ)**  
<http://www.fema.gov/media-library/assets/documents/108588>

**Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288) as amended**  
<https://www.fema.gov/media-library/assets/documents/15271>

**Title 44 Code of Federal Regulations**  
[http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title44/44cfr206\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title44/44cfr206_main_02.tpl)

For more information relating to an appeal or arbitration, please contact the FDEM Appeals Team at [fdem-pa-appeals@em.myflorida.com](mailto:fdem-pa-appeals@em.myflorida.com).



# APPEALS QUICK REFERENCE

# RIGHT OF ARBITRATION

**Arbitration** is an **alternative** dispute resolution to the administrative appeals process. It is designed to resolve higher-value claims (for disputed amounts greater than **\$500,000**/or more than **\$100,000** for Applicants in rural areas with populations less than 200,000 outside an urbanized area). The Civilian Board of Contract Appeals (CBCA) conducts arbitrations and the decision of such board shall be binding.

For disasters that occurred after January 1, 2016, Applicants participating in the FEMA PA Program now have the option of using the **arbitration process** established under the authority granted under **section 601 of Public Law 111-5**. You may participate in Arbitration, provided that:

- » Your claim must relate to a project with a **value greater** than **\$500,000/\$100,000** (for rural areas).
- » FEMA has issued a first appeal determination but has not yet issued a decision on second appeal.
- » Your request for arbitration must include your **entire argument**, including documentation from the administrative record for the first appeal. It may also contain additional documentation or other such evidence supporting your position.
- » Your request must be simultaneously submitted to **FEMA, FDEM** and the **CBCA**. The CBCA is the sponsor who provides the arbitration services through a panel of three (3) judges. The CBCA hears all requests for arbitration.

## ARBITRATION ROLES + RESPONSIBILITIES

[SOURCE: 44 CFR 206.209]

ACTION	FROM	TO	TIMEFRAME
Request for Arbitration	Applicant	Arbitration Panel (CBCA)	Request for arbitration must be filed with the CBCA (simultaneously including copies to FDEM + FEMA) after FEMA issues a first appeal determination (but prior to FEMA's decision on second appeal).
Comments	FDEM	FEMA	FDEM has <b>15 DAYS</b> from receipt of the Applicant's request for arbitration to forward its support or opposition simultaneously to FEMA + CBCA + Applicant.
Response	FEMA	Applicant	FEMA has <b>30 DAYS</b> from receipt of the Applicant's request for arbitration to submit a response in support of its position simultaneously to FDEM + CBCA + Applicant
Preliminary Conference	Arbitration Panel (CBCA)	FEMA + FDEM + Applicant	The Arbitration Panel will conduct a preliminary conference within <b>10 DAYS</b> from receipt of FEMA's response, which establishes a hearing date and the rules relating to the hearing.

**THE DETERMINATION ISSUED BY THE ARBITRATION PANEL IS BINDING.**

## REFERENCES

Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288) as amended  
<https://www.fema.gov/media-library/assets/documents/15271>

Civilian Board of Contract Appeals  
<https://www.cbca.gov/>

Title 44 Code of Federal Regulations  
[http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title44/44cfr206\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title44/44cfr206_main_02.tpl)

Disaster Recovery Reform Act (DRRA)  
<https://www.fema.gov/disaster-recovery-reform-act-2018>

For more information relating to an appeal or arbitration, please contact the FDEM Appeals Team at [fdem-pa-appeals@em.myflorida.com](mailto:fdem-pa-appeals@em.myflorida.com).



# Tab 4



Rizzetta & Company

**UPCOMING DATES TO REMEMBER**

- **Next Meeting:** January 18, 2024
- **FY 2022-2023 Audit Completion Deadline:** June 2024
- **Next Election (Seats 1,2 & 5):** November 5, 2024

**District  
Manager's  
Report**

December 13

**2023**

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<u>FINANCIAL SUMMARY</u>		<u>10/31/2023</u>
General Fund Cash & Investment Balance		\$566,311
Debt Service Fund Investment Balance		\$591,713
Capital Projects Fund Investments		\$72,375
<b>Total Cash and Investment Balances</b>		<b>\$1,230,399</b>
<b>General Fund Expense Variance:</b>	<b>\$5,563</b>	<b>Over Budget</b>



Rizzetta & Company

**Damaged Street Signs:** A deposit has been placed with Lykins. We expect the new signs to be installed within the next two weeks.

**Crosswater Drive Fence Repairs:** Coastal Concrete has informed us that they will be onsite this week to conduct the fence repairs.

**Monument Sign New Landscaping:** This was completed. The new landscaping was installed, and the monument sign was pressure cleaned.

