

CALENDAR YEAR 2022 HERONS GLEN RECREATION DISTRICT RESOLUTIONS

Res. No.	TITLE/DEFINITION	Date Approved
2022-01	A RESOLUTION CALLING AND FIXING AN ELECTION FOR TWO (2) MEMBERS OF THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT ON MARCH 30, 2022; DESIGNATING HOURS AND PLACE OF VOTING; PROVIDING FOR QUALIFICATIONS; AND, OTHERWISE PROVIDING FOR THE HOLDING OF SAID ELECTION.	1/3/22
2022-02	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT ACKNOWLEDGING AND RATIFYING RECEIPT AND APPROVAL OF THE 2020-2021 ANNUAL FINANCIAL AUDIT OF THE DISTRICT; PROVIDING FOR GENERAL AUTHORITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	3/28/22
2022-03	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT AMENDING THE DISTRICTS' POLICIES AND PROCEDURES REGARDING DISTRICT ELECTION PROCEDURES; PROVIDING FOR GENERAL AUTHORITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	4/25/22
2022-04	A RESOLUTION ACCEPTING THE VOTE TABULATION OF AN ELECTION HELD ON MARCH 22, 2022 FOR TWO MEMBERS OF THE BOARD OF SUPERVISORS OF HERONS GLEN RECREATION DISTRICT; DECLARATION OF CANDIDATES ELECTED AND APPOINTMENT OF OFFICERS.	3/28/22
2022-05	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT ACCEPTING DONATION OF FUNDS FROM RESIDENTS FOR BOCCE AND; PROVIDING FOR GENERAL AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING EFFECTIVE DATE.	5/23/22
2022-06	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURE FROM 2020 BOND PROJECTS ACCOUNT FUNDS, FOR ENGINEERING AND RELATED SERVICES BY HOLE MONTES ENGINEERING., FOR DESIGN, PERMITTING, AND CONSTRUCTION OVERSIGHT FOR CART PATH BOND PROJECT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	5/23/22
2022-07	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2021/2022 CAPITAL ACCOUNT FOR COMPUTER SYSTEM UPGRADES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	5/23/22
2022-08	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2020 BOND FUNDS FOR BOCCE/SHUFFLEBOARD AND PICKLEBALL COURT PROJECTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	5/23/22
2022-09	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2021/2022 CAPITAL ACCOUNT FOR FITNESS CENTER EQUIPMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	5/23/22
2022-10	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2020 BOND FUNDS FOR BALLROOM RENOVATIONS PROJECT, SPECIFICALLY DARKENING SHADES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	6/6/22
2022-11	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURE FROM 2021/2022 OPERATING BUDGET FOR PREPARATION OF DISTRICT'S ANNUAL TAX ROLL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	6/6/22

HGRD Resolutions Log

2022-12	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING A SPECIAL ASSESSMENT BUDGET REPORT RELATING TO SPECIAL ASSESSMENTS TO BE LEVIED IN THE DISTRICT TO OPERATE AND MAINTAIN THE RECREATIONAL FACILITIES; STATING THE INTENTION TO USE CHAPTER 170 OR CHAPTER 197, FLORIDA STATUTES AS METHODS OF COLLECTING SUCH ASSESSMENTS; CALLING FOR A PUBLIC HEARING TO BE HELD AT WHICH THE DISTRICT SHALL CONSIDER THE ADOPTION OF A NON AD VALOREM ASSESSMENT ROLL IN CONNECTION WITH SUCH ASSESSMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	6/24/22
2022-13	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT AMENDING RESOLUTION 2022-12; APPROVING A REVISED SPECIAL ASSESSMENT BUDGET REPORT RELATING TO SPECIAL ASSESSMENTS TO BE LEVIED IN THE DISTRICT TO OPERATE AND MAINTAIN THE RECREATIONAL FACILITIES; STATING THE INTENTION TO USE CHAPTER 170 OR CHAPTER 197, FLORIDA STATUTES AS METHODS OF COLLECTING SUCH ASSESSMENTS; CALLING FOR A PUBLIC HEARING TO BE HELD AT WHICH THE DISTRICT SHALL CONSIDER THE ADOPTION OF A NON AD VALOREM ASSESSMENT ROLL IN CONNECTION WITH SUCH ASSESSMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	7/11/22
2022-14	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING A FINAL BUDGET FOR THE 2022-2023 FISCAL YEAR; PROVIDING FINDINGS; PROVIDING CONFIRMATION OF ANNUAL BUDGET; PROVIDING FOR ANNUAL ASSESSMENTS AND QUARTERLY INSTALLMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	9/1/22
2022-15	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT FINDING SPECIAL BENEFITS; APPROVING METHODOLOGY FOR ASSESSMENT AND COLLECTION AND FINAL 2022-2023 ASSESSMENT ROLL; PROVIDING FOR PAYMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	9/1/22
2022-16	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING AND RATIFYING PRIOR BOARD ACTION RE CAPITAL AND DEFERRED MAINTENANCE EXPENDITURES FOR CLUBHOUSE IMPROVEMENTS; RE EMPLOYEE HEALTH INSURANCE PURCHASE; AND RE CLIS SYSTEM VALVE PURCHASE; AND RE APPROVING AMENDED LIST OF APPROVED VENDORS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	8/31/22
2022-17	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT DECLARING A STATE OF EMERGENCY IN THE DISTRICT POST HURRICANE IAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	10/10/22
2022-18	A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT APPROVING THE ENTRANCE INTO AN INTERLOCAL AGREEMENT WITH OTHER GOVERNMENTAL PARTICIPANTS FOR THE PURPOSE OF EXERCISING INVESTMENT POWER JOINTLY TO INVEST FUNDS IN CONCERT WITH OTHER PARTICIPANTS; PROVIDING FOR AN EFFECTIVE DATE.	11/14/22
2022-19	A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT EXTENDING DECLARED STATE OF EMERGENCY IN THE DISTRICT POST HURRICANE IAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.	11/14/22

RESOLUTION 2022-01

A RESOLUTION CALLING AND FIXING AN ELECTION FOR TWO (2) MEMBERS OF THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT ON MARCH 22, 2022; DESIGNATING HOURS AND PLACE OF VOTING; PROVIDING FOR QUALIFICATIONS; AND OTHERWISE PROVIDING FOR THE HOLDING OF SAID ELECTION.

Now, therefore, be it RESOLVED by the Board of Supervisors of the Herons Glen Recreation District that:

1. The Herons Glen Recreation District shall hold an election on **March 22, 2022** to elect two (2) members of the Board of Supervisors, for a term of three (3) years, such term to begin April 1, 2022. The two (2) candidates receiving the highest vote total shall be elected.

2. Qualification of candidates to run for the position shall be performed by Counsel for the District, Knott Ebelini Hart, 1625 Hendry Street, Suite 301, Fort Myers, Florida 33901, by the receipt of the following information in writing.

- (1) Name, as it is to appear on the ballots;
- (2) Residence Address;
- (3) A signed statement certifying that the candidate is 18 years old, a resident of Florida, is an owner of property within the District and resides within the District for at least ninety (90) days per year.
- (4) Signed and notarized candidate's oath as prescribed by Florida Statutes.

Exhibit "C" may be used for the above.

- (5) A Candidate's one-page info sheet for distribution to public This item is optional, but must be provided before the end of qualifying.

Qualifying shall commence on **January 24, 2022** and conclude at 5:00 p.m. on **February 7, 2022**.

3. The place and time of voting in said election is: The Herons Glen Country Club, Administration Office, 2250 Herons Glen Boulevard, North Fort Myers, Lee County, Florida, between the hours of 11:00 a.m. and 4:00 o'clock p.m. on March 22, 2022.

4. Legal Counsel for the District is authorized and directed to serve as elections qualifying officer, prepare and mail the ballots, publish Notice of said election in the form attached hereto as Exhibit "A."

5. Qualified voters are the property owners as shown by the records of the Lee County Property Appraiser, unless otherwise shown by proof acceptable to the Board, or its Election Committee.

6. Legal counsel for the District is further authorized to conduct said election with the assistance of an Election Committee to be named by the Board of Supervisors prior to the Election in accord with the Election Procedures set forth in the attached Exhibit "B."

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this day 3rd day of January 2022.

[SEAL]

ATTEST:


District Secretary

HERONS GLEN RECREATION DISTRICT

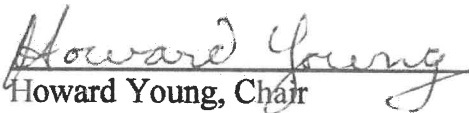

Howard Young, Chair

EXHIBIT “A”

NOTICE OF ELECTION AND CANDIDATE QUALIFYING

The Herons Glen Recreation District will hold the election of **two (2) members** of its Board of Supervisors on **March 22, 2022**, at the Herons Glen Country Club, Administration Office, 2250 Herons Glen Boulevard, North Fort Myers, Lee County, Florida between the hours of 11:00 a.m. and 4:00 p.m., **for a term of three (3) years commencing April 1, 2022**. The election is non-partisan.

The Board of Supervisors is comprised of five (5) residents of the Herons Glen Recreation District, elected at large by owners in the District. A candidate for the position of Supervisor must be 18 years old, a property owner in the Herons Glen Recreation District, a Florida resident and must reside in the District for at least 90 days each year. Members of the Board of Supervisors serve without compensation.

Candidate **qualifying papers** will be accepted beginning January 24 , 2022 and **must be received by 5:00 p.m., February 7, 2022**.

Persons wishing to qualify as a candidate for the Board of Supervisors **must** provide:

- 1) Name, as it is to appear on the ballot;
- 2) Residence address;
- 3) Signed statement certifying that they are 18 years of age, an owner of property in the Herons Glen Recreation District, reside in the District for at least 90 days each year; and
- 4) Candidate's sworn oath as prescribed by Section 99.021, Florida Statutes

All above items must be delivered to Thomas B. Hart at Knott Ebelini Hart, 1625 Hendry Street, Suite 301, Fort Myers, Florida 33901, **prior to 5:00 p.m. on February 7, 2022**. The candidate's oath may be obtained from Mr. Hart.

Candidates may also include a one-page info sheet or resume for distribution to voters.

EXHIBIT "B"

ELECTION PROCEDURES FOR HERONS GLEN RECREATION DISTRICT ELECTION ON MARCH 22, 2022

The Election for two Supervisor will be held on March 22, 2022. The terms of Supervisors Howard Young and Bill Kulkoski will expire on March 31, 2022.

Notice of the election will be published during both the 5th and 3rd weeks prior to the election in the legal section of the Cape Coral Breeze and also posted on the District's bulletin board. A Notice of Qualifying will be published prior to January 24, 2022. The notice will also advise that nominations for any open position of Supervisor must be provided to Thomas B. Hart at Knott Ebelini Hart in writing by the close of qualifying period at 5:00 p.m. on February 7, 2022.

After the close of nominations/qualifying for candidates, Thomas B. Hart will prepare a ballot listing alphabetically the names of all persons who have qualified. Ballot Instructions will say to vote for no more than two (2). The two candidates with the highest vote totals will each be elected for a term of three years beginning April 1, 2022.

One ballot will be mailed to each property owner within the Herons Glen Recreation District boundaries as determined from the records of the Lee County Property Appraiser. The voting instructions will tell each recipient that an election will be held in the clubhouse of the Herons Glen Country Club for the election of two members to the District Board of Supervisors between the hours of 11:00 a.m. and 4:00 P.M. on March 22, 2022, and that they may attend and vote in person, or may vote by the absentee method outlined in the instructions.

The instructions will direct each voter who wishes to vote absentee to insert his or her marked ballot into an envelope (enclosed with the initial mailing) labeled "BALLOT." The "BALLOT" envelope is then to be placed into a second envelope ("Mailing Envelope") addressed on the front to Herons Glen Recreation District, 2250 Herons Glen Boulevard, Suite 100, North Fort Myers, Florida 33917, and mailed in time to be received prior to the close of the election. Instructions to each voter will state that only those ballots with the Voter Certificate signed by the voter and received by 4:00 p.m. on the day of the election will be counted.

The Mailing Envelope will contain on the back a line for the voter's signature swearing to the following certification:

Under penalty for false swearing, pursuant to Florida Statutes, I do solemnly swear or affirm: that I am a qualified voter in the Herons Glen

Recreation District because I own property in the District; that I will not vote more than one ballot in this election; that I understand that a failure to sign this certificate will invalidate my BALLOT.

Directions for Voting on the back of Mailing Envelope will also state:

“NO BALLOT WILL BE COUNTED UNLESS VOTERS CERTIFICATE IS PROPERLY SIGNED AND COMPLETED.”

The voter's signature will not be required to be notarized, but the instructions will also contain the following notice:

Pursuant to Section 104.011, Florida Statutes, a person who willfully swears or affirms falsely to any oath or affirmation or willfully procures another person to swear or affirm falsely to an oath or affirmation in connection with or arising out of voting or elections, commits a felony of the Third Degree punishable as provided in Florida Statutes.

Those persons voting in person will be required to use the same procedure except that a member of the Election Committee will be present at the polling place to accept their Mailing Envelope. In this way, all voters will be required to sign the certification, but there will be no way to link a voter's signature to his or her ballot.

Ballot counting will be conducted by the Election Committee appointed by the Board in the presence of any members of the public wishing to observe. Any ballots received before 4:00 p.m. on Election Day will be brought to the Clubhouse to be opened and counted in public. The Mailing Envelopes will be separated and names checked for duplications; then put aside. Opening of Mailing Envelopes, but not Ballot Envelopes, by the Elections Committee may begin at 9:00 A.M. on the day of the election. The Committee will open the Mailing Envelopes, take out Ballot envelopes and mix the unopened ballot envelopes together. At 4:00 P.M. on the day of the election, the Committee will open and count the ballots.

The Election Committee may publicly report the result of the election immediately after counting all ballots. The official report of election results by the Committee will be presented to the Board of Supervisors and made a part of the Minutes at the next Board meeting and the winners will then be announced. **The voted ballots and Mailing Envelopes will be made available for inspection by the public after the ballots are counted, by appointment with the General Manager, but neither ballots nor Mailing Envelopes will be allowed to be handled by anyone other than the Election Committee.**

Counsel for the District will serve as qualifying officer for candidates. Nominations by any person for the position of Supervisor will be accepted at the Counsel's office, in writing, beginning on January 24, 2022 and until 5:00 p.m. on February 7, 2022. Counsel will inspect the statement of qualification of all nominees and inquire of all nominees, if unclear, whether they are qualified, i.e. are 18 years old, a resident of Florida, own property in the District and reside there at least 90 days out of the year, have signed a notarized candidate's oath (Exhibit "C), and whether they wish to have their name placed on the ballot.

Counsel for the District will include with the mailed ballots, if provided by or for the candidate by the end of the qualifying period, one 8 ½ in. by 11 inch page, but not more, of candidate biographical and/or qualifications information.

The records of the Lee County Property Appraiser will be the official records of eligible voters within the District unless an owner provides alternate proof of ownership, acceptable to the Elections Committee and District Board. Counsel for the District may order the Property Appraiser's list of owners in Herons Glen, i.e. eligible voters, at his discretion but not earlier than eight (8) weeks prior to the election.

Counsel for District may include a "Meet the Candidates" notice in the envelope containing the ballot, return envelopes and candidate biographical information, if sufficient information and time is available to Counsel before the projected mailing date of February 22, 2022.

Over the years, a number of questions have come up regarding what it means to be a property "owner" in Herons Glen and therefore be entitled to vote in elections. The following are the guidelines we have followed to date. The Board, however, is the final decision maker whenever there are disputes as to such matters.

1. If a property within the District is owned by a single individual, that individual is entitled to a vote in the election.
2. If a single parcel in the District is owned by 2 or more individuals, the law considers them each to be the owner of a partial interest in the property. For that reason each of them should be considered an owner and, therefore, each of them is entitled to a vote in the election.
3. If a single parcel in the District is owned by a single trustee, e.g. "John Doe, Trustee," the trustee, John Doe, is the legal owner of the property and would be entitled to a vote in the election. It is true, however, that the trustee holds title to the property for the benefit of another party. That other party is said to be a beneficial owner of the parcel. In other words, both the trustee and the beneficial owner could be considered owners of property in the District, however, their ownership interest

is not a partial interest but is exactly the same. Therefore, one or the other could vote in the election, but not both.

We have seen evidence in the county public records that certain parcels are owned by “John Doe and Mary Doe, Trustees.” In those cases, it is my opinion that both John Doe and Mary Doe should be permitted to vote because it appears likely that each of them owns, as trustee, an undivided beneficial interest in the property and thus each of them is an owner in the District.

However, in another case, which we have seen, the property is owned by John Doe, Trustee and Mary Doe, Co-Trustee, for the “Doe Family Trust.” Given that the Doe Family Trust might include dozens of beneficiaries, this situation will be handled by the same process that is used for corporations and other legal entities owning property in the District. In those cases, as described below, the Board will accept only one vote for the parcel. It is the trust, a single “person,” that owns the property and the Trust gets one vote, to be voted by one of the Trustees.

However, if the property owner can prove to the Elections Committee, the person(s) who in fact, own the property and so long as that owner, or those owners if more than one, are also Trustees and each signs the voter’s certificate under oath saying that they are the owners, then their votes will be accepted as valid.

4. In some cases, a parcel may be owned by a corporation or partnership. In those cases the Board will accept a vote by one individual with the legal right to represent the entity. In other words, the president or vice president of the corporation may vote on behalf of the corporation or an individual partner may vote on behalf of the partnership. In these cases, it is the entity which is the owner and only one vote may be cast on behalf of that entity.

5. In some cases, an individual or entity owns more than one parcel in the District. This is the issue raised in particular by Developers, because they own a number of individual lots in the District. The individual or corporation in these cases is one owner of property in the District and is, therefore, entitled to only one vote in the election.

That is also the case where one person owns two lots. The District charter states in Section IV:

Each property owner and resident in the District shall have the right to vote in the election.

It has been argued that this language was intended to give such owners one vote per parcel owned. That, however, is not what the document literally says.

Exhibit "C"

CANDIDATE OATH

STATE OF FLORIDA)
COUNTY OF LEE)

Before me, an officer authorized to administer oaths, personally appeared the undersigned, to me well known, who, being sworn, says:

- I am a candidate for the office of Supervisor of Herons Glen Recreation District;
- I am a qualified elector of (i.e. registered to vote in) _____ County, Florida;
- I am qualified under the Constitution and the laws of Florida to hold the office to which I am seeking to be elected;
- I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with that of the office I seek;
- I have resigned from any office from which I am required to resign pursuant to § 99.012, Florida Statutes;
- I will support the Constitution of the United States and the Constitution of the State of Florida.
- I am over the age of 18;
- I am an owner of property in the Herons Glen Recreation District;
- I reside in the District for at least 90 days each year;
- My name, as it is to appear on the ballot, is: _____

Signature of candidate

Residence address of candidate

City, State, Zip Code

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 2022, at Lee County, Florida, appeared _____ who ☐ is known to me or who ☐ has produced _____, as identification.

Signature of Notary Public – State of Florida

Printed Name of Notary Public

My Commission Expires:

RESOLUTION NO. 2022-02

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT ACKNOWLEDGING AND RATIFYING RECEIPT AND APPROVAL OF THE 2020-2021 ANNUAL FINANCIAL AUDIT OF THE DISTRICT; PROVIDING FOR GENERAL AUTHORITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended, and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

A. Pursuant to Florida law the District is required to have an annual financial audit or its accounts and records completed within 9 months after the end of its fiscal year by an independent certified public accountant.

B. District engaged the services of Clifton Larson Allen, LLP, Certified Public Accountants, to perform the required audit.

C. On or before February 28, 2022, the Chairman and all other members of the Board were presented with the Audit Report and Management Letter(s) by Clifton Larson Allen, LLP.

D. The Chairman and Board reviewed the Report.

E. By unanimous vote the Board approved the Annual Audit Report on February 28, 2022.

SECTION 3. RECEIPT AND ACCEPTANCE OF REPORT.

A. The Board of Supervisors of the Herons Glen Recreation District hereby acknowledges its receipt of the Annual Audit Report for the 2020-2021 fiscal year.

B. The Board of Supervisors of the Herons Glen Recreation District hereby ratifies its prior approval of the Annual Audit Report for the 2020-2021 fiscal year.

SECTION 4. SEVERABILITY. Should any sentence, section, clause, part or provision of this resolution or the attachments hereto be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this resolution as a whole or any part thereof other than the part declared invalid.

SECTION 5. EFFECTIVE DATE. This resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisors of the Herons Glen Recreation District this 28th day of March 2022.

**HERONS GLEN RECREATION
DISTRICT**


Howard Young, Chair

ATTEST:


District Secretary

RESOLUTION NO. 2022-03

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT AMENDING THE DISTRICTS' POLICIES AND PROCEDURES REGARDING DISTRICT ELECTION PROCEDURES; PROVIDING FOR GENERAL AUTHORITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended, and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

- A. Pursuant to the Act, the District shall set its operating policies.
- B. District has previously adopted from time to time Policies, Procedures and Rules and Regulations.
- C. District now desires to amend its Policies and Procedures consistent with the amendments set forth herein.

SECTION 3. PREVIOUSLY ADOPTED POLICIES. The District hereby acknowledges and ratifies those previously adopted policies which are not inconsistent with this Amendment.

SECTION 4. AMENDMENT OF POLICIES AND PROCEDURES. The Policies and Procedures of the District are hereby amended in accordance with the following:

Exhibit "A" attached hereto and incorporated herein.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this resolution or the attachments hereto be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this resolution as a whole or any part thereof other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This resolution shall be effective immediately upon its adoption.

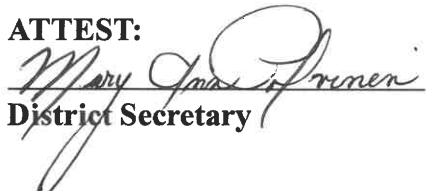
PASSED AND ADOPTED at a meeting of the Board of Supervisors of the Herons Glen Recreation District this 25th day of April 2022.

DISTRICT

HERONS GLEN RECREATION


Howard Young, Chair

ATTEST:


District Secretary

ELECTION PROCEDURES FOR HERONS GLEN RECREATION DISTRICT

At the first meeting of the Board in January of each year, the District will call for an election of Board members to fill the positions of any Board members whose terms of service will expire in that year. In its Resolution the Board will set the dates for the election and the qualifying period, and procedures by which qualified residents of the District may become a candidate for the soon to be open Board positions.

A Notice of Election and Candidate Qualifying will be published in a newspaper of general circulation in the County during both the 5th and 3rd weeks prior to the election and shall be posted on the District's bulletin board. The notice will also provide the dates for qualifying to commence and end as well as the name and address of the person to whom nominations for the open positions must be provided, in writing

After the close of nominations/qualifying for candidates, a ballot listing alphabetically the names of all persons who have qualified shall be prepared. The Ballot Instructions will say to vote for no more candidates than there are open positions.

One ballot will be mailed to each property owner within the Herons Glen Recreation District boundaries as determined from the records of the Lee County Property Appraiser. The voting instructions will tell each recipient that an election will be held at the District's Clubhouse on the established election date, the time after which Ballots will no longer be accepted and that the owner may attend and vote in person, or may vote by the absentee method outlined in the included instructions.

The instructions will direct each voter who wishes to vote by mail to insert his or her marked ballot into an envelope (enclosed with the initial mailing) labeled "BALLOT." The "BALLOT" envelope is then to be placed into a second envelope ("Mailing Envelope") addressed on the front to Herons Glen Recreation District, 2250 Herons Glen Boulevard, Suite 100, North Fort Myers, Florida 33917, and mailed in time to be received prior to the hour at which Ballots will no longer be accepted, i.e. the "Close of Election" established by the Board's Resolution. Instructions to each voter will state that only those ballots with the Voter Certificate signed by the voter and received by the Close of Election will be counted.

The Mailing Envelope will contain on the back a line for the voter's signature swearing to the following certification:

Under penalty for false swearing, pursuant to Florida Statutes, I do solemnly swear or affirm: that I am a qualified voter in the Herons Glen Recreation District because I own property in the District; that I will not

vote more than one ballot in this election; that I understand that a failure to sign this certificate will invalidate my BALLOT.

Directions for Voting on the back of Mailing Envelope will also state:

“NO BALLOT WILL BE COUNTED UNLESS VOTERS CERTIFICATE IS PROPERLY SIGNED AND COMPLETED.”

The voter's signature will not be required to be notarized, but the instructions will also contain the following notice:

Pursuant to Section 104.011, Florida Statutes, a person who willfully swears or affirms falsely to any oath or affirmation or willfully procures another person to swear or affirm falsely to an oath or affirmation in connection with or arising out of voting or elections, commits a felony of the Third Degree punishable as provided in Florida Statutes.

In this way, all voters will be required to sign the certification, but there will be no way to link a voter's signature to his or her ballot.

Ballot counting will be conducted by the District's staff volunteers and monitored by the Election Committee appointed by the Board in the presence of any members of the public wishing to observe. At that time, any ballots received before the Close of Election will be brought to a convenient place in the Clubhouse to be opened and counted in public. At or prior to the counting of the ballots, the Mailing Envelopes will be alphabetized, checked for proof of ownership rights against the Property Appraiser's Lists, and names checked for duplications; then put aside in a locked space. Opening of the Mailing Envelopes, but not Ballot Envelopes, by the Elections Committee may begin at 9:00 A.M. on the day of the election. The District's staff volunteers will open the Mailing Envelopes, take out Ballot envelopes and mix the unopened ballot envelopes together. At Close of the Election on the day of the election, the District's staff volunteers may begin to open and count the ballots.

The Supervisor of Elections may publicly report the result of the election immediately after counting all ballots. The official report of election results will be presented to the Board of Supervisors by the District's attorney and made a part of the Minutes at the next Board meeting and the Board shall declare the official election results at that meeting.

Counsel for the District will serve as qualifying officer for candidates. Nominations by any person for the position of Supervisor will be accepted at the Counsel's office, in writing, beginning on date set by the Board. Counsel will inspect the statement of qualification of each nominee and inquire of the nominee, if unclear, whether they are qualified, i.e. are 18 years old, a resident of Florida, own property in the District, reside in the District at least 90 days out of the year, have signed a notarized candidate's oath (Exhibit "C"), and whether they wish to have their name placed on the ballot.

Counsel for the District will include with the mailed ballots, if provided by or for the candidate by the end of the qualifying period, one 8 ½ in. by 11 inch page, but not more, of candidate biographical and/or qualifications information.

The records of the Lee County Property Appraiser will be the official records of eligible voters within the District unless an owner provides alternate proof of ownership, acceptable to the Supervisor of Elections and Board. Counsel for the District may order the Property Appraiser's list of owners in Herons Glen, i.e. eligible voters, at his discretion but not earlier than eight (8) weeks prior to the election.

Counsel for District may include a "Meet the Candidates" notice in the envelope containing the ballot, Mailing envelopes and candidate biographical information, if sufficient information and time is available to Counsel before the projected mailing date of the ballots.

Prior to the annual election, The Board shall appoint an Election Supervisor, an Election Committee, and shall designate a Board member to act as liaison to the Committee. The Committee shall consist of 7 residents and shall perform their duties at the direction of the Supervisor of Elections. The Election Committee shall be responsible for overseeing the tabulation of ballots cast.

The Election Supervisor, in addition to any other duties, shall be responsible for the certification of each ballot. The name on each ballot received shall be compared to the listing of names supplied by The Lee County Property Appraiser Office to verify the voters eligibility. During this process, the Mailing Envelopes will be sorted alphabetically, and names checked for ownership and for duplicates. Only the first ballot received from any qualified voter will be counted. Any duplicate ballots received will be marked as such and not counted. Once verified by the Supervisor of Elections, ballots in the unopened Mailing envelopes shall be placed in a locked cabinet until 9:00 a.m. on the day of the Election.

On the day of the Election, no earlier than 9:00 a.m., the Election Supervisor, in the presence of at least two members of the Election Committee, will open the Mailing Envelopes, take out the Ballot Envelopes, and combine unopened "Ballot" envelopes together. After the Close of Election on the day of the election, the Election Supervisor,

staff volunteers (and Election Committee if necessary) will open and count the ballots in the presence of any members of the public wishing to observe.

The method of tabulation shall be as follows:

There will be several counting stations each consisting of tables with two District employees and one member of the Election Committee. One employee will open the ballot and read aloud the votes on each ballot. The other employee will record the vote on tally sheets. The member of the Election Committee at each station shall observe the process of tallying in order to ensure that votes recorded for each ballot are correctly checked and tabulated. Once all the ballots at each station have been recorded and counted, the tally sheets shall be given to the Election Supervisor who will be responsible, in coordination with the District's Counsel, to accurately total all of the votes and determine preliminary results of the election.

Such results are preliminary results. They are not final until the Board of Supervisors have heard and determined any voter qualification questions and the Board has officially accepted the final vote tally.

Any vote tally which reflects that a candidate was defeated by a margin of less than one-half of one percent of the total votes cast shall be recounted. These elections are determined by a plurality, meaning the candidate(s) with the highest vote total(s) win the open position(s). There are no runoffs. In the event of a tie vote, the two candidates shall draw lots or flip a coin to determine the winner.

The Election Committee may publicly report the preliminary results of the election immediately after they are determined. An official report of election results by the Committee will be made to the Board at its next meeting which report shall be made a part of the minutes of that meeting.

The ballots and mailing envelopes will be retained for a minimum of one year and shall be available for inspection by the public after they have been counted, but they may not be handled by anyone other than the Elections Supervisor or Elections Committee members. If requested, the Elections Committee will determine a reasonable time and place for the inspection of ballots and mailing envelopes.

RESOLUTION 2022-04

A RESOLUTION ACCEPTING THE VOTE TABULATION OF AN ELECTION HELD ON MARCH 22, 2022 FOR TWO MEMBERS OF THE BOARD OF SUPERVISORS OF HERONS GLEN RECREATION DISTRICT; DECLARATION OF CANDIDATES ELECTED AND APPOINTMENT OF OFFICERS.

**BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN
RECREATION DISTRICT:**

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended, and other applicable provisions of Florida law.

SECTION 2. FINDINGS.

A. Pursuant to Resolution 2022-01 adopted January 3, 2022, the Herons Glen Recreation District called its regular election to elect two members of the Board of Supervisors for a three (3) year term, each, beginning April 1, 2022.

B. The election and qualifying process was publicly declared at the District's general meeting and Notice of the same was mailed to all owners of record and twice published in the Cape Coral Breeze Newspaper, a daily newspaper of general circulation.

C. Three candidates qualified for the election.

D. The election was conducted on the specified date under the supervision of the District's Controller/Elections Supervisor, Board liaison and General Counsel.

E. The vote tally was as follows:

William Kulkoski	691
Craig Woolley	585
Howard Young	694

SECTION 3. DECLARATION OF ELECTION.

A It is hereby determined that the two candidates who received the highest vote counts, **William Kulkoski and Howard Young**, were elected to the Board of Supervisors of the Herons Glen Recreation District, each for a three (3) year term, commencing April 1, 2022.

SECTION 4. BOARD ORGANIZATION.

On March 28, 2022, the Board held its organizational meeting. Upon motions duly made, seconded, and approved, the Board elected the following Board members to serve as officers of the District:

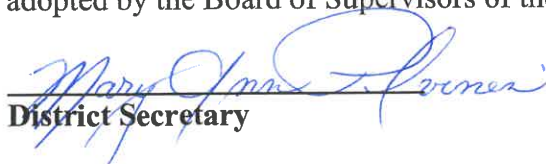
Chairman	<u>Young, Howard</u>
Vice Chairman	<u>Overs, Peter</u>
Secretary	<u>Polvinen, Mary Ann</u>
Treasurer	<u>Schwarz, Jayne</u>
Assistant Secretary/Treasurer	<u>Kulkoski, William</u>

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 28th day of March, 2022.

HERONS GLEN RECREATION DISTRICT


Howard Young, Chair

The undersigned Secretary of the Herons Glen Recreation District, a political subdivision of the State of Florida, (the "District") hereby certifies that the above stated resolutions have been adopted by the Board of Supervisors of the District.


District Secretary

RESOLUTION NO. 2022-05

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT ACCEPTING DONATION OF FUNDS FROM RESIDENTS FOR BOCCE AND _; PROVIDING FOR GENERAL AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended, and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

A. The family and friends of Tim Brosnan have donated \$2,700.00 to the District in his memory as a contribution to the cost of bocce and golf improvements ("Donation").

B. The Board of Supervisors finds the acceptance and the expenditure of the Donation for the stated purposes to be in the best interests of the District.

SECTION 3. ACCEPTANCE OF DONATION.

A. The District hereby accepts the Donation and will use its best efforts to see that the Donation is used for the purposes and in the manner requested by the donor.

B. Other than as stated above, the Donation is otherwise accepted as unconditional and permanent and is not subject to refund, nor to any other condition, whatsoever.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this resolution as a whole or any part thereof other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisors of the Herons Glen Recreation District this 23rd day of May, 2022.

HERONS GLEN RECREATION DISTRICT

Attest:


District Secretary


Peter Overs, Vice Chair

RESOLUTION NO. 2022-06

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURE FROM 2020 BOND PROJECTS ACCOUNT FUNDS, FOR ENGINEERING AND RELATED SERVICES BY HOLE MONTES ENGINEERING., FOR DESIGN, PERMITTING, AND CONSTRUCTION OVERSIGHT FOR CART PATH BOND PROJECT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including, land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. In Resolution 2020-15 the District expressed its interest and intent with regard to expansion and remodeling of the District's Recreation Facilities, to be financed by the issue of the District's Special Assessment Bonds, Series 2020. Said expansion and remodeling requires the assistance of experts and consultants, including but not limited to Engineers.

D. The Board hereby determines that expenditures described below to be made from the District's 2020 Bond Projects Account are necessary and prudent and in the best interests of the District.

SECTION 3. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager are authorized and directed to expend the funds in amounts not to exceed those described for the purchase of the following items or services:

- A. Agreement with Hole Montes Engineers to provide design, permitting and construction oversight for the construction of improvements to cart path along Herons Glen Boulevard from Kayla Way to Palo Duro \$13,000.00.

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District, District Counsel and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the authorization granted herein if not inconsistent with the terms and provisions of this Resolution.

SECTION 8. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not effect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 9. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 23rd day of May, 2022.

**HERONS GLEN RECREATION
DISTRICT**



Peter Overs, Vice Chair

ATTEST:


District Secretary

RESOLUTION NO. 2022-07

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2021/2022 CAPITAL ACCOUNT FOR COMPUTER SYSTEM UPGRADES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. The Board hereby determines that expenditures described below to be made from the District's Capital Account funds are necessary and prudent and in the best interests of the District.

D. This Resolution ratifies prior District actions.

SECTION 3. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager are authorized and directed to expend the funds in an amount not to exceed those described for the following items or services:

- A. Expend from 2021/2022 Capital Account a not to exceed amount of \$11,000.00, which includes \$1,500.00 from Bond funds for Ballroom, the purpose of which is hardware and software upgrades and installation by Interlink Computer Consulting, Inc., as described in the attached proposal (Exhibit "A").

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the authorization granted herein if not inconsistent with the terms and provisions of this Resolution.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 23rd day of May 2022.

**HERONS GLEN RECREATION
DISTRICT**



Peter Overs, Vice Chair

ATTEST:



District Secretary

RESOLUTION NO. 2022-08

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2020 BOND FUNDS FOR BOCCE/SHUFFLEBOARD AND PICKLEBALL COURT PROJECTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. The Board hereby determines that expenditures described below to be made from the District's Bond funds for Bocce/Shuffleboard and Pickleball Court Projects are necessary and proper and in the best interests of the District.

D. This Resolution ratifies prior District action.

SECTION 3. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager are authorized and directed to expend the funds in an amount not to exceed those described for the following items or services:

A. **Expend from the Bond Acquisition and Construction fund a not to exceed amount of \$750,000.00 for renovation of the District's Bocce and Shuffleboard Facilities, subject to Board review of the construction contract(s).**

B. **Expend from the Bond Acquisition and Construction fund a not to exceed amount of \$442,000.00 for expansion and improvement of the District's Pickleball Facilities, subject to Board review and approval of the construction contract(s).**

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the authorization granted herein if not inconsistent with the terms and provisions of this Resolution.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 23rd day of May 2022.

**HERONS GLEN RECREATION
DISTRICT**



Peter Overs, Vice Chair

ATTEST:



District Secretary

RESOLUTION NO. 2022-09

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2021/2022 CAPITAL ACCOUNT FOR FITNESS CENTER EQUIPMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. The Board hereby determines that expenditures described below to be made from the District's Capital Account funds are necessary and prudent and in the best interests of the District.

D. This Resolution ratifies prior District actions.

SECTION 3. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager are authorized and directed to expend the funds in an amount not to exceed those described for the following items or services:

A. **Expend from 2021/2022 Capital Account a not to exceed amount of \$ \$6,000.00 for Inflight Fitness Smith Machine from Commercial Fitness Products, as described in the attached proposal (Exhibit "A").**


SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the authorization granted herein if not inconsistent with the terms and provisions of this Resolution.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 23rd day of May 2022.

**HERONS GLEN RECREATION
DISTRICT**



Peter Overs, Vice Chair

ATTEST:



District Secretary

RESOLUTION NO. 2022-10

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURES FROM 2020 BOND FUNDS FOR BALLROOM RENOVATIONS PROJECT, SPECIFICALLY DARKENING SHADES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the “Board”) of the Herons Glen Recreation District (the “District”) is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the “Act”).

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. The Board hereby determines that expenditures described below to be made from the District’s Bond funds for Bocce/Shuffleboard and Pickleball Court Projects are necessary and proper and in the best interests of the District.

SECTION 3. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager are authorized and directed to expend the funds in an amount not to exceed those described for the following items or services:

A. **Expend from the Bond Acquisition and Construction fund a not to exceed amount of \$15,000.00 for darkening shades for the District’s Ballroom pursuant to the estimate of Gary Danis, Inc. dated May 20, 2022.**

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the

District that are necessary or desirable in connection with the authorization granted herein if not inconsistent with the terms and provisions of this Resolution.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 6th day of June 2022.

**HERONS GLEN RECREATION
DISTRICT**



Peter Overs, Vice Chair

ATTEST:



District Secretary

RESOLUTION NO. 2022-11

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING EXPENDITURE FROM 2021/2022 OPERATING BUDGET FOR PREPARATION OF DISTRICT'S ANNUAL TAX ROLL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the AAct@).

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, and with authority to expend funds to collect its special assessments.

C. The Board hereby determines that expenditures described below to be made from the District=s Operating funds are necessary and prudent and in the bests interests of the District.

SECTION 3. AUTHORIZATION. The Chairman, Vice-Chairman, other officers of the District and the District Manager are authorized and directed to expend the funds in amounts not to exceed those described for the following items or services:

A. **Expend from 2021/2022 Operating Budget for preparation of the District's 2022/2023 Assessment Roll for Tax Collector by PFM Group Consulting, LLC, in amount not to exceed \$5,000.00.**

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the authorization granted herein if not inconsistent with the terms and provisions of this Resolution.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 6th day of June 2022.

**HERONS GLEN RECREATION
DISTRICT**



Peter Overs, Vice Chair

ATTEST:



District Secretary

RESOLUTION NO. 2022-12

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING A SPECIAL ASSESSMENT BUDGET REPORT RELATING TO SPECIAL ASSESSMENTS TO BE LEVIED IN THE DISTRICT TO OPERATE AND MAINTAIN THE RECREATIONAL FACILITIES; STATING THE INTENTION TO USE CHAPTER 170 OR CHAPTER 197, FLORIDA STATUTES AS METHODS OF COLLECTING SUCH ASSESSMENTS; CALLING FOR A PUBLIC HEARING TO BE HELD AT WHICH THE DISTRICT SHALL CONSIDER THE ADOPTION OF A NON AD VALOREM ASSESSMENT ROLL IN CONNECTION WITH SUCH ASSESSMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 25, 1998, as amended), Chapter 189, Florida Statutes, Chapter 170, Florida Statutes and Chapter 197, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS. The Board of Supervisors expressly finds as follows:

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418 Florida Statutes. The District was established for the purpose of acquiring and operating the Recreational Facilities (hereinafter defined).

B. "Recreational Facilities" shall collectively refer to the land and any and all buildings and other improvements that are owned, or acquired subsequently, by the District including, without limitation, clubhouse, maintenance buildings, cart storage area, outbuildings, supports, foundations, structures, golf course, practice facilities, ranges, pitching and putting greens, tennis courts, shuffleboard courts, swimming pools, bocce courts, pickle ball courts, fitness center, storage areas and storage buildings, lakes, landscaping, signs, paths, sidewalks, curbs, driveways, parking lots, bridges, lighting, open or vacant lands, water systems, drainage systems, waste water facilities, maintenance facilities and irrigation water storage and distribution facilities (CLIS), machinery, fixtures and equipment, including all substitutions for, replacements of and additions to the same located within or without the Herons Glen Development of Regional Impact in North Fort Myers, Lee County, Florida, and any such other facilities as the District may acquire from time to time. The Recreational Facilities are also sometimes referred to herein as the "Improvements."

C. The Board has annually since their acquisition, and has again, this date, considered and does now determine that the operation, maintenance and improvement of said Recreational Facilities serves a proper, essential and valid public purpose which specially benefits each lot in the District.

D. The District is empowered by the Act to provide facilities such as the Recreational Facilities to the residents of the District and others.

E. Management has submitted a **Preliminary Budget Report ("Budget Report")** for operation and management of the Recreational Facilities during the District's **2022-2023** Fiscal Year, which Budget Report supports the special benefit to the properties in the District as a result of the operation, maintenance and improvement of the Recreational Facilities and allocates such benefit to the properties in the District. The Budget Report provides a method, based upon the 1999 report of Financial & Associates, Ltd., entitled "Preliminary Special Assessment Methodology," as amended in 2006 and again in August 2020 by PFM Financial Advisors LLC (the "Financial Report") for levying non ad valorem special assessments on the specially benefitted properties in the District in order to provide all funds necessary (the "Special Assessments") to operate, maintain, replace, improve and manage the District and its Facilities and which Report anticipates no general tax revenue for the District. The Financial Report in conjunction with the Budget Report, is the basis for the methodology used for determining the District's Preliminary Assessment Roll.

F. The District now desires to approve and adopt the Budget Report and the Preliminary Assessment Roll, evidence its intent to collect the Special Assessments by the Methods authorized by Chapter 170 and Chapter 197, Florida Statutes and to call a public hearing for the purpose of hearing evidence from assessed owners and for adopting a final non ad valorem assessment roll with respect to such Special Assessments, all as required by Florida Statutes.

G. The Board finds that all lots and parcels, developed and anticipated to be developed, as well as the residents, existing and anticipated, of the District will be specially benefitted by the Special Assessments through fulfillment of the operation and management of the District and the operation, maintenance and replacement of its Recreational Facilities, because the Recreation Facilities were purchased or otherwise acquired on the basis that they had been determined to be a special benefit to all property within the District and the District having acquired them for the benefit of the property and property owners in the District, finds that those facilities must be properly operated, maintained, replaced, improved, increased and managed in order for them to continually provide the special benefit to such property and to the property owners of the District, in accord with the original intent for formation of the District and as was contemplated at the time of initial acquisition of the Recreational Facilities.

H. The Board finds that the Budget Report provides a fair and equitable apportionment of the Special Assessments for the next fiscal year of the District.

SECTION 3. APPROVAL OF BUDGET REPORT AND PRELIMINARY ASSESSMENT ROLL. The Budget Report, substantially in the form submitted at the June __, 2022 Board meeting, including the preliminary assessment roll included therein, i.e. the per lot annual operation and maintenance assessments, attached hereto as **Exhibit A**, and that certain annual debt service assessment previously established for repayment of the District's Bonds (the "Bond Debt Service Assessments"), is hereby approved and adopted. The proposed per lot assessments as stated therein are upon all existing lots located within the Herons Glen Recreation District's jurisdictional boundaries.

SECTION 4. INTENT TO ASSESS AND COLLECT SPECIAL ASSESSMENTS.

The Findings have been considered by the Board and found to be true and correct. The District hereby states its intent to use the method of collecting the Special Assessments as permitted by Section 189.4065, Florida Statutes, and, primarily, Chapter 170, Florida Statutes as to developed lots and primarily, Chapter 197, Florida Statutes, as to the Bond Debt Service Assessments and the annual operation and maintenance assessments on vacant lots, and the annual operation and maintenance assessments on lots owned by those owners who are, or were recently, delinquent in paying prior District assessments.

The levy of the Special Assessments is required to provide funds to pay debt service and to operate, maintain, replace, improve and manage the District and its Facilities during its fiscal year **2022-2023** in the amounts set forth in the Report. The assessments shall be made on all lots and lands adjoining and contiguous or bounding upon such improvements or otherwise specially benefited thereby and as further designated by the assessment roll hereinafter provided for. The assessments shall be made on a platted (developed and vacant) per lot basis; they shall be in the amount described in the Report per Lot, unless modified at the final hearing described herein; they shall be imposed on an annual or a monthly basis, collected quarterly for developed lots, or, as determined by the Board at the Public Hearing, on an annual basis, either collected by the District directly or collected by the County Tax Collector on the tax roll, for each platted Lot the owner of which is two or more quarters delinquent in paying prior assessments as of the effective date of this Resolution, and in accord with the Report; and further, they shall be paid by each owner of developed lots in quarterly installments as billed by the District during the District's **2022-2023 Fiscal Year**, and further, the assessments shall be the personal obligation of each owner, whether collected by direct billing or by the uniform method of Section 197.3632, Florida Statutes, i.e. on the County tax bill. The legal description of the lands within the District which shall be subject to the levy of the Special Assessments is attached hereto as **Exhibit B**.

SECTION 5. PUBLIC HEARING TO ADOPT SPECIAL ASSESSMENT ROLL.

The District hereby calls and sets a final public hearing for **Thursday, September 1, 2022 at 5:00 p.m.** to be held in the Clubhouse of the Herons Glen Golf & Country Club, 2250 Herons Glen Boulevard, North Fort Myers, Lee County, Florida (the "**Final Adoption Hearing**") for the purpose of receiving testimony and objections from affected property owners, adopting a final Budget and final non ad valorem assessment roll (the "**Assessment Roll**") with respect to the Special Assessments. At the Final Adoption Hearing, the Board will sit as an equalizing board, will hear objections of all interested persons to the final Assessment Roll and will finally confirm and adopt an Assessment Roll and allocate such assessments as appropriate among any property, or take such action relative thereto as it deems just and right.

SECTION 6. NOTICE AND PUBLICATION. As required by Section 170.07, Florida Statutes and Section 197.3632, Florida Statutes, at least thirty (30) days prior to the Adoption Hearing, notice thereof shall be given by first-class United States mail. The notice shall be in substantially the form attached hereto as **Exhibit C (the "Notice")**. The Notice to be given by mail shall be sent to each person shown by the Lee County Property Appraiser as owning property subject to the Special Assessments on the effective date of this Resolution. The Notice shall include the information required by Florida Statutes. This Resolution shall be published once a week for a period of two (2) weeks in a newspaper of general circulation published in Lee County. Further, the Notice of the time and place of the Final Adoption Hearing shall be published two

times, one week apart in a newspaper of general circulation published in Lee County such that the final publication is at least one week prior to the Final Public Hearing.

SECTION 7. GOLF AND TENNIS ANNUAL FEES. The preliminary Golf Membership and Tennis Membership fees and charges, which are also shown on the attached Exhibit "A," are hereby approved for the 2022-2023 fiscal year, subject to final adoption of the Budget.

SECTION 8. MISCELLANEOUS. The Chairman, and other officers of the Board of Supervisors, the District Management and the District Legal Counsel are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the effectuation of this Resolution and which are not inconsistent with the terms and provisions herein.

SECTION 9. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 10. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisors of the Herons Glen Recreation District this 24 day of June, 2022.

HERONS GLEN RECREATION DISTRICT



Howard Young, Chair

Attest:


Mary Ann Polvinen, District Secretary

RESOLUTION NO. 2022-13

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT AMENDING RESOLUTION 2022-12; APPROVING A REVISED SPECIAL ASSESSMENT BUDGET REPORT RELATING TO SPECIAL ASSESSMENTS TO BE LEVIED IN THE DISTRICT TO OPERATE AND MAINTAIN THE RECREATIONAL FACILITIES; STATING THE INTENTION TO USE CHAPTER 170 OR CHAPTER 197, FLORIDA STATUTES AS METHODS OF COLLECTING SUCH ASSESSMENTS; CALLING FOR A PUBLIC HEARING TO BE HELD AT WHICH THE DISTRICT SHALL CONSIDER THE ADOPTION OF A NON AD VALOREM ASSESSMENT ROLL IN CONNECTION WITH SUCH ASSESSMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 25, 1998, as amended), Chapter 189, Florida Statutes, Chapter 170, Florida Statutes and Chapter 197, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS. The Board of Supervisors expressly finds as follows:

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418 Florida Statutes. The District was established for the purpose of acquiring and operating the Recreational Facilities (hereinafter defined).

B. "Recreational Facilities" shall collectively refer to the land and any and all buildings and other improvements that are owned, or acquired subsequently, by the District including, without limitation, clubhouse, maintenance buildings, cart storage area, outbuildings, supports, foundations, structures, golf course, practice facilities, ranges, pitching and putting greens, tennis courts, shuffleboard courts, swimming pools, bocce courts, pickle ball courts, fitness center, storage areas and storage buildings, lakes, landscaping, signs, paths, sidewalks, curbs, driveways, parking lots, bridges, lighting, open or vacant lands, water systems, drainage systems, waste water facilities, maintenance facilities and irrigation water storage and distribution facilities (CLIS), machinery, fixtures and equipment, including all substitutions for, replacements of and additions to the same located within or without the Herons Glen Development of Regional Impact in North Fort Myers, Lee County, Florida, and any such other facilities as the District may acquire from time to time. The Recreational Facilities are also sometimes referred to herein as the "Improvements."

C. The Board has annually since their acquisition, and has again, this date, considered and does now determine that the operation, maintenance and improvement of said

Recreational Facilities serves a proper, essential and valid public purpose which specially benefits each lot in the District.

D. The District is empowered by the Act to provide facilities such as the Recreational Facilities to the residents of the District and others.

E. Management has submitted a revised Preliminary Budget Report ("**Budget Report**") for operation and management of the Recreational Facilities during the District's **2022-2023** Fiscal Year, which Budget Report supports the special benefit to the properties in the District as a result of the operation, maintenance and improvement of the Recreational Facilities and allocates such benefit to the properties in the District. The Budget Report provides a method, based upon the 1999 report of Financial & Associates, Ltd., entitled "Preliminary Special Assessment Methodology," as amended in 2006 and again in August 2020 by PFM Financial Advisors LLC (the "Financial Report") for levying non ad valorem special assessments on the specially benefitted properties in the District in order to provide all funds necessary to operate, maintain, replace, improve and manage the District and its Facilities (the "**Special Assessments**") and which Report anticipates no general tax revenue for the District. The Financial Report in conjunction with the Budget Report, is the basis for the methodology used for determining the District's Preliminary Budget Roll (the "**Preliminary Assessment Roll**").

F. The District now desires to approve and adopt the Budget Report and the Preliminary Assessment Roll, evidence its intent to collect the Special Assessments by the Methods authorized by Chapter 170 and Chapter 197, Florida Statutes and to call a public hearing for the purpose of hearing evidence from assessed owners and for adopting a final non ad valorem assessment roll with respect to such Special Assessments, all as required by Florida Statutes.

G. The Board finds that all lots and parcels, developed and anticipated to be developed, as well as the residents, existing and anticipated, of the District will be specially benefitted by the Special Assessments through fulfillment of the operation and management of the District and the operation, maintenance and replacement of its Recreational Facilities, because the Recreation Facilities were purchased or otherwise acquired on the basis that they had been determined to be a special benefit to all property within the District and the District having acquired them for the benefit of the property and property owners in the District, finds that those facilities must be properly operated, maintained, replaced, improved, increased and managed in order for them to continually provide the special benefit to such property and to the property owners of the District, in accord with the original intent for formation of the District and as was contemplated at the time of initial acquisition of the Recreational Facilities.

H. The Board finds that the Budget Report provides a fair and equitable apportionment of the Special Assessments for the next fiscal year of the District.

I. This Resolution amends and supersedes Resolution 2022-12.

SECTION 3. APPROVAL OF BUDGET REPORT AND PRELIMINARY ASSESSMENT ROLL. The **Budget Report**, substantially in the form submitted at the July 11, **2022** Board meeting, including the Preliminary Assessment Roll included therein, i.e. the per lot annual operation and maintenance assessments, attached hereto as **Exhibit A**, and that certain annual debt service assessment previously established for repayment of the District's Bonds (the

“Bond Debt Service Assessments”), is hereby approved and adopted. The proposed per lot assessments as stated therein are levied upon all lots within the Herons Glen Recreation District’s jurisdictional boundaries.

SECTION 4. INTENT TO ASSESS AND COLLECT SPECIAL ASSESSMENTS.

The Findings have been considered by the Board and found to be true and correct. The District hereby states its intent to use the method of collecting the Special Assessments as permitted by Section 189.4065, Florida Statutes, and, primarily, Chapter 170, Florida Statutes as to developed lots and primarily, Chapter 197, Florida Statutes, as to the Bond Debt Service Assessments and the annual operation and maintenance assessments on vacant lots, and the annual operation and maintenance assessments on lots owned by those owners who are, or were recently, delinquent in paying prior District assessments.

The levy of the Special Assessments is required to provide funds to pay debt service and to operate, maintain, replace, improve and manage the District and its Facilities during its fiscal year **2022-2023** in the amounts set forth in the Report. The assessments shall be made on all lots and lands adjoining and contiguous or bounding upon such improvements or otherwise specially benefited thereby and as further designated by the assessment roll hereinafter provided for. The assessments shall be made on a platted (developed and vacant) per lot basis; they shall be in the amount described in the Report per Lot, unless modified at the final hearing described herein; they shall be imposed on an annual or a monthly basis, collected quarterly for developed lots, or, as determined by the Board at the Public Hearing, on an annual basis, either collected by the District directly or collected by the County Tax Collector on the tax roll, for each platted Lot the owner of which is two or more quarters delinquent in paying prior assessments as of the effective date of this Resolution, and in accord with the Report; and further, they shall be paid by each owner of developed lots in quarterly installments as billed by the District during the District's **2022-2023 Fiscal Year**, and further, the assessments shall be the personal obligation of each owner, whether collected by direct billing or by the uniform method of Section 197.3632, Florida Statutes, i.e. on the County tax bill. The legal description of the lands within the District which shall be subject to the levy of the Special Assessments is attached hereto as **Exhibit B**.

SECTION 5. PUBLIC HEARING TO ADOPT SPECIAL ASSESSMENT ROLL.

The District hereby calls and sets a final public hearing for Thursday, **September 1, 2022 at 5:00 p.m.** to be held in the Clubhouse of the Herons Glen Golf & Country Club, 2250 Herons Glen Boulevard, North Fort Myers, Lee County, Florida (the "**Final Adoption Hearing**") for the purpose of receiving testimony and objections from affected property owners, adopting a final Budget and final non ad valorem assessment roll (the "**Assessment Roll**") with respect to the Special Assessments. At the Final Adoption Hearing, the Board will sit as an equalizing board, will hear objections of all interested persons to the final Assessment Roll and will finally confirm and adopt an Assessment Roll and allocate such assessments as appropriate among any property, or take such action relative thereto as it deems just and right.

SECTION 6. NOTICE AND PUBLICATION. As required by Section 170.07, Florida Statutes and Section 197.3632, Florida Statutes, at least thirty (30) days prior to the Adoption Hearing, notice thereof shall be given by first-class United States mail. The notice shall be in substantially the form attached hereto as **Exhibit C (the "Notice")**. The Notice to be given by mail shall be sent to each person shown by the Lee County Property Appraiser as owning property subject to the Special Assessments on the effective date of this Resolution. The Notice shall include

the information required by Florida Statutes. This Resolution shall be published once a week for a period of two (2) weeks in a newspaper of general circulation published in Lee County. Further, the Notice of the time and place of the Final Adoption Hearing shall be published two times, one week apart in a newspaper of general circulation published in Lee County such that the final publication is at least one week prior to the Final Public Hearing.

SECTION 7. GOLF AND TENNIS ANNUAL FEES. The preliminary Golf Membership and Tennis Membership fees and charges, which are also shown on the attached Exhibit "A," are hereby approved for the **2022-2023** fiscal year, subject to final adoption of the Budget.


SECTION 8. MISCELLANEOUS. The Chairman, and other officers of the Board of Supervisors, the District Management and the District Legal Counsel are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the effectuation of this Resolution and which are not inconsistent with the terms and provisions herein.

SECTION 9. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 10. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisors of the Herons Glen Recreation District this 11th day of July 2022.

Attest:


Mary Ann Polvinen, Secretary

HERONS GLEN RECREATION DISTRICT


Peter Overs, Vice-Chair

RESOLUTION NO. 2022-14
A RESOLUTION OF THE HERONS GLEN RECREATION
DISTRICT APPROVING A FINAL BUDGET FOR THE 2022-
2023 FISCAL YEAR; PROVIDING FINDINGS; PROVIDING
CONFIRMATION OF ANNUAL BUDGET; PROVIDING FOR
ANNUAL ASSESSMENTS AND QUARTERLY
INSTALLMENTS; PROVIDING FOR SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN
RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended), Chapter 189, Florida Statutes, Chapter 170, Florida Statutes, and Chapter 197, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS. The Board of Supervisors hereby finds and determines as follows:

A The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Florida Statutes. The District was established for the purpose of acquiring recreational facilities (hereinafter defined). The District is authorized, pursuant to the Act, to acquire recreational facilities, to equip and improve such facilities, to operate and maintain such facilities and to enter into arrangements with others to accomplish such purposes, and to levy non-ad valorem special assessments, among other purposes. In furtherance thereof, the District acquired the Recreational Facilities. For purposes hereof, the term "Recreational Facilities" shall mean the recreational and related facilities comprised of land, improvements, and equipment owned or controlled by the District.

B The District has heretofore determined that the acquisition of the Recreational Facilities, the operation, improvement and maintenance of them, and the levying of the Special Assessments for such purposes serves a proper, essential and valid public purpose.

C On June 24, 2022, the District held a first public meeting wherein, the District, among other matters, considered a preliminary Budget for the District's 2022-2023 fiscal year which Budget was intended to serve the need to operate and maintain the District's Recreational Facilities and the District for the period October 1, 2022 to September 30, 2023.

D On July 11, 2022, the District held a second public meeting wherein, the District, among other matters, reconsidered its preliminary Budget for the District's 2022-2023 fiscal year which Budget was intended to serve the need to operate and maintain the District's Recreational Facilities and the District for the period October 1, 2022 to September 30, 2023.

E On the date of this Resolution the District held a public meeting and conducted a Public Hearing. At that meeting, the District, among other matters, considered the adoption of a final Budget for the District's 2022-2023 fiscal year which Budget is intended to serve the need to operate and maintain the District and its Recreational Facilities for the period October 1, 2022 to September 30, 2023.

SECTION 3. APPROVAL AND CONFIRMATION OF 2021-2023 ANNUAL BUDGET. The 2022-2023 Budget, attached hereto as **Exhibit A**, including the final per unit annual assessments stated therein, is hereby approved, confirmed and adopted.

SECTION 4. PAYMENT OF SPECIAL ASSESSMENTS. The per unit Special Assessments described in the final approved 2021-2022 Annual Budget shall be payable annually in quarterly installments, or in such other periodic installments, including monthly, as the Board may from time to time determine; except that such assessments on undeveloped lots and including lots the owners of which are two or more quarters delinquent in paying past assessments, may be collected on the County Tax Roll.

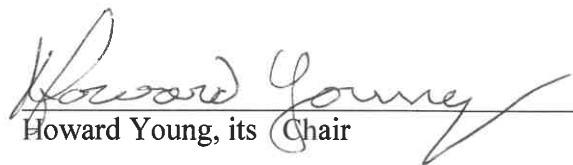
SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a Special Meeting of the Board of Supervisor of the Herons Glen Recreation District this 1st day of September 2022.

**HERONS GLEN RECREATION
DISTRICT**

[SEAL]


Howard Young, its Chair

ATTEST:


District Secretary

RESOLUTION NO. 2022-15

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT FINDING SPECIAL BENEFITS; APPROVING METHODOLOGY FOR ASSESSMENT AND COLLECTION AND FINAL 2022-2023 ASSESSMENT ROLL; PROVIDING FOR PAYMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the “Board”) of the Herons Glen Recreation District (the “District”) is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended), Chapters 189, 170 and 197, Florida Statutes and other applicable provisions of law (collectively, the “Act”).

SECTION 2. FINDINGS. The Board of Supervisors (“Board”) hereby finds and determines as follows:

A The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Florida Statutes. The District was established for the purpose of acquiring recreational facilities (hereinafter defined) for the benefit of residents of the Herons Glen community. The District was authorized, pursuant to the Act, to acquire recreational facilities, to levy non-ad valorem special assessments (the “Special Assessments”) and to issue Special Assessment Bonds, which it did as Series 1999 and Series 2006 and Series 2020 (the “Bond”), payable from such Special Assessments to pay the costs and expenses of such acquisition, among other purposes. In furtherance thereof, the District acquired and is acquiring the Recreational Facilities. For purposes hereof, the term “Recreational Facilities” shall mean the recreational facilities comprised of land, improvements, facilities and equipment located within or without the District which facilities are owned or operated by the District.

B The District has heretofore determined, and had validated by Judicial decree, that the acquisition of said Recreational Facilities, the issuance of the Bonds and the levying of the Special Assessments to repay the Bonds serves a proper, essential and valid public purpose.

C Pursuant to Resolutions No. 99-02, No. 2006-10, and 2020-33, among others, the District approved Special Assessment Methodologies prepared by Fishkind & Associates and PFM Financial which methodology determined that all residential property in the Herons Glen District is specially benefitted by the District’s acquisition and operation of the Recreational Facilities, all as is more particularly set forth in Resolution 2020-40.

D. Pursuant to Resolutions 2006-11 and 2006-24, and 2020-33 the District has previously imposed Special Assessments for Bond refunding which assessments are collected by the Uniform Method described in Sections 197.3632 and 197.3635, Florida Statutes (the “bond debt service”).

E. The District hereby finds and determines that the continued payment of bond debt service, the operation, improvement and maintenance of the Recreational Facilities and the operation of the District to carry out such purposes will specially benefit all real property within the Herons Glen community by enhancing the aesthetic qualities and the actual, as well as potential, recreational opportunities of the property owners and their guests and, thereby, will enhance the property values of all real property located within the Herons Glen District.

F. On July 24, 2022 the District adopted, Resolution 2022-13, approving a preliminary budget report for the operation, improvement and maintenance of the Recreational Facilities and the District for the District's 2022-2023 fiscal year and expressing therein its intent to fund the same by the levy of special assessments on all platted lots within the District.

G. On September 1, 2022, the District adopted its Final Budget for the year 2022-2023, pursuant to Resolution 2022-14.

H. As required by Chapters 170 and 197, Florida Statutes, Resolution No. 2022-13 evidenced the District's intent to adopt a non-ad valorem assessment roll levying the Special Assessments and called for a public hearing to be held on September 1, 2022 ("Public Hearing") for the Board to consider the adoption of a final assessment roll. In accordance with Chapter 170 and Section 197.3632, Florida Statutes, at least twenty (20) days prior to the Public Hearing, notice thereof (the "Public Hearing Notice") was given by first-class United States mail and by appropriate publication in a newspaper generally circulated within Lee County, Florida.

I. On this date, at the time and place specified in the September 1, 2022 Public Hearing Notice, the Board met as an equalizing board, conducted a public hearing and heard and considered all comments and complaints as to: (i) the propriety and advisability of operating and maintaining the recreation facilities and District and of the District's related facilities, (ii) the cost thereof, (iii) the manner of payment therefor: (iv) the amount thereof to be assessed against each parcel of specially benefitted property, and (v) the special benefit to each existing and each potential residential lot within the District; and based thereon, has made such modifications in the preliminary assessment roll as it deems just and proper, commensurate with special benefit and fair apportionment.

J. Having considered the bond debt service requirements, the costs of the operation, improvement and maintenance of the Recreational Facilities and all complaints and evidence presented at such public hearing, the Board finds that: (i) each of the platted lots in the Recreation District will derive special benefits as a result of the operation and maintenance of the Recreational Facilities and the District; (ii) the estimated costs are reasonable; (iii) the Special Assessments are an appropriate and reasonable method of paying for those costs; (iv) all of the residential property within the District and the Herons Glen community benefit equally from the operation and maintenance of the Recreational Facilities and the District, with the exception that undeveloped lots are entitled to a discount for the costs of the Common Lot Irrigation System (CLIS) service; (v) the allocation of such expenses on a per lot basis is a fair and reasonable method of allocation; (vi) the payment of the Special Assessments in not more than twelve (12) monthly installments or four quarterly installments, or in the case of the bond debt service assessments and of lots, the owners of which are two or more quarters delinquent, on the property tax bill as permitted by the

“uniform method” of Chapter 197, Florida Statutes, with interest at the rates established by law, is appropriate; and (vii) the methods established for collecting the Special Assessments, including by direct bill and pursuant to Sections 197.3632 and 197.3635 for bond debt service and lots whose owners are delinquent in paying assessments, are authorized and are appropriate.

K. Pursuant to the Public Hearing and Resolutions 2020-33, 2022-13 and 2022-14, the Special Assessments, all as specified in the **Budget**, Exhibit “A” attached hereto, and bond debt service assessments previously approved, were equalized, approved, confirmed, fairly apportioned and levied and may be reported as the District’s Assessment Roll for the designated year.

SECTION 3. APPROVAL AND CONFIRMATION OF ASSESSMENT METHODOLOGY. The 2022-2023 Budget attached hereto as Exhibit “A”, including the final per unit assessment, approved pursuant to Resolution 2022-14, is hereby confirmed and ratified. The Special Assessments against each parcel, and interest and penalties thereon, as set forth by law shall be and shall remain a legal, valid and binding obligation of the property owners and a first lien on such parcel until paid; such lien shall be co-equal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims.

SECTION 4. OPERATION AND MAINTENANCE ASSESSMENT RECORD. The Special Assessments described in Resolutions 2020-33, 2022-13, 2022-14, and this Resolution are hereby confirmed and imposed.

SECTION 5. PAYMENT OF SPECIAL ASSESSMENTS. The Special Assessments on developed lots shall be payable in quarterly installments, or in such other manner as the District shall from time to time determine. Unless later revised by the District’s Board, collection of the Special Assessments on lots the owners of which are two or more quarters delinquent in paying past assessments, shall be payable on the property tax bill pursuant to the Uniform Method set forth in Section 197.3632, Florida Statutes and said Special Assessment shall be included on each such bill along with the District’s bond debt service special assessments as set forth in Resolutions 2020-33 and 2020-37.

SECTION 6. MISCELLANEOUS. The Chairman, Vice Chairman, Treasurer and Secretary of the Board, the General Manager and the District’s legal counsel are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the levy and collection of the Special Assessments which actions are not inconsistent with the terms and provisions of this Resolution.

SECTION 7. SEVERABILITY. Should any sentence, section, clause, provision or part of this Resolution, or the Special Assessments imposed hereby, be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 8. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

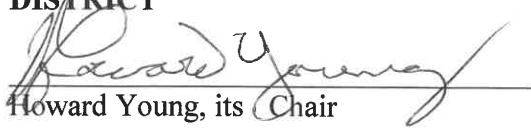
PASSED AND ADOPTED at a Special Meeting of the Board of Supervisors of the Herons
Glen Recreation District this 1st day of September, 2022.

[SEAL]

ATTEST:


District Secretary

**HERONS GLEN RECREATION
DISTRICT**


Howard Young, its Chair

RESOLUTION NO. 2022-16

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT APPROVING AND RATIFYING PRIOR BOARD ACTION RE CAPITAL AND DEFERRED MAINTENANCE EXPENDITURES FOR CLUBHOUSE IMPROVEMENTS; RE EMPLOYEE HEALTH INSURANCE PURCHASE; AND RE CLIS SYSTEM VALVE PURCHASE; AND RE APPROVING AMENDED LIST OF APPROVED VENDORS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. On August 15, 2022, the Board met as a Board to review the status of Bond Projects and to conduct such business as was properly brought before them.

D. The authorizations and actions set forth below were approved at the August 15, 2022, Board meeting.

E. This Resolution ratifies and documents prior Board action.

SECTION 3. AUTHORIZATION. The actions of the Board as approved in in its August 15, 2022, meeting and as described below are hereby ratified and confirmed, specifically including:

- A. Expend from the 2021-2022 **Deferred Maintenance** account a not to exceed amount of \$10,500 to re-carpet the following rooms in the Clubhouse:
 - Billiard Room
 - Card Room A
 - Food & Beverage Office
 - All-purpose (file) Room
 - including replacement rubber threshold strips separating carpet and tile in the restaurant and lounge; and
- B. Expend from the 2021-2022 **Deferred Maintenance** account a not to exceed amount of \$7,500 to install two new solid counter tops/backsplashes and sinks in Activities Rooms A and B; and
- C. Expend from the 2021-2022 **Capital** account a not to exceed amount of \$8,500 to re-carpet Card Rooms B and C in the Clubhouse; and
- D. Instruct Management to continue District's **employee health insurance** program with current provider, Florida Blue for coming year; and
- E. Expend from **Bond** account a not to exceed amount of \$75,237.00 to purchase CLIS system valves from SCP; and
- F. Authorize the General Manager to sign operating account checks in amounts more than \$5,000.00 if payable to approved vendors listed on the attached list, Exhibit "A."

Operating Accounts: a. Checks for \$5,000 or less and for any amount for Board-approved recurring vendors are to be signed by the General Manager, the Treasurer or a Board member authorized as a signer on the account.

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the authorization granted herein.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 29th day of August 2022.

**HERONS GLEN RECREATION
DISTRICT**


Howard Young,


Chair

ATTEST:


District Secretary

RESOLUTION NO. 2022-17

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT DECLARING A STATE OF EMERGENCY IN THE DISTRICT POST HURRICANE IAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the “Board”) of the Herons Glen Recreation District (the “District”) is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the “Act”).

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities of all types, including land, improvements, and equipment such as golf, tennis, restaurant, and club facilities, which are owned or operated by the District for the benefit of the community.

C. In anticipation of Hurricane Ian, on September 23, 2022 the Governor of the State of Florida issued Executive Order Number 22-218 Declaring a State of Emergency in Lee and Charlotte Counties (among others).

D. Hurricane Ian impacted Southwest Florida and specifically the Herons Glen Recreation District, on September 28, 2022.

E. On October 10, 2022, the Board met to review the status of the Recreation District post Hurricane Ian and to conduct all such business, including emergency response, as was taken before, during and after, as well as to be taken subsequently in response to the hurricane to protect the District and its property.

F. The authorizations and actions set forth below were approved at the October 10, 2022, Board meeting.

SECTION 3. AUTHORIZATION. The Board approved and adopted the following Declaration of Emergency:

Whereas the Governor of the State of Florida has declared a statewide Emergency as a result of Hurricane Ian and;

Whereas the Herons Glen Recreation District has sustained significant damage as a result of Hurricane Ian and;

Whereas the damage has created health and safety issues for the residents of Herons Glen and;

Whereas immediate action is required to remediate these issues for the health and safety of the residents of Herons Glen;

Therefore, be it resolved that the Board of Supervisors of the Herons Glen Recreation District that a State of Emergency for the Herons Glen Recreation District is declared and the General Manager is authorized to take such action as required to immediately remediate all damage created by Hurricane Ian.

SECTION 4. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager, are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the declaration and authorization stated herein.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 10th day of October 2022.

**HERONS GLEN RECREATION
DISTRICT**


Peter Overs, Vice Chair

ATTEST:


District Secretary

RESOLUTION 2022 - 18

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT APPROVING THE ENTRANCE INTO AN INTERLOCAL AGREEMENT WITH OTHER GOVERNMENTAL PARTICIPANTS FOR THE PURPOSE OF EXERCISING INVESTMENT POWER JOINTLY TO INVEST FUNDS IN CONCERT WITH OTHER PARTICIPANTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Herons Glen Recreation District is permitted and has the power pursuant to the provisions of the Florida Statutes, including but not limited to Section 218.415 of the Florida Statutes, and its own local laws to invest certain of its funds in statutorily permitted investments including but not limited to any intergovernmental investment pool authorized pursuant to Section 163.01, Florida Statutes, as amended the Florida Interlocal Cooperation Act; and

WHEREAS, Sec. 163.01, Fla. Stat., authorizes a political subdivision, agency, or officer of the State of Florida including but not limited to state government, county, city, school district, single and multipurpose special district, single and multi-purpose public authority, metropolitan or consolidated government, a separate legal entity or administrative entity created under subsection (7) of Section 163.01, Fla. Stat., or an independently elected county officer (each of the foregoing a Local Government Entity or Entity), to exercise jointly with any other Entity any power, privilege, or authority which such Entities share in common and which each might exercise separately; and

WHEREAS, the Florida Interlocal Cooperation Act authorizes the Herons Glen Recreation District, together with other local governmental entities, to exercise jointly any power, privilege or authority which the local governmental entities share in common and which each might exercise separately pursuant to a written interlocal agreement; and

WHEREAS, Palm Beach County Clerk and Comptroller, the Pinellas County Clerk of the Court and Comptroller, and Orange County Tax Collector, as initial Participants (as such term is defined in the Interlocal Agreement described below), entered into that certain Interlocal Agreement, a copy of which is attached hereto as Exhibit A (the Interlocal Agreement), the purpose of which is to provide the Herons Glen Recreation District and each Participant which has executed or otherwise joined the Interlocal Agreement, a substantial benefit by establishing the intergovernmental investment pool to be known as the Florida Cooperative Liquid Assets Securities System (FLCLASS), which is an intergovernmental investment pool as described in Section 218.415, Florida Statutes, as amended, in order to exercise such investment power jointly and invest such funds in concert with the other Participants pursuant to the Interlocal Agreement as authorized by the Florida Interlocal Cooperation Act in order to take advantage of economies of scale and perform governmental functions more efficiently; and

WHEREAS, the Herons Glen Recreation District desires to join the Interlocal Agreement as a Participant, in order to exercise investment power jointly and invest funds in concert with the

other Participants pursuant to the Interlocal Agreement in order to take advantage of economies of scale and perform governmental functions more efficiently; and

WHEREAS, the policy of the Interlocal Agreement shall be to place the highest priority on the safety of principal and liquidity of funds, and the optimization of investment returns shall be secondary to the requirements for safety and liquidity;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Herons Glen Recreation District as follows:

SECTION 1. The Interlocal Agreement executed or otherwise joined by the Participants thereto, a copy of which is attached to this Resolution as Exhibit A and incorporated herein by reference.

SECTION 2. Pursuant to Section 2.4 of the Interlocal Agreement, the Herons Glen Recreation District hereby joins the Interlocal Agreement as a Participant and agrees to be bound by all of the terms and provisions thereof. The Herons Glen Recreation District further agrees to file an executed copy of this Resolution with the Clerk of Court of Lee County, Florida.

SECTION 3. This Resolution shall take effect immediately upon its filing with the Clerk of Court of Lee County, Florida

PASSED AND ADOPTED IN PUBLIC SESSION of the Board of Supervisors of the Herons Glen Recreation District this 14th day of November 2022

By: Howard Goeng
Chairman

Attest: M. J. P. P. P.
Secretary



Instrument of Adoption

of that certain
Interlocal Agreement for the
Florida Cooperative Liquid Assets Securities System (FLCLASS)

This Instrument of Adoption (this Instrument) is executed as of the 14 day of November, 2022,
by and on behalf of Hurons Glen Recreation District.

Reference is made to that certain Amended and Restated Interlocal Agreement for the Florida Cooperative Liquid Assets Securities System, dated as of March 4, 2021, made by and among certain Initial Participants (as defined therein) and such additional Participants who may have heretofore and may hereafter join therein, and as may have been and may be modified or amended as provided therein (the Interlocal Agreement). Capitalized terms not defined in this Instrument shall have the meanings given in the Interlocal Agreement.

By executing this Instrument, the undersigned represents and warrants that (a) the undersigned is a Unit of Local Government as defined in the Interlocal Agreement; (b) the person executing this Instrument on behalf of the undersigned is an officer of the Unit of Local Government authorized to execute this Instrument; (c) the undersigned has taken all required action to qualify as a Participant under the Interlocal Agreement, and (d) the undersigned is authorized to invest in FLCLASS pursuant to Section 163.01(17)(a), Florida Statutes with or without an adopted a written investment policy.

By executing this Instrument, the undersigned agrees that it will be bound by all terms and conditions of the Interlocal Agreement, as amended from time to time.

IN WITNESS WHEREOF, the undersigned has executed this Instrument as of the day first above written.

Name of Public Agency Hurons Glen Recreation District

Date 11/14/2022

Authorized Signatory

Print Name Howard M. Young, Chairman of Board of Supervisors

RESOLUTION NO. 2022-19

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT EXTENDING DECLARED STATE OF EMERGENCY IN THE DISTRICT POST HURRICANE IAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, its Charter (Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended by Ordinances 98-18 and 2- 25), Chapters 418, 197 and 189, Florida Statutes and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

A. The District is a local unit of special purpose government organized and existing under and pursuant to Chapter 418, Part II, Florida Statutes and the Act.

B. The District was established for the purpose of acquiring, purchasing, constructing, improving and equipping recreational facilities for the benefit of the community.

C. In anticipation of Hurricane Ian, on September 23, 2022 the Governor of the State of Florida issued Executive Order Number 22-218 Declaring a State of Emergency in Lee and Charlotte Counties (among others).

D. Hurricane Ian impacted Southwest Florida and specifically the Herons Glen Recreation District, on September 28, 2022.

E. On October 10, 2022, the Board met to review the status of the Recreation District post Hurricane Ian and to conduct all such business, including emergency response, as was taken before, during and after, as well as to be taken subsequently in response to the hurricane to protect the District and its property.

F. On November 7, 2022, the Governor of the State issued a second declaration of emergency for Lee County, among others, by Executive Order No. 22-253, declaring a further State of Emergency in response to Hurricane Nicole.

SECTION 3. AUTHORIZATION. The Board approved and adopted the following Declaration of Emergency:

Whereas the Governor of the State of Florida has declared a statewide Emergency as a result of Hurricane Ian and;

Whereas the Herons Glen Recreation District has sustained significant damage as a result of Hurricane Ian and;

Whereas the damage has created health and safety issues for the residents of Herons Glen and;

Whereas immediate action is required to remediate these issues for the health and safety of the residents of Herons Glen;

Therefore, be it resolved that the Board of Supervisors of the Herons Glen Recreation District that a State of Emergency for the Herons Glen Recreation District is declared and the General Manager is authorized to take such action as required to immediately remediate all damage created by Hurricane Ian.

SECTION 4. EXTENSION. The Herons Glen Recreation District's declared State of Emergency and the authorization granted thereby is extended for a period of sixty (60) days from the date of this Resolution.

SECTION 5. MISCELLANEOUS. The Chairman, Vice-Chairman, other officers of the District and the District Manager were, prior to this Resolution, and are hereby authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the District that are necessary or desirable in connection with the declaration and authorization stated herein.

SECTION 6. SEVERABILITY. Should any sentence, section, clause, part or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

SECTION 7. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisor of the Herons Glen Recreation District this 14th day of November 2022.

**HERONS GLEN RECREATION
DISTRICT**


Peter Overs, Vice Chair

ATTEST:


District Secretary