



Rizzetta & Company

# **Somerset Community Development District**

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**Board of Supervisors'  
Special Meeting**

**November 15, 2022**

**District Office:  
120 Richard Jackson Blvd, Suite 220  
Panama City Beach, Florida 32407  
850-334-9055**

**SOMERSET COMMUNITY  
DEVELOPMENT DISTRICT AGENDA  
SOMERSET COMMUNITY DEVELOPMENT DISTRICT**

Alys Beach Conference Room, Building 1, 84 Elbow Road, Alys Beach, FL  
32461 **November 15, 2022, at 1:00 p.m.**

<b>District Board of Supervisors</b>	Andrew O'Connell John Rosenberg George Hartley Tonya Pippin Tom Dodson	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
<b>District Manager</b>	Kimberly O'Mera	Rizzetta & Company, Inc
<b>District Counsel</b>	Tucker Mackie	Kutak Rock LLP
<b>District Engineer</b>	Jim Martelli	Innerlight Engineering

**All Cellular phones and pagers must be turned off while in the meeting room.  
The District Agenda is comprised of five different sections:**

The **special** meeting will begin promptly at **1:00 p.m.** with the first section which is called **Audience Comments on Agenda Items**. The Audience Comment portion of the agenda is where individuals may comment on matters that concern the District. Each individual is limited to three (3) minutes for such comment. The Board of Supervisors or Staff is not obligated to provide a response until sufficient time for research or action is warranted. **IF THE COMMENT CONCERNS A MAINTENANCE RELATED ITEM, THE ITEM WILL NEED TO BE ADDRESSED BY THE DISTRICT MANAGER OUTSIDE THE CONTEXT OF THIS MEETING.** The second section is called **Business Administration**. The Business Administration section contains items that require the review and approval of the District Board of Supervisors as a normal course of business. The third section is called **Business Items**. The business items section contains items for approval by the District Board of Supervisors that may require discussion, motion and votes on an item-by-item basis. If any member of the audience would like to speak on one of the business items, they will need to register with the District Manager prior to the presentation of that agenda item. Occasionally, certain items for decision within this section are required by Florida Statute to be held as a Public Hearing. During the Public Hearing portion of the agenda item, each member of the public will be permitted to provide one comment on the issue, prior to the Board of Supervisors' discussion, motion and vote. Agendas can be reviewed by contacting the Manager's office at (850) 334-9055 at least seven days in advance of the scheduled meeting. Requests to place items on the agenda must be submitted in writing with an explanation to the District Manager at least fourteen (14) days prior to the date of the meeting. The fourth section is called **Staff Reports**. This section allows the District Manager, Engineer, and Attorney to update the Board of Supervisors on any pending issues that are being researched for Board action. The final section is called **Supervisor Requests and Audience Comments**. This is the section in which the Supervisors may request Staff to prepare certain items in an effort to meet residential needs and provides members of the audience the opportunity to comment on matters of concern to them that were not addressed during the meeting.

Public workshops sessions may be advertised and held in an effort to provide informational services. These sessions allow staff or consultants to discuss a policy or business matter in a more informal manner and allow for lengthy presentations prior to scheduling the item for approval. Typically no motions or votes are made during these sessions.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the District Office at (850) 334-9055, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 7-1-1, who can aid you in contacting the District Office.

Any person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that this same person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

**SOMERSET COMMUNITY DEVELOPMENT DISTRICT**  
DISTRICT OFFICE • PANAMA CITY BEACH, FL 32407  
MAILING ADDRESS • 3434 COLWELL AVENUE, SUITE 200, TAMPA, FL 33614  
<http://somersetcdd.org/>

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November 8, 2022

**Board of Supervisors  
Somerset Community  
Development District**

**AGENDA**

Dear Board Members:

The Special Meeting of the Board of Supervisors of the Somerset Community Development District will be held on **Tuesday, November 15, 2022, at 1:00 p.m. (Central Time)** at the Alys Beach Conference Room, Building 1 located at 84 Elbow Beach Road, Alys Beach, FL 32461. The following is the Agenda for this meeting:

- 1. CALL TO ORDER/ROLL CALL**
- 2. AUDIENCE COMMENTS**
- 3. BUSINESS ADMINISTRATION**
  - A. Administration of Oath of Office .....Tab 1
  - B. Consideration of Resolution 2023-01, Canvassing and Certifying Results of the November 15, 2022, Landowner Election .....Tab 2
  - C. Consideration of Resolution 2023-02, Appointing and Removing Officers of the District .....Tab 3
  - D. Consideration of Minutes of the Board of Supervisors Meeting Held on August 8, 2022 .....Tab 4
  - E. Ratification of Operation and Maintenance Expenditures for July 2022 .....Tab 5
- 4. BUSINESS ITEMS**
  - A. Consideration of Resolution 2023-03, Budget Amendment .....Tab 6
  - B. Consideration of Resolution 2023-04, Assessment Amendment .....Tab 7
  - C. Acceptance of Dissemination Agreement- Rizzetta & Company, Inc. ....Tab 8
  - D. Consideration of Proposal for new Pump and Acid Wash of East Irrigation Well- Mills Supply .....Tab 9
- 5. STAFF REPORTS**
  - A. District Counsel
  - B. District Engineer
  - C. District Manager
    1. Presentation of District Manager Report
- 6. SUPERVISOR REQUESTS**
- 7. ADJOURNMENT**

I look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call me at 850-334-9055.

Sincerely,  
*Kimberly O'Mera*  
Kimberly O'Mera  
District Manager

# **Tab 1**

**SOMERSET  
COMMUNITY DEVELOPMENT DISTRICT  
BOARD OF SUPERVISORS  
OATH OF OFFICE**

I, \_\_\_\_\_, A CITIZEN OF THE STATE OF FLORIDA AND OF THE UNITED STATES OF AMERICA, AND BEING EMPLOYED BY OR AN OFFICER OF SOMERSET COMMUNITY DEVELOPMENT DISTRICT AND A RECIPIENT OF PUBLIC FUNDS AS SUCH EMPLOYEE OR OFFICER, DO HEREBY SOLEMNLY SWEAR OR AFFIRM THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES AND OF THE STATE OF FLORIDA.

\_\_\_\_\_  
Board Supervisor

ACKNOWLEDGMENT OF OATH BEING TAKEN

STATE OF FLORIDA  
COUNTY OF WALTON

The foregoing oath was administered before me by means of  physical presence or  online notarization this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_, who personally appeared before me, and is personally known to me or has produced \_\_\_\_\_ as identification, and is the person described in and who took the aforementioned oath as a Member of the Board of Supervisors of the Somerset Community Development District and acknowledged to and before me that he/she took said oath for the purposes therein expressed.

(NOTARY SEAL)

\_\_\_\_\_  
Notary Public, State of Florida

Print Name: \_\_\_\_\_

Commission No.: \_\_\_\_\_ Expires: \_\_\_\_\_

## **Tab 2**

**RESOLUTION 2023-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SOMERSET COMMUNITY DEVELOPMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES, AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Somerset Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Walton County, Florida; and

**WHEREAS**, pursuant to Section 190.006(2), Florida Statutes, a landowners meeting is required to be held within 90 days of the District’s creation and every two years following the creation of the District for the purpose of electing supervisors of the District; and

**WHEREAS**, such landowners meeting was held on November 15, 2022, the Minutes of which are attached hereto as Exhibit A, and at which the below recited persons were duly elected by virtue of the votes cast in his/her favor; and

**WHEREAS**, the Board of Supervisors of the District, by means of this Resolution, desire to canvas the votes and declare and certify the results of said election.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SOMERSET COMMUNITY DEVELOPMENT DISTRICT:**

Section 1. The following person is found, certified, and declared to have been duly elected as Supervisor of and for the District, having been elected by the votes cast in their favor as shown:

_____	Seat 2	Votes _____
_____	Seat 4	Votes _____
_____	Seat 5	Votes _____

Section 2. In accordance with Section 190.006(2), Florida Statutes, and by virtue of the number of votes cast for the Supervisor, the above-named person is declared to have been elected for the following term of office:

_____	4 Year Term
_____	4 Year Term
_____	2 Year Term

[CONTINUED ON FOLLOWING PAGE]

Section 3. This resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED THIS 15<sup>th</sup> DAY OF NOVEMBER 2022.**

**SOMERSET COMMUNITY  
DEVELOPMENT DISTRICT**

Attest:

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Secretary/Assistant Secretary

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Chair/Vice Chair



## **Tab 3**

**RESOLUTION 2023-02**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SOMERSET COMMUNITY DEVELOPMENT DISTRICT RE-DESIGNATING CERTAIN OFFICERS OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Somerset Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, and situated entirely within Walton County, Florida; and

**WHEREAS**, the Board of Supervisors (hereinafter the “Board”) previously designated the Officers of the District; and

**WHEREAS**, the Board now desires to re-designate certain Officers.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SOMERSET COMMUNITY DEVELOPMENT DISTRICT:**

The following persons are appointed to the offices shown, to wit:

_____	Chairman
_____	Vice Chairman
_____	Secretary
_____	Treasurer
_____	Assistant Secretary
_____	Assistant Secretary
_____	Assistant Secretary
_____	Assistant Secretary

**PASSED AND ADOPTED THIS 15<sup>TH</sup> DAY OF NOVEMBER 2022.**

ATTEST:

**SOMERSET COMMUNITY  
DEVELOPMENT DISTRICT**

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

\_\_\_\_\_  
Chairperson / Vice Chairperson  
Board of Supervisors

## **Tab 4**

MINUTES OF MEETING

*Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.*

SOMERSET  
COMMUNITY DEVELOPMENT DISTRICT

The special meeting of the Board of Supervisors of the Somerset Community Development District was held on **Monday, August 8, 2022, at 2:00 p.m. Central Time** at the Alys Beach Conference Room, Building 1, located at 84 Elbow Road, Alys Beach, FL 32461.

Present and constituting a quorum:

Andrew O'Connell	<b>Board Supervisor, Chairman</b> (Via speakerphone)
John Rosenberg	<b>Board Supervisor, Vice Chairman</b>
Tom Dodson	<b>Board Supervisor, Assistant Secretary</b>
George Hartley	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Kimberly O'Mera	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Tucker Mackie	<b>District Counsel, Kutak Rock, LLP</b>
Jim Martelli	<b>District Engineer, Inner Light Engineering</b>
Scott Brizendine	<b>Vice President of Operations, Rizzetta &amp; Company</b>
Tess Howard	<b>Vice President of Community and Development Planning, Alys Beach</b> (Via speakerphone)
Scott Buchewicz	<b>Town Manager, Alys Beach</b>
Audience	<b>David Everett</b> (Via speakerphone)

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. O'Mera called the meeting to order at 2:10 p.m. and read the roll call, confirming a quorum for the meeting.

**SECOND ORDER OF BUSINESS**

**Audience Comments on Agenda**

43  
44 There were no audience comments.

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46 **THIRD ORDER OR BUSINESS** **Consideration of the Minutes of the**  
47 **Board of Supervisors' Meeting Held**  
48 **on May 25, 2022**

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50 Ms. O'Mera presented the Minutes of the Board of Supervisors' Meeting held on  
51 May 25, 2022. There were no changes to the minutes.

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On a motion by Mr. O'Connell, seconded by Mr. Hartley, with all in favor, the Board of Supervisors accepted the Minutes of the Board of Supervisors' Meeting, held on May 25, 2022, as presented for Somerset Community Development District.
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54 **FOURTH ORDER OF BUSINESS** **Ratification of Operation and**  
55 **Maintenance Expenditures for May**  
56 **2022 and June 2022**

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58 Ms. O'Mera presented the Operation and Maintenance Expenditures for May 2022  
59 in the amount of \$86,352.22 and June 2022 in the amount of \$41,478.47. Mr. O'Connell had  
60 questions regarding irrigation repairs. General discussion ensued on expenses.

61  

On a motion by Mr. Hartley, seconded by Mr. Rosenberg, with all in favor, the Board of Supervisors ratified the Operation and Maintenance Expenditures for May 2022 in the amount of \$86,352.22 and June 2022 in the amount of \$41,478.14, for Somerset Community Development District.
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63 **FIFTH ORDER OF BUSINESS** **Ratification of Acceptance of FY20-21**  
64 **Final Audit**

65 Ms. O'Mera reviewed the Final Audit for FY20-21 for the Board and asked if there  
66 were any questions. There were none.

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On a motion by Mr. O'Connell, seconded by Mr. Dodson, with all in favor, the Board of Supervisors ratified Acceptance of FY20-21 Final Audit, for Somerset Community Development District.
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70 **SIXTH ORDER OF BUSINESS**

**SOMERSET COMMUNITY DEVELOPMENT DISTRICT**

**August 8, 2022, Minutes of Meeting**

**Page 3**

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**Ratification of Acceptance of  
Addendum to Lake Management  
Agreement- The Lake Doctors**

Ms. O'Mera presented the Addendum to Lake Management Agreement- The Lake Doctors to the Board to review.

On a motion by Mr. O'Connell, seconded by Mr. Hartley, with all in favor, the Board of Supervisors Ratified Acceptance of Addendum to Lake Management Agreement- The Lake Doctors, for Somerset Community Development District.

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**SEVENTH ORDER OF BUSINESS**

**Continued Discussion and  
Consideration of Construction Related  
Damage Expenditures**

General discussion ensued amongst the Board.

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**EIGHTH ORDER OF BUSINESS**

**Paver Repair at S. Castle Harbor  
Intersection**

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Mr. Dodson advised that he feels partially responsible. Mr. O'Connell previously discussed that the HOA collects for repairs and since the ABNA does, they should cover the repairs. Ms. Howard that the development put a fee in place and does not feel as though this should be denied based on not sharing funds; she stated that the road impact fee may not be sufficient to fund the HOA repairs. The Reserve Engineer has been contacted for a deeper review. At this time, the ABNA is not ready to consider sharing funds. Mr. Rosenberg proposed to split the cost 50/50. Mr. Everett stated that it is the CDD's responsibility and to add to construction traffic, service, residential and events, etc. Mr. Brown reiterated that some of the damage could very well be from construction but there is no way to know for sure. General discussion ensued regarding splitting the repair cost 50/50.

On a Motion by Mr. Rosenberg, seconded by Mr. Hartley, with all in favor, the Board of Supervisors Tabled splitting the repairs cost 50/50, for Somerset Community Development District.

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**NINTH ORDER OF BUSINESS**

**Manhole Repairs**

Mr. Brown provided an overview. He noted that the two manholes (is this manhole covers or the manholes? If covers, I would identify that) on S Somerset were failing. After he investigated, it was determined that it was destructive. It was discovered that the collar was in very poor structural condition. He believes the design of the structure was not built

**SOMERSET COMMUNITY DEVELOPMENT DISTRICT**

**August 8, 2022, Minutes of Meeting**

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106 for vehicle traffic as it has not held up. Mr. Brown put together a comprehensive stormwater  
107 system map. He counted roughly 25 manholes with the same material and design. Mr.  
108 Brown thinks the new manholes will last 30 years due to the material of the plates. Ms.  
109 Tucker suggested a steel plate as a preventative measure for construction traffic. Mr. Brown  
110 agreed this would be a very wise move to be preventative. Mr. Brown will identify which  
111 manholes will need steel plates. He will work with Alys Beach and put an exhibit together  
112 determining which manholes will need steel plates.  
113

On a Motion by Mr. O'Connell, seconded by Mr. Rosenberg, with all in favor, the Board of Supervisors approved the replacement of two manholes including any investigating costs not to exceed \$20,000.000, for Somerset Community Development District.

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115 **TENTH ORDER OF BUSINESS**

**Consideration of Enhancement to  
Highway 30A, 4-Way Stop**

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118 Ms. O'Mera turned the discussion over to Mr. Martelli. He provided presentation of  
119 the need for additional safety feature and 4-way stop. It was always contemplated for a 4-  
120 way stop at this location. He noted that it was in the original Engineers report and  
121 recommendation for safety, security, and pedestrians to add a 4-way stop. He advised the  
122 majority of the cost would come from the County and Commissioners office to allow them to  
123 install the stop sign. The County historically has not sided with impeding the flow of traffic.  
124 He advised they need to get the technical side done and get the studies and a strategy in  
125 place. Mr. O'Connell inquired if a 4-way stop would be enough. Mr. Martelli advised that it  
126 will be good, and it slows the traffic down more than a light would. He advised we will need  
127 the community support along with politicians on board with the install to have a successful  
128 outcome. Mr. Everett had concerns regarding traffic and parking study. He debated a 4-way  
129 rather than a traffic light. Mr. O'Connell inquired on the construction cost. Ms. O'Mera  
130 informed the Board that they have not allocated money for this project.  
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On a Motion by Mr. O'Connell, seconded by Mr. Rosenberg, with all in favor, the Board of Supervisors approved an investigation to prepare budget, including what been done do date not to exceed \$7,500.00, for Somerset Community Development District.

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133 **ELEVENTH ORDER OF BUSINESS**

**Update of Beach and Dune Restoration  
Feasibility Study- Monitoring, Surveys,  
Analysis and Report**

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137 Ms. O'Mera informed the Board that this work started later than initially planned, as  
138 there has been revisions to the scope. Tess gave an overview on the revisions. Ms. Howard  
139 asked for clarification regarding whether adding 3-way is in the budget or will they be on  
140 hold with this proposed improvement. Ms. Tucker informed her that they can not increase

**SOMERSET COMMUNITY DEVELOPMENT DISTRICT**

**August 8, 2022, Minutes of Meeting**

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141 the budget. She noted the District does reserve for funding on repairs as needed. Ms.  
142 Howard said that the engineer recommended to continue monitoring and to get four surveys  
143 in an 18-month period. Ms. Howard believes to see improvement and has decided to only  
144 get one survey to which she will put in the name of the CDD and the ABNA will reimburse  
145 the CDD for half of the cost. Ms. Howard said the ABNA would pay up to half the cost of four  
146 surveys.  
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On a Motion by Mr. O’Connell, seconded by Mr. Hartley, with all in favor, the Board of Supervisors approved MRD Associates to monitor and submit proposals not to exceed \$15,000.000, for Somerset Community Development District.

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149 **TWELFTH ORDER OF BUSINESS** **Consideration of Dune Maintenance**  
150 **Renewal Agreement for November**  
151 **2022-October 2023- Dune Doctors**  
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153 Ms. O’Mera informed the Board that this is a renewal for the Dune Doctors contract  
154 for Fiscal Year 2022-2023 which has an increase of about \$20,000.000. General discussion  
155 ensued regarding added items to contract which resulted in an increase.  
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On a Motion by Mr. O’Connell, seconded by Mr. Rosenberg, with all in favor, the Board of Supervisors approved Dune Maintenance Renewal Agreement for November 2022-October 2023, for Somerset Community Development District.

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158 **THIRTEENTH ORDER OF BUSINESS** **Public Hearing to Consider Adoption of**  
159 **the Fiscal Year 2022/2023 Budget**  
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On a motion by Mr. Rosenberg, seconded by Mr. Hartley, with all in favor, the Board of Supervisors opened the Public Hearing, as presented for Somerset Community Development District.

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162 There were no public comments.  
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168 **FOURTEENTH ORDER OF BUSINESS** **Presentation of Proposed Final Budget**  
169 **for Fiscal Year 2022/2023**  
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171 Ms. O’Mera informed the Board of some changes that will need to be addressed such  
172 as the Dune Doctors Agreement as that has just been approved. Ms. O’Mera informed the



**SOMERSET COMMUNITY DEVELOPMENT DISTRICT**

**August 8, 2022, Minutes of Meeting**

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173 Board that they are under funding the District Engineer line item. General discussion  
174 ensued. There were some changes to line items such as Line 45 increasing to \$32,000.00,  
175 Line 55 increasing to \$25,000.00 and Line 63 increasing to \$97,500.00.

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177 **FIFTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-09,  
Annual Appropriations and Adopting  
the Budget for Fiscal Year 2022/2023**

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181 General discussion ensued regarding budgets and needing increases. Line 45- Utility  
182 Irrigation has been increased to \$32,000.00. Line 55- Palm Trees has been increased to  
183 \$25,000.00. Line 65- Dune Maintenance has been increased to \$97,500.00. Line 73-  
184 Miscellaneous Contingency has been increased to \$18,500.00.

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On a Motion by Mr. O'Connell, seconded by Mr. Dodson, with all in favor, the Board of Supervisors Adopted Resolution 2022-09, Annual Appropriations and Adopting the Budget for Fiscal Year 2022/2023 with the following changes to Line 45- Utility Irrigation increasing to \$32,000.00. Line 55- Palm Trees increasing to \$25,000.00. Line 65- Dune Maintenance increasing to \$97,500.00. Line 73- Miscellaneous Contingency increasing to \$18,500.00, for Somerset Community Development District.

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187 **SIXTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-10,  
Imposing Special Assessments and  
Certifying an Assessment Roll**

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191 Ms. O'Mera presented Resolution 2022-10 to the Board.

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On a Motion by Mr. O'Connell, seconded by Mr. Hartley, with all in favor, the Board of Supervisors Adopted Resolution 2022-10, Imposing Special Assessments and Certifying an Assessment Roll, for Somerset Community Development District.

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On a Motion by Mr. Rosenberg, seconded by Mr. O'Connell, with all in favor, the Board of Supervisors closed the Public Hearing, for Somerset Community Development District.

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195 **SEVENTEENTH ORDER OF BUSINESS**

**Consideration of Fiscal Year 2022/2023  
Direct Collection Agreement**

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198 Ms. O'Mera presented the Direct Collection for Fiscal Year 2022/2023 with EBSCO  
199 to the Board.

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**SOMERSET COMMUNITY DEVELOPMENT DISTRICT**

**August 8, 2022, Minutes of Meeting**

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On a Motion by Mr. O'Connell, seconded by Mr. Rosenberg, with all in favor, the Board of Supervisors approved the Direct Collection Agreement for Fiscal Year 2022/2023, for Somerset Community Development District.

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**EIGHTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-11,  
Annual Meeting Schedule for Fiscal  
Year 2022/2023**

Ms. O'Mera asked the Board if they had any concerns with the meeting schedule dates with it being so far in advance.

On a Motion by Mr. O'Connell, seconded by Mr. Rosenberg, with all in favor, the Board of Supervisors Adopted Resolution 2022-11, Annual Meeting Schedule for Fiscal Year 2022/2023, for Somerset Community Development District.

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**NINETEENTH ORDER OF BUSINESS**

**Acceptance of Addendum to District  
Management Services Agreement**

Ms. O'Mera informed the Board that this is in line with their budget.

On a Motion by Mr. O'Connell, seconded by Mr. Rosenberg, with all in favor, the Board of Supervisors approved the Addendum to District Management Services Agreement, for Somerset Community Development District.

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**TWENTY FIRST ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

There were no reports or questions.

**B. District Engineer**

Mr. Martelli gave an overview on stormwater needs analysis Advising that this is a new Florida Statute that is required. General discussion ensued.

On a Motion by Mr. O'Connell, seconded by Mr. Rosenberg, with all in favor, the Board of Supervisors ratified the submission of stormwater report, for Somerset Community Development District.

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**C. Facilities Manager**

Mr. Buchewicz advised that he received two quotes for parking courts light replacements/repairs; one for parking courts PP which was for \$2,600.00 and parking courts A for \$3,200.00.

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On a Motion by Mr. O'Connell, seconded by Mr. Hartley, with all in favor, the Board of Supervisors approved parking courts quotes in the amount of \$5,800.00, for Somerset Community Development District.

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**D. District Manager**

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**1. Presentation of District Management Report**

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Ms. O'Mera advised that the next scheduled meeting is November 14, 2022. She further advised that the insurance renewal package should be available by the next meeting, and due to a hit and run causing street light pole damage the policy will increase.

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On a Motion by Mr. O'Connell, seconded by Mr. Rosenberg, with all in favor, the Board of Supervisors approved replacing the street light pole pending insurance not to exceed \$10,000.00, for Somerset Community Development District.

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**TWENTY SECOND ORDER OF BUSINESS      Supervisor Requests and Audience Comments**

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The Board was thankful for Ms. O'Mera, Ms. Mackie and Mr. Martelli and all of their efforts.

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**TWENTY THIRD ORDER OF BUSINESS      Adjournment**

On a Motion by Mr. O’Connell, seconded by Mr. Hartley, with all in favor, the Board of Supervisors adjourned the meeting at 3:54 pm (CDT), for the Somerset Community Development District.

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Secretary/Assistant Secretary

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Chairman/ Vice Chairman

DRAFT

## **Tab 5**

# Somerset Community Development District

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District Office · Panama City, Florida · (850) 334-9055

Mailing Address · 3434 Colwell Avenue, Suite 200, Tampa Florida 33614

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

## Operations and Maintenance Expenditures July 2022 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from July 1, 2022 through July 31, 2022. This does not include expenditures previously approved by the Board.

The total items being presented:     **\$ 66,405.70**

Approval of Expenditures:

\_\_\_\_\_

\_\_\_\_\_ Chairperson

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

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

# Somerset Community Development District

## Paid Operation & Maintenance Expenditures

July 1, 2022 Through July 31, 2022

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
ALYS Beach Resort LLC	2945	CL00014184	Street Light Repair 06/22	\$ 118.59
ALYS Beach Resort LLC	2945	CL00014188	Street/Ped Path Light Repair 06/22	\$ 2,421.30
ALYS Beach Resort LLC	2945	CL00014448	Monthly Facilities Management 06/22	\$ 4,514.00
Dune Doctors, LLC	2940	043022-2	Quarterly Maintenance Phase 4 04/22	\$ 13,769.00
Dune Doctors, LLC	2950	071322-1	Quarterly Maintenance Phase 4 07/22	\$ 13,769.00
Florida Power & Light Co	7/1/2022	FPL Summary 06/22	FPL Summary 06/22	\$ 3,492.06
Innerlight Engineering Corporation	2946	6596	Stormwater Needs Analysis Report 06/22	\$ 6,400.00
Innerlight Engineering Corporation	2946	6597	NPDES Weekly Inspection 06/22	\$ 1,900.00
Innerlight Engineering Corporation	2946	6599	Engineering Services 06/22	\$ 200.00
Kutak Rock, LLP	2941	3067849	Legal Services 05/22	\$ 2,560.00
Kutak Rock, LLP	2951	3081750	Legal Services 06/22	\$ 767.50

# Somerset Community Development District

## Paid Operation & Maintenance Expenditures

July 1, 2022 Through July 31, 2022

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
LLS Tax Solutions, Inc.	2943	2719	Arbitrage Rebate Calculation Series 2005 05/22	\$ 500.00
Natureal Resources Development Corp. of USA dba	2952	9013	Monthly Pump Station Maintenance 06/22	\$ 225.00
Natureal Resources Development Corp. of USA dba	2948	9079	Monthly Pump Station Maintenance 07/22	\$ 225.00
Newagetutors LLC DBA VGlobalTech	2947	4068	Website ADA Compliance 07/22	\$ 425.00
Rip's Professional Lawn Care, Inc.	2944	72556	Sod Install 06/22	\$ 1,322.50
Rip's Professional Lawn Care, Inc.	2949	72971	Monthly Landscape Maintenance 07/22	\$ 8,975.00
Rizzetta & Company, Inc.	2942	INV0000069384	District Management Fees 07/22	<u>\$ 4,821.75</u>
<b>Report Total</b>				<b><u>\$ 66,405.70</u></b>



## **Tab 6**

**RESOLUTION 2023-03**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF SOMERSET COMMUNITY DEVELOPMENT DISTRICT ADOPTING AN AMENDED GENERAL FUND BUDGET FOR FISCAL YEAR 2022/2023, PROVIDING FOR APPROPRIATIONS; ADDRESSING CONFLICTS AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on August 8, 2022, the Board of Supervisors of Somerset Community Development District ("**Board**"), adopted Resolution 2022-09 providing for the adoption of the District's Fiscal Year 2022/2023 annual budget ("**Budget**"); and

**WHEREAS**, the District Manager, at the direction of the Board, has prepared an amended Budget, to reflect changes in the actual and anticipated appropriations of the Budget; and

**WHEREAS**, Chapters 189 and 190, *Florida Statutes*, and Section 3 of Resolution 2022-09 authorize the Board to amend the Budget at any time within Fiscal Year 2022/2023 or within sixty (60) days following the end of the Fiscal Year 2022/2023; and

**WHEREAS**, the Board finds that it is in the best interest of the District and its landowners to amend the Budget to reflect the actual appropriations; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SOMERSET COMMUNITY DEVELOPMENT DISTRICT:**

**1. BUDGET AMENDMENT.**

- a. The Board has reviewed the District Manager's proposed amended Budget, copies of which are on file with the office of the District Manager and at the District's Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.
- b. The amended Budget attached hereto as **Exhibit A** and incorporated herein by reference as further amended by the Board is hereby adopted in accordance with the provisions of sections 190.008(2)(a) and 189.016(6), *Florida Statutes*; provided, however, that the comparative figures contained in the amended Budget as adopted by the Board (together, "**Adopted Annual Budget**") may be further revised as deemed necessary by the District Manager to further reflect actual revenues and expenditures for Fiscal Year 2022/2023.

- c. The Adopted Annual Budget shall be maintained in the office of the District Manager and the District Records Office and identified as “The Adopted Budget for Somerset Community Development District for the fiscal year ending September 30, 2023, as amended and adopted by the Board of Supervisors effective [redacted], 2022.”

**2. APPROPRIATIONS.** There is hereby appropriated out of the revenues of Spring Lake Community Development District, the fiscal year beginning October 1, 2022, and ending September 30, 2023, the sums set forth below, to be raised by special assessments, which sums are deemed by the Board of Supervisors to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	\$ _____
DEBT RESERVE FUND	\$ _____
DEBT SERVICE FUND(S)	\$ _____
TOTAL ALL FUNDS	\$ _____

**3. CONFLICTS.** This Resolution is intended to amend, in part, Resolution 2022-09, which remains in full force and effect except as otherwise provided herein. All terms of Resolution 2022-09 that are not amended by this Resolution apply to the Adopted Annual Budget as if those terms were fully set forth herein. All District resolutions or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded and repealed.

**4. SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

- 5. EFFECTIVE DATE.** This Resolution shall take effect as of [redacted], 2022.

Introduced, considered favorably, and adopted this \_\_\_\_ day of \_\_\_\_\_ 2022.

**ATTEST:**

**SOMERSET COMMUNITY DEVELOPMENT DISTRICT**

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

\_\_\_\_\_  
Chairperson, Board of Supervisors

**Exhibit A**  
Amended Fiscal Year 2022/2023 Budget

## **Tab 7**

**RESOLUTION 2023-04**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF SOMERSET COMMUNITY DEVELOPMENT DISTRICT AMENDING RESOLUTION 2022-10 TO REVISE THE ASSESSMENT ROLL FOR THE COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2022/2023 AND CERTIFYING THE AMENDED ASSESSMENT ROLL; ADDRESSING CONFLICTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Somerset Community Development District (the “**District**”) is a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

**WHEREAS**, on August 8, 2022, the District adopted Resolution 2022-10 addressing, among other things, the collection of operations and maintenance and debt assessments (“**Assessments**”) for the fiscal year beginning October 1, 2022 (“**Fiscal Year 2022/2023**”); and

**WHEREAS**, the District desires to amend Resolution 2022-10 to correct an error in the Assessment Roll for Fiscal Year 2022/2023; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SOMERSET COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. AMENDMENT TO EXHIBIT B OF RESOLUTION 2022-10.** The Assessment Roll for Fiscal Year 2022/2023, attached to Resolution 2022-10 as Exhibit “B,” is hereby replaced in its entirety with the revised assessment roll attached hereto as Exhibit A (“**Revised Assessment Roll**”). The Revised Assessment Roll is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to the District.

**SECTION 2. CONFLICTS.** Except as expressly provided herein, all other provisions of Resolution 2022-10 shall be unchanged by this Resolution and shall remain in full force and effect.

**SECTION 3. SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect upon passage and adoption of this Resolution by the Board of Supervisors of the Somerset Community Development District.

**PASSED AND ADOPTED** this 11th day of November 2022.

ATTEST:

**SOMERSET COMMUNITY DEVELOPMENT DISTRICT**

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

By: \_\_\_\_\_

Its: \_\_\_\_\_

Exhibit A: Revised Assessment Roll for Fiscal Year 2022/2023



## **Tab 8**

## DISSEMINATION AGREEMENT

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May 9, 2022

District Manager  
Somerset Community Development District  
3434 Colwell Avenue  
Suite 200  
Tampa, FL 33614

Dear Sir or Madam:

Rizzetta & Company (“Rizzetta” or the “Dissemination Agent”) hereby enters into this Dissemination Agreement with the Somerset Community Development District (the “District”) to act as the District’s Dissemination Agent. The duties of the Dissemination Agent are set forth in the Continuing Disclosure Agreement dated April 20, 2022, for the Capital Improvement Revenue Bonds, Series 2022 (the “Continuing Disclosure Agreement”). The purpose of this Agreement is to facilitate the District’s compliance with the Securities and Exchange Commission’s Rule 15c2-12(b)(5) (the “Rule”) related to continuing disclosure. In performing its duties as Dissemination Agent, Rizzetta is acting as an independent contractor for the purpose of facilitating the District’s Rules obligations and is not an agent of the District. Capitalized terms not otherwise defined herein shall have the meanings assigned to them in the Continuing Disclosure Agreement.

1. **Duties:** The Dissemination Agent shall have only such duties as are specifically set forth in the Continuing Disclosure Agreement. Both the District and Rizzetta understand that the scope of services under this Agreement and the Continuing Disclosure Agreement(s) will change as and when the District is the only remaining Obligated Person (as defined in the Continuing Disclosure Agreement) and Rizzetta will promptly notify the District upon such occurrence.
2. **Fees:** Rizzetta will be responsible for all out-of-pocket expenses. The annual fee for Rizzetta’s service under this agreement is \$1,500 for the Series 2022 Bonds [and will be \$1,000 per year for each additional bond issuance of the District, subject to these disclosure requirements].
3. **Third Party Assistance:** Rizzetta reserves the right to engage a third party for the purpose of assisting Rizzetta in carrying out the services outlined in this Agreement.
4. **Termination:** Both the District and Rizzetta will have the right to terminate this Agreement upon sixty (60) days prior written notice.
5. **Representations of District:** The District represents and warrants that it will not withhold any information necessary for Rizzetta to carry out its duties under this Agreement and that it will supply all information requested by Rizzetta. The District further acknowledges and agrees that the information to be collected and disseminated by the Dissemination Agent will be produced by the District and the Developer. The Dissemination Agent’s duties are those of collection, collation, and dissemination, and not of authorship or creation. Consequently,

the Dissemination Agent shall have no responsibility for the content of the information disseminated by it, except to the extent that such information was/is authored, created, or maintained by Rizzetta (to specifically exclude any information authored or produced by the Developer and/or any other third party) while under contract to provide District Management Services to the District. Compliance with all securities law liabilities, including compliance with the Rule, will remain the obligation of the District and the Developer.

- 6. **Indemnification:** To the extent permitted by law, the District will indemnify Rizzetta for any action or actions brought by Owners, as defined in the Continuing Disclosure Agreement, as a result of the failure of the District to meet any requirement of this Agreement or the Continuing Disclosure Agreement, except for any action(s) arising from Rizzetta’s negligence or willful misconduct. To the extent permitted by law, Rizzetta will indemnify the District for any action or actions brought by Owners as a result of Rizzetta’s gross negligence or willful misconduct, as determined by a court of competent jurisdiction.
- 7. **Waiver of Jury Trial:** EACH OF THE DISTRICT AND RIZZETTA KNOWINGLY WAIVE ANY RIGHT TO TRIAL BY JURY.
- 8. **Agreement Governed by Florida Law:** The terms and conditions of this Agreement shall be governed by the laws of the State of Florida.

This Agreement shall be effective upon the District's acceptance hereof.

Very truly yours,  
Rizzetta & Company, Inc.

\_\_\_\_\_  
By: William J. Rizzetta  
President

Approved and Accepted:

Somerset  
Community Development District

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**COMPLIANCE WITH PUBLIC RECORDS LAWS:**

Consultant understands and agrees that all documents of any kind provided to the District in connection with this Agreement may be public records, and, accordingly, Consultant agrees to comply with all applicable provisions of Florida law in handling such records, including but not limited to Section 119.0701, Florida Statutes. Consultant acknowledges that the designated public records custodian for the District is Rizzetta & Company, Inc. ("Public Records Custodian"). Among other requirements and to the extent applicable by law, the Consultant shall 1) keep and maintain public records required by the District to perform the service; 2) upon request by the Public Records Custodian, provide the District with the requested public records or allow the records to be inspected or copied within a reasonable time period at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes; 3) ensure that public records which are exempt or confidential, and exempt from public records disclosure requirements, are not disclosed except as authorized by law for the duration of the contract term and following the contract term if the Consultant does not transfer the records to the Public Records Custodian of the District; and 4) upon completion of the contract, transfer to the District, at no cost, all public records in Consultant's possession or, alternatively, keep, maintain and meet all applicable requirements for retaining public records pursuant to Florida laws. When such public records are transferred by the Consultant, the Consultant shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the District in a format that is compatible with Microsoft Word or Adobe PDF formats.

**IF THE CONSULTANT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONSULTANT'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (813) 514-0400, OR BY EMAIL AT [INFO@RIZZETTA.COM](mailto:INFO@RIZZETTA.COM), OR BY REGULAR MAIL AT 3434 COLWELL AVENUE, SUITE 200, TAMPA, FLORIDA 33614.**

**MUNICIPAL ADVISOR DISCLAIMER:**

**Rizzetta & Company, Inc., does not represent the Community Development District as a Municipal Advisor or Securities Broker nor is Rizzetta & Company, Inc., registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, Rizzetta & Company, Inc., does not provide the Community Development District with financial advisory services or offer investment advice in any form.**

## **Tab 9**

You could give your people

**Culligan Water**

315 E. 15<sup>th</sup> Street

Panama City, Florida 32405

Phone 850-763-1721 Fax 850-872-0972

October 31, 2022

Alys Beach  
9581 E County Road 30A  
Panama City Beach, FL. 32413  
[mspann@aylsbeach.com](mailto:mspann@aylsbeach.com)  
[dlang@aylsbeach.com](mailto:dlang@aylsbeach.com)

RE: The East Well Irrigation Well

Scope of Work:

Pull pump out and acid wash well and redevelop with air.  
Reinstall pump and pump off.

2 Gallons of Acid  
100- ft 1-inch Tremie Pipe  
Misc. Fittings and Materials  
Labor

Total \$2,450.00

[www.Emeraldcoastculligan.com](http://www.Emeraldcoastculligan.com)

RESIDENTIAL, COMMERCIAL, INDUSTRIAL WATER TREATMENT PRODUCTS AND SERVICES  
CULLIGAN DEALERSHIPS ARE INDEPENDENTLY OPERATED