

## RESOLUTION 2024-3

### A RESOLUTION LEVYING A MAINTENANCE ASSESSMENT WITHIN THE LELY COMMUNITY DEVELOPMENT DISTRICT FOR FISCAL YEAR 2025

WHEREAS, the Board of Supervisors of the Lely Community Development District finds that the assessment for the operation and maintenance of the District during 2025 will amount to **\$2,760,345**; and it is hereby determined that said maintenance is required within the District;

#### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LELY COMMUNITY DEVELOPMENT DISTRICT;**

1. That the Operations & Maintenance Assessment in the total sum amount of **\$2,760,345** is hereby levied upon each tract or parcel of land within the Lely Community Development District.

2. That the collection and enforcement of the aforesaid Operations & Maintenance Assessment shall be at the same time and in like matter as Collier County taxes. All assessments shall be subject to the same discounts as Collier County taxes.

3. That the aforesaid Operations & Maintenance Assessment levy and the lists of land included in the District are hereby certified to the Collier County Property Appraiser to be extended on the County Tax Roll and shall be collected by the Collier County Tax Collector in the same manner and time as Collier County taxes. The proceeds therefrom shall be paid to the Lely Community Development District.

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the proper public officials so that its purpose and effect may be carried out in accordance with law.

**PASSED AND ADOPTED this 17th day of July 2024, by the Board of Supervisors of the Lely Community Development District, Collier County.**

  
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Gerry Campkin, Chair

ATTEST:

  
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W. Neil Dorrill, Secretary

**RESOLUTION 2024-\_\_\_\_\_**

**[DISTRICT MANAGER EMERGENCY CONTRACTS AND MISCELLANEOUS AUTHORIZATIONS]**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LELY COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) AUTHORIZING THE DISTRICT MANAGER TO ENTER INTO EMERGENCY CONTRACTS; AUTHORIZING THE DISBURSEMENT OF FUNDS FOR PAYMENT OF CERTAIN EMERGENCY CONTRACTS AND EXPENSES RELATING TO THE LELY COMMUNITY DEVELOPMENT DISTRICT WITHOUT THE PRIOR APPROVAL OF THE BOARD OF SUPERVISORS; AUTHORIZING THE DISTRICT MANAGER TO APPROVE AND ISSUE RIGHT OF WAY AUTHORIZATIONS; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Lely Community Development District (hereinafter the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190 Florida Statutes, Collier County, Florida; and

WHEREAS, Section 190.011(5), Florida Statutes, authorizes the District to adopt resolutions which may be necessary for the conduct of District business; and

WHEREAS, the Board of Supervisors of the District (hereinafter the “Board”) typically meets once a month to conduct the business of the District, including authorizing contracts for goods and services and authorizing the payment of District operating and maintenance expenses; and

WHEREAS, pursuant to Section 190.007(1), Florida Statutes, the District Manager has charge and supervision of the works of the District and is responsible for preserving and maintaining any improvement or facility constructed or erected pursuant to the provisions of Chapter 190, Florida Statutes and for maintaining and operating the equipment owned by the District; and

WHEREAS, to conduct the business of the District in an efficient manner, and, in the event of an emergency, to protect the health, safety, and welfare of the residents within the District and the protection and preservation of District assets, improvements, equipment and facilities, it is necessary that the District Manager hold and possess the ability and authority to enter into emergency contracts, including emergency contracts for goods, services, supplies and equipment, and to make emergency disbursements and payments for goods, services, supplies and equipment; and

WHEREAS, parties submit requests or applications for the temporary use of District facilities, including but not limited to the temporary use of District rights-of-way or facilities; and,

WHEREAS, the Board determines that the adoption of this Resolution is in the best interests of the District and is necessary for the efficient conduct of District business; the health, safety, and welfare of the residents and property owners within the District; the preservation and protection of District assets, improvements, equipment and facilities; and the efficient operation and administration of the District.

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

Section 1.

In the event of valid public emergency(ies), certified by the District Manager to the Board, the District Manager has the authority to enter into all necessary and appropriate emergency

contracts on behalf of the District, including but not limited to contracts for: goods, supplies, services, equipment and materials; professional services; maintenance services; repair services, remediation and removal services, construction services and restoration services; without soliciting or requesting competitive bids or proposals.

In the event of such valid public emergency(ies) the Board hereby further authorizes the District Manager to make emergency disbursements for goods, services, supplies and equipment and approve payment of proper invoices for expenses, contracts and agreements on an emergency basis, as necessary for the health, safety and welfare of the residents and property owners within the District; for the repair, restoration, or maintenance of a District facility, asset, equipment or improvement, remediation and removal services, construction services and restoration services.

The fact that the District Manager has entered into emergency contracts, is entering into emergency contracts or that it is necessary to enter into emergency contracts shall be noted in the minutes of the next available regularly scheduled Board meeting and ratified by the Board.

Section 2.

Any payment or expenditure made pursuant to the exercise of the authority as outlined above in this Resolution shall be submitted to the Board at its next available regularly scheduled meeting for approval and ratification and as part of the financial report and noted in the District Manager's report to the Board.

Section 3.

The District Manager is authorized to approve requests or applications for the temporary use of District facilities by others, and in doing so utilize the services and obtain the assistance of other professionals, including but not limited to the District Engineer and District Counsel.

Section 4.

All Sections or parts of Sections of any resolutions, agreements, or actions of the Board of Supervisors in conflict with this Resolution 2024- \_\_\_\_\_ are hereby repealed to the extent of such conflict.

Section 5.

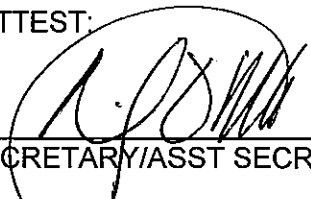
This Resolution is effective immediately upon its adoption.

**PASSED AND ADOPTED THIS 17th DAY OF JULY, 2024**

LELY COMMUNITY DEVELOPMENT DISTRICT

  
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CHAIR/VICE CHAIR

ATTEST:

  
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SECRETARY/ASST SECRETARY