

**MINUTES OF MEETING  
LAKE HARRIS  
COMMUNITY DEVELOPMENT DISTRICT**

The Organizational meeting of the Board of Supervisors of the Lake Harris Community Development District was held on Thursday, **June 2, 2022** at 9:30 a.m. at Cooper Memorial Library, 2525 Oakley Seaver Drive, Clermont, Florida.

Present and constituting a quorum were:

Anthony Iorio	Chairman
Jason Lomas	Vice Chairman
Doug Beasley	Supervisor
Duane "Rocky" Owen	Supervisor
Thomas Franklin	Supervisor

Also, present were:

George Flint	District Manager, GMS
Jeremy LeBrun	GMS CFL LLC
Sarah Sandy	District Counsel
Scott Land <i>by phone</i>	GAI
Steve Sanford <i>by phone</i>	Greenberg Traurig

*The following is a summary of the discussions and actions taken at the June 2, 2022 Lake Harris Community Development District's Organizational Board of Supervisor's Meeting.*

**FIRST ORDER OF BUSINESS**

**Introduction**

**A. Call to Order**

Mr. Flint called the meeting to order at 9:30 a.m. Five Supervisors were in attendance at the meeting constituting a quorum.

**B. Public Comment Period**

There were no members of the public present.

**C. Oath of Office**

Mr. Flint conducted the oath of office to the new Supervisors.

**SECOND ORDER OF BUSINESS**

**Organizational Matters**

**A. Confirmation of Notice of Meeting**

Mr. Flint stated that the meeting notice had been documented properly as required by statutes.

**B. Information on Community Development Districts and Public Official Responsibilities and Florida Statutes Chapter 190**

Mr. Flint explained the duties and responsibilities of the officers. He reviewed the forms to be completed by new Supervisors, and reviewed additional legal statutes including Sunshine law, records keeping, etc.

**C. Election of Officers**

**1. Resolution 2022-01 Appointing Officers**

Mr. Flint reviewed the protocol for officers. A motion was made for the slate of officers to be Mr. Iorio as Chair, Mr. Lomas as Vice Chair, Mr. Beasley, Mr. Owen, and Mr. Franklin as Assistant Secretaries. He asked if the Board would consider naming himself as Assistant Secretary. He also suggested Katie Costa for Treasurer.

On MOTION by Mr. Franklin, seconded by Mr. Beasley, with all in favor, Resolution 2022-01 Appointing Officers with Mr. Iorio as Chair and Mr. Lomas as Vice Chair, Mr. Beasley, Mr. Owen, and Mr. Franklin as Assistant Secretaries, and GMS staff of George Flint as an Assistant Secretary and Ms. Katie Costa as Treasurer, was approved.

**THIRD ORDER OF BUSINESS**

**Retention of District Staff**

**A. Consideration of Agreement for District Management Services**

Mr. Flint noted that the District Manager will be GMS.

**1. Resolution 2022-02 Appointing District Manager, Financial Disclosure Coordinator, Assessment Consultant, and Designated Investment Representative**

Mr. Flint notes in January of 2021 a proposal was submitted for \$35,000 and indicated only 50% billed until bonds were issued. This agreement includes the fee and notes only 50% will be billed until bonds are issued. He noted they were asking for an increase to \$37,500 due to inflation.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2022-02 Appointing District Manager, Financial Disclosure Coordinator, Assessment Consultant, and Designated Investment Representative as GMS, was approved.

**B. Consideration of Agreement for District Counsel Services**

**1. Resolution 2022-03 Appointing District Counsel**

Mr. Flint noted that Kutak Rock will be District Counsel. Ms. Sandy noted the agreement attached to the resolution is a standard form of agreement and list hourly rates. She noted for herself it is \$320, associates will be \$275-\$285, and paralegals will be \$170/hour. The bond issuance will be on a flat fee basis that will be presented at the time of bond issuance and Board approval at that time.

On MOTION by Mr. Beasley, seconded by Mr. Lomas, with all in favor, Resolution 2022-03 Appointing District Counsel as Kutak Rock, was approved.

**C. Resolution 2022-04 Selection of Registered Agent and Office**

Mr. Flint stated typical that the District Manager or District Counsel serves as the registered agent. This resolution will name Sarah Sandy as the Registered Agent and her office in Tallahassee as the registered office.

On MOTION by Ms. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2022-04 Selection of Registered Agent and Office, was approved.

**D. Resolution 2022-05 Appointing Interim District Engineer**

Mr. Flint noted this resolution and agreement is for appointing an interim District Engineer. The appointment of a permanent District Engineer falls under requirements to go through a bid process. Mr. Flint noted this resolution designates the engineer on an interim basis until the bid process can be completed.

**E. Consideration of Interim District Engineering Agreement**

Mr. Flint noted this would be approved in substantial form subject to District Counsel and GAI finalizing the agreement. The fee schedule is attached.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2022-05 Appointing Interim District Engineer was approved and the Interim District Engineering Agreement was approved in substantial form.

**F. Request Authorization to Issue RFQ for Engineering Services**

Mr. Flint stated they would need to bid out the engineering services and would need a motion to approve the RFQ for engineering services. District staff would request qualifications be submitted by the week before the July Board meeting.

On MOTION by Mr. Franklin, seconded by Mr. Lomas, with all in favor, Authorization to Issue RFQ for Engineering Services, was approved.

**FOURTH ORDER OF BUSINESS**

**Designation of Meetings and Hearing Dates**

**A. Consideration of Resolution 2022-06 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2022**

Mr. Flint suggested the 4<sup>th</sup> Wednesday of the month at 9:30 a.m. for their regular meetings. The meeting will be at the same location.

On MOTION by Mr. Beasley, seconded by Mr. Franklin, with all in favor, Resolution 2022-06 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2022 as the 4<sup>th</sup> Wednesday of the Month at 9:30 a.m. at the same location, was approved.

**B. Consideration of Resolution 2022-07 Designation of Landowner’s Meeting Date, Time, and Location**

Mr. Flint stated the District is required to hold a landowners’ election within 90 days of establishment. Included in the agenda package are forms of the landowners’ election notice, instructions, and proxy. Mr. Flint suggested July 27, 2022 at 9:30 a.m. at the same location as the Landowner’s meeting date.

On MOTION by Mr. Iorio, seconded by Mr. Beasley, with all in favor, Resolution 2022-07 Designation of Landowner’s Meeting Date, Time, and Location for July 27, 2022 at 9:30 a.m. at the same location, was approved.

**C. Designation of Date of Public Hearing to Adopt Rules of Procedure in accordance with Section 120.54, Florida Statutes**

**1. Consideration of Resolution 2022-08 Setting a Public Hearing to Consider the Proposed Rules of the District**

Mr. Flint suggested this be held in conjunction with the July 27, 2022 meeting at 9:30 a.m. Ms. Sandy noted these are the standard rules we recommend for all our Districts. The rules govern the administration and operation of the District, including the competitive bid process, meeting notice, etc.

On MOTION by Mr. Franklin, seconded by Mr. Lomas, with all in favor, Resolution 2022-08 Setting a Public Hearing to Consider the Proposed Rules of the District for July 27, 2022 at 9:30 a.m. at the same location, was approved.

**D. Designation of Dates of Public Hearing on the Budget for Fiscal Year 2022 and 2023**

**1. Consideration of Resolution 2022-09 Setting the Public Hearing and Approving the Proposed Budget for Fiscal Year 2022**

Mr. Flint proposed they set the date for August 24, 2022 at 9:30 a.m. at the same location. He added attached to the resolution is Exhibit A and this is an administrative budget prorated for the number of months remaining in the current fiscal year. This contemplates a Developer Funding Agreement, so the Developer is only obligated for the actual cost not the budget.

On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, Resolution 2022-09 Setting the Public Hearing and Approving the

Proposed Budget for Fiscal Year 2022 for August 24, 2022 at 9:30 a.m. at the same location, was approved.

**2. Consideration of Resolution 2022-10 Setting the Public Hearing and Approving the Proposed Budget for Fiscal Year 2023**

Mr. Flint noted this approves the proposed budget for next fiscal year starting October 1<sup>st</sup>. Exhibit A is an administrative budget and also contemplates a Developer funding agreement. This is suggested for the August 24, 2022 at 9:30 a.m. in the same location.

On MOTION by Mr. Lomas, seconded by Mr. Franklin, with all in favor, Resolution 2022-10 Setting the Public Hearing for August 24, 2022 at 9:30 in the Same Location, and Approving the Proposed Budget for Fiscal Year 2023, was approved.

**3. Approval of the Fiscal Year 2022 and Fiscal Year 2023 Budget Funding Agreement**

Mr. Flint noted the draft budgets just approved contemplate a Developer funding agreement in lieu of imposing operation and maintenance assessments. The agreement had been prepared by District counsel and provided to Hanover for review. Ms. Sandy pointed out that there was one agreement to cover both fiscal years and the final agreement will need to be updated with the final adopted budgets.

On MOTION by Mr. Iorio, seconded by Mr. Beasley, with all in favor, the Fiscal Year 2022 and Fiscal Year 2023 Budget Funding Agreement, was approved in substantial form.

**E. Resolution 2022-11 Setting Date of Public Hearing Expressing the District's Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad Valorem Assessments in accordance with Section 197.3632, Florida Statutes**

Mr. Flint noted this is a requirement and had notice requirements and he suggested July 27, 2022 at 9:30 a.m. at the same location for this meeting.

On MOTION by Mr. Franklin, seconded by Mr. Beasley, with all in favor, Resolution 2022-11 Setting Date of Public Hearing Expressing the District's Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad Valorem Assessment in

Accordance with Section 197.3632, Florida Statutes for July 27, 2022 at 9:30 a.m. at the same location, was approved.

**FIFTH ORDER OF BUSINESS**

**Other Organizational Matters**

**A. Resolution 2022-12 Designating a Qualified Public Depository**

Mr. Flint proposed using Truist (formerly Sun Trust) as the District's qualified public depository. .

On MOTION by Mr. Lomas, seconded by Mr. Beasley, with all in favor, Resolution 2022-12 Designating a Qualified Public Depository as Truist, was approved.

**B. Resolution 2022-13 Authorization of Bank Account Signatories**

Mr. Flint noted the approved signatories would be the Treasurer appointed today, Katie Costa, and George Flint.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Resolution 2022-13 Authorization of Bank Account Signatories as the Treasurer (Katie Costa) and George Flint, were approved.

**C. Consideration of Resolution 2022-14 Relating to Defense of Board Members**

Ms. Sandy explained the resolution. She noted this sets forth the District's intent to provide indemnification, support, and legal defense for the Board and District officers for actions taken within the scope of their employment or functions. This representation will relate to actions or omissions taken in good faith within the scope of office, but will not apply or extend to action was taken in bad faith, with malicious intent, or willful disregard. She noted Section 8 on receiving a legal summons that you are required to submit to legal counsel within 14 calendar days for the defense coverage of the resolution to apply.

On MOTION by Mr. Franklin, seconded by Mr. Lomas, with all in favor, Resolution 2022-14 Relating to Defense of Board Members, was approved.

**D. Consideration of Resolution 2022-15 Ratifying District Counsel’s Actions in Recording in the Property Records of Lake County the “Notice of Establishment” in accordance with Chapter 190.0485, Florida Statutes**

**1. Notice of Establishment**

Mr. Flint noted it is required when a District is created that a notice of establishment is recorded in the public records, and this has been completed by District Counsel and the Board just needs to ratify.

On MOTION by Mr. Beasley, seconded by Mr. Lomas, with all in favor, Resolution 2022-15 Ratifying District Counsel Recording the “Notice of Establishment” in the Property Records of Lake County in Accordance with Chapter 190.0485, Florida Statutes, was approved.

**E. Consideration of Resolution 2022-16 Adopting Investment Guidelines**

Mr. Flint noted this would be in accordance with the guidelines established by the state of Florida. He recommend the Board adopt what they call the alternative investment guidelines.

On MOTION by Mr. Beasley, seconded by Mr. Lomas, with all in favor, Resolution 2022-16 Adopting Investment Guidelines, was approved.

**F. Consideration of Resolution 2022-17 Authorizing Execution of Public Depositor Report**

Mr. Flint noted this authorizes the District Manager or Treasurer to authorize that report and send to the Chief Financial Officer.

On MOTION by Mr. Beasley, seconded by Mr. Lomas, with all in favor, Resolution 2022-17 Authorizing Execution of Public Depositor Report, was approved.

**G. Consideration of Resolution 2022-18 Designating a Policy for Public Comment**

Mr. Flint stated that this establishes the policy for comments in a meeting. This is generated out of a legislative change a few years ago to require public comments before items are voted on.



On MOTION by Mr. Lomas, seconded by Mr. Beasley, with all in favor, Resolution 2022-18 Designating a Policy for Public Comment, was approved.

**H. Consideration of Resolution 2022-19 Adopting a Travel and Reimbursement Policy**

Mr. Flint noted this is for travel reimbursement for Supervisors on District business and is in-line with Florida statutes.

On MOTION by Mr. Lomas, seconded by Mr. Beasley, with all in favor, Resolution 2022-19 Adopting a Travel and Reimbursement Policy, was approved.

**I. Consideration of Resolution 2022-20 Adopting Prompt Payment Policy**

Ms. Sandy reviewed the policy for prompt payment procedures for invoices.

On MOTION by Mr. Beasley, seconded by Mr. Lomas, with all in favor, Resolution 2022-20 Adopting a Prompt Payment Policy, was approved.

*\*Mr. Scott Land joined the meeting via phone at this time.*

**J. Consideration of Resolution 2022-21 Adopting a Records Retention Policy**

Mr. Flint noted this policy is in accordance with Florida statutes and provides the District retain all records until the policy is otherwise amended.

On MOTION by Mr. Iorio, seconded by Mr. Lomas, with all in favor, Resolution 2022-21 Adopting a Records Retention Policy, was approved.

**K. Consideration of Compensation to Board Members**

Mr. Flint stated this is for Board members attending CDD meetings to be compensated at \$200 a meeting for a maximum of 24 meetings per year. Mr. Owen and Mr. Franklin agreed to compensation. All others declined. This is in accordance with Florida statute and no vote was needed.

**L. Resolution 2022-22 Selecting District Records Office Within Lake County**

Mr. Flint proposed this item be deferred and moved to the next agenda to determine an address.

**M. Resolution 2022-23 Designating the Primary Administrative Office and Principal Headquarters of the District**

Mr. Flint proposed the primary administrative office be the GMS offices in Orlando, Florida at 219 E. Livingston Street. The principal headquarters will be Lake County.

On MOTION by Mr. Lomas, seconded by Mr. Franklin, with all in favor, Resolution 2022-23 Designating the Primary Administrative Office of the District as 219 E. Livingston, Orlando, Florida and the Principal Headquarters as Lake County, was approved.

**N. Consideration of Website Services Agreement**

Mr. Flint stated the agreement is in the package and noted that the District is required by statute to have an ADA compliant website. This is with ReAlign Web Design and the set-up fee will be \$1,750. He recommended approving the one-time option and not the annual fee.

On MOTION by Mr. Lomas, seconded by Mr. Owen, with all in favor, the Website Services Agreement with a One Time Web Creation for \$1750, was approved.

**O. Consideration of Resolution 2022-24 Authorizing Chairperson to Execute Plats, Permits and Conveyances**

Mr. Flint noted it is necessary for documents to be executed and this allows the Chair the authority to authorize. Ms. Sandy noted they would revise to allow the Vice-Chair the option to authorize as well.

On MOTION by Mr. Franklin, seconded by Mr. Lomas, with all in favor, Resolution 2022-24 Authorizing the Chairperson to Execute Plats, Permit and Conveyances, was approved subject to revising the resolution to add the Vice-Chairperson as able to execute in the Chairperson's absence.

**SIXTH ORDER OF BUSINESS**

**Capital Improvements**

**A. Appointment of Financing Team**

**1. Bond Counsel**

Mr. Flint noted this would be for Greenberg Traurig as Bond Counsel and the agreement is in the packet. Mr. Stanford was present via phone to answer any question. This fee would not exceed \$55,000 per bond issuance.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Bond Counsel Agreement with Greenberg Traurig, was approved.

**2. Underwriter**

Mr. Flint noted FMS Bond would be the underwriter and their fee was included in their proposed agreement, which is two percent of the bonds and is contingent upon the bonds being issued.

On MOTION by Mr. Lomas, seconded by Mr. Franklin, with all in favor, the investment banker agreement with FMS Bond, was approved.

**3. Assessment Administrator**

Mr. Flint noted this would be with GMS and no action is required.

**4. Trustee**

Mr. Flint recommended US Bank. He added the proposal and engagement letter is in the packet.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, the Trustee agreement with US Bank, was approved.

**B. Approval of Financing Team Funding Agreement**

Mr. Flint noted this allows the District to compensate the financing team if bonds are not issued. He explained that under the terms of this agreement any funds provided as part of this agreement would be reimbursed under the future bonds issuance. Ms. Sandy noted Hanover had been provided a draft to review.

On MOTION by Mr. Lomas, seconded by Mr. Beasley, with all in favor, the Financing Team Funding Agreement, was approved.

**SEVENTH ORDER OF BUSINESS**                      **Financing Matters**

**A. Consideration of Master Engineer's Report**

The District Engineer, Mr. Land gave an overview of his report. He reviewed the costs of \$25,514,674 and included the scope of the report. He added that Phase 1 was \$8,656,484 and Phase 2 was \$5,537,933. Phase 3 was \$6,544,063 and Phase 4 was \$4,776,993 and for the total of \$25,514,674. Ms. Sandy asked that if the estimates were reasonable for the project size and scope, Mr. Land answered yes. Ms. Sandy asked if Ms. Land knew of any reason the District could not complete the project. Mr. Land answered no.

**B. Consideration of Master Assessment Methodology**

Mr. Flint reviewed the Master Assessment Methodology report. He noted the Development program included a mix of 40', 50' and 65' single family product types. The ERU factor has been assigned and there is 542 total units and 477 ERUs. The infrastructure cost estimates were reviewed by the Engineer and total \$25,514,674 and come from the Engineer's report. The bond sizing for purposed of the master methodology and are conservative to set a ceiling for the assessment process. There is a par amount of \$30,735,000. The annual assessment fees are estimated for each product type. The preliminary assessment roll notes there is a difference of 5 acres from the legal description of the District and the 4 parcels identified at comprising the District itself. He asked the Board to approve this subject to confirming the allocation of the acreage between the four parcels and updating the total par debt column in Table 7.

Ms. Sandy confirmed with Mr. Flint that the assessments were reasonably and fairly allocated across the lands that are especially benefiting from the master project, and the lands did receive special benefits that are equal to or in excess of the special assessments. Mr. Flint confirmed with a yes.

**C. Consideration of Resolution 2022-25 Declaring Assessments**

Ms. Sandy reviewed the resolution declaring the District's intent to levy assessments. This

will start the assessment process. She noted that blanks would be filled in Section 4 and 5. She added the amount would be the total amount of the estimated project at \$25,514,674 (Section 4) and the total amount of the par assessments in the amount of \$30,735,000 (Section 5).

On MOTION by Mr. Lomas, seconded by Mr. Franklin, with all in favor, Resolution 2022-05 Declaring Assessments, was approved subject to revising Table 7 of the Master Assessment Methodology as stated.

**D. Consideration of Resolution 2022-26 Setting a Public Hearing for Special Assessments**

Ms. Sandy reviewed the resolution and suggested the hearing on the master assessment lien for July 27, 2022 at 9:30 a.m. in the same location.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, the Resolution 2022-26 Setting the Public Hearing for Special Assessments for July 27, 2022 at 9:30 a.m. in the Same Location, was approved.

**E. Consideration of Resolution 2022-27 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings**

Mr. Sanford presented the resolution noting there was a not-to-exceed principal amount of bonds at \$30,735,000, which was a change from the previous amount of \$30,840,000. He added this contemplates those bonds can be issued in one or more series and authorizes the validation of the bonds. US Bank is appointed as the Trustee. The resolution approves a master and supplemental trust indenture in substantial form. He recommended the Board approve with the noted change in bond par.

On MOTION by Mr. Iorio, seconded by Mr. Lomas, with all in favor, Resolution 2022-27, Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings, was approved subject to changing the maximum par amount from \$30,840,000 to \$30,735,000.

**EIGHTH ORDER OF BUSINESS**

**Other Business**

**A. Staff Reports**

**i. Attorney**

Ms. Sandy stated they would put together the validation documents and begin the process.

**ii. Manager**

Mr. Flint noted he had nothing further.

**B. Supervisors Requests**

There being none, the next item followed.

**C. Approval of Funding Request No. 1**

Mr. Flint noted this request was in the package for review. He noted this will open the operation account to bind the liability insurance policy for advertising and other startup costs.

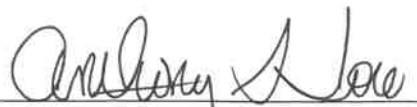
On MOTION by Mr. Iorio, seconded by Mr. Lomas, with all in favor, Funding Request No. 1, was approved.

**NINTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Iorio, seconded by Mr. Beasley, with all in favor, the meeting was adjourned.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman