

MINUTES OF MEETING
LAKE EMMA
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Lake Emma Community Development District was held Wednesday, October 27, 2021 at 10:00 a.m. at the Cooper Memorial Library, 2525 Oakley Seaver Drive, Clermont, Florida.

Present and constituting a quorum were:

Adam Morgan	Chairman
Brent Kewley <i>joined late</i>	Assistant Secretary
Doug Beasley	Assistant Secretary
Tim Tassone	Assistant Secretary

Also present were:

George Flint	District Manager
Tucker Mackie <i>by phone</i>	District Counsel
Nicole Stalder <i>by phone</i>	District Engineer

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order. Three members of the Board were present constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

There were no members of the public present to provide comment.

THIRD ORDER OF BUSINESS

Approval of Minutes of the July 28, 2021 Meeting

Mr. Flint presented the minutes of the July 28, 2021 Board of Supervisors meeting and asked for comments, corrections, or changes. The Board had no changes to the meeting minutes.

On MOTION by Mr. Morgan, seconded by Mr. Beasley, with all in favor, the Minutes of the July 28, 2021 Board of Supervisors Meeting, were approved.
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FOURTH ORDER OF BUSINESS

Ratification of Series 2021 Requisitions #4 - #5 and Consideration of Requisition #6

Mr. Flint stated that these were submitted to the Trustee for payment out of the Series 2021 construction and acquisition account. Requisition #4 is for Hopping Green & Sams for \$1,224 and was signed by the engineer and Mr. Flint. Requisition #5 was also for Hopping Green & Sams for \$976 and was signed by the engineer and Mr. Flint and was transmitted to the Trustee and paid.

On MOTION by Mr. Morgan, seconded by Mr. Beasley, with all in favor, the Series 2021 Requisitions #4 - #5 and Requisition #6, were ratified.

FIFTH ORDER OF BUSINESS

Discussion of Requisition #7

**Mr. Kewley joined the meeting at this time*

Mr. Flint stated that there was not a backup included in the agenda. Ms. Mackie added that she and Ms. Stalder had receive a significant amount of backup and they are waiting for a few final documents that would complete the acquisition but they have already prepared the bill of sale, the developer letters and the affidavit that are customary and required under the District’s acquisition agreement with Lennar for purposes of acquiring the Phase 1 and Phase 2 infrastructure which would be in the ballpark amount of \$11.5 million based on review of the pay applications. This would result in the ability to requisition the entirety of the construction funds remaining on account for purposes of acquiring those improvements. She stated that she circulated final execution documents in contemplation that Ms. Stalder’s final remaining documents will come within the week so they can prepare the requisition to be in a position to submit that to the Trustee.

Ms. Mackie offered to answer any questions. Her suggestion was to authorize the acquisition of the Phase 1 and 2 infrastructure in a not-to-exceed amount of \$12,000,000 and said they will bring a final requisition before the Board at a later date for ratification.

Mr. Flint added that there were about \$12,000,000 in improvements but that they have about \$6,500,000 in the construction account. He asked if the Board was amenable to delegating authority to the Chairman to execute all necessary conveyance documents in the requisition.

On MOTION by Mr. Morgan, seconded by Mr. Kewley, with all in favor, Requisition #7 and Delegating Authority to the Chairman to Execute all Necessary Conveyance Documents in the Requisition, were approved.

SIXTH ORDER OF BUSINESS

Ratification of Landscape Maintenance Agreement with CherryLake, Inc. for District Ponds

Mr. Flint stated that this was for CherryLake to mow CDD ponds. He stated that in an effort to get the services going, the Chairman executed the agreement with CherryLake effective as of August 20, 2021 so those services are underway. The cost was \$1,950 a month. Mr. Flint added that they did solicit bids for this and CherryLake was the lowest bidder and the install contractor who holds the warranty on the installation.

On MOTION by Mr. Morgan, seconded by Mr. Beasley, with all in favor, the Landscape Maintenance Agreement with CherryLake, Inc. for District Ponds, was ratified.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

i. Ratification of Transition of Legal Counsel

Ms. Mackie reported that she had a transition letter and that she had spoken with members of the Hanover group and Lennar group separately regarding the letter. She stated that herself along with 9 partners who practice within the special district practice group at Hopping Green and Sams as of November 15 are going to be joining the law firm of Kutak Rock, LLP. Ms. Mackie added that the transition letter directs that the District Manager allows for the transition of all of the files that have been retained at Hopping Green & Sams to be transitioned over to Kutak Rock, LLP. She stated that she will continue to be primarily responsible for representing the District. She also added that the rates themselves will not change as a result from this transition. There will be an additional fee agreement that will need to be signed that is largely the same with the change of the letterhead going from Hopping Green & Sams to Kutak Rock, LLP. Ms. Mackie offered to answer any questions that the Board had.

On MOTION by Mr. Morgan, seconded by Mr. Beasley, with all in favor, the Transition of Legal Counsel to Kutak Rock LLP, was ratified.

B. Engineer

Ms. Stalder informed the Board of some outstanding items and the Board is looking to see if they can provide those for Ms. Stalder.

C. District Manager’s Report

i. Balance Sheet and Income Statement

Mr. Flint presented the unaudited financials through September 30, 2021. He asked if the Board had any questions. He noted that there was no action required.

ii. Ratification of Funding Requests #12 - #15

Mr. Flint presented ratification of funding requests #12 - #15. Mr. Flint stated these were submitted to Lennar under the Developer Funding Agreement.

On MOTION by Mr. Morgan, seconded by Mr. Beasley, with all in favor, Funding Request #12 - #15, were ratified.

EIGHTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

NINTH ORDER OF BUSINESS

Supervisor’s Business


There being none, the next item followed.

TENTH ORDER OF BUSINESS

Adjournment

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


Secretary/Assistant Secretary


Chairman/Vice Chairman