

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, March 23, 2022 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
Tony Iorio <i>by phone</i>	Vice Chairman
Brent Kewley	Assistant Secretary
Doug Beasley	Assistant Secretary

Also present were:

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

**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 October 27, 2021 Meeting**

Mr. Flint presented the minutes of the October 27, 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. Kewley, with all in favor, the Minutes of the October 27, 2021, Board of Supervisors Meeting, were approved.
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**FOURTH ORDER OF BUSINESS**

**Ratification of Series 2021 Requisitions #7**

**- #8**

Mr. Flint stated they have two requisitions for ratification. The first one is for Hopping Green & Sams for \$732.50. The next one draws down the balance of the construction account for \$6,512,707.18. District Counsel and District Engineer were heavily involved in the requisition #8 and making sure all the conveyances and bills of sale have been executed. The Engineer has signed both requisitions, approving and certifying that the expenses are consistent with the Engineer's report and eligible. These have already been processed by the Trustee and paid funds have been wired. Mr. Flint asked the Board to ratify these requisitions.

On MOTION by Mr. Morgan, seconded by Mr. Kewley, with all in favor, the Series 2021 Requisitions #7-#8, were ratified.

#### **FIFTH ORDER OF BUSINESS**

#### **Consideration of Fee Agreement with Kutak Rock**

Mr. Flint stated since they haven't met since October, in the interim Tucker, formally with Hopping Green & Sams, is now with Kutak Rock. This was executed by the Chair and the absence of a meeting. Mr. Flint asked Ms. Mackie if there was anything she would like to add.

Ms. Mackie stated that she thought those in the meeting were familiar with the circumstances, which caused herself and fellow partners to leave the firm of Hopping Green & Sams and join Kutak Rock. In advance of their departure, and understanding that the firm was winding down, Ms. Mackie stated they spoke with the Chair and George in executing the transition letter that allowed the data and information to get forwarded over to Kutak in a timely manner and allow them to continue providing legal counsel to the District in advance of the meeting and ratification today. Ms. Mackie stated in addition to the ratification of the transition letter, to also request that the Board authorize the Chair to execute an engagement letter with Kutak Rock. Ms. Mackie stated that again, with no change to the fee structure previously had between the District and Hopping Green & Sams, that would be appreciated. Ms. Mackie noted that certainly they could bring that before the board for approval at its next meeting. Ms. Mackie stated she is happy to answer any questions, otherwise, a motion to ratify the execution of the transition letter and a motion authorizing the Chair to work with counsel to execute the engagement letter, is requested.

Mr. Flint asked for any questions and notes that what is in the agenda is the fee agreement with Kutak Rock, which has not yet been executed. So, in addition to approval of the fee agreement, they are also asking the Board to ratify the transition letter.

On MOTION by Mr. Morgan, seconded by Mr. Kewley, with all in favor, Ratifying the Fee Agreement with Kutak Rock, Authorizing the Chair to Execute Engagement Letter, and Ratifying the Transition Letter, was approved.

**SIXTH ORDER OF BUSINESS**

**Review and Acceptance of Fiscal Year 2021 Audit Report**

Mr. Flint presented the audit report for Fiscal Year 2021 completed by Grau & Associates. He stated that the management letter, which is on page 27, if there were any issues findings or recommendations that would be identified in the management letter. He stated that on the last page there are no current or prior findings or recommendations. Mr. Flint stated that they have determined compliance with the provisions of the Auditor General of the state of Florida. It's a clean audit. He asked for any questions. Hearing none, there was a motion to approve.

On MOTION by Mr. Morgan, seconded by Mr. Kewley, with all in favor, Acceptance of Fiscal Year 2021 Audit Report and Authorizing Transmission to the State of Florida, was approved.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Ms. Mackie reported that she does not have anything additional to report. She stated at the conclusion of the 2022 legislative session, there wasn't much and the Board members would have received a copy of the final capital conversation. There wasn't much that would affect this District other than the Amendment 12, lobbying ban legislation for purposes of penalties for the instances of lobbying incorrectly. She noted that memorandum was circulated, and she wants to emphasize that it doesn't affect the current slate of Board members as landowner representatives, as well.

**B. Engineer**

**i. Consideration of Work Authorization 2022-1 to Prepare Stormwater 20-year Needs Analysis**

Mr. Flint states the engineer is not on this meeting, but that they do have some new legislation last fiscal year that requires government entities, including special districts, to prepare a 20-year storm water needs analysis. Also, it addresses wastewater systems. He notes they do have the needs analysis report that's due by June 30<sup>th</sup>, which must be filed with Lake County. Lake County compiles all the reports for the entities within the county and transmits those to the state of Florida. The District Engineer has prepared a proposal to prepare that report.

Mr. Morgan asked how this proposal falls in line with the other proposals that they have received. Mr. Flint responded that it is lower and that a lot are coming around \$15,000. This one is at \$9,000, plus other direct costs. They estimate a budget of \$1,000 for other direct costs. Mr. Flint notes that even though the District is new, they don't see a lot of variation in the fee right now. He stated that this number is very competitive. He asked for any questions. Hearing none, he asked for motion to approve.

On MOTION by Mr. Morgan, seconded by Mr. Kewley, with all in favor, the Work Authorization 2022-1 to Prepare Stormwater 20-year Needs Analysis, was approved.

**C. District Manager's Report**

**i. Approval of Check Register**

Mr. Flint presented the check register from October 1, 2021, through March 16, 2022, for the General Fund and Board payroll, totaling \$444,372.14. He stated the detailed register is behind the summary. He noted that much of that amount are Debt Service assessments being transmitted to the Trustee. Any of the checks that indicate Lake Emma CDD, Care of USBank, is Debt Service assessments. He asked if the Board had any questions. Hearing none, he asks for motion to approve.

On MOTION by Mr. Morgan, seconded by Mr. Kewley, with all in favor, the Check Register, was approved.

**ii. Balance Sheet and Income Statement**

Mr. Flint presented the unaudited financials through February 28, 2022. He asked if the Board had any questions. He noted that there was no action required. He noted that they are in line with the assessment payments. He also noted that their expenses/actuals are under their prorated budget.

**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**

The meeting was adjourned.

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

  
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Secretary/Assistant Secretary

  
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Chairman/Vice Chairman