

**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, **July 27, 2022** at 10:00 a.m. at the Cooper Memorial Library, 2525 Oakley Seaver Drive, Clermont, Florida.

Present and constituting a quorum:

Adam Morgan	Chairman
Tony Iorio	Vice Chairman
Brent Kewley	Assistant Secretary

Also present were:

George Flint	District Manager, GMS
Tucker Mackie	District Counsel
Christopher Allen <i>via Zoom</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 April 27, 2022 Meeting**

Mr. Flint presented the minutes of the April 27, 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 April 27, 2022, Board of Supervisors Meeting, were approved.

**FOURTH ORDER OF BUSINESS**

**Business Matters**

**A. Consideration of Resolution 2022-02 Designating a Date, Time and Location for a Landowners’ Meeting and Election**

Mr. Flint stated that the Board terms were even numbered years and that they had three seats that were up for election this November. He noted that the election was required to be on the first Tuesday of November, which would be November 1, 2022 at 10:00 a.m. in their current location for the Landowners’ election. He asked for any questions on Resolution 2022-02. Hearing none,

On MOTION by Mr. Morgan, seconded by Mr. Iorio, with all in favor, Resolution 2022-02 Designating November 1, 2022 at 10:00 a.m. for the Landowners’ Meeting and Election, was approved.

**FIFTH ORDER OF BUSINESS**

**Public Hearing**

Mr. Flint asked for a motion to open the public hearing.

On MOTION by Mr. Morgan, seconded by Mr. Iorio, with all in favor, Opening the Public Hearing, was approved.

Mr. Flint noted that there were no members of the public present to provide comment or testimony. He stated that it was just the Board and staff present.

**A. Consideration of Resolution 2022-03 Adopting the Fiscal Year 2023 Budget and Relating to the Annual Appropriations**

Mr. Flint stated that the budget was attached as Exhibit ‘A’. He noted that the budget contemplated that the areas within Assessment Area 1 would receive an administrative and maintenance assessment. The areas outside of Assessment Area 1 would receive an administrative only assessment by paying a pro-rated portion of the administrative cost. He stated that there was a difference of about \$10,164 that would be subject to a Developer Funding Agreement, if it was required to be funded.

Mr. Morgan brought to the Board's attention some landscaping that was not being maintained in a specific area near Cherry Lake. He asked if there was some way to figure out who was supposed to be maintaining the area that he specified.

Mr. Flint stated that the per unit assessment amounts were the same as they were in the current year. He noted that there was no mailed notice that went out or any increase proposed at this point for the O&M assessments. He explained that once the future phases came on, they would need to reevaluate it, but at this point they believed that they could operate under the existing amount.

On MOTION by Mr. Morgan, seconded by Mr. Kewley, with all in favor, Resolution 2022-03 Adopting the Fiscal Year 2023 Budget and Relating to the Annual Appropriations, was approved.

**B. Consideration of Resolution 2022-04 Imposing Special Assessments and Certifying an Assessment Roll**

Mr. Flint stated that he had handed out a revised version of this resolution. Ms. Mackie presented the revised copy of Resolution 2022-04 stating that it levied the assessments necessary to support the budget that was just approved by the Board. She explained that the difference between this resolution and what was included in the agenda package was the fact that they were direct collecting some of the assessment revenues from unplatted landowners and that it contemplated a Developer Shortfall Agreement should additional funds be necessary to support the budget that was just previously approved. She stated that she would be happy to answer any questions. Hearing none,

On MOTION by Mr. Morgan, seconded by Mr. Iorio, with all in favor, Resolution 2022-04 Imposing Special Assessments and Certifying an Assessment Roll, was approved.

*\*Christopher Allen joined the meeting via the Zoom at this time.*

On MOTION by Mr. Morgan, seconded by Mr. Kewley, with all in favor, Closing the Public Hearing, was approved.

**SIXTH ORDER OF BUSINESS****Financing Matters****A. Consideration of Supplemental Engineers Report Phases 3-6**

Mr. Flint stated that this was the first step to initiate the assessment process for Phases 3-6 of the development. He noted that the first bond issue covered Phases 1 and 2. He explained that this would start the process of imposing a lien on the balance of the District Phases 3-6. He noted that the first item was the Supplemental Engineer's Report that covered Phases 3-6. He stated that he would let Ms. Mackie walk the Board through what she would like presented.

Ms. Mackie explained that the Board went through the 170 process previously and they had only levied a Master Lien over Phases 1 and 2, and they were now looking to levy the Master Assessment Lien over Phases 3-6 in anticipation of a future bond issuance that was likely to occur in the fourth quarter of 2022 or the first quarter of 2023. She noted that this did not levy and certify for collection an assessment at this time. She noted that this set the Master Assessment Lien in caps that would associate with the total improvement plan that could be financed by the Lake Emma CDD within Phases 3-6. She noted that the 170 process that they were beginning today contemplated a declaration of the Boards intent to levy a Master Assessment Lien and a resolution that would set a required public hearing on the levy of the assessments prior to that public hearing. She noted that they were required by Florida law to provide a mailed notice to the landowners that would be subject to that assessment and a published noticed in the newspaper of general circulation. Ms. Mackie asked Mr. Allen to review the preliminary engineer's report that was included within the agenda package. She noted that it would be most helpful for him to review the infrastructure that was anticipated to be included within the project and the associated cost.

Mr. Allen stated that they had reviewed the costs that were available and that they had provided them within the report for the community. He stated that the permits were all filed for the community and that the cost could be found in Exhibit 'F' for the future conditions. He explained that these were based off the current prices. He noted that this covered all the way through Phase 6. Ms. Mackie stated that the total cost was \$36,076,910.75, which would cover the utilities, potable water, sanitary, stormwater improvements, roadway improvements, and landscape and hardscape. She noted that this number was previously included in their prior version of the Master Engineer's Report, but that this number had now increased as a result of the price increases within the market. Mr. Morgan asked if the wetland had been mitigated between Phases 5 and 6 of the engineer's report. Mr. Iorio responded that everything had been permitted and was complete. He noted that all the District's permits were in and that whatever mitigation was

necessary had been completed. He noted that all the costs were captured because the projects were fully permitted both with the water management district and all agencies. Mr. Allen stated that he could confirm that the District's approvals lined up with the Master Site Plan that was shown on Exhibit 'B'. Mr. Flint asked if there were any more questions on the engineer's report. Hearing none,

**B. Consideration of Master Assessment Methodology Report Phases 3-6**

Mr. Flint stated that they had took Dewberry's Supplemental Engineer's Report for Phases 3-6 and prepared a Master Assessment Methodology for Assessment Area 2, which incorporated all of Phases 3-6. He noted that there may be more than one bond issue in that assessment area, but for the purposes of the assessment process, they were doing the balance of the District. He reviewed the tables that started on page 9 of the agenda package. He reviewed table 1 which showed the development program from the engineer's report. He noted that the total units were 728 in Phases 3-6. He explained that it was single family product type from 40' up to 70' and that they had assigned ERU factors to those consistent with the ERU factors that were assigned in the first assessment area. Table 2 showed the infrastructure cost estimates which totaled \$36,076,911. Table 3 showed a preliminary bond sizing for the purposes of the master assessment process. He stated that they had a par amount of \$43,420,000. Table 4 showed the allocation of benefit based on improvement cost. Table 5 showed the allocation of benefit based on par debt. He explained that if they were to fund 100% of the improvements at the conservative parameters in the bond sizing, then table 6 outlined what the net and gross per unit assessments would be. Table 7 showed the preliminary assessment roll. He noted that they needed to correct the landowner in the assessment roll on table 7. He discussed that it pointed to the legal description for Assessment Area 2, which was 269 acres.

**C. Consideration of Resolution 2022-05 Declaring Special Assessments**

Mr. Flint stated that there were two resolutions for the Board to consider. He noted that the first one was Resolution 2022-05, which was to declare the District's intent to levy assessments.

On MOTION by Mr. Morgan, seconded by Mr. Kewley, with all in favor, Resolution 2022-05 Declaring Special Assessments, was approved.

**D. Consideration of Resolution 2022-06 Setting a Public Hearing for Special Assessments**

Mr. Flint discussed with the Board on setting a public hearing date. After Board discussion, they decided to set the date for September 28, 2022.

On MOTION by Mr. Morgan, seconded by Mr. Kewley, with all in favor, Resolution 2022-06 Setting a Public Hearing for Special Assessments on September 28, 2022, was approved.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Ms. Mackie reported she had nothing further to report.

**B. Engineer**

There being no discussion, the next item followed.

**C. District Manager's Report**

**i. Approval of Check Register**

Mr. Flint presented the check register from April 20, 2022 through July 20, 2022 and the total was \$30,939.46. Hearing no questions, Mr. Flint asked for motion to approve.

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

**ii. Balance Sheet and Income Statement**

Mr. Flint presented the unaudited financials through June 30, 2022. He asked if the Board had any questions. He noted that there was no action required.

**iii. Approval of Fiscal Year 2023 Meeting Schedule**

Mr. Flint stated that each year they were required to set an annual meeting schedule. He noted that they had prepared a schedule based on the current practice of the fourth Wednesday at 10:00 a.m. in their current location. He explained that they had prepared the notice that showed every month. He stated that one of those was December 28, 2022 and the other was November 23, 2022. He suggested that the Board consider moving those dates. After Board discussion, they

decided to not schedule a December meeting and then they could do the November meeting a week earlier on November 16, 2022.

On MOTION by Mr. Iorio, seconded by Mr. Kewley, with all in favor, the Fiscal Year 2023 Meeting Schedule as Amended to Include November 16, 2022 and No December Meeting, was approved.

**EIGHTH ORDER OF BUSINESS**

**Public Comment Period**

There being none, the next item followed.

**NINTH ORDER OF BUSINESS**

**Other Business**

There being none, the next item followed.

**TENTH ORDER OF BUSINESS**

**Supervisor's Business**

There being none, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

The meeting was adjourned.

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

  
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Secretary/Assistant Secretary

  
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Chairman/Vice Chairman