

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

The Board of Supervisors of the Cresswind Lake Harris Community Development District held Multiple Public Hearings and a Regular Meeting on June 5, 2023 at 10:00 a.m., at Halff Associates, Inc., 902 N Sinclair Ave., Tavares, Florida 32778.

Present at the meeting were:

Justin Allen	Chair
Mark Bines	Vice Chair
Bradley Walker	Assistant Secretary

Also present were:

Ernesto Torres	District Manager
Jere Earlywine (via telephone)	District Counsel
Chuck Hiott	Interim District Engineer
Scott Morton	Supervisor-Elect

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Torres called the meeting to order at 10:01 a.m. Supervisors Allen, Bines and Walker were present. Supervisor-Elect Scott Morton was present but not yet sworn in at the time of roll call. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Elected Supervisor, Scott Morton [SEAT 5] (*the following will be provided in a separate package*)

Mr. Torres, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Scott Morton. Mr. Morton is already familiar with the following:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Chapter 190, Florida Statutes**
- D. Financial Disclosure Forms**
 - I. Form 1: Statement of Financial Interests**
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - III. Form 1F: Final Statement of Financial Interests**
- E. Form 8B: Memorandum of Voting Conflict**

FOURTH ORDER OF BUSINESS

**Consider Keith Berg's Declination of Seat 4;
Term Expires November 2024**

Mr. Torres presented Supervisor-Elect Keith Berg's email declining his election to Seat 4.

On MOTION by Mr. Morton and seconded by Mr. Allen, with all in favor, Mr. Keith Berg's declination of his election to Seat 4, was accepted.

FIFTH ORDER OF BUSINESS

**Consider Appointment to Fill Unexpired
Term of Seat 4**

- **Administration of Oath of Office**

This item was deferred.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2023-28,
Designating Certain Officers of the District,
and Providing for an Effective Date**

Mr. Torres presented Resolution 2023-28. Mr. Allen nominated the following slate of officers:

Justin Allen

Chair

Mark Bines

Vice Chair

Bradley Walker	Assistant Secretary
Scott Morton	Assistant Secretary
Vacant Seat	Assistant Secretary
Ernesto Torres	Assistant Secretary

No other nominations were made. Prior appointments by the Board for Secretary, Treasurer and Assistant Treasurers remain unaffected by this Resolution.

On MOTION by Mr. Bines and seconded by Mr. Allen, with all in favor, Resolution 2023-28, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

To conduct an efficient meeting, Mr. Torres stated that the public hearings for the Seventh, Eighth, Ninth, Tenth and Eleventh Orders of Business will be opened in one motion, then public comments will be heard and then the public hearings will be closed in one motion.

Mr. Torres read the titles and commented on the Seventh, Eighth, Ninth, Tenth and Eleventh Orders of Business.

On MOTION by Mr. Morton and seconded by Mr. Allen, with all in favor, the Public Hearings for the Seventh, Eighth, Ninth, Tenth and Eleventh Orders of Business, were opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. Morton and seconded by Mr. Walker, with all in favor, the Public Hearings for the Seventh, Eighth, Ninth, Tenth and Eleventh Orders of Business, were was closed.

Asked if assessments are on-roll or off-roll to the Developer, Mr. Torres replied off-roll.

SEVENTH ORDER OF BUSINESS

Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy,

Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date

A. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2023-29, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Cresswind Lake Harris Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

No affected property owners or members of the public spoke.

On MOTION by Mr. Allen and seconded by Mr. Bines, with all in favor, Resolution 2023-29, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Cresswind Lake Harris Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements

A. Affidavit/Proof of Publication

B. Mailed Notice to Property Owners(s)

These items were included for informational purposes.

C. Engineer's Report (for informational purposes)

Mr. Hiott presented the Engineer's Report dated March 27, 2023. He noted the following:

- The CDD consists of 166.81 acres within the City of Taveres, Florida.
- The Capital Improvement Plan (CIP) anticipates 484 units in the current CDD and 142 units in the Expansion Parcel, for a total of 625 units.
- The CIP includes roadway improvements. All roads will be two-lane roads. Any off-site road improvements will be through the County and the City, via a Developer's Agreement for impact fee credits and for construction of Woodlea Road and the roundabout and for the Captain Haynes Road roadway extension.
- The CIP includes water, wastewater and reclaim water systems. Construction is expected to commence this month and be completed within about three months.

Mr. Earlywine asked Mr. Hiott to remove the note below Table 1 and execute the final version in preparation of the bond validation hearing on June 19, 2023.

A Board Member asked if the maximum unit count should be changed to match the actual units planned. Mr. Earlywine replied no, as it will be reflected in the Second Supplemental Engineer's Report when bonds are issued, which he expects will occur later this summer or in the fall.

As several inconsistencies were noted in the Report in the agenda compared to the Report that was circulated, Mr. Earlywine asked Mr. Hiott to date the latest version today and email it to him to circulate and submit to the court.

On MOTION by Mr. Bines and seconded by Mr. Morton, with all in favor, the Engineer's Report dated June 5, 2023, as amended and in substantial form, subject to final editing by Mr. Hiott, was approved.

D. Master Special Assessment Methodology Report (for informational purposes)

Mr. Torres presented the Master Special Assessment Methodology Report dated March 27, 2023.

Although certain data in the Methodology does not match the Engineer's Report and the public roadway amount in Table 2 is anticipated to be less because most roadways will be private, Mr. Earlywine's opinion is that the Methodology is fine for the purposes of the assessment proceedings since the figures can be fine-tuned when bonds are issued.

Mr. Earlywine stated he received the newest executed and sealed version of the Engineer's Report and he just emailed it to the parties on the distribution list.

After further discussion, it was determined that the changes to the Public Roadways Improvements and Off-site Improvements amounts in Table 2 will be significant; therefore, the correct amounts will be emailed to Mr. Hiott and Staff will update in both the Engineer's and Master Special Assessment Methodology Reports.

On MOTION by Mr. Allen and seconded by Mr. Bines, with all in favor, the Master Special Assessment Methodology Report dated March 27, 2023, as amended and in substantial form, subject to Mr. Hiott providing updated figures for Staff to incorporate into any necessary documents, was approved.

- E. Consideration of Resolution 2023-30, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer's Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date**
- **Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.**

No affected property owners or members of the public spoke.

- **Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.**

Mr. Torres presented Resolution 2023-30 and read the title. Mr. Earlywine stated this Resolution sets the assessment for the master lien. Adoption should be subject to updates to both the Engineer's and the Methodology Reports.

On MOTION by Mr. Morton and seconded by Mr. Walker, with all in favor, Resolution 2023-30, as amended and in substantial form, subject to and authorizing updates to the Engineer's and Methodology Reports as discussed, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer's Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2023-31, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

No members of the public spoke.

Mr. Torres discussed the Rules of Procedures content, which corresponds with the Florida Statutes.

On MOTION by Mr. Allen and seconded by Mr. Walker, with all in favor, Resolution 2023-31, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2022/2023 Budget**

A. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2023-32, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date

No members of the public spoke.

Mr. Torres presented Resolution 2023-32. He noted the Fiscal Year 2023 budget is a Landowner-funded budget, with expenses funded as they are incurred.

On MOTION by Mr. Morton and seconded by Mr. Bines, with all in favor, Resolution 2023-32, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2023/2024 Budget**

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2023-33, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date

No members of the public spoke.

Mr. Torres presented Resolution 2023-33. He noted the Fiscal Year 2024 budget is a Landowner-funded budget. Compared to the Fiscal Year 2023 budget, expenses are increasing in Fiscal Year 2024 due to the bond issuance.

On MOTION by Mr. Allen and seconded by Mr. Bines, with all in favor, Resolution 2023-33, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

TWELFTH ORDER OF BUSINESS

Consideration of Regions Bank, Fee Agreement for Trustee Services

On MOTION by Mr. Morton and seconded by Mr. Allen, with all in favor, the Regions Bank Fee Agreement for Trustee Services, was approved.

THIRTEENTH ORDER OF BUSINESS

Consideration of Resolution 2023-07, Designating the Primary Administrative Office, Principal Headquarters and Local District Records Office of the District and Providing an Effective Date

Mr. Torres and Mr. Earlywine noted that the District Engineer's office is typically designated as the local District Records office until the Clubhouse is built. Both reviewed the public records requests process.

On MOTION by Mr. Morton and seconded by Mr. Allen, with all in favor, Resolution 2023-07, Designating 2300 Glades Road, Suite 410W, Boca Raton, Florida as the Primary Administrative Office and Halff Associates, Inc., 902 N Sinclair Ave., Tavares, Florida 32778, as the Principal Headquarters and Local District Records Office of the District and Providing an Effective Date, was adopted.

FOURTEENTH ORDER OF BUSINESS

Consideration of Resolution 2023-14, Designating Dates, Times and Locations for

Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date

The Fiscal Year 2023 meetings will be scheduled as needed, in coordination with Mr. Earlywine.

This item was deferred.

FIFTEENTH ORDER OF BUSINESS

Consideration of Acquisition of Phase 1 Utilities

Discussion ensued regarding the status of projects and potential completion dates as it pertains to the acquisition process and the bond issuance, assigning construction contracts to the CDD, requisitions and scheduling a CDD meeting in July.

Mr. Earlywine stated that invitations were emailed for the bond validation hearing on June 19, 2023 at 3:00 p.m., attendance by Mr. Hiott, Mr. Torres and Mr. Allen, via telephone, is requested. He was asked to send the calendar invite to Mr. Morton, Mr. Bines and Mr. Walker.

SIXTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2023

On MOTION by Mr. Morton and seconded by Mr. Walker, with all in favor, the Unaudited Financial Statements as of April 30, 2023, were accepted.

SEVENTEENTH ORDER OF BUSINESS

Acceptance of Minutes

- A. December 20, 2022 Landowners' Meeting
- B. March 27, 2023 Organizational Meeting

On MOTION by Mr. Allen and seconded by Mr. Walker, with all in favor, the December 20, 2022 Landowners' Meeting and March 27, 2023 Organizational Meeting Minutes, as presented, were approved.

EIGHTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

There was nothing further to report.

B. District Engineer (Interim): Halff & Associates, Inc.

There was no report.

C. District Manager: Wrathell, Hunt and Associates, LLC

- **0 Registered Voters in District as of April 15, 2023**
- **NEXT MEETING DATE: TBD**
 - **QUORUM CHECK**

Management will email Outlook calendar invitations for the next meeting.

NINETEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

TWENTIETH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

TWENTY-FIRST ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Walker and seconded by Mr. Morton, with all in favor, the meeting adjourned at 10:52 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair