

**MINUTES OF MEETING  
HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Harmony on Lake Eloise Community Development District held a Regular Meeting on January 19, 2023 at 9:30 A.M., at the Ramada by Wyndham Davenport Orlando South, 43824 Highway 27, Davenport, Florida 33837-6808.

**Present at the meeting were:**

Mary Moulton	Vice Chair
Bill Fife	Assistant Secretary
John (JC) Nowotny	Assistant Secretary

**Also present were:**

Cindy Cerbone	District Manager
Jere Earlywine (via telephone)	District Counsel
Molly Banfield (via telephone)	District Engineer
Cynthia Wilhelm (via telephone)	Bond Counsel

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 9:32 a.m. Supervisors Moulton, Fife and Nowotny were present. Supervisors Potter and Tyree were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Acceptance of Resignation of Courtney Potter, SEAT 4 (*Term Expires November 2024*)**

Ms. Cerbone presented Ms. Courtney Potter's letter of resignation.

**On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the resignation of Ms. Courtney Potter from Seat 4, dated August 23, 2022, was accepted.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Appointment of Lauren Martin to Fill Unexpired Term of Seat 4**

Mr. Fife nominated Ms. Lauren Martin to fill Seat 4. No other nominations were made.

**On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the appointment of Ms. Lauren Martin to Seat 4, Term Expires November 2024, was approved.**

- **Administration of Oath of Office to Newly Appointed Supervisor (*the following to be provided in a separate package*)**

The Oath of Office will be administered to Ms. Martin before or at the next meeting.

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. 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**
- D. Form 8B – Memorandum of Voting Conflict**

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-01, Designating Certain Officers of the District, and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2023-01. Mr. Fife nominated the following slate of officers:

Bill Fife	Chair
Mary Moulton	Vice Chair
Craig Wrathell	Secretary
Chris Tyree	Assistant Secretary
JC Nowotny	Assistant Secretary
Lauren Martin	Assistant Secretary

Cindy Cerbone	Assistant Secretary
Andrew Kantarzhi	Assistant Secretary

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

**On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, Resolution 2023-01, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was approved.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Lake Pros, LLC, Agreement for Lake Maintenance Services**

Ms. Cerbone presented the Lake Pros, LLC, Agreement for Lake Maintenance Services and noted that Mr. Fife forwarded a fully executed agreement to her.

**On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the Lake Pros, LLC, Agreement for Lake Maintenance Services, in the amount of \$185 per month, was approved.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-03, Delegating to the Chairman of the Board of Supervisors of Harmony on Lake Eloise Community Development District (the "District") the Authority to Approve the Sale, Issuance and Terms of Sale of Harmony on Lake Eloise Community Development District Capital Improvement Revenue Bonds, Series 2023 (Assessment Area One), as a Single Series of Bonds Under the Master Trust Indenture (the "Series 2023 Bonds") in Order to Finance the Assessment Area One Project; Establishing the Parameters for the Principal Amounts, Interest Rates, Maturity Dates, Redemption Provisions And Other Details Thereof; Approving the Form of and Authorizing the Chairman to Accept the Bond Purchase Contract for the**

**Series 2023 Bonds; Approving a Negotiated Sale of the Series 2023 Bonds to the Underwriter; Approving the Forms of the Master Trust Indenture and First Supplemental Trust Indenture and Authorizing the Execution and Delivery Thereof by Certain Officers of the District; Appointing a Trustee, Paying Agent and Bond Registrar for the Series 2023 Bonds; Approving the Form of the Series 2023 Bonds; Approving the Form of and Authorizing the Use of the Preliminary Limited Offering Memorandum and Limited Offering Memorandum Relating to the Series 2023 Bonds; Approving the Form of the Continuing Disclosure Agreement Relating to the Series 2023 Bonds; Authorizing Certain Officers of the District to Take All Actions Required and to Execute and Deliver All Documents, Instruments And Certificates Necessary in Connection With the Issuance, Sale And Delivery of the Series 2023 Bonds; Authorizing the Vice Chairman and Assistant Secretaries to Act in the Stead of the Chairman Or the Secretary, as the Case May Be; Specifying the Application of the Proceeds of the Series 2023 Bonds; Authorizing Certain Officers of the District to Take All Actions and Enter Into All Agreements Required in Connection With the Acquisition and Construction of the Assessment Area One Project; And Providing an Effective Date**

Mr. Earlywine presented Resolution 2023-03, which accomplishes the following:

- Authorizes the issuance of the Series 2023 bonds.
- Authorizes the award of the bonds and a approves Mr. John Kessler as Bond Underwriter.
- Approves the Supplemental Trust Indenture and Master Trust Indenture.
- Sets forth the Schedule I Parameters, as attached.

- Approves the form of Preliminary Limited Offering Memorandum (PLOM) and the Continuing Disclosure Agreement (CDA).
- Authorizes the Board Chair to execute.

**On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, Resolution 2023-03, Delegating to the Chairman of the Board of Supervisors of Harmony on Lake Eloise Community Development District (the "District") the Authority to Approve the Sale, Issuance and Terms of Sale of Harmony on Lake Eloise Community Development District Capital Improvement Revenue Bonds, Series 2023 (Assessment Area One), as a Single Series of Bonds Under the Master Trust Indenture (the "Series 2023 Bonds") in Order to Finance the Assessment Area One Project; Establishing the Parameters for the Principal Amounts, Interest Rates, Maturity Dates, Redemption Provisions And Other Details Thereof; Approving the Form of and Authorizing the Chairman to Accept the Bond Purchase Contract for the Series 2023 Bonds; Approving a Negotiated Sale of the Series 2023 Bonds to the Underwriter; Approving the Forms of the Master Trust Indenture and First Supplemental Trust Indenture and Authorizing the Execution and Delivery Thereof by Certain Officers of the District; Appointing a Trustee, Paying Agent and Bond Registrar for the Series 2023 Bonds; Approving the Form of the Series 2023 Bonds; Approving the Form of and Authorizing the Use of the Preliminary Limited Offering Memorandum and Limited Offering Memorandum Relating to the Series 2023 Bonds; Approving the Form of the Continuing Disclosure Agreement Relating to the Series 2023 Bonds; Authorizing Certain Officers of the District to Take All Actions Required and to Execute and Deliver All Documents, Instruments And Certificates Necessary in Connection With the Issuance, Sale And Delivery of the Series 2023 Bonds; Authorizing the Vice Chairman and Assistant Secretaries to Act in the Stead of the Chairman Or the Secretary, as the Case May Be; Specifying the Application of the Proceeds of the Series 2023 Bonds; Authorizing Certain Officers of the District to Take All Actions and Enter Into All Agreements Required in Connection With the Acquisition and Construction of the Assessment Area One Project; And Providing an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Presentation of Supplemental Engineer's Report**

Ms. Banfield presented the Supplemental Engineer's Report dated January 18, 2023. The Cost Estimates Table on Page 6 reflects that the total estimated cost for Assessment Area One is \$7,903,777.81.

Ms. Cerbone asked why Recreational Amenities were not included. Mr. Fife stated, as of right now, the plan is for the HOA to construct, own and operate the Clubhouse and other amenities. Ms. Cerbone stated Section 3.6, on Page 4 of the report, does not mention the HOA. Mr. Nowotny stated it should also be noted that the amenities are for Phase 3, not Phase 1. Ms. Banfield will add the HOA language and circulate an updated Report to all parties.

**On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the Supplemental Engineer’s Report dated January 18, 2023, in substantial form and with the edits noted, was approved.**

**NINTH ORDER OF BUSINESS**

**Presentation of Preliminary First Supplemental Special Assessment Methodology Report**

Ms. Cerbone presented the Preliminary First Supplemental Special Assessment Methodology Report dated January 19, 2022. She reviewed the pertinent information, particularly the Appendix Tables on Pages 14 through 16.

Discussion ensued regarding the debt that will be levied and a commercial tract.

**On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the Preliminary First Supplemental Special Assessment Methodology Report, in substantial form, was approved.**

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-04, Setting Forth the Specific Terms of the District’s Special Assessment Revenue Bonds, Series 2023; Making Certain Additional Findings and Confirming and/or Adopting an Engineer’s Report and a Supplemental Assessment Report; Delegating Authority to Prepare Final Reports and Update this Resolution; Confirming the Maximum Assessment Lien Securing the Bonds; Addressing the Allocation and Collection of the Assessments Securing the Bonds; Addressing Prepayments; Addressing True-**

**Up Payments; Providing for the Supplementation of the Improvement Lien Book; and Providing for Conflicts, Severability and an Effective Date**

Mr. Earlywine presented Resolution 2023-04.

**On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, Resolution 2023-04, Setting Forth the Specific Terms of the District’s Special Assessment Revenue Bonds, Series 2023; Making Certain Additional Findings and Confirming and/or Adopting an Engineer’s Report and a Supplemental Assessment Report; Delegating Authority to Prepare Final Reports and Update this Resolution; Confirming the Maximum Assessment Lien Securing the Bonds; Addressing the Allocation and Collection of the Assessments Securing the Bonds; Addressing Prepayments; Addressing True-Up Payments; Providing for the Supplementation of the Improvement Lien Book; and Providing for Conflicts, Severability and an Effective Date, was adopted and authorizing the Chair and Vice Chair to execute, was approved.**

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Forms of Issuer’s Counsel Documents**

Mr. Earlywine presented the following:

- A. Collateral Assignment Agreement**
- B. Completion Agreement**
- C. Declaration of Consent**
- D. Disclosure of Public Finance**
- E. Notice of Special Assessments**
- F. True-Up Agreement**

**On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the Collateral Assignment Agreement, Completion Agreement, Declaration of Consent, Disclosure of Public Finance, Notice of Special Assessments and True-Up Agreement, in substantial form, were approved.**

**TWELFTH ORDER OF BUSINESS**

**Consideration of Construction Items**

Mr. Earlywine stated that authorization is needed such that, when the bonds are issued, the CDD can acquire whatever is completed at that point. The actual acquisition documents are not prepared yet because everything that will be acquired is not yet known. Mr. Earlywine recommended approval of the acquisition of the work product and improvements completed to-date and through the time of the bond issuance, consistent with the Engineer’s Report.

**On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, acquisition of the work product and improvements completed to-date and through the bond issuance, consistent with the Engineer’s Report, was approved.**

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-02, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date**

This item was deferred.

**FOURTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of November 30, 2022**

Ms. Cerbone presented the Unaudited Financial Statements as of November 30, 2022, and responded to a question regarding funding requests.

**On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the Unaudited Financial Statements as of November 30, 2022, were accepted.**

**FIFTEENTH ORDER OF BUSINESS**

**Approval of August 10, 2022 Public Hearing and Regular Meeting Minutes**

Ms. Cerbone presented the August 10, 2022 Public Hearing and Regular Meeting Minutes.



On MOTION by Mr. Nowotny and seconded by Ms. Moulton, with all in favor, the August 10, 2022 Public Hearing and Regular Meeting Minutes, as presented, were approved.

**SIXTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *KE Law Group, PLLC***

There was nothing further to report.

**B. District Engineer: *Dewberry Engineers, Inc.***

There was nothing further to report.

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

Whether to meet in February and the landscape RFP were discussed.

- **NEXT MEETING DATE: February 8, 2023 at 9:30 A.M., immediately following the adjournment of the Fox Branch Ranch CDD meeting, scheduled to commence at 9:30 a.m.**

- **QUORUM CHECK**

The next meeting will be held on February 8, 2023.

**SEVENTEENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

**EIGHTEENTH ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**NINETEENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the meeting adjourned at 10:05 a.m.

  
Secretary/Assistant Secretary

  
Chair/Vice Chair