

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

The Board of Supervisors of the Harmony on Lake Eloise Community Development District held Public Hearings and a Regular Meeting on August 9, 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:

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

Also present were:

Cindy Cerbone	District Manager
Andrew Kantarzhi	Wrathell Hunt and Associates LLC
Jere Earlywine (via telephone)	District Counsel
Ashley Ligas (via telephone)	Kutak Rock LLP
Chris Brown (via telephone)	District Engineer
Thomas Prince	Leland Management

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Kantarzhi called the meeting to order at 9:42 a.m. Supervisors Moulton, Fife, and Nowotny were present. Supervisors Martin and Tyree were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Acceptance of Resignation of Lauren Martin, Seat 4 (Term Expires November 2024)

Mr. Kantarzhi presented Ms. Lauren Martin's resignation letter.

On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the resignation of Ms. Lauren Martin from Seat 1, was accepted.

FOURTH ORDER OF BUSINESS

Consideration of Appointment to Fill Unexpired Term of Seat 4

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

These items were deferred.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-06, Designating Certain Officers of the District, and Providing for an Effective Date

This item was deferred.

SIXTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2023/2024 Budget

- A. Proof/Affidavit of Publication**
- B. Consideration of Resolution 2023-07, 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**

Mr. Kantarzhi presented Resolution 2023-07. The proposed Fiscal Year 2024 budget takes into account the issuance of bonds and reflects Field Operations adjustments per his discussions with Mr. Fife.

Ms. Cerbone stated that the budget is changing from Landowner contributions to on-roll and off-roll assessments. Funding requests can still be received for items pertaining to Fiscal

Year 2023, perhaps through November. An off-roll assessment will be received in September, payable in the beginning of October, to provide funds to run the CDD.

On MOTION by Mr. Fife and seconded by Ms. Moulton, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, Resolution 2023-07, 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.

SEVENTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2023/2024, Pursuant to Florida Law

- A. Proof/Affidavit of Publication**
- B. Mailed Notice(s) to Property Owner(s)**
- C. Consideration of Resolution 2023-08, Providing for Funding for the Fiscal Year 2023/2024 Adopted Budget(s); Providing for the Collection and Enforcement of Special Assessments, Including But Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the Public Hearing was closed.

Mr. Kantarzhi presented Resolution 2023-08.

Mr. Earlywine stated this Resolution levies and imposes operation and maintenance (O&M) assessments and sets forth the means of collection, whether on-roll or off-roll.

On MOTION by Ms. Moulton and seconded by Mr. Fife, with all in favor, Resolution 2023-08, Providing for Funding for the Fiscal Year 2023/2024 Adopted Budget(s); Providing for the Collection and Enforcement of Special Assessments, Including But Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, and authorizing the Chair or Vice Chair to execute, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Fiscal Year 2023/2024 Deficit Funding Agreement

Mr. Kantarzhi presented the Fiscal Year 2023/2024 Deficit Funding Agreement.

Ms. Cerbone stated that the Fiscal Year 2024 budget includes on-roll and off-roll assessments. She asked Mr. Earlywine if the Deficit Funding Agreement serves as a safeguard for Forestar and the CDD. Mr. Earlywine replied affirmatively and noted that, while the previous year included Landowner contributions, the Deficit Funding Agreement might not be necessary.

Ms. Cerbone discussed a scenario in which an unbudgeted expense, such as landscaping, would provide for the Developer to contribute the funds. Going forward, the Board and Staff will increase the budget and the assessments as necessary. The Fiscal Year 2024 budget was reviewed in detail with Mr. Fife.

Ms. Moulton recalled instances in which the Deficit Funding Agreement was utilized and recommended including it as a safeguard.

Mr. Fife noted that the Forestar (USA) Real Estate Group, Inc., address should be confirmed and corrected, if necessary.

On MOTION by Mr. Fife and seconded by Ms. Moulton, with all in favor, the Fiscal Year 2023/2024 Deficit Funding Agreement, in substantial form, was approved.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2023-09, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date

Mr. Kantarzhi presented Resolution 2023-09.

On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, Resolution 2023-09, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Ratification of Pond Phase 2 Addendum

Mr. Kantarzhi presented the Pond Phase 2 Addendum and map, which is being presented for approval, not ratification.

On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the Pond Phase 2 Addendum, was approved.

ELEVENTH ORDER OF BUSINESS

Ratification of Acquisition of Phase 1 Improvements

Mr. Kantarzhi presented the Agreement for the Acquisition of Phase 1 Improvements.

On MOTION by Mr. Fife and seconded by Ms. Moulton, with all in favor, the Acquisition of Phase 1 Improvements, was ratified.

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2023-10, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; and Providing for an Effective Date

Mr. Kantarzhi presented Resolution 2023-10.

Ms. Cerbone stated the General Fund budget, which is unchanged for Fiscal Year 2023, was incorrectly included in the agenda; rather, the Debt Service Fund budget should have been included. She described the revisions of which the Board Members are aware. Mr. Earlywine stated the budget amendment is necessary to reflect the bond issuance. He recommended adoption of Resolution 2023-10, subject to substitution of the Exhibit.

On MOTION by Mr. Fife and seconded by Ms. Moulton, with all in favor, Resolution 2023-10, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023, subject to substitution of the Exhibit; and Providing for an Effective Date, was adopted.

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 June 30, 2023

On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the Unaudited Financial Statements as of June 30, 2023, were accepted.

FIFTEENTH ORDER OF BUSINESS

Approval of April 12, 2023 Regular Meeting Minutes

Mr. Kantarzhi presented the April 12, 2023 Regular Meeting Minutes.

The following change was made:

Line 22 and throughout: Change "Access" to "Leland"

On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, the April 12, 2023 Regular Meeting Minutes, as amended, were approved.

SIXTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

B. District Engineer: Dewberry Engineers, Inc.

There were no District Counsel or District Engineer reports.

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

• 1 Registered Voter in District as of April 15, 2023

Mr. Kantarzhi will inform District Management that it is necessary to re-send the CDD’s boundaries to the Supervisor of Elections.

Mr. Fife asked for “Field Services: Leland Management” to be added to the Staff Reports, effective immediately. He asked for an update.

▪ Field Services: Leland Management

This item was an addition to the agenda.

Mr. Prince stated some minor irrigation repairs and landscaping issues relating to sod are currently being addressed.

Mr. Fife noted that homeowners will be present soon, as construction progresses.

Discussion ensued regarding dry ponds that are actually wet ponds. It was noted that Lake Pros agreed to honor the contract at the agreed-upon price.

- NEXT MEETING DATE: September 13, 2023 at 9:30 AM, immediately following the adjournment of the Fox Branch Ranch CDD meeting, scheduled to commence at 9:30 AM**

○ QUORUM CHECK

The next meeting will be September 13, 2023, unless cancelled.

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 9:57 a.m.



Secretary/Assistant Secretary



Chair/Vice Chair