

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

The Board of Supervisors of the Harmony on Lake Eloise Community Development District held Multiple Public Hearings and a Regular Meeting on February 9, 2022, 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
Courtney Potter	Assistant Secretary
John (JC) Nowotny	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC (WHA)
Jere Earlywine (via telephone)	District Counsel
Nicole Stadler (via telephone)	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 9:58 a.m. Supervisors Fife, Moulton, Potter and Nowotny were present in person. Supervisor Tyree was not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

GENERAL DISTRICT ITEMS

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Supervisor, Chris Tyree *(the following will 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. 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**

Ms. Cerbone would coordinate with Mr. Tyree to have the Oath of Office administered in advance of the next meeting or at the next meeting.

This order of business was deferred to the next meeting.

Ms. Cerbone and Mr. Earlywine discussed having all Landowner and Developer-affiliated Supervisors who sit on the Board execute Form 8B, the Memorandum of Voting Conflict. Although the Florida statutes are very clear and there is no conflict, this was being suggested in an abundance of caution. Mr. Earlywine referred to the Attorney General’s Opinion that suggested those accepting a Landowner-elected or appointed seat on a CDD Board declare they have a continued conflict.

Ms. Cerbone distributed Form 8B, provided by Mr. Earlywine, which included official language. Mr. Earlywine recommended that the Supervisors list all the CDD Boards on which they serve on one Form 8B and attach it to the meeting minutes of the meeting at which they take office and that the original be kept with the District Manager. Ms. Cerbone stated she would share this process with District Management Staff to ensure it is implemented for every CDD with Landowner-elected or appointed Board Members.

FOURTH 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 2022-27, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Harmony on Lake Eloise Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

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

No members of the public spoke.

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

Ms. Cerbone presented Resolution 2022-27 and read the title.

On MOTION by Ms. Potter and seconded by Mr. Nowotny, with all in favor, Resolution 2022-27, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Harmony on Lake Eloise Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2021/2022 Budget

A. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-28, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Cerbone presented the proposed Fiscal Year 2022 budget, which was the same as the version approved at the last meeting. The CDD's expenses will be Landowner-funded.

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

No members of the public spoke.

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

Ms. Cerbone presented Resolution 2022-28.

On MOTION by Mr. Fife and seconded by Ms. Potter, with all in favor, Resolution 2022-28, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

Mr. Earlywine asked if the Budget Funding Agreement was executed. Ms. Cerbone replied affirmatively; it was presented when the proposed budget was presented.

SIXTH 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. Affidavits of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-29, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective

Ms. Cerbone stated that the Rules of Procedure set forth how the CDD is to govern various activities.

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 Ms. Potter, with all in favor, the Public Hearing was closed.

Ms. Cerbone presented Resolution 2022-29.

On MOTION by Ms. Potter and seconded by Mr. Fife, with all in favor, Resolution 2022-29, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2022-30, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District's Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone stated, for the record, that three consecutive meetings were scheduled for today; the Fox Branch Ranch CDD which already adjourned, the Harmony on Lake Eloise CDD,

which is in progress, and the Hawthorne Mill North CDD, which will follow this meeting. She noted that certain agenda items and topic are the same for each CDD and all were discussed in detail at today’s Fox Branch Ranch CDD meeting.

Ms. Cerbone presented Resolution 2022-30. The content of this Resolution is the same for all three CDDs, and it was described in detail to the same Board Members, who were also in attendance at the Fox Branch Ranch CDD meeting.

On MOTION by Mr. Fife and seconded by Mr. Nowotny, with all in favor, Resolution 2022-30, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2022-31, Adopting Amended and Restated Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone presented Resolution 2022-31. This topic was discussed in detail at the Fox Branch Ranch CDD meeting at which the Board Members were present.

On MOTION by Ms. Potter and seconded by Mr. Nowotny, with all in favor, Resolution 2022-31, Adopting Amended and Restated Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2022-07, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date

This item was deferred to the next meeting.

TENTH ORDER OF BUSINESS

Update: Bond Financing

Mr. Earlywine presented the following timelines:

- The bond validation hearing is scheduled for June 2022.
- The assessment process should commence in order to be ready for presentation at the March meeting and everything should be finalized for presentation at a public hearing in April.
- These timelines would allow the Assistant State Attorney sufficient time to review the Report and submit potential comments.
- The bonds are not expected to be issued until the Third Quarter of 2022, in September, which is earlier than for the Fox Branch Ranch CDD.
- The Engineer’s Report is in progress.

ELEVENTH ORDER OF BUSINESS

Update: Stormwater Management Needs Analysis Proposal

Ms. Stadler will provide an update at the next meeting.

TWELFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2021

Ms. Cerbone presented the Unaudited Financial Statements as of December 31, 2021. She noted that the CDD is Landowner-funded, meaning funding requests will be submitted and expenses will be paid only when incurred.

On MOTION by Mr. Fife and seconded by Ms. Potter, with all in favor, Unaudited Financial Statements as of December 31, 2021, were accepted.

THIRTEENTH ORDER OF BUSINESS

Approval of Minutes

Ms. Cerbone presented the following:

- A. December 8, 2021 Landowners’ Meeting**
- B. December 8, 2021 Organizational Meeting**

On MOTION by Mr. Fife and seconded by Ms. Potter, with all in favor, the December 8, 2021 Landowners' Meeting and the December 8, 2021 Organizational Meeting Minutes, as presented, were approved.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

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

There was no report.

B. District Engineer (Interim): *Dewberry Engineers, Inc.*

There was no report.

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

- **NEXT MEETING DATE: March 9, 2022 at 9:30 A.M.**
 - **QUORUM CHECK**

The next meeting would be held on March 9, 2022.

Ms. Cerbone state that, in addition to the bond financing agenda items, the responses to the Request for Qualifications (RFQ) for District Engineer Services and the Request for Proposals (RFP) for Audit Services will be presented at the next meeting, with the expectation of awarding the contracts.

FIFTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests

SIXTEENTH ORDER OF BUSINESS

Public Comments

There were no public comments.


SEVENTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Fife and seconded by Ms. Potter, with all in favor, the meeting adjourned at 10:14 a.m.


Secretary/Assistant Secretary


Chair/Vice Chair