

**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 December 11, 2024 at 9:30 a.m., at the Ramada by Wyndham Davenport Orlando South, 43824 Highway 27, Davenport, Florida 33837-6808.

Present were:

Mary Moulton
Shelley Kaercher
JC Nowotny
Roger Van Auker

Vice Chair
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present:

Cindy Cerbone (via telephone)
Andrew Kantarzhi
Jere Earlywine (via telephone)
Christopher Allen (via telephone)
Joey Arroyo
Cynthia Wilhelm (phone)

District Manager
Wrathell Hunt and Associates LLC
District Counsel
District Engineer
Atmos Living
Bond Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Kantarzhi called the meeting to order at 9:34 a.m. He noted that the Oath of Office was administered to Ms. Shelley Kaercher, Mr. JC Nowotny and Mr. Roger Van Auker before the meeting. All are familiar with the obligations and responsibilities of being a CDD Board Member.

Supervisors Moulton, Nowotny, Van Auker and Kaercher were present. Supervisor Tyree was not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisors (Roger Van Auker - Seat 3, Shelley Kaercher - Seat 4, J.C. Nowotny- Seat 5) (the following to be provided in a separate package)

- A. Required Ethics Training and Disclosure Filing**
 - **Sample Form 1 2023/Instructions**
- B. Membership, Obligations and Responsibilities**
- C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

This Order of Business was discussed during the First Order of Business.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2025-01, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes; and Providing for an Effective Date

Mr. Kantarzhi presented Resolution 2025-01. He recapped the results of the Landowners' Election, as follows:

Seat 3	Roger Van Auker	180 Votes	2-Year Term
Seat 4	Shelley Kaercher	200 Votes	4-Year Term
Seat 5	John "JC" Nowotny	200 Votes	4-Year Term

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, Resolution 2025-01, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes; and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2025-02, Electing and Removing Officers of the District, and Providing for an Effective Date

Mr. Kantarzhi presented Resolution 2025-02. Mr. Van Auker nominated the following:

Shelley Kaercher	Chair
Mary Moulton	Vice Chair
Chris Tyree	Assistant Secretary
Roger Van Auker	Assistant Secretary
John Nowotny	Assistant Secretary

No other nominations were made.

The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell	Secretary
Cindy Cerbone	Assistant Secretary
Andrew Kantarzhi	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

On MOTION by Mr. Van Auker and seconded by Ms. Kaercher, with all in favor, Resolution 2025-02, Electing, as nominated, and Removing Officers of the District, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Presentation of Engineer's Report

Mr. Allen presented the Engineer's Report. He thinks the Engineer's Report is still accurate and ready for use. The reason it is necessary to go through the Master Assessment process is to make a different finding in the Assessment Methodology Report that will be presented next. The only change in the Methodology Report is that Staff would like to recognize a different Equivalent Residential Unit (ERU) value for the townhomes. The original ERU value for the townhomes was about 0.4, which is thought to be too low. The Board is being asked to make the finding, through a new assessment proceeding, to raise the ERU weight from 0.4 to 0.7 for the townhomes. The first step in accomplishing this is for the Board to approve the Engineer's Report and the Amended and Restated Master Special Assessment Methodology Report, in substantial form, and for the purposes of the assessment process.

SEVENTH ORDER OF BUSINESS**Presentation of Amended and Restated Master Special Assessment Methodology Report**

Mr. Kantarzhi presented the Amended and Restated Master Special Assessment Methodology Report. He stated that the original Master Special Assessment Methodology Report was presented March 9, 2022. The Report here is the Amended and Restated Master Special Assessment Methodology Report dated December 9, 2024. He referred to the Appendix Tables. Table 4 reflects an ERU weigh for the 20' units of 0.7. The total ERU for that product type is now 201.6, which is up from 115.2. Table 5 reflects the maximum annual assessment for that product type, which increased form approximately \$2,300 per unit to \$3,700.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the Engineer's Report, in substantial form, was approved.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the Amended and Restated Master Special Assessment Methodology Report, in substantial form, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2025-03, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in Which the Assessments are to be Paid; Designating the Lands Upon Which the Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date [REVISED MASTER ASSESSMENTS]

Mr. Kantarzhi presented Resolution 2025-03 and read the title.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, Resolution 2025-03, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in Which the Assessments are to be Paid; Designating the Lands Upon Which the Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings pm January 15, 2025 at 9:30 a.m., at Holiday Inn Express & Suites – Orlando South, 4050 Hotel Drive, Davenport, Florida 33897; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date [REVISED MASTER ASSESSMENTS], was adopted.

NINTH ORDER OF BUSINESS**Presentation of Supplemental Engineer's Report - 2025 Project**

Mr. Allen presented the Supplemental Engineer's Report for the 2025 Project. This Report describes the current improvements that are being constructed and that will be completed in 2025, including Phase 2, which is already fully constructed, and Phases 4 and 3A. He noted that Phase 3A does not add any unit; the project is for infrastructure improvements for the realignment of the Boulevard, west. The Report includes the Estimated Costs based on the current materials and construction costs; the costs are believed to be generally in line with costs for other projects of similar scope.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the Supplemental Engineer's Report related to the 2025 Project, in substantial form, was approved.

TENTH ORDER OF BUSINESS**Presentation of Preliminary Second Supplemental Special Assessment Methodology Report**

Mr. Kantarzhi presented the Preliminary Second Supplemental Special Assessment Methodology Report dated December 11, 2024. This Methodology Report references the Master Methodology Report dated March 9, 2022. This Supplemental Methodology Report was

developed in relation to the Capital Improvement Plan (CIP) contemplated to be provided by the District for Assessment Area Two, also known as the 2025 Project. The current Development Plan still envisions 1,163 single-family residences, with Assessment Area Two consisting of 466 single-family residential units and future assessment areas consisting of 697 single-family residential units. Assessment Area Two accounts for 133.865 acres of the 354.37 acres of the entire District. Section 3.2 reflects that, at this time, the total costs for the public infrastructure improvements are estimated to be \$57,370,000, with an estimated cost for the Assessment Area Two of \$18,439,391.92. Section 4 reflects that the District intends to issue Capital Improvement Revenue bonds Series 2025 Assessment Area Two in the estimated principal amount of \$8.1 million to fund the estimated \$7,322,325 of the Assessment Area Two project costs. He reviewed the Appendix Tables. Table 1 lists the product types and number of each type. Table 2 breaks down f the \$18,439,391.92 for the Project costs. Table 3 reflects the par amount of \$8.1 million to fund the estimated \$7.3 million and the costs too be funded. Table 4 reflects the benefit allocation for each unit. Table 5 reflects the Cost Allocation of the CIP, per unit type. Table 7 reflects the maximum per unit annual bond payment for Assessment Area Two.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the Preliminary Second Supplemental Special Assessment Methodology Report, in substantial form, was approved.

ELEVENTH ORDER OF BUSINESS

Consideration of Resolution 2025-04, 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 2025 (Assessment Area Two), as a Single Series of Bonds Under the Master Trust Indenture (the "Series 2025 Bonds") in Order to Finance the Assessment Area Two 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 2025 Bonds; Approving a Negotiated Sale of the Series 2025 Bonds to the Underwriter; Ratifying the Master Trust Indenture and Approving the Form of Second 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 2025 Bonds; Approving the Form of the Series 2025 Bonds; Approving the Form of and Authorizing the Use of the Preliminary Limited Offering Memorandum and Limited Offering Memorandum Relating to the Series 2025 Bonds; Approving the Form of the Continuing Disclosure Agreement Relating to the Series 2025 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 2025 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 2025 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 Two Project; and Providing an Effective Date

Ms. Wilhelm presented Resolution 2025-04, known as the Delegated Award Resolution, which accomplishes the following:

- Delegates to the Chair the authority to enter into a Bond Purchase Contract so long as the terms of the Purchase Contract are within the parameters that the Board approves today.
- Approves, in substantial form, certain documents needed to market, price and sell the bonds, including the Bond Purchase Contract, Supplemental Indenture, Preliminary Limited Offering Memorandum and the Continuing Disclosure Agreement.

The Parameters are as follows:

Maximum Principal Amount:	Not to Exceed \$10,000,000
Maximum Coupon Rate:	Maximum Statutory Rate
Underwriting Discount:	Maximum 2.0%
Not to Exceed Maturity Date:	Maximum Allowed by Law
Redemption Provisions:	The Series 2025 Bonds shall be subject to redemption as set forth in the form of Series 2025 Bond attached to the form of Supplemental Indenture attached hereto.

On MOTION by Mr. Van Auken and seconded by Ms. Kaercher, with all in favor, Resolution 2025-04, 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 2025 (Assessment Area Two), as a Single Series of Bonds Under the Master Trust Indenture (the "Series 2025 Bonds") in Order to Finance the Assessment Area Two 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 2025 Bonds; Approving a Negotiated Sale of the Series 2025 Bonds to the Underwriter; Ratifying the Master Trust Indenture and Approving the Form of Second 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 2025 Bonds; Approving the Form of the Series 2025 Bonds; Approving the Form of and Authorizing the Use of the Preliminary Limited Offering Memorandum and Limited Offering Memorandum Relating to the Series 2025 Bonds; Approving the Form of the Continuing Disclosure Agreement Relating to the Series 2025 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 2025 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 2025 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 Two Project; and Providing an Effective Date, was adopted.

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2025-05, Designating the Location of the Local District Records Office and Providing an Effective Date

This item was deferred.

THIRTEENTH ORDER OF BUSINESS

Ratification of Atmos Living Management Group, LLC Field Operations Inspection Report November 2024

This item was not addressed.

FOURTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of October 31, 2024

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the Unaudited Financial Statements as of October 31, 2024, were accepted.

FIFTEENTH ORDER OF BUSINESS

Approval of Minutes

- A. August 14, 2024 Public Hearings and Regular Meeting
- B. November 5, 2024 Landowners' Meeting

On MOTION by Ms. Kaercher and seconded by Ms. Moulton, with all in favor, the August 14, 2024 Public Hearings and Regular Meeting Minutes and the November 5, 2024 Landowners' Meeting Minutes, as presented, were approved.

SIXTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

Mr. Earlywine stated that the goal is to issue bonds in January 2025.

▪ **Consideration of Authorizing Acquisition of Improvements Related to the Supplemental Engineer's Report.**

This item was an addition to the agenda.

Mr. Earlywine explained why the District needs to acquire certain improvements constructed or funded by the Developer/Landowner. He is seeking authorization from the Board directing Staff to prepare the necessary documents to transfer assets to the District.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, authorizing the acquisition of improvements set forth in the Supplemental Engineer's Report and for Staff to prepare the necessary associated documents to effectuate the transfer of the assets/improvements to the District, was approved.

B. District Engineer: Dewberry Engineers, Inc.

There was no report.

C. Field Operations: Leland Management Inc.

Mr. Arroyo stated that the November Report is included for informational purposes. Overall, the property looks good; the trees were up righted after the storm and look good. The ponds are very clean; the contractor is doing a very good job.

Mr. Arroyo asked if the Board wants additional information in the Monthly Reports. Ms. Kaercher thinks the Reports are good but she welcomes more information. He asked for information about the pool. Ms. Kaercher stated that the pool is an HOA matter.

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

- **NEXT MEETING DATE: January 8, 2024 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 on January 15, 2024, rather than on January 8, 2024.

SEVENTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

EIGHTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

NINETEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Kaercher and seconded by Mr. Nowotny, with all in favor, the meeting adjourned at 9:56 a.m.
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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair