**MINUTES OF MEETING**
**ENCLAVE AT LAKE GENEVA**
**COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Enclave at Lake Geneva Community Development District held Public Hearings and a Regular Meeting on January 10, 2025 at 11:30 a.m., at the Fruitland Park Library, 604 W. Berckman Street, Fruitland Park, Florida 34731.

**Present were:**

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| Andon Calhoun | Vice Chair |
| Mary Eberhardt | Assistant Secretary |
| Tim Bayer | Assistant Secretary |

**Also present:**

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| Cindy Cerbone | District Manager |
| Chris Conti | Wrathell, Hunt and Associates, LLC |
| Tucker Mackie | District Counsel |
| Rick Wohlfarth | District Engineer |
| Ernie Picard | Public |
| Andre Van Heerden | Public |

**FIRST ORDER OF BUSINESS** — **Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 11:44 a.m. Supervisors Bayer, Eberhardt and Calhoun were present. Supervisor McNamara and Supervisor-Elect Way were not present.

**SECOND ORDER OF BUSINESS** — **Public Comments**

No members of the public spoke.

**THIRD ORDER OF BUSINESS** — **Administration of Oath of Office to Wilson Way [Seat 2] (the following will be provided in a separate package)**

Ms. Cerbone presented the resignation of Mr. Wilson Way.

**On MOTION by Mr. Calhoun and seconded by Mr. Bayer, the resignation of Mr. Wilson Way from Seat 2, was accepted.**

Ms. Cerbone stated Mr. Way's resignation leaves a vacancy. Filling Seat 2 was deferred.

**A. Update: Required Ethics Training and Form 1 Disclosure Filing**

**B. Board Membership, Obligations and Responsibilities**

**C. Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees 2023**

**D. Chapter 190, Florida Statutes**

**E. Form 8B: Memorandum of Voting Conflict**

**FOURTH ORDER OF BUSINESS** **Consideration of Resolution 2025-32, Electing and Removing Officers of the District and Providing for an Effective Date**

This item was deferred.

Ms. Cerbone recalled the results of the previously held Landowners' Election, as follows:

Mr. Andon Calhoun was elected to Seat 1 to serve a four-year term. Mr. Wilson Way was elected to Seat 2 to serve a four-year term but, as Mr. Way resigned, Seat 2 is now vacant. Those elected to Seats 3, 4 and 5 will serve a two-year term. Ms. Cerbone stated that, based on the initial Landowners' Election, the two individuals with the highest number of votes received the four-year terms. It was noted that Board Members can be readdressed, as necessary.

**FIFTH 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**

This item was included for informational purposes.

**On MOTION by Mr. Calhoun and seconded by Mr. Bayer, with all in favor, the Public Hearing was opened.**

No affected property owners or members of the public spoke.

> **On MOTION by Mr. Calhoun and seconded by Mr. Bayer, with all in favor, the Public Hearing was closed.**

**B. Consideration of Resolution 2025-33, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

Ms. Cerbone presented Resolution 2025-33.

> **On MOTION by Mr. Calhoun and seconded by Mr. Bayer, with all in favor, Resolution 2025-33, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**SIXTH 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**

> **On MOTION by Mr. Bayer and seconded by Ms. Eberhardt, with all in favor, the Public Hearing was opened.**

**A. Affidavit/Proof of Publication**

**B. Mailed Notice to Property Owner(s)**

These items were included for informational purposes.

**C. Master Engineer's Report (for informational purposes)**

Mr. Wohlfarth stated that no changes were made to the Master Engineer's Report since it was last presented. New construction numbers are in keeping with those in the Report.

Ms. Mackie noted that an Expansion Area to be discussed later in the meeting could add approximately 10 acres to the CDD and some additional associated costs.

The following questions were posed and answered:

**Ms. Mackie**: Currently, to the extent of the existing boundaries of the District, there is an identified $15,675,000 in potential public improvements ranging from stormwater systems to public roadways, onsite and offsite utilities and hardscape, landscape and irrigation, and recreational amenities. In terms of the total cost, there has been no change since the Report was prepared and presented for inclusion in the agenda package?

**Mr. Wohlfarth:** That is correct.

**Ms. Mackie:** In your professional opinion, are the estimated costs of the project to be financed by the District reasonable and proper?

**Mr. Wohlfarth:** Yes.

**Ms. Mackie:** And in your professional opinion, is there any reason that the project could not be carried out by the District?

**Mr. Wohlfarth:** No.

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

Ms. Cerbone reviewed the pertinent information in the Master Special Assessment Methodology Report dated November 18, 2024, which was presented in detail at the Organizational meeting. She noted the following:

➢ The Methodology Report references the Engineer's Report related to acres, anticipated units and anticipated construction costs for those improvements.

➢ Tables 5A and 5B, on Page 16, provide total costs with and without the Expansion Parcel and associated cost increases.

Discussion ensued regarding the conservative 8% interest rate assumptions.

Mr. Calhoun asked for Tables with a 5.5% interest rate. Ms. Cerbone stated Mr. Conti will create an action item and forward the adjusted Tables accordingly. Ms. Mackie suggested that Mr. Calhoun include Mr. Brett Sealy in the discussions regarding assessments and construction costs. Mr. Conti will email the Tables to Mr. Calhoun, Ms. Mackie and Mr. Sealy so additional calculations can be prepared before preparation of the Supplemental Reports.

The following questions were posed and answered:

**Ms. Mackie:** In your professional opinion, do the lands subject to assessment receive special benefit from the District's CIP?

**Ms. Cerbone:** Yes.

**Ms. Mackie:** And are those special assessments reasonably apportioned among the lands subject to special assessment?

**Ms. Cerbone:** Yes.

**Ms. Mackie:** And is it reasonable, proper and just to assess the cost of the CIP against the lands in accordance with the Methodology?

**Ms. Cerbone:** Yes.

**Ms. Mackie:** And is it in the best interest of the District that the maximum special assessments be paid and collected in accordance with the Methodology and the District's Assessment Resolution?

**Ms. Cerbone:** Yes.

Ms. Mackie stated that, similarly with respect to the Uniform Method, when the CDD does effectuate a Boundary Amendment and add additional lands to the CDD, it will be necessary to repeat the process at the levels indicated in Table 5B. Inclusion of the lands within the CDD at a future date was accounted for in these Reports, which allows the Board to proceed with once the lands are added, without additional reporting necessary.

- **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.**

Mr. Andre VanHeerden, residing at 36404 Via Marcia, stated that neither he nor other property owners on his road received official Mailed Notices. Ms. Cerbone stated her understanding that, Mr. VanHeerden's property is not within the CDD boundaries and Florida Statutes do not require Mailed Notices to be sent to adjacent property owners. There is a requirement to post a notice in a local newspaper that anyone from the public can read so, if they so choose, they can attend the meeting. The CDD does not owe Mailed Notices to any property owners outside the boundaries of the CDD. A Board Member stated the limits apply to the project; while he attended a Fruitland Park City Council meeting to address Engineering portions, the CDD meeting is separate. It was noted that properties on the opposite side of the lake will not be within the CDD boundaries. Ms. Cerbone provided the agenda to Mr. VanHeerden and Mr. Picard; they can contact her with questions.

- **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.**

It was noted that only the three property owners who received Mailed Notices will be subject to assessments. Ms. Cerbone stated that, as property ownership changes, Mailed Notices will be sent accordingly, when necessary.

The Board, sitting as the Equalizing Board, made no changes to the assessment levels.

**On MOTION by Mr. Bayer and seconded by Ms. Eberhardt, with all in favor, the Public Hearing was closed.**

**E. Consideration of Resolution 2025-35, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190, and 197, Florida Statutes; Confirming the District's Intention to Issue Special Assessment Bonds; Making Provisions For Transfers of Real Property to Governmental Bodies; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date**

Ms. Cerbone presented Resolution 2025-35.

**On MOTION by Mr. Calhoun and seconded by Mr. Bayer, with all in favor, Resolution 2025-35, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190, and 197, Florida Statutes; Confirming the District's Intention to Issue Special Assessment Bonds; Making Provisions For Transfers of Real Property to Governmental Bodies; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date, was adopted.**

**SEVENTH 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**

**B. Consideration of Resolution 2025-34, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date**

Ms. Cerbone and Ms. Mackie presented Resolution 2025-34 and the Rules of Procedure.

**On MOTION by Mr. Calhoun and seconded by Mr. Bayer, with all in favor, the Public Hearing was opened.**

No affected property owners or members of the public spoke.

**On MOTION by Mr. Calhoun and seconded by Mr. Bayer, with all in favor, the Public Hearing was closed.**

**On MOTION by Mr. Bayer and seconded by Ms. Eberhardt, with all in favor, Resolution 2025-34, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS** **Consideration of Resolution 2025-23, Designating the Location of the Local District Records Office and Providing an Effective Date**

This item was deferred.

**NINTH ORDER OF BUSINESS** **Consideration of Resolution 2025-25, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing an Effective Date**

This item was deferred.

**TENTH ORDER OF BUSINESS** **Consideration of Resolution 2025-36, Directing the Chairman and District Staff to File a Petition with the City of Fruitland Park, Florida, Requesting the Passage of an Ordinance Amending the District's Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of the Boundary Amendment Process; and Providing an Effective Date**

**A. Consideration of Boundary Amendment Funding Agreement**

Ms. Mackie presented Resolution 2025-36 and the Boundary Amendment Funding Agreement.

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| **On MOTION by Mr. Calhoun and seconded by Mr. Bayer, with all in favor, Resolution 2025-36, Directing the Chairman and District Staff to File a Petition with the City of Fruitland Park, Florida, Requesting the Passage of an Ordinance Amending the District's Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of the Boundary Amendment Process; and Providing an Effective Date, was adopted, and the Boundary Amendment Funding Agreement, was approved.** |

**ELEVENTH ORDER OF BUSINESS** **Consideration of Resolution 2025-28, Approving the Proposed Budget for Fiscal Year 2024/2025 and Setting Public Hearing Thereon Pursuant to Florida Law and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2025-28. She presented the proposed Fiscal Year 2025 budget, which is unchanged since it was approved at the last meeting. This is a Landowner-funded budget with expenses funded as they are incurred. A reduced monthly Management Fee of $2,000 will be billed until bonds are issued.

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| **On MOTION by Mr. Bayer and seconded by Mr. Calhoun, with all in favor, Resolution 2025-28, Approving the Proposed Budget for Fiscal Year 2024/2025 and Setting Public Hearing Thereon Pursuant to Florida Law on April 23, 2025 at 11:00 a.m., at the Fruitland Park Library, 604 W. Berckman Street, Fruitland Park, Florida 34731 and Providing for an Effective Date, was adopted.** |

**TWELFTH ORDER OF BUSINESS** **Ratification of Trustee, Paying Agent and Registrar: US Bank Trust Company, N.A**

Ms. Cerbone presented the U.S. Bank, N.A. Engagement Letter to serve as Trustee, Paying Agent and Registrar.

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| **On MOTION by Mr. Calhoun and seconded by Mr. Bayer, with all in favor, the appointment of US Bank Trust Company, N.A. as Trustee, Paying Agent and Registrar, was ratified.** |

**THIRTEENTH ORDER OF BUSINESS** **Acceptance of Unaudited Financial Statements as of November 30, 2024**

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| **On MOTION by Mr. Calhoun and seconded by Mr. Bayer, with all in favor, the Unaudited Financial Statements as of November 30, 2024, were accepted.** |

**FOURTEENTH ORDER OF BUSINESS** **Approval of Minutes**

**A. June 13, 2024 Landowners' Meeting**

**B. November 18, 2024 Organizational Meeting**

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| **On MOTION by Mr. Calhoun and seconded by Mr. Bayer, with all in favor, the June 13, 2024 Landowners' Meeting Minutes and the November 18, 2024 Organizational Meeting Minutes, as presented, were approved.** |

**FIFTEENTH ORDER OF BUSINESS** **Staff Reports**

**A. District Counsel: Kutak Rock LLP**

Ms. Mackie stated that the Notice of Assessments will be prepared and filed. Staff will finalize and submit the documentation for the bond validation process; the Board and Development Team will be notified, once the public hearing is set. She is unsure when the closing on the Boundary Amendment parcel will occur; District Counsel will follow up on finalizing the petition. It was noted that the closing on the additional property is expected to be in March or April 2025. This item will be included on the next agenda.

**B. District Engineer (Interim): Wohlfarth Consulting Group, LLC**

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

There were no District Engineer or District Manager reports.

- **NEXT MEETING DATE: TBD**

The next meeting will be held on April 23, 2025, unless canceled.

**SIXTEENTH ORDER OF BUSINESS** **Board Members' Comments/Requests**

There were no Board Members' comments or requests.

**SEVENTEENTH ORDER OF BUSINESS** **Public Comments**

No members of the public spoke.

**EIGHTEENTH ORDER OF BUSINESS** **Adjournment**

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| **On MOTION by Mr. Bayer and seconded by Ms. Eberhardt, with all in favor, the meeting adjourned at 12:29 pm.** |

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Secretary/Assistant Secretary

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Chair/Vice Chair