

**MINUTES OF MEETING
HAM BROWN RESERVE COMMUNITY DEVELOPMENT DISTRICT**

An Organizational Meeting of the Ham Brown Reserve Community Development District was held on September 29, 2023, immediately following the Landowners' meeting at 1:00 p.m., at the Hampton Inn & Suites by Hilton, 4971 Calypso Cay Way, Kissimmee, Florida 34746.

Present at the meeting were:

Jack Traynor	Chair
Atino Secor	Vice Chair
Dan Fitzpatrick	Assistant Secretary
Ryan O'Dowd	Assistant Secretary
Mike Roche	Assistant Secretary

Also present:

Cindy Cerbone	District Manager
Craig Wrathell	District Manager
Jere Earlywine (via telephone)	District Counsel
Bennett Davenport (via telephone)	Kutak Rock LLP
Xabier Guerricagoitia (via telephone)	District Engineer
Steve Boyd	District Engineer
Ashton Bligh (via telephone)	Bond Counsel
Tina Lee	Ashton Woods

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 1:05 p.m., and noted that the Landowners' Election was held just prior to this meeting.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public were present.

GENERAL DISTRICT ITEMS

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Elected Board of Supervisors (the following will be provided in a separate package)

Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Traynor, Mr. Secor, Mr. Fitzpatrick, Mr. O'Dowd and Mr. Roche. She discussed forms, interactions among Supervisors, email usage, recordkeeping and public records requests and avoiding conflicts of interest and provided the following:

- 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**

Mr. Wrathell distributed Form 8B for each Board Member to disclose their employment and/or business affiliation with the Landowner; these forms will be kept on file and attached to meeting minutes when necessary.

Ms. Cerbone read the Form 8B language into the record, as follows:

"I am a member of the Board of Supervisors of the Ham Brown Reserve Community Development District created under Chapter 190, Florida Statutes, and I am a principal, employee and/or business associate, or relative, of a landowner in the District. Decisions potentially affecting the landowner might come before the Board from time to time. Pursuant to Section 112.3143(3)(b), and 190.007(1), Florida Statutes, I understand that I do not have a conflict of interest when voting on such matters, and that I am not prohibited from voting on such matters. That said, I am filing this disclosure of voting conflict in an abundance of caution, and to follow the procedures required by section 112.3134, Florida Statutes, and for the duration of my term and any subsequent terms."

Mr. Wrathell noted that discussing routine matters handled by Landowner representatives that will not come before the CDD Board, such as routine lot sales, do not represent violations of the Sunshine Law.

Mr. Earlywine discussed the need to immediately inform District Management of any public records requests. He discussed the ethics laws, including the required disclosures and

various prohibitions. Prohibitions include use of a public office for one's own private gain or benefit, accepting or soliciting a gift in exchange for a vote, etc. He discussed the requirement for Supervisors to annually complete a four-hour ethics continuing education course, which will become effective on January 1, 2024. Staff will email information regarding free courses.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2023-01,
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**

Ms. Cerbone presented Resolution 2023-01 and recapped the results of the Landowners' Election, which will be inserted into Sections 1 and 2, as follows:

Seat 1	Jack Traynor	177 votes	4-Year Term
Seat 2	Atino Secor	177 votes	4-Year Term
Seat 3	Dan Fitzpatrick	176 votes	2-Year Term
Seat 4	Mike Roche	176 votes	2-Year Term
Seat 5	Ryan O'Dowd	176 votes	2-Year Term

On MOTION by Mr. Roche and seconded by Mr. Fitzpatrick, with all in favor, Resolution 2023-01, 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 2023-02,
Designating Certain Officers of the District,
and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2023-02. Mr. Fitzpatrick nominated the following slate:

Chair	Jack Traynor
Vice Chair	Atino Secor
Secretary	Craig Wrathell
Assistant Secretary	Dan Fitzpatrick

Assistant Secretary	Mike Roche
Assistant Secretary	Ryan O'Dowd
Assistant Secretary	Cindy Cerbone
Treasurer	Craig Wrathell
Assistant Treasurer	Jeff Pinder

No other nominations were made.

On MOTION by Mr. Roche and seconded by Mr. Secor, with all in favor, Resolution 2023-02, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

ORGANIZATIONAL ITEMS

SIXTH ORDER OF BUSINESS

**Consideration of the Following
Organizational Items:**

- A. Resolution 2023-03, Appointing and Fixing the Compensation of the District Manager and Methodology Consultant; Providing an Effective Date**
- Agreement for District Management Services: Wrathell, Hunt and Associates, LLC**

Ms. Cerbone presented Resolution 2023-03 and the Fee Schedule and Management Agreement. The Management Fee is reduced to \$2,000 per month until bonds are issued.

Discussion ensued regarding inclusion of Field Operations in the budget, contracting with the HOA for Field Operations, contracting with property management companies, etc.

On MOTION by Mr. Secor and seconded by Mr. Fitzpatrick, with all in favor, 2023-03, Appointing and Fixing the Compensation of Wrathell, Hunt and Associates, LLC as the District Manager and Methodology Consultant; Providing an Effective Date, was adopted.

- B. Resolution 2023-04, Appointing District Counsel for the District, and Authorizing Compensation; and Providing for an Effective Date**
- Fee Agreement: Kutak Rock LLP**

Mr. Earlywine presented Resolution 2023-04 and the Kutak Rock LLP Fee Agreement.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, Resolution 2023-04, Appointing Kutak Rock LLP as District Counsel for the District, and Authorizing Compensation; and Providing for an Effective Date, was adopted.

C. Resolution 2023-05, Designating a Registered Agent and Registered Office of the District, and Providing for an Effective Date

Ms. Cerbone presented Resolution 2023-05.

On MOTION by Mr. Roche and seconded by Mr. Secor, with all in favor, Resolution 2023-05, Designating Craig Wrathell as the Registered Agent and 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Registered Office of the District, and Providing for an Effective Date, was adopted.

D. Resolution 2023-06, Appointing an Interim District Engineer for the Ham Brown Reserve Community Development District, Authorizing Its Compensation and Providing for an Effective Date

- **Interim Engineering Services Agreement: Boyd Civil Engineering, Inc.**

Ms. Cerbone presented Resolution 2023-06 and the Interim Engineering Services Agreement.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, Resolution 2023-06, Appointing an Interim District Engineer for the Ham Brown Reserve Community Development District, Authorizing Its Compensation and Providing for an Effective Date, was adopted, and the Interim Engineering Services Agreement, was approved.

E. Authorization of Request for Qualifications (RFQ) for Engineering Services

Ms. Cerbone presented the RFQ for Engineering Services and Competitive Selection Criteria.

On MOTION by Mr. Roche and seconded by Mr. Fitzpatrick, with all in favor, the Request for Qualifications for Engineering Services, Competitive Selection Criteria and authorizing Staff to advertise, were approved.

F. Board Member Compensation: 190.006 (8), F.S.

The Board Members declined compensation.

G. Resolution 2023-07, Designating the Primary Administrative Office, Principal Headquarters and Local Records Office of the District and Providing an Effective Date

Mr. Earlywine suggested approving the Resolution in part, at this time, to designate just the Primary Administrative Office, at this time. Resolution 2023-07 will be revised accordingly.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, Resolution 2023-07, as amended, Designating 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Primary Administrative Office of the District; and Providing an Effective Date, was adopted.

H. Resolution 2023-08, Setting Forth the Policy of the District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers, and Providing for an Effective Date

- **Authorization to Obtain General Liability and Public Officers' Insurance**

Ms. Cerbone presented Resolution 2023-08.

Discussion ensued regarding procedures and extending protections offered to Board Members and Staff acting in their official capacities.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, Resolution 2023-08, Setting Forth the Policy of the District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers, and Providing for an Effective Date, was adopted, and authorizing Staff to obtain General Liability and Public Officers' Insurance, subject to Developer's Counsel's review of the sample policy and Resolution, was approved.

- I. **Resolution 2023-09, Providing for the Public's Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date**

Ms. Cerbone presented Resolution 2023-09.

On MOTION by Mr. Secor and seconded by Mr. Roche, with all in favor, Resolution 2023-09, Providing for the Public's Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date, was adopted.

- J. **Resolution 2023-10, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and Effective Date**

Ms. Cerbone presented Resolution 2023-10.

On MOTION by Mr. Roche and seconded by Mr. Fitzpatrick, with all in favor, Resolution 2023-10, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and Effective Date, was adopted.

- K. **Resolution 2023-11, 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 presented Resolution 2023-11. This Resolution grants the Chair and Vice Chair and other officers in the Chair's absence, the authority to work with the District Engineer, District Counsel and District Staff and to execute certain documents in between meetings, to avoid delays in construction.

On MOTION by Mr. Secor and seconded by Mr. Roche, with all in favor, Resolution 2023-11, 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.

L. Resolution 2023-12, Ratifying, Confirming and Approving the Recording of the Notice of Establishment of the District

Ms. Cerbone presented Resolution 2023-12.

On MOTION by Mr. Roche and seconded by Mr. Secor, with all in favor, Resolution 2023-12, Ratifying, Confirming and Approving the Recording of the Notice of Establishment of the District, was adopted.

M. Authorization of Request for Proposals (RFP) for Annual Audit Services

Ms. Cerbone presented the RFP For Annual Audit Services.

- **Designation of Board of Supervisors as Audit Committee**

On MOTION by Mr. Secor and seconded by Mr. Roche, with all in favor, the Request for Proposals for Annual Audit Services, authorizing the District Manager to advertise the RFP and designating the Board of Supervisors as the Audit Committee, were approved.

N. Strange Zone, Inc., Quotation #M22-1032 for District Website Design, Maintenance and Domain Web-Site Design Agreement

Ms. Cerbone presented the Strange Zone, Inc. (SZI) proposal.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, Strange Zone, Inc., Quotation #M22-1032 for District Website Design, Maintenance and Domain Web-Site Design Agreement, in the amount of \$1,679.99, was approved.

O. ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit

Ms. Cerbone presented the ADA Site Compliance proposal.

On MOTION by Mr. Roche and seconded by Mr. Secor, with all in favor, the ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit, in the annual amount of \$210, was approved.

P. Resolution 2023-13, to Designate Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date

I. Rules of Procedure

II. Notices [Rule Development and Rulemaking]

These items were included for informational purposes.

Ms. Cerbone presented Resolution 2023-13 and the accompanying Exhibits.

On MOTION by Mr. Secor and seconded by Mr. Roche, with all in favor, Resolution 2023-13, to Designate December 14, 2023 at 1:30 p.m., at the Hampton Inn & Suites by Hilton, 4971 Calypso Cay Way, Kissimmee, Florida 34746 as the Date, Time and Place for a Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date, was adopted.

Q. Resolution 2023-14, 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

This item was deferred.

R. Resolution 2023-15, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date

Ms. Cerbone presented Resolution 2023-15.

On MOTION by Mr. Roche and seconded by Mr. Secor, with all in favor, Resolution 2023-15, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date, was adopted.

S. Stormwater Management Needs Analysis Reporting Requirements

Ms. Cerbone stated CDDs are required to prepare a Stormwater Management Needs Analysis Report every five years. As the due date for the initial Report has passed and there is no interim reporting requirement, a Report will be prepared when necessary.

T. Interlocal Agreement

Mr. Earlywine presented the Interlocal Agreement. He discussed the Petitioner's Agreement submitted to the County and responded to questions.

Discussion ensued regarding the assignment of the Petitioner's Agreement.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Secor, with all in favor, the Interlocal Agreement and authorizing the Chair to execute, was approved.

BANKING ITEMS

SEVENTH ORDER OF BUSINESS

Consideration of the Following Banking Items:

A. Resolution 2023-16, Designating a Public Depository for Funds of the District and Providing an Effective Date

Ms. Cerbone presented Resolution 2023-16.

On MOTION by Mr. Fitzpatrick and seconded by Mr. O'Dowd, with all in favor, Resolution 2023-16, Designating Truist Bank as Public Depository for Funds of the District and Providing an Effective Date, was adopted.

B. Resolution 2023-17, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date

Ms. Cerbone presented Resolution 2023-17.

On MOTION by Mr. Roche and seconded by Mr. Traynor, with all in favor, Resolution 2023-17, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date, was adopted.

BUDGETARY ITEMS

EIGHTH ORDER OF BUSINESS

Consideration of the Following Budgetary Items:

- A. Resolution 2023-18, Approving A Proposed Budget for Fiscal Year 2022/2023 and Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2023-18 and the proposed Fiscal Years 2023 and 2024 budgets, which are both Landowner-funded, with expenses funded as incurred. She noted that the heading on Page 1 of the Fiscal Year 2024 budget will be corrected to read "FY 2024".

On MOTION by Mr. Secor and seconded by Mr. Roche, with all in favor, Resolution 2023-18, Approving A Proposed Budget for Fiscal Year 2022/2023 and Fiscal Year 2023/2024, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law on December 14, 2023 at 1:30 p.m., at the Hampton Inn & Suites by Hilton, 4971 Calypso Cay Way, Kissimmee, Florida 34746; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date, was adopted.

- B. Fiscal Year 2022/2023 and Fiscal Year 2023/2024 Budget Funding Agreements**

Ms. Cerbone presented the Fiscal Year 2022/2023 and Fiscal Year 2023/2024 Budget Funding Agreements. Funding requests will be submitted to Mr. Traynor.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, the 2022/2023 and Fiscal Year 2023/2024 Budget Funding Agreements, were approved.

C. Resolution 2023-19, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes

Ms. Cerbone presented Resolution 2023-19.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, Resolution 2023-19, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes, was adopted.

Mr. Wrathell discussed the items to be billed for Fiscal Year 2023 and the budget amendment processes. He stated that District Management will waive the Management Fee for September 2023 and begin charging its fee in October 2023.

D. Resolution 2023-20, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date

Ms. Cerbone presented Resolution 2023-20. She discussed the processes for unbudgeted emergency expenses.

On MOTION by Mr. Roche and seconded by Mr. Fitzpatrick, with all in favor, Resolution 2023-20, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date, was adopted.

E. Resolution 2023-21, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date

Ms. Cerbone presented Resolution 2023-21.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, Resolution 2023-21, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date, was adopted.

- F. Resolution 2023-22, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

Ms. Cerbone presented Resolution 2023-22.

On MOTION by Mr. Secor and seconded by Mr. Fitzpatrick, with all in favor, Resolution 2023-22, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

- G. Resolution 2023-23, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date**

Ms. Cerbone presented Resolution 2023-23.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, Resolution 2023-23, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date, was adopted.

- H. Resolution 2023-24, Authorizing An Individual Designated by the Board of Supervisors, to Act as the District's Purchasing Agent for the Purpose of Procuring, Accepting, and Maintaining Any and All Construction Materials Necessary for the Construction, Installation, Maintenance or Completion of the District's Infrastructure Improvements as Provided in the District's Adopted Improvement Plan; Providing for the Approval of a Work Authorization; Providing for Procedural Requirements for the Purchase of Materials; Approving the Form of a Purchase Requisition Request; Approving the Form of a Purchase Order; Approving the Form of a Certificate of Entitlement; Authorizing**

the Purchase of Insurance; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone presented Resolution 2023-24 and read the title.

On MOTION by Mr. Roche. and seconded by Mr. Fitzpatrick, with all in favor, Resolution 2023-24, Authorizing An Individual Designated by the Board of Supervisors, to Act as the District's Purchasing Agent for the Purpose of Procuring, Accepting, and Maintaining Any and All Construction Materials Necessary for the Construction, Installation, Maintenance or Completion of the District's Infrastructure Improvements as Provided in the District's Adopted Improvement Plan; Providing for the Approval of a Work Authorization; Providing for Procedural Requirements for the Purchase of Materials; Approving the Form of a Purchase Requisition Request; Approving the Form of a Purchase Order; Approving the Form of a Certificate of Entitlement; Authorizing the Purchase of Insurance; Providing a Severability Clause; and Providing an Effective Date, was adopted.

I. Consideration of E-Verify Memo with MOU

Ms. Cerbone presented E-Verify information related to the requirement for all employers to verify employment eligibility utilizing the E-Verify System and for the CDD to enroll with E-Verify and execute a Memorandum of Understanding (MOU) with E-Verify.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, acknowledging the E-Verify Memo requirements, as set forth in the Memorandum of Understanding, and authorizing enrollment and utilization of the E-Verify program, was approved.

BOND FINANCING ITEMS

NINTH ORDER OF BUSINESS

Consideration of the Following Bond Financing Related Items:

▪ **Presentation of Master Engineer's Report**

This item, previously Item 9D, was presented out of order.

Mr. Boyd presented the Engineer's Report dated September 26, 2023.

The following questions were posed and answered:

Mr. Wrathell: In Section 3 you have the total of 564 units and on it has the Capital Improvement Plan (CIP) costs. So you have Phase 1 and Phase 2 that is totaling the \$34.256 million?

Mr. Boyd: Correct.

Discussion ensued regarding ownership of alleys, bond financing and the Developer's reserved right to finance any of the improvements, in which case such items would not be part of the CIP.

Mr. Wrathell noted that, if the alleys are to remain private, bond monies and platting will reflect that accordingly.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, the Master Engineer's Report dated September 26, 2023, in substantial form, was approved.

▪ **Presentation of Master Special Assessment Methodology Report**

This item, previously Item 9E, was presented out of order.

Mr. Wrathell presented the Master Special Assessment Methodology Report dated September 29, 2023. He reviewed the pertinent information and discussed the Development Program, CIP, Financing Program, Assessment Methodology, lienability tests, special and peculiar benefits, True-up Mechanism and the Appendix Tables and Exhibits. He noted the following:

- The land within the CDD boundaries currently consists of approximately 177.509 acres.

Ms. Lee stated the correct name of the Developer is "Brookfield Holdings (Ham Brown) LLC". Additional units related to an anticipated boundary reduction are not currently included in the Report; additional acreage adjustments will be necessary when the Boundary Amendment is addressed.

- The current Development Plan envisions 565 single-family residential units.

Discussion ensued regarding the need to address scriveners' errors and make boundary-related adjustments prior to the assessment hearing.

Ms. Cerbone discussed the parties on the distribution list and noted that all parties can see the documents as they are updated and make sure the numbers are accurate.

➤ The proposed financing plan provides for issuance of bonds in the approximate principal amount of \$47,195,000 to finance approximately \$34,256,833 in CIP costs, as reflected in the Engineer's Report.

➤ Section 5.3, titled "Assigning Debt", will likely be revised to reflect both the amounts before and after the Boundary Amendment, with an accompanying table.

Discussion ensued regarding the boundary adjustments.

Mr. Earlywine suggested expediting an additional Boundary Amendment to include a common area and six additional lots that should be included in the CDD boundaries. He does not believe it will delay bond financing but, if timing becomes an issue, he suggested Mr. Kessler be consulted regarding establishing an Escrow account for the debt assessments associated with the lots. At this time, bond issuance is anticipated in February.

Mr. Wrathell left the meeting at 3:08 p.m.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, the Master Special Assessment Methodology Report dated September 29, 2023, in substantial form, was approved.

- **Resolution 2023-27, Authorizing the Issuance of Not to Exceed \$47,195,000 Aggregate Principal Amount of Ham Brown Reserve Community Development District Special Assessment Bonds, in One or More Series to Pay All or a Portion of the Costs of the Planning, Financing, Construction and/or Acquisition of Public Infrastructure Improvements Including, But Not Limited to Entry Features and Signage, Stormwater Facilities, Water and Sewer Facilities, Recreation Facilities and Road Construction, and Associated Professional Fees and Incidental Costs Related Thereto Pursuant to Chapter 190, Florida Statutes, as Amended; Appointing a Trustee; Approving the Form of and Authorizing the Execution and Delivery of a Master Trust Indenture; Providing that Such Bonds Shall Not Constitute a Debt, Liability or Obligation of Ham Brown Reserve Community Development District, Osceola County, Florida, or the State of Florida or of Any Political Subdivision Thereof, But Shall Be Payable From Special Assessments Assessed and Levied on the Property Within the District Benefited By the**

Improvements And Subject to Assessment; Providing for the Judicial Validation of such Bonds; and Providing for Other Related Matters

This item, previously Item 9G, was presented out of order.

Ms. Bligh presented Resolution 2023-27, which accomplishes the following:

- This is the first step in the bond issuance process.
- Authorizes issuance of a not to exceed \$47,195,000 aggregate principal amount of bonds.
- Authorizes and approves execution and delivery of the Master Trust Indenture and Supplemental Trust Indenture.
- Appoints Regions Bank as the Trustee, Registrar and Paying Agent.
- Authorizes and directs District Counsel and Bond Counsel to file for validation.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, Resolution 2023-27, Authorizing the Issuance of Not to Exceed \$47,195,000 Aggregate Principal Amount of Ham Brown Reserve Community Development District Special Assessment Bonds, in One or More Series to Pay All or a Portion of the Costs of the Planning, Financing, Construction and/or Acquisition of Public Infrastructure Improvements Including, But Not Limited to Entry Features and Signage, Stormwater Facilities, Water and Sewer Facilities, Recreation Facilities and Road Construction, and Associated Professional Fees and Incidental Costs Related Thereto Pursuant to Chapter 190, Florida Statutes, as Amended; Appointing a Trustee; Approving the Form of and Authorizing the Execution and Delivery of a Master Trust Indenture; Providing that Such Bonds Shall Not Constitute a Debt, Liability or Obligation of Ham Brown Reserve Community Development District, Osceola County, Florida, or the State of Florida or of Any Political Subdivision Thereof, But Shall Be Payable From Special Assessments Assessed and Levied on the Property Within the District Benefited By the Improvements And Subject to Assessment; Providing for the Judicial Validation of such Bonds; and Providing for Other Related Matters, was adopted.

A. Bond Financing Team Funding Agreement

Mr. Earlywine presented the Bond Financing Team Funding Agreement.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, the Bond Financing Team Funding Agreement, in substantial form and subject to review by Developer's Counsel, and authorizing the Chair to execute, was approved.

B. Engagement of Bond Financing Professionals

Mr. Earlywine presented the following:

- I. Underwriter/Investment Banker: FMSbonds, Inc.**
- II. Bond Counsel: Greenberg Traurig, PA**
- III. Trustee, Paying Agent and Registrar: US Bank, NA**

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, the FMSbonds, Inc., Agreement for Underwriter Services and G-17 Disclosure Letter; Greenberg Traurig, P.A., Engagement Letter for Bond Counsel Services; and US Bank Trust Company, N.A. Engagement Letter to serve as Trustee, Paying Agent and Registrar, all in substantial form and subject to review by Developer's Counsel, were approved.

C. Resolution 2023-25, Designating a Date, Time, and Location of a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date

Mr. Earlywine presented Resolution 2023-25.

On MOTION by Mr. Secor and seconded by Mr. Roche, with all in favor, Resolution 2023-25, Designating a Date, Time, and Location of December 14, 2023 at 1:30 p.m., at the Hampton Inn & Suites by Hilton, 4971 Calypso Cay Way, Kissimmee, Florida 34746, for a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date, was adopted.

D. Presentation of Master Engineer's Report

This item was presented prior to Item 9A.

E. Presentation of Master Special Assessment Methodology Report

This item was presented prior to Item 9A.

F. Resolution 2023-26, 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

Ms. Cerbone presented Resolution 2023-26 and read the title.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, Resolution 2023-26, 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 for December 14, 2023 at 1:30 p.m., at the Hampton Inn & Suites by Hilton, 4971 Calypso Cay Way, Kissimmee, Florida 34746; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date, and authorizing the Chair to execute, was adopted.

G. Resolution 2023-27, Authorizing the Issuance of Not to Exceed \$50,000,000 Aggregate Principal Amount of Ham Brown Reserve Community Development District Special Assessment Bonds, in One or More Series to Pay All or a Portion of the Costs of the Planning, Financing, Construction and/or Acquisition of Public Infrastructure Improvements Including, But Not Limited to Entry Features and Signage, Stormwater Facilities, Water and Sewer Facilities, Recreation Facilities and Road Construction, and Associated Professional Fees and Incidental Costs Related Thereto Pursuant to Chapter 190, Florida Statutes, as Amended; Appointing a Trustee; Approving the Form of and Authorizing the Execution and Delivery of a Master Trust Indenture; Providing

that Such Bonds Shall Not Constitute a Debt, Liability or Obligation of Ham Brown Reserve Community Development District, Osceola County, Florida, or the State of Florida or of Any Political Subdivision Thereof, But Shall Be Payable From Special Assessments Assessed and Levied on the Property Within the District Benefited By the Improvements And Subject to Assessment; Providing for the Judicial Validation of such Bonds; and Providing for Other Related Matters

This item was presented prior to Item 9A.

CONSTRUCTION ITEMS

TENTH ORDER OF BUSINESS

Consideration of the Following Construction Related Items

Mr. Earlywine presented the following:

A. Acquisition Agreement

On MOTION by Mr. Roche and seconded by Mr. Secor, with all in favor, the Acquisition Agreement, in substantial form and subject to review by Developer's Counsel, and authorizing the Chair to execute, was approved.

B. Temporary Construction and Access Easement Agreement

On MOTION by Mr. Roche and seconded by Mr. Secor, with all in favor, the Temporary Construction and Access Easement Agreement, and authorizing the Chair to execute, was approved.

BOUNDARY AMENDMENT ITEMS

ELEVENTH ORDER OF BUSINESS

Consideration of the Following Boundary Amendment Related Items

Mr. Earlywine presented the following:

A. Resolution 2023-28, Directing the Chairman and District Staff to Request the Passage of an Ordinance by the Board of County Commissioners of Osceola County Florida,

Amending the District's Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date

On MOTION by Mr. Roche and seconded by Mr. Secor, with all in favor, Resolution 2023-28, Directing the Chairman and District Staff to Request the Passage of an Ordinance by the Board of County Commissioners of Osceola County Florida, Amending the District's Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date, and authorizing the Chair to execute, was adopted.

B. Consideration of Boundary Amendment Funding Agreement

On MOTION by Mr. Roche and seconded by Mr. Secor, with all in favor, the Boundary Amendment Funding Agreement, in substantial form, and authorizing the Chair to execute, was approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel: Kutak Rock LLP**
- B. District Engineer (Interim): Boyd Civil Engineering, Inc.**
- C. District Manager: Wrathell, Hunt and Associates, LLC**

There were no Staff reports.

THIRTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

FOURTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Roche and seconded by Mr. Fitzpatrick, with all in favor, the meeting adjourned at 3:19 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair