

HAM BROWN RESERVE

**COMMUNITY DEVELOPMENT
DISTRICT**

April 16, 2024

**REGULAR MEETING
AGENDA**

**HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT**

**AGENDA
LETTER**

Ham Brown Reserve Community Development District

OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W•Boca Raton, Florida 33431

Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013

April 9, 2024

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Board of Supervisors

Ham Brown Reserve Community Development District

Dear Board Members:

The Board of Supervisors of the Ham Brown Reserve Community Development District will hold a Regular Meeting on April 16, 2024 at 11:00 a.m., at the Hampton Inn & Suites by Hilton, 4971 Calypso Cay Way, Kissimmee, Florida 34746. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Consideration of Resolution 2024-16, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date
4. Consideration of Resolution 2024-17, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Remainder of Fiscal Year 2023/2024 and Providing for an Effective Date
5. Consideration of Resolution 2024-18, Extending the Terms of Office of All Current Supervisors to Coincide with the General Election Pursuant to Section 190.006, Florida Statutes; Providing for Severability; and Providing an Effective Date
6. Consideration of Resolution 2024-19, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date
7. Consideration of Resolution 2024-11, Designating the Location of the Local District Records Office and Providing an Effective Date
8. Acceptance of Unaudited Financial Statements as of February 29, 2024
9. Approval of February 14, 2024 Regular Meeting and Audit Committee Meeting Minutes

10. Staff Reports

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

- NEXT MEETING DATE: TBD

- QUORUM CHECK

SEAT 1	JACK TRAYNOR	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	No
SEAT 2	ATINO SECOR	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	No
SEAT 3	DAN FITZPATRICK	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	No
SEAT 4	MIKE ROCHE	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	No
SEAT 5	RYAN O'DOWD	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	No

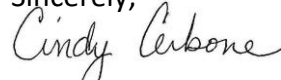
11. Board Members' Comments/Requests

12. Public Comments

13. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 346-5294 or Jamie Sanchez at (561) 512-9027.

Sincerely,



Cindy Cerbone
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

CALL-IN NUMBER: 1-888-354-0094

PARTICIPANT PASSCODE: 801 901 3513

HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2024-16

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HAM BROWN RESERVE COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2024/2025 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW; ADDRESSING TRANSMITTAL, POSTING AND PUBLICATION REQUIREMENTS; ADDRESSING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the District Manager has prepared and submitted to the Board of Supervisors ("**Board**") of the Ham Brown Reserve Community Development District ("**District**") the proposed budget ("**Proposed Budget**") for the fiscal year beginning October 1, 2024 and ending September 30, 2025 ("**Fiscal Year 2024/2025**"); and

WHEREAS, the Board has considered the proposed budget and desires to set the required public hearing thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HAM BROWN RESERVE COMMUNITY DEVELOPMENT DISTRICT:

1. PROPOSED BUDGET APPROVED. The proposed budget prepared by the District Manager for Fiscal Year 2024/2025 attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said proposed budget.

2. SETTING A PUBLIC HEARING. A public hearing on said approved proposed budget is hereby declared and set for the following date, hour and location:

DATE: _____

HOUR: _____

LOCATION: _____

3. TRANSMITTAL OF PROPOSED BUDGET TO LOCAL GENERAL PURPOSE GOVERNMENTS. The District Manager is hereby directed to submit a copy of the Proposed Budget to Osceola County at least 60 days prior to the hearing set above.

4. POSTING OF PROPOSED BUDGET. In accordance with Section 189.016, *Florida Statutes*, the District's Secretary is further directed to post the approved Proposed Budget on the District's website at least two (2) days before the budget hearing date as set forth in Section 2, and shall remain on the website for at least 45 days.

5. PUBLICATION OF NOTICE. Notice of this public hearing shall be published in the manner prescribed in Florida law.

6. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

7. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 16TH DAY OF APRIL, 2024.

ATTEST:

**HAM BROWN RESERVE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Fiscal Year 2024/2025 Proposed Budget

Exhibit A: Fiscal Year 2024/2025 Proposed Budget

**HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2025**

**HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT
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**HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed Budget FY 2025
	Adopted Budget FY 2024	Actual through 02/29/2024	Projected through 9/30/2024	Total Actual & Projected	
REVENUES					
Landowner contribution	\$ 83,682	\$ 9,680	\$ 74,002	\$ 83,682	\$ 111,390
Total revenues	83,682	9,680	74,002	83,682	111,390
EXPENDITURES					
Professional & administrative					
District management**	40,000	10,000	30,000	40,000	48,000
Legal	25,000	3,624	21,376	25,000	25,000
Engineering	2,000	-	2,000	2,000	2,000
Audit	-	-	-	-	5,000
Arbitrage rebate calculation*	-	-	-	-	750
Dissemination agent*	667	-	667	667	1,000
EMMA software service*	-	-	-	-	1,500
Trustee*	-	-	-	-	6,500
Telephone	200	83	117	200	200
Postage	500	8	492	500	500
Printing & binding	500	208	292	500	500
Legal advertising	6,500	344	6,156	6,500	6,500
Annual special district fee	175	-	175	175	175
Insurance	5,500	-	5,500	5,500	5,500
Contingencies/bank charges	750	166	584	750	750
Website hosting & maintenance	1,680	-	1,680	1,680	705
Website ADA compliance	210	-	210	210	210
Total professional & administrative	83,682	14,433	69,249	83,682	104,790
Field operations					
Field operations manager	-	-	-	-	6,600
Total field operations	-	-	-	-	6,600
Total expenditures	83,682	14,433	69,249	83,682	111,390
Excess/(deficiency) of revenues over/(under) expenditures	-	(4,753)	4,753	-	-
Net increase/(decrease) of fund balance	-				-
Fund balance - beginning (unaudited)	-	-	(4,753)	-	-
Fund balance - ending (projected)					
Assigned					
Working capital	-				-
Unassigned	-	(4,753)	-	-	-
Fund balance - ending	\$ -	\$ (4,753)	\$ -	\$ -	\$ -

*These items will be realized when bonds are issued.

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

District management**	48,000
<p>Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.</p>	
Legal	25,000
<p>General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.</p>	
Engineering	2,000
<p>The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.</p>	
Audit	5,000
<p>Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.</p>	
Arbitrage rebate calculation*	750
<p>To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.</p>	
Dissemination agent*	1,000
<p>The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.</p>	
EMMA software service*	1,500
Trustee*	6,500
Telephone	200
Postage	500
<p>Telephone and fax machine.</p>	
Printing & binding	500
<p>Mailing of agenda packages, overnight deliveries, correspondence, etc.</p>	
Legal advertising	6,500
<p>Letterhead, envelopes, copies, agenda packages</p>	
Annual special district fee	175
<p>The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.</p>	
Insurance	5,500
<p>Annual fee paid to the Florida Department of Economic Opportunity.</p>	
Contingencies/bank charges	750
<p>Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.</p>	
Website hosting & maintenance	705
Website ADA compliance	210
Field operations manager	6,600
<p>Monthly onsite visits at \$550 a month.</p>	
Total expenditures	\$ 111,390

*These items will be realized when bonds are issued.

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2024-17

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND
LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE
DISTRICT FOR REMAINDER OF FISCAL YEAR 2023/2024 AND PROVIDING FOR AN
EFFECTIVE DATE**

WHEREAS, the Ham Brown Reserve Community Development District (“**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the District is required by Section 189.015, *Florida Statutes*, to file quarterly, semi-annually, or annually a schedule (including date, time, and location) of its regular meetings with local governing authorities; and

WHEREAS, further, in accordance with the above-referenced statute, the District shall also publish quarterly, semi-annually, or annually the District’s regular meeting schedule in a newspaper of general paid circulation in the county in which the District is located.

WHEREAS, the Board desires to adopt the Fiscal Year 2023/2024 meeting schedule attached as **Exhibit A**.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HAM
BROWN RESERVE COMMUNITY DEVELOPMENT DISTRICT:**

1. **ADOPTING FISCAL YEAR 2023/2024 ANNUAL MEETING SCHEDULE.** The Fiscal Year 2023/2024 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

2. **EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of _____, 2024.

ATTEST:

**HAM BROWN RESERVE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EXHIBIT “A”

HAM BROWN RESERVE COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE		
LOCATION		
TBD		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
May __, 2024	Regular Meeting	__:__ AM/PM
June __, 2024	Regular Meeting	__:__ AM/PM
July __, 2024	Regular Meeting	__:__ AM/PM
August __, 2024	Regular Meeting	__:__ AM/PM
September __, 2024	Regular Meeting	__:__ AM/PM

HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT

5

RESOLUTION 2024-18

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HAM BROWN RESERVE COMMUNITY DEVELOPMENT DISTRICT EXTENDING THE TERMS OF OFFICE OF ALL CURRENT SUPERVISORS TO COINCIDE WITH THE GENERAL ELECTION PURSUANT TO SECTION 190.006, *FLORIDA STATUTES*; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Ham Brown Reserve Community Development District (“District”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the current members of the Board of Supervisors (“Board”) were elected by the landowners within the District based on a one acre/one vote basis; and

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the Board to adopt a resolution extending or reducing the terms of office of Board members to coincide with the general election in November; and

WHEREAS, the Board finds that it is in the best interests of the District to adopt this Resolution extending the terms of office of all current Supervisors of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HAM BROWN RESERVE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The following terms of office are hereby extended to coincide with the general election to be held in November of 2026:

Seat # 3	(currently held by Dan Fitzpatrick)
Seat # 4	(currently held by Mike Roche)
Seat # 5	(currently held by John “Ryan” O’Dowd)

The following terms of office are hereby extended to coincide with the general election to be held in November of 2028:

Seat # 1	(currently held by John “Jack” Traynor)
Seat # 2	(currently held by Atino Secor)

SECTION 2. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 3. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 16th day of April, 2024.

ATTEST:

**HAM BROWN RESERVE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/ Vice Chair, Board of Supervisors

HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT

6

RESOLUTION 2024-19

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND
LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE
DISTRICT FOR FISCAL YEAR 2024/2025 AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Ham Brown Reserve Community Development District (“**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the District is required by Section 189.015, *Florida Statutes*, to file quarterly, semi-annually, or annually a schedule (including date, time, and location) of its regular meetings with local governing authorities; and

WHEREAS, further, in accordance with the above-referenced statute, the District shall also publish quarterly, semi-annually, or annually the District’s regular meeting schedule in a newspaper of general paid circulation in the county in which the District is located.

WHEREAS, the Board desires to adopt the Fiscal Year 2024/2025 meeting schedule attached as **Exhibit A**.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HAM
BROWN RESERVE COMMUNITY DEVELOPMENT DISTRICT:**

1. **ADOPTING FISCAL YEAR 2024/2025 ANNUAL MEETING SCHEDULE.** The Fiscal Year 2024/2025 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

2. **EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of _____, 2024.

ATTEST:

**HAM BROWN RESERVE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EXHIBIT "A"

HAM BROWN RESERVE COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2024/2025 MEETING SCHEDULE		
LOCATION		
TBD		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October __, 2024	Regular Meeting	__:__ AM/PM
November __, 2024	Regular Meeting	__:__ AM/PM
December __, 2024	Regular Meeting	__:__ AM/PM
January __, 2025	Regular Meeting	__:__ AM/PM
February __, 2025	Regular Meeting	__:__ AM/PM
March __, 2025	Regular Meeting	__:__ AM/PM
April __, 2025	Regular Meeting	__:__ AM/PM
May __, 2025	Regular Meeting	__:__ AM/PM
June __, 2025	Regular Meeting	__:__ AM/PM
July __, 2025	Regular Meeting	__:__ AM/PM
August __, 2025	Regular Meeting	__:__ AM/PM
September __, 2025	Regular Meeting	__:__ AM/PM

HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT

7

RESOLUTION 2024-11

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE LOCATION OF THE
LOCAL DISTRICT RECORDS OFFICE AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Ham Brown Reserve Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated within Osceola County, Florida; and

WHEREAS, the District is statutorily required to designate a local district records office location for the purposes of affording citizens the ability to access the District’s records, promoting the disclosure of matters undertaken by the District, and ensuring that the public is informed of the activities of the District in accordance with Chapter 119 and Section 190.006(7), *Florida Statutes*.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE
HAM BROWN RESERVE COMMUNITY DEVELOPMENT DISTRICT:**

SECTION 1. The District’s local records office shall be located at: _____

_____.

SECTION 2. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2024.

ATTEST:

**HAM BROWN RESERVE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED
FINANCIAL
STATEMENTS

**HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
FEBRUARY 29, 2024**

**HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
FEBRUARY 29, 2024**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
ASSETS				
Undeposited funds	\$ 39,523	\$ -	\$ -	\$ 39,523
Due from Landowner	4,758	676	-	5,434
Due from general fund	-	1,037	258	1,295
Total assets	<u>44,281</u>	<u>1,713</u>	<u>258</u>	<u>46,252</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	\$ 22,712	\$ 1,713	\$ 258	\$ 24,683
Due to Landowner	14,273	1,713	258	16,244
Due to debt service fund	1,037	-	-	1,037
Due to capital projects fund	258	-	-	258
Landowner advance	6,000	-	-	6,000
Total liabilities	<u>44,280</u>	<u>3,426</u>	<u>516</u>	<u>48,222</u>
DEFERRED INFLOWS OF RESOURCES				
Deferred receipts	<u>4,758</u>	<u>-</u>	<u>-</u>	<u>4,758</u>
Total deferred inflows of resources	<u>4,758</u>	<u>-</u>	<u>-</u>	<u>4,758</u>
Fund balances:				
Restricted for:				
Debt service	-	(1,713)	-	(1,713)
Capital projects	-	-	(258)	(258)
Unassigned	(4,757)	-	-	(4,757)
Total fund balances	<u>(4,757)</u>	<u>(1,713)</u>	<u>(258)</u>	<u>(6,728)</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 44,281</u>	<u>\$ 1,713</u>	<u>\$ 258</u>	<u>\$ 46,252</u>

**HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED FEBRUARY 29, 2024**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Landowner contribution	\$ 2,657	\$ 9,680	\$ 83,682	12%
Total revenues	<u>2,657</u>	<u>9,680</u>	<u>83,682</u>	12%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording	2,000	10,000	40,000	25%
Legal	2,337	3,624	25,000	14%
Engineering	-	-	2,000	0%
Dissemination agent*	-	-	667	0%
Telephone	17	83	200	42%
Postage	8	8	500	2%
Printing & binding	42	208	500	42%
Legal advertising	344	344	6,500	5%
Annual special district fee	-	-	175	0%
Insurance	-	-	5,500	0%
Contingencies/bank charges	-	161	750	21%
Website hosting & maintenance	-	-	1,680	0%
Website ADA compliance	-	-	210	0%
Total expenditures	<u>4,748</u>	<u>14,428</u>	<u>83,682</u>	17%
Excess/(deficiency) of revenues over/(under) expenditures	(2,091)	(4,748)	-	
Fund balances - beginning	(2,666)	(9)	-	
Fund balances - ending	<u>\$ (4,757)</u>	<u>\$ (4,757)</u>	<u>\$ -</u>	

*These items will be realized when bonds are issued

**HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND
FOR THE PERIOD ENDED FEBRUARY 29, 2024**

	Current Month	Year To Date
REVENUES	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
 EXPENDITURES		
Debt service		
Cost of issuance	<u>676</u>	<u>1,713</u>
Total debt service	<u>676</u>	<u>1,713</u>
 Excess/(deficiency) of revenues over/(under) expenditures	 (676)	 (1,713)
 Fund balances - beginning	 <u>(1,037)</u>	 <u>-</u>
Fund balances - ending	<u><u>\$ (1,713)</u></u>	<u><u>\$ (1,713)</u></u>

**HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND
FOR THE PERIOD ENDED FEBRUARY 29, 2024**

	Current Month	Year To Date
REVENUES	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
EXPENDITURES		
Capital outlay	<u>-</u>	<u>258</u>
Total expenditures	<u>-</u>	<u>258</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	(258)
Fund balances - beginning	(258)	-
Fund balances - ending	<u><u>\$ (258)</u></u>	<u><u>\$ (258)</u></u>

HAM BROWN RESERVE
COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT

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

The Board of Supervisors of the Ham Brown Reserve Community Development District held a Regular Meeting and Audit Committee Meeting on February 14, 2024, at 11:00 a.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
Jere Earlywine (via telephone)	District Counsel
Xabier Guerricagoitia	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 11:03 a.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

**Consideration of Resolution 2024-15,
Appointing and Removing Officers of the
District and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2024-15. She requested that her coworker, Ms. Jamie Sanchez, be added as a non-voting officer, as an Assistant Secretary. The slate was as follows:

Chair	Jack Traynor
Vice Chair	Atino Secor

40 Assistant Secretary Dan Fitzpatrick
41 Assistant Secretary Mike Roche
42 Assistant Secretary Ryan O'Dowd
43 Assistant Secretary Jamie Sanchez

44 No other nominations were made. Prior appointments by the Board for Secretary,
45 Treasurer, Assistant Treasurer, and Assistant Secretary Cindy Cerbone, remain unaffected by
46 this Resolution.

47

48 **On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor,**
49 **Resolution 2024-15, Appointing and nominated, and Removing Officers of the**
50 **District and Providing for an Effective Date, was adopted.**

51

52

53 **FOURTH ORDER OF BUSINESS**

**Recess Regular Meeting/Commencement
of Audit Selection Committee Meeting**

54

55
56 The Regular Meeting recessed at 11:04 a.m., and the Audit Selection Committee
57 Meeting convened.

58

59 **FIFTH ORDER OF BUSINESS**

**Review of Responses to Request for
Proposals (RFP) for Annual Audit Services**

60

61
62 **A. Affidavit of Publication**

63 **B. RFP Package**

64 The above items were provided for informational purposes.

65 **C. Respondents**

66 **I. Berger, Toombs, Elam, Gaines & Frank**

67 **II. Grau & Associates**

68 Ms. Cerbone stated that, as the District Manager of many CDDs, her firm has worked
69 with both respondents and, in her opinion, both are qualified to perform the audit; therefore,
70 cost is the main factor that sets the firms apart, slightly.

71 Berger, Toombs, Elam, Gaines & Frank (BTEGF) bid \$3,075 for the first year without
72 issuance of bonds; the fee would increase to \$4,325 if bonds are issued in Fiscal Year 2024.

Grau & Associates (Grau) bid \$3,100 for the first year without issuance of bonds; the fee would increase to \$4,600 if bonds are issued in Fiscal Year 2024.

D. Auditor Evaluation Matrix/Ranking

Ms. Cerbone presented her scores and rankings, as follows, and stated the Auditor Selection Committee can accept her rankings or perform its own:

#1	Berger, Toombs, Elam, Gaines & Frank	100
#2	Grau & Associates	99

In response to a question, Ms. Cerbone stated that the termination clause allows the Board to terminate the Agreement if the audit firm is unsatisfactory.

The Board and Staff discussed the bidders, scope of services, price differential, ranking process, projected cost increases, budgeting for audit services, the audit process, documentation and access to files.

SIXTH ORDER OF BUSINESS

Termination of Audit Selection Committee Meeting/Reconvene Regular Meeting

The Audit Selection Committee Meeting terminated at 11:14 a.m., and the Regular Meeting reconvened.

SEVENTH ORDER OF BUSINESS

Consider Recommendation of Audit Selection Committee

- Award of Contract**

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, accepting the scores, ranking and recommendation of the Audit Selection Committee, ranking Berger, Toombs, Elam, Gaines & Frank as the #1 ranked respondent to the RFP for Annual Audit Services, and authorizing District Staff to negotiate an agreement with Berger, Toombs, Elam, Gaines & Frank, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Response(s) to Request for Qualifications (RFQ) for Engineering Services

- 109 **A. Affidavit of Publication**
110 **B. RFQ Package**
111 **C. Respondent(s): Boyd Civil Engineering, Inc.**
112 **D. Competitive Selection Criteria/Ranking**
113 **E. Award of Contract**

114 Ms. Cerbone noted that the only respondent to the RFQ was Boyd Civil Engineering, Inc.
115 (Boyd) who is already serving as the Interim District Engineer. If the Board finds that Boyd
116 meets all the requirements of the RFQ/Selection Criteria, awarding the contract to Boyd can
117 proceed.

119 **On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor,**
120 **accepting the response from Boyd Civil Engineering, Inc., the sole respondent**
121 **to the RFQ for Engineering Services, as a qualified response, awarding the**
122 **contract for District Engineering Services to Boyd Civil Engineering, Inc., and**
123 **authorizing Staff to negotiate and prepare the Contract/Agreement and for the**
124 **Chair to execute, was approved.**

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127 **NINTH ORDER OF BUSINESS**

Consideration of Resolution 2024-11,
Designating the Location of the Local
District Records Office and Providing an
Effective Date

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132 This item was deferred.

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134 **TENTH ORDER OF BUSINESS**

Consideration of Resolution 2024-12,
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

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141 Discussion ensued about the timing of a bond issuance, which might occur in June 2024.
142 Ms. Cerbone noted that the Bond Validation hearing is scheduled for April 22, 2024.
143 Mr. Earlywine stated, in that case, bonds can be issued in late May.
144 Ms. Cerbone stated the next meeting will be scheduled when necessary. Staff requires
145 two to three weeks' notice to ensure a quorum, secure a meeting location and advertise a

meeting. Recurring meeting dates will be discussed at the next meeting; potential recurring meeting dates will be circulated to the Board in advance of the next meeting.

This item was deferred.

ELEVENTH ORDER OF BUSINESS**Update: Required Ethics Training and Form 1 Disclosure Filing**

Mr. Earlywine discussed the new requirement for Supervisors to complete four hours of ethics continuing education every year. The requirement must be completed by December 31, 2024; completion of the requirement will be recorded when filing Form 1 in mid-2025. The Memorandum in the agenda includes links to trainings offered by the Florida Commission on Ethics (COE) and other entities.

Ms. Cerbone stated that, going forward, Form 1 will be filed electronically with the COE, rather than the Supervisor of Elections. She will forward an email from the COE regarding registration with the COE in order to file electronically. If an email from her or the COE is not received by March, District Management's office should be called. The first email from the COE will pertain to registering and another email should be received reminding them to file Form 1 no later than July 1, 2024. District Management has processed all Board Members' information to be sent to the State, including their contact information and term of office. She will also forward an email reminding the Board Members to complete and submit Form 1.

TWELFTH ORDER OF BUSINESS**Consideration of Osceola County Tax Collector Agreement**

Ms. Cerbone presented the Osceola County Tax Collector Agreement.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Roche, with all in favor, the Osceola County Tax Collector Agreement, was approved.

THIRTEENTH ORDER OF BUSINESS**Discussion: Project Construction Matters**

This item was discussed in conjunction with the Tenth Order of Business.

FOURTEENTH ORDER OF BUSINESS**Acceptance of Unaudited Financial
Statements as of December 31, 2023**

Ms. Cerbone presented the Unaudited Financial Statements as of December 31, 2023. The “Undeposited funds” item represents checks held while the bank account was being opened. An offline discussion occurred regarding whether to move to quarterly billing versus monthly billing. Because expenses can fluctuate greatly, primarily legal and engineering expenses, the consensus was to continue with monthly billing. Some of these expenses can be reimbursable when bonds are issued, such as District Engineering fees related to preparation of the District Engineer’s Report, and items related to bond validation.

On MOTION by Mr. Fitzpatrick and seconded by Mr. Secor, with all in favor, the Unaudited Financial Statements as of December 31, 2023, were accepted.

FIFTEENTH ORDER OF BUSINESS**Approval of January 10, 2024 Public
Hearings and Regular Meeting Minutes**

On MOTION by Mr. Roche and seconded by Mr. Fitzpatrick, with all in favor, the January 10, 2024 Public Hearings and Regular Meeting Minutes, as presented, were approved.

SIXTEENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: Kutak Rock, LLP**

Mr. Earlywine will research whether the Corporate Transparency Act requirements apply to CDD Supervisors and email the Board and Staff if an issue exists.

B. District Engineer (Interim): Boyd Civil Engineering, Inc.

There was no report.

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

Ms. Cerbone stated a Supplemental Engineer’s Report and Supplemental Methodology will likely be presented in preparation for issuing bonds. The proposed Fiscal Year 2025 budget will be presented. She asked if the CDD will own any assets during Fiscal Year 2025 that the CDD will need to maintain because, if so, Field Operations will need to be added to the Fiscal Year

215 2025 budget. The consensus was that Field Operations will be needed in Fiscal Year 2025; Ms.
216 Cerbone will work with Mr. Secor in this regard.

217 Ms. Cerbone stated, if the Fiscal Year 2025 budget will be Landowner-funded, the
218 Landowner will only be charged for actual expenses incurred. She noted that some Operation &
219 Maintenance (O&M) costs can be recouped via the estoppel process as the lots are sold.

220 Mr. Secor stated that the intent is for the HOA to be private. Ms. Cerbone stated that
221 some CDDs with private amenities enter into an agreement with the HOA whereby the HOA
222 budgets, collects, funds and manages both the HOA and the CDD assets, with one point of
223 contact and one set of vendors. Some Developers prefer for the HOA to take care of HOA
224 matters and for the CDD to take care of CDD matters. The consensus was that these matters
225 will be determined at or before the next meeting.

226 With regard to the need to determine asset ownership, Ms. Cerbone noted that the
227 District Engineer can produce color-coded maps depicting the HOA and the CDD areas of
228 responsibility. In some cases, the CDD will ask the Property Management company under
229 contract with the HOA to serve as the Field Operations Manager, which allows for one point of
230 contact while also keeping expenses separate.

231 • **NEXT MEETING DATE: TBD**

232 ○ **QUORUM CHECK**

233 Staff will coordinate with the Chair to schedule the next meeting.

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235 **SEVENTEENTH ORDER OF BUSINESS**

Board Members' Comments/Requests

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237 There were no Board Members' comments or requests.

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239 **EIGHTEENTH ORDER OF BUSINESS**

Public Comments

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241 No members of the public spoke.

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243 **NINETEENTH ORDER OF BUSINESS**

Adjournment

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245 **On MOTION by Mr. Roche and seconded by Mr. Secor, with all in favor, the**
246 **meeting adjourned at 11:34 a.m.**

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Secretary/Assistant Secretary

Chair/Vice Chair