MINUTES OF MEETING
ARBOR PARK PHASE I
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Arbor Park Phase 1 Community Development District held Public Hearings and a Regular Meeting on February 26, 2025 at 10:00 a.m., at 902 N. Sinclair Avenue, Tavares, Florida 32778.

Present were:

Gary Farcus	Chair
Steven “Steve” Sutter	Vice Chair
Keith Swan	Assistant Secretary
Carlos Silva	Assistant Secretary

Also present:

Cindy Cerbone	District Manager
Chris Conti	Wrathell, Hunt & Associates, LLC
Kyle Magee	District Counsel
Chuck Hiott	District Engineer
Sete Zare (via telephone)	MBS Capital Markets

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

Ms. Cerbone called the meeting to order at 10:04 a.m. Supervisors Farcus, Sutter, Swan and Silva were present. Supervisor-Elect Porter 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 Supervisor, Elizabeth Porter (the following will be provided in a separate package)**

This item was deferred.

A. Updates and Reminders: Ethics Training for Special District Supervisors and Form 1

B. Board Membership, Obligations and Responsibilities

C. Guide to the 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

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

This item was deferred.

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. Farcus and seconded by Mr. Swan, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. Farcus and seconded by Mr. Swan, 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 Arbor Park Phase 1 Community Development 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. Sutter and seconded by Mr. Farcus, 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 Arbor Park Phase 1 Community Development 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**

A. Affidavit/Proof of Publication

B. Mailed Notice to Property Owner(s)

These items were included for informational purposes.

On MOTION by Mr. Farcus and seconded by Mr. Silva, with all in favor, the Public Hearing was opened.

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

Mr. Hiott stated that the Master Engineer's Report was previously presented in detail and, since then, the following changes were made:

- The name of the Report was updated to include the name "Arbor Park Phase 1 Community Development District".
- Exhibits were added for utilities, etc.
- The acreage shown in the General Site Description was changed to reflect only the Phase 1 acreage of 66.47 acres.

Mr. Hiott presented the Opinion of Probable Construction Costs in Table 2, as follows:

- Clearing/Grading/General Conditions: Approximately $4.5 million
- Public Sitework and Storm Drainage: Approximately $5 million
- Speed limit signs, stop signs, street signage: Approximately $20,000
- Internal roads, walks and ramps: Approximately $4.2 million
- Water/Reuse/Sewer Utilities: Approximately $7.4 million
- Amenities- Rec Area/Dog Park/Signage: Approximately $1.85 million
- Hardscaping, Landscaping, Irrigation: Approximately $650,000
- Offsite Improvements: Approximately $1.7 million
- Professional Services: $500,000
- Contingency: 20%
- Total Opinion of Probable Cost for the Capital Improvement Plan (CIP): $31,122,619

The following questions were posed and answered:

Mr. Magee: That includes the future expansion parcels, correct?

Mr. Hiott: That is correct.

Mr. Magee: So, the current costs for the current parcel that is within the District is $11,941,319, is that correct?

Mr. Hiott: That is correct.

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

Ms. Cerbone reviewed the pertinent information in the Master Special Assessment Methodology Report dated January 10, 2025, which was presented at the Organizational meeting. She discussed the Development Program, CIP, Financing Program, Assessment Methodology, lienability tests, special and peculiar benefits to the units, True-up Mechanism and the Appendix Tables and noted the following:

- The Methodology Report references the Engineer’s Report related to the number of current acres and the likely expansion acres.
- The total par amount of bonds, including the costs of financing, capitalized interest and debt service reserve, is $42,910,000 to finance a portion of the Phase 1 costs in the estimated total amount of $31,122,619.

The following questions were posed and answered:

Mr. Magee: In your professional opinion, do the lands subject to the Master Assessment Methodology receive special benefits from the District’s Capital Improvement Program as provided in the Engineer’s Report?

Ms. Cerbone: Yes.

Mr. Magee: In your professional opinion, are the special assessments as provided in the Master Assessment Methodology reasonably apportioned among the lands subject to the special assessments?

Ms. Cerbone: Yes.

Mr. Magee: In your professional opinion, is it reasonable, proper and just to assess the cost of the Capital Improvement Program against the lands in the District in accordance with your Methodology which results in the special assessments set forth in the final assessment roll?

Ms. Cerbone: Yes.

Mr. Magee: Is it your opinion that the special benefits the lands will receive, as set forth in the final assessment roll, will be equal to or in excess of the maximum special assessments thereon when allocated as set forth in the Master Assessment Methodology?

Ms. Cerbone: Yes.

Mr. Magee: Is it your opinion that it is in the best interests of the District that the maximum special assessments be paid and collected in accordance with the Master Assessment Methodology and the District’s Assessment Resolutions?

Ms. Cerbone: Yes.

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

Mr. Hiott: Yes.

Mr. Magee: In your professional opinion, is there any reason that the project cannot be carried out by the District?

Mr. Hiott: No.

Ms. Cerbone presented Tables 4, 5A and 5B, on Page 14. She noted that Table 4 sets out how the unit types are weighted. Tables 5A and 5B provide a cost allocation based on the Table provided by the District Engineer.

- **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.**

  No affected property owners of members of the public spoke.

- **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.**

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

On MOTION by Mr. Sutter and seconded by Mr. Farcus, with all in favor, the Public Hearing was closed.

E. Consideration of Resolution 2025-34, 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 Homeowners Associations, Property Owners Association and/or Governmental Entities; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date

Ms. Cerbone and Mr. Magee presented Resolution 2025-34.

On MOTION by Mr. Sutter and seconded by Mr. Silva, with all in favor, Resolution 2025-34, 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 Homeowners Associations, Property Owners Association and/or Governmental Entities; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date, was adopted.

Ms. Cerbone asked Ms. Zare if she had anything to discuss. Ms. Zare stated that she anticipates presenting the Delegated Award Resolution the week of March 24, 2025. Ms. Cerbone stated that a Board Meeting is scheduled for March 26, 2025 at 10:00 a.m.

Ms. Zare left the meeting.

Mr. Magee stated the bond validation hearing is scheduled for March 31, 2025.

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

The affidavits of publication were included for informational purposes.

B. Consideration of Resolution 2025-35, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone and Mr. Magee presented Resolution 2025-35 and the Rules of Procedure.

On MOTION by Mr. Farcus and seconded by Mr. Swan, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. Farcus and seconded by Mr. Silva, with all in favor, the Public Hearing was closed.

> **On MOTION by Mr. Farcus and seconded by Mr. Silva, with all in favor, Resolution 2025-35, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

EIGHTH ORDER OF BUSINESS **Acceptance of Unaudited Financial Statements as of January 31, 2025**

> **On MOTION by Mr. Sutter and seconded by Mr. Silva, with all in favor, the Unaudited Financial Statements as of January 31, 2025, were accepted.**

NINTH ORDER OF BUSINESS **Approval of Minutes**

A. January 10, 2025 Landowners' Meeting

The following change was made:

Line 14 and 15: Change "Kutak Rock LLP" to "Garden Street Communities"

B. January 10, 2025 Organizational Meeting

The following change was made:

Line 23 and 24: Change "Kutak Rock LLP" to "Garden Street Communities"

> **On MOTION by Mr. Farcus and seconded by Mr. Silva, with all in favor, the June 13, 2024 Landowners' Meeting Minutes and the January 10, 2025 Organizational Meeting Minutes, both as amended, were approved.**

TENTH ORDER OF BUSINESS **Staff Reports**

A. District Counsel: Kutak Rock LLP

Mr. Magee stated that he will continue working with the State Attorney in preparation for the bond validation hearing on March 31, 2025. When the bond validation is complete, Staff will begin work on the Boundary Amendment and Name Change.

B. District Engineer (Interim): Halff and Associates, Inc.

There was no report.

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

Discussion ensued regarding securing a new meeting location within the City and preferred days and times. The consensus was to schedule meetings on Wednesdays.

- **NEXT MEETING DATE: March 26, 2025 at 10:00 AM [Adoption of FY2025 Budget]**

The meeting scheduled for March 26, 2025, will be held at Fruitland Park Library, Hillcrest Room, 604 W. Berckman Street, Fruitland Park, Florida 34731, if available; if not available, it will be held at the current meeting location. Confirmation will be sent and published, if necessary, in advance of the meeting.

Discussion ensued regarding a concern raised by the City regarding the high-water mark for assessments and public meeting procedures and protocols.

Ms. Cerbone stated she anticipates presenting the Request for Proposals (RFP) for Audit Services and the Request for Qualifications (RFQ) responses for District Engineer Services at the March meeting.

Preparation of a pro-forma budget in advance of the March meeting was discussed.

The budget will continue to be Landowner funded and field operations will be budgeted for Fiscal Year 2026.

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

There were no Board Members' comments or requests.

TWELFTH ORDER OF BUSINESS **Public Comments**

No members of the public spoke.

THIRTEENTH ORDER OF BUSINESS **Adjournment**

On MOTION by Mr. Farcus and seconded by Mr. Silva, with all in favor, the meeting adjourned at 10:49 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

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Chair/Vice Chair