

MINUTES OF MEETING
ELEVATION POINTE
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Elevation Pointe Community Development District was held Friday, March 24, 2023 at 9:30 a.m. at the Offices of GMS-NF, LLC, 475 West Town Place, Suite 114, St. Augustine, Florida.

Present and constituting a quorum were:

Maria Rust	Vice Chairperson
Michael Rich	Assistant Secretary
Fernanda Loza	Assistant Secretary

Also present were:

George Flint	District Manager
Kyle Magee <i>by phone</i>	District Counsel

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order and called the roll. Three Board members were present constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Flint noted that only Board members and staff were present at the meeting.

THIRD ORDER OF BUSINESS

**Approval of Minutes of July 22, 2022
Board of Supervisors Meeting**

Mr. Flint presented the minutes of the July 22, 2022 Board of Supervisors meeting. He asked for any comments or corrections to the minutes.

On MOTION by Mr. Rich, seconded by Ms. Loza, with all in favor, the Minutes of the July 22, 2022 Board of Supervisors Meeting, were approved, as presented.

FOURTH ORDER OF BUSINESS

New Business

A. Consideration of Resolution 2023-01 Amending Direct Collection Schedule

Mr. Flint stated that this is a resolution amending the schedule for the direct collection of assessments. He noted there has been a strike through the change in section one, paragraph 'A'.

Originally those direct bills were due December 1st, February 1st, and May 1st and that is being modified now to April 1 and September 1. He noted the 2022-A1 are the long-term bonds and the 2022-A2 are the B or short-term bonds. He noted the various percentages in regards to due dates. He stated a revised direct bill was sent to the developer in accordance with this revised payment schedule and this just formalizes the change in due dates. He asked for any comments from the Board on the resolution.

On MOTION by Mr. Rich, seconded by Ms. Loza, with all in favor, Resolution 2023-01 Amending Direct Collection Schedule, was approved.

B. Consideration of Resolution 2023-02 Extending Terms of Office to Even Years

Mr. Flint stated this resolution extends the terms of office for Board members. Since the CDD was created in an odd number year, the general elections occur in even number years so the statutes encouraged government entities to make sure their elections coincide with the general election year. He noted in order to do that, the term of office can either be shortened or extended so that the terms coincide with even numbered years. In this case, this resolution extends a lot of terms that were initially going to expire this year, will now be in November of 2024 and the seats that were going to expire in 2025 are now in 2026. He noted seats 2, 4, and 5 now have a term, if approved, until November 2024 and seats 1 and 3 would be until November 2026. He noted this helps with the Boards getting one more year under the developer's control.

On MOTION by Mr. Rich, seconded by Ms. Rust, with all in favor, Resolution 2023-02 Extending Terms of Office to Even Years, was approved.

C. Discussion of Options for the District's Record Retention Policy

D. Consideration of Resolution 2023-03 Records Retention Policy

Mr. MaGee noted there are two options for the District's Record Retention Policy. He stated resolutions have been prepared for both and both reflect that management transitory messages may be deleted and not kept in the District's records and the electronic record be the official record. He noted option one sets forth that the District will adopt a records retention schedule modified to ensure that the District is retaining records required by federal law and the trust indenture allows for the timely destruction of records while ensuring the District's policy is in compliance with state and federal laws. The second one sets forth that the District will adopt the

retention schedules as written and adopts a policy that the District will not destroy any records at this point in time with the exception of transitory messages. He noted it can be changed at a later date, it's the preference of the Board.

Mr. Flint noted his recommendation would be to keep all of the records which is option two. He stated at the organizational meeting, the Board approved a record retention policy consistent with option two. The change here is that this addresses the electronic record as being the official and also deals with the transitory messages. He noted at a later time, the Board can amend this schedule and allow for records to be destroyed.

On MOTION by Mr. Rich, seconded by Ms. Loza, with all in favor, Resolution 2023-03 Records Retention Policy – Option 2, was approved.

E. Ratification of Audit Engagement Letter for Fiscal Year 2022 Audit

Mr. Flint stated that the District is required as a government entity to have an annual independent audit performed and Grau was selected as the independent auditor. He noted the requirement for the audit was triggered in FY22 and there is a timeframe to get this completed by June 30th. He stated that he went ahead and executed the engagement letter in December. The fees included are consistent with what was proposed when they submitted their response to the RFP process. He asked the Board to ratify his action in signing this letter.

On MOTION by Mr. Rich, seconded by Ms. Rust, with all in favor, the Audit Engagement Letter for FY22 Audit with Grau & Associates, was ratified.

FIFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Magee had nothing else to report but noted that he would be happy to answer any questions.

B. District Manager's Report

i. Balance Sheet and Income Statement

Mr. Flint presented the unaudited financials through the end of February. He stated as of these financials, there was \$1,950,000 in the construction account, less than that now due to requisitions processing since then.

ii. Ratification of Funding Requests #20 – #28

Mr. Flint noted funding requests #20-#28 were submitted to the developer under the developer funding agreement in lieu of the District imposing assessments. He asked for any questions on the funding requests. Hearing none, he asked for a motion to ratify.

On MOTION by Ms. Rust, seconded by Ms. Loza, with all in favor, Funding Requests #20 - #28, were ratified.

iii. Ratification of Requisitions #20 – #37, #39 – #61, #63 – #71, #73 – #79

Mr. Flint noted requisitions #20-#37, #39-#61, #63-#71, #73-#79 for the construction account have all been signed by the Chair and the Engineer, transmitted to the Trustee and funded. He asked for a motion to ratify these requisitions.

On MOTION by Ms. Rust, seconded by Mr. Rich, with all in favor, Requisitions #20-#37, #39-#61, #63-#71, #73-#79, were ratified.

SIXTH ORDER OF BUSINESS**Other Business**

There being none, the next item followed.

SEVENTH ORDER OF BUSINESS**Supervisor's Requests**

There being none, the next item followed.

EIGHTH ORDER OF BUSINESS**Next Meeting Date – April 28, 2023**

Mr. Flint stated that the next meeting date would be April 28, 2023. He noted that they do have the proposed budget that the Board is going to need to consider. He added that the Board will approve the proposed budget and set the public hearing for its final consideration in July or August. He stated the Board would need to take a closer look at that in regards to operating expenses and getting O&M assessments in place.

Ms. Rust asked about the type of insurance.


Mr. Flint responded that it is Egis which is the District's insurer and is general liability and public officials' liability. He noted it protects the Board members and at some point in the future there will be a property insurance component to it. He stated that Egis is the largest insurer of Community Development Districts.

NINTH ORDER OF BUSINESS

Adjournment

Mr. Flint adjourned the meeting.

On MOTION by Mr. Rich, seconded by Ms. Rust, with all in favor,
the meeting was adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman