

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, April 28, 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:

Owais Khanani	Chairman
Maria Rust	Vice Chairperson
Fernanda Loza	Assistant Secretary

Also present were:

George Flint	District Manager
Jonathan Johnson <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 March 24, 2023
Board of Supervisors Meeting**

Mr. Flint presented the minutes of the March 24, 2023 Board of Supervisors meeting and asked for any comments or corrections to the minutes.

On MOTION by Mr. Khanani, seconded by Ms. Rust, with all in favor, the Minutes of the March 24, 2023, Board of Supervisors Meeting, were approved, as presented.
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FOURTH ORDER OF BUSINESS

New Business

- A. Consideration of Resolution 2023-04 Approving the Proposed Fiscal Year 2024 and Setting a Public Hearing**

Mr. Flint stated that Resolution 2023-04 approves a proposed budget for Fiscal Year 2024 and sets the date, place, and time of the public hearing. The Board is required each year to approve a proposed budget by June 15th and then set the public hearing for the final adoption. He noted the proposed budget does not bind the Board in any way, and changes can be made between now and at the public hearing if needed.

Mr. Flint noted that a build out budget had been put together based on some construction plans and conceptual drawings. He stated this budget reflects those estimated costs and the per unit assessment amounts and right now they have everything being assessed but based on the development plan between now and the public hearing, that can be adjusted. He noted if only certain phases are going to be developed and assessed, they can make that adjustment and then balance it with the developer contribution line. Mr. Khanani asked if this had to be done before the next meeting in July. Mr. Flint stated yes suggesting by the July 28th meeting at 9:30, between now and then the Board will need to figure out how they want to deal with the assessments.

Mr. Khanani asked how the payment is made. Mr. Flint stated if the lots are platted it would be certified for collection on the tax bill for the individual lots but if they are not platted a direct bill would be done, and if it is developer funded, it would be like they are operating right now. He stated what would happen is if it is partially assessed and partially developer funded, they would collect the assessments and then at some point if that revenue is not sufficient to cover the budget, then the developer funding agreement would kick in and they would start sending funding requests to the developer.

On MOTION by Mr. Khanani, seconded by Ms. Loza, with all in favor, Resolution 2023-04 Approving the Proposed Fiscal Year 2024 Budget and Setting a Public Hearing for July 28, 2023 at 9:30 a.m., was approved.

FIFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Johnson stated he talked to Mike Ritz about a list of what would be needed to file a petition to amend the boundaries of the District to remove some of the commercial parcels. He wanted to check in to see if that is something that needs to be authorized. Mr. Khanani stated that they would absolutely like to move forward as quickly as possible on that. Mr. Johnson stated he would request a motion to authorize staff to work with the landowner to evaluate and move ahead

with a boundary amendment removing commercial property and counsel will have that petition back at the next Board meeting for ratification understanding that it will hopefully get filed in the interim and that would be subject to a funding agreement to cover the cost of the effort.

Mr. Khanani asked Mr. Johnson how long the process would be. Mr. Johnson answered that it could be upwards of four months or could be less depending on the size of the parcel and stated he would reach out to Mike for more information and then would have a timeline. Mr. Flint stated that would affect the budget as well if the commercial is being pulled out. Mr. Khanani asked if he could have an estimate of the budget once the commercial is out because the O&M budget would have to be shared with the builder. Mr. Flint stated to the extent there are any shared infrastructure there may need to be a cost share agreement with the POA. The most straight forward way is if there is a POA for the commercial area then they can enter into a cost share with the POA and not an individual landowner. Mr. Khanani stated they would be setting up a POA. Mr. Flint stated there will probably be some stormwater ponds that are shared and some landscape maintenance which would be the main items.

On MOTION by Mr. Khanani, seconded by Ms. Rust, with all in favor, Authorizing Staff to Prepare Petition to Remove Commercial Parcels, was approved.

B. Engineer

There being no comments, the next item followed.

C. District Manager’s Report

i. Balance Sheet and Income Statement

Mr. Flint presented the unaudited financials through the end of March. If there are questions those can be discussed. He noted as of the end of March there was \$1.66 million still in the capital project fund and would be less than that now that there have been some requests submitted.

ii. Ratification of Funding Requests #30 – #32

Mr. Flint noted funding requests #30-#32 were submitted to the developer under the developer funding agreement and asked the Board to ratify those. He stated they are included in the agenda for review.

On MOTION by Ms. Rust, seconded by Mr. Khanani, with all in favor, Funding Requests #30 - #32, were ratified.

iii. Ratification of Series 2022 Requisitions #80 – #87

Mr. Flint noted requisitions #80-#87 have been signed by the Chair and the District Engineer and submitted to the Trustee for payment.

On MOTION by Ms. Rust, seconded by Mr. Khanani, with all in favor, Series 2022 Requisitions #80-#87, were ratified.

SIXTH ORDER OF BUSINESS

Other Business

There being no comments, the next item followed.

SEVENTH ORDER OF BUSINESS

Supervisors Requests

There being no comments, the next item followed.

EIGHTH ORDER OF BUSINESS

Next Meeting Date – May 26, 2023

Mr. Flint stated the next meeting is May 26th. The public hearing is set for the July meeting. He noted if something comes up in May or June, he will touch base with the Chair in advance of the meeting and if nothing, those can be cancelled or if something comes up on the boundary amendment that needs to be handled, they can have it during those meetings.

NINTH ORDER OF BUSINESS

Adjournment

Mr. Flint asked for a motion to adjourn the meeting.

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


Secretary/Assistant Secretary


Chairman/Vice Chairman