

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, August 25, 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
Fernanda Loza	Assistant Secretary
Mike Rich	Assistant Secretary

Also present were:

Jeremy LeBrun	District Manager
Jonathan Johnson <i>by phone</i>	District Counsel
Brian Deitsch <i>by phone</i>	District Engineer

FIRST ORDER OF BUSINESS

Roll Call

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

THIRD ORDER OF BUSINESS

**Approval of Minutes of April 28, 2023
Board of Supervisors Meeting**

Mr. LeBrun presented the minutes of the April 28, 2023 Board of Supervisors meeting and asked for any comments or corrections to the minutes. The Board had no changes to the minutes.

On MOTION by Mr. Rich, seconded by Ms. Loza, with all in favor, the Minutes of the April 28, 2023 Board of Supervisors Meeting, were approved, as presented.

FOURTH ORDER OF BUSINESS

**Review and Acceptance of the Fiscal Year
2022 Audit Report**

Mr. LeBrun stated each year Districts are required to have an audit by an independent third-party auditor. The Board selected Grau & Associates as your auditor. He noted on page 38 is the letter to management where the findings of the audit are detailed. This was a clean audit with no findings for Fiscal Year 2022. The audit is here for your review but if there are no questions or comments, looking for a motion to accept the Fiscal Year 2022 audit report.

On MOTION by Mr. Rich, seconded by Ms. Rust, with all in favor, Acceptance of the Fiscal Year 2022 Audit Report, was approved.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2023-05
Resetting the Date of the Public Hearing to
Adopt the Fiscal Year 2024 Budget and
Assessments**

Mr. LeBrun stated as you are aware the hearing was originally scheduled for July 28th but due to a lack of quorum it had to be rescheduled so this ratifies the District Manager resetting the hearing. He noted it was advertised per state statute and the public hearing was reset to today. If there are no questions or comments, he was looking for a motion to ratify this action by the District Manager.

On MOTION by Mr. Rich, seconded by Ms. Loza, with all in favor, Resolution 2023-05 Resetting the Date of the Public Hearing to Adopt the Fiscal Year 2024 Budget and Assessments, was ratified.

SIXTH ORDER OF BUSINESS

Public Hearing

Mr. LeBrun asked for a motion to open the public hearing.

On MOTION by Mr. Rich, seconded by Ms. Rust, with all in favor, the Public Hearing was opened.

A. Consideration of- Resolution 2023-06 Adopting the Fiscal Year 2024 Budget and Relating to the Annual Appropriations

Mr. LeBrun stated on page 50 of your pdf is the proposed budget. He noted everything that has been discussed up to this point is incorporated into this version. He noted on page 52 are revenues and expenditures. It is a budget of projection over the next 14 months where expenses of the District are anticipated. On page 52 are the anticipated field expenses for 2024 and page 54 is a narrative of the different line items and it ends with debt service information. He asked for any comments or questions.

On MOTION by Mr. Rich, seconded by Ms. Loza, with all in favor, Resolution 2023-06 Adopting the Fiscal Year 2023 Budget and Relating to the Annual Appropriations, was approved.

B. Consideration of Resolution 2023-07 Imposing Special Assessments and Certifying an Assessment Roll

Mr. LeBrun stated the Board just approved the budget and this is the mechanism to fund that budget. He asked for any comments or questions. If not, looking for a motion to approve.

On MOTION by Ms. Rust, seconded by Mr. Rich, with all in favor, Resolution 2023-07 Imposing Special Assessments and Certifying an Assessment Roll, was approved.

Mr. LeBrun asked for a motion to close the public hearing.

On MOTION by Mr. Rich, seconded by Ms. Loza, with all in favor, the Public Hearing was closed.

SEVENTH ORDER OF BUSINESS

Consideration of Fiscal Year 2024 Direct Collection Agreement

Mr. LeBrun stated this is on page 68 of the PDF and is the agreement between the District and Elevation Premium Pointe, LLC for the direct collection of those assessments. He noted this is a pretty standard agreement to fund the budget that was approved.

On MOTION by Mr. Rich, seconded by Ms. Rust, with all in favor, the Fiscal Year 2024 Direct Collection Agreement, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Fiscal Year 2024 Deficit Funding Agreement

Mr. LeBrun stated this is on page 74 of the agenda and is the agreement if there are any expenses that are not covered within the assessments, this would fund those deficits. He noted any charges are only billed as accrued.

On MOTION by Ms. Rust, seconded by Ms. Loza, with all in favor, the Fiscal Year 2024 Deficit Funding Agreement, was approved.

NINTH ORDER OF BUSINESS

Ratification of Series 2022 Requisitions #88 - #111

Mr. LeBrun stated this has all of the requisitions that have been approved. We are just looking for ratification of these requisitions.

On MOTION by Ms. Rust, seconded by Mr. Rich, with all in favor, the Series 2022 Requisitions #88-#111, were ratified.

TENTH ORDER OF BUSINESS

Consideration of Series 2022 Requisition #113

Mr. LeBrun stated this was on page 302 of the agenda.

On MOTION by Mr. Rich, seconded by Ms. Loza, with all in favor, the Series 2022 Requisition #113, was approved.

ELEVENTH ORDER OF BUSINESS

Consideration of Proposal from Amtec to Provide Arbitrage Rebate Calculation Services

Mr. LeBrun stated this is on page 307 of the agenda and is a proposal for this firm to calculate any arbitrage and then complete any IRS related documents as it relates to interest earned. He noted the fees are listed on page 309 separated out for each of the bond Series 2022A-1 and A-2 in the amount of \$450 and this is required per IRS regulations.

On MOTION by Mr. Rich, seconded by Ms. Rust, with all in favor, the Consideration of Proposal from Amtec to Provide Arbitrage Rebate Calculation Services, was approved.

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2023-08 Authorizing Boundary Amendment to Contract the District Boundaries

Mr. LeBrun stated this is on page 312 of the pdf. Mr. Johnson stated the Board previously authorized the boundary amendment and the county has asked that we have some formal resolution associated with that in the boundary of our petition. He noted nothing has changed since your initial approval by motion and we recommend you approve the resolution that is presented.

On MOTION by Mr. Rich, seconded by Ms. Loza, with all in favor, Resolution 2023-08 Authorizing Boundary Amendment to Contract the District Boundaries, was approved.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Johnson stated that there are a couple of maps missing from otherwise being able to have a complete petition.

B. Engineer

i. Presentation of Annual Report

Mr. Deitsch stated he had a couple updates on the annual report. He noted in April of this year we gave our annual report update. He noted they are still under construction and since the previous year a lot more has gone into preparation for the townhome part of the CDD and then excavation of the different ponds and preparation for the roadway and commercial portions of the project.

C. District Manager's Report

i. Balance Sheet and Income Statement

Mr. LeBrun presented the unaudited financials through July 31, 2023 on page 321 of the agenda. No action was required by the Board.

ii. Ratification of Funding Requests #33 – #39

Mr. LeBrun noted funding requests #33-#39 are various requests for the actions taken within the District. Happy to take any questions or comments on those, if not looking for a motion to ratify these funding requests.

On MOTION by Mr. Rich, seconded by Ms. Rust, with all in favor, Funding Requests #33-#39, were ratified.

iii. Presentation of Number of Registered Voters – 0

Mr. LeBrun stated each year we are required to announce the number of registered voters within the District and as of right now there is zero.

iv. Approval of Fiscal Year 2024 Meeting Schedule

Mr. LeBrun stated this is on page 363 of the agenda packet and it contemplates keeping the same schedule that we currently have which is the fourth Friday of the month at this location at the same time. He noted if the Supervisors do not want to make any changes, we would just ask for a motion to approve the FY2024 meeting schedule.

On MOTION by Mr. Rich, seconded by Ms. Rust, with all in favor, the Fiscal Year 2024 Meeting Schedule, was approved.

FOURTEENTH ORDER OF BUSINESS Other Business

There being no comments, the next item followed.

FIFTEENTH ORDER OF BUSINESS Supervisors Requests

There being no comments, the next item followed.

SIXTEENTH ORDER OF BUSINESS- Next Meeting Date – September 22, 2023

Mr. LeBrun stated the next meeting is September 22, 2023, at the same time and same location.

SEVENTEENTH ORDER OF BUSINESS Adjournment

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

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



Secretary/Assistant Secretary



Chairman/Vice Chairman