

**MINUTES OF MEETING
EAGLE HAMMOCK
COMMUNITY DEVELOPMENT DISTRICT**

The Organizational meeting of the Board of Supervisors of the Eagle Hammock Community Development District was held on Wednesday, **March 16, 2022** at 3:30 p.m. at 4900 Dundee Road, Winter Haven, Florida.

Present and constituting a quorum were:

Brent Elliott	Chairman
Branden Eckenrode	Vice Chairman
Halsey Carson	Assistant Secretary
Wendy Kerr	Assistant Secretary

Also, present were:

Jill Burns	District Manager, GMS
Jake Whealdon	KE Law
Roy Van Wyk <i>by Zoom</i>	KE Law
Bob Gang <i>by Zoom</i>	Greenberg Traurig
Ashton Bligh <i>by Zoom</i>	Greenberg Traurig
Rodney Gadd	Gadd Engineering
Ethan Falk	

The following is a summary of the discussions and actions taken at the March 16, 2022 Eagle Hammock Community Development District's Organizational Board of Supervisor's Meeting.

FIRST ORDER OF BUSINESS

Introduction

A. Call to Order

Ms. Burns called the meeting to order at 3:34 p.m. Four Supervisors were in attendance at the meeting constituting a quorum.

B. Public Comment Period

There were no members of the public present.

C. Oath of Office

Ms. Burns swore in all present Supervisors.

SECOND ORDER OF BUSINESS

Organizational Matters

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A. Confirmation of Notice of Meeting

Ms. Burns noted the meeting notice had been documented properly as required by statutes.

B. Information on Community Development Districts and Public Official Responsibilities and Florida Statutes Chapter 190

Ms. Burns offered to answer any questions regarding the statutes.

C. Election of Officers

1. Resolution 2022-01 Appointing Officers

Ms. Burns reviewed the current status of officers with Mr. Eckenrode as Chair and Mr. Elliott as Vice Chair, Ms. Kerr, Mr. Carson, and Ms. Mobley as Assistant Secretaries. She noted GMS staff of George Flint as Assistant Secretary and herself as Secretary.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-01 Appointing Officers with Mr. Eckenrode as Chair, Mr. Elliott as Vice Chair, Ms. Kerr, and Mr. Carson and Ms. Mobley as Assistant Secretaries, and GMS staff of George Flint as an Assistant Secretary and Ms. Burns as Secretary, was approved.

2. Resolution 2022-02 Appointing Treasurer and Assistant Treasurer

Ms. Burns suggested GMS staff as George Flint and Katie Costa as Treasurer and Assistant Treasurer.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-02 Appointing Treasurer as Mr. Flint and Katie Costa as Assistant Treasurer, was approved.

THIRD ORDER OF BUSINESS

Retention of District Staff

A. Consideration of Contract for District Management Services

Ms. Burns noted that the District Manager will be GMS.

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1. Resolution 2022-03 Appointing District Manager

Ms. Burns noted the agreement form is included with fees for GMS.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-03 Appointing District Manager as GMS, was approved.

B. Consideration of Contract for District Counsel Services

Ms. Burns noted that KE Law Group will be District Counsel

1. Resolution 2022-04 Appointing District Counsel

Ms. Burns noted fees were included in the packet.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-04 Appointing District Counsel as KE Law Group, was approved.

C. Resolution 2022-05 Selection of Registered Agent and Office

Ms. Burns stated that this would name herself and the office in Orlando as the registered agent and office.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-05 Selection of Registered Agent and Office, was approved.

D. Resolution 2022-06 Appointing Interim District Engineer

Ms. Burns noted the interim engineer would be Gadd & Associates, LLC.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-06 Appointing Interim District Engineer as Gadd & Associates, LLC, was approved.

E. Consideration of Interim District Engineering Agreement

Ms. Burns noted the agreement was in the packet.

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On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, the Interim District Engineering Agreement, was approved.

F. Request Authorization to Issue RFQ for Engineering Services

Ms. Burns stated she needed a motion to issue the RFQ for engineering services and to approve the ranking selection criteria.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Authorization to Issue RFQ for Engineering Services and Approving the Ranking Selection Criteria, was approved.

FOURTH ORDER OF BUSINESS

Designation of Meetings and Hearing Dates

A. Consideration of Resolution 2022-07 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2022

Ms. Burns suggested the 2nd Wednesday of the month at 2:00 p.m. The meeting will be at 4900 Dundee Road, Winter Haven, FL 33880.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-07 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2022 as the 2nd Wednesday of the Month at 2:00 p.m. at the same location, was approved.

B. Consideration of Resolution 2022-08 Designation of Landowner’s Meeting Date, Time and Location

Ms. Burns suggested May 11, 2022 at 2:00 p.m. at the same location.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-08 Designation of Landowner’s Meeting Date, Time, and Location for May 11, 2022 at 2:00 p.m. at the same location, was approved.

C. Designation of Date of Public Hearing to Adopt Rules of Procedure in accordance with Section 120.54, Florida Statutes

1. Consideration of Resolution 2022-09 Setting a Public Hearing to Consider the Proposed Rules of the District

A. Rules of Procedure

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Ms. Burns suggested this be held in conjunction with the May 11, 2022 meeting at 2:00 p.m.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-09 Setting a Public Hearing to Consider the Proposed Rules of the District for May 11, 2022 at 2:00 p.m. at the same location, was approved.

D. Designation of Dates of Public Hearing on the Budget for Fiscal Year 2022

1. Consideration of Resolution 2022-10 Setting the Public Hearing and Approving the Proposed Fiscal Year 2021/2022 and 2022/2023 Budget

Ms. Burns proposed they set the date for August 2, 2022 at 2:00 p.m. at the same location. She added that the preliminary budget is included for the Board review. She also suggested that they get more information on the 2023 budget, specifically with the field contingency amount.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-10 Setting the Public Hearing and Approving the Proposed Fiscal Year 2021/2022 and 2022/2023 Budget for August 2, 2022 at 2:00 p.m. at the same location, was approved.

2. Approval of the Fiscal Year 2021/2022 and 2022/2023 Developer Funding Agreement

Ms. Burns noted this will fund this year’s budget. This is with Eagle Hammock of Eagle Lake. Under this agreement this entity will agree to fund the operations and maintenance expenses of the District.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, the Fiscal Year 2021/2022 and 2022/2023 Developer Funding Agreement, was approved.

E. Resolution 2022-11 Setting Date of Public Hearing Expressing the District’s Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad Valorem Assessments in accordance with Section 197.3632, Florida Statutes

Ms. Burns suggested May 11, 2022 at 2:00 p.m. at the same location for this meeting. She stated that this will allow them to use the Polk County tax collector’s office to collect their assessments when they are ready to do so.

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On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-11 Setting Date of Public Hearing Expressing the District’s Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad Valorem Assessment in Accordance with Section 197.3632, Florida Statutes for May 11, 2022 at 2:00 p.m. at the same location, was approved.

FIFTH ORDER OF BUSINESS

Other Organizational Matters

A. Resolution 2022-12 Designating a Qualified Public Depository

Ms. Burns proposed using Truist (formerly Sun Trust) as the District’s qualified public depository.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-12 Designating a Qualified Public Depository as Truist, was approved.

B. Resolution 2022-13 Authorization of Bank Account Signatories

Ms. Burns noted the approved signatories would be the Treasurer and Assistant Treasurer elected today as Jill Burns, Katie Costa, and George Flint.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-13 Authorization of Bank Account Signatories as the Treasurer and Assistant Treasurer (George Flint, Jill Burns and Katie Costa), was approved.

C. Consideration of Resolution 2022-14 Relating to Defense of Board Members

Ms. Burns explained the resolution. She noted this sets forth a process if there is a lawsuit filed against a Board member. She noted as long as the Board member was working within the scope of their responsibilities, they would be covered legally.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-14 Relating to Defense of Board Members, was approved.

D. Consideration of Resolution 2022-15 Authorizing District Counsel to Record in the Property Records of Polk County the “Notice of Establishment” in accordance with Chapter 190.0485, Florida Statutes

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1. Notice of Establishment

Ms. Burns offered to answer questions regarding the statute. Hearing none,

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-15 Ratifying District Counsel Recording the “Notice of Establishment” in the Property Records of Polk County in Accordance with Chapter 190.0485, Florida Statutes, was approved.

E. Consideration of Resolution 2022-16 Adopting Investment Guidelines

Ms. Burns noted this would be in accordance with the guidelines established by the state of Florida.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-16 Adopting Investment Guidelines, was approved.

F. Consideration of Resolution 2022-17 Authorizing Execution of Public Depositor Report

Ms. Burns noted this authorizes the District Manager or Treasurer to file that report.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-17 Authorizing Execution of Public Depositor Report, was approved.

G. Consideration of Resolution 2022-18 Designating a Policy for Public Comment

Ms. Burns stated that this establishes the policy for comments in a meeting.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-18 Designating a Policy for Public Comment, was approved.

H. Consideration of Resolution 2022-19 Adopting a Travel and Reimbursement Policy

Ms. Burns noted this is for travel reimbursement for Supervisors on District business and is in-line with Florida statutes.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-19 Adopting a Travel and Reimbursement Policy, was approved.

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I. Consideration of Resolution 2022-20 Adopting Prompt Payment Policy

Ms. Burns noted that this is in accordance with Florida statutes and included in the packet.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-20 Adopting a Prompt Payment Policy, was approved.

J. Consideration of Resolution 2022-21 Adopting a Records Retention Policy

Ms. Burns noted that there was a memo from KE Law included in the agenda packet. The policy is in accordance with Florida statutes and has two options included in the packet. She reviewed the options and suggested the Board choose option 1.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-21 Adopting a Records Retention Policy Option 1, was approved.

K. Consideration of Compensation to Board Members

Ms. Burns stated this is for Board members attending CDD meetings to be compensated at \$200 a meeting for a maximum of 24 meetings per year. All Board members agreed to not accept compensation. This is in accordance with Florida statute and no vote was needed.

L. Resolution 2022-22 Selecting District Records Office Within Polk County

Ms. Burns proposed this be set as 4900 Dundee Road, Winter Haven, Florida.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-22 Selecting District Records Office Within Polk County as 4900 Dundee Road, Winter Haven, Florida, was approved.

M. Resolution 2022-23 Designating the Primary Administrative Office and Principal Headquarters of the District

Ms. Burns proposed this be the GMS offices in Orlando, Florida at 219 E. Livingston Street, as the primary administrative office and the principal headquarters would be 4900 Dundee Road, Winter Haven, Florida.

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On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-23 Designating the Primary Administrative Office as 219 E. Livingston, Orlando, Florida, and Principal Headquarters of the District as 4900 Dundee Road, Winter Haven, FL, was approved.

N. Consideration of Website Services Agreement

Ms. Burns stated the agreement is in the package and is required by statute. This is with ReAlign Web Design and the one-time fee will be \$1,750 and they will create an ADA compliant website for the District. Once it is created, Ms. Burn’s office will keep the website compliant and upload documents.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, the Website Services Agreement with ReAlign Web Design for \$1,750, was approved.

O. Authorization to Prepare Public Facilities Report in Accordance with Chapter 189.08 Florida Statutes to Coincide with Special District Filing Date of August 1st for Polk County

Ms. Burns noted this authorizes the District Manager to file this report on an annual basis.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Authorization to Prepare Public Facilities Report in Accordance with Chapter 189.08 Florida Statutes to Coincide with Special District Filing Date of August 1st for Polk County, was approved.

SIXTH ORDER OF BUSINESS

Capital Improvements

A. Appointment of Financing Team

Ms. Burns noted this appoints a financing team.

1. Consideration of Resolution 2022-24 Appointing Bond Counsel

Ms. Burns noted this would be for Greenberg Traurig as Bond Counsel and the agreement is in the packet. Ms. Bligh was present via Zoom to answer any questions from the Board.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-24, Appointing Bond Counsel as Greenberg Traurig, was approved.

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2. Consideration of Resolution 2022-25 Appointing an Investment Banker

Ms. Burns noted FMS Bond Specialist would be the investment banker.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-25, Appointing an Investment Banker as FMS Bond Specialist, was approved.

3. Assessment Administrator

Ms. Burns noted this would be with GMS.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Appointing the Assessment Administrator as GMS, was approved.

4. Trustee

Ms. Burns noted this proposal in the packet is with US Bank.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Appointing the Trustee as US Bank, was approved.

B. Approval of Financing Team Funding Agreement

Ms. Burns noted this is with Eagle Hammock of Eagle Lake, LLC. She explained that under the terms of this agreement the entity will agree to advance the funds for the financing of the bonds and then it will be reimbursed out of the bond issuance.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, the Financing Team Funding Agreement with Eagle Hammock of Eagle Lake, LLC, was approved.

SEVENTH ORDER OF BUSINESS

Financing Matters

A. Consideration of Engineer’s Report

The District Engineer, Mr. Gadd, gave an overview of his report.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, the Engineer’s Report, was approved.

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B. Consideration of Assessment Methodology

Ms. Burns reviewed the Master Assessment Methodology report. She explained this allocates debt to the properties that benefit from the District's capital improvement plan. This report sets the cap amount, which would be the most they would issue. Ms. Burns reviewed the tables in the methodology for the Board, which was included in the agenda packet.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, the Assessment Methodology, was approved.

C. Consideration of Resolution 2022-26 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings

Ms. Bligh presented the resolution noting there was a not-to-exceed amount of \$10,500,000 in aggregate principal amount of bonds for the District. She stated they will come back to the Board with a delegation resolution with details describing a series of bonds that the District intends to issue.

Ms. Bligh reviewed several sections and chapters that are included in the agenda package and offered to answer any questions from the Board.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-26 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings, was approved.

D. Consideration of Resolution 2022-27, Declaring Special Assessments and Approval of Assessment Methodology

Ms. Burns stated that these approve the reports that were just previously reviewed and kicks off the assessment process.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-27, Declaring Special Assessments and Approval of Assessment Methodology, was approved.

E. Consideration of Resolution 2022-28 Setting a Public Hearing for Special Assessments

Ms. Burns suggested May 11, 2022 at 2:00 p. m. at the same location.

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On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-28, Setting a Public Hearing for Special Assessments for May 11, 2022 at 2:00 p.m., was approved.

F. Consideration of Resolution 2022-29 Authorizing the Disbursement of Funds

Ms. Burns presented the resolution and stated that it provides for the District to be able to pay invoices outside of the approval of the meeting. It outlines continual or non-continual expenses and authorizes both the District Manager and the Chairman to sign off on those.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-29 Authorizing the Disbursement of Funds, was approved.

EIGHTH ORDER OF BUSINESS **Other Business**

A. Consideration of Resolution 2022-30 Granting the Chairperson and Vice Chairperson the Authority to Execute Plats and Documents Related to the Development of the District’s Improvements

Ms. Burns reviewed this resolution and offered to answer any questions from the Board.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-30 Granting the Chairperson and Vice Chairperson Authority to Execute Plats and Documents Related to the Development of the District’s Improvements, was approved.

B. Consideration of Resolution 2022-31 Direct Purchase Resolution

Ms. Burns noted this allows the District to directly purchase construction materials with tax-exempt savings. She added this is in the packet and names the District Engineer or the District Manager as the purchasing agent.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-31 Direct Purchase Resolution, was approved.

C. Consideration of Resolution 2022-32 Authorizing the Use of Electronic Documents

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Ms. Burns presented the resolution and stated that it allows the Board to use DocuSign to sign documents in place of physically signing in person on paper.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Resolution 2022-32 Authorizing the Use of Electronic Documents, was approved.

D. Staff Reports

i. Attorney

Mr. Whealdon stated he did not have anything further.

ii. Manager

Ms. Burns noted she had nothing further.

E. Supervisors Requests

There being none, the next item followed.

F. Approval of Funding Request No. 1

Ms. Burns stated that this is the initial amount that will open the checking account and get the District insurance and will pay for the public hearing advertisements as well.

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, Funding Request No. 1, was approved.

NINTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Elliott, seconded by Mr. Eckenrode, with all in favor, the meeting was adjourned.

Jill Burns

Secretary/Assistant Secretary

Branden Eckenrode

Chairman/Vice Chairman