

**MINUTES OF MEETING
KEPLER ROAD
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Kepler Road Community Development District was held Monday, **April 8, 2024** at 11:00 a.m. at the Gateway Center for the Arts, 880 Highway 17, DeBary, Florida.

Present and constituting a quorum:

Tony Iorio	Chairman
Duane “Rocky” Owen	Assistant Secretary
Tom Franklin	Assistant Secretary

Also present were:

George Flint	District Manager, GMS
Sarah Sandy	District Counsel
Scott Fortier	District Engineer, Kelly, Collins & Gentry, Inc.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Iorio 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 stated that there were only Board members and staff present today.

THIRD ORDER OF BUSINESS

**Approval of Minutes of the February 12,
2024 Landowners’ and Board of
Supervisors Meeting**

Mr. Flint presented the minutes from the February 12, 2024, Board of Supervisors meeting and Landowners’ meeting and asked for any comments or corrections to the minutes. Ms. Sandy had a few minor corrections to the minutes. The Board approved the minutes subject to the changes.

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On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, the Minutes of the February 12, 2024, Board of Supervisors Meeting and Landowner Meeting, were approved subject to changes from counsel.

FOURTH ORDER OF BUSINESS

Public Hearing

A. Public Hearing on the Imposition of Special Assessments

Mr. Flint stated this was for the imposition of special assessments. He asked for a motion to open the public hearing.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Opening the Public Hearing, was approved.

i. Presentation of Engineer’s Report

Mr. Flint stated the Engineer’s report was dated February 12th. Mr. Fortier noted an error on the number of units, and it was dated February 12th and other items to be made and the corrections to the report. The estimated costs remained the same for \$33,036,830.

Ms. Sandy asked if the estimated costs in the report were reasonable for a project of this size and scope. Mr. Fortier replied yes. Ms. Sandy asked Mr. Fortier if there was any reason he knew that the District could not proceed with the project. Mr. Fortier replied no.

ii. Presentation of Assessment Methodology

Mr. Flint presented the Assessment Methodology to include the development program consisting of 543 units with a mixture of townhomes, 50- foot, and 60- foot single family homes with ERU factors of 519.52. Table 2 is the estimated cost of \$33,036,830. Table 3 is conservative bond sizing based on improvements and sets a ceiling for purposes of imposing a master lien. This sets a par amount of \$48,900,000. Table 5 demonstrates the allocation of benefit. Table 6 shows the annual net and gross. Table 7 is the preliminary assessment roll.

Ms. Sandy asked if Mr. Tom Franklin had been sworn in before the meeting. Mr. Flint noted he had not been sworn in. At this time Mr. Flint provided the swearing in for Mr. Franklin. Mr. Franklin signed the oath. Mr. Flint noted they would go back and correct the previous motions. The previous motions were then re-stated:

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RESTATED: On MOTION by Mr. Iorio, seconded by Mr. Owen, with all in favor, the Minutes of the February 12, 2024, Board of Supervisors Meeting and Landowner Meeting, were approved subject to changes from counsel.

RESTATED: On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Opening the Public Hearing, was approved.

iii. Public Comment, Testimony and Board Discussion

Ms. Sandy asked for the record if the District lands are receiving special benefits for the master project. Mr. Flint answered yes. Ms. Sandy asked if the special assessments were reasonable and fairly allocated, and Mr. Flint answered yes. Ms. Sandy asked if it was legal, proper, and just that the cost of the project be levied against the land from the District, Mr. Flint answered yes. Ms. Sandy asked if the assessment costs will be equal to or in excess of the special assessments as levied, and Mr. Flint answered yes.

Mr. Flint asked for any public comment, and noted for the record that no members of the public were present at the hearing to provide comment.

iv. Consideration of Resolution 2024-34 Levying Special Assessments

Ms. Sandy presented Resolution 2024-34 levying special assessments. She summarized the payments, method of collection, allocation for securing bonds, and noted that this provides for true up.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2024-34 Levying Special Assessments, was approved.

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

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Closing the Public Hearing, was approved.

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FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2024-35
Approving Fiscal Year 2025 Proposed
Budget and Setting a Public Hearing**

Mr. Flint presented the proposed budget for Fiscal Year 2025 and noted that it is developer funded. He asked if the Board believed there would be maintenance expenses coming on October 1, 2024 through September 30, 2025. The Board noted they would be fine without maintenance expense and assessments. Mr. Flint recommended the public hearing be set for July 8, 2024, at 11:00 a.m. in the same location.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Resolution 2024-35 Approving Fiscal Year 2025 Proposed Budget and Setting a Public Hearing for July 8, 2024, at 11:00 a.m., in the same location, was approved.

SIXTH ORDER OF BUSINESS

**Ranking of Proposals for District
Engineering Services and Authorization to
Issue Notice of Intent to Award and Enter
Negotiations with Number-One Ranked
Firm**

- A. Kelly, Collins & Gentry**
- B. Alliant Engineering, Inc.**

Mr. Flint noted the Board had authorized staff to issue and RFQ for District engineering services. He noted they received two responses. The Board had approved the evaluation criteria which Mr. Flint reviewed. The Board ranked and assigned points for the criteria for each firm. The results were 95 for Kelly, Collins &Gentry and 75 for Alliant.

After discussion the Board reviewed the proposals and decided to award Kelly, Collins and Gentry as the #1 ranked firm.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, the Proposal for District Engineering Services and Authorization to Issue a Notice of Intent to Award and Enter Negotiations with Number-One Ranked Firm Kelly, Collins & Gentry, was approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

- A. Attorney**

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Ms. Sandy stated she had nothing further to report.

B. Engineer

Mr. Fortier gave an update on the general construction overview and noted it was underway.

C. District Manager’s Report

i. Check Register

Mr. Flint presented the check register from January 1, 2024- March 29, 2024, totaling \$22,224.37. He added this included insurance policy, invoices, District Manager, and advertising cost.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, the Check Register, was approved.

ii. Balance Sheet & Income Statement

Mr. Flint stated the balance and income statements are through the end of February and were unaudited. He noted no action is required.

iii. Ratification of Funding Requests No. 2

Mr. Flint stated that funding request #2 is for \$14,829.88 and includes District Management, legal invoices, and Board compensation.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Funding Request #2 for \$14,829.88, was ratified.

EIGHTH ORDER OF BUSINESS

Other Business

There being no comment, the next item followed.

NINTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There being no comment, the next item followed.

TENTH ORDER OF BUSINESS

Adjournment

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On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, the meeting was adjourned.

DocuSigned by:
George Flint
Secretary/Assistant Secretary

DocuSigned by:
Tony Lorio
Chairman/Vice Chairman