

**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, **August 12, 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
Doug Beasley	Vice Chairman
Jason Lonas <i>by phone</i>	Assistant Secretary
Rocky Owen	Assistant Secretary
Tom Franklin	Assistant Secretary

Also present were:

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

FIRST ORDER OF BUSINESS

Roll Call

Mr. Iorio called the meeting to order at 11:00 a.m. and called the roll. Four Board members were present constituting a quorum. Mr. Lonas joined by phone.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Iorio opened up the public comment period. There being no comments, the next item followed.

THIRD ORDER OF BUSINESS

**Approval of the Revised Minutes of the
April 8, 2024 Board of Supervisors
Meeting**

Mr. Flint presented the revised minutes from the April 8, 2024, Board of Supervisors meeting. These were previously approved by the Board but Counsel had some changes.

August 12, 2024

Kepler Road CDD

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, the Revised Minutes of the April 8, 2024, Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

**Approval of the Minutes of the July 8, 2024
Board of Supervisors Meeting**

Mr. Flint presented the minutes from the July 8, 2024, Board of Supervisors meeting and asked for any comments or corrections to the minutes. There were no comments or corrections to the minutes.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, the Minutes of the July 8, 2024, Board of Supervisors Meeting, were approved.

FIFTH ORDER OF BUSINESS

**Consideration of Acquisition Agreement
(Master)**

Ms. Sandy stated the agreement outlines the policies and procedures in place for the District to acquire improvements from the developer. The agreement is between the District and TLC Trinity Gardens and provides that if the District does have bond proceeds that it would pay those bond proceeds for the improvements acquired under this agreement. Ms. Sandy also noted that there may be instances when the District acquires some of the improvements from Landsea, rather than the TLC Trinity Gardens, but that this agreement would still govern those acquisitions due to the completion agreement being discussed next. Mr. Iorio noted the intent is not to acquire those improvements using bond funds at this point. They want to make sure all of the certifications and everything gets turned over to the CDD and when they receive their bonds then will get the proceeds from those costs that have been incurred in relationship to those improvements.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, the Acquisition Agreement (Master), was approved in substantial form.

SIXTH ORDER OF BUSINESS

**Consideration of Completion Agreement
for Phase 1**

August 12, 2024

Kepler Road CDD

Ms. Sandy stated this is an agreement between the District and the developer that has to be in place when financing. It goes hand in hand with the acquisition agreement. Hanover is agreeing to complete the Phase 1 improvements if they are not otherwise completed by Landsea or paid for directly by the District with bond proceeds.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, the Completion Agreement for Phase 1, was approved in substantial form.

SEVENTH ORDER OF BUSINESS

Consideration of Acquisition of Phase 1 Master Improvements

Ms. Sandy noted in the agenda package is a general description of the improvements in Phase 1 that the CDD would be acquiring and some of which will be turned over to other entities. It provides the NTE acquisition cost but since the District was not anticipating paying bond proceeds for these improvements when approved they did not need to be approved at an acquisition amount. In total it includes in Phase 1 the utilities, certain pond and stormwater facilities and improvements, hardscape elements and lift station improvements. It includes the streets which will be turned over to the city for ownership and maintenance.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, the Acquisition of Phase 1 Master Improvements, was approved in substantial form.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Sandy noted Tricia was able to administer Jason’s oath for this District at a prior time. She is continuing to stay in touch with Hanover and MBS on when to move forward with the next financing and will bring updates back to the Board. Mr. Iorio noted a meeting is set up tomorrow with the underwriter and will convey that information.

B. Engineer

Mr. Fortier gave a construction update which included paving, utilities, retaining walls, and permits.

August 12, 2024

Kepler Road CDD

C. District Manager’s Report

i. Balance Sheet & Income Statement

Mr. Flint presented the unaudited financials through June 30th. There is no action required from the Board.

ii. Ratification of Funding Requests No. 9

Mr. Flint stated funding request No. 9 has been transmitted to the developer under the funding agreement and includes District Management, District Counsel and Board compensation for \$2,653.27.

On MOTION by Mr. Iorio, seconded by Mr. Franklin, with all in favor, Funding Request No.9, was ratified.

NINTH ORDER OF BUSINESS

Other Business

There being no comments, the next item followed.

TENTH ORDER OF BUSINESS

Supervisors Requests

There being no comments, the next item followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

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

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George Flint
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Secretary/Assistant Secretary

DocuSigned by:
Tony Iorio
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Chairman/Vice Chairman