

**MINUTES OF MEETING
WINDSOR CAY
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Windsor Cay Community Development District was held Wednesday, **July 26, 2023** at 11:30 a.m. at the Cooper Memorial Library, 2525 Oakley Seaver Drive, Clermont, Florida.

Present and constituting a quorum:

Aaron Struckmeyer	Chairman
Jeff Farhood	Assistant Secretary
Bernard Sullivan	Assistant Secretary
Quinten Payne	Assistant Secretary

Also present were:

George Flint	District Manager, GMS
Ryan Dugan	District Counsel
Bill Whitegon	District Engineer

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order and called the roll. Three Board members were present in person constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

There were no members of the public present for the meeting.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Appointment of Individual to Fulfill Board Vacancy

Mr. Flint stated there was a vacancy created by the resignation of Jennifer Cotch and that is Seat #1 with a term expiring in November of 2027. Are there any nominations to fill that vacancy? Mr. Struckmeyer nominated Bernard Sullivan for the vacancy.

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On MOTION by Mr. Struckmeyer, seconded by Mr. Payne, with all in favor, Appointing Bernard Sullivan to Fulfill the Board Vacancy, was approved.

B. Administration of Oath of Office to Newly Appointed Board Member

Mr. Flint stated Mr. Sullivan was appointed to Seat #1 with the next term expiring in November of 2027. Mr. Flint administered the oath of office.

C. Consideration of Resolution 2023-34 Electing Officers

Mr. Flint stated each office can be handled individually or if a Board member wants to elect a slate of officers, we can do it in one motion. Mr. Struckmeyer stated he could elect a slate of officers. He proposed that they keep all of the current positions the same with the exception of moving myself to Chairperson and Bernard becoming an Assistant Secretary.

On MOTION by Mr. Struckmeyer, seconded by Mr. Payne, with all in favor, Resolution 2023-34 Electing Officers as slated above, was approved.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the May 24, 2023 Board of Supervisors Meeting

Mr. Flint presented the minutes of the May 24, 2023 Board of Supervisors meeting and asked for any comments or corrections. The Board had no changes to the minutes.

On MOTION by Mr. Struckmeyer, seconded by Mr. Payne, with all in favor, the Minutes of the May 24, 2023 Board of Supervisors Meeting, were approved.

FIFTH ORDER OF BUSINESS

Public Hearing

Mr. Flint asked for a motion to open the public hearing. There are no members of the public here to provide comment or testimony so we will bring it back to the Board. There are two public hearings, the first is to adopt the budget and the second to impose the assessment associated with the budget.

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

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A. Consideration of Resolution 2023-37 Adopting the Fiscal Year 2024 Budget and Relating to the Annual Appropriations

Mr. Flint stated attached to this resolution is the proposed budget and it is substantially the same as what you saw previously. He noted the current year actuals have been updated through the end of May. As far as the costs for next year, those have not changed since your last review of this. He noted this will involve imposing O&M assessments and the per unit amounts are reflected at the bottom of page 2 on the first 375 units, some of which are platted and some are still planned.

Mr. Struckmeyer asked on the proposed budget for 2024 for the O&M costs, are any of those based on actual proposals for work or are they just estimates? Mr. Flint noted they are based on the areas to be maintained and informal estimates of maintenance. Mr. Flint stated we have not formally bid anything yet. We will work with you all based on who your install contractor is if you have a preference to use them during the warranty period, we can negotiate an agreement with them. He noted at this point we estimated a build out budget then went back and looked at the first phases that comprised the 375 units and basically the difference between that and the budget, we included as developer contribution to keep the pre units the same. He noted the reality is you likely won't have a developer contribution because of the timing of when things are coming on, there probably will not be a full 12 months of those contracts.

On MOTION by Mr. Struckmeyer, seconded by Mr. Payne, with all in favor, Resolution 2023-37 Adopting the Fiscal Year 2024 Budget and Relating to the Annual Appropriations, was approved.
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B. Consideration of Resolution 2023-38 Imposing Special Assessments and Certifying an Assessment Roll

Mr. Flint stated attached to Resolution 2023-38 is the budget the Board approved and the assessment roll listing the individual properties that are to be assessed under this. He noted right now nothing is platted. We have a direct bill. Mr. Flint asked if they have recorded the plats and Mr. Struckmeyer answered yes for Phase 1 the 375 lots were platted four months ago. Mr. Flint stated they will make sure the resolution reflects the individual platted lots.

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On MOTION by Mr. Struckmeyer, seconded by Mr. Payne, with all in favor, Resolution 2023-38 Imposing Special Assessments and Certifying an Assessment Roll, was approved.

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

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

SIXTH ORDER OF BUSINESS

Consideration of Fiscal Year 2024 Deficit Funding Agreement

Mr. Flint stated this is between the District and Pulte Home Company. This is for the \$50,000 that is reflected under the developer contribution line on the adopted budget. In the event that the money generated from the assessments is not adequate to fund the budgets, this would allow us to submit a funding request to Pulte. He noted it's like a backstop funding agreement. Mr. Struckmeyer asked if there are estimates yet for the deficit funding amount. Mr. Flint stated that wouldn't happen until later in the Fiscal Year until August or September of 2024. Mr. Flint stated he would check to see if the platted lots show up on the assessment roll or we will have to end up having to direct bill those. We will use that revenue first and if it's not adequate then we may have to submit a funding request.

On MOTION by Mr. Struckmeyer, seconded by Mr. Payne, with all in favor, the Fiscal Year 2024 Deficit Funding Agreement, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Acquisition Agreement

Mr. Dugan stated in the agenda package is an Acquisition Agreement between the District and developer Pulte Home Company which basically lays out the process where the District is going to acquire the infrastructure improvements that Pulte is constructing or haven't constructed and these improvements are outlined and included in the District's Engineer Report. He noted the agreement lays out the documentation process that the District needs in order to acquire the improvements and lays out the expectation of how the District is going to repay the developer with bond proceeds at the time the bonds are issued. This is our standard agreement that we ventured into with Pulte with other Districts in the past. He stated he would be happy to answer any

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questions and if not looking for a motion to approve the agreement. Mr. Struckmeyer stated they would like to move forward with the land acquisitions after this is done and then the actual acquisition of some of the physical improvements.

On MOTION by Mr. Struckmeyer, seconded by Mr. Payne, with all in favor, the Acquisition Agreement, was approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Dugan stated the bond validation hearing is set for October 10th so that gives us a beginning point of when we can start thinking about bond issuance and would occur after the hearing after we go through an appeal period which is typically 30 days. He stated that gives us the end point of when we want to get these improvements acquired and go through the acquisition process.

B. Engineer

Mr. Whitegon had nothing new to report.

C. District Manager's Report

i. Balance Sheet and Income Statement

Mr. Flint presented the unaudited financials through the end of May. He asked for any questions. There was no action required.

ii. Ratification of Funding Requests 6-8

Mr. Flint stated this was sent to the developer under the current funding agreement. He asked for a motion to ratify those.

On MOTION by Mr. Struckmeyer, seconded by Mr. Payne, with all in favor, Funding Requests 6-8, were ratified.

iii. Approval of Fiscal Year 2024 Meeting Dates

Mr. Flint stated normally we have you approve an annual meeting schedule in conjunction with the budget hearing but I would like to defer this to the next meeting if we can just because they have implemented fees for this meeting location including a cleaning charge of \$150. Mr.

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Struckmeyer stated there should be a construction trailer where they can meet on site. Mr. Flint stated the current location is \$75 an hour plus the cleaning fee. He stated he was going to look into other alternatives close that may be lower and bring that back. The location just needs to be in Lake County. Mr. Struckmeyer stated there is a clubhouse at Lake View Preserve off Hancock Road. He stated it is a place they can meet at for six to nine months. Mr. Flint asked him to find out if that works and we will modify this. He noted they will defer the meeting notice until the next meeting.

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 Ms. Struckmeyer, seconded by Mr. Payne, with all in favor, the meeting was adjourned.

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George Flint
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Secretary/Assistant Secretary

DocuSigned by:
laron Struckmeyer
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Chairman/Vice Chairman