

**MINUTES OF MEETING
BUENA LAGO
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Buena Lago Community Development District held Public Hearings and a Regular Meeting on April 18, 2024 at 10:30 a.m., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744.

Present were:

Chris Tyree	Chair
Shelley Kaercher	Vice Chair
Robyn Bronson	Assistant Secretary
Roger Van Auker	Assistant Secretary
Ayden Williams	Assistant Secretary

Also present were:

Daniel Rom	District Manager
Kristen Thomas	Wrathell Hunt and Associates LLC (WHA)
Jere Earlywine (via telephone)	District Counsel
Ashley Ligas (via telephone)	Kutak Rock LLP
Christopher Allen (via telephone)	District Engineer

Residents present:

Rene Landivar	Angie Susana	Enid Bradley	David Rodriquez
Rebecca Vargas	Mariela Lopez	Philippa Agu	Auridaniella Diaz
Meffali Santoni	Nara Santoni	Nubia Franco	Viviana Maldonado

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 10:35 a.m.

All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

**Public Hearing Confirming the Intent of the
District to Use the Uniform Method of**

Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date

A. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2024-05, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Buena Lago Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

Mr. Rom presented Resolution 2024-05 and read the title. He explained that, through the development process, bond funds are used to fund the capital infrastructure in the CDD, including the stormwater system, electric, irrigation, roadways, utilities, etc. The Uniform Method, per Florida Statutes, facilitates the application of the assessments across all the units within the CDD boundaries, via non-ad valorem taxes. Additionally, it allows for the Operation and Maintenance (O&M) portion of the budget, which funds the CDD on an annual basis; particularly, the professional and administrative costs, landscaping, stormwater ponds and aquatic control.

Mr. Earlywine stated, for today's meeting, Staff will put in place a debt assessment for a future bond issue, which will not affect current residents, and finetune the proposed O&M budget, which affects all property owners in the CDD. This first item is a prerequisite for the placement and collection of assessments on the tax roll.

On MOTION by Mr. Tyree and seconded by Ms. Bronson, with all in favor, the Public Hearing was opened.

In response to resident Nara Santoni's question, Mr. Rom stated this item was presented in 2021 and that debt has already been levied across the CDD's boundaries. The agenda item being considered today is related to the expansion parcel that is coming in and debt on that has not been issued.

Mr. Earlywine stated this first item is for the CDD to place assessments on the tax roll for the back half of the property, which is currently under development. This action does not affect any of the CDD's current homeowners; this process was utilized in 2021 with regard to putting the CDD's current homeowners' assessments on the tax roll.

Ms. Santoni stated residents are concerned that more taxes are going to be added and are attending today's meeting to get clarification.

Mr. Tyree summarized that the CDD is no different than a municipality charging school taxes, roadway taxes, etc. The assessments that homeowners are assessed are special assessments from just the CDD and are related to the improvements associated with CDD and nothing else.

Mr. Earlywine stated the CDD is like a Homeowners Association but it can do more things. Because the CDD is allowed to access the bond market, it allows for the construction of better-quality projects, etc. A CDD is also a great O&M entity from the standpoint that it is a better model than a traditional HOA, as the CDD collects assessments via the tax bill; as opposed to an HOA that has no guarantee of payment.

Mr. Tyree stated all the amenity centers are placed under the HOA umbrella, which makes them private and more beneficial for the residents. He discussed how CDDs are created, listed the improvements that are maintained by the HOA and those maintained by the CDD, the stormwater ponds and the bond issuance process.

Resident Philippa Agu asked if there will come a time when residents will be done paying off the bond. Mr. Rom explained that the bonds are 30-year bonds and are based upon the amortization schedule, meaning the debt portion of the assessments will fluctuate by pennies over time. Once the debt is paid off and, assuming that there is no other debt that the CDD takes on, the debt assessment would; however, there will always be, in perpetuity, an O&M assessment portion to the budget.

Mr. Earlywine stated the CDD is a perpetual maintenance entity, just like an HOA; it goes on forever. Part of the bond debt will go away after 30 years but homeowners can pre-pay it; however, the rates are so good that it does not make sense to prepay. Ms. Agu asked if this process is the County's, City's or Developer's way of transferring their responsibilities to the property owners who are already paying taxes and HOA fees. Mr. Earlywine stated no, every community whether a CDD, HOA, etc., is going to own its own stormwater ponds, which is what the CDD does, and most communities construct utilities, which are eventually conveyed to the County. Everything that is happening in the CDD happens in every other community, the difference with the CDD is that it can finance the improvements, including the stormwater ponds, through assessments and bond issues, which spreads the costs over time and provides cost-savings for the community. Asked if the added costs impact the desirability of CDDs, Mr. Earlywine stated no; CDDs are much better O&M entities long-term and it can increase property values.

Resident Rene Landivar stated, when he purchased his home one year ago, the DR Horton salesperson did not disclose the existence of a CDD, which is concerning. Mr. Tyree stated he will investigate that allegation.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Tyree and seconded by Ms. Kaercher, with all in favor, Resolution 2024-05, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Buena Lago Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements

- A. Affidavit/Proof of Publication**
- B. Mailed Notice to Property Owner(s)**

These items were included for informational purposes.

C. Engineer's Report - Amended and Restated (for informational purposes)

Mr. Allen recalled that the Engineer's Report was presented at the previous meeting and this Amended and Restated Engineer's Report reflects a few minor modifications. The bulk of the Report is a review of the necessary CDD improvements and the future phases and the estimated costs for those improvements.

D. Amended and Restated Master Special Assessment Methodology Report (for informational purposes)

Mr. Rom stated the Amended and Restated Master Special Assessment Methodology Report was also presented at the previous meeting. It matches the information in the Engineer's Report with the scope of the development broken down by the townhome and single-family home product types and the Capital Improvement Plan (CIP). The second part of the Methodology Report is related to the assessments in that it takes all the information and costs and spreads it across all the units and assigns an equivalent rate factor per unit for the type of unit. Ultimately, the total amount of debt encompasses the capital improvements that will be constructed, in addition to the costs of issuance for the bonds, and spreads them over those particular units. He stated that the maximum annual debt amount is the same as what was presented at the previous meeting.

On MOTION by Mr. Tyree and seconded by Ms. Bronson, with all in favor, the Public Hearing was opened.

- **Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.**

In response to a question, Mr. Earlywine stated this is a procedural step in order to issue bonds and fund the construction for the northern phase of the project. He reiterated that this does not affect any existing homeowners and/or Landowners.

Ms. Santoni asked if these assessments will be paid by the people that will be purchasing the homes in the northern part. Mr. Earlywine replied affirmatively.

On MOTION by Mr. Tyree and seconded by Ms. Kaercher, with all in favor, the Public Hearing was closed.

- **Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.**

The Board, sitting as an equalizing Board, did not wish to make any changes.

- E. Consideration of Resolution 2024-06, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer's Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date**

Mr. Rom presented Resolution 2024-06 and read the title.

On MOTION by Mr. Tyree and seconded by Ms. Kaercher, with all in favor, Resolution 2024-06, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer's Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2024-07, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Rom presented Resolution 2024-07. He reviewed the proposed Fiscal Year 2025 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2024 budget, and explained the reasons for any changes.

The following change was made to the proposed Fiscal Year 2025 budget:

“Landscaping contract labor” line item: Increase from \$15,000 to \$19,000

Mr. Rom stated that the total of the budgeted for Fiscal Year 2025 expenditures is \$132,000.

On MOTION by Ms. Kaercher and seconded by Mr. Tyree, with all in favor, Resolution 2024-07, Approving a Proposed Budget for Fiscal Year 2024/2025, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for July 18, 2024 at 10:30 a.m., at Johnston’s Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2024-08, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date

Mr. Rom presented Resolution 2024-08.

On MOTION by Ms. Bronson and seconded by Mr. Tyree, with all in favor, Resolution 2024-08, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2024-09, Ratifying the Actions of the District Manager in Redesignating the Time for Landowners’ Meeting; Providing for Publication, Providing for an Effective Date

Mr. Rom presented Resolution 2024-09.

On MOTION by Ms. Kaercher and seconded by Mr. Williams, with all in favor, Resolution 2024-09, Ratifying the Actions of the District Manager in Redesignating the Time for Landowners' Meeting for November 5, 2024 at 1:00 p.m., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744; Providing for Publication, Providing for an Effective Date, was approved.

EIGHTH ORDER OF BUSINESS

Ratification Items

Mr. Earlywine presented the following:

A. Acquisition of the Buena Lago Phase 4 Utilities and Roadways Improvements

On MOTION by Ms. Bronson and seconded by Ms. Kaercher, with all in favor, acquisition of the Buena Lago Phase 4 Utilities and Roadways Improvements, was ratified.

B. Revocation of United Land Services, LLC Landscape Maintenance Services Agreement Termination

On MOTION by Ms. Kaercher and seconded by Mr. Tyree, with all in favor, revocation of United Land Services, LLC Landscape Maintenance Services Agreement Termination, was ratified.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 29, 2024

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the Unaudited Financial Statements as of February 29, 2024, were accepted.

TENTH ORDER OF BUSINESS

Approval of January 18, 2024 Regular Meeting Minutes

On MOTION by Mr. Tyree and seconded by Ms. Kaercher, with all in favor, the January 18, 2024 Regular Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS**Staff Reports**

- A. District Counsel: Kutak Rock LLP**
- B. District Engineer: Dewberry Engineers, Inc.**

There were no reports from District Counsel or the District Engineer.

- C. District Manager: Wrathell, Hunt and Associates, LLC**

- **NEXT MEETING DATE: May 16, 2024 at 10:30 AM**
 - **QUORUM CHECK**

The May 16, 2024 meeting will be cancelled. The next meeting will most likely be in July.

TWELFTH ORDER OF BUSINESS**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

THIRTEENTH ORDER OF BUSINESS**Public Comment**

Resident David Bradley asked when the minutes from today's meeting will be posted. Mr. Rom stated the minutes from today's meeting will be transcribed in summary form and will be presented at the next Regular meeting, likely to be held in July.

Asked if residents will be notified of the next meeting via a mailed notice, Mr. Rom stated no, the meeting schedule and agenda letters are posted on the CDD website. Anyone who is interested should check the website five days prior to the scheduled meetings.

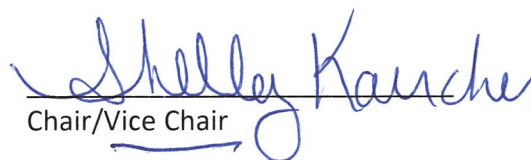
Mr. Rom stated the website address is buenalagocdd.net.

A resident voiced her appreciation to the Board and Staff for their patience and understanding of resident concerns.

FOURTEENTH ORDER OF BUSINESS**Adjournment**

On MOTION by Mr. Tyree and seconded by Ms. Kaercher, with all in favor, the meeting adjourned at 11:26 a.m.


Secretary/Assistant Secretary


Chair/Vice Chair