

**MINUTES OF MEETING  
KELLY PARK COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Kelly Park Community Development District held Multiple Public Hearings and a Regular Meeting on September 14, 2022 at 3:00 p.m., at the offices of Poulos & Bennett, LLC, 2602 E Livingston Street, Orlando, Florida 32803.

**Present at the meeting were:**

Seth Bennett	Chair
Quint "Robert" Noordstar	Vice Chair
Dan Edwards	Assistant Secretary

**Also present were:**

Ernesto Torres	District Manager
Jere Earlywine (via telephone)	District Counsel
Marc Stehli	District Engineer

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Torres called the meeting to order at 3:05 p.m. Supervisors Bennett, Mr. Noordstar and Edwards, were present. Supervisors Galvin and Avelli were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Elected Board of Supervisors *(the following will be provided in a separate package)***

Mr. Torres, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Bennett, Mr. Noordstar and Mr. Edwards. The Oath of Office would be administered to Mr. Galvin and Mr. Avelli at the next meeting.

Mr. Earlywine directed the Board Members to complete Form 8B, which is the Memorandum of Voting Conflict to disclose that they are a CDD Board Member and an employee or business affiliate of a Landowner or Developer of the CCD. He stated that Form 8B for each Supervisor with a potential conflict should be attached to all meeting minutes.

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Chapter 190, Florida Statutes**
- D. Financial Disclosure Forms**
  - I. Form 1: Statement of Financial Interests**
  - II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - III. Form 1F: Final Statement of Financial Interests**
- E. Form 8B: Memorandum of Voting Conflict**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-27, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date**

Mr. Torres presented Resolution 2022-27. He reported the results of the Landowners’ Election, as follows:

Seat 1	Seth Bennett	214 Votes	4-Year Term
Seat 2	Quint Noordstar	214 Votes	4-Year Term
Seat 3	Taryn Galvin	200 Votes	2-Year Term
Seat 4	Lou Avelli	200 Votes	2-Year Term
Seat 5	Dan Edwards	200 Votes	2-Year Term

**On MOTION by Mr. Edwards and seconded by Mr. Bennett, with all in favor, Resolution 2022-27, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-28, Designating Certain Officers of the District, and Providing for an Effective Date**

Mr. Torres presented Resolution 2022-28. Mr. Noordstar nominated the following slate of officers:

Chair	Seth Bennett
Vice Chair	Quint Noordstar
Secretary	Craig Wrathell
Assistant Secretary	Taryn Galvin
Assistant Secretary	Lou Avelli
Assistant Secretary	Dan Edwards
Assistant Secretary	Ernesto Torres
Treasurer	Craig Wrathell
Assistant Treasurer	Jeff Pinder

No other nominations were made.

**On MOTION by Mr. Noordstar and seconded by Mr. Bennett, with all in favor, Resolution 2022-28, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.**

**SIXTH 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 2022-29, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Kelly Park Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

**On MOTION by Mr. Bennett and seconded by Mr. Noordstar, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Noordstar and seconded by Mr. Bennett, with all in favor, the Public Hearing was closed.**

Mr. Torres presented Resolution 2022-29 and read the title.

**On MOTION by Mr. Noordstar and seconded by Mr. Bennett, with all in favor, Resolution 2022-29, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Kelly Park Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**SEVENTH 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**

- *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.*
- *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.*

These items occurred below.

**A. Affidavit/Proof of Publication**

**B. Mailed Notice to Property Owner(s)**

These items were included for informational purposes.

**C. Engineer’s Report (*for informational purposes*)**

This item was presented at the Organizational Meeting.

**D. Master Special Assessment Methodology Report (*for informational purposes*)**

Mr. Torres reviewed the Master Special Assessment Methodology Report and noted the following:

- Table 1: The Development Plan anticipates 765 units.
- Table 2: Lists the Capital Improvements, in an amount of \$39,936,395.98.
- Table 3: Reflects the Primary Sources and Uses of Funds.
- Table 4: Reflects the Equivalent Residential Unit (ERU) benefit allocation across the unit types.
- Table 5: Reflects the bond assessment apportionment across the unit types.

**E. Consideration of Resolution 2022-30, 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**

**On MOTION by Mr. Edwards and seconded by Mr. Bennett, 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.*

No affected property owners spoke.

- *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 the Equalizing Board made no changes to the assessment levels.

**On MOTION by Mr. Noordstar and seconded by Mr. Edwards, with all in favor, the Public Hearing was closed.**

Mr. Earlywine stated that all information regarding benefits, justification for the assessments, the assessments are fair and being reasonably allocated, etc., are set forth in Resolution 2022-30 and makes those findings.

Mr. Torres presented Resolution 2022-30 and read the title.

**On MOTION by Mr. Noordstar and seconded by Mr. Bennett, with all in favor, Resolution 2022-30, 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.**

**EIGHTH ORDER OF BUSINESS**

**Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes**

**A. Affidavit/Proof of Publication**

The affidavit of publication was included for informational purposes.

**B. Consideration of Resolution 2022-31, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date**

Mr. Earlywine stated that the Rules of Procedure address administration of the Board and CDD, how the Rules are made and procurement process.

Mr. Edwards asked if anything that should be looked at or be more detailed. Mr. Earlywine stated these Rules are standard in form. Mr. Edwards wondered about reviewing specific Rules to make changes now to avoid doing it later, if something arises. Mr. Earlywine stated that the bidding process is essentially set forth by Statute but the frequency is something that can be considered; contracts are usually for three to five years. He reiterated that these Rules are standard and he is not aware of anything in them that should be looked at further.

**On MOTION by Mr. Edwards and seconded by Mr. Noordstar, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Edwards and seconded by Mr. Noordstar, with all in favor, the Public Hearing was closed.**

Mr. Torres presented Resolution 2022-31.

**On MOTION by Mr. Edwards and seconded by Mr. Noordstar, with all in favor, Consideration of Resolution 2022-31, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year  
2021/2022 Budget**

**A. Affidavit/Proof of Publication**

The affidavit of publication was included for informational purposes.

**B. Consideration of Resolution 2022-32, Relating to the Annual Appropriations and Adopting the Budget for the Remainder of the Fiscal Year Beginning May 18, 2022, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Torres reviewed the proposed Fiscal Year 2021/2022 budget, which is a partial-year, budget.

**On MOTION by Mr. Noordstar and seconded by Mr. Bennett, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Bennett and seconded by Mr. Noordstar, with all in favor, the Public Hearing was closed.**

Mr. Torres presented Resolution 2022-29.

**On MOTION by Mr. Noordstar and seconded by Mr. Bennett, with all in favor, Resolution 2022-32, Relating to the Annual Appropriations and Adopting the Budget for the Remainder of the Fiscal Year Beginning May 18, 2022, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year  
2022/2023 Budget**

**A. Affidavit/Proof of Publication**



The affidavit of publication was included for informational purposes.

**B. Consideration of Resolution 2022-33, Relating to the Annual Appropriations and Adopting the Budget for the Remainder of the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Torres reviewed the proposed Fiscal Year 2022/2023 budget. It is a full-year, Landowner-funded budget with expenses being funded as they are incurred.

**On MOTION by Mr. Noordstar and seconded by Mr. Bennett, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Noordstar and seconded by Mr. Bennett, with all in favor, the Public Hearing was closed.**

Mr. Torres presented Resolution 2022-33.

**On MOTION by Mr. Noordstar and seconded by Mr. Bennett, with all in favor, Resolution 2022-33, Relating to the Annual Appropriations and Adopting the Budget for the Remainder of the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**ELEVENTH ORDER OF BUSINESS**

**Resolution 2022-07, Designating the Primary Administrative Office and Principal Headquarters of the District; Designating the Location of the Local District Records Office; and Providing an Effective Date**

This item was deferred.

**TWELFTH ORDER OF BUSINESS**

**Resolution 2022-14, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date**

Mr. Torres presented Resolution 2022-14. Mr. Earlywine discussed the upcoming CDD activities that might necessitate a meeting and stated that, even if monthly meetings are scheduled, it will probably not be necessary to meet every month. He noted that publishing the entire meeting schedule could save the CDD money as it avoids the added expense of individual advertisements for each meeting. The following will be inserted into the Fiscal Year 2023 Meeting Schedule:

DATES: Second Wednesday of each month

TIMES: 11:00 AM

**On MOTION by Mr. Noordstar and seconded by Mr. Bennett, with all in favor, Resolution 2022-14, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023, as amended, and Providing for an Effective Date, was adopted.**

**THIRTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of July 31, 2022**

Mr. Torres presented the Unaudited Financial Statements as of July 31, 2022.

**On MOTION by Mr. Bennett and seconded by Mr. Noordstar, with all in favor, the Unaudited Financial Statements as of July 31, 2022, were approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Approval of Minutes**

Mr. Torres presented the following:

- A. July 6, 2022 Organizational Meeting**
- B. August 10, 2022 Landowners' Meeting**

**On MOTION by Mr. Noordstar and seconded by Mr. Bennett, with all in favor, the July 6, 2022 Organizational Meeting and August 10, 2022 Landowners' Meeting Minutes, as presented, were approved.**

**FIFTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *KE Law Group, PLLC***

There was no report.

**B. District Engineer (Interim): *Poulos & Bennett, LLC***

There was no report.

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

- **NEXT MEETING DATE: TBD**

- **QUORUM CHECK**

The next meeting is scheduled for October 12, 2022, unless cancelled.

**SIXTEENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

**SEVENTEENTH ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**EIGHTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Bennett and seconded by Mr. Noordstar, with all in favor, the meeting adjourned at 3:41 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair