

**MINUTES OF MEETING
SILVERLAKE
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Silverlake Community Development District held Public Hearings and a Regular Meeting on May 1, 2023 at 5:00 p.m., at Mackay Gardens and Lakeside Preserve, 945 Mackay Blvd., Lake Alfred, Florida 33850.

Present at the meeting were:

Brady Lefere
Katarina (Kat) Diggs
Max Law

Chair
Assistant Secretary
Assistant Secretary

Also present were:

Kristen Suit
Pfil Hunt
Jere Earlywine

District Manager
Wrathell, Hunt and Associates, LLC
District Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Suit called the meeting to order at 5:00 p.m.

The Oath of Office was administered to Mr. Max Law before the meeting.

Supervisors Lefere, Diggs and Law were present. Supervisor Aponte and Supervisor-Elect Marc Ferlita were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Supervisor Max Law [SEAT 4] (the following will be provided in a separate package)

This item was addressed during the First Order of Business. Mr. Law is familiar with the following:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. 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**
- D. Form 8B: Memorandum of Voting Conflict**

FOURTH ORDER OF BUSINESS

Acceptance of Notice of Intent to Decline Election to Board from Marc Ferlita [SEAT 5]; Term Expires November 2024

Ms. Suit presented Mr. Marc Ferlita's Notice of Intent to decline his election to Seat 5.

On MOTION by Mr. Lefere and seconded by Ms. Diggs, with all in favor, Mr. Marc Ferlita's declination of his election to Seat 5, was accepted.

- A. Consider Appointment to Fill Unexpired Term of Seat 5**
 - **Administration of Oath of Office**
- B. Consideration of Resolution 2023-43, Designating Certain Officers of the District, and Providing for an Effective Date**

These items were deferred.

FIFTH 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. Affidavits of Publication**

B. Consideration of Resolution 2023-39, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

Ms. Suit presented Resolution 2023-39 and the Rules of Procedure.

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

No members of the public spoke.

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

On MOTION by Mr. Lefere and seconded by Ms. Diggs, with all in favor, Resolution 2023-39, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2023-42, Ratifying, Confirming, and Approving the Sale of the Silverlake Community Development District Special Assessment Bonds, Series 2023 (Assessment Area One); Ratifying, Confirming, and Approving the Actions of the Chairman, Vice Chairman, Treasurer, Secretary, Assistant Secretaries, and All District Staff Regarding the Sale and Closing of the Silverlake Community Development District Special Assessment Bonds, Series 2023 (Assessment Area One); Determining Such Actions as Being in Accordance with the Authorization Granted by the Board; Providing a Severability Clause; and Providing an Effective Date

Ms. Suit presented Resolution 2023-42.

On MOTION by Mr. Lefere and seconded by Ms. Diggs, with all in favor, Resolution 2023-42, Ratifying, Confirming, and Approving the Sale of the Silverlake Community Development District Special Assessment Bonds, Series 2023 (Assessment Area One); Ratifying, Confirming, and Approving the Actions of the Chairman, Vice Chairman, Treasurer, Secretary, Assistant Secretaries, and All District Staff Regarding the Sale and Closing of the Silverlake Community Development District Special Assessment Bonds, Series 2023 (Assessment Area One); Determining Such Actions as Being in Accordance with the Authorization Granted by the Board; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Responses to Request for Proposals (RFP) for Annual Audit Services

- A. Affidavit of Publication**
- B. RFP Package**
- C. Respondents:**
 - I. Berger, Toombs, Elam, Gaines & Frank**
 - II. Carr, Riggs & Ingram, LLC**
 - III. Grau & Associates**

Ms. Suit presented the responses to the RFP for Annual Audit Services.

D. Auditor Evaluation Matrix/Ranking

Ms. Suit discussed her recommended scores and rankings, as follows:

#1	Berger, Toombs, Elam, Gaines & Frank (BTEGF)	100 points
#2	Grau & Associates (Grau)	97 points
#3	Carr, Riggs & Ingram, LLC (CRI)	95 points

E. Award of Contract

On MOTION by Mr. Lefere and seconded by Ms. Diggs, with all in favor, the scoring and rankings, with Berger, Toombs, Elam, Gaines & Frank as the #1 ranked respondent to the RFP for Annual Audit Services and awarding the contract to Berger, Toombs, Elam, Gaines & Frank, was approved.

EIGHTH ORDER OF BUSINESS

Public Hearing to Hear Public Comments and Objections to the Policies and Rates

**Regarding District Amenity Facilities,
Pursuant to Sections 120.54 and 190.035,
Florida Statutes**

- A. Affidavits of Publication**
- B. Consideration of Resolution 2023-41, Adopting Amenity Rates and Suspension and Termination Policies; Providing a Severability Clause; and Providing an Effective Date**

Ms. Suit presented Resolution 2023-41 and noted that the rates are pending. Mr. Earlywine discussed considerations to keep in mind when determining the rates. He suggested, and the Board agreed, with approving a non-resident user rate equal to the total Debt Service and Operation and Maintenance (O&M) assessments, divided by 12 as the monthly rate and the reservation rates being the market rate as determined by the Amenity staff.

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

No members of the public spoke.

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

On MOTION by Mr. Lefere and seconded by Ms. Diggs, with all in favor, Resolution 2023-41, Adopting Amenity Rates, as amended, and Suspension and Termination Policies; Providing a Severability Clause; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

**Consideration of Resolution 2023-44,
Approving a Proposed Budget for Fiscal
Year 2023/2024 and Setting a Public
Hearing Thereon Pursuant to Florida Law;
Addressing Transmittal, Posting and
Publication Requirements; Addressing
Severability; and Providing an Effective
Date**

Before the meeting, the agenda letter and resolution were updated to reflect Resolution 2023-44, rather than originally stated as Resolution 2023-42; the electronic version is correct.

Ms. Suit presented Resolution 2023-44. She reviewed the proposed Fiscal Year 2024 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2023 budget, and explained the reasons for any changes. She noted that the off-roll assessment revenue will be reduced to \$60,000 so a Deficit Funding Agreement will be necessary. The following other changes were made:

Page 2: Delete first "Landscape maintenance" line item that is not budgeted

On MOTION by Mr. Lefere and seconded by Ms. Diggs, with all in favor, Consideration of Resolution 2023-44, Approving a Proposed Budget for Fiscal Year 2023/2024, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for August 7, 2023 at 5:00 p.m., at the Mackay Gardens and Lakeside Preserve, 945 Mackay Blvd., Lake Alfred, Florida 33850; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2023-45, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; and Providing for an Effective Date

Before the meeting, the agenda letter and resolution were updated to reflect Resolution 2023-45, rather than originally stated as Resolution 2023-03; the electronic version is correct.

Ms. Suit presented Resolution 2023-45. This amendment is necessary to include Field Operations to the Fiscal Year 2023 budget.

On MOTION by Mr. Lefere and seconded by Ms. Diggs, with all in favor, Resolution 2023-45, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; and Providing for an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS**Consideration of Highland Community Management, LLC, Field Operations Agreement**

Ms. Suit presented the Field Operations Agreement. The following change was made:

Page 2, Section 4A: Change “as of the date first written above” to “upon written notice of commencement from the District”

On MOTION by Mr. Lefere and seconded by Ms. Diggs, with all in favor, the Highland Community Management, LLC, Field Operations Agreement, as amended, was approved.

TWELFTH ORDER OF BUSINESS**Ratification of Engagement with Jere Earlywine at Kutak Rock LLP**

On MOTION by Mr. Lefere and seconded by Ms. Diggs, with all in favor, Engagement of Jere Earlywine/Kutak Rock LLP for District Counsel Services, was ratified.

- **Consideration of Retention and Fee Agreement**

On MOTION by Mr. Lefere and seconded by Ms. Diggs, with all in favor, the Kutak Rock LLP Retention and Fee Agreement, was approved.

THIRTEENTH ORDER OF BUSINESS**Ratification of Acquisition of the Phase 1 and Offsite Improvements**

On MOTION by Mr. Lefere and seconded by Ms. Diggs, with all in favor, Acquisition of the Phase 1 and Offsite Improvements, was ratified.

FOURTEENTH ORDER OF BUSINESS**Consideration of Resolution 2023-07, Designating the Primary Administrative**

Office and Principal Headquarters of the District and Providing an Effective Date

This item was deferred.

FIFTEENTH ORDER OF BUSINESS

Consideration of Resolution 2023-14, 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

This item was deferred.

SIXTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2023

On MOTION by Mr. Lefere and seconded by Ms. Diggs, with all in favor, the Unaudited Financial Statements as of March 31, 2023, were accepted.

SEVENTEENTH ORDER OF BUSINESS

Approval of February 6, 2023 Public Hearings and Regular Meeting Minutes

On MOTION by Mr. Lefere and seconded by Ms. Diggs, with all in favor, the February 6, 2023 Public Hearings and Regular Meeting Minutes, as presented, were approved.
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EIGHTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: KE Law Group, PLLC

Discussion ensued regarding when substantial completion of the utilities is expected.

B. District Engineer (Interim): Colliers Engineering & Design

There was no report.

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

- **NEXT MEETING DATE: TBD at 5:00 PM**

○ **QUORUM CHECK**

Ms. Suit stated the next meeting will be on August 7, 2023.

NINETEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

TWENTIETH ORDER OF BUSINESS

Public Comments

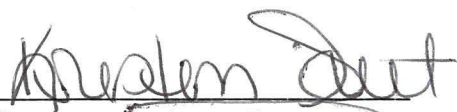
No members of the public spoke.

TWENTY-FIRST ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Lefere and seconded by Ms. Diggs, with all in favor, the meeting adjourned at 5:50 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair