

MINUTES OF MEETING
INDIGO
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Indigo Community Development District was held Monday, December 19, 2022 at 1:00 p.m. in the Fairfield by Marriott Daytona Beach, 1820 Checkered Flag Boulevard, Daytona Beach, Florida.

Present and constituting a quorum were:

John McCarthy	Chairman
Mark McCommon	Vice Chairman
Kevin Kilian	Assistant Secretary
Ken Workowski	Assistant Secretary
Ron Brown	Assistant Secretary

Also Present were:

James Perry	District Manager
Katie Buchanan	District Counsel by telephone
Jamie Rountree	Team Rountree

FIRST ORDER OF BUSINESS

Roll Call

Mr. Perry called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Public Comments

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Oath of Office for Newly Appointed Supervisors

Mr. Perry stated at the last meeting I swore in each of the new supervisors; Mr. McCarthy, Mr. McCommon and Mr. Brown. The state has a preferred oath of office, which we swore you in with and there is also an oath of office, which is slightly different that is required by the county.

Mr. Perry administered the county’s oath of office to Mr. McCarthy, Mr. McCommon and Mr. Brown.

B. Consideration of Resolution 2023-4 Designating Officers

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Mr. Perry stated Resolution 2023-04 designates officers. We currently have Mr. McCarthy chairman, Mr. McCommon vice chairman, Jim Perry secretary and treasurer, Mr. Workowski, Mr. Kilian and Mr. Brown assistant secretaries and from my office Jim Oliver, Marilee Giles, Darrin Mossing and Daniel Laughlin are assistant secretaries and assistant treasurers. We ask that the board keep myself and the other employees of GMS in those positions. You can change the others, or you can keep the slate you have now.

On MOTION by Mr. Killian seconded by Mr. Brown with all in favor resolution 2023-04 was approved reflecting the same slate of officers.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the November 17, 2022 Meeting

On MOTION by Mr. McCarthy seconded by Mr. Brown with all in favor the minutes of the November 17, 2022 meeting were approved as presented.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

There being none, the next item followed.

B. District Engineer

There being none, the next item followed.

C. District Manager

Mr. Perry stated we would have probably canceled today’s meeting, but we wanted to make sure if there were any issues with the trees and other things that impacted the district from the prior hurricane and weather we could take care of them. Looking at what is probably going to come up in January, I don’t foresee anything, but we do have a meeting scheduled in January and we will probably cancel unless there are some actions that need to be taken.

D. Field Operational Manager

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Mr. Rountree stated all the trees are in, all the irrigation has been repaired, the sod was delivered today, and it will go in the next couple of days. The trees have shocked, which is not uncommon with trees that size, but because they are big it is almost guaranteed they will come back. They will drop their leaves then put down new. If they don't I warranty them. The board will not have to put out any more money for additional oak trees unless we decide to change out other oak trees, but the ones that are in are warrantied. We replaced two trees that were hit by cars, so you have trees replaced due to the storm and the two additional trees.

Something I would like you to consider is poinsettias for our last rotation. There are obvious upsides, they are gorgeous, and it is Christmastime and puts everybody in the mood. The downside when you put a bunch of poinsettias out there and we get a heavy front, we can lose them. They don't handle heavy frost well. The last four years we have had 80° Christmases. This year we are going have to have 30° Christmas. In past meetings we have discussed the potential of hiring an outside company to do Christmas decorations for at least three of the entrances, the front, the back and the Grand Champion entrance. I imagine we would do the Tournament Drive one as well. Kurt and Sherry and I are looking into those companies and hopefully, when we do have our next meeting that is information that we will have to be able to put out to start looking at. It currently is not in our budget.

Mr. McCommon asked do you bill for hurricane cleanup?

Mr. Rountree stated if it is just me, I don't bill, when my crew shows up then I bill for that time.

Mr. McCommon stated you should be compensated for your time. Can we vote for a bonus?

Mr. Perry stated he can render an invoice for his time.

Mr. Brown stated the fact that Jamie took it upon himself to get out and do all this and help the community as much as he did, he did a lot more than we can reasonably expect people to do. He went way beyond what he should do so he should be compensated for those hours and time he put in.

Mr. Kilian stated we request that you submit an invoice for that time.

Mr. Perry stated we will have that as an item on the next agenda.

Mr. McCommon stated there is a palm tree on Tournament between Perfect and Mendoza that was cut down.

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Mr. Rountree stated it was hit by lightning and will be replaced with an existing palm from another location.

SIXTH ORDER OF BUSINESS

Supervisors Requests and Public Comments

Mr. McCommon stated Kurt attended the meeting that was held this week for the owner of the club putting in homes on the practice area, which got canceled and will be rescheduled because they didn't have enough room for all the people that showed up. Because it was apparently previously approved for residential, because it wasn't platted, I think that is why we weren't billing and receiving anything. Is that correct? It was previously approved for residential construction, but no one ever did anything with it.

Mr. Perry stated it wasn't a separate parcel carved out from the golf course.

Mr. McCommon stated the golf course itself was going to become the parcel.

Mr. Perry stated golf course is a legal parcel and they are carving out.

Mr. McCommon stated apparently some years ago Consolidated got the city council to agree to rezone part of the practice facility, the three holes as residential. None of us seem to have known that. Now the owner wants to rezone it to put a much higher density in that approved area and then separately instead of single-family homes he was asking to have townhomes put in on no. 3 practice hole. It was already previously zoned residential, and I don't know what that looked like but if it wasn't platted does it matter? Where do we come in and bill and receive revenue from that?

Mr. Perry stated all of the undeveloped lands, they are really developed because you have utilities and so forth around, but they have not been site planned, which is for commercial/retail or they have not been platted, which would be the site plan also includes apartments and multi-family type then the platting of course, would be mostly single-family probably townhouse product however the city does it. If you will remember when we had issues with the bonds several years ago, we went through and had an engineer look at each parcel and say what can we build there. That is where we had the most recent thing with the 434 lots, and they said it wasn't going to be and we went through that whole exercise and assigned units to each of those and we have assessed them.

Mr. McCommon stated this change happened subsequent to that.

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Mr. Perry stated that is the basis for all our assessments if there was a rezoning, which is different as you said, then a site plan. You can get rezoning at any time that doesn't mean that is where you are going to end up until you either get a site plan or a plat. We do with what was there and not try to chase rezoning type things, not that there is a lot of them, but we just don't readjust everything because of that rezoning. My understanding is they are carving that out or they have carved it out and sold to a new owner. There was a contingency in his contract. That is still part of the whole thing we assessed. You are right when that gets platted at that time, which is pretty concrete we are going to start assessing it for the units that are there.

Mr. McCommon stated I think this goes back to when it was still owned by Consolidated.

Mr. Perry stated that brings up another issue, after the first of the year GMS is going to start working on an assessment methodology report for operations and maintenance, which is separate from the bonds. The reason we are going to go forward with that is like the new development we have a different type of stormwater system there, that system is kind of unique with plants and all that. That is really concentrated with that development. We are going to develop an additional cost to hose residents to maintain that system above and beyond what the Indigo CDD has and also to fund some reserves for that because we know we are going to have to replace plants and all sorts of stuff. They should be self-funding that additional expense, not on the backs of everyone else. That is the first component, the second and third component we are looking at, was developed in 1999 but we don't have any retail/commercial assessments right now. But we know that is coming so we want to reinstitute, which would be an assessment for every 1,000 square feet of retail/commercial. The apartments are the other one.

Mr. McCommon stated there are the apartments but there is also going to be retail and a dentist and tractor supply and Starbucks, they are on the signs coming in.

Mr. Perry stated the apartments will also be an analysis done and they will have what they call ERU, equivalent residential unit component. Usually, apartments are a little less than one, a single-family home is typically one and apartments are usually between .7 and .85% and commercial/retail is usually 1,000 square feet equals one ERU.

Mr. McCommon stated in a case like that they have already zoned it, they are going to start to tear trees out and whatever after the first of the year. When would we be assessing them?

Mr. Perry stated that one we probably could have assessed this last year because they were site planned, but we didn't. We have to have public hearings and so forth, but we are going to do

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it in plenty of time for next year’s budget. From an assessment point of view, you are going to have a pickup with those homes if they are approved by the city because of the density.

SEVENTH ORDER OF BUSINESS

Approval of Check Register

On MOTION by Mr. McCommon seconded by Mr. McCarthy with all in favor the check register was approved.

EIGHTH ORDER OF BUSINESS

Financial Statements as of November 30, 2022

A copy of the financials was included in the agenda package.

NINTH ORDER OF BUSINESS

Next Scheduled Meeting – January 25, 2023 at 1:00 p.m. at the Fairfield by Marriott Daytona Beach

Mr. Perry stated the next scheduled meeting is January 25, 2023 at 1:00 p.m. again if there is nothing that requires the board’s approval or discussion we will probably cancel that.

Mr. McCommon stated not that I’m suggesting we have the meeting but if we don’t it is another 30 days before we would be talking about the bill Jamie will be presenting.

Mr. Perry stated I can’t imagine it would be over \$5,000 and he can send it to me and I will have the board ratify it at the next meeting.

TENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. McCarthy seconded by Mr. Workowski with all in favor the meeting adjourned at 1:30 p.m.

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Secretary/Assistant Secretary

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Chairman/Vice Chairman