

MINUTES OF MEETING
INDIGO
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Indigo Community Development District was held Wednesday, September 25, 2024 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:

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

Also Present were:

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| Jeremy LeBrun | District Manager |
| Katie Buchanan | District Counsel by telephone |
| Kurt von der Osten | Field Operations Manager |
| Jamie Rountree | Team Rountree |
| Several Residents | |

FIRST ORDER OF BUSINESS

Roll Call

Mr. LeBrun called the meeting to order at 1:00 p.m. and called the roll.

SECOND ORDER OF BUSINESS

Public Comments

Mr. Shackelford asked has there been any movement on the alternate system of cleaning the water in the ponds so we can get rid of the floating islands?

Mr. LeBrun stated the engineer may be joining us and if not, I will report on that under his report.

THIRD OF BUSINESS

Presentation Regarding the LPGA Boulevard and I-95 Projects

Mr. Muchuruza of HDR, Inc. gave a presentation on the LPGA Boulevard improvements from U.S. 92 to Williams Boulevard that included the I-95 interchange at LPGA Boulevard.

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FOURTH ORDER OF BUSINESS

Approval of the Minutes of the July 17, 2024 Meeting

On MOTION by Mr. Kilian seconded by Mr. McCommon with all in favor the minutes of the July 17, 2024 meeting were approved as presented.

FIFTH ORDER OF BUSINESS

Consideration of Proposal for Holiday Lighting

Mr. LeBrun stated we didn't include this in the budget as a separate line item. We increased assessments and only had those things that were required for the district and this would have to be funded from other line items that are underspent for the year or from the carry forward.

Mr. von der Osten stated it can be scaled back if you want to approve a not to exceed amount.

Mr. LeBrun stated we have \$28,000 in the budget for sod replacement and to date nothing has been spent on that item.

Mr. Rountree stated that is the third phase of the sod that we haven't done yet. The likelihood of me getting that installed before the end of the fiscal year is going to be tough.

Mr. von der Osten stated the fiscal year ends September 30th and it looks like several things are going to come in under budget especially engineering.

On MOTION by Mr. Kilian seconded by Mr. Brown with all in favor the proposal from TPC Lighting LLC was approved in an amount not to exceed \$15,000 and if it goes above that approved amount the chair and vice chair were authorized to negotiate the final price.

SIXTH ORDER OF BUSINESS

Consideration of Addendum to Landscape Maintenance Agreement

Mr. LeBrun stated this addendum to the landscape maintenance agreement renews it for the upcoming fiscal year and has the option for the board to renew yearly for the next four years then we will do the public bid process again.

On MOTION by Mr. Brown seconded by Mr. Kilian with all in favor the first amendment to the landscape and irrigation maintenance services agreement with Team Rountree, Inc. was approved.

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SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2024-07
Designating Officers**

Mr. LeBrun stated this is on the agenda because John wanted to step back as chair and thought someone else may want to take on the role.

On MOTION by Mr. Brown seconded by Mr. Workowski with all in favor Resolution 2024-07 was approved indicating Mr. McCommon as chair, Mr. Kilian as vice chair, the remaining supervisors as assistant secretaries and all other officers remaining the same.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Ms. Buchanan stated between board meetings Lennar’s counsel approached the district in trying to clean up some property boundary issues. There is a piece of property that Lennar wants the district to dedicate to them via quit claim deed. From my review it doesn’t appear that the district ever intended to own it. It may be something that got incorrectly platted. I don’t believe it has any district improvements within the boundaries of the property, but I would like to know if you are comfortable designating a board member to work with me to make sure that we get all the questions answered that you may have, but allows us to move forward.

Mr. von der Osten stated it is along Grand Champions Boulevard where the road meets Royal County. It is a small sliver of right of way that is interrupted. It is basically an error on the plat when it was dedicated. It interrupts our maintenance on the roadway. It is a continuity factor along the roadway for irrigation, lighting and whatnot. It is probably 100 feet.

On MOTION by Mr. Brown seconded by Mr. McCommon with all in favor Mr. Workowski was authorized to work with staff on a quit claim deed relating to right of way.

B. District Engineer – Consideration of Proposal to Prepare an Updated Public Facilities Report

Mr. LeBrun stated there was a question on the status of the floating islands. Basically, all the avenues that he explored thus far are not going to work, they involve having to use those floating islands or there was other engineering difficulties that wouldn’t allow for a total change to the system. He has hit a roadblock. He is still looking for other alternatives. We are trying to

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find another vendor that can service those, maybe at a lower cost, maybe at a higher frequency to find a way to lower the expense of the maintenance of the floating islands. At this time the engineer has not found a way to retrofit or anything that would make sense to take out the need for those. He is looking at all the permits and he looked at changing out the filter media, but you would still be required to use those mats. He is looking at ways to lower those maintenance expenses.

I have a proposal to update the public facilities report that is due every seven years.

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| On MOTION by Mr. Kilian seconded by Mr. Workowski with all in favor the proposal to update the public facilities report in the amount of \$7,350 was approved. |
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C. District Manage

There being none, the next item followed.

D. Field Operational Manager

Mr. von der Osten stated on the mats, we are scheduled to be harvesting next week. I did talk to the owner of that company about aesthetically what he can do.

Mr. Kilian asked are they doing it twice a year?

Mr. von der Osten stated they are doing it three times a year.

Mr. Kilian asked is decreasing the frequency and the cost even an option? If they are doing three, can they do twice a year?

Mr. McCommon stated the question is, are they functional without doing it.

Mr. von der Osten stated I would have to discuss that.

Mr. Killian asked do we have a contract for a particular period of time?

Mr. von der Osten stated it is under a warranty but that is about to end and we just received a proposal to take over and start paying for the maintenance. They are going to try to get more of the weeds under control. They have to harvest it and test them and supply the results to the water management district.

Mr. Kilian asked where are we on the maps for the ownership of the lakes?

Mr. von der Osten stated I did stop and pick up a printed copy on the way here. It is not where we want it but I do have a copy I can show you. By the next meeting it should be complete and we can put it on the wall with a projector.

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Mr. Kilian stated Kurt and I have talked about this, at the intersection of LPGA and Tournament by the apartments the maintenance that the owners/developer whoever is responsible is horrible. They have weeds by the roadside that were literally 5-feet high, they put in new sod four months ago and I don't think they ever cut it. Someone ran a mower over it a week or so ago, but it looks horrible. Kurt said we don't own it but they are part of the CDD. Is there anything we can do to about that? The retention pond is full of trash from the construction. I'm not sure what can be done.

Mr. von der Osten stated that lake is owned by the Tymber Creek Property Owners Association. That area is not part of the master homeowner's association but it also is not district property.

Mr. LeBrun stated one of us can reach out to them first and if they are not receptive then we can go the code enforcement route.

NINTH ORDER OF BUSINESS

Approval of Check Register

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

TENTH ORDER OF BUSINESS

Financial Statements as of September 30, 2024

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

ELEVENTH ORDER OF BUSINESS

Supervisors Requests and Public Comments

Mr. Shackleford stated the reason you have this section by Royal County you are looking at for Christmas lights is because Lennar paid for it last year. This year they decided they don't want to pay for it anymore even though they still have their sales office right there. I suggest don't take it into Royal County as far as they did and make it look like they paid for this. Do something at the intersection.

Ms. Dipper stated on page 5 of your agenda it says the O&M budget went up about 4% and the assessment went up 5%. Why is that?

Mr. Kilian stated we talked about this at the last meeting it is because in prior years we had a surplus in our budget that we used to offset the increases. We ran out of surplus.

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Ms. Dipper stated at the point where they do the widening all the stormwater will have to be looked at because they are encroaching on the wetlands that now holds water when it rains. Even with the apartments getting built our ponds are getting higher. When this all comes to be in 2030, who is going to be working with St. Johns because the two big ponds will be affected? Lennar owns the ponds, we are being assessed for these ponds for maintenance for the next 20 years and why are you assessing me for something that may not be there in five years? When we go into these major projects what groups look into this because FDOT is doing their planning now?

Mr. McCommon stated if they eliminate a retention pond, St. Johns would be involved in that.

Mr. Kilian stated none of that is going to happen without the state and everybody involved.

Mr. Brown stated it will be more than one group, it will be St. Johns, the county commission, the county. There will be a group of people making a lot of decisions about all the things you are talking about.

Mr. LeBrun stated the CDD would only be involved if they were impacting CDD property. The people that were here are probably your best contacts of the project going forward. They came as a courtesy to share the information. This board isn't necessarily making any of those decisions.

Mr. Kilian stated they were talking about trying to get it moved from the county right of way to the state.

Mr. von der Osten stated the road will no longer be a county road. FDOT has a community contact person, a point person on the project and that is who you go to with questions like this.

TWELFTH ORDER OF BUSINESS

**Next Scheduled Meeting – November 20, 2024
at 1:00 p.m. at the Fairfield by Marriott
Daytona Beach, 1820 Checkered Flag
Boulevard, Daytona Beach, Florida**

Mr. LeBrun stated the next scheduled meeting is November 20, 2024 at 1:00 p.m. in the same location.

On MOTION by Mr. Kilian seconded by Mr. Brown with all in favor
the meeting adjourned at 2:34 p.m.

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Signed by:

Jeremy LeBrun

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Secretary/Assistant Secretary

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Mark McCommon

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Chairman/Vice Chairman