

MINUTES OF MEETING  
INDIGO  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Indigo Community Development District was held Wednesday, November 20, 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:

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

Also Present were:

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

**FIRST ORDER OF BUSINESS**

**Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Public Comments**

Ms. Velva stated I would like to know about the O&M assessment for the Integra Apartments. My question is how the apartments percentage had increased year over year. In 2024 the apartments O&M assessment was 4% of the overall budget and in 2025 it is over 7% of the overall budget.

Mr. LeBrun stated our assessment coordinator provided the calculation of how the assessment was calculated, which mirrors the increase that the residential experienced as well. Previously there was a large carry forward surplus that was utilized over the years to subsidize those expenses. The assessment amounts are correct. I will follow-up with our assessment coordinator and see why the percentage is different.

Mr. Kilian stated the apartments are based on the number of units, not square footage or number of buildings.

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Mr. von der Osten stated raw lands are assessed in a different percentage than developed lands. If your prior year was assessed for raw land at 60%, once it goes to developed it is assessed at 100%. That is also going to change your contribution amount.

Ms. Velva stated we were developing last year as well.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Oath of Office for Newly Elected Supervisors**

Mr. LeBrun administered the oath of office to Mr. Kilian and Mr. Workowski.

**B. Acceptance of Resignation from John McCarthy**

On MOTION by Mr. Kilian seconded by Mr. Workowski with all in favor John McCarthy’s resignation was accepted.

**C. Consideration of Appointing a New Supervisor to Fill the Vacancy**

Mr. Brown stated I recommend Ron Byrne to fill the position.

On MOTION by Mr. Brown seconded by Mr. Workowski with all in favor Ron Byrne was appointed to fill the unexpired term of office.

**D. Oath of Office for Newly Appointed Supervisor**

Item D was tabled.

**E. Consideration of Resolution 2025-01 Designating Officers**

Mr. LeBrun stated you recently elected new officers, and I ask that I be added as secretary/treasurer in place of Jim Perry, who has retired.

On MOTION by Mr. Brown seconded by Mr. Killian with all in favor Resolution 2025-01 designating officers was approved keeping the same slate of officers and adding Jeremy LeBrun as secretary and treasurer.

**FOURTH ORDER OF BUSINESS**

**Presentation by National Stormwater Trust**

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Mr. Littlejohn stated we are stormwater focused, interested in acquiring interest in and efficiently managing stormwater facilities for the benefit of our partners. We will design, procure the equipment and install equipment to make the stormwater ponds work better. Instead of passively controlled gravity drainage structures, the computer controllers on stormwater ponds, actuated valves or weirs, equipment that can lower water levels done by human supervision, but computer controlled, and monitors weather conditions 24/7. It will generate water quality credit that can be transferred to other parties for money. DOT is a consumer of these credits. Allow us to lease a select number of the stormwater ponds for 99 years, we can pay you cash upfront, or over the life of the lease, any combination of that. The objective is to make those improvements, monetize those improvements, transfer the stormwater credits to DOT or another buyer in the watershed and profit share with our lease partner, which is how we pay you for the lease of your facilities. Ballpark numbers are \$900,000 for the use of these facilities in a lump sum or pay over the 99 year term, the total value of the lease would be \$4.5 million start with \$15,000 per year then raise up to \$150,000 per year by the end of the term or a combination, \$250,000 -upfront and the rest in a lease payment would be a \$3.3 million total value paying \$10,000 year one and \$75,000 on the last year of the payment.

**FIFTH ORDER OF BUSINESS**

**Approval of the Minutes of the September 25, 2024 Meeting**

On MOTION by Mr. Workowski seconded by Mr. Kilian with all in favor the minutes of the September 25, 2024 meeting were approved as presented.

**SIXTH ORDER OF BUSINESS**

**Acceptance of the Fiscal Year 2023 Audit Report**

Mr. LeBrun stated in the letter to management there were no current year findings or recommendations, it is a clean audit. There is still a finding from the foreclosures and that will stay on there until those financial conditions are cured.

On MOTION by Mr. Kilian seconded by Mr. Brown with all in favor the fiscal year 2023 audit report was accepted.

**SEVENTH ORDER OF BUSINESS**

**Ratification of Requisition No. 1**

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On MOTION by Mr. Kilian seconded by Mr. Workowski with all in favor requisition no. 1 Payable to Lennar Homes, LLC in the amount of \$2,744,810.10 was ratified.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Proposal from Beemats for the Floating Wetlands**

Mr. LeBrun stated the developer had been paying for the maintenance of the floating island filtration for the stormwater ponds. The CDD’s responsibility starts in the spring and this cost has been budgeted. We have a representative of Beemats present if there are any questions.

Mr. Kilian stated the complaints have been that they are not harvesting often enough, and they are an eyesore.

Mr. Beeman stated we used to set up to harvest once a year and we switched to every four months. One of the biggest complaints was at the south end of the cul-de-sac, the soil was mushy, and we messed that up every time we went in and I bought a product from our partner, Ferguson Waterworks and laid it down and ran a truck over it and it did not make any dents. We have taken out 90 pounds of nitrogen and 80 pounds of phosphorus over the last three years. I can change the proposal to meet your fiscal year.

On MOTION by Mr. Workowski seconded by Mr. Kilian with all in favor the proposal from Beemats in the amount of \$112,768.00 was approved.

**NINTH ORDER OF BUSINESS**

**Consideration of Settlement Agreement**

Ms. Buchanan stated they were in the process of foreclosing on the tracts in connection with the default from the original developers of the project. At this point that foreclosure is officially complete so some of those things were settled along the way with the various settlement agreements that you had approved to date. There were three tracts that actually made it all the way through to a foreclosure judgment and subsequent foreclosure sale. At the very las minute the trustee asked to negotiate with the district to pull one of the tracts out of the foreclosure sale so they could essentially have the new landowner buy it back for the outstanding principal and interest associated with that parcel. This is the same structure that you have previously approved. I sent

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an email describing it and I spoke to several of you about the process. This is just a ratification of that agreement.

On MOTION by Mr. Kilian seconded by Mr. McCommon with all in favor the settlement agreement with Vero Atlantic 1, LLC was ratified.

**TENTH ORDER OF BUSINESS**

**Consideration of Updated Agreement with  
GMS for District Management Services**

Mr. LeBrun stated the reason this is on the agenda is because I'm taking over officially for Jim Perry. Jim Perry was based out of the GMS North Florida office, and I'm based out of the Central Florida office. There is no change in prices or services.

Ms. Buchanan stated this is the form of agreement our office reviewed for all the GMS offices, so we approach it from a uniform manner. I have reviewed it and don't have any problems with it.

On MOTION by Mr. Workowski seconded by Mr. Kilian with all in favor the updated agreement with GMS for district management services was approved.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

Ms. Buchanan stated just a follow-up on the foreclosure, now that is officially done, I do think the board and district staff and trustee to need to work together to ensure that the district's lien book matches the outstanding bonds. We foreclosed out the assessments and we will not be re-levying those assessments. Now the district has some bonds outstanding that have no repayment source, those bonds need to be cancelled or whatever the correct term that the trustee wants to do with it. We have done our part by implementing the foreclosure. They have the land in lieu of special assessments, and the bonds need to be written down. It is not an immediate problem, but I do want to have it done because your bonds are technically the 1999Cs that expire in five years, and we want to make sure that there are no issues of outstanding bonds that should not exist. Related to that again is that your bond counsel has suggested that if interest rates continue to fall for municipal bonds you may want to look at refunding and reissuing some of your other debt such

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as the 2005's because they have slightly longer left. If you like I can have the underwriter look at whether that is feasible at no cost to you. The question would be, do you have an improvement you want to spend that money on or would you just seek to reduce the special assessments securing those bonds.

Mr. Kilian asked how much money are we talking about?

Ms. Buchanan stated I don't know; they were not huge amounts to begin with. The underwriter can run a scenario for you. If you just don't want to deal with it, that is fine too.

Mr. Workowski stated I think we need to look at it and get more information for further discussion.

Ms. Buchanan stated of course. There is no expense to have them look at it, they do that as a courtesy. I will reach out to the underwriter.

Mr. McCommon asked are you going to talk to the trustee about the bond right now?

Ms. Buchanan stated that is going to be Jeremy and me and Sheryl Fulks in his office who has the lien book, and we will work with the trustee to get this tidied up. I will rely on GMS because they are the holders of the numbers.

**B. District Engineer – Acceptance of the 2024 Public Facilities Report**

Mr. Kilian asked would any of this be affected by any contract we consider doing with the National Stormwater folks?

Mr. LeBrun stated if the board moves forward with that, I will check that out with the engineer.

On MOTION by Mr. Workowski seconded by Mr. Brown with all in favor the 2024 public facilities report was accepted.

**C. District Manager**

There being none, the next item followed.

**D. Field Operational Manager**

Mr. von der Osten stated Team Rountree did a great job cleaning up the neighborhood after the hurricane. There were no reports of flooding and on Tournament there was an issue where the sidewalk is flat. A weir that belonged to one of the golf communities did fail and I have been in

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communication with all parties assisting where I can to come up with a solution. The new drainage structure on Champions that the city just completed did sustain some minor damage and the public works department is aware of that.

Holiday lighting is installed and will be turned on at Thanksgiving. We added some electrical at the Tournament entrance. We received a three-year proposal offering a discount of 15% or basically a \$3,000 discount per year for the holiday lights. The reason is we use some existing materials they have.

Mr. LeBrun stated I can bring a proposal to the January meeting.

**TWELFTH ORDER OF BUSINESS**

**Approval of Check Register**

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

**THIRTEENTH ORDER OF BUSINESS**

**Financial Statements**

A copy of the financial statements was included in the agenda package.

**FOURTEENTH ORDER OF BUSINESS**

**Supervisors Requests and Public Comments**

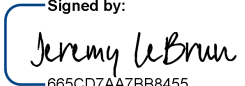
There being none, the next item followed.

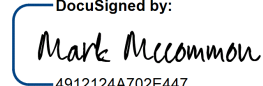
**FIFTEENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – January 22, 2025 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 January 22, 2025 at 1:00 p.m. in the same location.

On MOTION by Mr. Kilian seconded by Mr. Workowski with all in favor the meeting adjourned at 2:14 p.m.

Signed by:  
  
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Secretary/Assistant Secretary

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Chairman/Vice Chairman