

**MINUTES OF MEETING
KD52 COMMUNITY DEVELOPMENT DISTRICT NO. 1**

The Board of Supervisors of the KD52 Community Development District No. 1 held Public Hearings and a Regular Meeting on April 15, 2025, at 1:00 p.m., at the Hilton Garden Inn Tampa-Wesley Chapel, 26640 Silver Maple Parkway, Wesley Chapel, Florida 33544.

Present:

Howard "Lane" Gardner	Chair
Taliaferro "Tolly" Krusen	Assistant Secretary
Matthew Josey	Assistant Secretary

Also present:

Cindy Cerbone	District Manager/Proxy Holder
Chris Conti	Wrathell, Hunt and Associates (WHA)
Jamie Sanchez	Wrathell, Hunt and Associates (WHA)
Katie Buchanan (via telephone)	District Counsel
Brian Surak (via telephone)	District Engineer
Sean Manson	Landowner Representative

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 1:12 p.m. Supervisors Gardner, Kusen and Josey were present. Supervisors-Elect Laura Lindsey and Travis Loxton were not present.

Ms. Cerbone stated the meeting was originally anticipated to be held at the Hampton Inn & Suites but the location was no longer available, so the location was moved to the nearby Hilton Garden Inn Tampa-Wesley Chapel. A notice about the location change was posted on the door of the Hampton Inn & Suites and Mr. Conti is at the original location and will remain there for 15 minutes to notify potential attendees of the new location.

Ms. Cerbone stated the Public Hearing agenda item related to levying debt involves sending a Mailed Notice to the property owners. She is in possession of two waivers and Acknowledgements of Receipt of Notice from Mr. Gardner, who is an officer of two Landowners within the CDD boundaries. In the waivers, Mr. Gardner is attesting that he appeared today and that Ms. Cerbone is duly authorized to administer Oaths and that Mr. Gardner, to whom the Oath was administered to at the last meeting, is a Proxy Holder and/or officer of the entities within the boundaries of the CDD, he is a current owner, acknowledges that the CDD provided

mailed and published notice of today’s Public Hearing regarding the levy of non-ad valorem assessments on certain lands within the CDD. He acknowledges that, due to construction activities at the meeting location contained within the published and Mailed Notices, the meeting was moved to an alternate location. He acknowledges that he was provided with an updated meeting location for today’s meeting and Public Hearings. Mr. Gardner, on behalf of the Landowner and successors, assigns and acknowledges that they had actual knowledge of the convening of the Public Hearing today regarding the levy of assessments and the updated location and hereby waive any defect, irregularity or other insufficiency and any notice required by Florida Law for the imposition of the assessments. He has full authority to execute all documents and instruments on behalf of the Landowners, including the documents related to KD52 CDD No. 1 and KD52 CDD No 2.

Ms. Cerbone stated that Mr. Gardner executed this Waiver and Acknowledgement on behalf of SF LANDCO LIQUIDATING COMPANY LLC and MU LANDCO LIQUIDATING COMPANY LLC.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Elected Supervisors Laura Lindsey [Seat 4] and Travis Loxton [Seat 5] (the following will be provided in a separate package)

This item was deferred as neither were in attendance.

- A. Updates and Reminders: Ethics Training for Special District Supervisors and Form 1**
- B. Membership, Obligations and Responsibilities**
- C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2025-33, Electing and Removing Officers of the District, and Providing for an Effective Date

Ms. Cerbone presented Resolution 2025-03. Mr. Gardner nominated the following:

Chair	Howard "Lane" Gardner
Vice Chair	Taliaferro "Tolly" Krusen
Assistant Secretary	Matthew Josey
Assistant Secretary	Laura Lindsey
Assistant Secretary	Travis Loxton
Assistant Secretary	Chris Conti

No other nominations were made.

The following prior appointments to the Board remain unaffected by this Resolution:

Secretary	Craig Wrathell
Assistant Secretary	Cindy Cerbone
Treasurer	Craig Wrathell
Assistant Treasurer	Jeffrey Pinder

On MOTION by Mr. Gardner and seconded by Mr. Krusen, with all in favor, Resolution 2025-33, Electing, as nominated, and Removing Officers of the District, and Providing for an Effective Date, was adopted.

FIFTH 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

This item was included for informational purposes. Ms. Cerbone recalled that the meeting location change was addressed during the First Order of Business.

- B. Consideration of Resolution 2025-34, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the KD52 Community Development District No. 1 in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

On MOTION by Mr. Krusen and seconded by Mr. Josey, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. Krusen and seconded by Mr. Josey, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Josey and seconded by Mr. Krusen, with all in favor, Resolution 2025-34, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the KD52 Community Development District No. 1 in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH 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

- A. Affidavit/Proof of Publication**
- B. Mailed Notice to Property Owner(s)**

These items were included for informational purposes. Ms. Cerbone recalled that the meeting location change was addressed during the First Order of Business.

On MOTION by Mr. Josey and seconded by Mr. Krusen, with all in favor, the Public Hearing was opened.

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

Mr. Surak presented the Master Engineer’s Report dated January 2025 and noted the following:

- The Master Engineer’s Reports includes both KD52 CDD No. 1 and KD52 CDD No. 2.
- The Capital Improvement Plan (CIP) is anticipated to include roadway improvements; stormwater management system, public water and wastewater utilities, hardscape, landscape and irrigation, streetlights, undergrounding of electric utility, environmental conservation, mitigation, offsite improvements and professional services.
- The CIP Cost Estimate is \$115,614,660, of which \$73,539,660 is for the Estimated Master Costs and \$42,075,000 is the Estimated Cost for District No. 1 only.

Ms. Buchanan posed, and Mr. Surak responded to the following questions:

Ms. Buchanan: In your professional opinion, do you believe that these estimated costs are reasonable and proper?

Mr. Surak: I do.

Ms. Buchanan: Do you have any reason to believe that this project could not be completed by the District?

Mr. Surak: I don’t.

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

Ms. Cerbone presented the Master Special Assessment Methodology Report dated March 4, 2025. She noted the following:

- The Master Special Assessment Methodology Report includes both KD52 CDD No. 1 and KD52 CDD No. 2.
- Some nomenclature updates were made based on feedback at the last meeting.
- The information from the Engineer’s Report was utilized to align with the types of units, linear square footage references and costs.
- Master improvements benefit both CDDs; master costs of approximately \$73 million are shared. CDD No. 1 costs, which benefit only CDD No. 1, total approximately \$42 million; total costs total approximately \$115 million.
- The total par amount of bonds, including the costs of financing, capitalized interest and debt service reserve, is \$158,465,000 to finance a portion of the CIP costs in the estimated total amount of \$115,614,660.

Ms. Cerbone reviewed the pertinent information and discussed the Development Program, CIP, Financing Program, Assessment Methodology, breakdown between CDD No. 1 and CDD No. 2 costs, and the Appendix Tables.

Ms. Buchanan posed, and Ms. Cerbone responded to the following questions:

Ms. Buchanan: In your professional opinion, do you believe that the lands subject to the Assessment Methodology receive special benefits from the Improvement Plan as provided in the Engineer’s Report?

Ms. Cerbone: Yes.

Ms. Buchanan: In your professional opinion, do you believe the special assessments are reasonably apportioned among the lands?

Ms. Cerbone: Yes.

Ms. Buchanan: Do you believe that the special benefits will be equal to or in excess of the maximum special assessments allocated in the Methodology?

Ms. Cerbone: Yes.

Ms. Buchanan: Do you believe, in your professional opinion, that it is reasonable, proper and just to assess the cost of the CIP against the lands in the District in accordance with the Methodology?

Ms. Cerbone: Yes.

- **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 or members of the public 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. Josey and seconded by Mr. Krusen, with all in favor, the Public Hearing was closed.

- E. **Consideration of Resolution 2025-35, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to**

Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190 and 197, Florida Statutes; Confirming the District's Intention to Issue Special Assessment Bonds; Making Provisions for Transfers of Real Property to Homeowners Associations, Property Owners Association And/or Governmental Entities; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date

Ms. Buchanan presented Resolution 2025-35, which accomplishes the following:

- Identifies the authority of the Board to adopt this Resolution.
- Makes certain findings about the evidence presented today.
- Confirms the authorization of the CDD’s project.
- Confirms the cost of the improvements.
- Equalizes, approves and confirms and levies the special assessments.
- Finalizes the special assessments.
- Provides for the allocation, payment and prepayment.
- Sets forth how true-up payments will be made.
- Confirms that certain property owned by units of local government or potentially, owner’s associations, will be exempt from special assessments in most circumstances.
- Requires that the CDD must provide notice of the assessments.

On MOTION by Mr. Krusen and seconded by Mr. Josey, with all in favor, Resolution 2025-35, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190 and 197, Florida Statutes; Confirming the District's Intention to Issue Special Assessment Bonds; Making Provisions for Transfers of Real Property to Homeowners Associations, Property Owners Association And/or Governmental Entities; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date, was adopted.

- A. Affidavits of Publication
- B. Consideration of Resolution 2025-36, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Mr. Josey and seconded by Mr. Krusen, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. Josey and seconded by Mr. Krusen, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Josey and seconded by Mr. Krusen, with all in favor, Resolution 2025-36, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2025-09, Designating the Location of the Local District Records Office and Providing an Effective Date

This item was deferred.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2025-16, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date

This item was deferred.

TENTH ORDER OF BUSINESS

Approval of Meeting Minutes

- A. **March 4, 2025 Landowners' Meeting**

The following change was made:

Line 16: Change "District Engineer" to "Landowner Representative"

B. March 4, 2025 Organizational Meeting

The following change was made:

Line 24: Insert “Sean Manson” and “Landowner Representative”

On MOTION by Mr. Krusen and seconded by Mr. Josey, with all in favor, the March 4, 2025 Landowners’ Meeting Minutes and the March 4, 2025 Organizational Meeting Minutes, both as amended, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

B. District Engineer (Interim): Clearview Land Design, P.L.

There were no further reports from District Counsel or the District Engineer.

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

- **Property Insurance on Vertical Assets**
- **NEXT MEETING DATE: May 15, 2025 at 1:00 PM [Adoption of FY2025 and FY2026 Budget] RAW Space Collaborative, 6013 Wesley Grove Blvd., Building 2, Suite 208, Wesley Chapel, Florida 33544**
- **QUORUM CHECK**

TWELFTH ORDER OF BUSINESS

Board Members’ Comments/Requests

There were no Board Members’ comments or requests.

THIRTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Krusen and seconded by Mr. Josey, with all in favor, the meeting adjourned at 1:39 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair