

**MINUTES OF MEETING
HIGHLAND MEADOWS WEST
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Highland Meadows West Community Development District was held on Wednesday, **February 12, 2020** at 3:00 p.m. at 346 E. Central Ave., Winter Haven, Florida.

Present and constituting a quorum:

Rennie Heath
Lauren Schwenk
Andrew Rhinehart
Patrick Marone

Chairman
Vice Chairman
Assistant Secretary
Assistant Secretary

Also, present were:

Jill Burns
Roy Van Wyk

District Manager, GMS
Hopping Green & Sams

The following is a summary of the discussions and actions taken at the February 12, 2020 Highland Meadows West Community Development District's Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Burns called the meeting to order and stated that the supervisors listed above were in attendance, constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

There being no members of the public present, the next item followed.

THIRD ORDER OF BUSINESS

**Approval of Minutes of the January 8,
2020 Board Meeting**

Ms. Burns presented the minutes of the January 8, 2020 Board of Supervisors meeting and asked for any comments, corrections, or additions to the minutes. The board had no changes.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, the Minutes of the January 8, 2020 Board Meeting, were approved.

FOURTH ORDER OF BUSINESS

Public Hearings

A. Public Hearing on the Imposition of Special Assessments

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Opening the Public Hearing, was approved.

**i. Consideration of Resolution 2020-07 Equalizing, Approving,
Confirming and Levying Special Assessments on Property
Specially Benefitted by the District's Improvements**

Ms. Burns reviewed the exhibits to the resolution, the Engineer's Report and Methodology. Mr. Van Wyk stated that there were no changes in the Engineer's Report from the previous version adopted when they set the public hearing. Using that Engineer's Report, Ms. Burns' office prepared the updated Assessment Methodology Report.

Mr. Van Wyk asked Ms. Burns to confirm on the record that the assessments previously proposed, as set forth in the Assessment Methodology Report, are fair and reasonably apportioned across the product types. Ms. Burns stated that they are. Mr. Van Wyk asked Ms. Burns if it was her opinion that the benefit received from the improvements is equal to or in excess of the assessments that are placed on the property. Ms. Burns answered yes.

Mr. Van Wyk explained the specific findings that Resolution 2020-07 makes with respect to the project and cost of the project. Ms. Burns asked the board for any questions, the board had none.

On MOTION by Mr. Heath, seconded by Mr. Marone, with all in favor, Resolution 2020-07 Equalizing, Approving, Confirming and Levying Special Assessments on Property Specially Benefitted by the District's Improvements, was approved.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Closing the Public Hearing, was approved.

B. Public Hearing on the District's Use of the Uniform Method of Levying, Collection, & Enforcement of Non Ad-Valorem Assessments

i. Consideration of Resolution 2020-08 Expressing the Districts Intent to Utilize the Uniform Method of Collection

On MOTION by Mr. Rhinehart, seconded by Mr. Heath, with all in favor, Opening the Public Hearing, was approved.

Ms. Burns explained that Resolution 2020-08 will allow them to use the Polk County tax bill to collect assessments, but it does not obligate them to do so until they are ready. The board had no questions on the resolution.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-08 Expressing the District's Intent to Utilize the Uniform Method of Collection, was approved.

On MOTION by Mr. Rhinehart, seconded by Ms. Schwenk, with all in favor, Closing the Public Hearing, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Series 2020 Developer Agreements (Assessment Area 2 and Assessment Area 3)

Ms. Burns noted that there are two agreements in the agenda package, one for Assessment Area 2 and one for Assessment Area 3. The agreements are the same but have different development groups. Ms. Burns stated that the motions would approve agreements for both assessment areas.

A. True-Up Agreements

Ms. Burns noted the Assessment Area 2 agreement is with Orchid Terrace Development, LLC and Assessment Area 3 is with Orchid Terrace Group, LLC. The True-Up Agreements states that the Developer, if required, would make true-up payments related to the assessment areas subject to the terms outlined in the agreement. The board had no questions on the agreements.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the True-Up Agreements, were approved.

B. Collateral Assignment Agreements

Ms. Burns noted the Assessment Area 2 agreement is with Orchid Terrace Development, LLC and Assessment Area 3 is with Orchid Terrace Group, LLC. The Collateral Assignment Agreements states that in the event of a default, the Developer will sign the district their development rights, permits, entitlements, and work relating to the development of the project for each of the assessment areas. The board had no questions.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Collateral Assignment Agreements, were approved.

C. Completion Agreements

Ms. Burns noted the Assessment Area 2 agreement is with Orchid Terrace Development, LLC and Assessment Area 3 is with Orchid Terrace Group, LLC. The Completion Agreement states that the Developer will agree to complete or provide the funds to the district to complete the portion of the project not funded by the proceeds of the assessment area bonds outlined in the Capital Improvement Report.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Completion Agreements, were approved.

D. Acquisition Agreements

Ms. Burns noted the Assessment Area 2 agreement is with Orchid Terrace Development, LLC and Assessment Area 3 is with Orchid Terrace Group, LLC. Ms. Burns noted to avoid delays in construction the Developer has advanced funds to complete or start certain projects and the district would like to acquire some of those improvements from the developer once they are completed or assign those contracts.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Acquisition Agreements, were approved.

E. Declarations of Consent

Ms. Burns noted the Assessment Area 2 agreement is with Orchid Terrace Development, LLC and Assessment Area 3 is with Orchid Terrace Group, LLC. Ms. Burns noted the

declarations would be recorded and she asked for approval of authorization of staff to record the documents.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Declarations of Consent and Authorization of Staff to Record the Documents, was approved.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2020-09
Supplemental Assessment Resolution
(Series 2020A, AA2 Project)**

Ms. Burns stated that Resolution 2020-09 is for Assessment Area 2. The resolution outlines the exact terms of the bonds that will be issued related to that assessment area. The board had no questions.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Resolution 2020-09 Supplemental Assessment Resolution (Series 2020A, AA2 Project), was approved.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2020-10
Supplemental Assessment Resolution
(Series 2020A, AA3 Project)**

Ms. Burns stated that Resolution 2020-10 is for Assessment Area 3. The board had no questions on the resolution.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-10 Supplemental Assessment Resolution (Series 2020A, AA3 Project) was approved.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2020-11
Adopting an Internal Controls Policy**

Ms. Burns stated that the district is statutorily required to establish internal controls designated to detect fraud, waste, or abuse.

On MOTION by Mr. Rhinehart, seconded by Mr. Heath, with all in favor, Resolution 2020-11 Adopting an Internal Controls Policy, was approved.

NINTH ORDER OF BUSINESS

Consideration of Uniform Collection Agreement with Polk County Tax Collector

Ms. Burns noted that if the district would like to be collected on roll this year, they would need to enter into the agreement.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Uniform Collection Agreement with Polk County Tax Collector, was approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Van Wyk had nothing further to report.

B. Engineer

There being none, the next item followed.

C. District Manager's Report

i. Approval of Check Register

Ms. Burns asked if there were any questions regarding the check register totaling \$4,720.82. The board had no questions.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Check Register, was approved.

ii. Balance Sheet and Income Statement

Ms. Burns stated the financials were in the packet for the board's review and no action needed to be taken. With no questions from the board, the next item followed.

iii. Ratification of Series 2019 Requisitions #57 - #61

Ms. Burns stated Series 2019 Requisitions #57 through #61 had already been approved, but needed to be ratified by the board.

On MOTION by Mr. Heath, seconded by Mr. Marone, with all in favor, the Series 2019 Requisitions #57 - #61, were ratified.

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Highland Meadows West CDD

ELEVENTH ORDER OF BUSINESS

Other Business

There was no other business.

TWELTH ORDER OF BUSINESS

**Supervisors Requests and Audience
Comments**

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the meeting was adjourned.
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Secretary/Assistant Secretary


Chairman/Vice Chairman