

**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, **January 8, 2020** at 3:10 p.m. at 346 E. Central Ave., Winter Haven, Florida.

Present and constituting a quorum:

Lauren Schwenk
Andrew Rhinehart
Patrick Marone

Vice Chairman
Assistant Secretary
Assistant Secretary

Also, present were:

Jill Burns
Roy Van Wyk
Dennis Wood *via phone*
Bob Gang *via phone*

District Manager, GMS
Hopping Green & Sams
Engineer
Bond Counsel

The following is a summary of the discussions and actions taken at the January 8, 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

Ms. Burns noted that there were no members of the public present and the next item followed.

THIRD ORDER OF BUSINESS

Approval of Minutes of the November 13, 2019 Board Meeting and November 21, 2019 Continued Board Meeting

Ms. Burns presented the minutes of the November 13, 2019 Regular, and November 21, 2019 Continued, Board of Supervisors meetings, and asked for any comments, corrections, or additions to the minutes. The board had no changes.

On MOTION by Mr. Rhinehart, seconded by Mr. Marone, with all in favor, the Minutes of the November 13, 2019 Regular, and the November 21, 2019 Continued, Board of Supervisors Meetings, were approved.

FOURTH ORDER OF BUSINESS

Consideration of Temporary Construction and Access Easement Agreement (Phase 2 & 3)

Ms. Burns stated the agreement was with Cassidy Holdings, LLC. They will grant the district temporary construction access in order for the district to do the improvements. Ms. Schwenk noted an amendment was needed to change to Orchid Terrace Development, LLC for Phase 2 and Orchid Terrace Group, LLC for Phase 3. Ms. Burns asked if there was a motion to approve as amended.

On MOTION by Mr. Rhinehart, seconded by Ms. Schwenk, with all in favor, the Temporary Construction and Access Easement Agreement (Phase 2 and 3), was approved as amended.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2020-02 Declaring Special Assessments

Ms. Burns informed the board that Resolution 2020-02 was attached with the Assessment Methodology and Engineer’s Report. Ms. Burns asked that Mr. Woods review the Engineer’s Report. Mr. Woods stated the focus of the Supplemental Engineer’s Report was for the addition of 10 acres to the district. The report has been revised to add those additional 10 acres. The numbers in Exhibit 7 were modified to match the lots in Phase 3. Phase 1 includes 266 lots and is currently being constructed at an estimate of \$5,909,000. Phase 2 includes 130 lots has a cost of \$2,846,000. Phase 3 is 46 lots at a cost of \$980,000. The total for 442 lots is \$9,735,000. No other substantial changes were noted in the report.

Mr. Van Wyk asked if Mr. Wood believed there to be any reason that the District could not construct improvements as outlined in the Engineer's Report. Mr. Wood replied no. Mr. Van Wyk also asked if it was Mr. Wood's opinion that the cost estimates in the report, specifically in Exhibit 7, are reasonable for the type of improvements and location of the improvements. Mr. Woods answered yes.

Ms. Burns noted the Methodology is going to allocate the debt incurred by the district to the properties that benefit. They are separated out into two assessment areas which are defined as Assessment Area 2 and Assessment Area 3. Ms. Burns noted there were two changes on page 3 for terminology clarification. Table 1 has the total number of units broken down by both assessment areas. Table 2 matches Mr. Wood's Engineer Report for the Capital Improvement Plan and is also broken into Assessment Area 2 and Assessment Area 3. Table 3 has the bond sizing at \$2,665,000 for Assessment Area 2, and \$945,000 for Assessment Area 3. Table 4 shows the improvement cost per unit broken out by Assessment Area. Table 5 is the par debt broken up by Assessment Area. Table 6 shows the net and gross Annual Debt Assessments per unit. These are the same for both the assessment areas at \$1,213 net and \$1,304 gross. The last Table 7 is the preliminary assessment roll. The parcels listed for Assessment 2 are owned by Orchid Terrace Development, LLC, and Assessment Area 3 parcels are owned by by Orchid Terrace Group, LLC. Ms. Burns asked the board if there were any questions.

Ms. Schwenk asked about the Engineer's report in the permitting table, noting a permit coming in January 2020 for Assessment Area 3, that it should say "N/A". The changes were noted. Mr. Van Wyk asked Ms. Burns if the Supplemental Assessment Methodology is consistent with the previously adopted Master Assessment Methodology. Ms. Burns answered yes. Mr. Van Wyk asked Ms. Burns if, in her professional opinion, the benefit received by the parcels outlined in the Methodology Report is greater than the burden placed on them by the assessments. Ms. Burns replied yes. Mr. Van Wyk asked if the assessments are fairly and reasonably apportioned across the properties so that the properties would be benefited by the improvements. Ms. Burns replied yes.

Mr. Van Wyk summarized the process declaring special assessments, and the improvements outlined in the Engineer's Report. He noted that this is the first step of a three-step process. They will set a date for a public hearing so that an opportunity will be provided to the landowners to come forth and raise any objections.

On MOTION by Mr. Rhinehart, seconded by Mr. Marone, with all in favor, Resolution 2020-02 Declaring Special Assessments, was approved.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2020-03
Setting a Public Hearing for Special
Assessments**

Ms. Burns stated the next regularly scheduled meeting was February 12th at 3:00 p.m. and that would allow them a day or two to get out the notices required. Ms. Burns suggested the Public Hearing be set for February 12, 2020 at 3:00 p.m. at 346 E. Central Ave., Winter Haven, FL.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Resolution 2020-03 Setting a Public Hearing for Special Assessments, for February 12, 2020 at 3:00 p.m. at 346 E. Central Ave., Winter Haven, FL, was approved.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2020-04
Setting a Public Hearing on Uniform
Method**

Ms. Burns stated this was reviewed earlier for the lands that were currently in the district, and this will be the uniform method on the expansion parcel that was added. Ms. Burns suggested setting the Public Hearing for February 12, 2020 at 3:00p.m. at 346 E. Central Ave., Winter Haven, Florida.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-04, Setting a Public Hearing on Uniform Method for February 12, 2020 at 3:00 p.m., at 356 E. Central Ave., Winter Haven, Fl., was approved.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2020-05
Delegation Resolution**

Mr. Gang noted that this was done previously by a resolution, and it has been reworked to create two separate parallel Assessment Areas. This resolution authorizes two series of bonds. Section 1 authorizes the Assessment Area 2 bonds in a not to exceed \$2.8 million for Orchid Terrace Development, LLC. Assessment Area 3 bonds are not to exceed \$1 million for Orchid Terrace Group, LLC. Section 4 makes the required statutory findings in order for the district to

do a negotiated sale through an underwriter rather than a public bid sale. Section 5 creates a Bond Purchase Contract that has parameters for the bonds. Redemption is no later than November 1, 2031. The interest rate was reviewed for both areas. The Final maturity is no later than 30 years of amortization. Ms. Burns asked the board if there were any questions. None were noted.

On MOTION by Mr. Rhinehart, seconded by Ms. Schwenk, with all in favor, Resolution 2020-05 Delegation Resolution, was approved.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2020-06 Re-Designating the Primary Administrative Office and Principal Headquarters for the District

Ms. Burns stated that GMS' office had moved, and this resolution was to note the new address.

On MOTION by Mr. Rhinehart, seconded by Mr. Marone, with all in favor, Resolution 2020-06 Re-Designating Primary Administrative Office and Principal Headquarters for the District, was approved.

TENTH ORDER OF BUSINESS

Consideration of Cost Share Agreement for Phase 2 Infrastructure Improvements

Ms. Burns stated this was included in the package. This is an agreement with Orchid Terrace Development, LLC and covers Phase 2. The developer will pay for costs identified in Exhibit A as work not included in the Capital Improvement Program.

On MOTION by Mr. Rhinehart, seconded by Ms. Schwenk, with all in favor, the Cost Share Agreement with Orchid Terrace Development, LLC for Phase 2 Infrastructure Improvements, was approved.

ELEVENTH ORDER OF BUSINESS

Consideration of Cost Share Agreement for Phase 3 Infrastructure Improvements

Ms. Burns stated this was a similar agreement to the agreement for Phase 2, but this one was for Phase 3 with Orchid Terrace Group, LLC.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Cost Share Agreement with Orchid Terrace Group, LLC for Phase 3 Infrastructure Improvements, was approved.

TWELTH ORDER OF BUSINESS

Consideration of Amended Bond Counsel Agreement with Greenberg Traurig

Ms. Burns stated Mr. Gang was on the phone if there were any questions. This was amended because of two series to the bonds instead of one in the original proposal.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Amended Bond Counsel Agreement with Greenberg Traurig, was approved.

THIRTEENTH ORDER OF BUSINESS

Ratification of 2020 Polk County Property Appraiser Data Sharing and Usage Agreement

Ms. Burns stated this agreement was required by Polk County and was signed previously. It was primarily administrative for the GMS office to not disclose exempt parcels.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the 2020 Polk County Property Appraiser Data Sharing and Usage Agreement, was ratified.

FOURTEENTH ORDER OF BUSINESS

Ratification of Agreement with Polk County Property Appraiser

Ms. Burns stated this was the actual agreement for the 2020 tax roll, it was also executed previously.

On MOTION by Mr. Rhinehart, seconded by Ms. Schwenk, with all in favor, the Agreement with Polk County Property Appraiser, was ratified.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Van Wyk stated the boundary amendment was approved on January 7, and everything was on track for future bond issuance.

B. Engineer

There being nothing further from Mr. Wood, 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. None were noted.

On MOTION by Mr. Schwenk, 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, the next item followed.

iii. Ratification of Series 2019 Requisitions #41 - #45 and #56

Ms. Burns stated Series 2019 Requisitions #41 through #45 and #56 had already been approved but needed to be ratified by the board.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Series 2019 Requisitions #41- #45 and #56, were ratified.

iv. Consideration of Change to Fiscal Year 2020 Meeting Schedule

Ms. Burns suggested the meeting schedule change to the 3rd Thursday at 10:15 AM starting in March. The February meeting would not change for February 12, 2020.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Fiscal Year 2020 Meeting Schedule Changing to the 3rd Thursday at 10:15 a.m. starting in March, was approved.

v. Authorization to Bind Property Coverage for Playground - Added

Ms. Burns stated discussions had been held to have the playground installed next week, and that they needed to add that to the district's property coverage for insurance purposes. The cost is \$137 dollars annually. The prorated amount would be \$98 dollars for the year if installed on schedule next week. Ms. Burns stated they would buy that coverage unless there any objections, hearing none.

January 8, 2020

Highland Meadows West CDD

SIXTEENTH ORDER OF BUSINESS

Other Business

There was no other business.

SEVENTEENTH ORDER OF BUSINESS

**Supervisors Requests and Audience
Comments**

There being none, the next item followed.

EIGHTEENTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned.

On MOTION by Mr. Rhinehart, seconded by Ms. Schwenk, with all in favor, the meeting was adjourned.


Secretary/Assistant Secretary


Chairman/Vice Chairman