# Scenic Terrace North Community Development District

Meeting Agenda

November 17, 2021

# AGENDA

# Scenic Terrace North Community Development District

219 E. Livingston St., Orlando, Florida 32801 Phone: 407-841-5524 – Fax: 407-839-1526

November 10, 2021

Board of Supervisors Scenic Terrace North Community Development District

Dear Board Members:

A meeting of the Board of Supervisors of the Scenic Terrace North Community Development District will be held on Wednesday, November 17, 2021, at 2:00 PM at 346 E. Central Ave., Winter Haven, FL 33880.

Zoom Video Link: <a href="https://us06web.zoom.us/j/82612629983">https://us06web.zoom.us/j/82612629983</a>

**Zoom Call-In Number**: 1-646-876-9923

Meeting ID: 826 1262 9983

Following is the advance agenda for the meeting:

### **Board of Supervisors Meeting**

- 1. Roll Call
- 2. Public Comment Period (¹Speakers will fill out a card and submit it to the District Manager prior to the beginning of the meeting)
- 3. Approval of Minutes of the October 20, 2021 Landowners' Meeting and Board of Supervisors Meeting
- 4. Public Hearing
  - A. Public Hearing on the Adoption of the Fiscal Year 2021/2022 Budget
    - i. Consideration of Resolution 2022-06 Adoption of the District's Fiscal Year 2021/2022 Budget and Appropriating Funds
- 5. Staff Reports
  - A. Attorney
  - B. Engineer
  - C. District Manager's Report
- 6. Other Business
- 7. Supervisors Requests and Audience Comments
- 8. Adjournment

<sup>1</sup> Comments will be limited to three (3) minutes

# MINUTES

### MINUTES OF MEETING SCENIC TERRACE NORTH COMMUNITY DEVELOPMENT DISTRICT

The Landowner's meeting of the Scenic Terrace North Community Development District was held Wednesday, **October 20, 2021** at 2:00 p.m. at 346 E. Central Avenue, Winter Haven, Florida.

Present and constituting a quorum:

Lauren SchwenkSupervisorJustin FryeSupervisorPatricia Brewer-HudsonSupervisor

Also present were:

Jill Burns District Manager, GMS

Sarah Warren KE Law Group

### FIRST ORDER OF BUSINESS

**Determination of Number of Voting Units Represented** 

Ms. Burns called the meeting to order. Ms. Burns stated that there was a proxy present who authorized Ms. Schwenk to cast up to 114 votes for LH Highway 17 Investors, LLC.

### SECOND ORDER OF BUSNESS

Call to Order

Ms. Burns called the meeting to order.

### THIRD ORDER OF BUSINESS

Election of Chairman for the Purpose of Conducting the Landowners' Meeting

Ms. Burns was nominated as Chairperson to conduct the Landowners' meeting.

### FOURTH ORDER OF BUSINESS

**Nominations for the Position of Supervisor** 

Ms. Schwenk nominated Lauren Schwenk, Patrick Marone, Justin Frye, Patricia Brewer-Hudson, and Christine Aviles as Supervisors.

### FIFTH ORDER OF BUSINESS

### **Casting of Ballots**

Lauren Schwenk 3 votes, Patrick Marone 3 votes, Justin Frye 2 votes, Patricia Brewer-Hudson 2 votes, Christine Aviles 2 votes.

### SIXTH ORDER OF BUSINESS

### **Ballot Tabulation**

Ms. Burns noted that Ms. Schwenk and Mr. Marone will serve four-year terms and Mr. Frye, Ms. Brewer-Hudson, and Ms. Aviles will serve two-year terms.

### SEVENTH ORDER OF BUSINESS

**Landowner's Questions and Comments** 

There being none, the next item followed.

EIGHTH	ORDER OF	' BUSINESS
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Adjournment

Ms. Burns adjourned the meeting.

Secretary/Assistant Secretary

Chairman/Vice Chairman

### MINUTES OF MEETING SCENIC TERRACE NORTH COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Scenic Terrace North Community Development District was held Wednesday, **October 20, 2021** at 2:05 p.m. at 346 E. Central Avenue, Winter Haven, Florida.

### Present and constituting a quorum:

Lauren SchwenkChairmanPatrick MaroneVice-ChairmanJustin FryeAssistant SecretaryPatricia Brewer-HudsonAssistant SecretaryChristine AvilesAssistant Secretary

Also present were:

Jill Burns District Manager, GMS

Sarah Warren KE Law Group Margie Lloyd Dewberry Rey Malave *via Zoom* Dewberry

### FIRST ORDER OF BUSINESS

### Roll Call

Ms. Burns called the meeting to order and called the roll. Five Board members were present constituting a quorum.

### SECOND ORDER OF BUSINESS

### **Public Comment Period**

There were no members of the public present for the meeting.

### THIRD ORDER OF BUSNESS

### **Organizational Matters**

### A. Administration of Oaths of Office to Newly Elected Board Members

Ms. Burns swore in five Supervisors: Ms. Lauren Schwenk, Mr. Justin Frye, Mr. Patrick Marone, Ms. Christine Aviles and Ms. Patricia Brewer-Hudson. Ms. Burns asked that all forms be completed and turned in to her.

# **B.** Consideration of Resolution 2022-01 Canvassing and Certifying the Results of the Landowners' Election

Ms. Burns stated that the Landowner's election was held prior to the meeting and reviewed the results of the meeting.

On MOTION by Mr. Frye, seconded by Ms. Schwenk, with all in favor, Resolution 2022-01 Canvassing and Certifying the Results of the Landowners' Election, was approved.

### C. Election of Officers

### D. Consideration of Resolution 2022-02 Electing Officers

Ms. Burns stated that Ms. Schwenk would be the Chairman and Mr. Marone would serve as Vice-Chairman. She asked that she be appointed as Secretary and George Flint from her office be appointed Assistant Secretary with Mr. Frye, Ms. Brewer-Hudson and Ms. Aviles all Assistant Secretary.

On MOTION by Ms. Schwenk, seconded by Ms. Brewer-Hudson, with all in favor, Resolution 2022-02 Appointing Officers with Ms. Lauren Schwenk as Chairman, Mr. Patrick Marone as Vice Chairman, Ms. Patricia Brewer-Hudson as Assistant Secretary, Mr. Justin Frye as Assistant Secretary, Ms. Christine Aviles as Assistant Secretary, along with Mr. George Flint as Assistant Secretary, and Ms. Jill Burns as Secretary, was approved.

### FOURTH ORDER OF BUSINESS

# Approval of Minutes of the September 2, 2021 Organizational Meeting

Ms. Burns asked if the Board had any comments or corrections to the September 2, 2021 organizational meeting minutes. The Board had no changes.

On MOTION by Ms. Schwenk, seconded by Ms. Brewer-Hudson, with all in favor, the Minutes of the September 2, 2021 Organizational Meeting, were approved.

### FIFTH ORDER OF BUSINESS

### **Public Hearings**

### A. Public Hearing on the Imposition of Special Assessments

Ms. Burns stated that this public hearing was advertised in the paper and mailed notice had been sent to all property owners within the District.

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

### i. Presentation of Engineer's Report

Ms. Lloyd provided a brief overview of the report for the Board. She stated that there were 113.29 acres and 429 residential lots of various sizes for single-family. She reviewed the tables in the report for the Board that detailed the future work in the area. Ms. Lloyd certified that the costs were reasonable and can provide for the construction of them.

On MOTION by Ms. Brewer-Hudson, seconded by Ms. Schwenk, with all in favor, the Engineer's Report, was approved.

### ii. Presentation of Assessment Methodology

Ms. Burns stated that this report allocates debt to the properties based on the special benefit that each receives based on the capital improvements that Ms. Lloyd reviewed on the Engineer's Report. Ms. Burns stated that the report will be supplemented with one or more supplemental methodologies that will reflect the actual terms and conditions at the time of the issuance of those series of bonds. She reviewed the tables in the report for the Board as well.

On MOTION by Ms. Schwenk, seconded by Mr. Frye, with all in favor, the Assessment Methodology, was approved.

### iii. Consideration of Resolution 2022-03 Levying Special Assessments

Ms. Burns stated that this actually levies the assessments on the property and has several findings that the assessments are fairly and reasonably apportioned and that the improvements can be constructed as outlined in the Engineer's report. This resolution will adopt the methodology and Engineer's report that the Board just approved as well. Ms. Warren followed up and stated that Ms. Burns confirmed for them that the assessments as levied would be equal to or in excess of the benefit provided by the improvements that would be constructed with the proceeds of the bonds. Ms. Warren stated that the resolution also finds that the mailed and published notices were provided as required by Florida statutes.

On MOTION by Ms. Schwenk, seconded by Mr. Frye, with all in favor, Resolution 2022-03 Levying Special Assessments, was approved.

### iv. Consideration of Notice of Master Lien of Assessments

Ms. Burns stated they would also need a motion to authorize counsel to record which will put potential property owners in the area under the assessments that had been levied on this land.

On MOTION by Ms. Brewer-Hudson, seconded by Ms. Schwenk, with all in favor, the Notice of Master Lien of Assessments and Authorizing Counsel to Record, was approved.

On MOTION by Ms. Brewer-Hudson, seconded by Ms. Schwenk, with all in favor, the Closing of the Public Hearing, was approved.

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

Ms. Burns stated that this public hearing was advertised in the paper.

On MOTION by Ms. Schwenk, seconded by Ms. Brewer-Hudson, with all in favor, the Opening of the Public Hearing, was approved.

# i. Consideration of Resolution 2022-04 Expressing the District's Intent to Utilize the Uniform Method of Collection

Ms. Burns stated that this resolution was included in the agenda package. This resolution will be sent to the Polk County Property Appraiser and Tax Collector's office due to the tax roll being used to collect assessments when ready to do so.

On MOTION by Ms. Schwenk, seconded by Ms. Brewer-Hudson, with all in favor, Resolution 2022-04 Expressing the District's Intent to Utilize the Uniform Method of Collection, was approved.

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

### C. Public Hearing on the Adoption of District Rules of Procedure

Ms. Burns stated that this public hearing was advertised in the paper.

On MOTION by Ms. Brewer-Hudson, seconded by Ms. Schwenk, with all in favor, the Opening of the Public Hearing, was approved.

### i. Consideration of Resolution 2022-05 Adopting the Rules of Procedure

Ms. Burns stated that this was included in the agenda package and that the rules had not changed since the Board saw them at the previous meeting.

On MOTION by Ms. Schwenk, seconded by Mr. Marone, with all in favor, Resolution 2022-05 Adopting the Rules of Procedure, was approved.

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

### SIXTH ORDER OF BUSINESS

Ranking of Proposals for District Engineering Services and Selection of District Engineer

Ms. Burns stated that at the last meeting they authorized staff to issue an RFQ for engineering services. They received one response back from Dewberry Engineering.

On MOTION by Ms. Schwenk, seconded by Ms. Brewer-Hudson, with all in favor, the Proposal for District Engineering Services and Selection of District Engineer, Ranking Dewberry #1, Authorizing Staff to Send the Notice of Intent to Award, and Authorizing Counsel to Draft a Form of Agreement, was approved.

### SEVENTH ORDER OF BUSINESS

### **Staff Reports**

### A. Attorney

Ms. Warren stated that she did not have anything to report.

### B. Engineer

Ms. Lloyd stated that she did not have anything to report.

### C. District Manager's Report

There being none, the next item followed.

### EIGHTH ORDER OF BUSINESS

### Other Business

There being none, the next item followed.

### NINTH ORDER OF BUSINESS

**Supervisors Requests and Audience Comments** 

There being none, the next item followed.

## TENTH ORDER OF BUSINESS

Adjournment

Ms. Burns adjourned the meeting.

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

Secretary/Assistant Secretary Chairman/Vice Chairman

# SECTION IV

# SECTION A

# SECTION 1

### **RESOLUTION 2022-06**

THE ANNUAL APPROPRIATION RESOLUTION OF THE SCENIC TERRACE NORTH COMMUNITY DEVELOPMENT DISTRICT RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS,** the Scenic Terrace North Community Development District (the "**District**") was established by Ordinance No. 21-1741, adopted by the City Commission of the City of Haines City, Florida, effective as August 19, 2021; and

**WHEREAS**, the District Manager has prepared and submitted to the Board of Supervisors of the Scenic Terrace North Community Development District (the "Board") the proposed budget for the Fiscal Year 2021-2022, which concludes September 30, 2022 (the "**Proposed Budget**"); and

WHEREAS, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), Florida Statutes; and

**WHEREAS,** Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1<sup>st</sup> of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

**WHEREAS,** the District Manager has prepared the Proposed Budget, whereby the Proposed Budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SCENIC TERRACE NORTH COMMUNITY DEVELOPMENT DISTRICT:

### **SECTION 1. BUDGET**

- a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District's Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.
- b. The Proposed Budget, attached hereto as **Exhibit "A,"** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* (together, the "**Adopted Budget**"), and incorporated herein by reference; provided, however, that the comparative figures contained in the

Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.

- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the Scenic Terrace North Community Development District for the Fiscal Year Ending September 30, 2022."
- d. The Adopted Budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

### **SECTION 2. APPROPRIATIONS**

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2021/2022, the sum of \$\_\_\_\_\_ to be raised by the levy of assessments and/or otherwise.

Which sums are deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion;

TOTAL GENERAL FUND (Fiscal Year 2021/2022) \$

### **SECTION 3. BUDGET AMENDMENTS**

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2021/2022 (the "**Fiscal Year**"), or within 60 days following the end of the Fiscal Year may amend its Adopted Budget for that fiscal year as follows:

- a. A line-item appropriation for expenditures within a fund may be decreased or increased by motion of the Board recorded in the minutes, and approving the expenditure, if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may approve an expenditure that would increase or decrease a line-item appropriation for expenditures within a fund if the total appropriations of the fund do not increase and if either (i) the aggregate change in the original appropriation item does not exceed the greater of \$15,000 or 15% of the original appropriation, or (ii) such expenditure is authorized by separate disbursement or spending resolution.
- c. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must ensure that any amendments to the budget under paragraph c. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

## PASSED AND ADOPTED THIS 17<sup>TH</sup> DAY OF NOVEMBER, 2021.

ATTEST:	SCENIC TERRACE NORTH			
	COMMUNITY DISTRICT	DEVELOPMENT		
Secretary/Assistant Secretary	By:			
Secretary/Assistant Secretary	Its:			

Community Development District

Proposed Budgets FY2021 - FY2022



# **Table of Contents**

1	General Fund
2-4	General Fund Narrative

## **Community Development District**

# **Proposed Budget General Fund**

Description	Proposed Budget cription FY2021*		Proposed Budget FY2022		
Revenues					
Developer Contributions	\$	35,640	\$	131,810	
Total Revenues	\$	35,640	\$	131,810	
<b>Expenditures</b>					
General & Administrative					
Supervisor Fees	\$	1,000	\$	12,000	
Engineering	\$	1,250	\$	15,000	
Attorney	\$	10,000	\$	25,000	
Annual Audit	\$	-	\$	4,000	
Assessment Administration	\$	-	\$	5,000	
Arbitrage	\$	-	\$	450	
Dissemination	\$	-	\$	5,000	
Trustee Fees	\$	-	\$	3,600	
Management Fees	\$	2,917	\$	35,000	
Information Technology	\$	150	\$	1,800	
Website Maintenance **	\$	1,850	\$	1,200	
Telephone	\$	25	\$	300	
Postage & Delivery	\$	83	\$	1,000	
Insurance	\$	5,000	\$	5,000	
Printing & Binding	\$	83	\$	1,000	
Legal Advertising	\$	10,000	\$	10,000	
Other Current Charges	\$	3,000	\$	5,000	
Office Supplies	\$	52	\$	625	
Travel Per Diem	\$	55	\$	660	
Dues, Licenses & Subscriptions	\$	175	\$	175	
Total Expenditures	\$	35,640	\$	131,810	
Excess Revenues/(Expenditures)	\$	-	\$	-	

<sup>\*</sup> Budget is prorated for September 2021.

<sup>\*\*</sup> FY21 Budget amount includes a one-time website creation fee.

## Community Development District General Fund Budget

#### **Revenues:**

### **Developer Contributions**

The District will enter into a funding agreement with the Developer to fund the General Fund expenditures for the Fiscal Year.

## Expenditures:

### **General & Administrative:**

#### Supervisor Fees

Chapter 190, Florida Statutes, allows for each Board member to receive \$200 per meeting, not to exceed \$4,800 per year paid to each Supervisor for the time devoted to District business and meetings.

### **Engineering**

The District's engineer will be providing general engineering services to the District, e.g. attendance and preparation for monthly board meetings, review invoices and various projects as directed by the Board of Supervisors and the District Manager.

### **Attorney**

The District's legal counsel will be providing general legal services to the District, e.g. attendance and preparation for meetings, preparation and review of agreements, resolutions, etc. as directed by the Board of Supervisors and the District Manager.

### Annual Audit

The District is required by Florida Statutes to arrange for an independent audit of its financial records on an annual basis.

### Assessment Administration

The District will contract to levy and administer the collection of non-ad valorem assessment on all assessable property within the District.

### <u>Arbitrage</u>

The District will contract with an independent certified public accountant to annually calculate the District's Arbitrage Rebate Liability on an anticipated bond issuance.

### **Dissemination**

The District is required by the Security and Exchange Commission to comply with Rule 15c2-12(b)(5) which relates to additional reporting requirements for unrated bond issues. This cost is based upon an anticipated bond issuance.

## Community Development District General Fund Budget

#### Trustee Fees

The District will incur trustee related costs with the issuance of its' issued bonds.

### Management Fees

The District receives Management, Accounting and Administrative services as part of a Management Agreement with Governmental Management Services-Central Florida, LLC. The services include but are not limited to, recording and transcription of board meetings, administrative services, budget preparation, all financial reports, annual audits, etc.

### Information Technology

Represents costs related to the District's information systems, which include but are not limited to video conferencing services, cloud storage services and servers, security, accounting software, etc.

### Website Maintenance

Represents the costs associated with monitoring and maintaining the District's website created in accordance with Chapter 189, Florida Statutes. These services include site performance assessments, security and firewall maintenance, updates, document uploads, hosting and domain renewals, website backups, etc.

### **Telephone**

Telephone and fax machine.

### Postage & Delivery

The District incurs charges for mailing of Board meeting agenda packages, overnight deliveries, correspondence, etc.

### <u>Insurance</u>

The District's general liability and public official's liability insurance coverages.

### Printing & Binding

Printing and Binding agenda packages for board meetings, printing of computerized checks, stationary, envelopes, etc.

### Legal Advertising

The District is required to advertise various notices for monthly Board meetings, public hearings, etc. in a newspaper of general circulation.

### **Other Current Charges**

Bank charges and any other miscellaneous expenses incurred during the year.

## Community Development District General Fund Budget

### Office Supplies

Any supplies that may need to be purchased during the fiscal year, e.g., paper, minute books, file folders, labels, paper clips, etc.

### Travel Per Diem

The Board of Supervisors can be reimbursed for travel expenditures related to the conducting of District business.

### **Dues, Licenses & Subscriptions**

The District is required to pay an annual fee to the Florida Department of Economic Opportunity for \$175. This is the only expense under this category for the District.