

**MINUTES OF MEETING
SCENIC TERRACE SOUTH
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Scenic Terrace South Community Development District was held Wednesday, **March 16, 2022** at 2:30 p.m. at 346 E. Central Avenue, Winter Haven, Florida.

Present and constituting a quorum:

Patrick Marone
Justin Frye
Patricia Brewer-Hudson

Vice Chairman
Assistant Secretary
Assistant Secretary

Also present were:

Jill Burns
Roy Van Wyk *via Zoom*
Rey Malave *via Zoom*
Ashton Bligh *via Zoom*

District Manager, GMS
KE Law Group
Dewberry
Greenberg

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns noted that there were no members of the public present to provide comments.

THIRD ORDER OF BUSINESS

**Approval of the Minutes of the February
16, 2022 Board of Supervisors Meeting**

Ms. Burns asked for any comments, corrections, or changes to the February 16, 2022 Board of Supervisors meeting minutes. The Board had no changes.

<p>On MOTION by Mr. Frye, seconded by Ms. Hudson, with all in favor, the Minutes of the February 16, 2022 Board of Supervisor's Meeting, were approved.</p>

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FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2022-40
Amending the Delegation Resolution**

Ms. Bligh presented the resolution, noting it revised the delegation resolution due to an increase in the amount that they would be issuing due to additional fees. Ms. Burns asked for a motion to approve.

On MOTION by Mr. Marone, seconded by Mr. Frye, with all in favor, Resolution 2022-40 Amending the Delegation Resolution, was approved.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2022-41
Supplemental Assessment Resolution**

Ms. Burns presented the resolution, noting that the terms were attached as exhibits with a closing date of April 6. She asked for any questions, and hearing none, asked for a motion to approve.

On MOTION by Mr. Frye, seconded by Mr. Marone, with all in favor Resolution 2022-41 Supplemental Assessment Resolution, was approved.

SIXTH ORDER OF BUSINESS

**Consideration of Forms of Series 2022
Developer Agreements:**

A. True-Up Agreement

Ms. Burns presented the agreement, noting that it was with Atlantic Blue Communities II, LLC.

B. Collateral Assignment Agreement

Ms. Burns presented the agreement, noting that in the event of a default, the landowner would assign certain development rights to the District to allow the District or a third-party to complete the project.

C. Completion Agreement

Ms. Burns presented the agreement, noting that it allowed the landowner and the District to agree that the District would be obligated to issue no more than \$22,350,000 in bonds to fund

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the Series 2022 project, as well as that the landowner would provide funds to the District to complete the project if needed.

D. Acquisition Agreement

Ms. Burns presented the agreement, noting that the landowner advanced funds for the construction of the project, and that the agreement allowed the District to acquire the work product or any improvements that have been accepted.

E. Declaration of Consent

Ms. Burns presented the agreement, noting that the landowner confirmed that the special assessment imposed by the Board were in accordance with Florida law.

Ms. Burns asked for any questions, and hearing none, asked for a motion to approve.

On MOTION by Mr. Marone, seconded by Ms. Hudson, with all in favor, the Forms of Series 2022 Developer Agreements, were approved in substantial form.

SEVENTH ORDER OF BUSINESS

Consideration of Work Order from Dewberry to Provide Professional Consulting Services

Ms. Burns presented the work order, noting that it was just for general services. She asked for a motion to approve.

On MOTION by Mr. Marone, seconded by Mr. Frye, with all in favor, Work Order from Dewberry to Provide Professional Consulting Services, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2022-42 Authorizing the Use of Electronic Documents and Signatures

Ms. Burns presented the resolution, noting it would allow the district to use DocuSign as opposed to physical signatures.

On MOTION by Mr. Frye, seconded by Mr. Marone, with all in favor, Resolution 2022-42 Authorizing the Use of Electronic Documents and Signatures, was approved.

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NINTH ORDER OF BUSINESS

Consideration of Construction Funding Agreement for Phases 1 through 3 – ADDED

Ms. Burns presented the agreement, noting that it was through Atlantic Blue Communities II, LLC. The agreement allowed the company to fund any construction-related expenses.

On MOTION by Mr. Marone, seconded by Mr. Frye, with all in favor, Construction Funding Agreement for Phases 1 through 3, was approved.

TENTH ORDER OF BUSINESS

Consideration of Temporary Construction and Access Easement Agreement for Phases 1 through 3 – ADDED

Ms. Burns noted the agreement allowed the landowner to grant the District a temporary non-exclusive construction and access easement until the construction was completed or until the District acquired the area.

On MOTION by Mr. Frye, seconded by Ms. Hudson, with all in favor, Temporary Construction and Access Easement Agreement for Phases 1 through 3, was approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Van Wyk stated he had nothing further to report.

B. Engineer

Mr. Malave did not have anything to present to the Board but offered to answer any questions.

C. District Manager’s Report

i. Approval of Check Register

Ms. Burns presented the check register, noting the total amount was \$41,722. She asked for a motion to approve.

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

ii. Balance Sheet & Income Statement

Ms. Burns reviewed the financials. The Board had no questions.

TWELFTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There being none, the next item followed.

FOURTEENTH ORDER OF BUSINESS

Adjournment

Ms. Burns adjourned the meeting.

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

Jill Burns

Secretary/Assistant Secretary

Laron O. Schneck

Chairman/Vice Chairman