

**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, **May 17, 2023** at 1:45 p.m. at 346 E. Central Avenue, Winter Haven, Florida.

Present and constituting a quorum:

Patricia Hudson	Assistant Secretary
Daniel Arnette	Assistant Secretary
Chuck Cavaretta	Assistant Secretary

Also present were:

Jill Burns	District Manager, GMS
Roy Van Wyk	District Counsel, KVV Law
Rey Malave <i>by Zoom</i>	District Engineer, Dewberry

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 at this time or via Zoom.

THIRD ORDER OF BUSINESS

**Approval of Minutes of the April 19, 2023
Board of Supervisors Meetings**

Ms. Burns presented the minutes from the April 19, 2023 Board of Supervisors meeting and asked for any changes or corrections from the Board.

On MOTION by Mr. Cavaretta, seconded by Ms. Hudson, with all in favor, the Minutes of the April 19, 2023 Board of Supervisors Meeting, were approved.

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FOURTH ORDER OF BUSINESS**Presentation and Approval of Amended and Restated Engineer's Report dated May 16, 2023**

Mr. Burns stated this is for the boundary amendment area and is similar to how we went through the process to levy assessments on the existing areas in the District. She stated now there are new lands that were added to the District and we have to go through the same process to be able to issue bonds on that new land that has been added to the District.

Mr. Malave stated also included in the agenda package there is a draft of the Engineer's Report amended and restated dated May 16, 2023, the report basically provides a layout of all of the proposed capital improvement plans but the key elements is the revision of adding the additional land which now brings the number of acres of the property to 211 as shown in Table 1. The number of units pretty much stay the same and the details of all of the improvements are there. He noted the cost estimate is shown in exhibit number 7A & B and the cost is \$40,593,501. This includes all of the phases and the number of lots in there with a total number of lots being 843. He stated again to the best of our knowledge and based on this information cost that this project is feasible currently most of it is under construction.

Mr. Van Wyk asked if there are any reasons why the project couldn't be constructed as outlined in the report. Mr. Malave answered there are none. Mr. Van Wyk asked if the costs are reasonable and consistent with the market for this type of improvement in that area. Mr. Malave stated that is correct, I do agree with that. Mr. Van Wyk asked if the lot numbers can be confirmed. Mr. Cavaretta says they are correct, there are 744 plus adding 99.

On MOTION by Ms. Hudson, seconded by Mr. Arnette, with all in favor, the Amended and Restated Engineer's Report dated May 16, 2023, was approved.

FIFTH ORDER OF BUSINESS**Presentation and Approval of Amended and Restated Master Assessment Methodology dated May 17, 2023** *(to be provided under separate cover)*

Ms. Burns stated the District previously approved the Master Assessment Methodology dated October 13, 2021. That master report established an assessment methodology for the District to follow that allocates debt to the parcels that benefit from the Capital Improvement Plan outlined in the Engineer's Report. She stated this is an update to that report that now includes the boundary

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amendment area that Mr. Malave referenced in his report. She noted the Series 2022 bonds remain unchanged by this report so it has no bearing on the assessments that were already issued for the Series 2022 bonds.

Ms. Burns noted Table 1 is the development program with 293 40' lots and 550 50' lots for a total of 843 lots now in the District, that is the existing lots in the District plus the 99. Table 2 shows the capital improvement cost estimates from the Engineer's Report that Rey just outlined \$40,593,501. Table 3 shows an estimated bond sizing of \$47,660,000. Table 4 outlines the improvement cost per unit for both of those product types. Table 5 shows the par debt per unit for the single family 40' lot it would be a total of \$48,608 and the 50' lot would be \$60,760. Table 6 breaks down the net and gross annual debt assessment per unit. When taking in the account the early payment discounts and collection fees when collected on the Polk County Tax Bill, the gross annual debt assessment for a 40' lot would be \$3,277 and 50' lot would be \$4,034, again that is the most debt that we would issue for each of those product types. Table 7 is the preliminary assessment roll that allocates debt by acre to all of the parcels within the District. We have several property owners listed here. She noted the total number of acres listed in the District is now 211.11. There is also a legal description of the new amendment District that is attached to the report.

Mr. Van Wyk asked if the benefit received by the parcels is equal to or greater than the burden placed upon the parcels by the assessments. Ms. Burns stated yes, it is. Mr. Van Wyk asked if it is your opinion that the assessments as set forth in the report are fairly and reasonably a portion across the product types. Ms. Burns stated yes. Ms. Burns asked for any other questions.

On MOTION by Mr. Cavaretta, seconded by Mr. Arnette, with all in favor, the Amended and Restated Master Assessment Methodology Report Dated May 17, 2023, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Notice of Boundary Amendment

Ms. Burns stated this will be recorded in the public record to outline the new boundary of the District.

On MOTION by Mr. Arnette, seconded by Ms. Hudson, with all in favor, the Notice of Boundary Amendment, was approved.

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SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2023-05
Declaring Special Assessments on
Boundary Amendment Parcels**

Ms. Burns stated there were a few blanks in there that they will now fill in. When we were finalizing the agenda, we were still finalizing the Engineer’s Report and Methodology so we will go ahead and fill in the report names and all of the amounts in the reports that you just approved. She stated this will kick off the assessment process and the next resolution would be setting the public hearing.

On MOTION by Mr. Cavaretta, seconded by Mr. Arnette, with all in favor, Resolution 2023-05 Declaring Special Assessments on the Boundary Amendment Parcels was approved.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2023-06
Setting a Public Hearing on the Imposition
of Special Assessments on Boundary
Amendment Parcels**

Ms. Burns stated this requires both mailed and published notices. She stated there is not time to make the deadline for the June meeting so suggest that we set that for July 19th at 1:45 p.m. and will also have the hearing that day to do the budget.

On MOTION by Ms. Hudson, seconded by Mr. Arnette, with all in favor, Resolution 2023-06 Setting Public Hearing for July 19th at 1:45 p.m. on Imposition of Special Assessments on Boundary Amendment Parcels, was approved.

NINTH ORDER OF BUSINESS

**Consideration of Resolution 2023-07
Setting a Public Hearing Expressing the
District’s Intent to Utilize the Uniform
Method of Levying, Collecting, and
Enforcing Non-Ad Valorem Assessments
on Boundary Amendment Parcels**

Ms. Burns stated this will be the public hearing that will allow us to use the Polk County Tax Bill to collect our assessments when we are ready to do so. We have already gone through this process on the original District boundaries so this is just another hearing that will allow us to collect for those areas. She suggested the date of July 19th at 1:45 p.m. at this location.

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On MOTION by Mr. Cavaretta, seconded by Ms. Hudson, with all in favor, Resolution 2023-07 Setting Public Hearing for May 19th at 1:45 Expressing the District’s Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments on Boundary Amendment Parcels, was approved.

TENTH ORDER OF BUSINESS

**Consideration of Resolution 2023-08
Appointing a Treasurer and Assistant
Treasurers**

Ms. Burns stated this is adding Darrin Mossing as a signer on the account. The other signers listed were previously on the account.

On MOTION by Mr. Cavaretta, seconded by Ms. Hudson, with all in favor, Resolution 2023-08 Appointing a Treasurer and Assistant Treasures, Darrin Mossing, was approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Van Wyk stated there have been some recent changes in state law regarding construction contracts. Once the governor signs the two bills that are pending in front of him, effective July we are going to have to make some modifications to the construction contracts. One, there is a new process setting forth a withhold at the end of the project after substantial completion and then there are new processes and procedures with the respect to bonds and recording and notice of bonds. I will do a summary and get it to you. The first one is going to be a little tricky because when we get down to substantial completion, we are going to be really tied to some tight days to make our claims for what is left and come up with cost estimates for that. He noted he will bring a summary of all of the bills that affect special Districts coming forward as soon as possible. Mr. Cavaretta asked when that goes into effect. Mr. Van Wyk noted they are looking at July.

B. Engineer

i. Consideration of Work Authorization for Annual Reporting Services from Dewberry

Mr. Van Wyk stated Rey left and this is his annual work authorization, each year we approve the rate schedule and the authorization to go ahead and do the reports for the District. Mr. Malave stated on this one because most of it is under construction, we are just going to basically

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look at it and come back with a report that says everything is under construction and will look at it better for next year.

On MOTION by Ms. Hudson, seconded by Mr. Cavaretta, with all in favor, the Work Authorization for Annual Reporting Services from Dewberry, was approved.

C. District Manager’s Report

i. Approval of Check Register

Ms. Burns presented the check register that is included in the agenda package for the Board to review from January 1st through February 28th is \$302,072.45. She asked for any questions on those, otherwise looking for a motion to approve.

On MOTION by Mr. Arnette, seconded by Ms. Hudson, with all in favor, the Check Register, was approved.

ii. Balance Sheet & Income Statement

Ms. Burns stated financial packets were included in the package for review. No action is necessary from the Board.

iii. Ratification of Summary of Series 2022 Requisitions #149 to #157

Ms. Burns stated these requisitions have already been reviewed and approved by both the Chair and the Engineer and she was just looking for a motion to ratify.

On MOTION by Mr. Arnette, seconded by Mr. Cavaretta, with all in favor, the Series 2022 Requisitions #149 to #157, were ratified.

iv. Presentation of Number of Registered Voters – 0

Ms. Burns stated we are required to determine the number of registered voters within the District as of April 15th of each year. The reason why we track that information is for the threshold to turn over to residents once the District has been established for at least six years and has 250 registered voters then that starts our process for the following landowner’s election two seats turnover to residents. She stated it has to be both of those. Right now, there are no registered voters. We will report back but once we hit those thresholds, those seats will slowly start to turn over.

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TWELFTH ORDER OF BUSINESS Other Business

There being no comments, the next item followed.

**THIRTEENTH ORDER OF BUSINESS Supervisors Requests and Audience
Comments**

There being no comments, the next item followed.

FOURTEENTH ORDER OF BUSINESS Adjournment

Ms. Burns adjourned the meeting.

On MOTION by Mr. Cavaretta, seconded by Mr. Arnette, with all in favor, the meeting was adjourned.

Jill Burns

Secretary/Assistant Secretary

Rennie Heath

Chairman/Vice Chairman