

**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, **August 16, 2023** at 1:55 p.m. at 346 E. Central Avenue, Winter Haven, Florida.

Present and constituting a quorum:

Rennie Heath
Lauren Schwenk
Patricia Hudson
Chuck Cavaretta

Chairman
Vice Chairman
Assistant Secretary
Assistant Secretary

Also present were:

Jill Burns
Roy Van Wyk
Rey Malave *by Zoom*
Chase Arrington *by Zoom*

District Manager, GMS
District Counsel, KVW Law
District Engineer, Dewberry
District Engineer, Dewberry

FIRST ORDER OF BUSINESS

Roll Call

Ms. Burns called the meeting to order and called the roll. Four 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 July 19, 2023
Board of Supervisors Meetings**

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

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

FOURTH ORDER OF BUSINESS

Public Hearing

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Scenic Terrace South CDD

A. Continued Public Hearing on the Imposition of Operations and Maintenance Special Assessments *(continued from July 19, 2023 Board Meeting)*

Ms. Burns stated that this had been continued from the July 19th meeting due to them having to send the notice to the boundary amendment area. She asked for a motion to open the public hearing.

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

Ms. Burns stated that no members of the public were present, therefore she asked for a motion to close the public hearing.

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

i. Consideration of Resolution 2023-15 Imposing Special Assessments and Certifying an Assessment Roll

Ms. Burns stated that the resolution was included in the package, adding that it levied the assessment based on the budget that the Board previously adopted. She also noted that it would be sent out on the Polk County tax bill in November.

On MOTION by Mr. Heath, seconded by Mr. Cavaretta, with all in favor, Resolution 2023-15 Imposing Special Assessments and Certifying an Assessment Roll, was approved.

FIFTH ORDER OF BUSINESS

Presentation and Approval of Engineer’s Report – Amended and Restated dated August 14, 2023

Ms. Burns stated that the only change on the report were the added comments from bond counsel. Mr. Malave added that all of the numbers and reports were still the same.

On MOTION by Ms. Schwenk, seconded by Ms. Hudson, with all in favor, the Engineer’s Report Amended and Restated dated August 14, 2023, was approved.

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SIXTH ORDER OF BUSINESS

Presentation and Approval of Updated Supplemental Assessment Methodology for Series 2023 Bonds dated August 16, 2023

Ms. Burns stated that the only change to the report was the date for the new Engineer’s Report. She asked for a motion to approve.

On MOTION by Mr. Cavaretta, seconded by Ms. Hudson, with all in favor, the Updated Supplemental Assessment Methodology for Series 2023 Bonds dated August 16, 2023, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-16 Delegation Resolution (Series 2023)

Ms. Bligh presented the resolution, noting that it contained documents and exhibits to sell one series of bonds for the primary purpose of paying for all of the District’s portion of the costs of the public infrastructure for Phase 4. She noted that the documents included were a second supplemental indenture, a bond purchase contract, a preliminary limited offering memorandum, a Rule 15c212 certificate, and a continuing disclosure agreement. She also pointed out sections 4 and 5, which included findings so that the District didn’t have to do a public offering and the parameters for the Series 2023 bonds. She added that the aggregate principle amount of the Series 2023 bonds had a not-to-exceed of \$3,500,000. She asked for a motion to approve.

On MOTION by Ms. Schwenk, seconded by Mr. Cavaretta, with all in favor, Resolution 2023-16 Delegation Resolution (Series 2023), was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Series 2023 Developer Agreements

- A. True-Up Agreement**
- B. Completion Agreement**
- C. Acquisition Agreement**
- D. Collateral Assignment Agreement**
- E. Declaration of Consent**
- F. Notice of Special Assessments**

Ms. Van Wyk presented the developer agreements, noting that they included the true-up agreement, complete agreement, acquisition agreement, collateral assignment agreement,

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declaration of consent agreement, a declaration of consent agreement, and a notice of special assessments. He added that the notice of special assessments would be recorded once they received the final numbers for the issuance of bonds. He asked for a motion to approve in substantial form.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Series 2023 Developer Agreements, were approved in substantial form.

NINTH ORDER OF BUSINESS

Consideration of Letter from FMS to Provide Underwriting Services for Series 2023 Bonds

Ms. Burns presented the letter from FMS, noting that it was standard and asked if there were any questions. Hearing no comments, she asked for a motion to approve.

On MOTION by Ms. Schwenk, seconded by Mr. Cavaretta, with all in favor, the Letter from FMS to Provide Underwriting Services for Series 2023 Bonds, was approved.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2023-17 Ratifying Series 2022 Bonds

Ms. Burns stated that the resolution was a cleanup item because they didn't approve it after the last issuance. She added that it would ratify and confirm all action taken by staff in coordination with the bonds.

On MOTION by Ms. Schwenk, seconded by Mr. Cavaretta, with all in favor Resolution 2023-17 Ratifying Series 2022 Bonds, was approved.

ELEVENTH ORDER OF BUSINESS

Consideration of Notice of Lien of Special Assessments for Series 2022 Project Bonds

Ms. Burns presented the notice of lien of special assessments and asked for a motion to approve.

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On MOTION by Mr. Heath, seconded by Mr. Cavaretta, with all in favor, the Notice of Lien of Special Assessments for Series 2022 Project Bonds, was approved.

TWELFTH ORDER OF BUSINESS

Consideration of Amended and Restated Notice of Special Assessments and Government Lien of Record

Ms. Burns stated that the notice of special assessments was a combined notice of the new issuance as well as the older one.

On MOTION by Ms. Schwenk, seconded by Mr. Cavaretta, with all in favor, the Amended and Restated Notice of Special Assessments and Government Lien of Record, was approved.

THIRTEENTH ORDER OF BUSINESS

Consideration of Interlocal Agreement between the Scenic Terrace North CDD and Scenic Terrace South CDD Regarding Mutual Cooperation for the Financing, Operation, and Maintenance of Certain Amenities to be Acquired and/or Constructed

Mr. Van Wyk explained that Scenic Terrace North and South would be sharing amenities and therefore would be making an interlocal agreement between the districts to distinguish maintenance and financial responsibilities between both districts. He asked for a motion to approve.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, the Interlocal Agreement between the Scenic Terrace North CDD and Scenic Terrace South CDD Regarding Mutual Cooperation for the Financing, Operation, and Maintenance of Certain Amenities to be Acquired and/or Constructed, was approved.

FOURTEENTH ORDER OF BUSINESS

Consideration of Joint Acquisition Agreement Between the Scenic Terrace North CDD and Scenic Terrace South CDD Regarding the Joint Acquisition of Certain Work Product and Improvements

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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 for June 2023 totaling \$1,064,349.98. She asked for any questions on those, otherwise looking for a motion to approve.

On MOTION by Ms. Schwenk, seconded by Mr. Cavaretta, with all in favor, the Check Register totaling \$1,064,349.98, 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.

EIGHTEENTH ORDER OF BUSINESS

Other Business

There being no comments, the next item followed.

NINETEENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There being no comments, the next item followed.

TWENTIETH ORDER OF BUSINESS

Adjournment

Ms. Burns adjourned the meeting.

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

Jill Burns

Secretary/Assistant Secretary

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Laven O. Schenk
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Chairman/Vice Chairman