

MINUTES OF MEETING

***HIGHLAND MEADOWS II COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS' MEETING***

Thursday, August 14, 2014 at 10:09 a.m.

Holiday Inn Winter Haven

200 Cypress Gardens Boulevard,

Winter Haven, Florida 33880

Board Members present at roll call:

Rennie Heath	Board Member	
Joel Adams	Board Member	
Andrew Rhinehart	Board Member	
Lauren Oakley	Board Member	(via phone)

Also Present:

Roy Van Wyk	Hopping Green & Sams, P.A.	
Sarah Warren	Hopping Green & Sams, P.A.	
Joe MacLaren	Fishkind & Associates, Inc.	
Jane Gaarlandt	Fishkind & Associates, Inc.	
Todd Amaden	Landmark Engineering	(via phone)
Brian Fender	Underwriter Counsel	(via phone)
Sarah Warren	Hopping Green & Sams, P.A.	(via phone)

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

The meeting was called to order. The Board Members and staff in attendance are outlined above.

SECOND ORDER OF BUSINESS

Public Comment Period

There were no members of the public present.

THIRD ORDER OF BUSINESS

**Consideration of the Minutes of
the July 10, 2014 Board of
Supervisors' Meeting**

The Board reviewed the minutes of the July 10, 2014 Board of Supervisors' Meeting. Mr. MacLaren noted that he took a correction from District Counsel before the meeting.

On MOTION by Mr. Adams, seconded by Mr. Heath, with all in favor, the Board approved the minutes of the July 10, 2014 Board of Supervisors Meeting as amended.

FOURTH ORDER OF BUSINESS

Designation of Regular Meeting Dates, Time, and Location

Mr. MacLaren noted the agenda item would be continued until the August 26, 2014 Board of Supervisors' Meeting.

FIFTH ORDER OF BUSINESS

Public Hearing on the Adoption of the District's Fiscal Year 2013-2014 and 2014-2015 Budgets

- a) **Public Comments and Testimony**
- b) **Board Comments**
- c) **Consideration of Resolution 2014-14, Adopting a Fiscal Year 2013-2014 Budget and Appropriating Funds**
- d) **Consideration of Resolution 2014-15, Adopting a Fiscal Year 2014-2-15 Budget and Appropriating Funds**

Mr. MacLaren requested a motion from the Board to open the public hearing.

On MOTION by Mr. Heath, seconded by Mr. Adams, with all in favor, the Board opened the public hearing.

Mr. MacLaren explained that there were two resolutions for the Board to consider. One is to approve a budget for the partial Fiscal Year and the following is for approval of a budget for a Full Fiscal Year. The amount of \$67,000 is the balance for Fiscal Year 2014. The Board reviewed the budgets. Mr. MacLaren requested a motion from the Board to close the public hearing.

On MOTION by Mr. Adams, seconded by Mr. Heath, with all in favor, the Board closed the public hearing.

Mr. MacLaren requested a motion from the Board to approve Resolution 2014-14.

On MOTION by Mr. Adams, seconded by Mr. Rhinehart, with all in favor, the Board approved Resolution 2014-14, Adopting a Fiscal Year 2013-2014 Budget and Appropriating Funds.

Mr. MacLaren requested a motion from the Board to approve Resolution 2014-15.

On MOTION by Mr. Heath, seconded by Mr. Adams, with all in favor, the Board approved Resolution 2014-15, Adopting a Fiscal Year 2014-2015 Budget and Appropriating Funds.

SIXTH ORDER OF BUSINESS

Public Hearing on the Imposition of Special Assessments

- a) Public Comment and Testimony**
- b) Board Comments**
- c) Consideration of Resolution 2014-16, Levying Special Assessments**

This Resolution will Levy special assessments on the property within the District to fund infrastructure improvements benefiting Phase 2A and 2B within the District. Mr. MacLaren requested a motion from the Board to open a public hearing on this resolution.

On MOTION by Mr. Heath, seconded by Mr. Adams, with all in favor, the Board opened a public hearing.

The Assessment Methodology was approved in preliminary form at the District's last Board Meeting. The Assessment Methodology allocates the District Engineer's cost to

each of the phases, Phase 2A and 2B. It divides the costs as financed among the lots that are planned for each of those phase. These are Master Assessments and when the District moves forward with a Bond Issuance the District Manager will draft a Supplemental Assessment Methodology that will outline the actual assessments that will be paid by the property owners moving ahead. Mr. Maclaren confirmed that notice of the hearing was sent via mailed notice and by publication. Mr. MacLaren also confirmed that it is still his opinion that the assessments are fairly and reasonably apportioned across the properties that are subject to the assessments and that the cost for the infrastructure and the amount of the assessments is equal to or less than the amount of burden that will be placed on the property. Mr. Amaden confirmed that the cost that he estimated for the improvements are fair and reasonable and consistent with other projects within the County and within this area. Mr. MacLaren asked for any comments from the public, hearing none he requested a motion from the Board to close the public hearing.

On MOTION by Mr. Heath, seconded by Mr. Adams, with all in favor, the Board closed the public hearing.

Mr. MacLaren requested a motion from the Board to approve Resolution 2014-16.

On MOTION by Mr. Heath, seconded by Mr. Adams, with all in favor, the Board approved Resolution 2014-16, Levying Special Assessments

SEVENTH ORDER OF BUSINESS

Public Hearing on the District's Use of the Uniform Method of Levying, Collecting and Enforcing Non Ad-Valorem Assessments

- a) Public Comments and Testimony**
- b) Board Comments**
- c) Consideration of Resolution 2014-17, Adopting the Uniform Method**

Mr. MacLaren stated that the District advertized a public hearing on the Board's adoption of the Uniform Method of collecting assessments. By the Board's adoption of the resolution the District will have the ability to place its assessments on the annual County tax roll. Mr. MacLaren requested a motion from the Board to open the public hearing.

On MOTION by Mr. Rhinehart, seconded by Mr. Heath, with all in favor, the Board opened the public hearing.

Mr. MacLaren asked if there were any public comments, hearing none he requested a motion from the Board to close the public hearing.

On MOTION by Mr. Heath, seconded by Mr. Adams, with all in favor, the Board closed the public hearing.

Mr. MacLaren requested a motion from the Board to approve Resolution 2014-17. Mr. Adams asked if this was just an option or if it boxes the District in to use it. Mr. Van Wyk responded that it authorizes the District to use and enter into the agreements that are necessary to use the tax roll for collection of District assessments. It is a stipulation of the Trust Indenture.

On MOTION by Mr. Heath, seconded by Mr. Adams, with all in favor, the Board approved Resolution 2014-17, Adopting the Uniform Method.

EIGHTH ORDER OF BUSINESS

Public Hearing on the Adoption of District Rules and Procedures

- a) Public Comments and Testimony**
- b) Board Comments**
- c) Consideration of Resolution 2014-18, Adopting Rules of Procedure**

Mr. MacLaren requested a motion to open the public hearing.

On MOTION by Mr. Heath, seconded by Mr. Adams, with all in favor, the Board opened the public hearing.

Mr. MacLaren asked if there were any public comments, hearing none he requested a motion from the Board to close the public hearing.

On MOTION by Mr. Adams, seconded by Mr. Heath, with all in favor, the Board closed the public hearing.

Mr. MacLaren requested a motion from the Board to approve Resolution 2014-18. District Counsel had provided a copy of the rules. Mr. Adams asked if this is what is dictated by Florida Statutes. Mr. Van Wyk confirmed that it is.

On MOTION by Mr. Heath, seconded by Mr. Adams, with all in favor, the Board approved Resolution 2014-18, Adopting Rules of Procedure.

NINTH ORDER OF BUSINESS

**Consideration of Delegation
Resolution 2014-19**

Mr. MacLaren recommended that the meeting be continued to consider this resolution at a future date.

TENTH ORDER OF BUSINESS

**Consideration of Statements of
Qualifications for the Position of
District Engineer**

Mr. MacLaren noted that they received submittals from Landmark Engineering and JSK Consulting. Mr. MacLaren noted that he had reviewed both of the proposals and had taken the liberty of proposing some rankings. Landmark Engineering had scored as the highest ranked firm based on their experience with Community Development Districts. They listed several CDDs that they had worked for. Mr. MacLaren explained that JSK seemed qualified but they did not list any work previously completed for Community Development Districts.

On MOTION by Mr. Heath, seconded by Mr. Adams, with all in favor, the Board accepted Mr. MacLaren's rankings awarding the most point to Landmark Engineering and authorized staff to negotiate a contract with Landmark Engineering for District Engineer.

ELEVENTH ORDER OF BUSINESS

**Ratification of Payment
Authorizations Nos. 4-6 and
Consideration of Payment
Authorization No. 7**

The Board reviewed Payment Authorizations Nos. 4-7.

On MOTION by Mr. Heath, seconded by Mr. Adams, with all in favor, the Board approved Payment Authorizations Nos. 4-7.

TWELFTH ORDER OF BUSINESS

**Consideration of Funding Request
No. 2**

The Board reviewed Funding Request No. 2.

On MOTION by Mr. Heath, seconded by Mr. Adams, with all in favor, the Board approved Funding Request No. 2.

THIRTEENTH ORDER OF BUSINESS

Review of Monthly Financials

The Board reviewed the monthly financial statements. There was no action required by the Board.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

District Counsel – Mr. Van Wyk noted that the Bond Validation hearing had taken place. The Bonds were validated and the appeal period will expire on the 30th of the month. Once the certificate of no appeal has been received the District will be able to move forward with the issuance of the Bonds. Mr. Van Wyk noted that two items from the agenda packet were continued to a future meeting. The first being the selection of the annual meeting dates and the second the delegated award resolution. This needs to be done in order to authorize the chair to execute any documents with respect to the

issuance of bonds based on the Boards determination of parameters under which the bonds can be issued. Mr. Van Wyk requested that the meeting be continued to August 26, 2014 at 9:00 a.m. at the current location.

District Engineer – No Report

District Manager – Mr. MacLaren presented an updated distribution list. Mr. Adams noted changes to his contact information.

SIXTEENTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

There were no other questions or comments

SEVENTEENTH ORDER OF BUSINESS

Adjournment

There were no other questions or comments. Mr. MacLaren suggested a motion to adjourn.

ON MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Board continued the meeting to August 26, 2014 at 9:00 a.m. at the current location.


Secretary / Assistant Secretary


Chairman / Vice Chairman