

# MINUTES OF MEETING

## OSCEOLA CHAIN OF LAKES COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Osceola Chain of Lakes Community Development District was held Wednesday, May 2, 2018, at 1:30 p.m. at the District office, 313 Campus Street, Celebration, FL 34747.

Present and constituting a quorum were:

Ryan Kahn	Vice Chairman
Kimberly Locher	Assistant Secretary
Nihit Patel	Assistant Secretary

Also present were:

Gary Moyer	Manager: Moyer Management Group
Tucker Mackie	Attorney: Hopping Green & Sams
Nicole Stalder	Engineer: Dewberry

### FIRST ORDER OF BUSINESS

#### Call to Order

Mr. Moyer called the meeting to order at 1:30 p.m.

### SECOND ORDER OF BUSINESS

#### Roll Call

Mr. Moyer called the roll and stated a quorum was present for the meeting.

### THIRD ORDER OF BUSINESS

#### Public Comment Period

There being none, the next order of business followed.

### FOURTH ORDER OF BUSINESS

#### Administrative Matters

#### A. Acceptance of Resignation from Chris Tyree

Mr. Moyer stated it would be appropriate for the Board to accept his resignation.

On MOTION by Mr. Kahn, seconded by Mr. Patel, with all in favor, approval was given to accept the resignation from Mr. Chris Tyree, with the Board's deepest regret.

#### B. Appointment to Fill Unexpired Terms of Office for Seat 1 (*November 2021*) and/or Seat 5 (*November 2019*)

Mr. Moyer stated we can fill either of these vacancies through an appointment.

Mr. Kahn stated we will have a new employee joining our firm, so I would like to nominate Mr. Anthony Iorio to Seat 1.

On MOTION by Mr. Kahn, seconded by Mr. Patel, with all in favor, approval was given to appoint Mr. Anthony Iorio to Seat 1.

**C. Oath of Office for Newly Appointed Supervisors**

This item not being considered, the next item followed.

**D. Consideration of Resolution 2018-37, Designating Officers**

Mr. Moyer read Resolution 2018-37 into the record by title.

Mr. Moyer stated I will withhold consideration of this Resolution until Mr. Iorio can be present, at which time the Board can discuss who will be officers.

**E. Consideration of Resolution 2018-38, Extending Terms of Office**

Mr. Moyer read Resolution 2018-38 into the record by title.

Mr. Moyer stated the District was created in an odd-numbered year. Since Chapter 190, Florida Statutes, says we will have elections every two years, that is not very efficient when we start having general elections. So we need to move our date for elections, and the legislature has provided for that, which is what Resolution 2018-38 does to extend the terms of office to 2020 and 2022. Then we will follow the same general election format as everyone else.

Ms. Mackie stated the seats are listed in the Resolution which are being extended to 2020 and 2022.

On MOTION by Mr. Kahn, seconded by Mr. Patel, with all in favor, approval was given to Resolution 2018-38, extending terms of office.

**FIFTH ORDER OF BUSINESS**

**Approval of the Minutes of the March 7, 2018, Meeting**

Mr. Moyer reviewed the minutes, which are included in the agenda package and are available for public review in the District Office during normal business hours or on the website, and requested additions, corrections, or deletions.

On MOTION by Mr. Kahn, seconded by Mr. Patel, with all in favor, unanimous approval was given to the March 7, 2018, minutes, as presented.

**SIXTH ORDER OF BUSINESS**

**Matters Pertaining to the Issuance of the Series 2018 Bonds**

**A. Consideration of Resolution 2018-39 Ratifying the Series 2018 Bonds**

Mr. Moyer read Resolution 2018-39 into the record by title.

Ms. Mackie stated this is a close-up item related to the issuance of the Series 2018 Bonds. When the Board authorized the award document related to the bonds, it provided for the ability of the Chairman or Vice Chairman to sign documents on behalf of the

District and to approve of any changes that were subsequent to the form of those documents having been included in the award resolution. That includes subsequent changes to the master trust indenture, the disclosure document, the bond purchase agreement, and any other changes that were not reflected in the forms the Board approved. We traditionally bring back a ratification resolution that provides for the final forms of all those documents, and we ask the Board to ratify the actions of staff taken to further negotiate the documents and the Chairman signing them at closing. I am not aware of any substantive changes that were made to the documents from their inclusion in the award resolution to their final approval. It is something we like to do to wrap up the issuance itself.

On MOTION by Mr. Kahn, seconded by Mr. Patel, with all in favor, unanimous approval was given to Resolution 2018-39 ratifying the Series 2018 Bonds.

**B. Consideration of Disclosure of Public Financing and Maintenance of Improvements to Real Property**

Ms. Mackie stated Florida Law requires that this document be recorded in the public records. We traditionally do not do that until the District has issued bonds. Otherwise, we are duplicating efforts. Now that we have the particulars relating to the improvements as described in the engineer's report and financing numbers that conform to the issuance of the bonds, the District's legal counsel has prepared this form of disclosure of public financing. The purpose is to be included in any closing documents for any properties sold within the District's boundaries. It walks through the basics of the District itself: what it is, how it is governed. Then it walks through the particulars of Osceola Chain of Lakes as it relates to improvements that the District has financed or intends to finance with the issuance of bonds. Then it walks through in very general terms the basic assessment structure and points them to District staff if they have any questions after reviewing this document. It is a required document and is in the form we have utilized for many other districts.

On MOTION by Mr. Patel, seconded by Ms. Locher, with all in favor, unanimous approval was given to the disclosure of public financing and maintenance of improvements to real property, and to authorize it being recorded in the public record.



**B. Setting of Initial Audit Committee Meeting**

Mr. Moyer stated we are proposing the first meeting of the audit committee be the Board's regular meeting scheduled for July 11.

On MOTION by Mr. Patel, seconded by Ms. Locher, with all in favor, unanimous approval was given to schedule the initial audit committee meeting for July 11, 2018, at 1:30 p.m.
---

**EIGHTH ORDER OF BUSINESS**

**Matters Pertaining to Engineering Services**

**A. Review and Ranking of Engineering Qualifications**

Mr. Moyer stated we are going through a process for the selection of an engineer, which is commonly referred to as the consultant's competitive negotiations act. What is somewhat unique about it is, we go through a process of asking engineers to submit their qualifications to the Board without price. The idea is that we select the best-qualified engineer and we do not worry about price at this point. Once we make that selection, then we will negotiate a contract with the engineer that the Board selected. If we are not able to negotiate a contract, then we would move to the #2-ranked firm and negotiate a contract. If we have three or more, we would keep moving down the line until we have a satisfactory contract. In all the years I have been doing this, I do not remember ever not ending up with a satisfactory contract with the #1-ranked firm. Staff advertised for qualifications in the newspaper that we were receiving qualifications. Two were received: Dewberry, and Hanson Walter. I apologize for providing this to you late by email. If the Board is in a position to discuss the firms, we can do that now. I have worked with both firms for some period of time. They are both qualified. They both are familiar with the local politics in Osceola County and how to get permits and approvals from the County. They do have different personnel. We provided you with a scoring sheet to help quantify those differences. We are aware that Dewberry has some experience with this District in the past because they were the engineer that provided the engineering report for the first bond issue. That is a fast background for you. I will ask the Board members to discuss with firms you believe are ranked #1 and #2.

Mr. Patel stated I am familiar with Dewberry.

Mr. Kahn stated based on my evaluation of the criteria and the material, I would rank Dewberry #1 and Hanson Walter as #2.

Ms. Locher stated similar to Mr. Moyer, I have worked with both firms. They are both qualified. Hanson Walter is local in Kissimmee, and I know they have a long history in being productive and getting things done. Dewberry's advantage is they are very familiar with the project already. I would be very comfortable going with either firm, but at this point, I would rank Dewberry #1 and Hanson Walter #2 only for the fact that Dewberry has project experience.

Mr. Kahn stated that was an advantage on the scoring sheet.

**B. Authorization to Enter Negotiations with the Number-One Ranked Firm**

Mr. Moyer stated we will negotiate a contract with Dewberry and bring it to the Board at your next meeting for approval.

Ms. Locher stated I presume it will have the standard 30-day termination provision and other provisions we normally have.

Mr. Moyer stated yes.

On MOTION by Mr. Patel, seconded by Ms. Locher, with all in favor, unanimous approval was given to rank the engineering firms as Dewberry #1 and Hanson Walter #2 and to authorize staff to negotiate a contract with the #1-ranked firm, moving to the #2-ranked firm if unsuccessful with the #1-ranked firm.

**NINTH ORDER OF BUSINESS**

**Presentation of the Proposed Fiscal Year 2019 Budget**

**A. Proposed Fiscal Year 2019 Budget**

Mr. Moyer stated we are now entering the budget cycle for the District. We have to adopt the budget by September 15, which gives us a couple months to work through it. We have proposed at this time primarily an administrative budget to cover the items that you approved when the District was first established. We added an item to cover what may end up being expenses related to operation and maintenance and field management in the amount of \$50,000. The total budget is \$167,384. The process anticipates that the Board will approve a budget but not adopt it today. At this meeting, we are asking the Board to approve it. We will discuss it in the next month or so. We need to provide this to the County 60 days before it is adopted, which is how we came up with the July meeting date to give us 60 days.

On MOTION by Mr. Patel, seconded by Ms. Locher, with all in favor, unanimous approval was given to approve the proposed budget for fiscal year 2019, as presented.

**B. Consideration of Resolution 2018-40 Setting a Public Hearing for Adoption of the Budget**

Mr. Moyer read Resolution 2018-40 into the record by title.

On MOTION by Ms. Locher, seconded by Mr. Kahn, with all in favor, unanimous approval was given to Resolution 2018-40 setting the public hearing for the fiscal year 2019 budget for July 11, 2018, at 1:30 p.m.

**TENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

- i. Consideration of a Bill of Sale for Utilities from Hanover Lakes, LLC, to the District**
- ii. Consideration of a Bill of Sale for Utilities from the District to the City of Saint Cloud**

Ms. Tucker stated we anticipate the District will be asked to acquire the phase 1 utilities; however, we are not ready to do that at today's meeting. We anticipate this will be presented at the July meeting. We will table these documents until that time.

**B. Engineer**

Ms. Stalder stated offsite utilities will be the first to be cleared. They just got clearance during the course of this meeting. I want to make sure the transfer document that has to happen before those offsite utilities are accepted by the City of Saint Cloud are in process. Ms. Sandy was talking with Mr. Tyree about it, but now that he is no longer with the company, I wanted to make sure that was still moving forward to the right person.

Ms. Mackie stated I know she has had several conversations as recently as last night, so I think it is moving.

Ms. Stalder stated I am referring to the offsite utilities for right now to make sure they go through the proper chain of command and that we are in the midst of it and not on the peripheral.

Ms. Mackie stated I think Ms. Sandy has emphasized the fact that these need to go through the District first.

Ms. Stalder stated I want to make sure they sign the right paperwork. It will probably turn very quickly.

**C. Manager**

**i. Financial Statements and Check Register** *(April 30, 2018)*

Mr. Moyer reviewed the financial statements, which are contained in the agenda package and available for public review on the website or at the District office during normal business hours.

**ii. Approval of Funding Request #5**

Mr. Moyer reviewed funding request #5, which is contained in the agenda package and available for public review on the website or at the District office during normal business hours.

On MOTION by Mr. Patel, seconded by Mr. Kahn, with all in favor, unanimous approval was given to funding request #5 in the amount of \$30,015.72, as presented.
---

**iii. Approval of Agreement with the Property Appraiser**

**iv. Ratification of Agreement with the Tax Collector**

Ms. Mackie stated these have been approved previously in substantial form. The one issue we are still working with on the property appraiser side is, the interlocal agreement had some unusual requirements when the District was established as far as what information relative to the District needs to be included in a trim notice. We will not levy assessments on the tax roll this year, but we want to make sure they have a provision since it is somewhat unusual that we are complying with what the County has mandated and making sure the property appraiser can do that. By way of summary, the County included a requirement that the District's budget and assessment hearing be noticed in that trim notice as to the date, time, and location. We want to make sure we coordinate with them to make sure that happens. The best way to do that is to make sure it is in the agreement itself.

Mr. Moyer asked once those changes have been made, do we have authorization to sign the agreements and return them to the County?

Ms. Mackie stated I think they were approved in substantial form. Ms. Sandy indicated she might have had that discussion, so we might have the authorization to get a signature, and we will bring it back for ratification at the next meeting. That is with the hope we can get someone on the property appraiser side to agree to the changes and to understand why they are necessitated. They are slow to come off their form.



**ELEVENTH ORDER OF BUSINESS**                      **Other Business**

There being none, the next order of business followed.

**TWELFTH ORDER OF BUSINESS**                      **Supervisor Requests**

There being none, the next order of business followed.

**THIRTEENTH ORDER OF BUSINESS**                      **Adjournment**

- The next meeting is scheduled for July 11, 2018, at 1:30 p.m.

On MOTION by Ms. Locher, seconded by Mr. Kahn, with all in favor, the meeting adjourned at 1:55 p.m.
--

---

Gary L. Moyer, Secretary

---

Ryan Kahn, Vice Chairman