

**MINUTES OF MEETING  
HAMMOCK RESERVE  
COMMUNITY DEVELOPMENT DISTRICT**

An Organizational meeting of the Board of Supervisors of the Hammock Reserve Community Development District was held Tuesday, **December 17, 2019** at 12:07 p.m. at 346 E. Central Ave., Winter Haven, Florida.

Present and constituting a quorum:

Rennie Heath	Chairman
Lauren Schwenk	Vice Chairman
Matthew Cassidy	Assistant Secretary
Patrick Marone	Assistant Secretary
Andrew Rhinehart	Assistant Secretary

Also present were:

Jill Burns	District Manager, GMS
Michelle Rigoni	Hopping Green & Sams
Ashton Bligh <i>via phone</i>	Greenberg Traurig
Dennis Wood <i>via phone</i>	Wood & Associates Engineering

**FIRST ORDER OF BUSINESS**

**Introduction**

**A. Call to Order**

Ms. Burns called the meeting to order and called the roll. There were five members present, constituting a quorum.

**B. Public Comment Period**

There were no members of the public present for the meeting.

**C. Oath of Office**

Ms. Burns swore in the five supervisors listed above at the meeting as a group. Ms. Burns clarified the procedure for completing forms and signatures.

**SECOND ORDER OF BUSINESS                      Organizational Matters**

**A. Confirmation of Notice of Meeting**

This meeting was advertised in the newspaper and the affidavit of publication was included in the agenda package.

**B. Information on Community Development Districts and Public Official Responsibilities and Florida Statutes Chapter 190**

Ms. Burns stated that they have provided the board members with information on Community Development Districts and with information on being a public official. They have also provided them with a copy of Chapter 190 of the Florida Statutes. Ms. Burns stated since all were very familiar with the Sunshine Law, they would skip over this section.

**C. Election of Officers**

**1. Resolution 2020-01 Appointing Officers**

Ms. Burns presented Resolution 2020-01 which designates the officers for the District. Ms. Jill Burns asked that the following GMS employees were appointed to process regular business. Ms. Burns was appointed as Secretary, and George Flint was appointed as Assistant Secretary, Ariel Lovera as Treasurer, and Ms. Jill Burns as Assistant Treasurer. It was requested the GMS assignments be made to process all checks, etc. Mr. Rennie Heath was appointed as Chairman, Lauren Schwenk was appointed as Vice Chairman, and Matthew Cassidy, Patrick Marone, and Andrew Rhinehart were appointed as Assistant Secretaries.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-01 Designating Officers with Mr. Heath as Chairman, Ms. Schwenk as Vice Chairman, Mr. Cassidy, Mr. Marone, Mr. Rhinehart, and Mr. Flint as Assistant Secretaries, and Ms. Burns as Secretary, was approved.

**2. Resolution 2020-02 Appointing Treasurer and Assistant Treasurer**

Ms. Burns asked that the board appoint Ariel Lovera as Treasurer, and Ms. Jill Burns as Assistant Treasurer. It was requested the GMS assignments be made to process all checks, etc.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-02 appointing Ms. Burns as Assistant Treasurer, Mr. Lovera as Treasurer, was approved.

**THIRD ORDER OF BUSINESS                      Retention of District Staff**

**A. Consideration of Contract for District Management Services**

**i. Resolution 2020-03 Appointing District Manager**

Ms. Burns stated included in your agenda package is a contract with Governmental Management Services to provide District Management Services. The fee schedule is included in the package as discussed. Ms. Burns stated this outlines the fees previously discussed.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Resolution 2020-03 Appointing GMS as District Manager, was approved.

**B. Consideration of Contract for District Counsel Services**

**i. Resolution 2020-04 Appointing District Counsel**

Ms. Burns stated included in your agenda package is an agreement with Hopping Green & Sams, as well as their fees. Ms. Rigoni was present, representing Hopping Green & Sams as the District Counsel, and reviewed the standard form of agreement.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-04 Appointing Hopping Green & Sams as District Counsel, was approved.

**C. Resolution 2020-05 Selection of Registered Agent and Office**

Ms. Burns stated this names Roy Van Wyk as the registered agent and designates Hopping Green & Sams address as the registered office.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-05 Selecting Roy Van Wyk and Hopping, Green & Sams as the Registered Agent and Office, was approved.

**D. Resolution 2020-06 Appointing Interim District Engineer**

Ms. Burns stated this would appoint Wood & Associates as the Interim District Engineer.

On MOTION by Mr. Heath, seconded by Mr. Cassidy, with all in favor, Resolution 2020-06 Appointing Wood & Associates as the Interim District Engineer, was approved.

**E. Consideration of Interim District Engineering Agreement**

Ms. Burns stated this agreement, included in your packet is for Interim District Engineering services, is standard form, and that the fee sheet was attached.

On MOTION by Ms. Schwenk, seconded by Mr. Cassidy, with all in favor, the Interim District Engineer Agreement , was approved.

**F. Request Authorization to Issue RFQ for Engineering Services**

Ms. Burns stated they would place an ad in the paper and send to the Interim Engineer so they have due dates. Ms. Burns suggested the due date as Monday, January 20<sup>th</sup> at 12:00 p.m.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Authorization of Staff to Issue an RFQ for Engineering Services, was approved.

**FOURTH ORDER OF BUSINESS**

**Designation of Meetings and Hearing Dates**

**A. Consideration of Resolution 2020-07 Designation of Regular Monthly Meeting Date, Time and Location for Fiscal Year 2020**

Ms. Burns stated as previously discussed the suggestion would be for the third Tuesday of the month at 1:15 p.m. at the same location to hold the regular meetings. Ms. Schwenk had a conflict with the suggested 12:00 p.m. time for this meeting, so 1:15 p.m. was suggested and agreed upon. A calendar invite will be sent out to everyone, from Ms. Burn’s office.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Resolution 2020-07, Designating the Regular Board Meetings to be held on the 3<sup>rd</sup> Tuesday of each month at 1:15 p.m., at 346 E. Central Ave. Winter Haven, Florida, was approved.

**B. Consideration of Resolution 2020-08 Designation of Landowner’s Meeting Date, Time and Location**

Ms. Burns stated there would not be enough time to provide notices for the regular January meeting, so she suggested Wednesday, January 29<sup>th</sup> at 1:00 p.m. at the same location.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Resolution 2020-08 Designating the Landowners Meeting for January 29, 2020 at 1:00 p.m. at 346 E. Central Ave., Winter Haven, Florida, was approved.

**C. Designation of Date of Public Hearing to Adopt Rules of Procedure in accordance with Section 120.54, Florida Statutes**

**i. Consideration of Resolution 2020-09 Setting a Public Hearing to Consider the Proposed Rules of the District**

**A. Rules of Procedure**

Ms. Burns stated the rules of procedures are included in the package. Ms. Burns suggested holding the hearing on January 29, 2020 at 1:00 p.m. at the same location.

On MOTION by Mr. Heath, seconded by Mr. Cassidy, with all in favor, the 2020-09 Resolution Setting a Public Hearing to Adopt the Rules of Procedure for January 29, 2020 at 1:00 p.m. at 346 E. Central Ave., Winter Haven, FL, was approved.

**D. Designation of Dates of Public Hearing on the Budget for Fiscal Year 2020**

**1. Consideration of Resolution 2020-10 Setting the Public Hearing and Approving the Proposed Fiscal Year 2020 Budget**

Ms. Burns stated that Resolution 2020-10 was in the package along with a copy of the proposed budget. Ms. Burns stated this will be sent to the county at least 60 days prior to the public hearing, as required. It was a standard budget, only for general administration fees and no field expenses. Ms. Burns suggested, based on advertising deadlines, March 17, 2020 at 1:15 p.m. at the same location for the hearing date.

On MOTION by Mr. Heath,, seconded by Mr. Cassidy, with all in favor, Resolution 2020-10 Setting a Public Hearing Date to Approve the Fiscal Year 2020 Budget for March 17, 2020 at 1:15 p.m. at 346 E. Central Ave. Winter Haven, Florida, was approved.

**2. Approval of the Fiscal Year 2020 Budget Funding Agreement**

Ms. Burns stated this is the agreement with JMBI Real Estate, LLC, where the developer will agree to fund the operations of the District.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Funding Agreement with JMBI Real Estate, LLC, for the Fiscal Year 2020 Budget, was approved.

**E. Resolution 2020-11 Setting Date of Public Hearing Expressing the District’s Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non Ad-Valorem Assessments in accordance with Section 197.3632, Florida Statutes**

Ms. Burns suggested January 29, 2020 at 1:00 at their current location for the hearing.

On MOTION by Mr. Cassidy, seconded by Ms. Schwenk, with all in favor, the Resolution 2020-11 Setting Date of Public Hearing Expressing the District’s Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad-Valorem Assessments, was approved.

**FIFTH ORDER OF BUSINESS**

**Other Organizational Matters**

**A. Resolution 2020-12 Designating a Qualified Public Depository**

Ms. Burns recommended SunTrust Bank as used by GMS with their other CDDs.

On MOTION by Mr. Heath,, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-12 Designating SunTrust Bank as the District Depository, was approved.

**B. Resolution 2020-13 Authorization of Bank Account Signatories**

Ms. Burns asked that the signatories for the district be herself and George Flint, allowing them to sign checks and process invoices.

On MOTION by Mr.Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-13 Authorizing Jill Burns and George Flint as Bank Account Signatories, was approved.

**C. Consideration of Resolution 2020-14 Relating to Defense of Board Members**

Ms. Burns noted the District will provide legal support to board members and staff as outlined in the resolution when acting in their capacity, and in good faith, as board members.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-14 Relating to Defense of Board Members, was approved.

**D. Consideration of Resolution 2020-15 Authorizing District Counsel to Record in the Property Records of Polk County the “Notice of Establishment” in accordance with Chapter 190.0485, Florida Statutes**

**1. Notice of Establishment**

Ms. Burns stated Resolution 2020-15 authorizes District Counsel to record the notice of establishment in Polk County.

On MOTION by Mr. Rhinehart, seconded by Mr. Cassidy, with all in favor Resolution 2020-15, Authorization for District Counsel to Record in the Property Records of Polk County the Notice of Establishment in Accordance with Chapter 190.0485, Florida Statutes, was approved.

**E. Consideration of Resolution 2020-16 Adopting Investment Guidelines**

Ms. Burns stated the statute requires the board to adopt an investment policy that outlines the four options if the district has excess funds to invest.

On MOTION by Mr. Heath, seconded by Mr. Cassidy, with all in favor, Resolution 2020-16 Adopting Investment Guidelines, was approved.

**F. Consideration of Resolution 2020-17 Authorizing Execution of Public Depositor Report**

Ms. Burns stated this resolution would authorize the District Manager or Treasurer to execute or file the public depositor report.

On MOTION by Mr. Rhinehart, seconded by Mr. Heath, with all in favor, Resolution 2020-17, Authorizing Execution of Public Depositor Report, was approved.

**G. Consideration of Resolution 2020-18 Designating a Policy for Public Comment**

Ms. Burns stated this outlines a public comment policy, speaking time limits, and issues of decorum and how they are handled.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-18, Designating a Policy for Public Comment, was approved.

**H. Consideration of Resolution 2020-19 Adopting a Travel and Reimbursement Policy**

Ms. Burns stated this is in line with Florida State Statutes on the fees and rates at which they can reimburse, which is in line with the state standards.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-19 Adopting a Travel and Reimbursement Policy, was approved.

**I. Consideration of Resolution 2020-20 Adopting Prompt Payment Policy**

Ms. Burns noted that the Florida Statutes requires timely pay to vendors and contractors that provide services to the District.

On MOTION by Mr. Cassidy, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-20, Adopting Prompt Payment Policy, was approved.

**J. Consideration of Resolution 2020-21 Adopting a Records Retention Policy**

Ms. Burns noted that two options were outlined that Hopping Green offers, they are attached to the resolution. She suggested the board go with Option 1.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor Resolution 2020-21, Adopting Records Retention Policy, Option 1, was approved.

**K. Consideration of Compensation to Board Members**

Ms. Burns asked the board members if they were going to elect to receive compensation, and all Board elected to receive compensation.

**L. Resolution 2020-22 Selecting District Records Office Within Polk County**

Ms. Burns suggested selecting the address of the current office at 346 E. Central Ave., Winter Haven, Florida as the local records office.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-22, Selecting the Local District Records Office at 346 E. Central Ave. Winter Haven, Florida was approved.

**M. Resolution 2020-23 Designating the Primary Administrative Office and Principal Headquarters of the District**

Ms. Burns stated the primary Administrative Office would be her office in Orlando. The Principal Headquarters office will the current office, at 346 E. Central Ave. Winter Haven, Fl.



On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-23, Designating the Primary Administrative Office as Ms. Burns' office at 219 E. Livingston St., Orlando, Florida and the Principal Headquarters of the District at 346 E. Central Ave. Winter Haven, Florida was approved.

**N. Consideration of Website Services Agreement**

Ms. Burns stated there was an agreement in the package that outlines a one-time fee for creation of the website as \$2,575. The previous quotes received from VGlobal Tech were \$2,375 and Ms. Burns reached out that morning to inquire about the increase in rates. She asked if they would be willing to match those given the volume of work they have been given. They agreed to the previous price of \$2,375. This amends the agreement.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the VGlobal Tech Website Services Agreement as amended to \$2,375, was approved.

**O. Authorization to Prepare Public Facilities Report in Accordance with Chapter 189.08 Florida Statutes to Coincide with Special District Filing Date of August 1<sup>st</sup> for Polk County**

Ms. Burns stated Chapter 189 of the Florida Statutes requires the District to prepare a Public Facilities Report and file it with the County. This authorizes staff to prepare that report. No backup was needed in the agenda. Ms. Burns clarified for board members this was required.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Public Facilities Report in Accordance with Chapter 189.08 Florida Statutes to Coincide with Special District Filing Date for Polk County, was approved.

**SIXTH ORDER OF BUSINESS**

**Capital Improvements**

**A. Appointment of the Financing Team**

**1. Bond Counsel**

Ms. Burns stated a proposal in your agenda package is an agreement letter from Greenberg Traurig to provide bond counsel services. Ashton Bligh was available via phone for any questions. The fee is \$48,000 for the first bond issuance.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Agreement with Greenburg Traurig to Serve as Bond Counsel, was approved.

**2. Investment Banker**

Ms. Burns stated this is an agreement with FMS Bonds for underwriting services. The agreement and the disclosure was in the packet.

On MOTION by Mr. Rhinehart, seconded by Mr. Cassidy, with all in favor, the Agreement with FMS Bonds, was approved.

**3. Assessment Administrator**

Ms. Burns stated this was covered in GMS's management contract, no motion was needed since it was already approved.

**4. Trustee**

Ms. Burns stated they have a proposal from US Bank to serve as the Trustee. This was in line with what has been seen at other districts.

On MOTION by Mr. Heath, seconded by Mr. Cassidy, with all in favor, the Proposal from US Bank to Serve as the Trustee, was approved.

**B. Approval of Bond Financing Team Funding Agreement**

Ms. Burns stated this agreement is with JMBI Real Estate, LLC, and they will provide the funds in order for the district to move forward with the issuance of bonds.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Bond Financing Team Funding Agreement, was approved.

**SEVENTH ORDER OF BUSINESS**

**Financing Matters**

**A. Consideration of Engineer's Report**

Ms. Burns asked Mr. Woods to give an overview of the Engineer's report. Mr. Woods explained the report covers acreage and the current lots at 437. The cost for Phase 1, 231 lots, is \$5,658,000. The cost for Phase 2 was \$5,057,000. The total cost for all 437 lots was \$10,715,000. Mr. Wood reviewed the utilities, gateways, roadways, entryways, sidewalks, landscape features, and other amenities. Ms. Rigoni asked Mr. Wood, if in his professional opinion, the cost estimates

were reasonable for the scope of the projects for the District. Mr. Woods responded that they were. Ms. Rigoni also asked if there was any reason to believe that the District cannot carry out any of the Infrastructure outlined in the report. Mr. Wood answered no.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Engineer's Report for Capital Improvements was approved.

**B. Consideration of Master Assessment Methodology**

Ms. Burns stated the methodology allocates the debt incurred by the district, to the benefitting properties within the district, based on the benefits they received. Ms. Burns referred to the tables attached to the report. Table 1 outlines the units, there are a total of 437 lots in the development and have been assigned the same ERU of 1. Table 2 is the capital improvement plan. Table 3 is the bond sizing which is a par amount of 14 million in order to generate the amount of construction proceeds needed in the capital improvement plan. Table 5 shows the total par debt per unit of \$32,037. Table 6 breaks that down into the annual payments for net and gross annual assessments per unit showing a net annual assessment of \$2,327 and a gross annual assessment of \$2,503 per unit. Table 7 is the preliminary assessment roll. The assessments are broken down per acre. Ms. Rigoni asked Ms. Burns if she believed that the special assessments were fairly and reasonably allocated. Ms. Burns responded yes. Ms. Rigoni asked Ms. Burns if the lots being assessed received special benefits in excess of the assessments being levied. Ms. Burns replied yes. Par debt per unit is \$32,037 which is the cap for validation.

On MOTION by Mr. Rhinehart, seconded by Mr. Heath, with all in favor, the Master Assessment Methodology, was approved.

**C. Consideration of Resolution 2020-24 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings**

Ms. Bligh was available on the phone and reviewed the resolution. Ms. Bligh stated that Resolution 2020-24 is the first step in the bond issuance process. It authorizes an amount not to exceed \$14 million in special assessment bonds in one or more series to pay for certain projects. Certain sections of the bond resolution were outlined. Chapter 190 requires any bonds to be secured by a trust agreement. The projects related to the District's capital improvement plan described in

the master Engineer’s report were covered. Under Section 7, the district appoints US Bank to be the Trustee on any series of bonds.

On MOTION by Mr. Cassidy, seconded by Mr. Heath, with all in favor, the Resolution 2020-24 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings, was approved.

**D. Consideration of Resolution 2020-25 Declaring Special Assessments and Approval of Assessment Methodology**

Ms. Rigoni noted that this declares the district’s intent to levy a master assessment lean to secure repayment of the bonds that may be issued by the District to fund the improvements that are outlined in the Engineer’s report.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Resolution 2020-25 Declaring Special Assessment and Approval of Assessment Methodology, was approved.

**E. Resolution 2020-26 Setting Date of Public Hearing for Special Assessments**

Ms. Burns suggested the public hearing to be January 29, 2020 at 1:00 p.m., at 346 E. Central Ave. Winter Haven, FL.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, Resolution 2020-26 Setting Public Hearing for Special Assessments for January 29, 2020, at 1:00 p.m. at 346 E. Central Ave. Winter Haven, FL., was approved.

**EIGHTH ORDER OF BUSINESS**

**Other Business**

**A. Staff Reports**

**i. Attorney**

There being none, the next item following.

**ii. Manager**

There being none, the next item following.

**B. Supervisors Requests**

There being none, the next item followed.

**C. Approval of Funding Request No. 1**

Ms. Burns stated she had approval of funding request #1, which will get the funds to open the account, get the insurance paid, and do the legal ads for all hearings that the board approved. All funding requests will come through the district office.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the Funding Request No. 1, was approved.

**NINTH ORDER OF BUSINESS**

**Adjournment**

Ms. Burns adjourned the meeting at 12:28 p.m.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, the meeting was adjourned at 12:28 p.m.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman