

**MINUTES OF MEETING  
BELLE HAVEN  
COMMUNITY DEVELOPMENT DISTRICT**

The Organizational meeting of the Board of Supervisors of the Belle Haven Community Development District was held on Wednesday, **March 30, 2022** at 10:00 a.m. at 1115 Aloha Blvd., Davenport, Florida.

Present and constituting a quorum were:

Eric Baker	Chairman
Chris Wrenn	Vice Chairman
Serena Turke	Supervisor
Mary Burns	Supervisor
Quinten Payne	Supervisor

Also, present were:

George Flint	District Manager, GMS
Tucker Mackie	District Counsel
Jason Alligood <i>via phone</i>	District Engineer
Steve Sanford <i>via phone</i>	Bond Counsel

*The following is a summary of the discussions and actions taken at the March 30, 2022 Belle Haven Community Development District's Organizational Board of Supervisor's Meeting.*

**FIRST ORDER OF BUSINESS**

**Introduction**

**A. Call to Order**

Mr. Flint called the meeting to order at 10:00 a.m. Five Supervisors were in attendance at the meeting constituting a quorum.

**B. Public Comment Period**

There were no public members present.

**C. Oath of Office**

Mr. Flint conducted the oath of office to new Supervisors. Mr. Flint reviewed the procedure for filing the forms necessary for this position. Ms. Mackie reviewed the Sunshine law and Public Record Laws for all Board members.

**SECOND ORDER OF BUSINESS**

**Organizational Matters**

**A. Confirmation of Notice of Meeting**

Mr. Flint noted the meeting notice had been documented properly as required by statutes.

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

Mr. Flint explained the duties and responsibilities of the officers. He reviewed the forms to be completed by new Supervisors, and reviewed additional legal statutes including Sunshine law, records keeping, etc.

**C. Election of Officers**

**1. Consideration of Resolution 2022-01 Appointing Officers**

Mr. Flint reviewed the requirements of officers and asked for a motion to elect a slate of officers or take the seats one by one. The nominations were: Mr. Baker as Chair, Mr. Wrenn as Vice Chair, Mr. Payne, Ms. Turke, and Ms. Mary Burns as Assistant Secretaries. He noted he would be appointed as Secretary. Jill Burns would be nominated as Treasurer and Katie Costa as Assistant Treasurer.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, Resolution 2022-01 Designating Officers as Mr. Baker as Chair, Mr. Wrenn as Vice Chair, Mr. Payne, Ms. Turke, and Ms. Mary Burns as Assistant Secretaries, and GMS staff of George Flint as Secretary, Jill Burns as Treasurer and Katie Costa as Assistant Treasure, was approved.

**THIRD ORDER OF BUSINESS**

**Retention of District Staff**

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

**1. Consideration of Resolution 2022-02 Appointing District Manager**

Mr. Flint noted that a standard agreement and fee was provided for Board review for District Management services with GMS.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, the Contract for District Management Services with GMS, was approved.

**B. Consideration of Appointment of District Counsel Services**

**1. Consideration of Resolution 2022-03 Appointing District Counsel**

Mr. Flint noted that Kutak Rock will be the District Counsel. Ms. Mackie reviewed the sample form agreement and fees.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, the Resolution 2022-03, Appointing District Counsel Services as Kutak Rock, was approved.

**C. Consideration of Resolution 2022-04 Selection of Registered Agent and Office**

Mr. Flint stated that this would name Tucker Mackie and their office as the registered agent and office.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, Resolution 2022-04 Designating a Registered Agent and Office, was approved.

**D. Consideration of Resolution 2022-05 Appointing Interim District Engineer**

Mr. Flint noted that Kimberly Horn would serve at the interim engineer. Mr. Flint explained they would have to go through the RFP process, and in the meantime, they would serve as interim. He added they would attach the rate schedule to the agreement.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, Resolution 2022-05, Appointing Interim District Engineer as Kimberly Horn, was approved.

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

Mr. Flint stated he needed a motion to issue the RFQ for engineering services. He stated that contained in the agenda is the form of the notice and the selection criteria used to evaluate the responses.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, The Interim District Engineering Agreement, was approved.

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

Mr. Flint stated he needed a motion to issue the RFQ for engineering services. He stated that contained in the agenda is the form of the notice and the selection criteria used to evaluate the responses.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, Authorization for GMS Staff to Issue RFQ for Engineering Services, was approved.

**FOURTH ORDER OF BUSINESS**

**Designation of Meetings and Hearing Dates**

**A. Consideration of Resolution 2022-06 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2022**

Mr. Flint suggested holding meetings on the 3<sup>rd</sup> Thursday of the month at 2:30 p.m. The meeting will be at the same location.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, Resolution 2022-06 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2022 as the 3<sup>rd</sup> Thursday of the Month at 2:30 p.m. at the same location, was approved.

**B. Consideration of Resolution 2022-07 Designation of Landowner's Meeting Date, Time, and Location**

Mr. Flint suggested holding the Landowners' meeting on May 19, 2022 at 2:30 p.m. at the same location.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, Resolution 2022-07 Designation of Landowner's Meeting Date, Time, and Location for May 19, 2022 at 2:30 p.m. at the same location, was approved.

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

**1. Consideration of Resolution 2022-08 Setting a Public Hearing to Consider the Proposed Rules of the District**

Mr. Flint suggested this be held in conjunction with the May 19, 2022 at 2:30 p.m. He added that a sample of the rules are included in the agenda.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, Resolution 2022-08, Setting a Public Hearing to Consider the Proposed Rules of the District for May 19, 2022 at 2:30 p.m., at the same location, was approved.

**D. Designation of Date of Public Hearing on the Budget for Fiscal Year 2022**

**1. Consideration of Resolution 2022-09 Setting the Public Hearing and Approving the Proposed Fiscal Year 2022 Budget**

Mr. Flint proposed they set the date for May 19, 2022 at 2:30 p.m. at the same location. He added that this would adopt the budget for the current year.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, Resolution 2022-09, Setting the Public Hearing and Approving the Proposed Fiscal Year 2022 Budget for May 19, 2022 at 2:30 p.m. at the same location, was approved.

**2. Approval of the Fiscal Year 2022 Budget Funding Agreement**

Mr. Flint noted this will fund this year's budget. At this point this is a budget for funding administration purposes. This allows the Developer to fund the actual cost that is based on the budget.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, the Fiscal Year 2022 Budget Funding Agreement, was approved.

**E. Consideration of Resolution 2022-10 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**

Mr. Flint explained that this allows the District to use the tax bill for the collection method. He suggested May 19, 2022 at 2:30 p.m. at the same location for this meeting.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, Resolution 2022-10, Setting the Date of Public Hearing Expressing the District's Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad Valorem Assessment in Accordance with Section 197.3632, Florida Statutes for May 19, 2022 at 2:30 p.m. at the same location, was approved.

**FIFTH ORDER OF BUSINESS**

**Other Organizational Matters**

**A. Consideration of Resolution 2022-11 Designating a Qualified Public Depository**

Mr. Flint proposed using Truist (formerly Sun Trust) as the District's qualified public depository.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, Resolution 2022-11, Designating a Qualified Public Depository as Truist, was approved.

**B. Consideration of Resolution 2022-12 Authorization of Bank Account Signatories**

Mr. Flint noted the approved signatories would be the Secretary and the Treasure and Assistant Treasurer.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, Resolution 2022-12, Authorization of Bank Account Signatories as the Secretary and Treasurer, was approved.

**C. Consideration of Resolution 2022-13 Relating to Defense of Board Members**

Ms. Mackie explained the resolution. She noted this sets forth a process if there is a lawsuit filed against a Board member. She added as long as the Board member was working within the scope of their responsibilities, they would be covered legally. District Counsel further explained how this defense works.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, Resolution 2022-13, Relating to Defense of Board Members, was approved.

**D. Consideration of Resolution 2022-14 Ratifying District Counsel’s Actions in Recording in the Property Records of Polk County the “Notice of Establishment” in accordance with Chapter 190.0485, Florida Statutes**

**1. Notice of Establishment**

Ms. Mackie noted this is to ratify the action already noticed. She explained the resolution and the requirement.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, Resolution 2022-14 Ratifying District Counsel Recording the “Notice of Establishment” in the Property Records of Osceola County in Accordance with Chapter 190.0486, Florida Statutes, was ratified.

**E. Consideration of Resolution 2022-15 Adopting Investment Guidelines**

Mr. Flint noted this would be in accordance with the guidelines established by the state of Florida. He recommended the alternative investment guidelines as the initial investment policy.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, Resolution 2022-15, Adopting Investment Guidelines, was approved.

**F. Consideration of Resolution 2022-16 Authorizing Execution of Public Depositor Report**

Mr. Flint noted this is a requirement for authorizing staff to file the report.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, Resolution 2022-16, Authorizing Execution of Public Depositor Report, was approved.

**G. Consideration of Resolution 2022-17 Designating a Policy for Public Comment**

Mr. Flint stated that this establishes the policy for comments in a meeting. It requires public comment before Board action. This also includes a public decorum.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, Resolution 2022-17, Designating a Policy for Public Comment, was approved.

**H. Consideration of Resolution 2022-18 Adopting a Travel and Reimbursement Policy**

Mr. Flint noted this is for travel reimbursement for Supervisors on District business and is in-line with Florida statutes.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, Resolution 2022-18, Adopting a Travel and Reimbursement Policy, was approved.

**I. Consideration of Resolution 2022-19 Adopting Prompt Payment Policy**

Ms. Mackie noted this policy is in accordance with Florida statutes and sets forth the District promptly paying vendors. She added this is updated as Florida law changes.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, Resolution 2022-19 Adopting a Records Retention Policy, was approved.

**J. Consideration of Resolution 2022-20 Adopting a Records Retention Policy**

Mr. Flint noted this policy is in accordance with Florida statutes and has two options included in the packet. He suggested the Board choose option 1, which allows the District to keep everything. He added this could be changed at a later date.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, Resolution 2022-20, Adopting a Records Retention Policy, was approved.

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

Mr. Flint noted that Board Members are entitled to \$200 per meeting for a maximum of \$4800 a year. He added Board members can waive options. He noted all five Board members were waiving compensation.

**L. Consideration of Resolution 2022-21 Selecting District Records Office Within Polk County**

Mr. Flint stated the District is required to have a local office within Polk County. He recommended this office be the location.



On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, Resolution 2022-21, Selecting District Records Office within Polk County, was approved.

**M. Consideration of Resolution 2022-22 Designating the Primary Administrative Office and Principal Headquarters of the District**

Mr. Flint stated the District is required to designate the Primary Administrative Office and Principal Headquarters of the District. He recommended his office in Orlando at 219 E. Livingston Street be the location.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, the Resolution 2022-22, Designating the Primary Administrative Office and Principal Headquarters of the District as 219 E. Livingston Street, Orlando, was approved.

**N. Consideration of Website Services Agreement**

Mr. Flint stated the agreement is in the package and is required by statute. He recommended the District have an ADA compliant website and the set-up fee will be \$1,750.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, the Website Services Agreement, 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**

Mr. Flint stated this authorizes staff to prepare this report.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, the Authorization to Prepare Public Facilities Report in Accordance with Chapter 189.08 Florida Statutes to Coincide with Special District Filing of August 1<sup>st</sup> for Polk County, was approved.

**P. Consideration of Resolution 2022-23 Authorizing Chairperson to Execute Plats, Permits and Conveyances**

Ms. Mackie presented Resolution 2022-23 authorizing Chairperson to execute plats, permits and conveyances in advance if needed. She noted she will make the edit for both the Chair and Vice-Chair to do this.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, Resolution 2022-23, Authorizing the Chair and Vice Chair to Execute Plats, Permits and Conveyances, was approved as amended.

**SIXTH ORDER OF BUSINESS**

**Capital Improvements**

**A. Appointment of Financing Team**

Mr. Flint noted this appoints a financing team and noted Mr. Steve Sanford with Greenberg Traurig was on the phone to explain.

**1. Bond Counsel**

Mr. Sanford explained the process for the financing team and bond issuance.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, Appointing Bond Counsel as Greenberg Traurig, was approved.

**2. Underwriter**

Mr. Flint noted this would be with FMS Bonds to serve as the District's Underwriter. The proposal contains the underwriters' discount.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, the Underwriter as FMS Bonds, was approved.

**3. Assessment Administrator**

Mr. Flint noted this was covered under the District Management agreement. This was approved previously, and no action was needed.

**4. Trustee**

Mr. Flint noted this is required and a proposal in the packet is with US Bank. The proposal is included in the agenda package.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, Appointing Trustee as US Bank, was approved.

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

Mr. Flint noted this is required. He explained that under the terms of this agreement any funds provided as part of this agreement would be reimbursed under the future bond issuance. The rates were clarified. It was asked who was listed as the point of contact for this. Ms. Mackie stated she would clarify this for the Board.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, the Financing Team Funding Agreement, was approved.

**SEVENTH ORDER OF BUSINESS**

**Financing Matters**

**A. Consideration of Master Engineers Report**

Mr. Flint noted this report was prepared by the interim Engineer, Kimberly Horn and was dated March 30, 2022. Jason Alligood with Kimberly Horn to summarize the report. Ms. Mackie added this is referred to as Chapter 170 were the District is levying the Master Assessments and this will change when they go to levy bonds.

Mr. Alligood presented the Master Engineer’s Report. He noted the report includes the roadways, utilities, lift stations, stormwater management systems, and landscaping irrigation improvements. The Board wanted clarification that the lift stations are not tied into the District since they are owned and maintained by the county. Mr. Alligood will confirm the address for the report.

**B. Consideration of Master Assessment Methodology Report**

Mr. Flint presented the Master Assessment Methodology report. He noted Table 1 shows that the development program is a mixture of town homes and single-family homes with a total of 353 units with 319 ERUs. Table 2 is the estimated cost. Table 3 is a preliminary bond sizing that will include two bond issuances as a possibility. They used an interest rate of 6%. He noted when

they go to prepare the bonds, they will issue a Supplemental Methodology that will include actual expenses. He added this is including all and gives the District flexibility and will be lower when finalized. He added the other tables demonstrate the benefit by improvement cost per unit and par debt per unit and the final table is the preliminary assessment roll which is 57 acres.

**C. Consideration of Resolution 2022-24, Declaring Special Assessments**

Ms. Mackie presented Resolution 2022-24 declaring the special assessments.

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, Resolution 2022-24, Declaring the Special Assessments, was approved.

**D. Consideration of Resolution 2022-25 Setting a Public Hearing for Special Assessments**

Mr. Flint suggested the May 19<sup>th</sup> meeting be used for the public hearing.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, Resolution 2022-25 Setting the Public Hearing for Special Assessment for May 19, 2022 at 2:30, was approved.

**E. Consideration of Resolution 2022-26 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings**

Mr. Steve Sanford presented Resolution 2022-26 and noted this validation of the bonds and assessment proceedings. This authorizes the principal amount of \$15,000,000. He added this doesn't commit the Board for this amount of bonds. This outlines the reports above and appoints US Bank Trust company as the bond trustee. This approves the two documents which are part of the validation proceedings. One is the Master Trust Indenture and the Supplemental Trust Indenture. This authorizes the validation of the bonds.

On MOTION by Mr. Wrenn, seconded by Mr. Smith III, with all in favor, the Resolution 2022-26 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings, was approved.

**EIGHTH ORDER OF BUSINESS**

**Other Business**

**A. Staff Reports**

**i. Attorney**

District Counsel noted they will proceed with finalizing the complaint for validation. She will coordinate a hearing date with the Chair or Vice Chair.

**ii. Manager**

Mr. Flint noted he had nothing further.

**B. Supervisors Requests**

There being none, the next item followed.

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

Mr. Flint noted this request was in the package for review, and that this was the initial amount of \$21,750 to open the account.

On MOTION by Mr. Wrenn, seconded by Mr. Baker, with all in favor, Funding Request No. 1, was approved.

**NINTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Baker, seconded by Mr. Wrenn, with all in favor, the meeting was adjourned.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman