

**MINUTES OF MEETING
HAMILTON BLUFF
COMMUNITY DEVELOPMENT DISTRICT**

The Organizational meeting of the Board of Supervisors of the Hamilton Bluff Community Development District was held on Tuesday, **March 8, 2022** at 11:00 a.m. at 346 E. Central Ave., Winter Haven, Florida.

Present and constituting a quorum were:

Rennie Heath	Chairman
Lauren Schwenk	Vice Chair
Justin Frye	Assistant Secretary
Bobbie Henley	Assistant Secretary

Also, present were:

Jill Burns	District Manager, GMS
Roy Van Wyk	KE Law Group
Rey Malave	Dewberry
Meredith Hammock	KE Law Group
Jake Whealdon	KE Law Group
Ashton Bligh	Greenberg Traurig
Bob Gang	Greenberg Traurig

The following is a summary of the discussions and actions taken at the March 8, 2022 Hamilton Bluff Community Development District's Organizational Board of Supervisor's Meeting.

FIRST ORDER OF BUSINESS

Introduction

A. Call to Order

Ms. Burns called the meeting to order. Four Supervisors were in attendance at the meeting constituting a quorum.

B. Public Comment Period

There were no public members present.

C. Oath of Office

Ms. Burns provided the oath of office to the new Supervisors. Ms. Hammock presented the Florida Ethics laws.

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SECOND ORDER OF BUSINESS

Organizational Matters

A. Confirmation of Notice of Meeting

Ms. Burns noted the meeting notice had been documented properly as required by Florida statutes.

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

Ms. Burns explained the duties and responsibilities of the officers. She reviewed the forms to be completed and returned by new Supervisors, and reviewed additional legal statutes including Sunshine law, records keeping, etc.

C. Election of Officers

1. Resolution 2022-01 Appointing Officers

Ms. Burns reviewed the current status of officers with Mr. Heath as Chairman and Ms. Schwenk as Vice Chairperson, and Mr. Frye, Ms. Aviles, and Ms. Henley as Assistant Secretaries. She noted GMS staff consisted of George Flint as Assistant Secretary and herself as Secretary. Ms. Burns asked if the Board would like to keep these the same. The motion was made to keep the same slate.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Resolution 2022-01 Appointing Officers as slated above, was approved.

2. Resolution 2022-02 Appointing Treasurer and Assistant Treasurer

Ms. Burns suggested GMS staff as George Flint, Katie Costa, as Treasurer and Assistant Treasurer.

On MOTION by Mr. Heath, seconded by Ms. Henley, with all in favor, Resolution 2022-02 Appointing George Flint as Treasurer and Katie Costa as Assistant Treasurer, was approved.

THIRD ORDER OF BUSINESS

Retention of District Staff

A. Consideration of Agreement for District Management Services

Ms. Burns noted that the District Manager will be GMS.

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1. Resolution 2022-03 Appointing District Manager

Ms. Burns notes the agreement form is included with fees for GMS.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Resolution 2022-03 Appointing District Manager as GMS, was approved.

B. Consideration of Agreement for District Counsel Services

Ms. Burns noted that KE Law Group will be serving as District Counsel.

2. Resolution 2022-04 Appointing District Counsel

Ms. Burns noted fees were included in the packet.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Resolution 2022-04 Appointing District Counsel as KE Law Group, was approved.

C. Resolution 2022-05 Selection of Registered Agent and Office

Ms. Burns stated that this would name herself and the office in Orlando as the registered agent and office.

On MOTION by Ms. Schwenk, seconded by Ms. Henley, with all in favor, Resolution 2022-05 Selection of Registered Agent and Office, was approved.

D. Resolution 2022-06 Appointing Interim District Engineer

Ms. Burns noted the interim engineer would be Dewberry Engineering.

On MOTION by Ms. Henley, seconded by Ms. Schwenk, with all in favor, Resolution 2022-06 Appointing Interim District Engineer as Dewberry, was approved.

E. Consideration of Interim District Engineering Agreement

Ms. Burns noted the agreement was in the packet.

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On MOTION by Ms. Henley, seconded by Ms. Schwenk, with all in favor, the Interim District Engineering Agreement, was approved.

F. Request Authorization to Issue RFQ for Engineering Services

Ms. Burns stated he needed a motion to issue the RFQ for engineer services. She suggested the due date for April 18, 2022.

On MOTION by Ms. Henley, seconded by Ms. Schwenk, with all in favor, Authorization to Issue RFQ for Engineering Services, was approved.

FOURTH ORDER OF BUSINESS

Designation of Meetings and Hearing Dates

A. Consideration of Resolution 2022-07 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2022

Ms. Burns suggested the 4th Wednesday of the month at 10:00 a.m. The meeting will be at the same location.

On MOTION by Ms. Schwenk, seconded by Ms. Henley, with all in favor, Resolution 2022-07 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2022 as the 4th Wednesday of the month at 10:00 a.m. at the same location, was approved.

B. Consideration of Resolution 2022-08 Designation of Landowner’s Meeting Date, Time, and Location

Ms. Burns suggested April 27th at 10:00 a.m. at the same location.

On MOTION by Mr. Frye, seconded by Ms. Henley, with all in favor, Resolution 2022-08 Designation of Landowner’s Meeting Date, Time, and Location for April 27th at 10:00 a.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 2022-09 Setting a Public Hearing to Consider the Proposed Rules of the District

A. Rules of Procedure

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Ms. Burns suggested this public hearing be held in conjunction with the April 27th meeting at 10:00 a.m.

On MOTION by Mr. Heath, seconded by Ms. Henley, with all in favor, Resolution 2022-09 Setting a Public Hearing to Consider the Proposed Rules of the District for April 27, 2022 at 10:00 a.m., at the same location, was approved.

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

1. Consideration of Resolution 2022-10 Setting the Public Hearing and Approving the Proposed Fiscal Year 2021/2022 and 2022/2023 Budget

Ms. Burns proposed they set the date for May 25, 2022 at 10:00 a.m. at the same location. She added the budget is included for the Board review.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Resolution 2022-10 Setting the Public Hearing and Approving the Proposed Fiscal Year 2022 Budget for May 25, 2022 at 10:00 a.m. at the same location, was approved.

2. Approval of the Fiscal Year 2021/2022 and 2022/2023 Developer Funding Agreement

Ms. Burns noted this will fund this year’s budget. The Developer Funding Agreement is with GLK Real Estate, LLC.

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

E. Resolution 2022-11 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 April 27th, 2022 at 10:00 a.m. at the same location for this meeting.

On MOTION by Mr. Frye, seconded by Ms. Henley, with all in favor, Resolution 2022-11 Setting Date of Public Hearing Expressing the District’s Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad Valorem Assessment in

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Accordance with Section 197.3632, Florida Statutes for April 27, 2022 at 10:00 a.m. at the same location, was approved.

FIFTH ORDER OF BUSINESS **Other Organizational Matters**

A. Resolution 2022-12 Designating a Qualified Public Depository

Ms. Burns proposed using Truist (formerly Sun Trust) as the District’s qualified public depository.

On MOTION by Mr. Heath, seconded by Mr. Frye, with all in favor, Resolution 2022-12 Designating a Qualified Public Depository as Truist, was approved.

B. Resolution 2022-13 Authorization of Bank Account Signatories

Ms. Burns noted the approved signatories would be the Treasurer and Assistant Treasurer elected today as Jill Burns, Katie Costa, and George Flint.

On MOTION by Ms. Schwenk, seconded by Mr. Frye, with all in favor, Resolution 2022-13 Authorization of Bank Account Signatories as the Treasurer and Assistant Treasurer (George Flint, Jill Burns and Katie Costa), were approved.

C. Consideration of Resolution 2022-14 Relating to Defense of Board Members

Ms. Burns explained the resolution. She noted this sets forth a process if there is a lawsuit filed against a Board member. She noted as long as the Board member was working within the scope of their responsibilities, they would be covered legally.

On MOTION by Ms. Henley, seconded by Ms. Schwenk, with all in favor, Resolution 2022-14 Relating to Defense of Board Members, was approved.

D. Consideration of Resolution 2022-15 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 noted this is to ratify the action already noticed.

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On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Resolution 2022-15 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 2022-16 Adopting Investment Guidelines

Ms. Burns noted this would be in accordance with the guidelines established by the state of Florida.

On MOTION by Mr. Frye, seconded by Mr. Heath, with all in favor, Resolution 2022-16 Adopting Investment Guidelines, was approved.

F. Consideration of Resolution 2022-17 Authorizing Execution of Public Depositor Report

Ms. Burns noted this authorizes the District Manager or Treasurer to authorize that report and send to the Treasurer.

On MOTION by Mr. Heath, seconded by Ms. Henley, with all in favor, Resolution 2022-17 Authorizing Execution of Public Depositor Report, was approved.

G. Consideration of Resolution 2022-18 Designating a Policy for Public Comment

Ms. Burns stated that this establishes the policy for comments during a meeting.

On MOTION by Ms. Schwenk, seconded by Ms. Henley, with all in favor, Resolution 2022-18 Designating a Policy for Public Comment, was approved.

H. Consideration of Resolution 2022-19 Adopting a Travel and Reimbursement Policy

Ms. Burns noted this is for travel reimbursement for Supervisors on District business and is in line with Florida statutes.

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On MOTION by Mr. Heath, seconded by Ms. Henley, with all in favor, Resolution 2022-19 Adopting a Travel and Reimbursement Policy, was approved.

I. Consideration of Resolution 2022-20 Adopting Prompt Payment Policy

Ms. Burns this is in accordance with Florida statutes and included in the packet.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Resolution 2022-20 Adopting a Prompt Payment Policy, was approved.

J. Consideration of Resolution 2022-21 Adopting a Records Retention Policy

Ms. Burns noted this policy is in accordance with Florida statutes and has two options included in the packet. She suggested the Board choose option 1.

On MOTION by Mr. Frye, seconded by Ms. Henley, with all in favor, Resolution 2022-21 Adopting a Records Retention Policy with Option 1, was approved.

K. Consideration of Compensation to Board Members

Ms. Burns stated this is for Board members attending CDD meetings to be compensated at \$200 a meeting for a maximum of 24 meetings per year. All Board members agreed to compensation. This is in accordance with Florida statute and no vote was needed.

L. Resolution 2022-22 Selecting District Records Office Within Polk County

Ms. Burns proposed the records office in Polk County be 1408 Hamlin Avenue Unit E, the GMS offices.

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On MOTION by Ms. Schwenk, seconded by Ms. Henley, with all in favor, Resolution 2022-22 Designating the District Records Office within Polk County as 1408 Hamlin Avenue Unit E, the GMS offices, was approved.

M. Resolution 2022-23 Designating the Primary Administrative Office and Principal Headquarters of the District

Ms. Burns proposed this be the GMS offices in Orlando, Florida at 219 E. Livingston Street, and the principal headquarters would be the offices in Osceola at 1408 Hamlin Avenue Unit E.

On MOTION by Mr. Heath, seconded by Ms. Henley, with all in favor, Resolution 2022-23 Designating the Primary Administrative Office and Principal Headquarters of the District as the GMS offices, was approved.

N. Consideration of Website Services Agreement

Ms. Burns stated the agreement is in the package and is required by statute. This is with ReAlign Web Design and the set-up fee will be \$1,750.

On MOTION by Ms. Schwenk, seconded by Ms. Henley, with all in favor, the Website Services Agreement and 1 Time Fee of \$1,750, 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 1st for Polk County

Ms. Burns noted this is filed on an annual basis.

On MOTION by Ms. Henley, seconded by Ms. Schwenk, with all in favor, Authorization to Prepare Public Facilities Report in Accordance with Chapter 189.08 Florida Statutes to Coincide with Special District Filing Date of August 1st for Polk County, was approved.

SIXTH ORDER OF BUSINESS

Capital Improvements

A. Appointment of Financing Team

Ms. Burns noted this appoints a financing team.

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1. Consideration of Resolution 2022-24 Appointing Bond Counsel

Ms. Burns noted this would appoint Greenberg Traurig as Bond Counsel and the agreement is in the packet for review. Mr. Gang was present via phone to answer any questions.

On MOTION by Ms. Schwenk, seconded by Mr. Frye, with all in favor, Resolution 2022-24, Appointing Bond Counsel as Greenberg Traurig, was approved.

2. Consideration of Resolution 2022-25 Appointing an Investment Banker

Ms. Burns noted FMS Bond Specialist would be the investment banker.

On MOTION by Ms. Schwenk, seconded by Ms. Henley, with all in favor, Resolution 2022-25, Appointing an Investment Banker as FMS Bond Specialist, was approved.

3. Assessment Administrator

Ms. Burns noted this would be with GMS.

On MOTION by Mr. Heath, seconded by Ms. Henley, with all in favor, Assessment Administrator as GMS, was approved.

4. Trustee

Ms. Burns noted this proposal in the packet is with US Bank.

On MOTION by Ms. Henley, seconded by Ms. Schwenk, with all in favor, Appointing the Trustee as US Bank, was approved.

B. Approval of Financing Team Funding Agreement

Ms. Burns noted this is with GLK Real Estate. She explained that under the terms of this agreement any funds provided as part of this agreement would be reimbursed under the future bond issuance.

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

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SEVENTH ORDER OF BUSINESS**Financing Matters****A. Consideration of Engineer's Report**

Staff discussed if Duke Energy owns the poles and lighting hardware, and the District is paying to put in the underground conduit, are they using bond proceeds to pay for privately-owned lighting. Mr. Malave replied that they usually lease the poles and lights and that it is not funded out of the bonds, but that the conduit would be.

On MOTION by Mr. Heath, seconded by Mr. Frye, with all in favor, the Engineer's Report, was approved as amended.

B. Consideration of Assessment Methodology

Ms. Burns reviewed the Master Assessment Methodology report. She explained this allocates debt to the properties based on the special benefits from the District's Capital Improvement Plan.

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

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

Ms. Bligh presented the resolution, noting that there was a not-to-exceed amount of \$50,000,000 in bonds for the District.

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

D. Consideration of Resolution 2022-27, Declaring Special Assessments and Approval of Assessment Methodology

Ms. Burns noted the assessments are included in the packet. The cost estimates are included with updated amounts.

On MOTION by Ms. Henley, seconded by Ms. Schwenk, with all in favor, Resolution 2022-27, Declaring Special Assessment and Approval of Assessment Methodology, was approved.

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E. Consideration of Resolution 2022-28 Setting a Public Hearing for Special Assessments

Ms. Burns suggested April 27, 2022 at 10:00 a.m. at the same location.

On MOTION by Mr. Frye, seconded by Ms. Henley, with all in favor, Resolution 2022-28 Setting a Public Hearing for Special Assessments for April 27, 2022 at 10:00 a.m., was approved.

F. Consideration of Resolution 2022-29 Authorizing the Disbursement of Funds

Ms. Burns stated that the resolution authorized the disbursement of funds for certain expenses outlined in the resolution.

On MOTION by Mr. Frye, seconded by Mr. Heath, with all in favor, Resolution 2022-29 Authorizing the Disbursement of Funds, was approved.

EIGHTH ORDER OF BUSINESS

Other Business

A. Consideration of Resolution 2022-30 Granting the Chairperson and Vice Chairperson the Authority to Execute Plats and Documents Related to the Development of the District’s Improvements

Ms. Burns stated Osceola County is one that requires this in order for the plats to be recorded.

On MOTION by Mr. Heath, seconded by Ms. Henley, with all in favor, Resolution 2022-30 Granting the Chairperson and Vice Chairperson Authority to Execute Plats and Documents Related to the Development of the District’s Improvements, was approved.

B. Consideration of Resolution 2022-31 Direct Purchase Resolution

Ms. Burns noted this allows the District to directly purchase construction materials since they are tax exempt. She added this is in the packet and names the District Engineer or the District manager as the purchasing agent.

On MOTION by Mr. Heath, seconded by Ms. Henley, with all in favor, Resolution 2022-31 Direct Purchase Resolution, was approved.

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C. Consideration of Resolution 2022-32 Authorizing the Use of Electronic Documents and Signatures

Ms. Burns presented the resolution and the Board had no questions.

On MOTION by Mr. Heath, seconded by Ms. Henley with all in favor, Resolution 2022-32 Authorizing the Use of Electronic Documents and Signatures, was approved.

D. Staff Reports

i. Attorney

Ms. Hammock stated she did not have anything further.

ii. Manager

Ms. Burns stated she had nothing further.

E. Supervisors Requests

There being none, the next item followed.

F. Approval of Funding Request No. 1

Ms. Burns noted this request is in the package for review.

On MOTION by Mr. Frye, seconded by Ms. Henley, with all in favor, Funding Request No. 1, was approved.

NINTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Heath, seconded by Ms. Henley, with all in favor, the meeting was adjourned.

Jill Burns
Secretary/Assistant Secretary

Rennie Heath
Chairman/Vice Chairman