

MINUTES OF MEETING
SANDMINE ROAD
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Sandmine Road Community Development District was held Thursday, June 5, 2020 at 2:00 p.m. via Zoom Video Conferencing, pursuant to Executive Orders 20-52, 20-69 and 20-91 (as extended by Executive Order 20-112) issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 1, 2020, and April 29, 2020 respectively, and pursuant to Section 120.54(5)(b)2., *Florida Statutes*.

Present and constituting a quorum were:

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|-------------------|---------------------|
| Wesley Hunt | Chairman |
| Aaron Struckmeyer | Vice Chairman |
| Amy Steiger | Assistant Secretary |
| Doug Hoffman | Assistant Secretary |
| Eric Baker | Assistant Secretary |

Also present were:

| | |
|---------------|---------------------------|
| George Flint | District Manager, GMS |
| Tucker Mackie | District Counsel |
| Emma Gregory | District Counsel |
| Broc Althafer | Interim District Engineer |

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order and called the roll. All five Board Members were present via Zoom constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Flint stated there were no members of the public present for comment.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Administration of Oaths of Office of Newly Elected Supervisors

Mr. Flint stated that everyone's oath of office had been received in advance of the meeting.

B. Consideration of Resolution 2020-27 Canvassing and Certifying the Results of the Landowners' Election

Mr. Flint stated a Landowner meeting was held on May 21, 2020. The Landowner casted 151 votes for Mr. Hunt, 151 votes for Mr. Struckmeyer, and 150 votes each for Ms. Steiger, Mr. Hoffman and Mr. Baker. As a result, Mr. Hunt and Mr. Struckmeyer will serve four year terms and the other three will serve two year terms. Mr. Flint asked if there were any questions regarding the Landowner meeting or the resolution. The Board had no questions.

On MOTION by Mr. Baker, seconded by Mr. Hoffman, with all in favor, Resolution 2020-07 Canvassing and Certifying the Results of the Landowner's Election, was approved.

C. Election of Officers

Mr. Flint stated that after each election the statutes require the District to elect officers. Although this was done at the Organizational meeting, since a Landowner election was held they must go through the motion again.

D. Consideration of Resolution 2020-28 Electing Officers

Mr. Flint stated this resolution elects a Chairman and Vice Chairman, Secretary, Treasurer, Assistant Secretaries, and an Assistant Treasurer. Each of these can be handled individually and take nominations and vote or if a Board Member wants to elect a slate of Officers, they could handle it in one motion. Currently, Mr. Flint serves as Secretary, and District Accountant Aerial Lovera serves as the Treasurer. Mr. Flint asked that they either be designated Secretary, Assistant Secretary, Treasurer, and Assistant Treasurer. Mr. Hunt offered to serve as Chairman, and Mr. Struckmeyer offered to be Vice Chairman. Ms. Steiger, Mr. Hoffman, and Mr. Baker were elected as Assistant Secretaries, and Mr. Lovera was elected as Treasurer.

On MOTION by Mr. Struckmeyer, seconded by Mr. Baker, with all in favor, Resolution 2020-28 Electing Officers with Mr. Hunt as Chairman, Mr. Struckmeyer as Vice Chairman, Ms. Steiger, Mr. Hoffman, and Mr. Baker as Assistant Secretaries, Mr. Flint as Secretary and Mr. Lovera as Treasurer, was approved.

FOURTH ORDER OF BUSINESS

**Consideration of Acquisition of Phase 1
and 2 Infrastructure**

Mr. Flint stated that this item was the main reason for the meeting today.

Ms. Mackie noted that several documents were circulated in advance of the meeting. Ms. Mackie stated that in advance of certain infrastructure nearing completion within Phase 1 and partially within Phase 2, prior to some of that infrastructure, mainly the utilities getting conveyed over to the county, the District needs to acquire those in order to utilize bond funds in the future to pay for their construction. Those documents that are included within the supplemental materials, the Bill of Sale from the developer to the District attached is Exhibit A. She noted that some charts are still somewhat in preparation form due to the fact that improvements are nearing completion, but they are not completed as yet. She asked the Board to approve the acquisition of Phase 1 Public Infrastructure, which consists of storm water management improvements, potable water, reclaimed, lift stations, and sanitary sewer system improvements for a not to exceed amount of about \$4,400,000 million dollars. Ms. Mackie added that following Board action today, they can work with the developer to finalize all of the acquisition documentation that is required pursuant to the acquisition agreement that the Board approved at the last meeting. Once this is finalized at the next meeting, they would bring that acquisition back to the Board for ratification purposes to let the Board see the final amount. Secondly, they would also look to acquire certain storm water improvements within Phase 2 as part of that work has begun. The not to exceed amount for the acquisition of that particular infrastructure is \$2,000,000. The reason for splitting these out is because they anticipate two different bond issuances, one for Phase 1 and one for Phase 2. This will help staff track where those proceeds should come from at the point in time when the District does have funds to pay the developer for the improvements. Ms. Mackie stated she would answer any questions from the Board.

Mr. Hoffman noted that they had one more process to go through internally before they are able to actually issue bonds. He asked if there was anything they are doing today, that if something went sideways and the company decided they didn't want to issue bonds, that they couldn't transfer the Bill of Sale for this work to an HOA or another entity if something occurred. He stated it was an unlikely scenario but wanted to understand completely.

Ms. Mackie replied that if they were not issuing bonds at the end of the day, the District could transfer the improvements. The only improvements at that point would be storm water improvements themselves. If that is the case, she noted that they should hold off on the Deed of

Conveyance, which would be for the actual tracts themselves. That document is included, and she suggested that they approve it in substantially form. She stated that the District can operate the storm water system with an easement, and that could be presented at the next meeting until such time as it is ready to acquire.

Ms. Mackie confirmed that the first motion would be to approve an acquisition from Pulte Homes in amount not to exceed \$4.4 million for certain public infrastructure improvements described in the Bill of Sale presented to the Board.

On MOTION by Mr. Hoffman, seconded by Mr. Hunt, with all in favor, the Acquisition from Pulte Homes of Phase 1 Infrastructure Not to Exceed \$4.4 Million, was approved.

Ms. Mackie stated the next would be a motion to approve the District's acquisition of certain infrastructure described in the Bill of Sale for Phase 2 in an amount not to exceed \$2 million.

On MOTION by Mr. Struckmeyer, seconded by Mr. Hunt, with all in favor, Consideration of Acquisition of Phase 2 Infrastructure Not to Exceed \$2 Million, was approved.

Ms. Mackie stated the last motion would be to approve the Bill of Sale from Pulte Home to the District, the Bill of Sale from the District to Polk County, and a Deed of Conveyance for certain property in substantial form, and authorization for District staff and the District Chair to work with Pulte Home in finalizing all documentation required pursuant to the acquisition agreement to finalize the acquisition.

On MOTION by Mr. Hunt, seconded by Mr. Baker, with all in favor, to Approve the Bill of Sale from Pulte Home to the District, the Bill of Sale from the District to Polk County, and a Deed of Conveyance in Substantial Form, and Authorization for District Staff and Chair to work with Pulte Home to Finalize Documents, was approved.

FIFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Mackie noted that they have had some difficulty in terms of the 5th Circuit for the Polk County in that the Judge previously assigned to that bench retired. So, they have been rotating through the other Judges on the Circuit to handle cases until his replacement has been appointed. They have had particular difficulty getting the hearing scheduled. They had some early dates that were made available, but the JA wasn't able to get us executed notice in order to show cause, which they have to run for a certain time period in advance in the Validation Hearing. They have moved on to the next available date which is July 20th. She noted that they are hoping that gives them plenty of time to receive a notice in order to show cause for that date. She noted that they will continue to push to that affect, but a meeting request will be sent once that date is confirmed. She stated she notified John Kessler of the July 20th date as well.

B. Engineer

There being none, the next item following.

C. District Manager's Report

There being none, the next item followed.

SIXTH ORDER OF BUSINESS**Other Business**

The next meeting will be June 18th at 2:00 p.m. This will be for several public hearings and it will be held via Zoom. The Governor's Executive Order is set to expire on June 30th, so it is anticipated any meetings after July 1st will be in person.

SEVENTH ORDER OF BUSINESS**Supervisors Requests**

There was a question regarding a form stating Financial Interest that must be filed within 30 days of being on the Board. Mr. Flint stated it should be sent out by the Supervisor Of Elections and the due date is July 1st, however there is a grace period until September before you are fined. Mr. Flint noted that it is an annual requirement and is required for each District. The District Office does track and send reminders for the requirement.

EIGHTH ORDER OF BUSINESS**Adjournment**

Mr. Flint adjourned the meeting.

On MOTION by Mr. Struckmeyer, seconded by Mr. Hunt, with all in favor, the meeting was adjourned.


Secretary/Assistant Secretary


Chairman/Vice Chairman