

**MINUTES OF MEETING
SCENIC HIGHWAY
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Scenic Highway Community Development District was held on Thursday, **December 17, 2020** at 10:30 a.m. at 346 E. Central Ave., Winter Haven, FL.

Present and constituting a quorum were:

Rennie Heath	Chairman
Lauren Schwenk	Vice Chairwoman
Patrick Marone	Assistant Secretary
Andrew Rhinehart <i>via zoom</i>	Assistant Secretary
Jack Berry	Assistant Secretary

Also, present were:

Jill Burns	District Manager, GMS
Roy Van Wyk	Hopping Green & Sams
Michelle Rigoni	Hopping Green & Sams

The following is a summary of the discussions and actions taken at the December 17, 2020 Scenic Highway Community Development District's Regular Board of Supervisor's Meeting.

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns noted there were no members of the public present at the meeting.

THIRD ORDER OF BUSINESS

Approval of Minutes of the November 19, 2020 Board of Supervisors Meeting

Ms. Burns presented the November 19, 2020 meeting minutes and asked for questions, comments, or corrections on the minutes. The Board had no changes.

On MOTION by Mr. Heath, seconded by Mr. Berry, with all in favor, the Minutes of the November 19, 2020 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2021-01
Supplemental Assessment Resolution**

Ms. Burns stated that the resolution sets forth the term of the bonds actually issued by the District and applies the adopted Assessment Methodology to the actual scope of the project to be completed with the series of bonds. She asked if the Board had any questions, and hearing none asked for a motion to approve.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Resolution 2021-01 Supplemental Assessment Resolution, was approved.

FIFTH ORDER OF BUSINESS

**Consideration of Notice of Special
Assessments**

Ms. Burns stated that the notice of special assessments would be recorded and asked for a motion to approve.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, the Notice of Special Assessments, was approved.

SIXTH ORDER OF BUSINESS

**Consideration of Series 2020 Developer
Agreements**

Ms. Burns stated that there were two sets of documents that were to be approved, the first being for Phases 1 & 2, adding that they were with JMBI Real Estate, LLC. She noted that the other set of documents was for Phase 3 with VMAR Dev, LLC. She noted that the first document was for the True-Up Agreement, adding that it was included in the agenda packages. She explained that the agreement for Phase 1 outlined JMBI Real Estate LLC's intention and obligation to make the required true-up payments related to the Series 2020 Assessments. She moved on to the Acquisition Agreement, which outlined the District's desire to commence acquisition of work product or improvements and accepted assignment of certain agreements. She added that in conjunction with the acquisition of the work product improvements, the landowner decided to convey the District's interest in real property to allow the district to own, operate, maintain and

construct or install improvements. She then went on to explain the Collateral Assignment Agreement, which outlined that in the event of default the landowner would assign certain development rights in order to allow the District to complete or enable a third party to complete development of the Series 2020 project. Ms. Burns moved on to the Completion Agreement, noting that due to the fact that the landowner had requested limit the amount of debt assessments imposed on the assessment areas, the landowner had agreed to complete or provide funds to the District to complete their portion of the Series 2020 project. Lastly, she explained the Declaration of Consent which outlined that the landowner is confirming that the debt assessments imposed by the District and all of the proceedings undertaken by the District had been in accordance with Florida Law and that the District had taken all action necessary to levy and impose the Series 2020 Assessments. She asked if the Board had any comments or questions, and hearing none asked for a motion to approve.

On MOTION by Mr. Berry, seconded by Mr. Heath, with all in favor, the Series 2020 Developer Agreements for Phase 1 and 2, was approved.

On MOTION by Mr. Heath, seconded by Mr. Marone, with all in favor, the Series 2020 Developer Agreements for Phase 3, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Engagement Letter with McDirmit Davis

Ms. Burns noted that the letter was in line with the proposal that was awarded at the last meeting, totaling \$3,300 for Fiscal Year 2020 and included options for additional renewals.

On MOTION by Mr. Heath, seconded by Mr. Berry, with all in favor, the Engagement Letter with McDirmit Davis, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of RFP for Construction Services for FDOT offsite

Ms. Burns stated that if the RFP was approved, the project manual would be ready that week, so as soon as they could get the ad in was Wednesday, December 23rd. She added that they

had questions set to be due on Wednesday, January 6th and the proposals are due Monday, January 25th.

Mr. Heath asked if they had to give 30 days even though it was only for a small amount of offsite construction, and Mr. Van Wyk responded that it was required to have 30 days given the estimate dollar value.

Ms. Burns noted that the evaluation criteria was included in the package, adding that it was the standard criteria that they had used on other RFPs. She asked if the board had any questions, and hearing none asked for a motion to approve.

On MOTION by Mr. Heath, seconded by Mr. Berry, with all in favor, the RFP for Construction Services for FDOT offsite, was approved.

NINTH ORDER OF BUSINESS

Ratification of Data Sharing and Usage Agreement with Polk PA

Ms. Burns stated that the Data Sharing and Usage Agreement had already been approved, and asked for a motion to ratify.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Data Sharing Usage Agreement with Polk County PA, was ratified.

TENTH ORDER OF BUSINESS

Ratification of Polk PA Agreement

Ms. Burns stated that the agreement had already been approved, and asked for a motion to ratify.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, the Polk County PA Agreement, was ratified.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Van Wyk had nothing further to report.

B. Engineer

There being none, the next item followed.

C. District Manager's Report

i. Approval of Check Register

Mr. Burns stated that the check register was included in the agenda package. She asked if there were any questions, and hearing none asked for a motion to approve.

On MOTION by Mr. Heath, seconded by Mr. Berry, with all in favor, the Check Register, was approved.

ii. Balance Sheet and Income Statement

Ms. Burns stated that the financials were included in the package, but no action was needed.

NINTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

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


Secretary/Assistant Secretary


Chairman/Vice Chairman