

MINUTES OF MEETING

LAKESIDE PRESERVE COMMUNITY DEVELOPMENT DISTRICT BOARD OF SUPERVISORS' MEETING

Tuesday, December 19, 2017 at 1:36 p.m.

The Offices of Highland Homes

3020 South Florida Avenue, Suite 101,

Lakeland Florida 33803

Board Members present at roll call:

Joel Adams	Board Member
Jeff Shenefield	Board Member
Lee Saunders	Board Member
Brian Walsh	Board Member

Also Present:

Jane Gaarlandt	Fishkind & Associates, Inc.
Roy Van Wyk	Hopping Green & Sams (via phone)
Todd Amaden	Landmark Engineering (via phone)
Bob Gang	Greenberg Traurig (via phone)

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

The meeting was called to order at approximately 1:36 a.m. The Board Members and staff in attendance are outlined above.

SECOND ORDER OF BUSINESS

Public Comment Period

There were no public comments at this time.

THIRD ORDER OF BUSINESS

Administration of the Oath of Office to Newly Elected Board Members

Ms. Gaarlandt administered the Oath of Office to Mr. Walsh, Mr. Shenefield, Mr. Saunders, and Mr. Adams.

FOURTH ORDER OF BUSINESS

- Overview of the Florida
“Government in the Sunshine”
Regulation and other Board
Member Responsibilities**
- a) Statement of Financial Interest,
Form 1**
 - b) Board Member Compensation**

Ms. Gaarlandt reviewed the Sunshine law with the Board. Ms. Gaarlandt stated that if the Board Members wish to receive compensation for the meetings they need to fill out the W9 and send it to the District Accountant. The Board Members chose to waive the compensation at this point in time. District staff discussed the Form 1 with the Board Members. Mr. Haber mentioned that if the Board members have any questions they can contact him.

FIFTH ORDER OF BUSINESS

- Consideration of Letters of
Resignation of Previous Board
Members**

Ms. Gaarlandt stated that the District received Letters of Resignation from previous Board Members.

ON MOTION by Mr. Adams, seconded by Mr. Shenefield, with all in favor, the Board accepted the Letters of resignation from previous Board members.

SIXTH ORDER OF BUSINESS

- Consideration of the Minutes of
the June 9, 2015 Board of
Supervisors’ Meeting.**

The Board reviewed the minutes of the June 9, 2015 Board of Supervisors’ Meeting.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board accepted the Minutes of the June 9, 2015 Board of Supervisors’ Meeting.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2018-01, Canvassing and Certifying the Results of the Landowners' Election

Ms. Gaarlandt explained that Lee Saunders was elected to Seat 1, Joel Adams was elected to Seat 2 and they both will serve a 4-year term. She noted that Mr. Walsh was elected to Seat 3, Jeff Shenefield was elected to Seat 4 and they will both serve a 2-year term.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board approved Resolution 2018-01, Canvassing and Certifying the Results of the Landowners' Election.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2018-02, Appointing District Officers

Ms. Gaarlandt requested nominations for Chairman.

ON MOTION by Mr. Adams, seconded by Mr. Shenefield, with all in favor, the Board nominated Mr. Saunders for Chairman.

Ms. Gaarlandt requested nominations for a Vice-Chairman.

ON MOTION by Mr. Saunders, seconded by Mr. Walsh, with all in favor, the Board nominated Mr. Adams for Vice-Chairman.

Ms. Gaarlandt requested that Mr. MacLaren be appointed as Secretary.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board appointed Mr. MacLaren as Secretary.

Ms. Gaarlandt requested that the remaining Board Members be nominated as Assistant Secretaries and that she is also nominated as an Assistant Secretary.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board nominated the remaining Board Members and Ms. Gaarlandt as Assistant Secretaries and Approved Resolution 2018-02, Appointing District Officers.

NINTH ORDER OF BUSINESS

Termination of DPFG

Ms. Gaarlandt requested a motion from the Board to terminate DPFG, the previous Management Company.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board approved the Termination of DPFG.

TENTH ORDER OF BUSINESS

**Consideration of Resolution 2018-03, Appointing District Manager, Assessment Consultant, and Investment Representative
a) District management and Financial Advisory proposal**

Ms. Gaarlandt explained that behind the resolution there is a proposal from Fishkind & Associates and that it the standard proposal including the various fees.

ON MOTION by Mr. Adams, seconded by Mr. Walsh, with all in favor, the Board approved Resolution 2018-03, Appointing Fishkind & Associates, Inc., as District manager, Assessment Consultant, and Investment representative.

ELEVENTH ORDER OF BUSINESS

Consideration of Resolution 2018-04, Designating Treasurer and Assistant Treasurer

Ms. Gaarlandt suggested that Dr. Fishkind be appointed Treasurer and Ms. Glasgow be appointed Assistant Treasurer.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board approved Resolution 2018-04, Designating Henry Fishkind as Treasurer and Jennifer Glasgow as Assistant Treasurer.

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2018-05, Designating Local District Office

A discussion took place among the Board members to determine the best location for the local District office.

ON MOTION by Mr. Adams, seconded by Mr. Walsh, with all in favor, the Board approved Resolution 2018-05, Designating the offices of Highland Homes located at 3020 South Florida Avenue, Lakeland, Florida as the District's Local office.

THIRTEENTH ORDER OF BUSINESS

Consideration of Resolution 2018-06, Designating the Primary Administrative Office and Principle Headquarters

Ms. Gaarlandt explained that the Primary Administrative office will be Fishkind & Associates in Orlando and the Principle Headquarters will be the Offices of Highland Homes.

ON MOTION by Mr. Adams, seconded by Mr. Shenefield, with all in favor, the Board approved Resolution 2018-06, Designating The District Managers office located at 12051 Corporate Boulevard, Orlando, Florida as the primary Administrative Office and 3020 South Florida Avenue, Lakeland Florida as its Principle Headquarters.

FOURTEENTH ORDER OF BUSINESS

Authorization to Obtain General Liability and Public Officers Insurance

Ms. Gaarlandt requested the Board's authorization for District staff to solicit proposal for General Liability and Public Officers Insurance.

ON MOTION by Mr. Adams, seconded by Mr. Walsh, with all in favor, the Board authorized District staff to solicit Proposals for General Liability and Public Officers Insurance.

FIFTEENTH ORDER OF BUSINESS

Termination of Current District Engineer

Ms. Gaarlandt requested a motion to terminate the current District Engineer.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board Terminated the Contract with the Current District Engineer.

SIXTEENTH ORDER OF BUSINESS

**Consideration of Resolution 2018-07, Appointing Interim District Engineer
a) Interim Engineer Agreement**

Ms. Gaarlandt noted that there is a proposal from Landmark Engineering behind the Resolution.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board adopted resolution 2018-07, Appointing Landmark Engineering as Interim Engineer.

SEVENTEENTH ORDER OF BUSINESS

Authorization of RFQ for District Engineering Services under the CCNA

Ms. Gaarlandt requested the Board's authorization for FRQ for District Engineering Services.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board authorized District Staff to move forward with an RFQ for District Engineering Services.

EIGHTEENTH ORDER OF BUSINESS

Consideration of Resolution 2018-08, Designating Regular Meeting Dates, Time, and Location

A discussion took place about the possible meeting dates.

ON MOTION by Mr. Adams, seconded by Mr. Shenefield, with all in favor, the Board approved Resolution 2018-08, Designating the 2nd Thursday of the month at 11:30 a.m. at the Offices of Highland Homes 3020 South Florida Avenue, Lakeland, Florida as the Regular Meeting Dates, Times, and Location.

NINETEENTH ORDER OF BUSINESS

Consideration of Resolution 2018-09, Approving Fiscal Year 2017/2018 Proposed Annual Budget and Setting a Public Hearing Date for Final Adoption

Mr. Van Wyk noted that the District must go out at least 60 days for the public hearing. Ms. Gaarlandt, in reviewing the approved meeting schedule noted that the public hearing date would fall on March 8, 2018 at 11:30 a.m. Mr. Van Wyk noted that the budget will be under a funding agreement not assessments and the costs will be actual as incurred. Mr. Van Wyk stated that the District will start the Fiscal Year 2019 budget process in May and will be able to get on tax roll if it wants to. Ms. Gaarlandt requested a motion to approve Resolution 2018-09.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board approved Resolution 2018-09, Approving Fiscal Year 2017/2018 Proposed Annual Budget and Set March 8, 2018 at 11:30 a.m. as the Date of the Public Hearing for Final Adoption.

TWENTIETH ORDER OF BUSINESS

**Consideration of FY 2017/2018
Budget Funding Agreement**

Mr. Van Wyk presented a form of Budget Funding Agreement with the Developer and requested approval by the Board subject to final review by the Developer and Developer's Counsel

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board approved the FY 2017/2018 Budget Funding Agreement subject to final review by the Developer and Developer's Counsel.

TWENTY FIRST ORDER OF BUSINESS

**Consideration of Establishment of
Auditor Selection Committee**

Ms. Gaarlandt indicated that in most cases the Board appoints itself as the Auditor Selection Committee.

ON MOTION by Mr. Adams, seconded by Mr. Shenefield, with all in favor, the Board appointed itself as the Auditor Selection Committee.

TWENTY SECOND ORDER OF BUSINESS

**Consideration of Resolution 2018-
10, Setting a Public Hearing on
Adoption of Rules of Procedure**
a) **Rules of procedure**
b) **Notice of Rule Development**
c) **Notice of Rulemaking**

Ms. Gaarlandt suggested March 8, 2017 at 11:30 a.m. at this location as the date, time, and location of the public hearing for the adoption of Rules of procedure. Mr. Adams asked Mr. Van Wyk from a brief synopsis. Mr. Van Wyk explained the Rules of procedure to the Board by stating that it gives the Board the framework to operate within and to hold the meetings and it also takes all of the Statutory requirements the District is required to meet and puts them all in one place for reference.

ON MOTION by Mr. Adams, seconded by Mr. Walsh, with all in favor, the Board approved Resolution 2018-10, Setting March 8, 2018 at 11:30 a.m. at this Location as the Public Hearing Date for the Adoption of Rules of Procedure.

TWENTY THIRD ORDER OF BUSINESS

Consideration of Resolution 2018-11, Expressing the Intent of the District to Utilize the Uniform Method of Levy, Collection and Enforcement of Non Ad-Valorem Assessments and Setting a Public Hearing Date Thereon

Ms. Gaarlandt suggested March 8, 2017 at 11:30 a.m. at this location as the date, time, and location of the public hearing for the adoption of the Uniform method. Mr. Van Wyk explained that this is one of the items the District needs when it goes to do any public financing. The documents related to the Bond are going to require that the District has the ability to collect the assessments of the Tax Roll and this is the first step in doing that.

ON MOTION by Mr. Adams, seconded by Mr. Walsh, with all in favor, the Board approved Resolution 2018-11, Expressing the Intent of the District to Utilize the Uniform Method of Levy, Collection and Enforcement of Non Ad-Valorem Assessments and Setting March 8, 2018 at 11:30 a.m. at this Location as the Public Hearing Date Thereon.

TWENTY FOURTH ORDER OF BUSINESS

Consideration of Resolution 2018-12, Designating a Qualified Public Depository

Ms. Gaarlandt recommended Florida Community Bank as the qualified Public Depository.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board approved Resolution 2018-12, Designating Florida Community Bank as the Qualified Public Depository.

TWENTY FIFTH ORDER OF BUSINESS

Consideration of Resolution 2018-13, Authorization to Establish Checking Account and Designation of Authorized Signatories for Operating Account(s)

Ms. Gaarlandt recommended the Treasure Dr. Fishkind and the Assistant Treasurer Ms. Glasgow as authorized signatories.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board approved Resolution 2018-13, Authorization to Establish Checking Account and Designation of Authorized Signatories for Operating Account(s).

TWENTY SIXTH ORDER OF BUSINESS

Consideration of Bond Financing Team Funding Agreement

The Board asked Mr. Van Wyk for a quick synopsis. Mr. Van Wyk stated that there are a number of professionals that will be hired and required as part of the public financing such as costs related to District Counsel, Engineer, District Manager's, etc., and those all can come out of the Bond proceeds and in the event that the District needs to have funds in advance or be paid as a result of non-financing, this agreement provides that the Developer would pay those costs that are incurred up to the date. He noted that the agreement is established so everybody can get paid in the event that there is no Bonds issuance.

ON MOTION by Mr. Saunders, seconded by Mr. Adams, with all in favor, the Board approved The Bond Financing Team Funding Agreement subject to the Developer's Review and Developer's Counsel Review.

TWENTY SEVENTH ORDER OF BUSINESS

Consideration of Financial Advisory Agreement

Ms. Gaarlandt stated that this is a set requirement and there will be no additional net cost for the District. Fishkind & Associates will adjust the Management Fee accordingly.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board approved the Financial Advisory Agreement with Fishkind & Associates.

TWENTY EIGHTH ORDER OF BUSINESS Consideration of Resolution 2018-14, Appointing a Trustee

Ms. Gaarlandt stated that there is a proposal attached to the resolution from US Bank. Mr. Gang gave the Board an overview of the roll of the Trustee.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the Board approved Resolution 2018-14, Appointing US Bank as Trustee.

TWENTY NINTH ORDER OF BUSINESS Consideration of Revised Engineer's Report- Tabled

THIRTIETH ORDER OF BUSINESS Consideration of Assessment Methodology- Tabled

THIRTY FIRST ORDER OF BUSINESS Consideration of Resolution 2018-15, Declaring Special Assessments - Tabled

THIRTY SECOND ORDER OF BUSINESS Consideration of Resolution 2018-16, Setting Public Hearing for Imposing Special Assessments - Tabled

THIRTY THIRD ORDER OF BUSINESS Consideration of Resolution 2018-17, Authorizing Issuance of Bond, Approving the Form of an Indenture, and Authorizing the

**Commencement of Validation
Proceedings - Tabled**

**THIRTY FOURTH ORDER OF BUSINESS Consideration of Funding Request
No. 1**

Ms. Gaarlandt requested a motion to accept Funding Request No. 1

ON MOTION by Mr. Saunders, seconded by Mr. Adams. with all in favor, the Board accepted Funding Request No. 1.

Ms. Gaarlandt asked if the Board was ok with Ms. Glasgow signing for funding requests and payment authorizations going forward. They were ok with that and asked Ms. Gaarlandt to copy the Chair and Vice- Chair.

THIRTY FIFTH ORDER OF BUSINESS Staff Reports

District Counsel – Mr. Van Wyk said that the District can handle everything on January 5, 2018 and the District will be able to start the bond and assessment process. Mr. Gang said that he did not submit a new engagement letter because his firm submitted one on 2014 and was engaged and started work. He noted that the pricing is pretty much the same. He noted that he could submit one for the next meeting before the District does the Bond Resolution. Mr. Adams suggested that the one from 2014 be forwarded to the Chair and Vice-Chair.

District Engineer – No Report

District Manager – No Report

**THIRTY SIXTH ORDER OF BUSINESS Supervisor Requests and Audience
Comments**

There were no Supervisor requests or audience comments.

THIRTY SEVENTH ORDER OF BUSINESS Adjournment

Ms. Gaarlandt requested a motion to continue the meeting until January 5, 2018 at 11:00 a.m.

ON MOTION by Mr. Adams, seconded by Mr. Saunders, with all in favor, the December 19, 2017 Board of Supervisor's Meeting for the Lakeside Preserve Community Development District was continued until January 5, 2018 at 11:00 a.m.


Secretary / Assistant Secretary


Chairman / Vice Chairman