

**MINUTES OF MEETING  
TWISTED OAKS POINTE COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Twisted Oaks Pointe Community Development District held Multiple Public Hearings and a Regular Meeting on November 14, 2022, at the later of 1:30 p.m., or the conclusion of the Beaumont CDD Meeting, at 7764 Penrose Place, Wildwood, Florida 34785.

**Present at the meeting were:**

Candice Smith	Chair
John Curtis	Vice Chair
Troy Simpson	Assistant Secretary

**Also present were:**

Craig Wrathell	District Manager
Ernesto Torres	Wrathell, Hunt and Associates, LLC
Jere Earlywine	District Counsel
Matt Morris	District Engineer
Steve Sanford	Bond Counsel

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Wrathell called the meeting to order at 2:24 p.m. He noted that the meeting was delayed because the Beaumont CDD meeting just concluded.

Supervisors Smith, Curtis and Simpson were present, in person. Supervisor-Elect Jared Lybbert, who would be sworn in at a future meeting, and Supervisor Meath were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Supervisor Jared Lybbert *(the following will be provided in a separate package)***

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Chapter 190, Florida Statutes**

**D. Financial Disclosure Forms**

- I. Form 1: Statement of Financial Interests**
- II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
- III. Form 1F: Final Statement of Financial Interests**

**E. Form 8B: Memorandum of Voting Conflict**

This item was deferred.

**FOURTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2021/2022 Budget**

**A. Proof/Affidavit of Publication**

The proof of publication was included for informational purposes.

**B. Consideration of Resolution 2023-01, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Wrathell presented the proposed Fiscal Year 2022 budget, which is a partial year, Landowner-funded budget. It was unchanged since it was last presented.

**On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Curtis and seconded by Ms. Smith, with all in favor, the Public Hearing was closed.**

Mr. Wrathell presented Resolution 2023-01.

**On MOTION by Mr. Curtis and seconded by Ms. Smith, with all in favor, Resolution 2023-01, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**A. Proof/Affidavit of Publication**

The proof of publication was included for informational purposes.

**B. Consideration of Resolution 2023-02, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Wrathell presented the proposed Fiscal Year 2022 budget, which is a full year, Landowner-funded budget.

**On MOTION by Mr. Curtis and seconded by Ms. Smith, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Simpson and seconded by Mr. Curtis, with all in favor, the Public Hearing was closed.**

Mr. Wrathell presented Resolution 2023-02 and read the title.

**On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, Resolution 2023-02, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Public Hearing to Hear Public Comments  
and Objections to the Adoption of the  
Rules of Procedure, Pursuant to Sections  
120.54 and 190.035, Florida Statutes**

**A. Affidavits of Publication**

The proofs of publication were included for informational purposes.

**B. Consideration of Resolution 2023-03, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date**

Mr. Wrathell presented Resolution 2023-03 and noted that the Rules are attached as Exhibit A to the Resolution.

**On MOTION by Mr. Curtis and seconded by Ms. Smith, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Curtis and seconded by Ms. Smith, with all in favor, the Public Hearing was closed.**

Mr. Wrathell presented Resolution 2023-03.

**On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, Resolution 2023-03, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

▪ **Presentation of Supplemental Engineer’s Report**

**This item, previously the Eighth Order of Business, was presented out of order.**

Mr. Morris presented the Supplemental Engineer’s Report dated November 8, 2022 and noted the following:

- The Report will be further updated to reflect recent changes.
- The Table showing the units to be included in the 2022 Project will be updated to reflect the inclusion of 122 Townhome units.
- \$22,715,000 estimated cost of delivering Phase 1, reflected in the Table, remains unchanged.

**On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the Supplemental Engineer’s Report dated November 8, 2022, as discussed and in substantial form, was approved.**

▪ **Presentation of First Supplemental Special Assessment Methodology Report**

**This item, previously the Ninth Order of Business, was presented out of order.**

Mr. Wrathell presented the pertinent data in each Section of the First Supplemental Special Assessment Methodology Report dated November 14, 2022 and noted the following:

- While the agenda indicated that the final version of the Report would be presented, the version presented today will be included in the bond offering and a final version will be presented at the time of closing on the bonds.
- The Development Program anticipates 982 residential units, of which 488 will be included in this bond issue and 494 will be considered future development units.
- The par amount of bonds, currently estimated at \$8 million, and the estimated project costs, currently estimated at \$6.507 million, might be subject to change. Bond sizing and interest rates could affect the amounts financed.
- Section 5.3, on Page 8, will be updated when the legal description is received.

Discussion ensued regarding the number of townhome units to be included in Phase 1. The Tables will be updated as necessary.

**On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the First Supplemental Special Assessment Methodology Report dated November 14, 2022, as discussed and in substantial form, was approved.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-04, Authorizing the Issuance of Not Exceeding \$10,000,000 Twisted Oaks Pointe Community Development District, Special Assessment Bonds, Series 2022 (Assessment Area One Project) (the "Bonds") to Finance Certain Public Infrastructure Within the District; Determining the Need for a Negotiated Limited Offering of the Bonds and Providing for a Delegated Award of Such Bonds; Appointing the Underwriter for the Limited Offering of the Bonds; Approving the Form of and Authorizing the Execution and Delivery of a Bond Purchase Contract With Respect to the Bonds; Approving the Form of and Authorizing the Execution and Delivery of a Master Trust Indenture and a**

**First Supplemental Trust Indenture; Approving the Form of and Authorizing the Distribution of a Preliminary Limited Offering Memorandum; Approving the Execution and Delivery of a Final Limited Offering Memorandum; Approving the Form of and Authorizing the Execution of a Continuing Disclosure Agreement, and Appointing a dissemination Agent; Approving the Application of Bond Proceeds; Authorizing Certain Modifications to the Assessment Methodology Report and Engineer’s Report; Making Certain Declarations; Providing for the Registration of the Bonds Pursuant to the DTC Book-Entry Only System; Authorizing the Proper Officials to Do All Things Deemed Necessary in Connection with the Issuance, Sale and Delivery of the Bonds; and Providing for Severability, Conflicts and an Effective Date**

Mr. Sanford stated Resolution 2023-04, the Delegation Resolution, accomplishes the following:

- Authorizes issuance of not to exceed \$10,000,000 aggregate principal amount of bonds.
- Authorizes and approves the forms of documents, including the Continuing Disclosure Agreements, Bond Purchase Agreement and draft Preliminary Limited Offering Memorandum.

**Mr. Sanford left the meeting, after being disconnected.**

Mr. Earlywine presented Resolution 2023-04, which delegates authority for the sale of the bonds.

**On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, Resolution 2023-04, Authorizing the Issuance of Not Exceeding \$10,000,000 Twisted Oaks Pointe Community Development District, Special Assessment Bonds, Series 2022 (Assessment Area One Project) (the “Bonds”) to Finance Certain Public Infrastructure Within the District; Determining the Need for a Negotiated Limited Offering of the Bonds and Providing for a Delegated Award of Such Bonds; Appointing the Underwriter for the Limited Offering of the Bonds; Approving the Form of and Authorizing the Execution and Delivery of a Bond Purchase Contract With Respect to the Bonds; Approving the Form of and Authorizing the Execution and Delivery of a Master Trust Indenture and a First Supplemental Trust Indenture; Approving the Form of and Authorizing the**

Distribution of a Preliminary Limited Offering Memorandum; Approving the Execution and Delivery of a Final Limited Offering Memorandum; Approving the Form of and Authorizing the Execution of a Continuing Disclosure Agreement, and Appointing a dissemination Agent; Approving the Application of Bond Proceeds; Authorizing Certain Modifications to the Assessment Methodology Report and Engineer’s Report; Making Certain Declarations; Providing for the Registration of the Bonds Pursuant to the DTC Book-Entry Only System; Authorizing the Proper Officials to Do All Things Deemed Necessary in Connection with the Issuance, Sale and Delivery of the Bonds; and Providing for Severability, Conflicts and an Effective Date, and authorizing the Chair to execute, was adopted.

**EIGHTH ORDER OF BUSINESS**

**Presentation of Supplemental Engineer’s Report**

This item was presented following the Sixth Order of Business.

**NINTH ORDER OF BUSINESS**

**Presentation of Final First Supplemental Special Assessment Methodology Report**

This item was presented following the Sixth Order of Business.

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-05, Setting Forth the Specific Terms of the District’s Special Assessment Revenue Bonds, Series 2022; Making Certain Additional Findings and Confirming and/or Adopting a Supplemental Engineer’s Report and a Supplemental Assessment Report; Delegating Authority to Prepare Final Reports and Update this Resolution; Confirming the Maximum Assessment Lien Securing the Bonds; Addressing the Allocation and Collection of the Assessments Securing the Bonds; Addressing Prepayments; Addressing True-Up Payments; Providing for the Supplementation of the Improvement Lien Book; and Providing for Conflicts, Severability and an Effective Date**

Mr. Wrathell presented Resolution 2023-05 and read the title. Mr. Earlywine stated this Resolution reduces assessments to the final levels determined by the sale of the bonds.

**On MOTION by Mr. Simpson and seconded by Mr. Curtis, with all in favor, Resolution 2023-05, Setting Forth the Specific Terms of the District’s Special Assessment Revenue Bonds, Series 2022; Making Certain Additional Findings and Confirming and/or Adopting a Supplemental Engineer’s Report and a Supplemental Assessment Report; Delegating Authority to Prepare Final Reports and Update this Resolution; Confirming the Maximum Assessment Lien Securing the Bonds; Addressing the Allocation and Collection of the Assessments Securing the Bonds; Addressing Prepayments; Addressing True-Up Payments; Providing for the Supplementation of the Improvement Lien Book; and Providing for Conflicts, Severability and an Effective Date, and authorizing the Chair to execute, was adopted.**

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Forms of Issuer’s Counsel Documents**

Mr. Wrathell presented the following:

- A. Collateral Assignment Agreement**
- B. Completion Agreement**
- C. Declaration of Consent**
- D. Notice of Special Assessments**
- E. True-Up Agreement**
- F. Disclosure of Public Finance**

**On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the Collateral Assignment Agreement, Completion Agreement, Declaration of Consent, Notice of Special Assessments, True-Up Agreement and Disclosure of Public Finance, all in substantial form, and authorizing the Chair to execute, were approved.**

**TWELFTH ORDER OF BUSINESS**

**Approval of Minutes**

Mr. Wrathell presented the following:

- A. September 12, 2022 Landowners’ Meeting**
- B. September 12, 2022 Public Hearings and Regular Meeting**

**On MOTION by Mr. Simpson and seconded by Mr. Curtis, with all in favor, the September 12, 2022 Landowners’ Meeting and Public Hearings and Regular Meeting Minutes, as presented, were approved.**



**Mr. Sanford rejoined the meeting.**

Mr. Sanford stated it is unlikely bonds will be issued in 2022; the Resolution provides that documents can be changed to 2023 without requiring amendments.

**THIRTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of September 30, 2022**

Mr. Wrathell presented the Unaudited Financial Statements as of September 30, 2022.

**On MOTION by Mr. Simpson and seconded by Ms. Smith, with all in favor, the Unaudited Financial Statements as of September 30, 2022, were accepted.**

**FOURTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *KE Law Group, PLLC***

**B. District Engineer (Interim): *Morris Engineering and Consulting, LLC***

There were no District Counsel or District Engineer reports.

**C. District Manager: *Wrathell, Hunt and Associates, LLC***

- **NEXT MEETING DATE: December 12, 2022 at the later of 1:30 p.m., or conclusion of Beaumont CDD Meeting**

- **QUORUM CHECK**

The next meeting is scheduled for December 12, 2022.

**FIFTEENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

**SIXTEENTH ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**SEVENTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the meeting adjourned at 2:54 p.m.**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair