

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

The Board of Supervisors of the Twisted Oaks Pointe Community Development District held a Public Hearing and Regular Meeting on August 14, 2023 at 11:30 a.m., 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:

Ernesto Torres	District Manager
Jere Earlywine (via telephone)	District Counsel
Matt Morris	District Engineer
Steve Sanford (via telephone)	Bond Counsel
Greg Beliveau	Supervisor-Appointee

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Torres called the meeting to order at 11:33 a.m. Supervisors Smith, Curtis and Simpson were present. Supervisors Meath and Lybbert were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

**Acceptance of Resignation of Jared Lybbert
[Seat 5]; Term Expires November 2024**

Mr. Torres present Mr. Jared Lybbert's resignation letter.

<p>On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the resignation of Mr. Lybbert from Seat 5, was accepted.</p>

FOURTH ORDER OF BUSINESS

Consider Appointment of to Fill Unexpired Term of Seat 5

Mr. Curtis nominated Mr. Greg Beliveau to fill Seat 5.

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the appointment of Mr. Greg Beliveau to Seat 5, was approved.

• **Administration of Oath of Office (the following to be provided in a separate package)**

Mr. Torres, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Beliveau. He provided and briefly described the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. 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**
- D. Form 8B: Memorandum of Voting Conflict**

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-13, Designating Certain Officers of the District, and Providing for an Effective Date

Mr. Torres presented Resolution 2023-13. The following slate was nominated:

Candice Smith	Chair
John Curtis	Vice Chair
Troy Simpson	Assistant Secretary
Greg Meath	Assistant Secretary
Greg Beliveau	Assistant Secretary
Ernesto Torres	Assistant Secretary

No other nominations were made. Prior appointments made by the Board for Secretary, Treasurer and Assistant Treasurer remain unaffected by this resolution.

On MOTION by Mr. Curtis and seconded by Ms. Smith, with all in favor, Resolution 2023-13, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of the Fiscal Year 2023/2024 Budget

- A. Proof/Affidavit of Publication**
- B. Consideration of Resolution 2023-08, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024, Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Torres presented Resolution 2023-08 and reviewed the proposed Fiscal Year 2024 budget, which is Landowner-funded.

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 Mr. Simpson, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, Resolution 2023-08, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024, Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

**Consideration of Fiscal Year 2023/2024
Budget Funding Agreement**

Mr. Torres presented the Fiscal Year 2023/2024 Budget Funding Agreement between the CDD and LK Twisted Oaks LLC.

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the Fiscal Year 2023/2024 Budget Funding Agreement, was approved.

EIGHTH ORDER OF BUSINESS

**Presentation of Restated Master
Engineer's Report**

Mr. Earlywine stated the Restated Master Engineer's Report is essentially the same as the version previously presented, except that a northern section with 394 units has been added, bringing the total costs to \$69,820,000. The Report has the same findings and conclusions that the Board relies on to levy assessments; namely, that the project benefits the properties within the boundaries of the CDD, that it is feasible to construct and that the permits are expected to be in order.

Mr. Earlywine recommended Board approval in substantial form.

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the Restated Master Engineer's Report, in substantial form, was approved.

NINTH ORDER OF BUSINESS

**Presentation of Amended and Restated
Master Special Assessment Methodology
Report**

Mr. Torres presented the Amended and Restated Master Special Assessment Methodology Report and reiterated the adjustments that Mr. Earlywine mentioned regarding the restated Master's Engineer's Report.

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the Amended and Restated Master Special Assessment Methodology Report, in substantial form, was approved.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2023-10, Declaring Special Assessments for a Boundary Amendment Parcel; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, The Portion to be Paid by Assessments, and the Manner and Timing In Which The Assessments are to be Paid; Designating The Lands Upon Which The Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings; Providing For Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date

Mr. Earlywine presented Resolution 2023-10.

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, Resolution 2023-10, Declaring Special Assessments for a Boundary Amendment Parcel; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, The Portion to be Paid by Assessments, and the Manner and Timing In Which The Assessments are to be Paid; Designating The Lands Upon Which The Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings for September 25, 2023 at 10:00 a.m., at 7764 Penrose Place, Wildwood, Florida 34785; Providing For Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS

Presentation of Second Supplemental Engineer's Report, dated August 2023

Mr. Earlywine presented the Second Supplemental Engineer's Report dated August 2023. The Report is similar to the First Supplemental Report presented for the first bond series, except that this is for Highfield Area 1, Phases 1 & 2, which includes 265 units, costs approximately \$15 million; it has the same findings as the prior Report. He recommended approval, in substantial form, for purposes of the bond issuance.

Mr. Morris arrived at the meeting.

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the Second Supplemental Engineer’s Report dated August 2023, in substantial form, was approved.

TWELFTH ORDER OF BUSINESS

Presentation of Second Supplemental Special Assessment Methodology Report, dated August 14, 2023

Mr. Torres presented the Second Supplemental Special Assessment Methodology Report dated August 14, 2023 and reviewed the pertinent data. The Methodology corresponds with the Second Supplemental Engineer’s Report previously described by Mr. Earlywine.

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the Second Supplemental Special Assessment Methodology Report, dated August 14, 2023, in substantial form, was approved.

THIRTEENTH ORDER OF BUSINESS

Consideration of Resolution 2023-11, Authorizing the Issuance of Not Exceeding \$6,000,000 Twisted Oaks Pointe Community Development District, Special Assessment Bonds, Series 2023 (Assessment Area Two Project) (the “Assessment Area Two Bonds”) to Finance Certain Public Infrastructure Within the District; Determining the Need for a Negotiated Limited Offering of the Assessment Area Two Bonds and Providing for a Delegated Award of Such Assessment Area Two Bonds; Appointing the Underwriter for the Limited Offering of the Assessment Area Two Bonds; Approving the Form of and Authorizing the Execution and Delivery of a Bond Purchase Contract with Respect to the Assessment Area Two Bonds; Authorizing the Use of that Certain Master Trust Indenture Dated as of May 1,

2023 and Approving the Form of and Authorizing the Execution and Delivery of a Second 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 Assessment Area Two 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 Assessment Area Two Bonds; and Providing for Severability, Conflicts and an Effective Date

Mr. Sanford presented Resolution 2023-11, also known as the “Delegation Resolution, which accomplishes the following:

- Authorizes bonds in a principal not to exceed amount of \$6 million to finance Phases 1 and 2 of Highfield.
- Authorizes the Bond Purchase Contract (BPC), Second Supplemental Trust Indenture, Preliminary Limited Offering Memorandum (PLOM) and Continuing Disclosure Agreement.

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, Resolution 2023-11, Authorizing the Issuance of Not Exceeding \$6,000,000 Twisted Oaks Pointe Community Development District, Special Assessment Bonds, Series 2023 (Assessment Area Two Project) (the “Assessment Area Two Bonds”) to Finance Certain Public Infrastructure Within the District; Determining the Need for a Negotiated Limited Offering of the Assessment Area Two Bonds and Providing for a Delegated Award of Such Assessment Area

Two Bonds; Appointing the Underwriter for the Limited Offering of the Assessment Area Two Bonds; Approving the Form of and Authorizing the Execution and Delivery of a Bond Purchase Contract with Respect to the Assessment Area Two Bonds; Authorizing the Use of that Certain Master Trust Indenture Dated as of May 1, 2023 and Approving the Form of and Authorizing the Execution and Delivery of a Second 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 Assessment Area Two 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 Assessment Area Two Bonds; and Providing for Severability, Conflicts and an Effective Date, was adopted.

FOURTEENTH ORDER OF BUSINESS

Consideration of Resolution 2023-12, Designating a Date, Time, and Location of a Public Hearing Regarding the District’s Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date

Mr. Torres presented Resolution 2023-12.

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, Resolution 2023-12, Designating September 25, 2023 at 10:00 a.m., at 7764 Penrose Place, Wildwood, Florida 34785, as the Date, Time, and Location of a Public Hearing Regarding the District’s Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date, was adopted.

FIFTEENTH ORDER OF BUSINESS

Consideration of Resolution 2023-09, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date

Mr. Torres presented Resolution 2023-09. The following changes were made:

DATE: Insert October 9, 2023

TIME: 10:00 AM

LOCATION: Village Public Library at Pinellas, 7375 Powell Road #100, Wildwood, FL, 34785

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, Resolution 2023-09, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024, as amended, and Providing for an Effective Date, as amended, was adopted.

SIXTEENTH ORDER OF BUSINESS

Ratification Items

Mr. Torres presented the following:

- A. Change Order No. 1, Hughes Brothers Construction Inc. [Phase 1 Infrastructure]**
- B. Change Order No. 2, Hughes Brothers Construction Inc. [Phase 1 Infrastructure]**
- C. Change Order No. 3, Hughes Brothers Construction Inc. [Phase 1 Infrastructure]**
- D. Change Order No. 4, Hughes Brothers Construction Inc. [Mass Grading Work]**
- E. Change Order No. 5, Hughes Brothers Construction Inc. [Mass Grading Work]**
- F. Assignment of Contractor Agreement [Phase 1]**

On MOTION by Ms. Smith and seconded by Mr. Curtis, with all in favor, Hughes Brothers Construction Inc., Change Order Nos. 1 through 5, and the Assignment of Contractor Agreement for Phase 1, were ratified.

SEVENTEENTH ORDER OF BUSINESS

Consideration of FMSbonds, Inc., Rule G-17 Disclosure

Mr. Torres presented the FMSbonds, Inc., Rule G-17 Disclosure letter.

On MOTION by Ms. Smith and seconded by Mr. Curtis, with all in favor, the FMSbonds, Inc., Rule G-17 Disclosure letter, was approved.

EIGHTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of June 30, 2023

Mr. Torres presented the Unaudited Financial Statements as of June 30, 2023.

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the Unaudited Financial Statements as of June 30, 2023, were accepted.

NINETEENTH ORDER OF BUSINESS

Approval of July 10, 2023 Regular Meeting Minutes

Mr. Torres presented the July 10, 2023 Regular Meeting Minutes.

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the July 10, 2023 Regular Meeting Minutes, as presented, were approved.

TWENTIETH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

There was no report

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

Mr. Morris stated Staff is finalizing a few plats for Twisted Oaks and working on obtaining approvals for the amenities in the Highfield areas.

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

- **NEXT MEETING DATE: September 11, 2023 at the later of 1:30 p.m., or conclusion of Beaumont CDD Meeting**

○ **QUORUM CHECK**

The September 1, 2023 meeting will be cancelled and rescheduled to September 25, 2023 at 10:00 a.m.

All Supervisors confirmed their attendance at the September 25, 2023 meeting.

TWENTY-FIRST ORDER OF BUSINESS

Board Members' Comments/Requests

Mr. Curtis stated Area Assessment Three will be considered for development soon after January 1, 2024, and bonds should be issued in March or April.

Discussion ensued regarding project completion in the first two Assessment Areas and bond issuance.

TWENTY-SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

TWENTY-THIRD ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the meeting adjourned at 12:04 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair