

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

The Board of Supervisors of the Twisted Oaks Pointe Community Development District held Public Hearings and a Regular Meeting on September 25, 2023 at 10:00 a.m., at 7764 Penrose Place, Wildwood, Florida 34785.

Present at the meeting were:

John Curtis
Troy Simpson
Greg Beliveau

Vice Chair
Assistant Secretary
Assistant Secretary

Also present were:

Ernesto Torres
Jere Earlywine (via telephone)
Pete Williams

District Manager
District Counsel
Supervisor-Appointee

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Torres called the meeting to order at 10:12 a.m.

Supervisors Curtis, Beliveau and Simpson were present. Supervisors Meath and Bain were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Acceptance of Resignation from Greg Meath (Seat 3); Term Expires November 2024

Mr. Torres present Mr. Greg Meath's resignation letter.

<p>On MOTION by Mr. Simpson and seconded by Mr. Curtis, with all in favor, the resignation of Mr. Meath from Seat 3, was accepted.</p>

FOURTH ORDER OF BUSINESS

Appointment of Pete Williams to Fill Unexpired Term of Seat 3

Mr. Beliveau nominated Mr. Pete Williams to fill Seat 3.

No other nominations were made.

On MOTION by Mr. Beliveau and seconded by Mr. Curtis, with all in favor, the appointment of Mr. Pete Williams to Seat 3, was approved.

- **Administration of Oath of Office to Newly Appointed Supervisor (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. Williams. Mr. Williams was familiar with 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 2023-14, Appointing and Removing Officers of the District and Providing for an Effective Date

Mr. Torres presented Resolution 2023-14. The following slate was nominated:

Candice Bain	Chair
John Curtis	Vice Chair
Troy Simpson	Assistant Secretary
Greg A. Beliveau	Assistant Secretary
Pete Williams	Assistant Secretary

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

On MOTION by Mr. Beliveau and seconded by Mr. Williams, with all in favor, Resolution 2023-14, Appointing and Removing Officers of the District, as nominated and specified, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District’s Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2023-15, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Twisted Oaks Pointe Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

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

No members of the public spoke.

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

On MOTION by Mr. Williams and seconded by Mr. Curtis, with all in favor, Resolution 2023-15, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Twisted Oaks Pointe Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements

- A. Affidavit/Proof of Publication**
- B. Mailed Notice to Property Owner(s)**

These items were included for informational purposes.

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

- **Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.**
- **Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right**

No affected property owners or members of the public spoke.

The Board, sitting as the Equalizing Board, made no changes to the assessment levels.

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

- C. Restated Engineer’s Report (for informational purposes)**

Mr. Earlywine stated the Restated Engineer’s Report and the Methodology Report were updated to include the Boundary Amendment information.

D. Amended and Restated Master Special Assessment Methodology Report (for informational purposes)

The Equivalent Residential Unit (ERU) factors for each of the product types were discussed.

E. Consideration of Resolution 2023-16, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date

Mr. Torres presented Resolution 2023-16 and read the title.

On MOTION by Mr. Williams and seconded by Mr. Curtis, with all in favor, Resolution 2023-16, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Presentation of Second Supplemental Engineer’s Report

Mr. Earlywine presented the Second Supplemental Engineer’s Report.

NINTH ORDER OF BUSINESS

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

Mr. Earlywine presented the Final Second Supplemental Special Assessment Methodology Report.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2023-17, Setting Forth the Specific Terms of the Twisted Oaks Pointe Community Development District’s Special Assessment Bonds, Series 2023 (Assessment Area Two); Making Certain Additional Findings and Confirming and/or adopting a Supplemental Engineer’s Report and a Supplemental Assessment Report; 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

On MOTION by Mr. Williams and seconded by Mr. Curtis, with all in favor, Resolution 2023-17, Setting Forth the Specific Terms of the Twisted Oaks Pointe Community Development District’s Special Assessment Bonds, Series 2023 (Assessment Area Two); Making Certain Additional Findings and Confirming and/or adopting a Supplemental Engineer’s Report and a Supplemental Assessment Report; 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, was adopted.

ELEVENTH ORDER OF BUSINESS

Consideration of Issuer’s Counsel Documents [Assessment Area Two]

Mr. Earlywine presented the following:

A. Collateral Assignment

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

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

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2023-18, Directing the Chairman and District Staff to Request the Passage of an Ordinance by the City Commission of the City of Wildwood, Florida, Amending the District’s Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date [Second Expansion]

A. Consideration of Boundary Amendment Funding Agreement

Mr. Earlywine presented Resolution 2023-18 and discussed the Boundary Amendment Funding Agreement for an additional parcel on the western side of the CDD.

On MOTION by Mr. Simpson and seconded by Mr. Curtis, with all in favor, Resolution 2023-18, Directing the Chairman and District Staff to Request the Passage of an Ordinance by the City Commission of the City of Wildwood, Florida, Amending the District’s Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date, was adopted.

THIRTEENTH ORDER OF BUSINESS

Consideration of Acquisition of Work Product

This item was presented following the Fourteenth Order of Business.

FOURTEENTH ORDER OF BUSINESS

**Consideration of Acquisition Agreement
(Assessment Area Two Project)**

Mr. Earlywine presented the Acquisition Agreement for the Assessment Area Two Project, to be entered into with a different entity than the primary Developer.

On MOTION by Mr. Curtis and seconded by Mr. Simpson, with all in favor, the Acquisition Agreement for the Assessment Area Two Project, in substantial form, was approved.

On MOTION by Mr. Williams and seconded by Mr. Curtis, the acquisition of work product for the Assessment Area Two Project, was approved.

FIFTEENTH ORDER OF BUSINESS

Ratification Items

Mr. Earlywine presented the following:

- A. Assignment of Construction Contract and Assignment of Completed Improvement (Highfield - Mass Grading)**
- B. Assignment of Contractor Agreement (Highfield - Phase 1)**
- C. Assignment of Construction Contract (Townhomes Phase 1 &2)**
- D. Change Order #1 - Highfield Mass Grading**
- E. Change Order #3 - Highfield Phase 1**
- F. Change Order # 6 & 7 - TOP Mass Grading**
- G. Change Order #1 - Townhomes Phases 1 & 2**
- H. Change Order #2 - Townhomes Phases 1 & 2**

On MOTION by Mr. Simpson and seconded by Mr. Williams, with all in favor, Items 15A through 15H, as presented, were ratified.

SIXTEENTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of August 31, 2023**

On MOTION by Mr. Williams and seconded by Mr. Curtis, with all in favor, the Unaudited Financial Statements as of August 31, 2023, were accepted.

SEVENTEENTH ORDER OF BUSINESS

Approval of August 14, 2023 Public Hearing and Regular Meeting Minutes

On MOTION by Mr. Curtis and seconded by Mr. Williams, with all in favor, the August 14, 2023 Public Hearing and Regular Meeting Minutes, as presented, were approved.

EIGHTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

Mr. Earlywine stated the bonds will close in the next two days.

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

There was no report.

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

- **NEXT MEETING DATE: October 9, 2023 at 12:00 PM [The Villages Public Library at Pinellas Plaza, 7375 Powell Rd., Conference Room 162, Wildwood, Florida 34785)**
 - **QUORUM CHECK**

Supervisors Curtis, Williams, Simpson and Beliveau confirmed their attendance at the October 9, 2023 meeting.

NINETEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

It was noted that the final plat for Phases I and II was resubmitted; approval is expected in late October or early November.

TWENTIETH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

TWENTY-FIRST ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Simpson and seconded by Mr. Curtis, with all in favor, the meeting adjourned at 10:32 a.m.


Secretary/Assistant Secretary


Chair/Vice Chair