

**MINUTES OF MEETING
OSCEOLA VILLAGE CENTER
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Osceola Village Center Community Development District held Multiple Public Hearings and a Regular Meeting on May 10, 2021 at 11:00 a.m., immediately following the adjournment of the Landowners' Meeting, scheduled to commence at 11:00 a.m., at the Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, Florida 34746.

Present were:

Eric Marks	Chair
Marybel Defillo (via telephone)	Assistant Secretary
Denver Marlow	Assistant Secretary
Mark Molina	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Tucker Mackie (via telephone)	District Counsel
Jim Reinert	AVEX Homes
R. Lance Bennett (via telephone)	Interim District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 11:11 a.m. He reported the results of the Landowners' Election, as follows:

Seat 1	Richard Jerman	68 votes	Four-year Term
Seat 2	Eric Marks	68 votes	Four-year Term
Seat 3	Marybel Defillo	67 votes	Two-year Term
Seat 4	Denver Marlow	67 votes	Two-year Term
Seat 5	Mark Molina	67 votes	Two-year Term

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Board of Supervisors (*the following will also be provided in a separate package*)

Mr. Wrathell a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Marks, Mr. Molina and Mr. Marlow. As Ms. Defillo was attending via telephone, a Notary at her location administered the Oath of Office and she would return the notarized Oath to the District Manager's office. As Mr. Jerman was not present, the Oath of Office would be administered at a future meeting.

Mr. Wrathell provided and briefly explained the following items:

- 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**

Supervisors Marks, Marlow and Molina were present. Supervisor Defillo was attending via telephone. Supervisor Jerman was not present.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2021-29, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date

Mr. Wrathell presented Resolution 2021-29. The Landowners' Election results were reported during the First Order of Business.

On MOTION by Mr. Marks and seconded by Mr. Marlow, with all in favor, Resolution 2021-29, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2021-30, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the Osceola Village Center Community Development District, and Providing for an Effective Date

Mr. Wrathell presented Resolution 2021-30. Mr. Marlow nominated the following slate of officers:

- | | |
|---------------------|-----------------------|
| Chair | Eric Marks |
| Vice Chair | Richard “Dick” Jerman |
| Secretary | Craig Wrathell |
| Assistant Secretary | Denver Marlow |
| Assistant Secretary | Marybel Defillo |
| Assistant Secretary | Mark Molina |
| Treasurer | Craig Wrathell |
| Assistant Treasurer | Jeff Pinder |

No other nominations were made.

On MOTION by Mr. Marks and seconded by Mr. Marlow, with all in favor, Resolution 2021-30, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the Osceola Village Center Community Development District, as nominated, 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. Affidavit/Proof of Publication

The proof of publication was included for informational purposes.

B. Consideration of Resolution 2021-31, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Osceola Village Center Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

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

No members of the public spoke.

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

Mr. Wrathell presented Resolution 2021-31 and read the title.

On MOTION by Mr. Marlow and seconded by Mr. Marks, with all in favor, Resolution 2021-31, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Osceola Village Center 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

- *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 the basis of justice and right.*

The above items were addressed later in the meeting.

A. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

B. Mailed Notice to Property Owner(s)

The Mailed Notice was included for informational purposes.

C. Engineer's Report for Capital Improvements *(for informational purposes)*

Mr. Bennett presented the Engineer's Report, and highlighted the following:

- Exhibit 12 is the Estimate of Probable Improvement Costs, which lists the contemplated public facilities and improvements and the corresponding estimated cost.
- Factoring in professional fees and contingency, the total estimated cost of the improvements is \$7,550,754.56.

Ms. Mackie: In your professional opinion, do the estimated costs, as identified in the Engineer's Report; are they reasonable and proper and financeable by the District?

Mr. Bennett: They are.

Ms. Mackie: Is there any reason to believe that the Capital Improvement Plan identified in your Engineer's Report cannot be carried out by the District?

Mr. Bennett: No.

Mr. Bennett left the meeting.

D. Master Special Assessment Methodology Report *(for informational purposes)*

Mr. Wrathell reviewed the Master Special Assessment Methodology Report and noted the following from the Tables:

- Table 1: Break down of the Development Plan for 304 units.
- Table 2: Lists the project improvements and estimated costs totaling \$7,550,754.56.
- Table 3: Identifies the preliminary sources and uses of funds.
- Table 4: Breaks down the benefit allocation for the unit types.
- Table 5: Breaks down the assessment apportionment for the various product types.
- ***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.***

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

No members of the public spoke.

Ms. Mackie: Craig, in your professional opinion, do the lands subject to the assessment receive a special benefit from the District Capital Improvement Program?

Mr. Wrathell: Yes, they do.

Ms. Mackie: In your professional opinion are the special assessments reasonably apportioned on the land subject to the special assessments?

Mr. Wrathell: Yes.

Ms. Mackie: Would it, therefore, be reasonable, proper and just to set the costs of the Capital Improvement Plan against the lands in the District, in accordance with the Methodology?

Mr. Wrathell: Yes.

Ms. Mackie: Is it your opinion that the special benefits the lands receive, as set forth and in the final assessment roll will be equal to or in excess of the maximum special assessment when allocated as set forth in the Methodology?

Mr. Wrathell: Yes.

Ms. Mackie: Is it in the best interest of the District that the special assessments be paid and collected in the manner set forth in the Methodology?

Mr. Wrathell: Yes.

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

- *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on the basis of justice and right.*

No changes were made.

- E. **Consideration of Resolution 2021-32, Authorizing District Projects For Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided For By Chapters 170, 190 and 197, Florida Statutes; Confirming the District's Intention To Issue Special Assessment Revenue Bonds; Making Provisions for Transfers of Real Property To Governmental Bodies; Providing for the Recording of an Assessment Notice; Providing For Severability, Conflicts and an Effective Date**

Mr. Wrathell presented Resolution 2021-32 and read the title.

On MOTION by Mr. Molina and seconded by Mr. Marks, with all in favor, Resolution 2021-32, Authorizing District Projects For Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided For By Chapters 170, 190 and 197, Florida Statutes; Confirming the District's Intention To Issue Special Assessment Revenue Bonds; Making Provisions for Transfers of Real Property To Governmental Bodies; Providing for the Recording of an Assessment Notice; Providing For Severability, Conflicts and an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Response to Request for Qualifications (RFQ) for Engineering Services

- A. **Affidavit of Publication**

The affidavit of publication was included for informational purposes.

B. RFQ Package

The RFQ package was included for informational purposes.

C. Respondent: Poulos & Bennett

Mr. Wrathell stated that Poulos & Bennett (P&B) was the only respondent to the RFQ.

D. Competitive Selection Criteria/Ranking

Mr. Wrathell stated and Ms. Mackie confirmed that, as the sole respondent, the Board could rank P&B the #1 ranked respondent. The Board awarded P&B a total of 95 points.

On MOTION by Mr. Marlow and seconded by Mr. Marks, with all in favor, ranking Poulos & Bennett, as the #1 ranked respondent for District Engineering Services, was approved.

E. Award of Contract

On MOTION by Mr. Molina and seconded by Mr. Marlow, with all in favor, authorizing Staff to negotiate a Continuing Services Agreement with Poulos & Bennett, the #1 ranked respondent for District Engineering Services, and for the Chair or Vice Chair to execute, was approved.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2021-33, to Re-Designate Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date

A. Rules of Procedure

The Rules of Procedure were included for informational purposes.

B. Notices

- **Notice of Rule Development**
- **Notice of Rulemaking**

These items were included for informational purposes.

Mr. Wrathell presented Resolution 2021-33.

On MOTION by Mr. Molina and seconded by Mr. Marlow, with all in favor, Resolution 2021-33, to Re-Designate Date, Time and Place of Public Hearing to June 14, 2021, at 11:00 a.m., at the Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, Florida 34746, and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2021-06, Designating the Primary Administrative Office and Principal Headquarters of the District; Designating the Location of the Local District Records Office; and Providing an Effective Date

This item was deferred.

ELEVENTH ORDER OF BUSINESS

Consideration of Resolution 2021-14, Adopting the Annual Meeting Schedule for Fiscal Year 2020-2021; and Providing for an Effective Date

This item was deferred.

TWELFTH ORDER OF BUSINESS

Consideration of March 31, 2021 Organizational Meeting Minutes

Mr. Wrathell presented the March 31, 2021 Organizational Meeting Minutes.

On MOTION by Mr. Marlow and seconded by Mr. Marks, with all in favor, the March 31, 2021 Organizational Meeting Minutes, as presented, were approved.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Hopping Green & Sams, P.A.*

Ms. Mackie stated that the complaint for the bond validation was filed after the Organizational Meeting and they were waiting on the actions of today before scheduling the

hearing. Regarding when the hearing will be held, Ms. Mackie stated that the court appears to have many open slots; she will coordinate with all parties on the scheduling.

B. District Engineer (Interim): *Poulos & Bennett*

There being nothing further to report, the next item followed.

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

- **NEXT MEETING DATE: June 14, 2021 at 11:00 A.M. [Embassy Suites by Hilton Orlando Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, Florida 34746]**

- **QUORUM CHECK**

The next meeting will be held June 14, 2021.

FOURTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There being no Board Members' comments or requests, the next item followed.

FIFTEENTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

SIXTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Molina and seconded by Mr. Marlow, with all in favor, the meeting adjourned at 11:38 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair