

# SOUTHAVEN COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE • 2806 North 5<sup>th</sup> Street • Suite 403 • St. Augustine, Fl. 32084 • 904-436-6270

[www.southavencdd.org](http://www.southavencdd.org)

November 30, 2016

Board of Supervisors  
Southaven Community  
Development District

## AGENDA

Dear Board Members:

The **regular** meeting of the Board of Supervisors of the Southaven Community Development District will be held on **December 7, 2016 at 10:00 a.m.** at the Marshall Creek CDD Recreation Center, located at 625 Palencia Club Drive, St. Augustine, Florida 32095. The following is the final agenda for this meeting:

- 1. CALL TO ORDER/ROLL CALL**
- 2. AUDIENCE COMMENTS ON AGENDA ITEMS**
- 3. BUSINESS ADMINISTRATION**
  - A. Consideration of the Minutes of the Landowners Election Meeting held November 1, 2016..... Tab 1
  - B. Consideration of the Minutes of the Board of Supervisors' Regular Meeting held November 2, 2016..... Tab 2
  - C. Ratification of the Operations and Maintenance Expenditures for October 2016 ..... Tab 3
  - D. Ratification of Capital Revenue Bonds Series 2015, #76 Revised and Custody Account, Series 2015, CUS #3..... Tab 4
- 4. STAFF REPORTS**
  - A. District Counsel
  - B. District Engineer
  - C. Construction Administrator
    - 1.) Consideration of ETM Work Authorization #8 for 2016 Bond COI..... Tab 5
  - D. Amenity Report..... Tab 6
  - E. District Manager
- 5. BUSINESS ITEMS**
  - A. Evaluation of Proposals for Phase II Civil Site Work Construction Services (*under separate cover*)
  - B. Consideration of Dissemination Agent Agreement ..... Tab 7
  - C. Public Hearing on Special Assessments..... Tab 8
    - 1.) Consideration of Resolution 2017-09, Levying Special Assessments**
      - i.) First Addendum to the Amended and Restated Master Special Assessment Allocation Report dated December 7, 2016
  - D. Consideration of Matters Related to Bond Issuance..... Tab 9
    - 1.) Consideration of Resolution 2017-10, Series 2016A-1 and 2016A-2 Supplemental Assessment Resolution.
      - i.) Amended and Supplemented Engineer's Report dated November 4, 2016
      - ii.) Final Second Supplemental Special Assessment Allocation Report dated December 7, 2016
    - 2.) Acknowledgment of Acquisition Agreement
    - 3.) Notice of Imposition of Series 2016A Special Assessments
  - E. Consideration of Resolution 2017-11, Designating Series 2016A Bond Qualified Tax-Exempt Obligations..... Tab 10
- 6. AUDIENCE COMMENTS AND SUPERVISOR REQUESTS**
- 7. ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call us at 904-436-6270.

Very truly yours,  
*Melissa Dobbins*  
Melissa Dobbins  
Southaven Community Development District

**RESOLUTION 2017-09**

**A RESOLUTION OF THE SOUTHAVEN COMMUNITY DEVELOPMENT DISTRICT ADOPTING AN ADDENDUM TO THE MASTER ASSESSMENT METHODOLOGY; EQUALIZING, APPROVING, CONFIRMING, AND LEVYING SPECIAL ASSESSMENTS ON PROPERTY SPECIALLY BENEFITED BY THE DISTRICT’S PROJECTS; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, Southaven Community Development District (“District”) previously indicated its intention to construct certain types of infrastructure improvements and to finance such infrastructure improvements through the issuance of bonds, which bonds would be repaid by the imposition of special assessments on benefited property within the District; and

**WHEREAS**, the District Board of Supervisors (“Board”) noticed and conducted a public hearing pursuant to Chapters 170, 190 and 197, *Florida Statutes*, relating to the imposition, levy, collection and enforcement of such assessments (“Special Assessments”); and

**WHEREAS**, the Special Assessments were described in the *Amended and Restated Master Special Assessment Allocation Report* dated August 20, 2014 (“Master Assessment Report”), which was incorporated by reference into Resolution 2014-33; and

**WHEREAS**, the developer of lands within the District advised the District that it intends to modify the development plan for the District to include new land use types not previously contemplated in the Maser Assessment Report (“New Product Type(s)”); and

**WHEREAS**, on November 2, 2016, the District’s Board adopted Resolution 2017-06 and set a public hearing for December 7, 2016 for the limited purpose of receiving comments and objections on the addition of the New Product Types and levy of special assessments on the same as described in the *First Addendum to the Amended and Restated Master Special Assessment Allocation Report* dated November 2, 2016 (“First Addendum”), which is attached hereto as **Exhibit A**; and

**WHEREAS**, in conformance with Chapters 170, 190, and 197 of the Florida Statutes, the District’s Board noticed and held the public hearing, met as an equalizing board to hear and consider any and all complaints, and now desires to adopt another master assessment resolution adopting the First Addendum, which assigns an assessment amount to the New Product Types and levies revised Special Assessments.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SOUTHAVEN COMMUNITY DEVELOPMENT DISTRICT AS FOLLOWS:**

**SECTION 1. AUTHORITY FOR THIS RESOLUTION.** This Resolution is adopted pursuant to Chapters 170, 190 and 197, *Florida Statutes*, including without limitation, Section 170.08, *Florida Statutes*.

**SECTION 2. INCORPORATION OF PRIOR ASSESSMENT RESOLUTIONS.** To the extent required by law to render effective the intent of this Resolution, the provisions of Resolutions 2014-24, 2014-25, and 2014-33 are expressly incorporated herein.

**SECTION 3. SUPPLEMENTAL FINDINGS.** The Board hereby finds and determines as follows:

(a) As directed by Resolution 2017-06, said Resolution 2017-06 was published as required by Section 170.05, *Florida Statutes*, and a copy of the publisher's affidavit of publication is on file with the Secretary of the Board.

(b) As directed by Resolution 2017-06, a preliminary assessment roll was adopted and filed with the Board as required by Section 170.06, *Florida Statutes*.

(c) As required by Section 170.07, *Florida Statutes*, upon completion of the preliminary assessment roll, the Board adopted Resolution 2017-07 fixing the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein may appear before the Board and be heard as to the First Addendum and the levy of Special Assessments pursuant to the same.

(d) Notice of such public hearing was given by publication and also by mail as required by Section 170.07, *Florida Statutes*. Affidavits as to such publications and mailings are on file in the office of the Secretary of the Board.

(e) On December 7, 2017, at the time and place specified in the resolution and notice referred to in paragraph (c) above, the Board met as an Equalization Board and heard and considered all complaints and testimony as to the matters described in paragraph (c) above. The Board has made such modifications in the preliminary assessment roll as it deems necessary, just and right in the making of the final assessment roll.

(f) Having considered the findings set forth herein, the First Addendum, and any and all complaints and evidence presented at the public hearing, the Board further finds and determines:

- (i) Each New Product Type, as set forth in the First Addendum, specially benefits from the estimated costs of the Project as adopted in Resolution 2014-33; and
- (ii) The benefit to each New Product Type equals or exceeds the amount of the Special Assessments assigned to each New Product Type, as set forth in the First Addendum; and

- (iii) it is reasonable, proper, just and right to assess the cost of such Project against the properties specially benefited thereby using the method determined by the Board, as set forth in the First Addendum.

**SECTION 3. ADOPTION OF FIRST ADDENDUM TO MASTER ASSESSMENT METHODOLOGY AND PRELIMINARY ASSESSMENT ROLL; EQUALIZATION, APPROVAL, CONFIRMATION, AND LEVY OF THE SPECIAL ASSESSMENTS.** Based on the findings set forth in Exhibit A, the District hereby adopts the First Addendum attached hereto as Exhibit A and incorporates the same into Resolution 2014-33 such that, among other things, all of the provisions of Resolution 2014-33 apply equally on the New Product Types. The New Product Types, as set forth in Exhibit A, are hereby incorporated into the Special Assessments, which as supplemented are hereby equalized, approved, confirmed and levied consistent with Exhibit A, and remain legal, valid, and binding first liens upon the property against which such assessments are made until paid, coequal with the lien of all state, county, district, municipal, or other governmental taxes and superior in dignity to all other liens, titles, and claims. The Secretary of the Board is directed to record the Special Assessments, as supplemented by the Resolution and as set forth in Exhibit A, in the District's Improvement Lien Book.

**SECTION 11. SEVERABILITY.** If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

**SECTION 12. CONFLICTS.** Except as expressly provided herein, Resolutions 2014-24, 2014-25, and 2014-33 shall be unchanged by this Resolution and shall remain in full force and effect.

**SECTION 13. EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

**APPROVED AND ADOPTED THIS 7<sup>th</sup> DAY OF DECEMBER, 2016.**

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Secretary/Assistant Secretary

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Chairman, Board of Supervisors

**Exhibit A:** *First Addendum to the Amended and Restated Master Special Assessment Allocation Report*