### Hickory Tree Community Development District

### Meeting Agenda

November 2, 2022

## AGENDA

### Hickory Tree Community Development District

219 E. Livingston St., Orlando, Florida 32801 Phone: 407-841-5524 – Fax: 407-839-1526

October 26, 2022

Board of Supervisors Hickory Tree Community Development District

Dear Board Members:

A meeting of the Board of Supervisors of the Hickory Tree Community Development District will be held on Wednesday, November 2, 2022, at 9:15 AM at the West Osceola Branch Library, 305 Campus Street, Celebration FL 34747.

Zoom Video Link: <u>https://us06web.zoom.us/j/82920353015</u> Zoom Call-In Number: 1-646-876-9923 Meeting ID: 829 2035 3015

Following is the advance agenda for the meeting:

#### **Board of Supervisors Meeting**

- 1. Roll Call
- 2. Public Comment Period (<sup>1</sup>Speakers will fill out a card and submit it to the District Manager prior to the beginning of the meeting)
- 3. Approval of Minutes of the September 8, 2022 Landowners' and Board of Supervisors Meetings
- 4. Public Hearing
  - A. Public Hearing on the Adoption of the Fiscal Year 2021/2022 and 2022/2023 Budgets
    - i. Consideration of Resolution 2023-01 Adopting the District's Fiscal Year 2021/2022 and 2022/2023 Budgets and Appropriating Funds
- 5. Consideration of Agreement with Osceola County Tax Collector
- 6. Staff Reports
  - A. Attorney
  - B. Engineer
  - C. District Manager's Report
    - i. Approval of Check Register
    - ii. Balance Sheet & Income Statement

<sup>&</sup>lt;sup>1</sup> Comments will be limited to three (3) minutes

- 7. Other Business
- 8. Supervisors Requests and Audience Comments
- 9. Adjournment

## MINUTES

.

#### MINUTES OF MEETING HICKORY TREE COMMUNITY DEVELOPMENT DISTRICT

The Landowners' meeting of the Board of Supervisors of the Hickory Tree Community Development District was held Thursday, **September 8, 2022** at 9:32 a.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida.

Present were:

Milton Andrade Brian Walsh Jeff Shenefield Garret Parkinson Jill Burns Jennifer Kilinski *by Zoom* Grace Kobitter Rey Malave *by Zoom*  Chairman Vice Chairman Assistant Secretary Assistant Secretary District Manager, GMS KE Law KE Law Dewberry

**Call to Order** 

#### FIRST ORDER OF BUSINESS

Determination of Number of Voting Units Represented

Ms. Burns stated that Jeff Shenefield was present as an authorized representative of Clayton Properties Group, Inc.

#### SECOND ORDER OF BUSINESS

Ms. Burns called the meeting to order.

#### **THIRD ORDER OF BUSINESS**

#### Election of Chairman for the Purpose of Conducting the Landowners' Meeting

Ms. Burns was elected as Chairperson to conduct the Landowners' meeting.

# FOURTH ORDER OF BUSINESSNominations for the Position of SupervisorMs. Burns stated that they had five seats that were up for election. She asked if Mr.Shenefield would like to nominate anyone for those seats. Mr. Shenefield nominated Mr. BrianWalsh, Mr. Milton Andrade, Mr. Garret Parkinson, Mr. Joel Adams, and Mr. Jeff Shenefield.

#### FIFTH ORDER OF BUSINESS

**Casting of Ballots** 

Ms. Burns asked how many votes for each of the nominations. Mr. Shenefield stated that the votes were Mr. Brian Walsh had 200, Mr. Milton Andrade had 200, Mr. Garret Parkinson had 100, Mr. Joel Adams had 100, and Mr. Jeff Shenefield had 100.

SIXTH ORDER OF BUSINESS **Ballot Tabulation** Ms. Burns stated that Mr. Walsh and Mr. Andrade would each serve 4-year terms and Mr. Shenefield, Mr. Parkinson, and Mr. Adams would serve two-year terms.

**SEVENTH ORDER OF BUSINESS** There being none, the next item followed.

**EIGHTH ORDER OF BUSINESS** 

Ms. Burns adjourned the meeting.

Secretary/Assistant Secretary

Chairman/Vice Chairman

Hickory Tree CDD

Landowner's Questions and Comments

Adjournment

#### **MINUTES OF MEETING HICKORY TREE COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Hickory Tree Community Development District was held Thursday, September 8, 2022 at 9:33 a.m. at West Osceola Branch Library, 305 Campus Street, Celebration, Florida.

Chairman

Vice Chairman

Assistant Secretary

Assistant Secretary

Present and constituting a quorum:

Milton Andrade Brian Walsh Jeff Shenefield Garret Parkinson

Also present were:

Jill Burns Jennifer Kilinski by Zoom Grace Kobitter Rey Malave by Zoom

District Manager, GMS KE Law KE Law Dewberry

#### FIRST ORDER OF BUSINESS

**Roll Call** 

Ms. Burns called the meeting to order and called the roll. Four Board members were present

constituting a quorum.

#### **SECOND ORDER OF BUSINESS Public Comment Period**

There were no members of the public present for the meeting.

#### **THIRD ORDER OF BUSNESS**

#### **Organizational Matters**

- A. Administration of Oaths of Office to Newly Elected Board Members Ms. Burns swore in all the newly elected Board members.
- B. Consideration of Resolution 2022-34 Canvassing and Certifying the Results of the Landowners' Election

Ms. Burns stated that Mr. Walsh and Mr. Andrade would serve 4-year terms and received

200 votes and the other three Supervisors would serve 2-year terms and received 100 votes.

On MOTION by Mr. Walsh, seconded by Mr. Shenefield, with all in favor, Resolution 2022-34 Canvassing and Certifying the Results of the Landowners' Election, was approved.

#### C. Election of Officers

#### D. Consideration of Resolution 2022-35 Electing Officers

Ms. Burns stated that previously Mr. Andrade served as Chair, Mr. Walsh served as Vice

Chair, and the other three Supervisors served as Assistant Secretaries along with George Flint and

Ms. Burns served as Secretary. She asked if the Board wanted to keep it the same and the Board agreed.

On MOTION by Mr. Walsh, seconded by Mr. Andrade, with all in favor, Resolution 2022-35 Electing Officers as slated above, was approved.

#### FOURTH ORDER OF BUSINESS

#### Approval of Minutes of the July 14, 2022 Organizational Meeting

Ms. Burns presented the minutes of the July 14, 2022 Organizational Meeting to the Baord

and asked for any comments or corrections, hearing none.

On MOTION by Mr. Walsh, seconded by Mr. Andrade, with all in favor, the minutes of the July 14, 2022 Organizational Meeting, were approved.

#### FIFTH ORDER OF BUSINESS Public Hearings

#### A. Public Hearing on the Imposition of Special Assessments

Ms. Burns stated that this public hearing was advertised in the paper and as mailed notice

was sent to the property owners.

On MOTION by Mr. Walsh, seconded by Mr. Andrade, with all in favor, Opening the Public Hearing, was approved.

#### i. Presentation of Engineer's Report

Mr. Malave stated that the engineer's report dated June 28, 2022 described the project and property of Hickory Tree Community Development District. He noted that it was generally located

east of Lake Gentry Road on the south side of Hickey Tree Road, which is in Osceola County. He stated that the project consisted of approximately 205 acres and a diversity of different types of lots for a total of 797 lots. He explained that the report provided a detailed description of the capital improvements including the stormwater facilities, public roadways, sewer and water facility, some of the offsite improvements, amenities and parks, undergrounding of the electric utilities, landscaping and entry features as well as the cost of engineering for the project. He referred to Table 7A in the agenda package in which showed a description of different line items for all the proposed infrastructure improvements and the actual associated cost for a total project infrastructure cost of \$40,958,855.15. He noted that these costs were based on the current cost. He noted that they believed that the project that was described in the engineer's report could be constructed for the dollars as noted

On MOTION by Mr. Walsh, seconded by Mr. Andrade, with all in favor, Engineer's Report, was approved.

#### ii. Presentation of Assessment Methodology

Ms. Burns stated that this methodology provided the methodology to allocate debt to the parcels in the District that benefited from the Capital Improvement Plan that Mr. Malave just reviewed. She noted that this report would be supplemented with a supplemental engineer's report which reflected the actual terms and conditions of each series of bonds that the District's issued. She referred to and explained the tables that were attached to the agenda package. Table 1 showed the development program with several product types, which included townhomes 45' lots, 50' lots, 60' lots, 70' lots, and 75' lots with the ERUs that were assigned to each of the product types listed totaling 797 units. Table 2 showed the master infrastructure cost estimates that matched the report that Mr. Malave just reviewed. Table 3 showed an estimated bond sizing of \$53,090,000. Table 4 outlined the improvement costs for each of the product types. Table 5 showed the par debt per unit which for the townhome would be \$51, 544, the 45' lot would be \$61,852, the 50' lot would be \$68,725, the 60' lot would be \$82,470, the 70' lot would be \$96,215, and the 75' lot would be \$103,087. Table 6 showed the net and gross annual debt assessments per each of the product types which would be collected annually on the Osceola County tax bill for the gross amounts that included the collection cost and early payment discounts. She stated that this would be the most that they would issue for each of those product types. Table 7 showed the preliminary assessment roll that allocated the debt by acre to each of the 205 acres. She noted that they had a single property owner, Clayton Properties Group, Inc. She stated that there was a legal description of the Hickory Tree CDD as well.

On MOTION by Mr. Walsh, seconded by Mr. Andrade, with all in favor, Master Assessment Methodology, was approved.

#### iii. Consideration of Resolution 2022-36 Levying Special Assessments

Ms. Burns stated Resolution 2022-36 was included in the agenda package for review. She noted that there were several findings listed and most of which they just reviewed. She stated that Mr. Malave noted that the engineer's report could be completed as outlined and the cost estimates were reasonable. She stated that this would adopt the engineer's report and methodology as well.

\*Molly Banfield joined the meeting at this time.

On MOTION by Mr. Walsh, seconded by Mr. Andrade, with all in favor, Resolution 2022-36 Levying Special Assessments, was approved.

Ms. Burns asked to close the public hearing on assessments.

On MOTION by Mr. Andrade, seconded by Mr. Shenefield, with all in favor, Closing the Public Hearing, was approved.

**B.** Public Hearing on the District's Use of the Uniform Method of Levying, Collection, and Enforcement of Non-Ad Valorem Assessments

Ms. Burns stated that this public hearing had been advertised in the paper.

On MOTION by Mr. Walsh, seconded by Mr. Andrade, with all in favor, Opening the Public Hearing, was approved.

Ms. Burns stated that there were no members of the public present at this time.

On MOTION by Mr. Walsh, seconded by Mr. Shenefield, with all in favor, Closing the Public Hearing, was approved.

## i. Consideration of Resolution 2022-37 Expressing the District's Intent to Utilize the Uniform Method of Collection

Ms. Burns stated this resolution was included in the agenda package for review. She noted that they would send this to Osceola County which would allow them to collect their assessments on the tax bill when they were ready to do so.

On MOTION by Mr. Shenefield, seconded by Mr. Parkinson, with all in favor, Resolution 2022-37 Expressing the District's Intent to Utilize the Uniform Method of Collection, was approved.

#### C. Public Hearing on the Adoption of District Rules of Procedure

Ms. Burns stated that this public hearing had also been advertised in the paper.

On MOTION by Mr. Walsh, seconded by Mr. Shenefield, with all in favor, Opening the Public Hearing, was approved.

Ms. Burns stated that there were no members of the public present at this time or joining via Zoom.

On MOTION by Mr. Andrade, seconded by Mr. Parkinson, with all in favor, Closing the Public Hearing, was approved.

#### i. Consideration of Resolution 2022-38 Adopting the Rules of Procedure

Ms. Burns stated that this resolution was included in the agenda package for review. She stated that these rules had not changed since the Board saw them at the prior meeting. She stated that she would be happy to answer any questions.

On MOTION by Mr. Walsh, seconded by Mr. Shenefield, with all in favor, Resolution 2022-38 Adopting the Rules of Procedure, was approved.

#### SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2022-39 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2023**  Ms. Burns stated that the schedule that was included with the resolution was the first Wednesday at 9:15 a.m.

On MOTION by Mr. Walsh, seconded by Mr. Andrade, with all in favor, Resolution 2022-39 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2023 for the First Wednesday at 9:15 a.m., was approved.

#### SEVENTH ORDER OF BUSINESS

#### Review and Ranking of Proposals for District Engineering Services and Selection of District Engineer

Ms. Burns stated that they had received one proposal from Dewberry. She stated that if anyone had any questions on this proposal, Mr. Malave was on the line to answer any questions. Hearing none, she stated that they were ranking Dewberry #1 and authorizing the staff to send a notice of intent to award as well as authorizing the Chair to sign their work authorization for general services.

On MOTION by Mr. Andrade, seconded by Mr. Walsh, with all in favor, Reviewing and Ranking of Proposals for District Engineering Services and Selection of District Engineer with Dewberry Ranking #1 and Authorizing Staff to Send a Notice of Intent and Authorizing the Chair to Sign Their Work Authorization for General Services, was approved.

#### EIGHTH ORDER OF BUSINESS

## Ratification of Interlocal Agreement with Osceola County

Ms. Burns stated that this was an agreement that Osceola County had just recently started requiring for the Districts to enter into at the time that they were established or if they were doing a boundary amendment. She stated that it had already been executed and they were just looking for a motion to ratify.

On MOTION by Mr. Walsh, seconded by Mr. Andrade, with all in favor, Interlocal Agreement with Osceola County, was ratified.

#### NINTH ORDER OF BUSINESS

#### **Staff Reports**

A. Attorney

**Requests and Audience** 

Ms. Kobitter stated that the validations were scheduled for November 9<sup>th</sup>.

#### B. Engineer

Mr. Malave stated that he had nothing further to report.

#### C. District Manager's Report

Ms. Burns had nothing further to report.

#### TENTH ORDER OF BUSINESS

There being none, the next item followed.

#### **ELEVENTH ORDER OF BUSINESS**

There being none, the next item followed.

#### **TWELFTH ORDER OF BUSINESS**

On MOTION by Mr. Andrade, seconded by Mr. Walsh, with all in favor, the meeting was adjourned.

Secretary/Assistant Secretary

Chairman/Vice Chairman

**Other Business** 

Supervisors

Adjournment

Comments

## SECTION IV

## SECTION A

## SECTION 1

#### **RESOLUTION 2023-01**

#### THE ANNUAL APPROPRIATION RESOLUTION OF THE HICKORY TREE COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT") 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.

**WHEREAS,** the District was established on June 29, 2022 by the County Commission in and for Osceola County; and

WHEREAS, the District Manager submitted to the Board of Supervisors ("Board") of the Hickory Tree Community Development District ("District") a proposed budget ("Proposed Budget") for the fiscal year beginning October 1, 2022 and ending September 30, 2023 ("Fiscal Year 2022/2023") along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

**WHEREAS**, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

**WHEREAS**, the District Manager posted the Proposed Budget on the District's website at least two days before the public hearing; and

**WHEREAS,** Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1<sup>st</sup> of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

#### NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HICKORY TREE COMMUNITY DEVELOPMENT DISTRICT:

#### **SECTION 1. BUDGET**

- a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District's Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.
- b. The Proposed Budget, attached hereto as **Exhibit "A,"** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* (**"Adopted Budget"**), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the Hickory Tree Community Development District for the Fiscal Year Ending September 30, 2023."
- d. The Adopted Budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption and shall remain on the website for at least 2 years.

#### **SECTION 2. APPROPRIATIONS**

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2022/2023, the sum of \$\_\_\_\_\_\_\_\_ to be raised pursuant to a developer funding agreement or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	\$
TOTAL ALL FUNDS	\$

#### **SECTION 3. BUDGET AMENDMENTS**

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2022/2023 or within 60 days following the end of the Fiscal Year 2022/2023 may amend its Adopted Budget for that fiscal year as follows:

- a. A line-item appropriation for expenditures within a fund may be decreased or increased by motion of the Board recorded in the minutes, and approving the expenditure, if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may approve an expenditure that would increase or decrease a line-item appropriation for expenditures within a fund if the total appropriations of the fund do not increase and if either (i) the aggregate change in

the original appropriation item does not exceed the greater of \$15,000 or 15% of the original appropriation, or (ii) such expenditure is authorized by separate disbursement or spending resolution.

c. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must ensure that any amendments to the budget under paragraph c. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

#### PASSED AND ADOPTED THIS 2ND DAY OF NOVEMBER 2022.

ATTEST:

#### HICKORY TREE COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

By:\_\_\_\_\_

Its:\_\_\_\_\_

Exhibit A: Budget



## Hickory Tree Community Development District

Proposed Budgets FY2022 - FY2023



## **Table of Contents**

1	General Fund
2-4	General Fund Narrative

### **Hickory Tree**

#### **Community Development District**

#### **Proposed Budget**

#### **General Fund**

Description	P F	Proposed Budget FY2023		
Revenues				
Developer Contributions	\$	52,953	\$ 184,310	
Total Revenues	\$	52,953	\$ 184,310	
Expenditures				
General & Administrative				
Supervisor Fees	\$	4,000	\$ 12,000	
Engineering	\$	5,000	\$ 15,000	
Attorney	\$	8,333	\$ 25,000	
Annual Audit	\$	-	\$ 4,000	
Assessment Administration	\$	-	\$ 5,000	
Arbitrage	\$	-	\$ 450	
Dissemination	\$	-	\$ 5,000	
Trustee Fees	\$	-	\$ 3,600	
Management Fees	\$	12,500	\$ 37,500	
Information Technology	\$	600	\$ 1,800	
Website Maintenance **	\$	2,150	\$ 1,200	
Telephone	\$	100	\$ 300	
Postage & Delivery	\$	333	\$ 1,000	
Insurance	\$	5,000	\$ 5,000	
Printing & Binding	\$	333	\$ 1,000	
Legal Advertising	\$	10,000	\$ 10,000	
Other Current Charges	\$	4,000	\$ 5,000	
Office Supplies	\$	208	\$ 625	
Travel Per Diem	\$	220	\$ 660	
Dues, Licenses & Subscriptions	\$	175	\$ 175	
Total General & Administrative:	\$	52,953	\$ 134,310	
Operations & Maintenance				
Field Contingency	\$	-	\$ 50,000	
Total Operations & Maintenance:	\$	-	\$ 50,000	
Total Expenditures	\$	52,953	\$ 184,310	
Excess Revenues/(Expenditures)	\$	-	\$ _	

\* Budget is prorated from June 2022 to September 2022.

\*\* Budget amount includes a one-time website creation fee.

#### Hickory Tree Community Development District General Fund Narrative

#### **Revenues:**

#### **Developer Contributions**

The District will enter into a funding agreement with the Developer to fund the General Fund expenditures for the Fiscal Year.

#### **Expenditures:**

#### General & Administrative:

#### Supervisor Fees

Chapter 190, Florida Statutes, allows for each Board member to receive \$200 per meeting, not to exceed \$4,800 per year paid to each Supervisor for the time devoted to District business and meetings.

#### **Engineering**

The District's engineer will be providing general engineering services to the District, e.g. attendance and preparation for monthly board meetings, review invoices and various projects as directed by the Board of Supervisors and the District Manager.

#### <u>Attorney</u>

The District's legal counsel will be providing general legal services to the District, e.g. attendance and preparation for meetings, preparation and review of agreements, resolutions, etc. as directed by the Board of Supervisors and the District Manager.

#### <u>Annual Audit</u>

The District is required by Florida Statutes to arrange for an independent audit of its financial records on an annual basis.

#### Assessment Administration

The District will contract to levy and administer the collection of non-ad valorem assessment on all assessable property within the District.

#### <u>Arbitrage</u>

The District will contract with an independent certified public accountant to annually calculate the District's Arbitrage Rebate Liability on an anticipated bond issuance.

#### **Dissemination**

The District is required by the Security and Exchange Commission to comply with Rule 15c2-12(b)(5) which relates to additional reporting requirements for unrated bond issues. This cost is based upon an anticipated bond issuance.

#### Hickory Tree Community Development District General Fund Narrative

#### <u>Trustee Fees</u>

The District will incur trustee related costs with the issuance of its' issued bonds.

#### <u>Management Fees</u>

The District receives Management, Accounting and Administrative services as part of a Management Agreement with Governmental Management Services-Central Florida, LLC. The services include but are not limited to, recording and transcription of board meetings, administrative services, budget preparation, all financial reports, annual audits, etc.

#### Information Technology

Represents costs related to the District's information systems, which include but are not limited to video conferencing services, cloud storage services and servers, security, accounting software, etc.

#### <u>Website Maintenance</u>

Represents the costs associated with monitoring and maintaining the District's website created in accordance with Chapter 189, Florida Statutes. These services include site performance assessments, security and firewall maintenance, updates, document uploads, hosting and domain renewals, website backups, etc.

#### <u>Telephone</u>

Telephone and fax machine.

#### Postage & Delivery

The District incurs charges for mailing of Board meeting agenda packages, overnight deliveries, correspondence, etc.

#### <u>Insurance</u>

The District's general liability and public official's liability insurance coverages.

#### Printing & Binding

Printing and Binding agenda packages for board meetings, printing of computerized checks, stationary, envelopes, etc.

#### Legal Advertising

The District is required to advertise various notices for monthly Board meetings, public hearings, etc. in a newspaper of general circulation.

#### **Other Current Charges**

Bank charges and any other miscellaneous expenses incurred during the year.

#### Hickory Tree Community Development District General Fund Narrative

#### **Office Supplies**

Any supplies that may need to be purchased during the fiscal year, e.g., paper, minute books, file folders, labels, paper clips, etc.

#### <u>Travel Per Diem</u>

The Board of Supervisors can be reimbursed for travel expenditures related to the conducting of District business.

#### Dues, Licenses & Subscriptions

The District is required to pay an annual fee to the Florida Department of Economic Opportunity for \$175. This is the only expense under this category for the District.

#### **Operations & Maintenance:**

#### Field Contingency

Represents funds allocated to expenses that the District could incur throughout the fiscal year that do not fit into any field category.

## SECTION V

#### AGREEMENT

**THIS AGREEMENT** made and entered into this \_ day of **October** 2022, by and between **Hickory Tree Community Development District**, an independent special district created by Resolution No. 2022-37 (hereinafter referred to as "the District), whose address is 219 E Livingston Street, Orlando, Florida 32801, and the **OSCEOLA COUNTY TAX COLLECTOR**, a constitutional officer of the State of Florida, whose address is 2501 E. Irlo Bronson Memorial Hwy, Kissimmee, Florida 34744 (hereinafter referred to as "Tax Collector").

#### WITNESSETH:

WHEREAS, the District is authorized to impose non-ad valorem assessments and by resolution has expressed its intent to use the uniform method of notice, levy, collection and enforcement of such assessments, as authorized by Section 197.3632, Florida Statutes (2021); and

WHEREAS, the uniform methodology with its enforcement provisions including the use of tax certificates and tax deeds for enforcing against any delinquencies, is more fair to the delinquent property owner than traditional lien foreclosure methodology; and

WHEREAS, the uniform method will provide for more efficiency of collection by virtue of the assessment being on the tax notice issued by the Tax Collector which will produce positive economic benefits to Osceola; and

WHEREAS, as the uniform methodology will tend to eliminate confusion and to promote local government accountability; and

WHEREAS, Section 197.3632 (2), Florida Statutes, provides that the District shall enter into a written agreement with the Tax Collector for reimbursement of necessary administrative costs incurred in implementing said section; and

**WHEREAS**, Section 197.3632 (7), Florida Statutes, provides that the District shall bear all costs associated with any separate notice in the event Tax Collector is unable to merge a non-ad valorem assessment roll to produce the annual. tax notice; and

WHEREAS, Section 197.3632 (8) (c), Florida Statutes, provides that the District shall compensate the Tax Collector for actual costs of collection of non-ad valorem assessments and, Section 192.091(2)(b), Florida Statutes, entitles Tax Collector to receive a 2% commission.

**NOW, THEREFORE**, for and in consideration of the foregoing, including mutual terms, covenants and conditions herein contained, the parties do contract and agree as follows:

#### **ARTICLE I**

#### <u>PURPOSE</u>

The purpose of this Agreement is to establish the terms and conditions under which the Tax Collector shall collect and enforce the collection of those certain non-ad valorem assessments levied by the District to include reimbursement by the District to the Tax Collector for actual costs of collection pursuant to Section 197.3632(8)(c), Florida Statutes; any costs involved in separate mailings because of non-merger of any non-ad valorem assessment roll as certified by Hickory Tree Community Development District Board of Supervisors Chairman or its designee, pursuant to Section 197.3632 (7), Florida Statutes; and for necessary administrative costs, including, but not limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage and programming which attend all of the collection and enforcement duties imposed upon the Tax Collector by the uniform methodology, as provided in Section 197.3632 (2), Florida Statutes,

#### **ARTICLE II**

#### **TERM**

The term of this Agreement shall commence on January 1, and shall run through December 31 of the same year, the date of signature of the parties notwithstanding, and shall automatically be renewed thereafter for successive periods not to exceed one (1) year each. However, the Hickory Tree Community Development District Board of Supervisors shall inform the Tax Collector, as well as the Property Appraiser and the Department of Revenue, by January 10 in any calendar year in which it intends to discontinue to use the uniform method of collecting each such assessment pursuant to Section 197.3632 (6), Florida Statutes.

#### ARTICLE III

#### **COMPLIANCE WITH LAWS AND REGULATIONS**

The parties shall comply with all statutes, rules and regulations pertaining to the levy and collection of non-ad valorem assessments by, and any ordinances promulgated by Osceola County not inconsistent with, nor contrary to, the provisions of Section 197.3632, Florida Statutes, and Section 197.3635, Florida Statutes, and any subsequent amendments to said statutes, and any rules duly promulgated pursuant to said statutes.

This Agreement incorporates the provisions of Section 197.3632, Florida Statutes as they exist on the date of execution hereof and as they may be from time to time hereafter be amended or renumbered.

#### **ARTICLE IV**

#### **DUTIES AND RESPONSIBILITIES OF THE DISTRICT**

The District agrees, covenants and contracts to:

(a) Timely reimburse the Tax Collector for actual collection costs incurred pursuant to Section 197.3632, Florida Statutes;

(b) Timely reimburse Tax Collector for necessary administrative costs for the Collection and enforcement of the applicable non-ad valorem assessment by the Tax Collector pursuant to Section 197.3632(2), Florida Statutes, to include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage and programming.

(c) To timely pay for or alternatively to timely reimburse the Tax Collector for any separate tax notice necessitated by the Tax Collector not being able to merge the non-ad valorem assessment roll certified by the District Chairman or, its designee pursuant to Section 197.3632 (7), Florida Statutes.

(d) The District, upon being timely billed, shall pay directly for necessary advertising relating to implementation of the uniform non-ad valorem assessment law pursuant to Sections 197.3632 and 197.3635, Florida Statutes, and any applicable rules promulgated by the Department of Revenue thereunder.

(e) By September 15 of each calendar year, the chairperson of the District, or its designee, shall officially certify to the Tax Collector the non-ad valorem assessment roll on compatible electronic medium, tied to the property parcel identification number, and otherwise conforming in format to that contained on the ad- valorem tax rolls submitted by the Property Appraiser to the Department of Revenue. The District shall post the non-ad valorem assessment roll and shall exercise its responsibility that such non-ad valorem assessment roll be free of errors and omissions.

(f) The District agrees to cooperate with the Tax Collector to implement the uniform method of notice, levy, collection and enforcement of each non-ad valorem assessment, pursuant to, and consistent with, all the provisions of Sections 197.3632 and 197.3635, Florida Statutes, or its successor of statutory provisions and all applicable rules promulgated by the Department of Revenue and their successor rules.

#### **ARTICLE V**

#### **DUTIES OF THE TAX COLLECTOR**

The Tax Collector shall timely perform all acts and duties required of a tax (a) collector under the provisions of sections 197.3632 and 197.3635, Florida Statutes and the rules promulgated from time to time by the Department of Revenue.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals and have caused these presents to be signed by their duly authorized officers, the date first above written.

ATTEST:

Tax Collector

Witness

Bruce Vickers

ATTEST:

By: \_\_\_\_\_ Chairman of the Board

Secretary

## SECTION VII

## SECTION C

## **SECTION 1**

•

.

~

•

### Hickory Tree Community Development District

#### Summary of Checks

August 1, 2022 to October 21, 2022

Bank	Date	Check No.'s	Amount			
General Fund	8/15/22	1-9	\$	11,324.60		
	8/24/22	10-11	\$	1,430.89		
	8/30/22	12	\$	3,219.66		
	9/6/22	13	\$	542.87		
	9/26/22	14-21	\$	10,007.58		
	10/19/22	22 - 23	\$	2,665.75		
			\$	29,191.35		
			\$	29,191.35		

AP300R *** CHECK DATES 08/01/2	YEAR-TO-DATE . 2022 - 10/21/2022 *** G B	ACCOUNTS PAYABLE ENERAL FUND ANK A GENERAL FU	PREPAID/COMPUTER CH	HECK REGISTER	RUN 10/26/22	PAGE 1
CHECK VEND#II DATE DATE	VVOICE EXPENSED TO INVOICE YRMO DPT ACCT#	VE SUB SUBCLASS	NDOR NAME	STATUS	AMOUNT	CHECK AMOUNT #
8/15/22 00005 7/14/2	22 BW071420 202207 310-51300- SUPERVISOR FEES 07/14/22			*	200.00	200.00 000001
8/15/22 00002 7/18/2	22 85672 202207 310-51300- SPECIAL DISTRICT FEE FY22	54000	ECONOMIC OPPORTUNITY	*	100.00	
	22 16313 202207 310-51300- FY22 INSURANCE POLICY	45000		*	1,082.00	
8/15/22 00006 7/14/2	22 GP071420 202207 310-51300- SUPERVISOR FEES 07/14/22	11000		*	200.00	
8/15/22 00001 7/21/2	22 1 202207 310-51300-	34000		*	1,814.58	
7/21/2	MANAGEMENT FEES - JUL 22 22 1 202207 310-51300-			*	58.14	
7/21/2	WEBSITE MANAGEMENT-JUL 22 22 1 202207 310-51300-	35100		*	87.12	
8/01/2	INFORMATION TECH - JUL 22 22 2 202208 310-51300-	34000		*	3,125.00	
8/01/2	MANAGEMENT FEES - AUG 22 22 2 202208 310-51300-	35200		*	100.00	
8/01/2	WEBSITE MANAGEMENT-AUG 22 22 2 202208 310-51300-	35100		*	150.00	
8/01/2	INFORMATION TECH - AUG 22 22 2 202208 310-51300-	51000		*	2.53	
	OFFICE SUPPLIES 22 2 202208 310-51300-	42000		*	1.05	
	POSTAGE	GOVERNMENTAL M	ANAGEMENT SERVICES			5,338.42 000005
8/15/22 00007 7/14/2	22 JS071420 202207 310-51300-	11000		*	200.00	
	SUPERVISOR FEES 07/14/22	JEFFREY T. SHE	NEFIELD			200.00 000006
8/15/22 00003 7/08/2	22 3010 202206 310-51300- GEN COUNSEL/MTHLY MEETING	31500		*	3,869.01	
	22 MA071420 202207 310-51300-					
0/15/22 00008 //14/.	SUPERVISOR FEES 07/14/22					

HKTR HICKORY TREE MBYINGTON

AP300R YEAR-TO-DATE ACCOUNTS PAYABLE PREPAID/COMPUTER C *** CHECK DATES 08/01/2022 - 10/21/2022 *** GENERAL FUND BANK A GENERAL FUND	CHECK REGISTER	RUN 10/26/22	PAGE 2
CHECK VEND#INVOICEEXPENSED TO VENDOR NAME DATE DATE INVOICE YRMO DPT ACCT# SUB SUBCLASS	STATUS	AMOUNT	CHECK AMOUNT #
8/15/22 00004 6/16/22 390761 202206 310-51300-48000 NOT.OF ORG MTG - 06/06/22	*	66.83	
7/07/22 395322 202207 310-51300-48000	*	68.34	
NOT.OF ORG.MTG - 07/07/22 OSCEOLA NEWS-GAZETTE			135.17 000009
8/24/22 00003 8/11/22 3572 202207 310-51300-31500 GEN.COUNSEL/MTHLY.MEETING	*	1,237.84	
KE LAW GROUP, PLLC			1,237.84 000010
8/24/22 00004 7/25/22 88606387 202208 310-51300-48000 NOT. OF RULE DEVELOPMENT	*	65.10	
8/09/22 88606387 202208 310-51300-48000 NOT OF RFQ ENGINEER SVCS	*	127.95	
			193.05 000011
8/30/22 00004 7/25/22 88606387 202207 310-51300-48000	*	112.24	
NOT OF RULEMAKING-8/11/22 8/18/22 2022-126 202208 310-51300-48000	*	1,553.71	
NOT OF ADOPT.ASSMNT.ROLL 8/24/22 2022-126 202208 310-51300-48000 NOT OF ADOPT.ASSMNT.ROLL	*	1,553.71	
NOT OF ADOPT.ASSMINT.ROLL OSCEOLA NEWS-GAZETTE			3,219.66 000012
9/06/22 00004 8/01/22 88606387 202208 310-51300-48000 NOT OF USE UNIFORM METHOD	*	341.03	
8/08/22 88606387 202208 310-51300-48000	*	201.84	
NOT LANDOWNR MTG/ELECTION OSCEOLA NEWS-GAZETTE			542.87 000013
9/26/22 00005   9/08/22 BW090820 202209 310-51300-11000	*	200.00	
SUPERVISOR FEES - 9/8/22 BRIAN WALSH			200.00 000014
9/26/22 00009 8/30/22 16472 202209 300-15500-10000	*	5,000.00	
INSURANCE POLICY - FY23 EGIS INSURANCE & RISK ADVISORS			5,000.00 000015
9/26/22 00006 9/08/22 GP090820 202209 310-51300-11000	*	200.00	
SUPERVISOR FEES - 9/8/22 GARRET PARKINSON			200.00 000016
9/26/22 00001 9/01/22 3 202209 310-51300-34000	*	3,125.00	
MANAGEMENT FEES - SEP 22 9/01/22 3 202209 310-51300-35200 WEBSITE ADMIN - SEP 22	*	100.00	

HKTR HICKORY TREE MBYINGTON

AP300R *** CHECK DATES 08	YEAR-TO-DATE A /01/2022 - 10/21/2022 *** GE BA	CCOUNTS PAYABLE PREPAID/COMPUTER NERAL FUND NK A GENERAL FUND	CHECK REGISTER	RUN 10/26/22	PAGE 3
CHECK VEND# DATE	INVOICEEXPENSED TO DATE INVOICE YRMO DPT ACCT# S	VENDOR NAME UB SUBCLASS	STATUS	AMOUNT	CHECK AMOUNT #
9	/01/22 3 202209 310-51300-3	5100	*	150.00	
9	INFORMATION TECH - SEP 22 /01/22 3 202209 310-51300-5	1000	*	.36	
9	OFFICE SUPPLIES /01/22 3 202209 310-51300-4 POSTAGE	2000	*	15.44	
		GOVERNMENTAL MANAGEMENT SERVICE	S		3,390.80 000017
	/08/22 JS090820 202209 310-51300-1			200.00	
	SUPERVISOR FEES - 9/8/22	JEFFREY T. SHENEFIELD			200.00 000018
9/26/22 00003 9	/08/22 3916 202208 310-51300-3	1500	*	529.00	
	GEN.COUNSEL/MTHLY.MEETING	KE LAW GROUP, PLLC			529.00 000019
9/26/22 00008 9	/08/22 MA090820 202209 310-51300-1 SUPERVISOR FEES - 9/8/22	1000	*	200.00	
	SUPERVISOR FEES - 9/8/22	MILTON ANDRADE			200.00 000020
9/26/22 00004 9	/06/22 88606387 202209 310-51300-4	8000	*	144.71	
9	NOT OF BUDGET HEAR SEP 22 /10/22 88606387 202209 310-51300-4 NOT OF MEETING DATES		*	80.82	
9	NOT OF MEETING DATES /12/22 88606387 202209 310-51300-4 NOT OF SPRVSRS/AUD MEET		*	62.25	
	NOI OF SPRVSRS/AUD MEET	OSCEOLA NEWS-GAZETTE			287.78 000021
10/19/22 00002 10	/03/22 87562 202210 310-51300-5 SPECIAL DISTRICT FEE FY23		*	175.00	
	SPECIAL DISTRICT FEE FIZ3	DEPARTMENT OF ECONOMIC OPPORTUN	ITY		175.00 000022
10/19/22 00003 10	/11/22 4352 202209 310-51300-3	1500	*		
	GEN.COUNSEL/MTHLY MEETING	KE LAW GROUP, PLLC			2,490.75 000023
			NK A		
		TOTAL FOR RE	GISTER	29,191.35	

HKTR HICKORY TREE MBYINGTON

# SECTION 2

## Hickory Tree

**Community Development District** 

### Unaudited Financial Reporting

September 30, 2022



### Table of Contents

1	Balance Sheet
2	General Fund
3	Month to Month

### Hickory Tree

### Community Development District

#### **Combined Balance Sheet**

#### **September 30, 2022**

	C	General Fund
Assets:		
<u>Cash:</u>		
Operating Account	\$	8,474
Prepaid Expenses	\$	5,000
Total Assets	\$	13,474
Liabilities:		
Accounts Payable	\$	2,491
Total Liabilites	\$	2,491
Fund Balance:		
Unassigned	\$	10,984
Total Fund Balances	\$	10,984
Total Liabilities & Fund Balance	\$	13,474

### **Hickory Tree**

#### **Community Development District**

#### **General Fund**

#### Statement of Revenues, Expenditures, and Changes in Fund Balance

For The Period Ending September 30, 2022

		Adopted	Prora	ated Budget		Actual		
		Budget	Thru 09/30/22		Thru	ı 09/30/22	I	/ariance
Revenues:								
Developer Contributions	\$	52,953	\$	52,953	\$	35,000	\$	(17,953)
Total Revenues	\$	52,953	\$	52,953	\$	35,000	\$	(17,953)
Expenditures:								
<u>General &amp; Administrative:</u>								
Supervisor Fees	\$	4,000	\$	4,000	\$	1,600	\$	2,400
Engineering	\$	5,000	\$	5,000	\$	-	\$	5,000
Attorney	\$	8,333	\$	8,333	\$	8,127	\$	207
Management Fees	\$	12,500	\$	12,500	\$	8,065	\$	4,435
Information Technology	\$	600	\$	600	\$	387	\$	213
Website Maintenance	\$	2,150	\$	2,150	\$	258	\$	1,892
Telephone	\$	100	\$	100	\$	-	\$	100
Postage & Delivery	\$	333	\$	333	\$	16	\$	317
Insurance	\$	5,000	\$	5,000	\$	1,082	\$	3,918
Printing & Binding	\$	333	\$	333	\$	-	\$	333
Legal Advertising	\$	10,000	\$	10,000	\$	4,379	\$	5,621
Other Current Charges	\$	4,000	\$	4,000	\$	-	\$	4,000
Office Supplies	\$	208	\$	208	\$	3	\$	205
Travel Per Diem	\$	220	\$	220	\$	-	\$	220
Dues, Licenses & Subscriptions	\$	175	\$	175	\$	100	\$	75
Total Expenditures	\$	52,953	\$	52,953	\$	24,016	\$	28,937
Excess (Deficiency) of Revenues over Expenditures	\$	-			\$	10,984		
Fund Balance - Beginning	\$	-			\$	-		
Fund Balance - Ending	\$	-			\$	10,984		

## Hickory Tree Community Development District Month to Month

	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sept	Total
Revenues:													
Developer Contributions	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	35,000 \$	- \$	- \$	- \$	35,00
Total Revenues	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	35,000 \$	- \$	- \$	- \$	35,00
Expenditures:													
<u>General &amp; Administrative:</u>													
Supervisor Fees	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	800 \$	- \$	800 \$	1,60
Engineering	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	
Attorney	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	3,869 \$	1,238 \$	529 \$	2,491 \$	8,1
Management Fees	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	1,815 \$	3,125 \$	3,125 \$	8,0
Information Technology	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	87 \$	150 \$	150 \$	3
Website Maintenance	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	58 \$	100 \$	100 \$	2
Telephone	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	
Postage & Delivery	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	1 \$	15 \$	
Insurance	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	1,082 \$	- \$	- \$	1,0
Printing & Binding	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	
Legal Advertising	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	67 \$	181 \$	3,843 \$	288 \$	4,3
Other Current Charges	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	
Office Supplies	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	3 \$	0 \$	
Travel Per Diem	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	
Dues, Licenses & Subscriptions	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	100 \$	- \$	- \$	1
Total Expenditures	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	3,936 \$	5,360 \$	7,751 \$	6,969 \$	24,0
Excess (Deficiency) of Revenues over Expenditures	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	31,064 \$	(5,360) \$	(7,751) \$	(6,969) \$	10,9