

**MINUTES OF MEETING
SILVER OAKS
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Silver Oaks Community Development District held Multiple Public Hearings and a Regular Meeting on March 21, 2022, at 11:00 a.m., at the offices of Culpepper and Terpening, Inc., 2960 South 25th Street, Fort Pierce, Florida 34981.

Present at the meeting were:

Michael Caputo	Chair
Tim Smith	Vice Chair
Jon Seifel	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC (WHA)
Jere Earlywine (via telephone)	District Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 11:13 a.m. Supervisors Caputo, Tim Smith, and Seifel were present, in person. Supervisors Candace Smith and Meath were not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD 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 affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-27, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Silver Oaks Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

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

No members of the public spoke.

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

Ms. Cerbone presented Resolution 2022-28.

On MOTION by Mr. Smith and seconded by Mr. Caputo, with all in favor, Resolution 2022-27, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Silver Oaks Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FOURTH 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 a basis of justice and right.*

These items were addressed below.

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

Ms. Cerbone stated that Management sent the Mailed Notice to HNT Group LLC, which was the name and address listed on the Property Appraiser’s records at that time of mailing. Since then, Mr. Smith advised her that the sale to Cre-KI Silver Oaks, LLC closed. Mr. Earlywine stated that the Mailed Notice to the Landowner was accurate and that the new Landowner is aware of these proceedings and is present on the Board.

- C. **Engineer’s Report (for informational purposes)**
- D. **Master Special Assessment Methodology Report (for informational purposes)**

Items 4A, 4B, 4C and 4D were included for informational purposes.

- *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. Smith and seconded by Mr. Caputo, with all in favor, the Public Hearing was opened.

No members of the public spoke.

- *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.*

The Board of Supervisors met as the Equalizing Board.

Mr. Caputo questioned the amount designated to amenities improvements. Mr. Earlywine stated that it is the estimated amount; the Board is setting the maximum assessment levels, based on \$15,249,428.40 and financing costs, for a total of \$19,750,000.

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

The Equalizing Board, did not make any changes to the assessments, as proposed.

E. Consideration of Resolution 2022-28, 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

Ms. Cerbone presented Resolution 2022-28 and read the title.

Mr. Earlywine stated that, sitting as the Equalizing Board, they are confirming that the findings in Resolution 2022-28 are legal and valid. Resolution 2022-28 accomplishes the following:

- Sets forth that the Capital Improvement Plan (CIP) is feasible and that cost estimates are reasonable and in line with market conditions and are based on the representations in the Engineer’s Report.
- Regarding the validation amount, sets forth the finding that the benefit is sufficient for the project and that the land being assessed is being fairly and reasonably allocated, based on the representations in the Methodology Report
- A lien will be placed once bonds are issued.

Mr. Earlywine reviewed Sections 3 through 9 and indicated the balance of the provisions were administrative.

On MOTION by Mr. Smith and seconded by Mr. Caputo, with all in favor, Resolution 2022-28, 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.

FIFTH ORDER OF BUSINESS

Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes

A. Affidavits of Publication

The affidavits of publication were included for informational purposes.

B. Consideration of Resolution 2022-29, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

The Rules of Procedure address a variety of topics, some are statutory required and some help facilitate greater efficiency in the operation of the CDD.

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

No members of the public spoke.

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

Ms. Cerbone presented Resolution 2022-29.

On MOTION by Mr. Caputo and seconded by Mr. Smith, with all in favor, Resolution 2022-29, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2021/2022 Budget

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-30, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Cerbone stated that the Fiscal Year 2022 budget is the same as the version presented at the last meeting.

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

No members of the public spoke.

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

Ms. Cerbone presented Resolution 2022-30.

In response to a question about the CDD website, Ms. Cerbone and Mr. Earlywine discussed the website expense, requirement for CDDs to create and post statutorily-related documents on its website, requirement for the CDD website to be compliant with the American

with Disabilities Act (ADA) requirements and the ADA seal on the homepage, which is necessary to obtain insurance for the CDD.

On MOTION by Mr. Caputo and seconded by Mr. Smith, with all in favor, Resolution 2022-30, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

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

A. Affidavit of Publication

B. RFQ Package

These items were included for informational purposes

C. Respondent(s): Michael B. Schorah & Associates, Inc.

Ms. Cerbone stated that Michael B. Schorah & Associates, Inc. (MBSA) was the sole respondent to the Request for Qualifications (RFQ) for Engineering Services and MBSA was deemed qualified. As there was only one respondent, the Board can waive ranking and proceed with negotiating a contract.

Mr. Caputo asked if one response to the RFQ is sufficient.

Ms. Cerbone and Mr. Earlywine replied affirmatively and explained that this is not unusual, as other Engineers are too busy to respond and recognized that a project Engineer is already on site.

D. Competitive Selection Criteria/Ranking

Ms. Cerbone recommended the following score and ranking:

#1 Michael B. Schorah & Associates, Inc 100 points

The Board accepted Ms. Cerbone’s ranking.

E. Award of Contract

On MOTION by Mr. Caputo and seconded by Mr. Smith, with all in favor, accepting Management’s ranking recommendation to rank Michael B. Schorah & Associates, Inc., as the #1 qualified and responsive respondent for District Engineering Services, and authorizing District Staff to negotiate a scope of work and form of contract with rates, based upon the qualifications set forth in the RFQ, and for the Chair or Vice Chair to execute, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Responses to Request for Proposals (RFP) for Annual Audit Services

A. Affidavit of Publication

B. RFP Package

These items were included for informational purposes

C. Respondents

Ms. Cerbone recapped the proposed amounts:

I. Berger, Toombs, Elam, Gaines & Frank

\$3,150 without bonds and \$4,075 with bonds.

II. Carr, Riggs & Ingram, LLC

\$4,900 without bonds and \$6,000 with bonds.

III. Grau & Associates

\$3,200 without bonds and \$4,700 with bonds.

D. Auditor Evaluation Matrix/Ranking

Ms. Cerbone recommended the following scores and rankings:

#1	Berger, Toombs, Elam, Gaines & Frank (BTEGF)	100 points
#2	Grau & Associates	99 points
#3	Carr, Riggs & Ingram, LLC (CRI))	98 points

The Board accepted Ms. Cerbone’s rankings. It was noted that WHA has worked with all three respondents and all are well-qualified and the rankings were determined by price.

E. Award of Contract

Ms. Cerbone was asked to make sure that a cancellation clause is included into the contract.

On MOTION by Mr. Caputo and seconded by Mr. Smith, with all in favor, accepting Management’s scoring and ranking recommendations, ranking Berger Toombs, Elam, Gaines and Frank as the #1 ranked firm to provide Annual Audit Services and authorizing District Staff to negotiate a contract for a one-year term, with the option for three annual renewals, prepare an engagement letter and for the Chair or Vice Chair to execute, was approved.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2022-14, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

This item was deferred.

TENTH ORDER OF BUSINESS

Ratification of Engagement with Regions Bank for Trustee Services

Ms. Cerbone presented the Regions Bank Engagement Letter and Fee Schedule.

On MOTION by Mr. Caputo and seconded by Mr. Smith, with all in favor, engagement of Regions Bank to serve as Trustee, Paying Agent and Registrar, was ratified.

ELEVENTH ORDER OF BUSINESS

Consideration of Stormwater Management Needs Proposal

Ms. Cerbone would remind the District Engineer to submit a proposal and that a full report is not necessary and a letter would suffice since the CDD does not have a stormwater management system yet. She would copy Mr. Earlywine on the email.

TWELFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of January 31, 2022

Ms. Cerbone presented the Unaudited Financial Statements as of January 31, 2022. Funding requests were processed and payment to Management was expected soon.

On MOTION by Mr. Caputo and seconded by Mr. Smith, with all in favor, the Unaudited Financial Statements as of January 31, 2022, were accepted.

THIRTEENTH ORDER OF BUSINESS

Approval of Minutes

Ms. Cerbone presented the following:

- A. **January 10, 2022 Landowners' Meeting**
- B. **January 10, 2022 Organizational Meeting**

On MOTION by Mr. Caputo and seconded by Mr. Smith, with all in favor, the January 10, 2022 Landowners' Meeting and the January 10, 2022 Organizational Meeting Minutes, as presented, were approved.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

A. **District Counsel: *KE Law Group, PLLC***

Mr. Earlywine stated that he would confirm in person attendance for the bond validation hearing on April 11, 2022 at 11:00 a.m. The follow items and schedules were discussed:

- The 30-day appeal period would commence after the validation hearing and, upon receipt of the Certificate of Appeal expected mid-May, the CDD can issue bonds.
- Mr. Earlywine would issue an Assignment of Construction Contract.
- Construction was expected to commence in June.
- Authorizing the sale of the bonds will be addressed at the June meeting.
- The Bond Delegation and the Bond Issuance Resolutions for the Silver Oaks CDD and the Preserve at Savannah Lakes CDD would be presented at the May and June meetings, respectively.

B. **District Engineer [Interim]: *Michael B. Schorah and Associates, Inc.***

There was no report. "Interim" would be removed from future agendas.

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

- **NEXT MEETING DATE: TBD**
 - **QUORUM CHECK**

The next meeting will be held in May 2022 on a date to be determined.

FIFTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

SIXTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Duplicate of the Fifteenth Order of Business.

SEVENTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

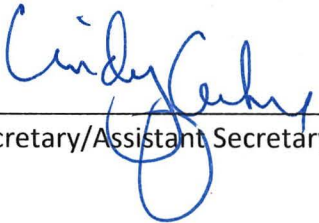
EIGHTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

<p>On MOTION by Mr. Smith and seconded by Mr. Caputo, with all in favor, the meeting adjourned at 11:50 p.m.</p>

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair