MINUTES OF MEETING PEACE CREEK COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Peace Creek Community Development District was held on Tuesday, **February 14, 2023** at 10:45 a.m. at the Lake Alfred Public Library, 245 N. Seminole Ave., Lake Alfred, Florida.

Present and constituting a quorum were:

Adam MorganChairmanRob BoninVice ChairmanSteve GreeneAssistant SecretaryCarrie DazzoAssistant Secretary

Also, present were:

Jill Burns District Manager, GMS

Jennifer Kilinski District Counsel, KVW Law Group
Grace Kobitter District Counsel, KVW Law Group
Bryan Hunter by Zoom District Engineer, Hunter Engineering

Steve Sanford by Zoom Bond Counsel, GT Law

Kayla Word Appointed as Assistant Secretary

The following is a summary of the discussions and actions taken at the February 14, 2023 Peace Creek Community Development District's regular Board of Supervisor's Meeting.

FIRST ORDER OF BUSINESS Roll Call

Ms. Burns called the meeting to order at 10:45 a.m. Four Supervisors were present constituting a quorum.

SECOND ORDER OF BUSINESS Public Comment Period

There were no public members present to provide comments.

THIRD ORDER OF BUSINESS Organizational Matters

A. Acceptance of Resignation from Jamie Furukawa

Ms. Burns asked for a motion to approve the resignation of Jamie Furukawa.

On MOTION by Mr. Morgan, seconded by Ms. Dazzo, with all in favor, the Resignation from Jamie Furukawa, was approved.

B. Appointment to Fill the Vacant Board Seat

Ms. Burns asked for any nominations to fill the vacant seat. Mr. Morgan nominated Kayla Word. Ms. Burns asked for a motion to approve.

On MOTION by Mr. Morgan, seconded by Mr. Greene, with all in favor, the Appointment of Kayla Word to Fill the Vacant Board Seat, was approved.

C. Administration of Oath to Newly Appointed Supervisor

Ms. Burns administered the oath of office to Ms. Word.

D. Consideration of Resolution 2023-01 Appointing Assistant Secretary

Ms. Burns asked for a motion to appoint Ms. Word as an Assistant Secretary.

On MOTION by Mr. Morgan, seconded by Ms. Dazzo, with all in favor, Resolution 2023-01 Appointing Kayla Word as Assistant Secretary, was approved.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the August 23, 2022 Board of Supervisors Meeting

Ms. Burns asked for any questions, comments, or corrections to the August 23, 2022 Board of Supervisor's meeting minutes. The Board had no changes to the minutes.

On MOTION by Mr. Morgan, seconded by Ms. Dazzo, with all in favor, the Minutes of the August 23, 2022 Board of Supervisors Meeting, were approved.

FIFTH ORDER OF BUSINESS

Presentation and Approval of First Supplemental Assessment Methodology for Assessment Area One dated February 14, 2023

Ms. Burns stated that a new version of the Supplemental Methodology was presented at the meeting. She gave a brief overview, noting that the report provided the assessment methodology for allocation debt to the Series 2023 Project. Ms. Burns also noted that the acreage that was listed in Table 7 and would be corrected to 154.05. She also went over the various tables within the report and asked for a motion to approve.

On MOTION by Mr. Morgan, seconded by Mr. Greene, with all in favor, the First Supplemental Assessment Methodology for Assessment Area One dated February 14, 2023, was approved as amended.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2023-02 Delegation Resolution

Mr. Sanford presented Resolution 2023-02, giving a brief overview of the delegation resolution. He noted that the parameters included a not-to-exceed amount of \$15,000,000, as well as that there would be a contract agreement between the District and FMS that would go into place once the bonds were marketed. He also stated that a dissemination agent was required under SEC rules, as well as the Continuing Disclosure Agreement and a Supplemental Trust Indenture. He asked for a motion to approve.

On MOTION by Mr. Morgan, seconded by Mr. Greene, with all in favor, Resolution 2023-02 Delegation Resolution, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Series 2023 Ancillary Financing Documents

A. Collateral Assignment Agreement

Ms. Kilinski stated that this agreement would only come into play in the event of a default or failure to complete the project, in which the developer would agree to give its development rights to the District.

B. Acquisition Agreement

Ms. Kilinski stated that the agreement was between the District and the Developer for the purpose of acquiring work product and infrastructure that would then be reimbursed the issuance at bonds.

C. Completion Agreement

Ms. Kilinski noted that the agreement stated that if the developer failed to complete the project, there would then be a contractual obligation to complete the project.

D. Declaration of Consent

Ms. Kilinski noted that the declaration of consent by the developer and by the landowner declared consent to the jurisdiction of the District.

E. Notice of Special Assessments

Ms. Kilinski noted that the notice of special assessments would be recorded once the bonds were closed so that the public was put on notice that there were assessments on their properties, as well as where they could find more information. Ms. Burns asked for a motion to approve the financing documents in substantial form.

On MOTION by Mr. Morgan, seconded by Mr. Greene, with all in favor, the Series 2023 Ancillary Financing Documents, were approved in substantial form.

F. Consideration of Resolution 2023-03 Supplemental Delegation Assessment Resolution

Ms. Kilinski presented the resolution, noting that it determined what amount of assessments would be levied on the property, while also delating authority to the Board to effectuate the terms of the bonds and make modifications to the reports that are consistent with the pricing on the bonds. She asked for a motion to approve.

On MOTION by Mr. Morgan, seconded by Ms. Dazzo, with all in favor, Resolution 2023-03 Supplemental Delegation Assessment Resolution, was approved.

EIGHTH ORDER OF BUSINESS

Ratification of Contract Agreement with Polk County Property Appraiser

Ms. Burns stated that Polk County required an annual renewal of the contract agreement, adding that it allowed the property appraiser to send the information to the District so they could collect the assessments on roll.

NINTH ORDER OF BUSINESS

Ratification of 2023 Data Sharing and Usage Agreement with Polk County Property Appraiser

Ms. Burns stated that Polk County required an annual renewal of the contract agreement, adding that it regarded not disclosing exempt parcels.

Ms. Burns asked for a motion to ratify Items 8 and 9.

On MOTION by Mr. Morgan, seconded by Mr. Greene, with all in favor, the Contract Agreement with Polk County Property Appraiser and the 2023 Data Sharing and Usage Agreement with Polk County Property Appraiser, were ratified.

TENTH ORDER OF BUSINESS Appointment of Audit Committee

Ms. Burns suggested that the Board appoint themselves as the Audit Committee. She asked for a motion to approve if the Board had no questions.

On MOTION by Mr. Morgan, seconded by Mr. Greene, with all in favor, the Appointment of the Board as the Audit Committee, was approved.

ELEVENTH ORDER OF BUSINESS Staff Reports

A. Attorney

Ms. Kilinski stated that they were not anticipating having a supplemental meeting to handle any of the supplemental documents unless there is something that comes up outside of the delegation parameters. She asked for authorization from the Board to have a not-to-exceed amount of the construction account so that they could wire the funds before the next Board meeting in order to bring the documents back. The Board agreed, but there was no motion needed.

B. Engineer

Mr. Hunter stated that regarding construction, Phases 1 and 2 were mostly completed, adding that the roundabout at the entrance was almost completed. He also noted that the water system was completed and had been cleared. He added there was a delay in activating but that he would be reaching out to them to fix the delay of the offsite being cleared. There was discussion

regarding the concern of the delay for fire protection, and Mr. Greene noted that he would contact the city to make sure that it was turned on soon.

Mr. Hunter also added that in Phase 3, utility work was completed and grading work as done. He also noted that they were making repairs to sanitary lines during the current week and that they would be retested by the city the following week. He also noted that the lift station in Phases 1 and 2 were in the process of being turned on.

C. District Manager's Report

i. Ratification of Fiscal Year 2022 Funding Requests #4 to #8

Ms. Burns presented funding requests #4 through #8 and asked for a motion to ratify.

On MOTION by Mr. Morgan, seconded by Ms. Dazzo, with all in favor, Fiscal Year 2022 Funding Requests #4 to #8, were ratified.

ii. Balance Sheet & Income Statement

Ms. Burns noted that the financial statements were included in the agenda. These were through December 31st, 2022. The Board did not have any questions.

TWELFTH ORDER OF BUSINESS Other Business

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS Supervisors Requests and Audience Comments

There being none, the next item followed.

FOURTEENTH ORDER OF BUSINESS Adjournment

On MOTION by Mr. Morgan, seconded by Ms. Dazzo, with all in favor, the meeting was adjourned.

Secretary/Assistant Secretary

Adam Morgan
Chairman/Vice Chairman