

**MINUTES OF MEETING
PEACE CREEK VILLAGE COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Peace Creek Village Community Development District held Public Hearings and a Regular Meeting on February 6, 2025 at 1:00 p.m., at the Lake Alfred Public Library, 245 N Seminole Avenue, Lake Alfred, Florida 33850.

Present:

David Matt
Kristen Matt
John Blakley
John McKay

Chair
Vice Chair
Assistant Secretary
Assistant Secretary

Also present:

Ernesto Torres
Grace Rinaldi
Steve Sloan (via telephone)
Sarah Sandy (via telephone)

District Manager
District Counsel
District Engineer
Lender's Counsel, Kutak Rock LLP

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Torres called the meeting to order at 1:00 p.m. Supervisors David Matt, Kristen Matt, Blakley and McKay were present. Supervisor Williams was absent.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

- **Acceptance of Resignation of Peter Williams (Seat 5) and Consideration of Appointment to Fill Unexpired Term of Seat 5**

This item was an addition to the agenda.

Mr. Torres presented Mr. Peter Williams's resignation.

On MOTION by Ms. Matt and seconded by Mr. Matt, with all in favor, the resignation of Mr. Peter Williams from Seat 5, was accepted.

Ms. Matt nominated Mr. Allen Keen to fill Seat 5. No other nominations were made.

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On MOTION by Ms. Matt and seconded by Mr. Matt, with all in favor, the appointment of Mr. Allen Keen to Seat 5, was approved.

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

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

No affected property owners or members of the public spoke.

On MOTION by Mr. Blakley and seconded by Ms. Matt, with all in favor, the Public Hearing was closed.

B. Consideration of Resolution 2025-05, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Peace Creek Village Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

Mr. Torres presented Resolution 2025-05.

On MOTION by Mr. McKay and seconded by Mr. Blakley, with all in favor, Resolution 2025-05, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Peace Creek Village Community Development District in

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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

On MOTION by Ms. Matt and seconded by Mr. McKay, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. Blakley and seconded by Ms. Matt, with all in favor, the Public Hearing was closed.

A. Affidavit/Proof of Publication

B. Mailed Notice to Property Owner(s)

Ms. Rinaldi noted the following:

- The Maximum Annual Assessment Value Per unit will be \$67,232.14, which is lower than the noticed Proposed Maximum Principal Per Unit/Acre of \$67,425.60.
- The Notice provided a maximum annual revenue of \$2,163,856.80; the amount will be decreased based on the revised annual maximum assessment value per unit.
- The Mailed Notice included a Legal Description that contained approximately 88 acres and the Boundary Amendment parcel was approximately 84 acres.

C. Supplemental Engineer's Report (for informational purposes)

Mr. Sloan stated construction of the project is moving very quickly now and nearing completion. Staff is gathering the as-built information for the water, sewer and drainage systems and is very close to submitting it to the City for final signatures and will then submit it to the Health Department and the Florida Department of Environmental Protection (FDEP) for final closeout. The Plat of the project is nearly complete; it is hoped that the Plat approval will be on the City's February 24, 2025 agenda.

The following questions were posed and answered:

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Ms. Rinaldi: Can you confirm that there have not been any changes to the Engineer's Report since it was last presented to the Board?

Mr. Sloan: With the exception of the additional property, which I believe that you might have seen, that is correct.

Ms. Rinaldi: Based on your experience, are the cost estimates in your Engineer's Report, as supplemented, reasonable and proper?

Mr. Sloan: Yes.

Ms. Rinaldi: Do you have any reason to believe the Capital Improvement Plan cannot be carried out by the District?

Mr. Sloan: No, I do not.

D. Series 2025 Assessment Area Master Special Assessment Methodology Report (for informational purposes)

Mr. Torres stated that the Master Special Assessment Methodology Report was changed since it was approved in substantial form at the last meeting. The changes were as follows:

- Paragraph 2.1: The language related to the acreage was updated.
- Paragraph 4.2: The amount of the bond was updated and the Series 2025 Project cost total was updated to an estimated \$6,774,983.33.
- The Tables beginning on Page 14 were updated.
- The annual Debt Service bond assessment for the 336 single-family units will be \$1,774.19.

Ms. Rinaldi stated that Table 6A reflects the correct par amount of bonds is \$22,590,000.

The following questions were posed and answered:

Ms. Rinaldi: In your professional opinion, do the lands subject to the assessments receive special benefits from the District's Capital Improvement Plan?

Mr. Torres: Yes.

Ms. Rinaldi: In your professional opinion, are the master assessments reasonably apportioned among the lands subject to the special assessments?

Mr. Torres: Yes.

Ms. Rinaldi: In your professional opinion, is it reasonable, proper and just to assess the costs of the Capital Improvement Plan as a system of improvements against the lands in the District, in accordance with your Methodology?

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Mr. Torres: Yes.

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

Mr. Torres: Yes.

Ms. Rinaldi: Is it your opinion that it is in the best interest of the District that the master assessments be paid and collected in accordance with the Methodology and the District's assessment resolutions?

Mr. Torres: Yes.

It was noted that the 336 lots are comprised of 166 50' lots and 170 40' lots.

- **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.**

No affected property owners or 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, sitting as the Equalizing Board, had no questions and made no changes.

- E. Consideration of Resolution 2025-06, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on the 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 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. Torres presented Resolution 2025-06.

On MOTION by Mr. Blakley and seconded by Ms. Matt, with all in favor, Resolution 2025-06, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on the Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection

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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 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.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2025-07, Setting Forth the Specific Terms of the District's Special Assessment Bonds, Series 2025 ("2025 Bonds"); Making Certain Additional Findings and Confirming and/or Adopting an Engineer's Report and a Supplemental Assessment Report; Delegating Authority to Prepare Final Reports and Update this Resolution; Confirming the Maximum Assessment Lien Securing the 2025 Bonds; Addressing the Allocation and Collection of the 2025 Assessments Securing the 2025 Bonds; Addressing Prepayments; Addressing True-Up Payments; Providing for the Supplementation of the Improvement Lien Book; and Providing for Conflicts, Severability and an Effective Date

Ms. Rinaldi presented Resolution 2025-07, which accomplishes the following:

- Approves the Reports previously presented in substantial form and sets forth findings based on the information in those Reports.
- Authorizes District Officers and Staff to take all actions necessary to complete the process of levying assessments, which will expedite the process and allow flexibility at closing.
- Confirms the maximum assessment lien and confirms that the assessments as projected will be in accordance with that maximum assessment lien.
- Sets forth terms of allocation and collection, impact fee credits, terms of prepayment, application of True-Up payments, if they should apply, etc.

On MOTION by Mr. Matt and seconded by Mr. Blakley, with all in favor, Resolution 2025-07, Setting Forth the Specific Terms of the District's Special Assessment Bonds, Series 2025 ("2025 Bonds"); Making Certain Additional Findings and Confirming and/or Adopting an Engineer's Report and a Supplemental Assessment Report; Delegating Authority to Prepare Final Reports and Update this Resolution; Confirming the Maximum Assessment Lien

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Securing the 2025 Bonds; Addressing the Allocation and Collection of the 2025 Assessments Securing the 2025 Bonds; Addressing Prepayments; Addressing True-Up Payments; Providing for the Supplementation of the Improvement Lien Book; and Providing for Conflicts, Severability and an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2025-08, Extending the Terms of Office of All Current Supervisors to Coincide with the General Election Pursuant to Section 190.006, Florida Statutes; Providing for Severability; and Providing an Effective Date

Mr. Torres presented Resolution 2025-08.

On MOTION by Mr. Blakley and seconded by Ms. Matt, with all in favor, Resolution 2025-08, Extending the Terms of Office of All Current Supervisors to Coincide with the General Election Pursuant to Section 190.006, Florida Statutes; Providing for Severability; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2025-09, Authorizing the Publication of Legal Advertisements and Public Notices on a Publicly Accessible Website; Granting the Authority to Execute a Participation Agreement with Polk County; Approving the Form of Government Agency Order; Providing for Notice of the Use of Publicly Accessible Website; Authorizing the District Manager to Take All Actions Necessary to Comply with Chapter 50, Florida Statutes and Polk County Ordinance 2024-041 and Implementing Resolutions; Providing for Conflicting Provisions; Providing a Severability Clause; Providing an Effective Date

Ms. Rinaldi presented 2025-09. This Resolution enables the CDD to execute the necessary documents to utilize Polk County's publicly accessible website for the purposes of Notices and Advertisements, resulting in a cost savings.

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On MOTION by Mr. Blakley and seconded by Ms. Matt, with all in favor, Resolution 2025-09, Authorizing the Publication of Legal Advertisements and Public Notices on a Publicly Accessible Website; Granting the Authority to Execute a Participation Agreement with Polk County; Approving the Form of Government Agency Order; Providing for Notice of the Use of Publicly Accessible Website; Authorizing the District Manager to Take All Actions Necessary to Comply with Chapter 50, Florida Statutes and Polk County Ordinance 2024-041 and Implementing Resolutions; Providing for Conflicting Provisions; Providing a Severability Clause; Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Construction Funding Agreement

Mr. Torres presented the Construction Funding Agreement.

On MOTION by Mr. McKay and seconded by Mr. Blakley, with all in favor, the Construction Funding Agreement, was approved.

NINTH ORDER OF BUSINESS

Consideration of Developer's Affidavit and Agreement Regarding Assignment of Contractor Agreement

Ms. Rinaldi presented the Developer's Affidavit and Agreement Regarding Assignment of Contractor Agreement.

On MOTION by Mr. Blakley and seconded by Ms. Matt, with all in favor, the Developer's Affidavit and Agreement Regarding Assignment of Contractor Agreement, was approved.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2024

On MOTION by Ms. Matt and seconded by Mr. Blakley, with all in favor, Unaudited Financial Statements as of December 31, 2024, were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of January 2, 2025 Regular Meeting Minutes

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Ms. Rinaldi stated that her office submitted changes to the January 2, 2025 Regular Meeting Minutes.

On MOTION by Mr. Matt and seconded by Ms. Matt, with all in favor, the January 2, 2025 Regular Meeting Minutes, as amended to include edits previously submitted to Management, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kilinski | Van Wyk PLLC

Ms. Rinaldi stated that the documents for the bond issuance, which were approved in substantial form, will be readied for execution.

B. District Engineer: Sloan Engineering Group, Inc.

There was no report.

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

There was no report.

- **NEXT MEETING DATE: March 6, 2025 at 1:00 PM**
 - **Quorum Check**

THIRTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

FOURTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Blakley and seconded by Mr. McKay, with all in favor, the meeting adjourned at 1:23 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

PEACE CREEK VILLAGE CDD

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Jill Burns

Secretary/Assistant Secretary

DocuSigned by:

David Matt

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Chair/Vice Chair