

Minutes of Meeting
Armstrong Community Development District

The regular meeting of the Board of Supervisors of the Armstrong Community Development District was held Thursday, November 14, 2019 at 3:30 p.m. at the Plantation Oaks Amenity Center, 845 Oakleaf Plantation Parkway, Orange Park, Florida.

Present and constituting a quorum were:

Liam O'Reilly	Chairman (by telephone)
Mike Taylor	Vice Chairman
Grady Miars	Supervisor
Blake Weatherly	Supervisor
Rose Bock	Supervisor

Also present were:

James Perry	District Manger
Katie Buchanan	District Counsel (by telephone)
Zach Brecht	District Engineer

FIRST ORDER OF BUSINESS

Roll Call

Mr. Perry called the meeting to order at 3:30 p.m. and called the roll.

SECOND ORDER OF BUSINESS

Public Comment

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Affidavit of Publication

A copy of the affidavit of publication of the public hearing was included in the agenda package.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the October 10, 2019 Meeting

Mr. Perry asked are there any additions or corrections to the minutes?

Mr. Taylor stated I have one clarification/correction and it might be something I give to staff. On pages 7 and 8 where it references Taylor and O'Reilly speaking I think those might have been interchanged.

Mr. Perry stated we will ask you to approve them with adjustments to pages 7 and 8 and there are also some blanks in there and if we can fill those in we will. I believe the tape wasn't really clear.

On MOTION by Ms. Bock seconded by Mr. Weatherly with all in favor the minutes of the October 10, 2019 meeting were approved as amended with adjustments to page 7 and 8 and also filling in the blanks.

FIFTH ORDER OF BUSINESS

Public Hearing Adopting Amenity Facility Policies, Amenity Rates and Disciplinary Operations, Resolution 2020-02

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor the public hearing was opened.

Mr. Perry stated these are basic amenity policies that were drafted and tailored to this operation. You have seen those before, they are pretty standard in regard to the policies themselves. They go through the use of the facilities, rental of the facilities, general items in regard to food and beverage, pool operations, basketball and multi-purpose fields. Toward the end there are rates included to become a member of the district not being a landowner and rental fees for some of the facilities. Also, the termination process for residents and the alcohol policy.

Ms. Bock asked these are in use in other districts?

Mr. Perry responded they are. They are pretty standard and used interchangeably but there are some differences depending on what type of facilities are out there.

Ms. Bock stated we have run into something at Rolling Hills and we are talking about getting bracelets instead of a card to get in. Should we make this more generic on the identification or can you change that method without going back to change the policy?

Mr. Perry stated I think that would be more of a policy type thing and policies can be changed without the public hearing and can be changed at any point in time. If you have rates and things of that nature or rules, they have to have the public hearings.

Ms. Buchanan stated on page 2 under definition of cards it says, ID cards (or similar access devices). That will cover it.

On MOTION by Mr. Taylor seconded by Ms. Bock with all in favor Resolution 2020-02 was approved.

On MOTION by Mr. Weatherly seconded by Ms. Bock with all in favor the public hearing was closed.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2020-03
Ratifying the Sale of Bonds**

Mr. Perry stated item six is ratification of the sale of the 2019 series bonds. Those bonds recently closed and this is a resolution that codifies that sale of the bonds and recognizes the actions of the board and staff.

On MOTION by Mr. Weatherly seconded by Mr. Taylor with all in favor Resolution 2020-03 was approved.

SEVENTH ORDER OF BUSINESS

**Consideration of Amended Disclosure of
Public Financing**

Mr. Perry stated item seven is consideration of the amended disclosure of public financing. That document is included in your agenda package and this was updated to reflect the sale of those bonds.

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor the amended disclosure of public financing was approved in substantial form.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2020-04 Setting a
Public Hearing Date to Adopt Revised Rules
of Procedure**

Mr. Perry stated item eight is consideration of Resolution 2020-04 setting a public hearing date to adopt revised rules of procedure. We would be looking to have that public hearing for the January 9, 2020 meeting. The rules of procedures deal with a number of items of operations of the district, a lot of it deals with construction bidding and normal bidding of certain services.

Hopping Green & Sams has been updating the rules of procedure for a lot of districts to be reflective of any changes in statutes since they were originally adopted.

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor Resolution 2020-04 was approved.

NINTH ORDER OF BUSINESS

Consideration of First Amendment to Hold Harmless Agreement

Mr. Perry stated item nine is consideration of first amendment to hold harmless agreement. A copy of that is included in your agenda package.

Ms. Buchanan gave some background information on items 9, 10 and 11 and stated the developer has asked that the district amend the hold harmless agreement, which is the agreement we approved in 2017 that allows the developer to pay any costs relating to Tynes Boulevard in excess of the money that the county provided with the understanding that if there was a reimbursement they would get the reimbursement back. This is the appropriate language to add authorization that is in redline on page 2 of the first amendment and it is essentially language that says that the district is going to assign any rights and obligations it has to a road impact fee credit agreement between the district and the county that relates to Tynes Boulevard to the prior developer and any credits granted would also go to the prior developer if it was an action relating to the interlocal agreement. All of that to say in plain language the prior developer made the contributions of land that qualifies for impact fee credits, the county is willing to give them to them and they need the CDD to serve as the pass through between the county and the prior developer for those impact fee credits. We have had the developer's counsel review this and modify the language so he is comfortable with it and we have confirmed that the impact fee credit revenue relates to only right of way donations. Meaning that it does not relate to any money spent by bonds from the CDD or any operation and maintenance funds by the CDD.

Mr. O'Reilly stated just to confirm, if there is any future right of way dedication or future road improvements done by this CDD, this wouldn't prevent the ability to gain future credits, would it?

Ms. Buchanan stated no, items ten and eleven are the Clay County agreements prepared by the county attorney and they are very specific to just the right of way dedications relating to Tynes

Boulevard 1 and 2. Everything we are doing relates to just the land and interlocal agreement; it doesn't address any other projects.

Mr. Taylor stated I will approve this in substantial form to confirm that the redline change has been reviewed.

On MOTION by Mr. Taylor seconded by Ms. Bock with all in favor the first amendment to hold harmless agreement was approved in substantial form.

TENTH ORDER OF BUSINESS

Consideration of Road Impact Fee Credit Agreement with Clay County for Tynes Boulevard Phase 2 and Assignment of Impact Fee Credit Agreement to WB Investment Company

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor the road impact fee credit agreement with Clay County for Tynes Boulevard Phase 2 and assignment of impact fee credit agreement to WB Investment Company was approved.

ELEVENTH ORDER OF BUSINESS

Consideration of Road Impact Fee Credit Agreement with Clay County for Tynes Boulevard Phase 1

On MOTION by Mr. Weatherly seconded by Mr. Taylor with all in favor the road impact fee credit agreement with Clay County for Tynes Boulevard Phase 1 was approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Ms. Buchanan stated I have one item that I'm bringing up at the request of the developer. The developer had indicated that the Phase 2 and 3 engineering work has been completed and they would like the district to acquire that work product. What I expect is the work product that is going to be acquired is at a value of approximately \$185,000, but I would like to go ahead and request that the board authorize the acquisition of the Phase 2 and 3 ETM engineering work in an

amount not to exceed \$200,000 just to give us a buffer. Between meetings we will work with the chairman to finalize the bill of sale.

On MOTION by Mr. Weatherly seconded by Ms. Bock with all in favor the acquisition of the Phase 2 and 3 ETM engineering work was approved in an amount not to exceed \$200,000.

B. District Engineer

1. Ratification of Requisitions 1-3 (2019A Construction Account)

Mr. Brecht stated we have a requisition summary that was updated and sent out this morning. We have ratification of requisitions 1-3 for a total of \$3,053,221.94.

2. Consideration of Requisitions 4 -5 (2019A Construction Account)

Mr. Brecht outlined requisitions 4 and 5 in the amount of \$68,565.55.

On MOTION by Mr. Taylor seconded by Ms. Bock with all in favor requisitions 1-3 were ratified and requisitions 4 & 5 were approved.

3. Ratification of Requisition No. 80 (Series 2017A & 2017B)

Mr. Brecht stated next is ratification of requisition no. 80 from the 2017 Bond Series for \$1,800 payable to the surveyor for setting of controls within Phases 2 and 3.

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor requisition no. 80 from the series 2017A & 2017B construction account were ratified.

C. District Manager

There being none, the next item followed.

D. Facility Manager - Report

There being none, the next item followed.

E. Tynes Boulevard Project Administrator

Mr. Perry stated the Tynes Boulevard project administrator is not here, but I believe he forwarded some emails in regard to substantial completion of the project. I think you are all pretty much aware of where that stands.

THIRTEENTH ORDER OF BUSINESS Supervisor's Requests and Audience Comments

There being any, the next item followed.

FOURTEENTH ORDER OF BUSINESS Financial Statements as of September 30, 2019

A copy of the financials was included in the agenda package.

FIFTEENTH ORDER OF BUSINESS Ratification of Funding Request No. 40 (General Fund)

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor funding request no. 40 in the amount of \$7,751.45 from the general fund was ratified.

SIXTEENTH ORDER OF BUSINESS Ratification of Funding Request No. 36 (Construction Fund)

On MOTION by Mr. Taylor seconded by Mr. Weatherly with all in favor funding request no. 36 from the construction fund was ratified.

SEVENTEENTH ORDER OF BUSINESS Next Scheduled Meeting – 12/12/19 at 3:30 p.m. at the Plantation Oaks Amenity Center

Mr. Perry stated our next scheduled meeting will be December 12, 2019 at this location at 3:30 p.m.

On MOTION by Ms. Bock seconded by Mr. Weatherly with all in favor the meeting adjourned at 3:52 p.m.


Secretary/Assistant Secretary


Chairperson/Vice Chairperson