

**THE HEIGHTS  
COMMUNITY DEVELOPMENT DISTRICT  
BOARD OF SUPERVISORS  
CONTINUED REGULAR MEETING  
AND PUBLIC HEARING  
SEPTEMBER 1, 2016**

**THE HEIGHTS  
COMMUNITY DEVELOPMENT DISTRICT AGENDA**

**SEPTEMBER 1, 2016 at 10:00 a.m.**

SoHo Capital, Inc.

Located at 2330 W. Horatio Street, Tampa, FL 33606

<b>District Board of Supervisors</b>	Chairman	Adam Harden
	Vice Chairman	Chas Bruck
	Supervisor	Charles A. Harden
	Supervisor	David Bruck
	Supervisor	I. Clay Thompson, III

<b>District Manager</b>	Meritus	Brian Lamb
	Meritus	Brian Howell

<b>District Attorney</b>	Foley	Charles Harper
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**District Engineer**

*All cellular phones and pagers must be turned off while in the meeting room*

**The District Agenda is comprised of four different sections:**

The meeting will begin at **10:00a.m.** with the third section called **Business Items**. The business items section contains items for approval by the District Board of Supervisors that may require discussion, motion and votes on an item-by-item basis. If any member of the audience would like to speak on one of the business items, they will need to register with the District Administrator prior to the presentation of that agenda item. Agendas can be reviewed by contacting the Manager's office at (813) 397-5120 at least seven days in advance of the scheduled meeting. Requests to place items on the agenda must be submitted in writing with an explanation to the District Manager at least fourteen (14) days prior to the date of the meeting. The fourth section is called **Business Administration**. The Business Administration section contains items that require the review and approval of the District Board of Supervisors as a normal course of business. The fifth section is called **Staff Reports**. This section allows the District Administrator, Engineer, and Attorney to update the Board of Supervisors on any pending issues that are being researched for Board action. The final section is called **Supervisor Requests and Audience Comments**. This is the section in which the Supervisors may request Staff to prepare certain items in an effort to meet residential needs. The Audience Comment portion of the agenda is where individuals may comment on matters that concern the District. Each individual is limited to **three (3) minutes** for such comment. The Board of Supervisors or Staff is not obligated to provide a response until sufficient time for research or action is warranted. IF THE COMMENT CONCERNS A MAINTENANCE RELATED ITEM, THE ITEM WILL NEED TO BE ADDRESSED BY THE DISTRICT ADMINSTRATOR OUTSIDE THE CONTEXT OF THIS MEETING.

Public workshops sessions may be advertised and held in an effort to provide informational services. These sessions allow staff or consultants to discuss a policy or business matter in a more informal manner and allow for lengthy presentations prior to scheduling the item for approval. Typically no motions or votes are made during these sessions.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the District Office at (813) 397-5120, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770, who can aid you in contacting the District Office.

Any person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that this same person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

September 1, 2016

Board of Supervisors  
**The Heights Community Development District**

Dear Board Members:

The Continued Regular Meeting and Public Hearing of The Heights Community Development District will be held on **Thursday, September 1, 2016 at 10:00 a.m.** at the offices of SoHo Capital, Inc., located at 2330 W. Horatio Street, Tampa, FL 33606. Following is the Agenda for the Meeting:

**Call In Number: 1-866-906-9330**

**Access Code: 4863181**

- 1. CALL TO ORDER/ROLL CALL**
- 2. PUBLIC COMMENT ON AGENDA ITEMS**
- 3. PUBLIC HEARING ON PROPOSED FISCAL YEAR 2017 BUDGET**
  - A. Open Public Hearing on Proposed Fiscal Year 2017 Budget
  - B. Staff Presentations
  - C. Public Comment
  - D. Close Public Hearing on Proposed Fiscal Year 2017 Budget
  - E. Consideration of Resolution 2016-03; Adopting Fiscal Year 2017 Budget ..... Tab 01
- 4. BUSINESS ITEMS**
  - A. Consideration of Resolution 2016-04; Assessment Resolution ..... Tab 02
  - B. Consideration of Resolution 2016-05; Designation of Treasurer & Asst. Treasurer ..... Tab 03
  - C. Consideration of Resolution 2016-06; Setting Fiscal Year 2017 Meeting Schedule ..... Tab 04
  - D. Consideration of Resolution 2016-07; Setting Landowner Election ..... Tab 05
  - E. General Matters of the District
- 5. CONSENT AGENDA**
  - A. Consideration of Board of Supervisors Meeting Minutes June 2, 2016 ..... Tab 06
  - B. Consideration of Board of Supervisors Meeting Minutes August 19, 2016 ..... Tab 07
- 6. STAFF REPORTS**
  - A. District Counsel
  - B. District Engineer
  - C. District Manager
- 7. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS**
- 8. ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call us at (813) 397-5120.

Sincerely,

Brian Lamb  
District Manager

**RESOLUTION 2016-03**

**A RESOLUTION OF THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT  
ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR 2017 (BEGINNING  
OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017)**

**WHEREAS**, the District Manager submitted to the Board of Supervisors (the “Board”) a proposed budget for the next ensuing fiscal year, pursuant to the provision of Chapters 190 and 197, Florida Statutes; and

**WHEREAS**, the Board adopted said proposed budget and set September 1, 2016 as the date for a public hearing thereon, to receive public comments and caused notice of such public hearing to be given by mail and/or publication pursuant to Chapters 190 and 197, Florida Statutes; and

**WHEREAS**, Florida Statutes require that the District Board, by resolution, adopt the final approved budget for the ensuing fiscal year; and

**WHEREAS**, the Board is empowered to impose special assessments upon the properties within the District.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE  
HEIGHTS COMMUNITY DEVELOPMENT DISTRICT THAT:**

**Section 1.** The Proposed Budget (as amended, if applicable) for Fiscal Year 2017 and attached hereto as Exhibit A, is hereby approved and adopted as Final, pursuant to Florida Statutes and incorporated herein by reference.

**Section 2.** Pursuant to the assessment levy approved in conjunction with the Adoption of the Fiscal Year 2017 Budget, attached hereto as Exhibit A, the Board hereby approves the Developer Funding Agreement attached hereto as Exhibit B and authorizes the Chairman to execute same in the District’s behalf.

**Section 3.** The Appropriate Officer(s) of the District and the District Manager are authorized to execute any and all necessary transmittals, certifications, or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

**Section 4.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED THIS 1<sup>ST</sup> DAY OF SEPTEMBER, 2016.**

**THE HEIGHTS  
COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
**CHAIRMAN/VICE CHAIRMAN**

**ATTEST:**

\_\_\_\_\_  
**SECRETARY/ASST.SECRETARY**

2017



# THE HEIGHTS

COMMUNITY DEVELOPMENT DISTRICT

**FISCAL YEAR 2017**  
PROPOSED ANNUAL OPERATING BUDGET

JUNE 2, 2016



# THE HEIGHTS

COMMUNITY DEVELOPMENT DISTRICT

## FISCAL YEAR 2017 PROPOSED ANNUAL OPERATING BUDGET

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JUNE 2, 2016

# THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT

## BUDGET INTRODUCTION

### Background Information

The Heights Community Development District is a local special purpose government authorized by Chapter 190, Florida Statutes, as amended. The Community Development District (CDD) is an alternative method for planning, financing, acquiring, operating and maintaining community-wide infrastructure in master planned communities. The CDD **also is a mechanism that provides a “solution” to the State’s needs for delivery of capital infrastructure to service projected growth without overburdening other governments and their taxpayers. CDDs represent a major advancement in Florida’s effort to manage its growth effectively and efficiently.** This allows the community to set a higher standard for construction along with providing a long-term solution to the operation and maintenance of community facilities.

The following report represents the District budget for Fiscal Year 2017, which begins on October 1, 2016. The District budget is organized by fund to segregate financial resources and ensure that the segregated resources are used for their intended purpose, and the District has established the following funds.

### Fund Number

001

### Fund Name

General Fund

### Services Provided

Operations and Maintenance of  
Community Facilities Financed by  
Non-Ad Valorem Assessments

### Facilities of the District

**The District’s existing facilities include storm-water management (lake and water control structures), wetland preserve areas, street lighting, landscaping, entry signage, entry features, irrigation distribution facilities, recreational center, parks, pool facility, tennis courts and other related public improvements.**

### Maintenance of the Facilities

In order to maintain the facilities, the District conducts hearings to adopt an operating budget each year. This budget includes a detailed description of the maintenance program along with an estimate of the cost of the program. The funding of the maintenance budget is levied as a non-ad valorem assessment on your property by the District Board of Supervisors.

# THE HEIGHTS

## COMMUNITY DEVELOPMENT DISTRICT

	Fiscal Year 2016 Operating Budget	Current Period Actuals 10/1/2015 - 2/29/16	Projected Revenues & Expenditures 3/1/16 to 9/30/16	Total Actuals and Projections Through 09/30/16	Over/(Under) Budget Through 09/30/16
<b>REVENUES</b>					
<b>SPECIAL ASSESSMENTS</b>					
Operations & Maintenance Assmts	48,552.00	0.00	0.00	0.00	(48,552.00)
<b>TOTAL SPECIAL ASSESSMENTS</b>	<b>48,552.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>(48,552.00)</b>
<b>TOTAL REVENUES</b>	<b>\$48,552.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$48,552.00)</b>
<b>EXPENDITURES</b>					
<b>LEGISLATIVE</b>					
Supervisor Fees	4,000.00	0.00	0.00	0.00	(4,000.00)
<b>TOTAL LEGISLATIVE</b>	<b>4,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>(4,000.00)</b>
<b>FINANCIAL &amp; ADMINISTRATIVE</b>					
District Management & Accounting Services	32,000.00	(50,071.33)	6,000.00	(44,071.33)	(76,071.33)
District Engineer	3,000.00	0.00	0.00	0.00	(3,000.00)
Public Officials Insurance	1,577.00	0.00	1,577.00	1,577.00	0.00
Legal Advertising	1,000.00	118.04	250.00	368.04	(631.96)
Postage, Phone, Faxes, Copies	0.00	2.16	5.00	7.16	7.16
Bank Fees	300.00	0.00	0.00	0.00	(300.00)
Dues, Licenses & Fees	175.00	200.00	0.00	200.00	25.00
Website Administration	0.00	196.00	0.00	196.00	196.00
<b>TOTAL FINANCIAL &amp; ADMINISTRATIVE</b>	<b>38,052.00</b>	<b>(49,555.13)</b>	<b>7,832.00</b>	<b>(41,723.13)</b>	<b>(79,775.13)</b>
<b>LEGAL COUNSEL</b>					
District Counsel	4,000.00	625.00	750.00	1,375.00	(2,625.00)
<b>TOTAL LEGAL COUNSEL</b>	<b>4,000.00</b>	<b>625.00</b>	<b>750.00</b>	<b>1,375.00</b>	<b>(2,625.00)</b>
<b>OTHER PHYSICAL ENVIRONMENT</b>					
Property & Liability Insurance	2,500.00	0.00	0.00	0.00	(2,500.00)
<b>TOTAL OTHER PHYSICAL ENVIRONMENT</b>	<b>2,500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>(2,500.00)</b>
<b>TOTAL EXPENDITURES</b>	<b>\$48,552.00</b>	<b>(\$48,930.13)</b>	<b>\$8,582.00</b>	<b>(\$40,348.13)</b>	<b>(\$88,900.13)</b>
<b>EXCESS OF REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>\$0.00</b>	<b>\$48,930.13</b>	<b>(\$8,582.00)</b>	<b>\$40,348.13</b>	<b>\$40,348.13</b>



# THE HEIGHTS

## COMMUNITY DEVELOPMENT DISTRICT

	Fiscal Year 2016 Operating Budget	Total Actuals and Projections Through 09/30/16	Over/(Under) Budget Through 09/30/16	Fiscal Year 2017 Proposed Operating Budget	Increase / (Decrease) from FY 2016 to FY 2017
<b>REVENUES</b>					
<b>SPECIAL ASSESSMENTS</b>					
Operations & Maintenance Assmts	48,552.00	0.00	(48,552.00)	48,552.00	0.00
<b>TOTAL SPECIAL ASSESSMENTS</b>	<b>48,552.00</b>	<b>0.00</b>	<b>(48,552.00)</b>	<b>48,552.00</b>	<b>0.00</b>
<b>TOTAL REVENUES</b>	<b>\$48,552.00</b>	<b>\$0.00</b>	<b>(\$48,552.00)</b>	<b>\$48,552.00</b>	<b>\$0.00</b>
<b>EXPENDITURES</b>					
<b>LEGISLATIVE</b>					
Supervisor Fees	4,000.00	0.00	(4,000.00)	4,000.00	0.00
<b>TOTAL LEGISLATIVE</b>	<b>4,000.00</b>	<b>0.00</b>	<b>(4,000.00)</b>	<b>4,000.00</b>	<b>0.00</b>
<b>FINANCIAL &amp; ADMINISTRATIVE</b>					
District Management & Accounting Services	32,000.00	(44,071.33)	(76,071.33)	32,000.00	0.00
District Engineer	3,000.00	0.00	(3,000.00)	3,000.00	0.00
Public Officials Insurance	1,577.00	1,577.00	0.00	1,577.00	0.00
Legal Advertising	1,000.00	368.04	(631.96)	1,000.00	0.00
Postage, Phone, Faxes, Copies	0.00	7.16	7.16	0.00	0.00
Bank Fees	300.00	0.00	(300.00)	300.00	0.00
Dues, Licenses & Fees	175.00	200.00	25.00	175.00	0.00
Website Administration	0.00	196.00	196.00	0.00	0.00
<b>TOTAL FINANCIAL &amp; ADMINISTRATIVE</b>	<b>38,052.00</b>	<b>(41,723.13)</b>	<b>(79,775.13)</b>	<b>38,052.00</b>	<b>0.00</b>
<b>LEGAL COUNSEL</b>					
District Counsel	4,000.00	1,375.00	(2,625.00)	4,000.00	0.00
<b>TOTAL LEGAL COUNSEL</b>	<b>4,000.00</b>	<b>1,375.00</b>	<b>(2,625.00)</b>	<b>4,000.00</b>	<b>0.00</b>
<b>OTHER PHYSICAL ENVIRONMENT</b>					
Property & Liability Insurance	2,500.00	0.00	(2,500.00)	2,500.00	0.00
<b>TOTAL OTHER PHYSICAL ENVIRONMENT</b>	<b>2,500.00</b>	<b>0.00</b>	<b>(2,500.00)</b>	<b>2,500.00</b>	<b>0.00</b>
<b>TOTAL EXPENDITURES</b>	<b>\$48,552.00</b>	<b>(\$40,348.13)</b>	<b>(\$88,900.13)</b>	<b>\$48,552.00</b>	<b>\$0.00</b>
<b>EXCESS OF REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>\$0.00</b>	<b>\$40,348.13</b>	<b>\$40,348.13</b>	<b>\$0.00</b>	<b>\$0.00</b>

FISCAL YEAR 2017  
PROPOSED ANNUAL OPERATING BUDGET

# THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT

## GENERAL FUND 001

### **Financial & Administrative**

#### **District Manager**

The District retains the services of a consulting manager, who is responsible for the daily administration of the District's business, including any and all financial work related to the Bond Funds and Operating Funds of the District, and preparation of the minutes of the Board of Supervisors. In addition, the District Manager prepares the Annual Budget(s), implements all policies of the Board of

#### **Recording Secretary**

As part of the consulting managers contract, the District retains a Recording Secretary to prepare and record the minutes of the official district records of proceeding.

#### **District Engineer**

Consists of attendance at scheduled meetings of the Board of Supervisors, offering advice and consultation on all matters related to the works of the District, such as bids for yearly contracts, operating policy, compliance with regulatory permits, etc.

#### **Disclosure Reporting**

On a quarterly and annual basis, disclosure of relevant district information is provided to the Muni Council, as required within the bond indentures.

#### **Trustees Fees**

This item relates to the fee assessed for the annual administration of bonds outstanding, as required within the bond indentures.

#### **Auditing Services**

The District is required to annually undertake an independent examination of its books, records and accounting procedures. This audit is conducted pursuant to State Law and the Rules of the Auditor

#### **Financial Services**

As part of the consulting managers contract, the District retains Financial Services to process invoices, tax-roll preparation and record the District's transactions in compliance with governmental accounting

#### **Travel Per Diem**

This applies at the current rate of mileage reimbursement for official District business.

#### **Postage, Phone, Fax, Copies**

This item refers to the cost of materials and service to produce agendas and conduct day-to-day business of the District.

#### **Rentals & Leases**

This is required of the District to store its official records.

#### **Public Officials Insurance**

The District carries Public Officials Liability in the amount of \$1,000,000.

#### **Legal Advertising**

This is required to conduct the official business of the District in accordance with the Sunshine Law and other advertisement requirements as indicated by the Florida Statutes.

#### **Bank Fees**

The District operates a checking account for expenditures and receipts.

#### **Dues, Licenses & Fees**

The District is required to file with the County and State each year.

#### **Miscellaneous Fees**

To provide for unbudgeted administrative expenses.

#### **Investment Reporting Fees**

This is to provide an investment report to the District on a quarterly basis.

#### **Office Supplies**

Cost of daily supplies required by the District to facilitate operations.

# THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT

## GENERAL FUND 001

### **Technology Services**

This is to upgrade and keep current the operating components to comply with new governmental accounting standards along with basic website maintenance.

### **Website Administration**

This is for maintenance and administration of the District's official website.

### **Capital Outlay**

This is to purchase new equipment as required.

## **Legal Counsel**

### **District Counsel**

Requirements for legal services are estimated at an annual expenditures on an as needed and also cover such items as attendance at scheduled meetings of the Board of Supervisor's, Contract preparation and

## **Electric Utility Services**

### **Electric Utility Services**

This item is for street lights, pool, recreation facility and other common element electricity needs.

## **Garbage/Solid Waste Control Services**

### **Garbage Collection**

This item is for pick up at the recreation facility and parks as needed.

## **Water-Sewer Combination Services**

### **Water Utility Services**

This item is for the potable and non-potable water used for irrigation.

## **Other Physical Environment**

### **Non-Potable Irrigation Service**

This item provides for irrigation service to the District's common area landscape program.

### **Waterway Management System**

This item is for maintaining the multiple waterways that compose the District's waterway management system and aids in controlling nuisance vegetation that may otherwise restrict the flow of water.

### **Property & Casualty Insurance**

The District carries \$1,000,000 in general liability and also has sovereign immunity.

### **Entry & Walls Maintenance**

This item is for maintaining the main entry feature and other common area walls.

### **Landscape Maintenance**

The District contracts with a professional landscape firm to provide service through a public bid process. This fee does not include replacement material or irrigation repairs.

### **Miscellaneous Landscape**

This item is for any unforeseen circumstances that may effect the appearance of the landscape program.

### **Plant Replacement Program**

This item is for landscape items that may need to be replaced during the year.

### **Property Taxes**

This item is for property taxes assessed to lands within the District.

### **Irrigation Maintenance**

Repairs necessary for everyday operation of the irrigation system to ensure its effectiveness.

## **Road & Street Facilities**

### **Pavement & Drainage Repairs & Maintenance**

This item is necessary to contract with a vendor to maintain the road and drainage infrastructure within the District

**RESOLUTION 2016-04**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT IMPOSING SPECIAL ASSESSMENTS; PROVIDING FOR COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS; ADOPTING AND CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENT OF THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, The Heights Community Development District (the “District”) is a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

**WHEREAS**, the District is located in Hillsborough County, Florida (the “County”); and

**WHEREAS**, the District owns and operates various infrastructure improvements and provides certain services in accordance with Chapter 190, Florida Statutes; and

**WHEREAS**, the Board of Supervisors (the “Board”) of the District hereby determines to undertake various operations and maintenance activities described in the District’s budget for fiscal year 2016/2017 (“Operations and Maintenance Budget”), attached hereto as **Exhibit “A”** and incorporated as a material part of this Resolution by this reference; and

**WHEREAS**, the District must obtain sufficient funds to provide for the operation and maintenance services and facilities provided by the District as described in the District’s Operation and Maintenance Budget; and

**WHEREAS**, the provision of such services, facilities, and operations is a benefit to lands within the District; and

**WHEREAS**, Chapter 190, Florida Statutes, provides that the District may impose special assessments on benefitted lands within the District; and

**WHEREAS**, Chapter 197, Florida Statutes, provides a mechanism pursuant to which such special assessments may be placed on the County Tax Roll and collected by the County Tax Collector (“Uniform Method”); and

**WHEREAS**, the District has, by resolution and public notice, previously evidenced its intention to utilize the Uniform Method; and

**WHEREAS**, the District has approved an agreement with the County Property Appraiser and County Tax Collector to provide for the collection of special assessments under the Uniform Method; and

**WHEREAS**, it is in the best interests of the District to proceed with the imposition of the special assessments on all assessable lands for operations and maintenance in the amount contained in the Operation and Maintenance Budget; and

**WHEREAS**, the District desires to levy and collect special assessments reflecting each parcel's portion of the District's Operations and Maintenance Budget; and

**WHEREAS**, it is in the best interests of the District to adopt the Assessment Roll of The Heights Community Development District (the "Assessment Roll") attached to this Resolution as **Exhibit "B"** and incorporated as a material part of this Resolution by this reference, and to certify a portion of the Assessment Roll on the parcels designated in **Exhibit "B"** to the County Tax Collector pursuant to the Uniform Method and to directly collect a portion of the assessments on the parcels designated in **Exhibit "B"** through the direct collection method pursuant to Chapter 190, Florida Statutes; and

**WHEREAS**, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll adopted herein, including that portion certified to the County Tax Collector by this Resolution, as the County Property Appraiser updates the property roll for the County, for such time as authorized by Florida law.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. BENEFIT.** The provision of the services, facilities and operations as described in **Exhibit "A"** confer a special and peculiar benefit to the lands within the District, which benefits exceed or equal the costs of the assessments. The allocation of the costs to the specially benefited lands is shown in **Exhibits "A" and "B"**.

**SECTION 2. ASSESSMENT IMPOSITION.** Pursuant to Chapter 190 of the Florida Statutes, and using procedures authorized by Florida law for the levy and collection of special assessments, a special assessment for operation and maintenance is hereby imposed and levied on benefited lands within the District in accordance with **Exhibits "A" and "B"**. The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution.

**SECTION 3. COLLECTION AND DUE DATE.**

**A. Uniform Method Assessments.** The collection of the previously levied debt service assessments and operation and maintenance special assessments on a portion of the platted lots and developed lands shall be at the same time and in the same manner as County taxes in accordance with the Uniform Method, as set forth in **Exhibits "A" and "B."**

**B. Direct Bill Assessments.** The annual installment for the previously levied debt service assessments, and the annual operations and maintenance assessments, on a

portion of the undeveloped and unplatted lands will be collected directly by the District in accordance with Florida law, as set forth in **Exhibits “A” and “B.”** Assessments directly collected by the District are due in full on December 1, 2016; provided, however, that, to the extent permitted by law, the assessments due may be paid in several partial, deferred payments and according to the following schedule: 50% due no later than December 1, 2016, 25% due no later than February 1, 2017 and 25% due no later than May 1, 2017. In the event that an assessment payment is not made in accordance with the schedule stated above, the whole assessment – including any remaining partial, deferred payments for Fiscal Year 2016/2017, as well as any future installments of special assessments securing debt service – shall immediately become due and payable; shall accrue interest, penalties in the amount of one percent (1%) per month, and all costs of collection and enforcement; and shall either be enforced pursuant to a foreclosure action, or, at the District’s sole discretion, collected pursuant to the Uniform Method on a future tax bill, which amount may include penalties, interest, and costs of collection and enforcement. Any prejudgment interest on delinquent assessments shall accrue at the applicable rate of any bonds or other debt instruments secured by the special assessments, or, in the case of operations and maintenance assessments, at the applicable statutory prejudgment interest rate. In the event an assessment subject to direct collection by the District shall be delinquent, the District Manager and District Counsel, without further authorization by the Board, may initiate foreclosure proceedings pursuant to Chapter 170 of the Florida Statutes or other applicable law to collect and enforce the whole assessment, as set forth herein.

**C. Future Collection Methods.** The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices. The District certifies all assessments for debt service and operations and maintenance for collection pursuant to Chapters 190 and 197, Florida Statutes. All assessments collected by the County Tax Collector shall be due and payable as provided in Chapter 197, Florida Statutes.

**SECTION 4. ASSESSMENT ROLL.** The District's Assessment Roll, attached to this Resolution as **Exhibit “B”**, is hereby certified and adopted.

**SECTION 5. ASSESSMENT ROLL AMENDMENT.** The District Manager shall keep apprised of all updates made to the Hillsborough County property roll by the County Property Appraiser after the date of this Resolution, and shall amend the Districts Assessment Roll in accordance with any such updates, for such time as authorized by Florida law. After any amendment of the Assessment Roll, the District Manager shall file the updates to the tax roll in the District records.

**SECTION 6. SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

**SECTION 7. EFFECTIVE DATE.** This Resolution shall take effect upon the passage and adoption of this Resolution by the Board of Supervisors of The Heights Community Development District.

**PASSED AND ADOPTED** this 1<sup>st</sup> day of September, 2016.

**ATTEST:**

**THE HEIGHTS COMMUNITY  
DEVELOPMENT DISTRICT**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Assistant Secretary

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Chairman/Vice Chairman

**Exhibit "A" – Fiscal Year 2016/2017 Budget  
Exhibit "B" – Assessment Roll**

**RESOLUTION 2016-05**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A TREASURER AND ASSISTANT TREASURER**

**WHEREAS**, The Heights Community Development District (hereinafter the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Hillsborough County, Florida; and

**WHEREAS**, the Board of Supervisors of the District desires to appoint a Treasurer and Assistant Treasurer;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT THAT:**

**Section 1.** Erin TenBroek is appointed Treasurer.

Eric Davidson is appointed Assistant Treasurer.

**Section 2.** All prior designations which are inconsistent with the designation herein are forthwith rescinded.

**Section 3.** This Resolution shall become effective on September 1, 2016.

**PASSED AND ADOPTED THIS 1<sup>ST</sup> DAY OF SEPTEMBER, 2016.**

**ATTEST:**

**THE HEIGHTS  
COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
**SECRETARY / ASSISTANT SECRETARY**

\_\_\_\_\_  
**CHAIRMAN/VICE CHAIRMAN**



**RESOLUTION 2016-06**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATE, TIME AND LOCATION FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**WHEREAS**, The Heights Community Development District (hereinafter the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Hillsborough, Florida; and

**WHEREAS**, the District’s Board of Supervisors (hereinafter the “Board”), is statutorily authorized to exercise the powers granted to the District, but has not heretofore met; and

**WHEREAS**, all meetings of the Board shall be open to the public and governed by the provisions of Chapter 286, Florida Statutes; and

**WHEREAS**, the Board is statutorily required to file annually, with the local governing authority and the Florida Department of Community Affairs, a schedule of its regular meetings.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SOUTHBAY COMMUNITY DEVELOPMENT DISTRICT THAT:**

**Section 1.** Regular meetings of the Board of Supervisors of The Heights Community Development District, for the Fiscal Year 2017, shall be held as provided on the schedule, which is attached hereto and made a part heretofore, as Exhibit A.

**Section 2.** In accordance with Section 189.417(1), Florida Statutes, the District’s Secretary is hereby directed to file annually, with the Hillsborough County and the Florida Department of Community Affairs, a schedule of the District’s regular meetings.

**Section 3.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED THIS 1<sup>ST</sup> DAY OF SEPTEMBER, 2016.**

**THE HEIGHTS  
COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
**CHAIRMAN/VICE CHAIRMAN**

**ATTEST:**

\_\_\_\_\_  
**SECRETARY/ASST. SECRETARY**

**EXHIBIT A**

**BOARD OF SUPERVISORS MEETING DATES  
THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT  
FISCAL YEAR 2017**

**THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT  
BOARD OF SUPERVISORS REGULAR MEETING SCHEDULE**

**FISCAL YEAR 2017**

May	25, 2017	10:00 a.m.
August	24, 2017	10:00 a.m.

**All meetings will convene at 10:00 a.m., at the offices of SoHo Capital, 2330 W. Horatio Street, Tampa, FL 33606.**

**RESOLUTION 2016-07**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A DATE, TIME, AND LOCATION FOR A LANDOWNERS' MEETING; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, The Heights Community Development District (the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Hillsborough County, Florida; and

**WHEREAS**, the District's Board of Supervisors (hereinafter the "Board") is statutorily authorized to exercise the powers granted to the District; and

**WHEREAS**, all meetings of the Board shall be open to the public and governed by provisions of Chapter 286, Florida Statutes; and

**WHEREAS**, the effective date of City of Tampa Ordinance 2006-161 creating the District was July 13, 2006; and

**WHEREAS**, the District is statutorily required to hold a meeting of the landowners of the District for the purpose of electing supervisors the District, which shall be noticed pursuant to Section 190.006(2)(a), Florida Statutes.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT:**

**Section 1.** In accordance with section 190.006(2), Florida Statutes, the meeting of the landowners to elect three (3) supervisors of the District, shall be held on the 1<sup>st</sup> day of December, 2016 at 10:00 a.m., located at the offices of SoHo Capital, 2330 W. Horatio Street Tampa, FL 33606.

**Section 2.** The District's Secretary is hereby directed to publish notice of this landowners meeting in accordance with the requirements of Section 190.006(2) (a), Florida Statutes.

**Section 3.** Pursuant to Section 190.006(2) (b), Florida Statutes, the landowners' meeting and election has been announced by the Board at its June 2, 2016 meeting. A sample notice of landowners' meeting and election, proxy, ballot form and instructions were presented at such meeting and are attached hereto as **Exhibit A**. Such documents are available for review and copying during normal business hours at the District's Local Records Office, located at 2005 Pan Am Circle Suite 120 Tampa, FL 33607 or at the office of the District Manager, Meritus, 2005 Pan Am Circle Suite 120, Tampa, Florida 33607.

**Section 4.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 1<sup>st</sup> day of September, 2016.

ATTEST:

**THE HEIGHTS COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chairman/Vice Chairman

**LANDOWNER PROXY  
LANDOWNERS ELECTION**

**THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT  
HILLSBOROUGH COUNTY, FLORIDA**

NOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints:

\_\_\_\_\_  
Proxy Holder

for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of THE HEIGHTS Community Development District to be held at **SoHo Capital, Inc., 2330 W. Horatio Street Tampa, FL 33606**, on **December 1, 2016**, and at any continuances or adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner which the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing which may be considered at said meeting including, but not limited to, the election of members of the Board of Supervisors. Said Proxy Holder may vote in accordance with their discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally be considered at said meeting.

Any proxy heretofore given by the undersigned for said meeting is hereby revoked. This proxy is to continue in full force and effect from the date hereof until the conclusion of the annual meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the annual meeting prior to the Proxy Holder exercising the voting rights conferred herein.

\_\_\_\_\_  
Printed Name of Fee Simple Landowner

\_\_\_\_\_  
Signature of Fee Simple Landowner

\_\_\_\_\_  
Date

**Parcel Description**

**Acreage**

**Authorized Votes\***

\*\*See attached for Parcel Information

**Total Number of Authorized Votes:** \_\_\_\_\_

\*Pursuant to section 190.006(2)(b), Florida Statutes, a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto.

**Please note that a particular real property is entitled to only one vote for each eligible acre of land or fraction thereof; two (2) or more persons who own real property in common that is one acre or less are together entitled to one vote for that real property. If the fee simple landowner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto. (e.g., bylaws, corporate resolution, etc.)**

**OFFICIAL BALLOT**  
**THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT**  
**HILLSBOROUGH COUNTY, FLORIDA**  
**LANDOWNERS' ELECTION**

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**For Election (3 Supervisor):** The two (2) candidates receiving the highest number of votes will each receive a four (4) year term; the remaining one (1) candidates will receive a two (2) year term.

The undersigned certifies that he/she/it is the fee simple owner of land, or the proxy holder for the fee simple owner of land, located within THE HEIGHTS Community Development District and described as follows:

**Description** \_\_\_\_\_ **Acreage**

\*\*See attached for Parcel Information

or

**Attach Proxy.**

I, \_\_\_\_\_, as Landowner, or as the proxy holder of \_\_\_\_\_ (Landowner) pursuant to the Landowner's Proxy attached hereto, do cast my votes as follows:

	<b>NAME OF CANDIDATE</b>	<b>NUMBER OF VOTES</b>
1.	_____	_____
2.	_____	_____
3.	_____	_____

Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
Printed Name: \_\_\_\_\_

# THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT

June 2, 2016 Minutes of the Regular Meeting

## Minutes of the Regular Meeting

The Regular Meeting of the Board of Supervisors for The Heights Community Development District was held on Thursday, June 2, 2016 at 1:00 p.m. at the offices of SoHo Capital, Inc. located at 2330 W. Horatio Street, Tampa, FL 33606.

### 1. CALL TO ORDER/ROLL CALL

Mr. Lamb called the regular meeting of the Board of Supervisors of The Heights Community Development District to order on Thursday, June 2, 2016 at 1:10 p.m.

Board Members Present and Constituting a Quorum:

Adam Harden	Chairman
Chas Bruck	Vice Chairman
Charles A. Harden	Supervisor
David Bruck	Supervisor
I. Clay Thompson, III	Supervisor

Staff Members Present:

Brian Lamb	District Manager, Meritus
	District Engineer

### 2. PUBLIC COMMENT ON AGENDA ITEMS

There were no members of the public present.

### 3. BUSINESS ITEMS

#### A. Consideration of Resolution 2016-01; Re-Designating Officers

Mr. Lamb went over this Resolution with the Board and stated that Walter Morales is replacing Robert Rios as Treasurer and the balance of the Board remaining the same.

MOTION TO:	Approve Resolution 2016-01.
MADE BY:	Supervisor Charles A. Harden
SECONDED BY:	Supervisor Adam Harden
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

#### B. Consideration of Resolution 2016-02; Approving Proposed Fiscal Year 2017 Budget & Setting Public Hearing

Mr. Lamb reviewed this Resolution with the Board. The Public Hearing was set for August 5, 2016 at 10:00 a.m.

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MOTION TO:	Approve Resolution 2016-02.
MADE BY:	Supervisor Charles A. Harden
SECONDED BY:	Supervisor Chas Bruck
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED
	5/0 - Motion passed unanimously

**C. Annual Disclosure of Qualified Electors**

Mr. Lamb went over this with the Board and stated there was one (1) qualified elector in The Heights CDD as of April 15, 2016. It was determined that there should be zero qualified electors as no one lives in the District.

**D. Announcement of Landowners Election in November**

**1. Sample Ballot and Proxy**

Mr. Lamb stated the landowner election will be held in November and the date would be determined at the August 5, 2016 meeting. Mr. Lamb informed the Board that Seats 3, 4 and 5 are up for election.

Mr. Lamb explained to the Board the 250 qualified elector rule and answered all their questions.

**E. General Matters of the District**

**4. BUSINESS ADMINISTRATIVE**

**A. Consideration of the Board of Supervisors Meeting Minutes August 7, 2015**

The Board reviewed the minutes.

MOTION TO:	Approve August 7, 2015 meeting minutes.
MADE BY:	Supervisor Charles A. Harden
SECONDED BY:	Supervisor Adam Harden
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED
	5/0 - Motion passed unanimously

**5. STAFF REPORTS**

**A. District Counsel**

**B. District Engineer**

The District Engineer stated that he had met with the City and received several review comments and will be revising the final revisions to the infrastructure plan and expects approvals within the next month.

**C. District Manager**

**6. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS**

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**7. ADJOURNMENT**

MOTION TO:	Adjourn
MADE BY:	Supervisor Charles A. Harden
SECONDED BY:	Supervisor Chas Bruck
DISCUSSION:	None further
RESULT:	Called to Vote: motion PASSED 5/0 - Motion passed unanimously

*\*These minutes were done in summary format.*

*\*Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.*

**Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on \_\_\_\_\_.**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Printed Name**

**Title:**

- Chairman**
- Vice Chairman**

**Title:**

- Secretary**
- Assistant Secretary**



*Recorded by Records Administrator*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*



# THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT

August 19, 2016 Minutes of the Continued Meeting and Public Hearing

## Minutes of the Continued Meeting and Public Hearing

The Continued Meeting and Public Hearing of the Board of Supervisors for The Heights Community Development District was held on Friday, August 19, 2016 at 10:00 a.m. at the offices of SoHo Capital, Inc. located at 2330 W. Horatio Street, Tampa, FL 33606.

### 1. CALL TO ORDER/ROLL CALL

Eric Davidson called the Continued Meeting and Public Hearing of the Board of Supervisors of The Heights Community Development District to order on Friday, August 19, 2016 at 10:00 a.m.

Board Members Present and Constituting a Quorum:

Adam Harden	Chairman
Chas Bruck	Vice Chairman
Charles A. Harden	Supervisor
I. Clay Thompson, III	Supervisor

Staff Members Present:

Eric Davidson	Meritus
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### 2. PUBLIC COMMENT ON AGENDA ITEMS

There were no members of the public present.

### 3. PUBLIC HEARING ON PROPOSED FISCAL YEAR 2017 BUDGET

- A. Open Public Hearing on Proposed Fiscal Year 2017 Budget
- B. Staff Presentations
- C. Public Comment
- D. Close Public Hearing on Proposed Fiscal Year 2017 Budget
- E. Consideration of Resolution 2016-03; Adopting Fiscal Year 2017 Budget

### 4. BUSINESS ITEMS

- A. Consideration of Resolution 2016-04; Designation of Treasurer and Asst. Treasurer
- B. Consideration of Resolution 2016-05; Setting Fiscal Year 2017 Meeting Schedule
- C. Consideration of Resolution 2016-06; Setting Landowner Election
- D. General Matters of the District

### 5. CONSENT AGENDA

- A. Consideration of the Board of Supervisors Meeting Minutes June 2, 2016

### 6. STAFF REPORTS

- A. District Counsel
- B. District Engineer
- C. District Manager

### 7. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS

51 **8. ADJOURNMENT**  
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53	MOTION TO:	Continue the meeting until September 1, 2016 at 10:0 a.m.
54	MADE BY:	Supervisor A. Harden
55	SECONDED BY:	Supervisor C. Bruck
56	DISCUSSION:	None further
57	RESULT:	Called to Vote: motion PASSED
58		4/0 - Motion passed unanimously

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61 *\*These minutes were done in summary format.*  
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63 *\*Each person who decides to appeal any decision made by the Board with respect to any matter*  
64 *considered at the meeting is advised that person may need to ensure that a verbatim record of the*  
65 *proceedings is made, including the testimony and evidence upon which such appeal is to be based.*

66 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed**  
67 **meeting held on \_\_\_\_\_.**  
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**Signature** **Signature**

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73 \_\_\_\_\_  
**Printed Name** **Printed Name**

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76 **Title:** **Title:**  
77  **Chairman**  **Secretary**  
78  **Vice Chairman**  **Assistant Secretary**  
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81 *Recorded by Records Administrator*  
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*Date*  
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