

**THE HEIGHTS
COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS CONTINUED
PUBLIC HEARING & REGULAR MEETING
SEPTEMBER 20, 2018**

**THE HEIGHTS
COMMUNITY DEVELOPMENT DISTRICT AGENDA**

September 20, 2018 at 10:00 Aam.

The offices of SoHo Capital located at 220 W. 7th Ave, Suite 100, Tampa, FL 33602

District Board of Supervisors	Chairman Vice Chairman Supervisor Supervisor Supervisor	Adam Harden Chas Bruck Frank Scalfaro Vacant I. Clay Thompson, III
District Manager	Meritus	Brian Lamb
District Attorney	Molloy & James	Daniel L. Molloy
District Engineer	Landmark Engineering & Surveying Corp.	Todd Amaden

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

The District Agenda is comprised of four different sections:

The public hearing and meeting will begin at **10:00 a.m.** with the third section called **Vendor/Staff Reports**. This section allows the District Engineer, and Attorney to update the Board of Supervisors on any pending issues that are being researched for Board action and vendors presentation of information from any potential or current contractor of the District. The fourth section is 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 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 Continued 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 20, 2018

Board of Supervisors
The Heights Community Development District

Dear Board Members:

The Continued Public Hearing & Regular Meeting of The Heights Community Development District will be held on **Thursday, September 20 2018 at 10:00 a.m.** at the offices of SoHo Capital located at 220 W. 7th Ave, Suite 100, Tampa, FL 33602. Following is the Agenda for the Public Hearing and Meeting:

Call In Number: 1-866-906-9330

Access Code: 4863181

CONTINUED PUBLIC HEARING ON ADOPTING PROPOSED FISCAL YEAR 2019 BUDGET

- 1. CALL TO ORDER/ROLL CALL**
- 2. PUBLIC COMMENT ON AGENDA ITEMS**
- 3. PUBLIC HEARING ON ADOPTING PROPOSED FISCAL YEAR 2019 BUDGET**
 - A. Open Public Hearing on Proposed Fiscal Year 2019 Budget
 - B. Staff Presentations
 - C. Public Comment
 - D. Close Public Hearing on Proposed Fiscal Year 2019 Budget
 - E. Consideration of Resolution 2018-09; Adopting Fiscal Year 2019 Budget.....Tab 01

CONTINUED REGULAR MEETING OF THE BOARD OF SUPERVISORS

- 1. CALL TO ORDER/ROLL CALL**
- 2. PUBLIC COMMENT ON AGENDA ITEMS**
- 3. GENERAL MATTERS RELATED TO BOND FINANCING**
- 4. VENDOR AND STAFF REPORTS**
 - A. District Counsel
 - B. District Engineer
- 5. BUSINESS ITEMS**
 - A. Appointment of Supervisor, Seat 2 - Grant Kerekes
 - B. Consideration of Resolution 2018-10; Assessment Resolution..... Tab 02
 - C. Consideration of Resolution 2018-11; Setting Fiscal Year 2019 Meeting Schedule Tab 03
 - D. Consideration of Resolution 2018-12; Re-Designating Officers..... Tab 04
 - E. General Matters of the District
- 6. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS**
- 7. ADJOURNMENT**

Sincerely,
Brian Lamb
District Manager

RESOLUTION 2018-09

THE ANNUAL APPROPRIATION RESOLUTION OF THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGETS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has, prior to the fifteenth (15th) day in June, 2018, submitted to the Board of Supervisors (“**Board**”) of The Heights Community Development District (“**District**”) proposed budgets (“**Proposed Budget**”) for the fiscal year beginning October 1, 2018 and ending September 30, 2019 (“**Fiscal Year 2018/2019**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

WHEREAS, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, the District Manager posted the Proposed Budget on the District’s website at least two days before the public hearing; and

WHEREAS, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

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

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.
- b. The Proposed Budget, attached hereto as **Exhibit “A,”** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* (“**Adopted Budget**”), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District’s Local Records Office and identified as “The Budget for The Heights Community Development District for the Fiscal Year Ending September 30, 2019.”
- d. The Adopted Budget shall be posted by the District Manager on the District’s official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2018/2019, the sum of \$198,652.00 to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	<u>\$198,652.00</u>
DEBT SERVICE FUND(S)	N/A - CAPI
TOTAL ALL FUNDS	<u>\$198,652.00</u>

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2018/2019 or within 60 days following the end of the Fiscal Year 2018/2019 may amend its Adopted Budget for that fiscal year as follows:

- a. The Board may authorize an increase or decrease in line item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.

- b. The District Manager or Treasurer may authorize an increase or decrease in line item appropriations within a fund if the total appropriations of the fund do not increase and if the aggregate change in the original appropriation item does not exceed \$10,000 or 10% of the original appropriation.
- c. By resolution, the Board may increase any appropriation item and/or fund to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.
- d. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and Section 189.016, *Florida Statutes*, among other applicable laws. Among other procedures, the District Manager or Treasurer must ensure that any amendments to budget under subparagraphs c. and d. above are posted on the District’s website within 5 days after adoption and remain on the website for at least 2 years.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 20th DAY OF SEPTEMBER 2018.

ATTEST:

**THE HEIGHTS COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

By: _____

Its: _____

2019



THE HEIGHTS

COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2019
FINAL ANNUAL OPERATING BUDGET

AUGUST 1, 2018

THE HEIGHTS

COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2019

FINAL ANNUAL OPERATING BUDGET

TABLE OF CONTENTS

<u>SECTION</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
I.	BUDGET INTRODUCTION	1
II.	FISCAL YEAR 2018 BUDGET ANALYSIS.....	2
III.	FINAL OPERATING BUDGET.....	3
IV.	GENERAL FUND 001 DESCRIPTIONS.....	4
V.	DEBT SERVICE FUND.....	6
VI.	SCHEDULE OF ANNUAL ASSESSMENTS	8

AUGUST 1, 2018

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 2019, which begins on October 1, 2018. 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.

<u>Fund Number</u>	<u>Fund Name</u>	<u>Services Provided</u>
001	General Fund	Operations and Maintenance of Community Facilities
200	Debt Service Fund	Collection of Special Assessments for Debt Service on the Series 2017 Committed Tax Increment and Special Assessment Bonds
300	Debt Service Fund	Collection of Special Assessments for Debt Service on the Series 2018 Special Assessment Revenue Bonds

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 2018 Final Operating Budget	Current Period Actuals 10/1/17 - 4/30/18	Projected Revenues & Expenditures 5/1/18 to 9/30/18	Total Actuals and Projections Through 9/30/18	Over/(Under) Budget Through 9/30/18
REVENUES					
SPECIAL ASSESSMENTS					
Operations & Maintenance Assmts - Off Roll	48,552.00	0.00	0.00	0.00	(48,552.00)
TOTAL SPECIAL ASSESSMENTS	48,552.00	0.00	0.00	0.00	(48,552.00)
INTEREST EARNINGS					
Interest Earnings	0.00	0.23	0.00	0.23	0.23
TOTAL INTEREST EARNINGS	0.00	0.23	0.00	0.23	0.23
CONTRIBUTIONS & DONATIONS FROM PRIVATE SOURCES					
Developer Contributions	0.00	17,621.58		17,621.58	17,621.58
TOTAL CONTRIBUTIONS & DONATIONS FROM PRIVATE SOURCES	0.00	17,621.58	0.00	17,621.58	17,621.58
TOTAL REVENUES	\$48,552.00	\$17,621.81	\$0.00	\$17,621.81	(\$30,930.19)
EXPENDITURES					
LEGISLATIVE					
Supervisor Fees	4,000.00	0.00	0.00	0.00	(4,000.00)
TOTAL LEGISLATIVE	4,000.00	0.00	0.00	0.00	(4,000.00)
ELECTRIC UTILITY SERVICES					
Electric Utility Services	0.00	0.00	0.00	0.00	0.00
TOTAL ELECTRIC UTILITY SERVICES	0.00	0.00	0.00	0.00	0.00
FINANCIAL & ADMINISTRATIVE					
District Management & Accounting Services	32,000.00	7,000.00	5,000.00	12,000.00	(20,000.00)
District Engineer	3,000.00	4,625.00	3,000.00	7,625.00	4,625.00
Postage, Phone, Faxes, Copies	0.00	35.96	40.00	75.96	75.96
Public Officials Insurance	1,577.00	200.40	1,376.60	1,577.00	0.00
Legal Advertising	1,000.00	2,046.47	350.00	2,396.47	1,396.47
Bank Fees	300.00	138.00	138.00	276.00	(24.00)
Dues, Licenses & Fees	175.00	225.00	0.00	225.00	50.00
Office Supplies	0.00	99.61	0.00	99.61	99.61
TOTAL FINANCIAL & ADMINISTRATIVE	38,052.00	14,370.44	9,904.60	24,175.43	(13,876.57)
LEGAL COUNSEL					
District Counsel	4,000.00	6,529.95	6,529.95	13,059.90	9,059.90
TOTAL LEGAL COUNSEL	4,000.00	6,529.95	6,529.95	13,059.90	9,059.90
OTHER PHYSICAL ENVIRONMENT					
Decorative Light Maintenance	0.00	8,528.17	0.00	8,528.17	8,528.17
Property & Liability Insurance	2,500.00	0.00	2,500.00	2,500.00	0.00
Landscape Maintenance	0.00	2,900.00	5,500.00	8,400.00	8,400.00
Miscellaneous Landscape	0.00	1,850.00	1,850.00	3,700.00	3,700.00
Plant Replacement Program	0.00	0.00	0.00	0.00	0.00
Wetland Monitoring & Maintenance	0.00	0.00	0.00	0.00	0.00
Irrigation Maintenance	0.00	0.00	0.00	0.00	0.00
Perimeter Walls	0.00	0.00	0.00	0.00	0.00
Entry Feature Maintenance	0.00	0.00	0.00	0.00	0.00
TOTAL OTHER PHYSICAL ENVIRONMENT	2,500.00	13,278.17	9,850.00	23,128.17	20,628.17
TOTAL EXPENDITURES	\$48,552.00	\$34,178.56	\$26,284.55	\$60,363.50	\$11,811.50
EXCESS OF REVENUES OVER/(UNDER) EXPENDITURES	\$0.00	(\$16,556.75)	(\$26,284.55)	(\$42,741.69)	(\$42,741.69)

FISCAL YEAR 2018 BUDGET ANALYSIS

THE HEIGHTS

COMMUNITY DEVELOPMENT DISTRICT

	Fiscal Year 2018 Final Operating Budget	Total Actuals and Projections Through 9/30/18	Over/(Under) Budget Through 9/30/18	Fiscal Year 2019 Final Operating Budget	Increase / (Decrease) from FY 2018 to FY 2019
REVENUES					
SPECIAL ASSESSMENTS					
Operations & Maintenance Assmts - Tax Roll	0.00	0.00	0.00		0.00
Operations & Maintenance Assmts - Off Roll	48,552.00	0.00	(48,552.00)		(48,552.00)
TOTAL SPECIAL ASSESSMENTS	48,552.00	0.00	(48,552.00)	0.00	(48,552.00)
CONTRIBUTIONS & DONATIONS FROM PRIVATE SOURCES					
Developer Contributions	0.00	17,621.58	17,621.58	198,652.00	198,652.00
TOTAL CONTRIBUTIONS & DONATIONS FROM PRIVATE SOURCES	0.00	17,621.58	17,621.58	198,652.00	198,652.00
TOTAL REVENUES	\$48,552.00	\$17,621.81	(\$30,930.19)	\$198,652.00	\$150,100.00
EXPENDITURES					
LEGISLATIVE					
Supervisor Fees	4,000.00	0.00	(4,000.00)	4,000.00	0.00
TOTAL LEGISLATIVE	4,000.00	0.00	(4,000.00)	4,000.00	0.00
ELECTRIC UTILITY SERVICES					
Electric Utility Services	0.00	0.00	0.00		0.00
TOTAL ELECTRIC UTILITY SERVICES	0.00	0.00	0.00	0.00	0.00
FINANCIAL & ADMINISTRATIVE					
District Management & Accounting Services	32,000.00	12,000.00	(20,000.00)	50,000.00	18,000.00
District Engineer	3,000.00	7,625.00	4,625.00	3,000.00	0.00
Trustees Fees	0.00	0.00	0.00	10,000.00	10,000.00
Disclosure Report	0.00	0.00	0.00	10,000.00	10,000.00
Auditing Services	0.00	0.00	0.00	8,000.00	8,000.00
Postage, Phone, Faxes, Copies	0.00	75.96	75.96	100.00	100.00
Public Officials Insurance	1,577.00	1,577.00	0.00	1,577.00	0.00
Legal Advertising	1,000.00	2,396.47	1,396.47	1,000.00	0.00
Bank Fees	300.00	276.00	(24.00)	300.00	0.00
Dues, Licenses & Fees	175.00	225.00	50.00	175.00	0.00
Office Supplies	0.00	99.61	99.61	100.00	100.00
TOTAL FINANCIAL & ADMINISTRATIVE	38,052.00	24,175.43	(13,876.57)	84,152.00	46,100.00
LEGAL COUNSEL					
District Counsel	4,000.00	13,059.90	9,059.90	6,000.00	2,000.00
TOTAL LEGAL COUNSEL	4,000.00	13,059.90	9,059.90	6,000.00	2,000.00
OTHER PHYSICAL ENVIRONMENT					
Contingency Expense	0.00	0.00	0.00	80,000.00	80,000.00
Decorative Light Maintenance	0.00	8,528.17	8,528.17	5,000.00	5,000.00
Property & Liability Insurance	2,500.00	2,500.00	0.00	2,500.00	0.00
Landscape Maintenance	0.00	8,400.00	8,400.00	15,000.00	15,000.00
Miscellaneous Landscape	0.00	3,700.00	3,700.00		0.00
Plant Replacement Program	0.00	0.00	0.00	2,000.00	2,000.00
Wetland Monitoring & Maintenance	0.00	0.00	0.00		0.00
Irrigation Maintenance	0.00	0.00	0.00		0.00
Perimeter Walls	0.00	0.00	0.00		0.00
Entry Feature Maintenance	0.00	0.00	0.00		0.00
TOTAL OTHER PHYSICAL ENVIRONMENT	2,500.00	23,128.17	20,628.17	104,500.00	102,000.00
TOTAL EXPENDITURES	\$48,552.00	\$60,363.50	\$11,811.50	\$198,652.00	\$150,100.00
EXCESS OF REVENUES OVER/(UNDER) EXPENDITURES	\$0.00	(\$42,741.69)	(\$42,741.69)	\$0.00	\$0.00

FISCAL YEAR 2019
FINAL 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 Supervisors,

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

THE HEIGHTS

COMMUNITY DEVELOPMENT DISTRICT

DEBT SERVICE FUND SERIES 2017

REVENUES

CDD Debt Service Assessments - CAPI	\$ 1,047,200
TOTAL REVENUES	\$ 1,047,200

EXPENDITURES

Series 2017 January Bond Principal Payment	\$ -
Series 2017 January Bond CAPI Payment	\$ 1,047,200
Series 2017 July Bond Interest Payment	\$ -
TOTAL EXPENDITURES	\$ 1,047,200
EXCESS OF REVENUES OVER EXPENDITURES	\$ -

ANALYSIS OF BONDS OUTSTANDING

Bonds Outstanding - Period Ending 11/1/2018	\$ 21,745,000
Principal Payment Applied Toward Series 2017 Bonds	\$ -
Bonds Outstanding - Period Ending 11/1/2019	\$ 21,745,000

THE HEIGHTS

COMMUNITY DEVELOPMENT DISTRICT

DEBT SERVICE FUND SERIES 2018

REVENUES

CDD Debt Service Assessments - CAPI

TOTAL REVENUES	\$	-
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EXPENDITURES

Series 2018 May Bond Principal Payment	\$	-
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Series 2018 May Bond CAPI Payment

Series 2018 November Bond Interest Payment	\$	-
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TOTAL EXPENDITURES	\$	-
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EXCESS OF REVENUES OVER EXPENDITURES	\$	-
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ANALYSIS OF BONDS OUTSTANDING

Bonds Outstanding - Period Ending 11/1/2018

Principal Payment Applied Toward Series 2018 Bonds	\$	-
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Bonds Outstanding - Period Ending 11/1/2019	\$	-
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THE HEIGHTS

COMMUNITY DEVELOPMENT DISTRICT

SCHEDULE OF ANNUAL ASSESSMENTS

Lot Size	EAU Value	Unit Count Debt Service	Unit Count O&M	FISCAL YEAR 2019		
				Debt Service Per Unit	O&M Per Unit	Total Assessment
Apartments	1.00	900	900	\$ 600.00		\$ 600
Condominiums	1.25	620	620	\$ 750.00		\$ 750
Retail/Commercial (per 1,000 sq. ft.)	1.25	212	212	\$ 750.00		\$ 750
Office (per 1,000 sq. ft.)	2.00	278	278	\$ 1,200.00		\$ 1,200
Total		2,010	2,010			

Notations:

(1) Annual Assessments are based on the MADS, with administration fees and early payment discounts totaling 6%.

RESOLUTION 2018-10

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT AND IMPOSING SPECIAL ASSESSMENTS FOR FISCAL YEAR 2018/2019; PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Heights Community Development District (“**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 (“**County**”); and

WHEREAS, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District’s adopted capital improvement plan and Chapter 190, *Florida Statutes*; and

WHEREAS, the Board of Supervisors (“**Board**”) of the District hereby determines to undertake various operations and maintenance and other activities described in the District’s budget (“**Adopted Budget**”) for the fiscal year beginning October 1, 2018 and ending September 30, 2019 (“**Fiscal Year 2018/2019**”), attached hereto as **Exhibit “A”** and incorporated by reference herein; and

WHEREAS, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the Adopted 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, it is in the best interests of the District to proceed with the imposition of the special assessments for operations and maintenance in the amount set forth in the Adopted Budget; and

WHEREAS, the District has previously levied an assessment for debt service, which the District desires to collect for Fiscal Year 2018/2019; and

WHEREAS, Chapter 197, *Florida Statutes*, provides a mechanism pursuant to which such special assessments may be placed on the tax roll and collected by the local tax collector (“**Uniform Method**”), and the District has previously authorized the use of the Uniform Method by, among other things, entering into agreements with the Property Appraiser and Tax Collector of the County for that purpose; and

WHEREAS, it is in the best interests of the District to adopt the Assessment Roll of the The Heights Community Development District (“**Assessment Roll**”) attached to this Resolution as **Exhibit “B”** and incorporated as a material part of this Resolution by this reference, and to certify the Assessment Roll to the County Tax Collector pursuant to the Uniform Method; and

WHEREAS, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll, certified to the County Tax Collector by this Resolution, as the 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 & ALLOCATION FINDINGS. The Board hereby finds and determines that the provision of the services, facilities, and operations as described in **Exhibit “A”** confers a special and peculiar benefit to the lands within the District, which benefit exceeds or equals the cost of the assessments. The allocation of the assessments to the specially benefitted lands, as shown in **Exhibits “A” and “B,”** is hereby found to be fair and reasonable.

SECTION 2. ASSESSMENT IMPOSITION. Pursuant to Chapters 190 and 197, *Florida Statutes*, and using the 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 benefitted lands within the District, and 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. Moreover, pursuant to Section 197.3632(4), *Florida Statutes*, the lien amount shall serve as the “maximum rate” authorized by law for operation and maintenance assessments.

SECTION 3. COLLECTION. The collection of the operation and maintenance special assessments and previously levied debt service assessments shall be at the same time and in the same manner as County taxes in accordance with the Uniform Method, as indicated on **Exhibits “A” and “B.”** 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.

SECTION 4. ASSESSMENT ROLL. The Assessment Roll, attached to this Resolution as **Exhibit “B,”** is hereby certified to the County Tax Collector and shall be collected by the

County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to the District.

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

PASSED AND ADOPTED this 20th DAY OF SEPTEMBER, 2018.

ATTEST:

**THE HEIGHTS COMMUNITY
DEVELOPMENT DISTRICT**

Secretary / Assistant Secretary

By: _____

Its: _____

Exhibit A: Budget
Exhibit B: FY 2018/2019 Developer Funding Agreement
Exhibit C: Assessment Roll

The Heights Community Development District
Fiscal Year 2018/2019 Funding Agreement

This Agreement is made and entered into as of the 20th day of September, 2018, by and between **The Heights Community Development District**, a local unit of special-purpose government, established pursuant to Chapter 190, Florida Statutes, whose mailing address is 2005 Pan Am Circle, Suite 120, Tampa, Florida 33607 (the "**District**") and **SoHo Capital LLC**, a Florida limited liability company, authorized to do business in the State of Florida, whose mailing address is 220 W. 7th Ave., Suite 100, Tampa, FL 33602 (the "**Developer**").

Recitals

WHEREAS, the District was established by the Board of County Commissioners of Hillsborough County, Florida, for the purpose of planning, financing, constructing, operating and/or maintaining public infrastructure; and

WHEREAS, the District, pursuant to Chapter 190, Florida Statutes, is authorized to levy such taxes, special assessments, fees and other charges as may be necessary in furtherance of the District's activities and services; and

WHEREAS, the Developer presently owns all real property, as more particularly described in **Exhibit "A"** attached hereto, (the "**Property**") within the District, which Property will benefit from the continued operations of the District; and

WHEREAS, the District is adopting its general fund budget for the fiscal year 2018/2019, which commences on October 1, 2018, and concludes on September 30, 2019 (the "**Budget**"); and

WHEREAS, in lieu of levying special assessments on the Property, the District is willing to allow the Developer to provide such funds as are necessary to allow the District to proceed with its operations as described in **Exhibits "B"** so long as payment is timely provided; and

WHEREAS, the Developer agrees that the activities, operations and services provide a special and peculiar benefit equal to or in excess of the costs reflected on **Exhibits “B”** to the Property; and

WHEREAS, the Developer has agreed to enter into this Agreement in lieu of having the District levy non ad valorem special assessments as authorized by law against the Property to pay for the activities, operations and services of the District as set forth in **Exhibits “B”**.

Operative Provisions

Now, therefore, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Funding Obligations.** From time to time during the 2018/2019 fiscal year, the Developer agrees to make available to the District the aggregate sum of up to \$_____ in accordance with the Budget attached hereto as **Exhibit “B”** as such expenses are incurred by the District. Such payments shall be made within 30 days of written request for funding by the District. All funds provided hereunder shall be placed in the District's general operating account.

2. **Budget Revisions.** The District and Developer agree that the Budget shall be revised at the end of the 2018/2019 fiscal year to reflect the actual expenditures of the District for the period beginning on October 1, 2018, and ending on September 30, 2019. The Developer shall not be responsible for any additional costs other than those costs provided for in the Budget. However, if the actual expenditures of the District are less than the amount shown in the Budget, the Developer's funding obligations under this Agreement shall be reduced by that amount.

3. Amendments. This instrument constitutes the final and complete expression of the agreement between the parties relating to the subject matter of this Agreement. Amendments to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing which is executed by both of the parties hereto.

4. Authority. The execution of this Agreement has been duly authorized by the appropriate body or official of all parties hereto, each party has complied with all the requirements of law, and each party has full power and authority to comply with the terms and provisions of this instrument.

5. Assignment. This Agreement may be assigned, in whole or in part, by either party only upon the written consent of the other, which consent shall not be unreasonably withheld.

6. Default. A default by either party under this Agreement shall entitle the other to all remedies available at law or in equity, which shall include, but not be limited to, the right to seek specific performance of the Developer's payment obligations under this Agreement, but shall not include special, consequential, or punitive damages.

7. Third Parties. This Agreement is solely for the benefit of the parties hereto and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal party hereto. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or corporation other than the parties hereto any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof; and all of the provisions, representations, covenants and conditions herein contained shall inure to the sole benefit of and shall be binding upon the parties hereto and their respective representatives, successors and assigns.

8. Governing Law. This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida with venue in Hillsborough County, Florida.

9. Interpretation. This Agreement has been negotiated fully between the parties as an arm's length transaction. The parties participated fully in the preparation of this Agreement with the assistance of their respective counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the parties are each deemed to have drafted, chosen and selected the language, and the doubtful language will not be interpreted or construed against any party.

10. Termination of Agreement. The Agreement shall be effective upon execution by both parties hereto and shall remain in force until the end of the 2018/2019 fiscal year on September 30, 2019. The enforcement provisions of this Agreement shall survive its termination, until all payments due under this Agreement are paid in full.

11. Costs and Fees. In the event either party is required to enforce this Agreement, then the prevailing party shall be entitled to all fees and costs, including reasonable attorney's fees and costs, from the non-prevailing party.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties have executed this agreement as of the date first written above.

Attest:

**The Heights Community
Development District**

By: _____
Name: _____
Secretary

By: _____
Name: _____
Chair of the Board of Supervisors

Witnesses:

SoHo Capital LLC
a Florida limited liability company

By: _____
Name: _____

By: _____
Name: _____
Title: _____

By: _____
Name: _____

RESOLUTION 2018-11

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 THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT THAT:

Section 1. Regular meetings of the Board of Supervisors of The Heights Community Development District, for the Fiscal Year 2019, 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 20th DAY OF SEPTEMBER, 2018

**THE HEIGHTS
COMMUNITY DEVELOPMENT DISTRICT**

CHAIRMAN

ATTEST:

SECRETARY

EXHIBIT A

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

FISCAL YEAR 2018/2019

May	01, 2019	10:00 a.m.
August	07, 2019	10:00 a.m.

All meetings will convene at 10:00 a.m. at the offices of SoHo Capital located at 220 W. 7th Ave, Suite 100, Tampa, FL 33602.

RESOLUTION 2018-12

A RESOLUTION OF THE BOARD OF SUPERVISORS DESIGNATING THE OFFICERS OF THE HEIGHTS COMMUNITY DEVELOPMENT DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

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 (hereinafter “F.S.”); and

WHEREAS, the Board of Supervisors has changed its members due to resignation/reappointment; and

WHEREAS, the Board of Supervisors (hereinafter the “Board”), now desires to reorganize by designating the Officers of the District per F.S. 190.006(6).

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

- Section 1.** _____ is appointed Chairman.
_____ is appointed Vice Chairman.
Brian Lamb is appointed Secretary.
Eric Davidson is appointed Treasurer.
Brian Howell is appointed Assistant Secretary.
_____ is appointed Assistant Secretary.
_____ is appointed Assistant Secretary.
_____ is appointed Assistant Secretary.

Section 2. This Resolution shall become effective immediately upon its adoption and shall supersede any previously adopted resolutions designating said Officers.

PASSED AND ADOPTED THIS 20th DAY OF SEPTEMBER 2018.

**THE HEIGHTS
COMMUNITY DEVELOPMENT DISTRICT**

CHAIRMAN/VICE CHAIRMAN

ATTEST:

SECRETARY/ASST. SECRETARY