

**SOUTHERN HILLS PLANTATION II
COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
REGULAR MEETING AND PUBLIC HEARING
AUGUST 20, 2015**

**SOUTHERN HILLS PLANTATION II
COMMUNITY DEVELOPMENT DISTRICT AGENDA
AUGUST 20, 2015 AT 2:00 p.m.**

Southern Hills Plantation II
4200 Summit View Drive, Brooksville, FL 34601

District Board of Supervisors	Chairman	Lance Ponton
	Vice Chairman	Devon Rushnell
	Supervisor	Eric Davidson
	Supervisor	Chuck Maynard
	Supervisor	Derrick Rushnell
District Manager	Meritus	Brian Lamb
District Attorney		
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 **2:00 p.m.** with the first section 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 Business Administration section contains items that require the review and approval of the District Board of Supervisors as a normal course of business. The sixth 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. Occasionally, certain items for decision within this section are required by Florida Statute to be held as a Public Hearing. During the Public Hearing portion of the agenda item, each member of the public will be permitted to provide one comment on the issue, prior to the Board of Supervisors' discussion, motion and vote. 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 ADMINISTRATOR 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.

August 20, 2015

Board of Supervisors
Southern Hills Plantation II

Dear Board Members:

The Regular Meeting and Public Hearing of the Board of Supervisors of the Southern Hills Plantation II Community Development District will be held on **Thursday, August 20, 2015 at 2:00 p.m.** at the Southern Hills Clubhouse, located at 4200 Summit View Drive, Brooksville, FL 34601. Included below is the agenda:

- 1. CALL TO ORDER/ROLL CALL**
- 2. AUDIENCE QUESTION AND COMMENT ON AGENDA ITEMS**
- 3. STAFF REPORTS**
 - A. District Counsel
 - B. District Engineer
 - C. District Manager
- 4. PUBLIC HEARING ON FISCAL YEAR 2016 PROPOSED BUDGET**
 - A. Open Public Hearing on Fiscal Year 2016 Proposed Budget
 - B. Staff Presentations
 - C. Public Comment
 - D. Close Public Hearing on Fiscal Year 2016 Proposed Budget
 - E. Consideration of Resolution 2015-09; Adopting Fiscal Year 2016 BudgetTab 01
- 5. CONSENT AGENDA**
 - A. Consideration of 2015-2016 Developer Funding Agreement.....Tab 02
 - B. Consideration of Resolution 2015-10; Imposing Special Assessments.....Tab 03
 - C. Consideration of Resolution 2015-11; Setting Fiscal Year 2016 Meeting Schedule.....Tab 04
 - D. Consideration of Minutes of the Board of Supervisors Meeting May 12, 2015Tab 05
- 6. BUSINESS ITEMS**
 - A. General Matters of the District
- 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 2015-09

A RESOLUTION OF THE SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR 2016 (BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016)

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 August 20, 2015 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 SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT THAT:

Section 1. The Proposed Budget (as amended, if applicable) for Fiscal Year 2016 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 2016 Budget, attached hereto as Exhibit A.

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 20th DAY OF AUGUST, 2015.

**SOUTHERN HILLS PLANTATION II
COMMUNITY DEVELOPMENT
DISTRICT**

CHAIRMAN

ATTEST:

SECRETARY

2016



SOUTHERN HILLS PLANTATION II

COMMUNITY DEVELOPMENT DISTRICT

**PROPOSED
ANNUAL OPERATING BUDGET**

FISCAL YEAR 2016

May 12, 2015

SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2016

PROPOSED ANNUAL OPERATING BUDGET

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May 12, 2015

SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT

Budget Introduction

Background Information

The Southern Hills Plantations II 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 2016, which begins on October 1, 2015. 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 Financed by Non-Ad Valorem Assessments
200	Debt Service Fund	Collection of Special Assessments for Debt Service on the Series 2004 Capital Improvement 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.

SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT

	Fiscal Year 2015 Operating Budget	Proposed Fiscal Year 2016 Operating Budget	Increase / (Decrease) from FY 2015 to FY 2016
REVENUES			
SPECIAL ASSESSMENTS			
Operations & Maintenance Assmts-Tax Roll	17,596.00	17,596.00	0.00
Operations & Maintenance Assmts-Off Roll	66,299.00	66,299.00	0.00
TOTAL SPECIAL ASSESSMENTS	\$83,895.00	\$83,895.00	\$0.00
TOTAL REVENUES	\$83,895.00	\$83,895.00	\$0.00
EXPENDITURES			
LEGISLATIVE			
Supervisor Fees	1,600.00	1,600.00	0.00
TOTAL LEGISLATIVE	\$1,600.00	\$1,600.00	\$0.00
FINANCIAL & ADMINISTRATIVE			
District Manager	12,000.00	12,000.00	0.00
District Engineer	2,500.00	2,500.00	0.00
Disclosure Report	5,000.00	5,000.00	0.00
Trustees Fees	3,500.00	3,500.00	0.00
Auditing Services	3,400.00	3,400.00	0.00
Arbitrage Rebate Calculation	650.00	650.00	0.00
Public Officials Insurance	3,774.00	3,774.00	0.00
Legal Advertising	500.00	500.00	0.00
Bank Fees	310.00	310.00	0.00
Dues, Licenses & Fees	175.00	175.00	0.00
TOTAL FINANCIAL & ADMINISTRATIVE	\$31,809.00	\$31,809.00	\$0.00
LEGAL COUNSEL			
District Counsel	4,000.00	4,000.00	0.00
TOTAL LEGAL COUNSEL	\$4,000.00	\$4,000.00	\$0.00
ELECTRIC UTILITY SERVICES			
Street Lights	16,525.00	16,525.00	0.00
TOTAL ELECTRIC UTILITY SERVICES	\$16,525.00	\$16,525.00	\$0.00
STORMWATER CONTROL			
Aquatic Maintenance	904.00	904.00	0.00
TOTAL STORMWATER CONTROL	\$904.00	\$904.00	\$0.00
OTHER PHYSICAL ENVIRONMENT			
Genereal Liability Insurance	549.00	549.00	0.00
Entry & Walls Maintenance	600.00	600.00	0.00
Landscape Maintenance	16,908.00	16,908.00	0.00
Irrigation Repairs & Maintenance	3,500.00	3,500.00	0.00
Plant Replacement Program	5,000.00	5,000.00	0.00
TOTAL OTHER PHYSICAL ENVIRONMENT	\$26,557.00	\$26,557.00	\$0.00
CONTINGENCY			
Miscellaneous Contingency	2,500.00	2,500.00	0.00
TOTAL CONTINGENCY	\$2,500.00	\$2,500.00	\$0.00
TOTAL EXPENDITURES	\$83,895.00	\$83,895.00	\$0.00
EXCESS OF REVENUES OVER/(UNDER) EXPENDITURES	\$0.00	\$0.00	\$0.00

SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT

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 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, and attends all meetings of the Board of Supervisors.

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 General.

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.

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 review, etc.

SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT

Electric Utility Services

Electric Utility Services

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

Stormwater Control

Aquatic Maintenance

This item is for maintenance of stormwater facilities within the District.

Other Physical Environment

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.

Irrigation Maintenance

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

SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT

REVENUES

CDD Debt Service Assessments	\$	251,027
TOTAL REVENUES	\$	251,027

EXPENDITURES

Series 2004 May Bond Principal Payment	\$	85,000
Series 2004 May Bond Interest Payment	\$	85,703
Series 2004 November Bond Interest Payment	\$	83,216
TOTAL EXPENDITURES	\$	251,027
EXCESS OF REVENUES OVER EXPENDITURES	\$	-

EXHIBIT A

SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT

Unit Count - Debt Service	Unit Count - O&M	FISCAL YEAR 2015			FISCAL YEAR 2016			Increase / (Decrease) from FY 2015 to FY 2016
		O&M Per Unit	Debt Service Per Unit	TOTAL Annual CDD	O&M Per Unit	Debt Service Per Unit	TOTAL Annual CDD (1)	
899	925	\$98.58	\$303.51	\$402.09	\$98.58	\$303.51	\$402.09	\$0.00

(1) Amounts shown include costs associated with collection on the Hernando County Tax Roll and discounts offered for early payment.

Southern Hills Plantation II Community Development District
Fiscal Year 2015/2016 Funding Agreement

This Agreement is made and entered into this 20th day of August, 2015, by and between:

Southern Hills Plantation II Community Development District, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, and located in Hernando County, Florida (hereinafter "District"), and

_____, a Florida limited liability company and
a landowner in the District with an address of _____

(the "Developer").

Recitals

WHEREAS, the District was established by an ordinance adopted by the County Commission of Hernando County, Florida, for the purpose of planning, financing, constructing, operating and/or maintaining certain 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, Developer presently owns and/or is developing the majority of all real property described in Exhibit A, attached hereto and incorporated herein, (the "Property") within the District, which Property will benefit from the timely construction and acquisition of the District's facilities, activities and services and from the continued operations of the District; and

WHEREAS, the District is adopting its general fund budget for Fiscal Year 2015/2016, which year commences October 1, 2015, and concludes on September 30, 2016; and

WHEREAS, this general fund budget, which both parties recognize may be amended from time to time in the sole discretion of the District, is attached hereto and incorporated herein by reference as Exhibit B; and

WHEREAS, the District has the option of levying non-ad valorem assessments on all land, including the Property, that will benefit from the activities, operations and services set forth in the 2015/2016 Fiscal Year budget, or utilizing such other revenue sources as may be available to it; and

WHEREAS, in lieu of levying assessments on the Property, the Developer is willing to provide such funds as are necessary to allow the District to proceed with its operations as described in Exhibit B; 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 Exhibit B to the Property; and

WHEREAS, the Developer has agreed to enter into this Agreement in lieu of having the District levy and collect any non-ad valorem assessments as authorized by law against the Property located within the District for the activities, operations and services set forth in Exhibit B; and

WHEREAS, Developer and District desire to secure such budget funding through the imposition of a continuing lien against the Property described in Exhibit A and otherwise as provided herein.

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. The Developer agrees to make available to the District the monies necessary for the operation of the District as called for in the budget attached hereto as Exhibit B, as may be amended from time to time in the District's sole discretion, within fifteen (15) days of written request by the District. Amendments to the District's 2015/2016 Fiscal Year budget as shown on Exhibit B adopted by the District at a duly noticed meeting shall have the effect of amending this Agreement without further action of the parties. Funds provided hereunder shall be placed in the District's general checking account. These payments are made by the Developer in lieu of taxes, fees, or assessments which might otherwise be levied or imposed by the District.

2. District shall have the right to file a continuing lien upon the Property described in Exhibit A for all payments due and owing under the terms of this Agreement and for interest thereon, and for reasonable attorneys' fees, paralegals' fees, expenses and court costs incurred by the District incident to the collection of funds under this Agreement or for enforcement this lien, and all sums advanced and paid by the District for taxes and payment on account of superior interests, liens and encumbrances in order to preserve and protect the District's lien. The lien shall be effective as of the date and time of the recording of a "Notice of Lien for FY 2015/2016 Budget" in the public records of Hernando County, Florida, stating among other things, the description of the real property and the amount due as of the recording of the Notice, and the existence of this Agreement. The District Manager, in its sole discretion, is hereby authorized by the District to file the Notice of Lien for FY 2015/2016 Budget on behalf of the District, without the need of further Board action authorizing or directing such filing. At the District Manager's direction, the District may also bring an action at law against the record title holder to the Property to pay the amount due under this Agreement, or may foreclose the lien against the Property in any manner authorized by law. The District may partially release any filed lien for portions of the Property subject to a plat if and when the Developer has demonstrated, in the District's sole discretion, such release will not materially impair the ability of the District to enforce the collection of funds hereunder. In the event the Developer sells any of the Property described in Exhibit A after the execution of this Agreement, the Developer's rights and

obligations under this Agreement shall remain the same, provided however that the District shall only have the right to file a lien upon the remaining Property owned by the Developer.

3. Alternative methods of collection.

a. In the alternative or in addition to the collection method set forth in Paragraph 2 above, the District may enforce the collection of funds due under this Agreement by action against the Developer in the appropriate judicial forum in and for Hernando County, Florida. The enforcement of the collection of funds in this manner shall be in the sole discretion of the District Manager on behalf of the District. In the event that either party is required to enforce this Agreement by court proceedings or otherwise, then the parties agree that the prevailing party shall be entitled to recover from the other all costs incurred, including reasonable attorneys' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

b. The District hereby finds that the activities, operations and services set forth in Exhibit B provide a special and peculiar benefit to the Property, which benefit is initially allocated on an equal developable acreage basis. The Developer agrees that the activities, operations and services set forth in Exhibit B provide a special and peculiar benefit to the Property equal to or in excess of the costs set forth in Exhibit B, on an equal developable acreage basis. Therefore, in the alternative or in addition to the other methods of collection set forth in this Agreement, the District, in its sole discretion, may choose to certify amounts due hereunder as a non-ad valorem assessment on all or any part of the Property for collection, either through the Uniform Method of Collection set forth in Chapter 197 or under any method of direct bill and collection authorized by Florida law. Such assessment, if imposed, may be certified on the next available tax roll of the Hernando County property appraiser.

4. This instrument shall constitute 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.

5. 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.

6. 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.

7. 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 of damages, injunctive relief and specific performance and specifically including the ability of the District to enforce any and all payment obligations under this Agreement in the manner described herein in Paragraphs 2 and 3 above.

8. This Agreement is solely for the benefit of the formal parties herein 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. In the event the Developer sells or otherwise disposes of its business or of all or substantially all of its assets relating to improvements, work product, or lands within the District, the Developer shall continue to be bound by the terms of this Agreement and additionally shall expressly require that the purchaser agree to be bound by the terms of this Agreement. The Developer shall give 90 days prior written notice to the District under this Agreement of any such sale or disposition.

9. This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida.

10. 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.

11. The Agreement shall be effective after execution by both parties hereto. The enforcement provisions of this Agreement shall survive its termination, until all payments due under this Agreement are paid in full.

In witness whereof, the parties execute this agreement the day and year first written above.

[Signatures on Next Page]

Attest:

**Southern Hills Plantation II Community
Development District**

Secretary/Assistant Secretary

By: _____
Its: _____

WITNESS:

a Florida limited liability company

a Florida limited liability company
its Manager

By: _____

By: _____
Name: _____
Title: _____

Exhibit A Property Description
Exhibit B Fiscal Year 2015/2016 General Fund Budget

Exhibit A
Property Description

Exhibit B

Fiscal Year 2015/2016 General Fund Budget

RESOLUTION 2015-10

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT AND IMPOSING SPECIAL ASSESSMENTS FOR FISCAL YEAR 2015/2016; 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 Southern Hills Plantation II 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 Hernando 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 of the District (“**Board**”) hereby determines to undertake various operations and maintenance and other activities described in the District’s budgets for Fiscal Year 2015/2016 (“**Budget**”), 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 District’s 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 Budget; and

WHEREAS, the District has previously levied an assessment for debt service, which the District desires to collect for Fiscal Year 2015/2016; 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 Southern Hills Plantation II 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 SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BENEFIT. 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 Chapter 190, *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.

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 District's 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 Southern Hills Plantation II Community Development 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 District's 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 of Supervisors of the Southern Hills Plantation II Community Development District.

PASSED AND ADOPTED this 20th day of August, 2015.

ATTEST:

**SOUTHERN HILLS PLANTATION II
COMMUNITY DEVELOPMENT
DISTRICT**

Secretary / Assistant Secretary

By: _____

Its: _____

Exhibit A: Budget
Exhibit B: Assessment Roll

RESOLUTION 2015-11

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATE, TIME AND LOCATION FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

WHEREAS, Southern Hills Plantation II 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 Hernando, 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 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 SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT THAT:

Section 1. Regular meetings of the Board of Supervisors of the Southern Hills Plantation II Community Development District, for the Fiscal Year 2016, 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 Hernando 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 August, 2015.

**SOUTHERN HILLS PLANTATION II
COMMUNITY DEVELOPMENT DISTRICT**

CHAIRMAN

ATTEST:

SECRETARY

EXHIBIT A

**BOARD OF SUPERVISORS MEETING DATES
SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2016**

**SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS REGULAR MEETING SCHEDULE**

FISCAL YEAR 2015/2016

May	13, 2016	10:30 a.m.
August	12, 2016	10:30 a.m.

All meetings will convene at 10:30 a.m. at The Southern Hills Clubhouse located at 4200 Summit View Drive, Brooksville, Florida 34601.

**SOUTHERN HILLS PLANTATION II COMMUNITY
DEVELOPMENT DISTRICT**

May 12, 2015 Special Meeting

Minutes of the Special Meeting

The Special Meeting of the Board of Supervisors for Southern Hills Plantation II Community Development District was held on Tuesday, May 12, 2015 at 11:00 pm at the Southern Hills Clubhouse, located at 4200 Summit View Drive, Brooksville, FL 34601.

1. CALL TO ORDER/ROLL CALL

Mr. Lamb called the Special Meeting of the Board of Supervisors of the Southern Hills Plantation II Community Development District to order on Thursday, May 12, 2015 at 11:00 a.m.

Mr. Lamb then swore in and administered the Oath of Office to Derrick Rushnell and went over requirements and paperwork with him.

Board Members Present and Constituting a Quorum:

Lance Ponton	Chairman
Devon Rushnell	Vice Chairman
Derrick Rushnell	Supervisor
Chuck Maynard	Supervisor

Staff Members Present:

Brian Lamb	Meritus
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One audience member

2. AUDIENCE QUESTIONS AND COMMENTS ON AGENDA ITEMS

3. BUSINESS ITEMS

A. Ratification of Insurance Policy

Mr. Lamb went over this in detail with the Board. He stated they would look to ratify the action of the Chairman to purchase the insurance policy and also authorize the District to reimburse for those expenses which were \$4,551.72. (The complete discussion is available on recording)

MOTION TO:	Ratify the insurance policy and authorize reimbursement for the purchase of the \$4,551.72.
MADE BY:	Supervisor Ponton
SECONDED BY:	Supervisor Rushnell
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

B. Consideration of Resolution 2015-01; Adopting Fiscal Year 2016 Proposed Budget & Setting Public Hearing

Mr. Lamb Discussed this with the Board. The Public Hearing will be set for the August meeting date.

MOTION TO:	Approve Resolution 2015-01.
MADE BY:	Supervisor Ponton
SECONDED BY:	Supervisor Rushnell
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

C. Annual Disclosure of Qualified Electors

Mr. Lamb went over this with the Board.

D. Consideration of Resolution 2015-02; Appointment of District General Counsel

This agenda item was moved down after the other Resolutions were discussed

E. General Matters of the District

Mr. Lamb went over with the Board the suspension of services from the previous Management Company. The Chairman received approximately two months ago a letter from Rizzetta & Company noticing a suspension of services. Mr. Lamb explained that essentially that the way this would work is they could re-negotiate with Rizzetta & Company and reinstate those services or to the degree that you are looking to move in a different direction with a service provider it would be recommended that they actually terminate pursuant to the contract the services for management services. He also explained that termination is a different action than suspending.

MOTION TO:	Terminate services with Rizzetta & Company.
MADE BY:	Supervisor Ponton
SECONDED BY:	Supervisor Rushnell
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

Mr. Lamb went on to say that this typically requires a 60 day notice but with suspension in place if was not sure if they would look for payment or not and stated they would work through that as they progress.

The Chairman reached out to Meritus and Mr. Lamb stated they would be happy to provide services and stated they brought a form of a contract and a Resolution. This would be approved subject to review by Counsel and the Chairman.

Brian Lamb stated that Resolution 2015-03 would be to appoint Meritus Districts as District Manager, Financial Consultant and Designated Investment Representative with a form of the contract.

MOTION TO:	Approve Resolution 2015-03 subject to review by Chairman and or any Interim Counsel.
MADE BY:	Supervisor Rushnell
SECONDED BY:	Supervisor Ponton
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

Mr. Lamb explained Resolution 2015-04 as Transfer Registered Agent Responsibility with Dept. of Economics Opportunity to Brian Lamb and Meritus.

MOTION TO:	Approve Resolution 2015-04.
MADE BY:	Supervisor Ponton
SECONDED BY:	Supervisor Rushnell
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

Mr. Lamb explained Resolution 2015-05 as Transfer Funds to an Appropriate and Qualified Public Depository and that typically SunTrust is used.

MOTION TO:	Approve Resolution 2015-05 appointing SunTrust as Qualified Public Depository.
MADE BY:	Supervisor Ponton
SECONDED BY:	Supervisor Rushnell
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

Mr. Lamb explained Resolution 2015-06 as the Authorize Signatories on Account. He stated that typically three people are used as signatories, i.e. The Chairman, Secretary and Treasurer.

MOTION TO:	Approve Resolution 2015-06.
MADE BY:	Supervisor Rushnell
SECONDED BY:	Supervisor Ponton
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

Mr. Lamb went over Resolution 2015-07 and stated it authorizes Staff to make payments.

MOTION TO:	Approve Resolution 2015-07.
MADE BY:	Supervisor Rushnell
SECONDED BY:	Supervisor Ponton
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

Mr. Lamb went over Resolution 2015-08; Re-Designating Officers. The Chair will be Lance Ponton, Vice Chair will be Devon Rushnell, Brian Lamb will be Secretary, Robert Rios will be Treasurer, Brian Howell will be Assistant Secretary and the Balance of the Board will serve as Assistant Secretaries as well.

MOTION TO:	Approve Resolution 2015-08 as stated.
MADE BY:	Supervisor Ponton
SECONDED BY:	Supervisor Rushnell
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

MOTION TO:	Authorize Chair and Staff to work with District Counsel in negotiating any contractual arrangements that this District might have albeit a normal agreement or bond indentures.
MADE BY:	Supervisor Ponton
SECONDED BY:	Supervisor Rushnell
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

There was included in the agenda packet another firm to provide legal services. It was recommended to look at a couple of different firms and to authorize a member of the Board to negotiate the terms of the final engagement letter and bring that back for ratification.

MOTION TO:	Allow Chair and District Manager to seek other proposals for District Counsel.
MADE BY:	Supervisor Rushnell
SECONDED BY:	Supervisor Ponton
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

MOTION TO:	Recess for five (5) minutes.
MADE BY:	Supervisor Ponton
SECONDED BY:	Supervisor Rushnell
DISCUSSION:	None Further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

4. STAFF REPORTS

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

5. SUPERVISORS REQUESTS AND AUDIENCE COMMENTS

6. ADJOURNMENT

**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

Official District Seal