

1 **MINUTES OF MEETING**

2 **SOLTERRA RESORT**

3 **COMMUNITY DEVELOPMENT DISTRICT**

4 The Regular Meeting of the Board of Supervisors of the Solterra Resort Community
5 Development District was held on Friday, Friday, August 4, 2023 at 10 a.m. at Solterra Resort
6 Clubhouse, 5200 Solterra Boulevard, Davenport, Florida 33837.

7 **FIRST ORDER OF BUSINESS – Roll Call**

8 Mr. Darin called the meeting to order and conducted roll call.

9 Present and constituting a quorum were:

| | | |
|----|--|---------------------------------------|
| 10 | Karan Wienker (S1) | Board Supervisor, Chairwoman |
| 11 | Ariane Casanova (S5) | Board Supervisor, Vice Chairwoman |
| 12 | Sharon Harley (S2) (<i>joined in progress</i>) | Board Supervisor, Assistant Secretary |
| 13 | Connie Osner (S3) | Board Supervisor, Assistant Secretary |
| 14 | Bobby Voisard (S4) | Board Supervisor, Assistant Secretary |

15 Also present were:

| | | |
|----|--------------------------------------|--|
| 16 | Kyle Darin | District Manager, Vesta District Services |
| 17 | Meredith Hammock | District Counsel, Kilinski Van Wyk |
| 18 | Jayne Biggs | Amenity Manger, Vesta |
| 19 | Dan Fagen | Director of Amenity Operations, Vesta |
| 20 | Lea Stokes (<i>via Teams</i>) | Senior Vice President, Vesta |
| 21 | Richard Losco | Regional Food and Beverage Director, Vesta |
| 22 | Niyala Harrison (<i>via Teams</i>) | Bond Counsel, GT Law |
| 23 | Dana Bryant | Yellowstone Landscape |
| 24 | Devon Ostir | Property Owner |

25 *The following is a summary of the actions taken at the August 4, 2023 Solterra Resort CDD Board*
26 *of Supervisors Regular Meeting.*

27 **SECOND ORDER OF BUSINESS – Audience Comments – Agenda Items and New Business**

28 Mr. Darin read the Public Comments Policy from the Agenda. A comment was heard
29 regarding the height regulations for the water slide.

30 **THIRD ORDER OF BUSINESS – Bond Series 2013 Refinancing – FMS Bonds**

31 A. Exhibit 1: Consideration and Acceptance of FMS Bonds Agreement for Placement
32 Agent Services and G-17 Disclosure

33 This item was procedural to close the bond refinance presented and discussed at the
34 previous meeting.

35 On a MOTION by Ms. Osner, SECONDED by Ms. Wienker, with ALL IN FAVOR, the Board
36 accepted the FMS Bonds Agreement for Placement Agent Services and G-17 Disclosure, for the
37 Solterra Resort Community Development District.

38 B. Exhibit 2: Consideration and Adoption of Resolution 2023-12, Delegated Award
39 Resolution

- 40 • Exhibit A – Trust Indenture
- 41 • Exhibit B – Escrow Deposit Agreement

42 The acceptance of the 2013 Bond refinancing will reduce the annual debt service
43 portion of the assessment for residents in Assessment Area One. The other bonds
44 will be up for refinancing in the next few years.

45 On a MOTION by Ms. Osner, SECONDED by Ms. Wienker, with ALL IN FAVOR, the Board
46 adopted Resolution 2023-12 Delegated Award Resolution, for the Solterra Resort Community
47 Development District.

48 C. Exhibit 3: Consideration and Acceptance of Series 2023 Bonds Supplemental
49 Special Assessment Methodology Report, Dated August 4, 2023

50 On a MOTION by Ms. Wienker, SECONDED by Ms. Osner, with ALL IN FAVOR, the Board
51 accepted the Series 2023 Bonds Supplemental Special Assessment Methodology Report, Dated
52 August 4, 2023, for the Solterra Resort Community Development District.

53 D. Exhibit 4: Consideration and Adoption of Resolution 2023-13, Authorizing
54 Refinancing of Series 2013 Bonds

55 On a MOTION by Ms. Casanova, SECONDED by Ms. Wienker, with ALL IN FAVOR, the Board
56 adopted Resolution 2023-13, Authorizing Refinancing of Series 2013 Bonds, for the Solterra
57 Resort Community Development District.

58 **FOURTH ORDER OF BUSINESS – Amended Amenity Policy and Rules Adoption**

59 A. Amended Amenity Policy and Rules Public Hearing

60 1. Open Public Hearing

61 On a MOTION by Mr. Voisard, SECONDED by Ms. Harley, with ALL IN FAVOR, the Board
62 approved opening the Amended Amenity Policy and Rules Public Hearing, for the Solterra Resort
63 Community Development District.

64 2. Exhibit 5: Presentation of Amended Amenity Policy and Rules

65 The amendment provides for the collection of fees for cabana rentals,
66 resort fee for visiting guests under short-term rentals.

67 Ms. Hammock defined the term patron as encompassing residents, non-
68 resident patrons, and renters with a lease of one year or longer. Non-
69 resident patrons are individuals who do not live or own property within the
70 community, but have paid the annual user fee, which is the equivalent of
71 the average O&M assessment for the fiscal year. This access for non-

72 resident patrons is written into the amenity policy because the facilities
73 were built with public funds.

74 Only guests of short-term rental units will be subject to the amenity fee
75 and permitted to use the amenities after payment. Non-residents who are
76 not renting a short-term rental unit are required to pay the annual user fee
77 as a non-resident patron if they wish to use the District's amenities. Short-
78 term rental guests will have the option of not paying the amenity fee and
79 not using the amenities. The amenity fee will be applied on the first day
80 of amenity use and will be valid only for the duration of the guests stay.
81 Former guests may not use the District's recreational facilities once their
82 short-term lease ends.

83 Property managers were advised to notify their clients of the fee so it's
84 known to guests prior to check-in.

85 Mr. Darin clarified that Vesta is not collecting any fees, all funds are
86 deposited directly into the District's account.

87 Ms. Osner requested the Board consider adding the amenity fee to all
88 short-term rentals at a future time. She was concerned that people would
89 not pay the fee but still attempt to use the amenities. Amenities were
90 defined as including all common areas, and recreational facilities, not just
91 the pool and lazy river. Staff will spot check the use of all recreational
92 facilities to confirm users are authorized. Ms. Osner requested the
93 definition of amenities be disseminated to all residents and guests.

94 Ms. Wienker shared the position of a couple of property owners who
95 considered the amenity fee would be detrimental to their ability to be rent
96 their properties at a competitive price.

97 The Board discussed the number of people who would be granted access
98 per each amenity fee charged. Staff were directed to establish a pricing
99 range in line with occupancy stated on the reservation.

100 Guests of homeowners are required to be accompanied by the homeowner
101 in order to use the amenities. If the homeowner is not present, the guests
102 will be subject to the amenity fee.

103 Households are subject to suspension of privileges if there is unauthorized
104 use of any amenity pass.

105 3. Public Comments (*See Public Conduct Notice Above [on Agenda]*)

106 Comments were heard on options of having owners paying on behalf of
107 guests, and the number of guests per household.

108 4. Close Public Hearing

109 On a MOTION by Ms. Wienker, SECONDED by Mr. Voisard, with ALL IN FAVOR, the Board
110 approved closing the Amended Amenity Policy and Rules Public Hearing, for the Solterra Resort
111 Community Development District.

112 B. Exhibit 6: Consideration and Adoption of Resolution 2023-14, Adopting
113 Amended Amenity Policy and Rules

114 On a MOTION by Mr. Voisard, SECONDED by Ms. Wienker, with ALL IN FAVOR, the Board
115 adopted Resolution 2023-14, Adopting Amended Amenity Policy and Rules, for the Solterra
116 Resort Community Development District.

117 All transactions will be between the short-term guests and the amenity
118 center.

119 The Amenity Fee will be implemented on September 1, 2023.

120 District Counsel will update additional rates and policies related to
121 resident family guests in excess of four people and another public hearing
122 will be scheduled.

123 It was clarified that advanced bookings collecting the amenity fee may be
124 subject to State and County taxes, which the business owner would be
125 responsible for. Taxes on direct transactions between short-term renters
126 and the amenity center would be handled by the District's accounting
127 team.

128 **FIFTH ORDER OF BUSINESS – FY 2023-2024 Budget Adoption**

129 A. FY 2023-2024 Budget Public Hearing

130 1. Open Public Hearing

131 On a MOTION by Ms. Osner, SECONDED by Mr. Voisard, with ALL IN FAVOR, the Board
132 approved opening the Budget Public Hearing, for the Solterra Resort Community Development
133 District.

134 2. Exhibit 7: Presentation of FY 2023-2024 Budget

135 3. Public Comments (*See Public Conduct Notice Above [on Agenda]*)

136 There being none, the next item followed.

137 4. Close Public Hearing

138 On a MOTION by Ms. Casanova, SECONDED by Mr. Voisard, with ALL IN FAVOR, the Board
139 approved closing the Budget Public Hearing, for the Solterra Resort Community Development
140 District.

141 B. Exhibit 8: Consideration and Adoption of Resolution 2023-15, Adopting FY
142 2023-2024 Budget

143 On a MOTION by Ms. Wienker, SECONDED by Ms. Harley, with ALL IN FAVOR, the Board
144 adopted Resolution 2023-15, Adopting FY 2023-2024 Budget, for the Solterra Resort Community
145 Development District.

146 C. FY 2023-2024 Assessment Public Hearing

147 1. Open Public Hearing

148 On a MOTION by Mr. Voisard, SECONDED by Ms. Casanova, with ALL IN FAVOR, the Board
149 approved opening the Assessment Public Hearing, for the Solterra Resort Community
150 Development District.

151 2. Exhibit 9: Presentation of FY 2023-2024 Assessment Allocation

152 3. Public Comments (*See Public Conduct Notice Above [on Agenda]*)

153 There being none, the next item followed.

154 4. Close Public Hearing

155 On a MOTION by Ms. Osner, SECONDED by Mr. Voisard, with ALL IN FAVOR, the Board
156 approved closing the Assessment Public Hearing, for the Solterra Resort Community Development
157 District.

158 D. Exhibit 10: Consideration and Adoption of Resolution 2023-16, Providing for the
159 Collection and Enforcement of Special Assessments for FY 2023-2024

160 On a MOTION by Ms. Osner, SECONDED by Mr. Voisard, with ALL IN FAVOR, the Board
161 adopted Resolution 2023-16, Providing for the Collection and Enforcement of Special
162 Assessments for FY 2023-24, for the Solterra Resort Community Development District.

163 **SIXTH ORDER OF BUSINESS – Business Items**

164 A. Vendor Reports

165 1. Exhibit 11: Aquatic Maintenance – *Steadfast Environmental*

166 Trash was noted as still being present in ponds 18/19.

167 2. Landscape Maintenance – *Dana Bryant, Yellowstone Landscape*

168 Mr. Bryant outlined suggestions for along the boulevard beyond the trash
169 compactor to the second Oakmoss Loop entrance, with recommendations
170 on plantings that can accommodate lack of irrigation and weather
171 conditions. Fourteen islands were identified for installing groundcover at
172 18” spacing. The proposed planting should reduce maintenance costs for
173 the District due to reduced mowing, maintenance and pest control. Funds
174 for this project were already allocated, Mr. Bryant asked for approval of
175 the updated scope of work on the previously approved proposal.

176 The Board discussed advertising signs on district property. No permission
177 has been given by the District for the placement of these signs on District
178 property. Direction was given to Yellowstone to remove the signs.

179 On a MOTION by Ms. Wienker, SECONDED by Ms. Casanova, with ALL IN FAVOR, the Board
180 approved the scope of work proposed by Yellowstone for the previously approved landscape
181 replenishment along Solterra Blvd between the trash compactor and the second Oakmoss Loop
182 entrance, for the Solterra Resort Community Development District.

183 Mr. Bryant presented an idea created with Ms. Biggs to resolve the
184 landscape issue between the amenity center entrance and pool by installing
185 a 20 x 50 pad for food trucks using recycled concrete. Budget constraints
186 do not permit funding for the project during the current fiscal year.

187 On a MOTION by Mr. Voisard, SECONDED by Ms. Wienker, with ALL IN FAVOR (*Ms. Osner*
188 *and Ms. Casanova were absent*), the Board approved Yellowstone proposal #337445 for the food
189 truck pad at the amenity center in the amount of \$3,498.10, subject to work commencing in the
190 new fiscal year and funding being available, for the Solterra Resort Community Development
191 District.

192 3. HOA Management – *Evergreen Lifestyles Management*

193 There being no representative of the HOA management team present, the
194 next item followed.

195 4. Exhibit 12: Amenity Manager – *Jayme Biggs, Vesta Property Services*

196 Ms. Biggs provided an update on the event calendar and website. She is
197 reviewing all vendor invoices, obtaining credits for overcharging and
198 working where possible on obtaining more reasonable pricing. The
199 facilities and maintenance team has been on-site repairing electrical
200 problems in-house which has saved the district about \$3,000, and
201 addressing plumbing problems in the bathroom.

202 Ms. Biggs was thanked for the changes noted around the amenity center
203 and the positive interactions with residents and guests.

204 A new database was provided by the previous Amenity Management
205 Team. Ms. Biggs has worked with a number of IT departments to work on
206 issues that still need to be resolved. She will be re-sending the latest
207 communication via another account for the Solterra Resort Clubhouse to
208 identify and possibly resolve some of the issues encountered with the
209 existing communication app.

210 a. Exhibit 13: Consideration of Holiday Lighting Proposals

211 Ms. Biggs informed the Board of the power supply issues in some
212 locations and that the Facilities & Maintenance team would install
213 power receptacles in-house and the utility company would then
214 supply power to the boxes.

215 i. Captain Carnival – *Previously Presented*

216 Equipment would be leased. Price includes setup and take
217 down.

218 ii. Christmas Lighting Company – *Revised*

219 Equipment would be purchased. Storage, setup and take
220 down is not included.

221 iii. Nightscape Illumination

222 Equipment would be leased. Price includes setup and take
223 down.

224 iv. TPG Lighting

225 Equipment would be leased. Price includes setup and take
226 down.

227 The Board discussed the pros and cons of leasing versus
228 purchasing equipment.

229 Board directed holiday lighting to focus on primarily the
230 CDD main entrance, secondarily the clubhouse and the
231 resort area. Ms. Biggs will provide Villatel with the
232 holiday lighting vendor information.

233 On a MOTION by Mr. Voisard, SECONDED by Ms. Osner, with ALL IN FAVOR, the Board
234 approved the TPG Lighting proposal for holiday lighting in an amount not to exceed \$11,000, for
235 the Solterra Resort Community Development District.

236 b. Exhibit 14: Consideration of Spies Pool Filter Tank Wall and
237 Autofill Repair Proposal - \$1,325.00

238 On a MOTION by Mr. Voisard, SECONDED by Ms. Harley, with ALL IN FAVOR, the Board
239 approved the Spies proposal to repair the pool filter tank wall and autofill in the amount of
240 \$1,3250.00, pending removal of tax and renaming the client as Solterra Resort CDD, for the
241 Solterra Resort Community Development District.

242 c. Exhibit 15: Consideration of Pressure Washing Proposals

243 It is anticipated that the sand sealing will last approximately two
244 years.

245 i. Blue Nova Pressure Washing - Wash and Seal Pool and
246 Lazy River Deck, Softwash Playground - \$31,430.00

247 ii. Buddys Pressure Washing and Roof Cleaning – Softwash
248 and Sand Seal Pool and Lazy River Decks, Rinse Pool
249 Furniture, Wash and Treat Playground - \$16,050.00

250 iii. The Pressure Guys – Pressure Wash and Mold Post-
251 Treatment of Pool Deck and Softwash Playground
252 Equipment - \$3,153.00

253 This proposal does not include sand sealing.

254 iv. Unashamed Pressure Washing – Clean and Sand Seal Pool
255 and Lazy River Decks - \$24,877.50

256 v. Unashamed Pressure Washing – Softwash and Treat
257 Playground Equipment - \$300.00

258 On a MOTION by Ms. Osner, SECONDED by Ms. Casanova, with ALL IN FAVOR, the Board
259 approved Buddys Pressure Washing and Roof Cleaning Proposal to Softwash and Sand Seal Pool
260 and Lazy River Decks, Rinse Pool Furniture, Wash and Treat Playground in an amount not to
261 exceed \$15,750.00, pending the new fiscal year, for the Solterra Resort Community Development
262 District.

263 d. Exhibit 16: Consideration of HVAC Maintenance Service
264 Proposals

265 The maintenance service would be quarterly.

266 i. Pro-Tech

267 ii. Westbrook

268 Ms. Biggs noted that Westbrook has a parts warehouse and
269 anticipated a quicker response time for addressing any
270 repairs.

271 On a MOTION by Ms. Wienker, SECONDED by Mr. Voisard, with ALL IN FAVOR, the Board
272 approved the Westbrook proposal for HVAC maintenance services subject to the CDD's form of
273 agreement, for the Solterra Resort Community Development District.

274 e. Exhibit 17: Lifestyle Events Schedule Update

275 This item was addressed earlier in the Amenity Manager Report.
276 The inflatable movie screen will be checked to make sure it is in
277 working condition.

278 **SEVENTH ORDER OF BUSINESS – Consent Agenda**

279 A. Exhibit 18: Consideration and Approval of the Minutes of the Board of Supervisors
280 Regular Meeting Held July 7, 2023

281 B. Exhibit 19: Consideration and Acceptance of the June 2023 Unaudited Financial
282 Report

283 C. Exhibit 20: Consideration and Ratification of Approved Proposals

284 1. Spies Pool Ladder Step Repair - \$325.00

285 2. Spies Pool Recirculation Pump Replacement - \$1,445.00

286 On a MOTION by Ms. Osner, SECONDED by Ms. Harley, with ALL IN FAVOR, the Board
287 approved the Consent Agenda – Items A-C – as presented, for the Solterra Resort Community
288 Development District.

289 **EIGHTH ORDER OF BUSINESS – Staff Reports**

290 A. District Counsel – *Meredith Hammock, Kilinski Van Wyk*

291 1. Exhibit 21: Update on Shared Office Space Agreement

292 The original request by the HOA was to use one of the offices for HOA
293 staff Monday through Friday 8 a.m. to 5 p.m.

294 The Board discussed the space available and the benefits of HOA
295 managers being on-site. Use of the amenity center is currently being made
296 available to the HOA when they complete their on-site visits.

297 Board consensus was to not pursue a shared office space agreement with
298 the HOA Management team at this time.

299 Ms. Hammock advised the Board of the legislation that passed requiring
300 Supervisors take four hours of ethics training every year, starting January 1, 2024.
301 District Counsel will present those trainings at a workshop for which the Board
302 can be compensated for their time.

303 B. District Engineer – *Tonja Stewart, Stantec*

304 There being nothing to report, the next item followed.

305 C. District Manager – *Kyle Darin, Vesta Property Services*

306 1. Update for Discussion on Café Lease Agreement

307 Mr. Darin has reached out to individuals and vendors regarding servicing
308 the community. The logistical challenges of the location did not make
309 operational sense for those contacted to pursue an agreement. Mr. Losco
310 was introduced and discussed some options for food and beverage at the
311 pool. He recommended the District obtain a liquor license. Ms. Hammock
312 reminded the Board that any change to the revenue generation portion of
313 the District's facilities should be reviewed by Bond Counsel to ensure
314 compliance with the Bond terms.

315 Vesta will draft a sample agreement for food and beverage to be considered
316 at the next meeting.

317 Mr. Losco noted the key focus would be to maintain the quality of food and
318 reduce wait times. It was requested that Vesta include the benefits to the
319 CDD for changing café vendors.

320 The Board discussed equipment ownership, having recently replaced some
321 of the equipment with no cost benefit to the CDD.

322 2. Update for Discussion on Towing and Parking

323 Tow stickers are in use in partnership with the Security team and Bolton's
324 Towing. Current grace period is twelve hours from the time the sticker is
325 issued. The Board discussed the current towing policy and gave direction
326 to staff to change the notice policy to five hours. The Board agreed to
327 review the efficacy of the five-hour noticing at a future meeting.

328 Ms. Biggs noted two alligators had recently been removed under the FWC permit.

329 3. Discussion on Pool Service

330 The Amenity Management team will be ready to take on the daily service
331 of the pools in-house in the near future, Mr. Darin requested the Board
332 consider authorizing staff to terminate the pool service agreement with
333 Power Pools when the transition to in-house maintenance is ready to go.
334 The District would need to invest in a Hammerhead vacuum (approximately
335 \$2,800.00) to vacuum all the pools, but that would become an asset of the
336 District's.

337 On a MOTION by Ms. Voisard, SECONDED by Ms. Casanova, with ALL IN FAVOR, the Board
338 authorized staff to terminate the Power Pools service agreement at a future date, for the Solterra
339 Resort Community Development District.

340 **NINTH ORDER OF BUSINESS – Supervisors Requests** (*Includes Next Meeting Agenda Item*
341 *Requests*)

342 During the Amenity Manager Report Ms. Casanova requested the up-lights at the trees be
343 moved off the trees a couple of feet as they currently appear to be too close.

344 Ms. Casanova requested someone from Security to attend the meetings, and requested an
345 update on the implementation of Proptia.

346 Ms. Osner requested a summary of Board decisions be distributed once the Amenity
347 Center's communication app is functioning, specifically regarding the process once Proptia
348 is implemented. The new security process will be phased in, it will not occur overnight.

349 Ms. Wienker requested proper training for residents be readily accessible online.

350 **TENTH ORDER OF BUSINESS – Action Item Summary** (*To Be E-mailed to Supervisors and*
351 *Staff*)

- 352 • District Counsel – Update Amenity Policies rates
- 353 • Yellowstone - Review ponds for trash
- 354 • Vesta - Draft a sample agreement for food and beverage
- 355 • Amenity Management - Change parking notice towing to 5 hours after sticker time

356 **ELEVENTH ORDER OF BUSINESS – Next Meeting Quorum Check**

357 *Friday, September 1, 2023*
358 *Solterra Resort Clubhouse*
359 *5200 Solterra Boulevard, Davenport, FL 33837*

360 **TWELFTH ORDER OF BUSINESS – Adjournment**


361 On a MOTION by Mr. Voisard, SECONDED by Ms. Harley, WITH ALL IN FAVOR, the Board
362 adjourned the meeting at 12:57 p.m., for the Solterra Resort Community Development District.

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

366 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly**
367 **noticed meeting held on September 1, 2023.**

368 *Kyle T. Darin*
Signature

Kyle Darin
Printed Name


Signature

Karan Lee Wienker
Printed Name

369 **Title:** **Secretary** **Assistant Secretary**

Title: **Chairman** **Vice Chairman**