

# **TRIPLE CREEK COMMUNITY DEVELOPMENT DISTRICT**

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**DISTRICT OFFICE • 12750 CITRUS PARK LANE • SUITE 115, TAMPA, FL 33625**

## **TRIPLE CREEK COMMUNITY DEVELOPMENT DISTRICT**

**BOARD OF SUPERVISORS' MEETING  
NOVEMBER 29, 2016**

# TRIPLE CREEK COMMUNITY DEVELOPMENT DISTRICT AGENDA

**NOVEMBER 29, 2016 at 10:00 a.m.**

Rizzetta and Company  
9428 Camden Field Parkway  
Riverview, Florida 33578

<b>District Board of Supervisors</b>	Grady Miars Walter Beeman Bruce Kaschyk Ellen Johnson	Chairman Vice Chairman Assistant Secretary Assistant Secretary
<b>District Manager</b>	Joseph Roethke	Rizzetta & Company, Inc.
<b>District Attorney</b>	Jennifer Kilinski	Hopping Green & Sams, P.A.
<b>District Engineer</b>	Jamie Scarola	Scarola Associates Engineering Design and Land Consultants, P.A.

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

## **The District Agenda is comprised of five different sections:**

The meeting will begin promptly at **10:00 a.m.** with the first section which is called **Audience Comments**. 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 MANAGER OUTSIDE THE CONTEXT OF THIS MEETING.** The second section is called **Business Administration**. The Business Administration section contains items that require the review and approval of the District Board of Supervisors as a normal course of business. The third 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. The fourth section is called **Staff Reports**. This section allows the District Manager, Engineer, and Attorney to update the Board of Supervisors on any pending issues that are being researched for Board action. 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) 933-5571 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**. This is the section in which the Supervisors may request Staff to prepare certain items in an effort to meet residential needs.

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) 933-5571, 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.

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**Board of Supervisors**  
**Triple Creek Community**  
**Development District**

November 21, 2016

AGENDA

Dear Board Members:

The CONTINUED meeting of the Board of Supervisors of the Triple Creek Community Development District will be held on **Tuesday, November 29, 2016 at 10:00 a.m.** at the office of Rizzetta and Company located at 9428 Camden Field Parkway, Florida 33578. The following is the agenda for this meeting:

- 1. CALL TO ORDER/ROLL CALL**
- 2. AUDIENCE COMMENTS**
- 3. BUSINESS ITEMS**
  - A. Consideration of Resolution 2017-08, Supplemental Assessment Resolution for the Series 2016A Bonds .....Tab 1
  - B. Consideration of Resolution 2017-09, Supplemental Assessment Resolution for the Series 2016B Bonds .....Tab 2
  - C. Consideration of other Financing Related Documents and Matters
    1. Consideration of Resolution 2017-10, Amended and Restated Delegation Resolution for the Series 2016 Bonds (USC)
    2. Consideration of Resolution 2017-11, Amended and Restated Master Assessment/Equalization Resolution (USC)
    3. Consideration of Additional Financing Documents (USC)
- 4. STAFF REPORTS**
  - A. District Counsel
  - B. District Engineer
  - C. District Manager
- 5. SUPERVISOR REQUESTS**
- 6. 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) 933-5571.

Very truly yours,

*Joseph Roethke*

Joseph Roethke  
District Manager

# **Tab 1**



**SECTION 2. MAKING CERTAIN FINDINGS; APPROVING THE SUPPLEMENTAL ENGINEER'S REPORT AND SUPPLEMENTAL ASSESSMENT REPORT.** The Board hereby finds and determines as follows:

(a) On May 24, 2016, the District, after due notice and public hearing, adopted Resolution 2016-07 which, among other things, equalized, approved, confirmed, and levied special assessments on property benefitting from the infrastructure improvements authorized by the District. That Resolution provided that as each series of bonds were issued to fund all or any portion of the District's infrastructure improvements, a supplemental resolution would be adopted to set forth the specific terms of the bonds and to certify the amount of the lien of the special assessments securing any portion of the bonds, including interest, costs of issuance, the number of payments due, the true-up amounts, and the application of receipt of true-up proceeds.

(b) The *Amended and Restated Master Capital Improvement Plan*, dated April 11, 2016 and adopted by the District on May 24, 2016, and the *Supplemental Engineering Report Capital Improvement Revenue Bonds, Series 2016* dated October 25, 2016 and adopted by the District on October 25, 2016, attached to this Resolution as **Exhibit A** ("**2016**", collectively, the "**Engineer's Report**"), identifies and describes the presently expected components of the infrastructure improvements to be financed in whole or in part with the Series 2016 Bonds (the "**Series 2016 Project**"), and sets forth the costs of the Series 2016 Project as \$ \_\_\_\_\_. The District hereby confirms that the Series 2016 Project serves a proper, essential, and valid public purpose. The use of the Engineer's Report in connection with the sale of the Series 2016 Bonds is hereby ratified.

(c) The *Supplemental Special Assessment Allocation Report*, dated October 25, 2016 and approved by Resolution 2017-\_\_\_\_ (the "**Supplemental Assessment Report**"), applies the adopted *Master Special Assessment Methodology Report*, dated April 12, 2016 (the "**Master Assessment Report**"), and each as are attached to this Resolution as **Exhibit B**, to the Series 2016 Project and the actual terms of the Series 2016A Bonds. The Supplemental Assessment Report is hereby approved, adopted, and confirmed. The District ratifies its use in connection with the sale of the Series 2016A Bonds.

(d) The Series 2016 Project will specially benefit all of the developable acreage in the District, as set forth in the Supplemental Assessment Report. It is reasonable, proper, just, and right to assess the portion of the costs of the Series 2016 Project financed with the Series 2016 Bonds to the specially benefitted properties within the District as set forth in Resolution 2016-07 and this Resolution.

**SECTION 3. SETTING FORTH THE TERMS OF THE SERIES 2016A BONDS; CONFIRMING THE MAXIMUM ASSESSMENT LIEN SECURING THE SERIES 2016A BONDS.** As provided in Resolution 2016-07, this Resolution is intended to set forth the terms of the 2016A Bonds and the final amount of the liens of the Series 2016A Assessments securing those bonds. The Series 2016A Bonds, in an aggregate par amount of \$ \_\_\_\_\_ shall bear such rates of interest and mature on such dates as shown on **Exhibit C** attached hereto. The sources and uses of funds of the Series 2016A Bonds shall be as set forth in **Exhibit D**. The debt service due on the Series 2016A Bonds is set forth on **Exhibit E** attached hereto. The lien

of the Series 2016A Assessments securing the Series 2016A Bonds, which includes those lots and lands set forth in the Series 2016A Assessment Roll included in the Supplemental Assessment Report, shall be the principal amount due on the Series 2016A Bonds, together with accrued but unpaid interest thereon, and together with the amount by which the annual assessments shall be grossed up to include early payment discounts required by law and costs of collection.

**SECTION 4. LEVYING AND ALLOCATING THE SERIES 2016A ASSESSMENTS SECURING SERIES 2016A BONDS; ADDRESSING COLLECTION OF THE SAME.**

(a) The Series 2016A Assessments securing the Series 2016A Bonds shall be levied and allocated in accordance with **Exhibit B**. The Supplemental Assessment Report is consistent with the District's Master Assessment Report. The Supplemental Assessment Report, considered herein, reflects the actual terms of the issuance of the Series 2016A Bonds. The estimated costs of collection of the Series 2016A Assessments for the Series 2016A Bonds are as set forth in the Supplemental Assessment Report.

(b) The lien of the Series 2016A Assessments securing the Series 2016A Bonds includes those lots and lands set forth in the Series 2016A Assessment Roll included in the Supplemental Assessment Report ("**2016 Assessment Area**"), and as such land is ultimately defined and set forth in site plans, plats or other designations of developable acreage. To the extent that land is added to the District, the District may, by supplemental resolution at a regularly noticed meeting and without the need for public hearing, determine such land to be benefitted by the Series 2016 Project and reallocate the Series 2016A Assessments securing the Series 2016A Bonds in order to impose Series 2016A Assessments on the newly added and benefitted property.

(c) Taking into account any capitalized interest and earnings on certain funds and accounts as set forth in the *Master Trust Indenture*, dated June 1, 2012, and *Second Supplemental Trust Indenture*, dated November 1, 2016, the District shall for Fiscal Year 2017/2018, begin annual collection of Series 2016A Assessments for the Series 2016A Bonds debt service payments using the methods available to it by law. Beginning with the first debt service payment on May 1, 2017, there shall be thirty (30) years of installments of principal and interest, as reflected on **Exhibit E**.

(d) The District hereby certifies the Series 2016A Assessments for collection and directs staff to take all actions necessary to meet the time and other deadlines imposed for collection by Hillsborough County and other Florida law. The District's Board each year shall adopt a resolution addressing the manner in which the Series 2016A Assessments shall be collected for the upcoming fiscal year. The decision to collect Series 2016A 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 Series 2016A 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 5. CALCULATION AND APPLICATION OF TRUE-UP PAYMENTS.**

The terms of Resolution 2016-07 addressing True-Up Payments, as defined therein, shall continue to apply in full force and effect.

**SECTION 6. IMPROVEMENT LIEN BOOK.** Immediately following the adoption of this Resolution the Series 2016A Assessments as reflected herein shall be recorded by the Secretary of the Board of the District in the District’s Improvement Lien Book. The Series 2016A Assessments against each respective parcel shall be and shall remain a legal, valid and binding first lien on such parcels until paid and such lien shall be coequal with the lien of all state, county, district, municipal, or other governmental taxes and superior in dignity to all other liens, titles, and claims.

**SECTION 7. ASSESSMENT NOTICE.** The District’s Secretary is hereby directed to record a Notice of Series 2016A Assessments securing the Series 2016A Bonds in the Official Records of Hillsborough County, Florida, or such other instrument evidencing the actions taken by the District.

**SECTION 8. CONFLICTS.** This Resolution is intended to supplement Resolution 2016-07, which remains in full force and effect. This Resolution and Resolution 2016-07 shall be construed to the maximum extent possible to give full force and effect to the provisions of each resolution. All District resolutions or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded and repealed.

**SECTION 9. SEVERABILITY.** If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force, and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

**SECTION 10. EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

**APPROVED** and **ADOPTED**, this \_\_\_\_ day of November, 2016.

ATTEST:

**TRIPLE CREEK COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman

**Exhibit A:** *Supplemental Engineering Report Capital Improvement Revenue Bonds, Series 2016* dated October 25, 2016

**Exhibit B:** *Final Special Assessment Allocation Report Special Assessment Bonds Series 2016 and Series 2016 Assessment Roll and Master Special Assessment Allocation Report*

**Exhibit C:** Maturities and Coupon of Series 2016A Bonds

**Exhibit D:** Sources and Uses of Funds for Series 2016A Bonds

**Exhibit E:** Annual Debt Service Payment Due on Series 2016A Bonds

## **Tab 2**



**SECTION 2. MAKING CERTAIN FINDINGS; APPROVING THE SUPPLEMENTAL ENGINEER'S REPORT AND SUPPLEMENTAL ASSESSMENT REPORT.** The Board hereby finds and determines as follows:

(a) On May 24, 2016, the District, after due notice and public hearing, adopted Resolution 2016-07 which, among other things, equalized, approved, confirmed, and levied special assessments on property benefitting from the infrastructure improvements authorized by the District. That Resolution provided that as each series of bonds were issued to fund all or any portion of the District's infrastructure improvements, a supplemental resolution would be adopted to set forth the specific terms of the bonds and to certify the amount of the lien of the special assessments securing any portion of the bonds, including interest, costs of issuance, the number of payments due, the true-up amounts, and the application of receipt of true-up proceeds.

(b) The *Amended and Restated Master Capital Improvement Plan*, dated April 11, 2016 and adopted by the District on May 24, 2016, and the *Supplemental Engineering Report Capital Improvement Revenue Bonds, Series 2016* dated October 25, 2016 and adopted by the District on October 25, 2016, attached to this Resolution as **Exhibit A** ("**2016**", collectively, the "**Engineer's Report**"), identifies and describes the presently expected components of the infrastructure improvements to be financed in whole or in part with the Series 2016 Bonds (the "**Series 2016 Project**"), and sets forth the costs of the Series 2016 Project as \$ \_\_\_\_\_. The District hereby confirms that the Series 2016 Project serves a proper, essential, and valid public purpose. The use of the Engineer's Report in connection with the sale of the Series 2016 Bonds is hereby ratified.

(c) The *Supplemental Special Assessment Allocation Report*, dated October 25, 2016 and approved by Resolution 2017-\_\_\_\_ (the "**Supplemental Assessment Report**"), applies the adopted *Master Special Assessment Methodology Report*, dated April 12, 2016 (the "**Master Assessment Report**"), and each as are attached to this Resolution as **Exhibit B**, to the Series 2016 Project and the actual terms of the Series 2016B Bonds. The Supplemental Assessment Report is hereby approved, adopted, and confirmed. The District ratifies its use in connection with the sale of the Series 2016B Bonds.

(d) The Series 2016 Project will specially benefit all of the developable acreage in the District, as set forth in the Supplemental Assessment Report. It is reasonable, proper, just, and right to assess the portion of the costs of the Series 2016 Project financed with the Series 2016 Bonds to the specially benefitted properties within the District as set forth in Resolution 2016-07 and this Resolution.

**SECTION 3. SETTING FORTH THE TERMS OF THE SERIES 2016B BONDS; CONFIRMING THE MAXIMUM ASSESSMENT LIEN SECURING THE SERIES 2016B BONDS.** As provided in Resolution 2016-07, this Resolution is intended to set forth the terms of the 2016BBonds and the final amount of the liens of the Series 2016B Assessments securing those bonds. The Series 2016B Bonds, in an aggregate par amount of \$\_\_\_\_\_ shall bear such rates of interest and mature on such dates as shown on **Exhibit C** attached hereto. The sources and uses of funds of the Series 2016B Bonds shall be as set forth in **Exhibit D**. The debt service due on the Series 2016B Bonds is set forth on **Exhibit E** attached hereto. The lien of the

Series 2016B Assessments securing the Series 2016B Bonds, which includes those lots and lands set forth in the Series 2016B Assessment Roll included in the Supplemental Assessment Report, shall be the principal amount due on the Series 2016B Bonds, together with accrued but unpaid interest thereon, and together with the amount by which the annual assessments shall be grossed up to include early payment discounts required by law and costs of collection.

**SECTION 4. LEVYING AND ALLOCATING THE SERIES 2016B ASSESSMENTS SECURING SERIES 2016B BONDS; ADDRESSING COLLECTION OF THE SAME.**

(a) The Series 2016B Assessments securing the Series 2016B Bonds shall be levied and allocated in accordance with **Exhibit B**. The Supplemental Assessment Report is consistent with the District's Master Assessment Report. The Supplemental Assessment Report, considered herein, reflects the actual terms of the issuance of the Series 2016B Bonds. The estimated costs of collection of the Series 2016B Assessments for the Series 2016B Bonds are as set forth in the Supplemental Assessment Report.

(b) The lien of the Series 2016B Assessments securing the Series 2016B Bonds includes those lots and lands set forth in the Series 2016B Assessment Roll included in the Supplemental Assessment Report ("**2016 Assessment Area**"), and as such land is ultimately defined and set forth in site plans, plats or other designations of developable acreage. To the extent that land is added to the District, the District may, by supplemental resolution at a regularly noticed meeting and without the need for public hearing, determine such land to be benefitted by the Series 2016 Project and reallocate the Series 2016B Assessments securing the Series 2016B Bonds in order to impose Series 2016B Assessments on the newly added and benefitted property.

(c) Taking into account any capitalized interest and earnings on certain funds and accounts as set forth in the *Master Trust Indenture*, dated June 1, 2012, and *Third Supplemental Trust Indenture*, dated November 1, 2016, the District shall for Fiscal Year 2017/2018, begin annual collection of Series 2016B Assessments for the Series 2016B Bonds debt service payments using the methods available to it by law. Beginning with the first debt service payment on May 1, 2017, there shall be thirty (30) years of installments of principal and interest, as reflected on **Exhibit E**.

(d) The District hereby certifies the Series 2016B Assessments for collection and directs staff to take all actions necessary to meet the time and other deadlines imposed for collection by Hillsborough County and other Florida law. The District's Board each year shall adopt a resolution addressing the manner in which the Series 2016B Assessments shall be collected for the upcoming fiscal year. The decision to collect Series 2016B 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 Series 2016B 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 5. CALCULATION AND APPLICATION OF TRUE-UP PAYMENTS.**

The terms of Resolution 2016-07 addressing True-Up Payments, as defined therein, shall continue to apply in full force and effect.

**SECTION 6. IMPROVEMENT LIEN BOOK.** Immediately following the adoption of this Resolution the Series 2016B Assessments as reflected herein shall be recorded by the Secretary of the Board of the District in the District’s Improvement Lien Book. The Series 2016B Assessments against each respective parcel shall be and shall remain a legal, valid and binding first lien on such parcels until paid and such lien shall be coequal with the lien of all state, county, district, municipal, or other governmental taxes and superior in dignity to all other liens, titles, and claims.

**SECTION 7. ASSESSMENT NOTICE.** The District’s Secretary is hereby directed to record a Notice of Series 2016B Assessments securing the Series 2016B Bonds in the Official Records of Hillsborough County, Florida, or such other instrument evidencing the actions taken by the District.

**SECTION 8. CONFLICTS.** This Resolution is intended to supplement Resolution 2016-07, which remains in full force and effect. This Resolution and Resolution 2016-07 shall be construed to the maximum extent possible to give full force and effect to the provisions of each resolution. All District resolutions or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded and repealed.

**SECTION 9. SEVERABILITY.** If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force, and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

**SECTION 10. EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

**APPROVED** and **ADOPTED**, this \_\_\_\_ day of November, 2016.

ATTEST:

**TRIPLE CREEK COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman

**Exhibit A:** *Supplemental Engineering Report Capital Improvement Revenue Bonds, Series 2016 dated October 25, 2016*

- Exhibit B:** *Final Special Assessment Allocation Report Special Assessment Bonds Series 2016 and Series 2016 Assessment Roll and Master Special Assessment Allocation Report*
- Exhibit C:** Maturities and Coupon of Series 2016B Bonds
- Exhibit D:** Sources and Uses of Funds for Series 2016B Bonds
- Exhibit E:** Annual Debt Service Payment Due on Series 2016B Bonds