

TRIPLE CREEK COMMUNITY DEVELOPMENT DISTRICT

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

District Board of Supervisors	Grady Miars Walter Beeman Bruce Kaschyk Ellen Johnson	Chairman Vice Chairman Assistant Secretary Assistant Secretary
District Manager	Joseph Roethke	Rizzetta & Company, Inc.
District Attorney	Jennifer Kilinski	Hopping Green & Sams, P.A.
District Engineer	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.

TRIPLE CREEK COMMUNITY DEVELOPMENT DISTRICT
DISTRICT OFFICE • 12750 CITRUS PARK LN • SUITE 115 • TAMPA, FL 33625

Board of Supervisors
Triple Creek Community
Development District

November 21, 2016

REVISED 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 BondsTab 1
 - B. Consideration of Resolution 2017-09, Supplemental Assessment Resolution for the Series 2016B BondsTab 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 BondsTab 3**
 - 2. Consideration of Resolution 2017-11, Amended and Restated Master Assessment/Equalization ResolutionTab 4**
 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

Tab 3

RESOLUTION 2017-10

A RESOLUTION OF TRIPLE CREEK COMMUNITY DEVELOPMENT DISTRICT AMENDING RESOLUTION 2017-05 ENTITLED “SUPPLEMENTING ITS RESOLUTION 2007-19A RESOLUTION OF TRIPLE CREEK COMMUNITY DEVELOPMENT DISTRICT SUPPLEMENTING ITS RESOLUTION 2007-19 BY AUTHORIZING THE ISSUANCE OF ITS TRIPLE CREEK COMMUNITY DEVELOPMENT DISTRICT SPECIAL ASSESSMENT BONDS, SERIES 2016A AND ITS SPECIAL ASSESSMENT BONDS, SERIES 2016B IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$25,000,000 MILLION FOR THE PRINCIPAL PURPOSE OF ACQUIRING AND CONSTRUCTING ASSESSABLE IMPROVEMENTS; DELEGATING TO THE CHAIRMAN OR VICE CHAIRMAN OF THE BOARD OF SUPERVISORS OF THE ISSUER, SUBJECT TO COMPLIANCE WITH THE APPLICABLE PROVISIONS HEREOF, THE AUTHORITY TO AWARD THE SALE OF SUCH BONDS TO FMSBONDS, INC. BY EXECUTING AND DELIVERING TO SUCH UNDERWRITER A BOND PURCHASE CONTRACT AND APPROVING THE FORM THEREOF; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A SECOND SUPPLEMENTAL TRUST INDENTURE AND A THIRD SUPPLEMENTAL TRUST INDENTURE; APPROVING THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS THE TRUSTEE, BOND REGISTRAR AND PAYING AGENT FOR SUCH SERIES 2016 BONDS; MAKING CERTAIN FINDINGS; APPROVING FORM OF SAID SERIES 2016 BONDS; APPROVING THE FORM OF THE PRELIMINARY LIMITED OFFERING MEMORANDUM AND AUTHORIZING THE USE BY THE UNDERWRITER OF THE PRELIMINARY LIMITED OFFERING MEMORANDUM AND THE LIMITED OFFERING MEMORANDUM AND THE EXECUTION OF THE LIMITED OFFERING MEMORANDUM; APPROVING THE FORM OF THE CONTINUING DISCLOSURE AGREEMENT AND AUTHORIZING THE EXECUTION THEREOF; AUTHORIZING CERTAIN OFFICIALS OF TRIPLE CREEK COMMUNITY DEVELOPMENT DISTRICT AND OTHERS TO TAKE ALL ACTIONS REQUIRED IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SAID SERIES 2016 BONDS; PROVIDING CERTAIN OTHER DETAILS WITH RESPECT TO SAID SERIES 2016 BONDS; RESCINDING RESOLUTION NO. 2016-06; AND PROVIDING AN EFFECTIVE DATE” TO REVISE THE DELEGATED AWARD PARAMETERS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Triple Creek Community Development District (the “Issuer”) adopted Resolution 2017-05 on October 5, 2016 (the “Award Resolution”) authorizing the sale of not to exceed \$25,000,000 aggregate principal amount of its Triple Creek Community Development District Special Assessment Bonds, Series 2016A Special Assessment Bonds, Series 2016A (collectively, the “Series 2016 Bonds”) and approved the acceptance of a proposal in the form of

a Bond Purchase Contract (the “Contract”) for the purchase of the Series 2016 Bonds from FMSbonds, Inc. (the “Underwriter”), subject to the conformance of the Series 2016 Bonds to certain parameters set forth in the Award Resolution; and

WHEREAS, due to an increase in the interest rates it is necessary to revise the interest rate parameter set forth in the Award Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF TRIPLE CREEK COMMUNITY DEVELOPMENT DISTRICT, as follows:

SECTION 1. Definitions. All words and phrases used herein in capitalized form, unless otherwise defined herein, shall have the meaning ascribed to them in the Award Resolution.

SECTION 2. Amendment. Section 5 of the Award Resolution is hereby amended to read as follows:

Section 5. Contract Approved. The Board hereby approves the Contract submitted by the Underwriter in substantially the form attached as **Exhibit B** hereto. The Chairman or Vice Chairman of the Board is hereby authorized to execute the Contract and to deliver the Contract to the Underwriter with such changes, amendments, modifications, omissions and additions as may be approved by the executing Chairman or Vice Chairman; provided that (i) the aggregate principal amount of the Series 2016 Bonds shall not exceed \$25,000,000; (ii) the average interest rate on the Series 2016 Bonds will not exceed the maximum rate permitted by law; (iii) the Underwriter's discount for the Series 2016A Bonds shall not exceed two and one half percent (2.5%) of the principal amount of the Series 2016A Bonds and the Underwriter's discount for the Series 2016B Bonds shall not exceed two and one half percent (2.5%) of the principal amount of the Series 2016B Bonds; (iv) the Series 2016A Bonds shall be subject to optional redemption no later than November 1, 2035 at a Redemption Price not in excess of 100% of the principal amount to be redeemed plus accrued interest to the redemption date and the Series 2016B Bonds shall not be subject to optional redemption; and (v) the final maturity of the Series 2016A Bonds shall be no later than November 1, 2049 and the final maturity of the Series 2016B Bonds shall be no later than November 1, 2049.

SECTION 3. Inconsistent Resolutions and Motions. All prior resolutions of the Board inconsistent with the provisions of this Resolution are hereby modified, supplemented and amended to conform with the provisions herein contained and, except as so modified, supplemented and amended hereby, shall remain in full force and effect.

SECTION 4. Severability. If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or ineffective for any reason, the remainder of this Resolution shall continue in full force and effect, it being expressly hereby found and declared that the remainder of this Resolution would have been adopted despite the invalidity or ineffectiveness of such section, paragraph, clause or provision.

SECTION 5. Effective Date. This Resolution shall become effective immediately upon its adoption.

ADOPTED this ____ day of _____, 2016.

**TRIPLE CREEK COMMUNITY
DEVELOPMENT DISTRICT**

By: _____
Chairman

[SEAL]
Attest:

By: _____
Secretary

Tab 4

RESOLUTION 2017-11

A RESOLUTION OF THE TRIPLE CREEK COMMUNITY DEVELOPMENT DISTRICT AMENDING SECTION 8 AND OTHERWISE RESTATING RESOLUTION 2016-07 TO PROVIDE FOR PAYMENT OF ASSESSMENTS ON QUARTERLY REDEMPTION DATES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

RECITALS

WHEREAS, Triple Creek Community Development District (“**District**”) is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, *Florida Statutes*, as amended, and was established by ordinance of the Board of County Commissioners in and for Hillsborough County, Florida; and

WHEREAS, the District previously indicated its intention to construct certain types of infrastructure improvements and to finance such infrastructure improvements through the issuance of bonds, notes or other specific financing mechanisms, which bonds, notes or other specific financing mechanisms would be repaid by the imposition of special assessments on benefited property within the District; and

WHEREAS, the District’s Board previously noticed and conducted a public hearing pursuant to Chapters 170, 190 and 197, *Florida Statutes*, relating to the imposition, levy, collection and enforcement of such assessments and now desires to adopt a resolution imposing and levying such assessments as set forth herein and adopted Resolution 2016-07, which resolution imposed a master assessment lien on certain properties within the District; and

WHEREAS, Section 8 in Resolution 2016-07 provides for prepayment of Project Assessments, as defined therein, on interest payment dates; and

WHEREAS, the District’s Board of Supervisors hereby finds it is in the best interests of the District, its landowners and its residents, to modify Resolution 2016-07 for the limited purpose of provided for prepayment of Project Assessments on Quarterly Redemption Dates and otherwise restate and confirm Resolution 2016-07.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TRIPLE CREEK COMMUNITY DEVELOPMENT DISTRICT AS FOLLOWS:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to Chapters 170, 190 and 197, *Florida Statutes*, including without limitation, Section 170.08, *Florida Statutes*. The recitals stated above are incorporated herein; are adopted by the Board as true and correct statements; and are further declared to be findings made and determined by the Board.

SECTION 2. RESOLUTION 2016-07, SECTION 8, “PAYMENT OF SPECIAL ASSESSMENTS AND METHOD OF COLLECTION”, IS HEREBY AMENDED IN FULL TO PROVIDE THE FOLLOWING:

- a) The Project Assessments may be paid in not more than thirty (30) substantially equal consecutive annual installments of principal and interest. Unless otherwise waived, the Project Assessments may be paid in full without interest at any time within thirty (30) days after the completion of the Master Project, or supplemental project as affixed in a supplemental assessment resolution, and the adoption by the Board of a resolution accepting the same; provided, however, that the Board shall at any time make such adjustments by resolution, at a noticed meeting of the Board, to that payment schedule as may be necessary and in the best interests of the District to account for changes in long and short term debt as actually issued by the District. At any time subsequent to thirty (30) days after the Master Project, or supplemental project as affixed in a supplemental assessment resolution, has been completed and a resolution accepting the same has been adopted by the Board, or any time prior to completion of the Master Project, or a supplemental project, the Project Assessments may be prepaid in part or in full, including interest amounts to the next succeeding Quarterly Redemption Date or to the second succeeding Quarterly Redemption Date if such a prepayment is made within forty-five (45) calendar days before a Quarterly Redemption Date. Prepayment of Project Assessments does not entitle the property owner to any discounts for early payment.
- b) The District may elect to use the method of collecting Project Assessments authorized by Sections 197.3632 and 197.3635, *Florida Statutes* (the “**Uniform Method**”). The District has heretofore taken or will use its best efforts to take as timely required, any necessary actions to comply with the provisions of said Sections 197.3632 and 197.3635, *Florida Statutes*. Such Project Assessments, with the consent of the Trustee, may be subject to all of the collection provisions of Chapter 197, *Florida Statutes*. Notwithstanding the above, in the event the Uniform Method of collecting its special or non-ad valorem assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Project Assessments may be collected as is otherwise permitted by law. The District may and if necessary, with the consent of the Trustee, collect Project Assessments by directly assessing landowner(s) and enforcing said collection in any manner authorized by law. Such Project Assessments shall at all times be collected in a manner consistent with applicable trust indenture.
- c) For each year the District uses the Uniform Method, the District shall enter into an agreement with the Tax Collector of Hillsborough County who may notify each owner of a lot or parcel within the District of the amount of the special assessment, including interest thereon, in the manner provided in Section 197.3635, *Florida Statutes*.

SECTION 3. RESOLUTION 2016-07 RESTATED, AFFIRMED. Except for the limited purpose provided for above, Resolution 2016-07 is hereby restated and affirmed and shall continue in full force and effect. This Resolution shall not amend, alter or change the master assessment lien in anyway.

SECTION 4. 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 5. EFFECTIVE DATE. This Resolution shall become effective upon its adoption.

APPROVED AND ADOPTED THIS 29 DAY OF NOVEMBER, 2016.

Secretary/Assistant Secretary

Chairman/Vice Chairman, Board of Supervisors