

**MINUTES OF MEETING
XENTURY CITY
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Xentury City Community Development District was held on Monday, August 15, 2011, at 11:07 A.M. at the Gaylord Palms Resort & Convention Center, 6000 West Osceola Parkway, Kissimmee, Florida.

Present and constituting a quorum were:

Steven R. Ivins	Chairman
Owen M. Beitsch, Ph.D.	Vice Chairman
Todd Persons	Assistant Secretary
Timothy R. Baker	Assistant Secretary

Also present were:

Scott Clark	District Attorney
Brian Smith	Severn Trent Services
Dimitri Toumazos	Developer

FIRST ORDER OF BUSINESS

Roll Call

Mr. Clark called the meeting to order and called the roll in Mr. Gary Moyer's absence and stated that all Supervisors were present with the exception of Dr. Beitsch who was due to arrive shortly.

SECOND ORDER OF BUSINESS

Organizational Matters – Appointment of Supervisor

Mr. Clark stated we carry this item from meeting to meeting, as there is one vacancy on the Board. Are there any nominations for Supervisor? The record will reflect there were no nominations.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the June 15, 2011 Meeting

Mr. Clark stated each Board member received a copy of the minutes of the June 15, 2011 meeting and requested any additions, corrections or deletions.

There not being any,

On MOTION by Mr. Persons seconded by Mr. Baker with all in favor the minutes of the June 15, 2011 meeting were approved.
--

FOURTH ORDER OF BUSINESS

**Public Hearing for the Adoption of the
Fiscal Year 2012 Budget**

A. Fiscal Year 2012 Budget

Mr. Clark stated the primary purpose of our meeting today is to hold the public hearing for the adoption of the fiscal year 2011/2012 budget. A copy of the budget was provided in the agenda package. This meeting was noticed as a public hearing and as such, should be opened to take any comments on the proposed budget.

Mr. Toumazos stated I have no issue with the budget as it stands.

Mr. Ivins stated I noticed the budget is more involved than last year and we had some increases.

Mr. Clark stated the budget as proposed is slightly less than the adopted budget, but more than the anticipated expenses. Payroll is the same. Legal Services were decreased to reflect last year's actual billings. There are several line item increases. The contingency has been reduced. As there is no public present, we will close the public hearing and have the Board take action to adopt the budget.

On MOTION by Mr. Baker seconded by Mr. Persons with all in favor the budget for fiscal year 2011/2011 was adopted.
--

B. Consideration of Resolution 2011-4 Adopting the Budget

Mr. Clark stated Resolution 2011-4 by heading is:

"A RESOLUTION OF THE XENTURY CITY COMMUNITY DEVELOPMENT DISTRICT RELATING TO THE ANNUAL APPROPRIATIONS OF THE DISTRICT AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011; AND ENDING SEPTEMBER 30, 2012, AND REFERENCING THE MAINTENANCE AND BENEFIT SPECIAL ASSESSMENTS TO BE LEVIED BY THE DISTRICT FOR SAID FISCAL YEAR"

Mr. Clark stated this resolution is similar to the resolution the Board approves each year. It takes official Board action to implement the budget and levy the assessment against the properties within the District supporting payment of the budget. The assessment in this case is supported a Developer Funding Agreement, which the Board approves each year.

On MOTION by Mr. Persons seconded by Mr. Ivins with all in favor Resolution 2011-4 as stated above was adopted.

C. Approval of Developer Funding Agreement

Mr. Clark stated this agreement is consistent with prior agreements, except it is for fiscal year 2012. Due to the single ownership of the assessed properties by the developer, each year rather than incurring the expenses of preparing the tax roll, we enter into an agreement with the landowner to make payments of our expenses within a certain number of days after the District Manager sends out the bills. This has worked out quite well in the past.

On MOTION by Mr. Ivins seconded by Mr. Baker with all in favor the Developer Funding Agreement for fiscal year 2012 was approved.

FIFTH ORDER OF BUSINESS**Manager's Report****A. Financial Statements & Funding Requests**

Mr. Clark stated the financial statements and funding requests were included in the agenda package. This is an informational item and no approval is required.

Mr. Ivins stated I noticed under the bank reconciliation we paid Dr. Beitsch. I wanted to make sure the other Supervisors received their checks.

Mr. Clark stated I do not see any Supervisor checks on the check register. We can have staff follow up.

Mr. Baker stated I received my check.

B. Check Register

Mr. Clark stated the check register and funding requests were included in the agenda package. This is an informational item.

On MOTION by Mr. Ivins seconded by Mr. Persons with all in favor the check register for the period May 1, 2011 through June 30, 2011 in the amount of \$1,892.82, Funding Request No. 57 in the amount of \$917.11 and Funding Request No. 58 in the amount of \$2,317.69 were approved.

The record will reflect Dr. Beitsch joined the meeting.

C. Consideration of FY 2012 Meeting Schedule

Mr. Clark stated Chapter 189 of the Florida Statutes requires we publish a meeting schedule. It is my understanding there is no adopted meeting schedule as the meetings are

infrequent enough that the Manager was able to poll the Board and this seems to be working well. We are required each year to publish a meeting schedule or a notice saying we have no formal meeting schedule. If the Board wishes to continue operating as we have in the past, it would be appropriate to have a motion to approve the meeting schedule included in the agenda package.

Dr. Beitsch stated during the summer when we approve the budget, in the past we had some difficulty getting the Supervisors to agree to a meeting date. Is there any advantage to setting these dates now so there would be some agreement?

Mr. Clark responded ordinarily for this CDD, the only meetings we are required to have is the meeting to approve the proposed budget, which must occur prior to June 15. These meetings typically occur on June 14 or 15, but this can occur in May to June 15. If May is better due to vacation schedules, then we should schedule a meeting for May. After the initial budget is approved, we come back in mid-August and have the public hearing, as we are doing today. We try to have one more meeting during the year, but there may not be a need for it.

Mr. Person stated this system seems to work out all right.

Mr. Clark stated through experience we learned if we tried the other system it still works out the same way.

Mr. Ivins stated I think the Board should be polled in March or April. By that time, everyone should have an idea of when their vacation is.

Mr. Baker stated you bring up a valid point. I noticed earlier in the meeting Mr. Clark mentioned we are okay doing it the way we have always been doing it.

Mr. Clark stated we do not have some of the constraints we would have otherwise. We have a budget cycle and there are some dates we have to meet. For budget purposes, we have to approve a budget on or before June 15 by Statute and have the public hearing 60 days from the date of approval, so proper notice is given to the County. In most Districts, you have a date to get assessments to the Tax Collector so they can be placed on the roll. Of course we do not do this, so all we have to do is get our budget approved prior to the end of the fiscal year, which is October 1. If we were utilizing the Tax Collector, we would have to meet their cut off date.

Mr. Baker asked how many requirements do we have to meet during the year?

Mr. Clark responded we are only required to do two things; approve the proposed budget and have the public hearing on the adopted budget.

On MOTION by Mr. Baker seconded by Mr. Ivins with all in favor the meeting schedule for fiscal year 2012 was approved.

Mr. Clark stated the Board received a memorandum from Dr. Beitsch dated June 29, 2011.

Dr. Beitsch stated the memorandum speaks for itself, but if anyone has any questions, I would be happy to answer them.

Mr. Ivins asked was this prompted by something that occurred at one of our meetings.

Dr. Beitsch responded it was not prompted by anything we have done. As I indicated in the memorandum, the Board has done a fine job of following basic procedural requirements so I have absolutely no qualms about it. What prompted this is some CDDs were having financial issues and Board members arguing with each other regarding the notice procedure. I do not think we have this problem and I wanted to make sure this does not happen.

Mr. Clark stated we have not issued bonds or improvement liens and therefore do not have an Improvement Lien Book.

Dr. Beitsch stated I would not want it to be thought in the interest of convenience or implicitly, we overlooked anything. I think the world of the Attorney, the Chairman and my fellow Board members. This was just a reminder to everyone as these are matters to be taken seriously despite the close nature of the Board.

Mr. Clark stated the antiquated Special Assessment Statutes, which have been in their present form since the 1950's called for improvements to be physically recorded in an Improvement Lien Book. This has to do with the validity of your bond assessment and collection. Back in those days, I am sure there was a book and people made hand written notations about when the bonds would be paid off. These types of notations are now kept on spreadsheets, which is fine. Fortunately, we are not in this situation.

SIXTH ORDER OF BUSINESS

Attorney's Report

Mr. Clark stated I do not have anything to report.

SEVENTH ORDER OF BUSINESS

Engineer's Report

Mr. Clark stated Mr. Florio is not with us today.

Mr. Ivins stated he advised me he has nothing to report.

EIGHTH ORDER OF BUSINESS

Supervisor Requests

There not being any, the next item followed.

NINTH ORDER OF BUSINESS

Audience Comments

Mr. Toumazos stated I have a proposal to increase Supervisor fees by \$50 per meeting.

Mr. Clark stated according to the Statute, Supervisors are paid \$200 per meeting, which cannot be changed. This question has come up in other Districts because they are experiencing problems getting people to serve on their Board, particularly where litigation is involved. I am sure the Board appreciates your sentiment, but the amount cannot be changed.

TENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Persons seconded by Mr. Ivins with all in favor the meeting was adjourned.

Gary L. Moyer
Secretary

Steven R. Ivins
Chairman