

SWI Community Development District
Minutes of Meeting

The Board of Supervisors Meeting for the SWI Community Development District, was called to order 2:05 p.m. on Friday, January 20, 2017 at 149 South Ridgewood, Daytona Beach, Florida 32114.

Michael Bohl	Board Member	
Brian Fredley	Board Member	
Sans Lassiter	Board Member	
Wayne Bohl	Board Member	(via phone)

Also present were:

Mark Watts	District Legal Counsel
Joe MacLaren	Fishkind & Associates
Jane Gaarlandt	Fishkind & Associates

FIRST ORDER OF BUSINESS

Roll Call

The Board of Supervisors meeting for the SWI Community Development District was called to order with Supervisors in attendance listed above confirming the quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

There were no public comments at this time

THIRD ORDER OF BUSINESS

**Consideration of the
Minutes from the July 20,
2016 Board of Supervisors'
Meeting**

The Board Members reviewed the Minutes from the July 20, 2016 Board of Supervisors' Meeting.

ON MOTION by Mr. Lassiter, and Second by Mr. Fredley, with all in favor, the Board of Supervisors for the SWI Community Development District approved the Minutes from the July 20, 2016 Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution
2017-01, Canvassing and
Certifying the Results of the
landowners Election**

The Landowners' Election was held in November. The results were as follows: Mr. W. Bohl, Mr. Fredley, and Mr. M. Bohl were all reelected to the Board of Supervisors with Mr. W. Bohl and Mr. Fredley each receiving 4-year terms and Mr. M. Bohl receiving a 2-year term.

ON MOTION by Mr. M. Bohl, and Second by Mr. M. Fredley, with all in favor, the Board of Supervisors for the SWI Community Development District approved Resolution 2017-01, Canvassing and Certifying the Results of the Landowners' Election.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution
2017-02, Electing District
Officers**

Mr. MacLaren explained that the Board could choose to elect the current slate of officers if they wanted with District Officers and District staff listed as follows: Mr. W. Bohl as Chairman, Mr. Fredley as Vice-Chairman, Mr. MacLaren as Secretary, the remaining Board Members as Assistant Secretaries, Dr. Fishkind as Treasurer, Ms. Glasgow as Assistant Treasurer. Mr. MacLaren suggested adding Ms. Gaarlandt as an Assistant Secretary.

ON MOTION by Mr. M. Bohl, and Second by Mr. Lassiter, with all in favor, the Board of Supervisors for the SWI Community Development District approved Resolution 2017-02, Electing the Same Slate of Officers and adding Ms. Gaarlandt as an additional Assistant Secretary.

SIXTH ORDER OF BUSINESS

**Review of PIF Collections
and Note Debt Service**

The PIF collections have increased towards the end of the year. The old Note is going to go away but Mr. MacLaren wanted to make the Board aware of the District's financial activity. There was no action required by the Board.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution
2017-03, Authorizing the
Issuance of Series 2017
Bonds for the Purpose of
Refunding the Series 2010
Note**

Mr. Watts explained that the District originally did a Bond Anticipation Note for a 5-year term which was payable only by user fee revenue. He noted that this District did a straight forward Assessment Validation in 2007/2008 and stated that about a year and a half ago the District was past the 5-year term and the note was in default. There was an agreement from the Noteholder to not enforce the default and that the District would address it. At the end of the 3rd quarter to the beginning of the 4th quarter last year the District refiled the validation suit in Circuit Court in Volusia County and decided to go for the user fee approach. The validation that the District pursued only backs the Bonds with the user fee revenue and in September the Court ruled in the District's favor. The District can now issue long term debt supported by the user fees which is the financing mechanism that is in place for the duration of satisfying the outstanding debt that the District has issued. If the Board approves the resolution the First Supplemental Trust Indenture is also being approved as part of it. January 31, 2017 is the closing date for the new notes. Mr. Watts answered all Board Member's questions. Mr. MacLaren noted that the last couple of pages before tab 6 of the agenda have details about the note. It is a 40-year term at an interest rate of 3.8%. The Noteholders agreed to allow the District to lower the market interest rate. Mr. Lassiter noted that according to the amortization schedule none of the note was paid down. Mr. MacLaren added that it was an interest only note and Mr. Watts explained that with the current structure it will retire the principle over the 40-year span of the note. Mr. Lassiter asked about the terms of the note and Mr. MacLaren explained that it is typical to have a 30-year term Bonds however that was higher than the user fee revenues that are projected to come in so District staff chose to do a 40-year term Bond to get the payments down to match the user fee revenues that the District anticipates. The note can be refinanced in the future as well. Mr. MacLaren answered all questions pertaining to the interest rate. There were no other questions so Mr. Watts requested a motion to approve Resolution 2017-03.

ON MOTION by Mr. M. Bohl, and Second by Mr. M. Fredley, with all in favor, the Board of Supervisors for the SWI Community Development District approved Resolution 2017003, Authorizing Issuance of Series 2017 Bonds for the Purpose of Refunding the Series 2010 Note.

Mr. MacLaren noted that the District will need either Mr. Wayne Bohl or Mr. Fredley to attend the closing. Mr. W. Bohl will attend.

EIGHTH ORDER OF BUSINESS

**Ratification of Funding
Request 107-110**

Mr. MacLaren presented for the Board Members' review funding requests 107-110. A discussion took place and Mr. W. Bohl noted that he already looked at these in detail and approved them.

ON MOTION by Mr. W. Bohl, and Second by Mr. M. Bohl, with all in favor, the Board of Supervisors for the SWI Community Development District ratified Funding Request 107-110.

NINTH ORDER OF BUSINESS

**Review of District's
Financial Position**

The Board Members reviewed the statements of the District's Financial Position. The budget through actual for the month of December shows that the District had \$8,200.00 in operating expenses vs. a budget of \$19,600. The District is under budget at this point in the fiscal year. The District's books will also be cleaned up by the refinancing of the Bonds. No action was required by the Board at this time.

TENTH ORDER OF BUSINESS

**Staff Reports
Audience Comments
Supervisor Requests
Adjournment**

District Attorney - No Report

District Manager - No Report

There were no further questions or comments. A motion to adjourn was requested.

ON MOTION by Mr. M. Lassiter, and Second by Mr. M. Bohl with all in favor the Board of Supervisors' meeting for the SWI Community Development District was adjourned.


Secretary/Assistant Secretary


Chairman/Vice-Chairman
6/09/17