

**SPENCER CREEK
COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
CONTINUED AUDIT COMMITTEE
& REGULAR MEETING
OCTOBER 17, 2019**

**SPENCER CREEK
COMMUNITY DEVELOPMENT DISTRICT AGENDA
THURSDAY, OCTOBER 17, 2019
2:00 P.M.**

The Offices of Meritus
Located at 2005 Pan Am Circle Suite 300, Tampa FL 33607

District Board of Supervisors	Chairman Vice- Chairman Supervisor Supervisor Supervisor	Jeff Hills Nick Dister Ryan Motko Kelly Evans Lori Campagna
District Manager	Meritus	Brian Lamb Debby Nussel
District Attorney	Straley, Robin, Vericker	John Vericker
District Engineer	Stantec	Tonja Stewart

All cellular phones and pagers must be turned off while in the meeting room

The District Agenda is comprised of four different sections:

The meeting will begin at **2:00 p.m.** Following the **Call to Order**, the public has the opportunity to comment on posted agenda items during the third section called **Public Comments on Agenda Items**. Each individual is limited to **three (3) minutes** for such comment. The Board is not required to take action at this time, but will consider the comments presented as the agenda progresses. The meeting will resume after the audit committee meeting with the sixth section called **Business Items**. This section contains items for approval by the District Board of Supervisors that may require discussion, motions, and votes on an item-by-item basis. If any member of the audience would like to speak on one of the business items, they will need to register with the District Administrator prior to the presentation of that agenda item. Agendas can be reviewed by contacting the Manager's office at (813) 397-5120 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 seventh section is called **Consent Agenda**. The Consent Agenda section contains items that require the review and approval of the District Board of Supervisors as a normal course of business. The eighth section is called **Vendor/Staff Reports**. This section allows the District Administrator, Engineer, and Attorney to update the Board of Supervisors on any pending issues that are being researched for Board action. The ninth 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 the District's needs. The final section is called **Audience Questions, Comments and Discussion Forum**. This portion of the agenda is where individuals may comment on matters that concern the District. The Board of Supervisors or Staff is not obligated to provide a response until sufficient time for research or action is warranted.

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) 397-5120, 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.

October 17, 2019
Board of Supervisors
Spencer Creek Community Development District

The Continued Audit Committee & Regular Meeting Spencer Creek Community Development District will be held on **October 17, 2019 at 2:00 p.m.** at the Offices of Meritus located at 2005 Pan Am Circle Suite 300, Tampa, FL 33607. Following is the Agenda for the Meeting:

Call In Number: 1-866-906-9330

Access Code: 4863181

- 1. CALL TO ORDER/ROLL CALL**
- 2. PUBLIC COMMENT ON AGENDA ITEMS**
- 3. RECESS TO AUDIT COMMITTEE MEETING**
- 4. AUDIT COMMITTEE MEETING**
 - A. Call to Order/Roll Call
 - B. Appoint Chairman
 - C. Selection of Criteria for Evaluation of Proposals
 - D. Determine Date, Time and Location RFP Required
 - i. Consider Notice of Request for Proposals for Audit Services
 - E. Determine Date of Next Committee Meeting

(Guidelines are included behind this agenda)
- 5. RETURN AND PROCEED TO REGULAR MEETING**
- 6. BUSINESS ITEMS**
 - A. Consideration of Resolution 2020-01; Re-Designating Officers..... Tab 01
 - B. Consideration of Resolution 2020-02; Reserve Account Release Transfer..... Tab 02
 - C. General Matters of the District
- 7. CONSENT AGENDA**
 - A. Consideration of Minutes of the Public Hearing & Regular Meeting August 22, 2019..... Tab 03
 - B. Consideration of Operation and Maintenance Expenditures August 2019..... Tab 04
 - C. Review of Financial Statements Month Ending August 31, 2019..... Tab 05
- 8. VENDOR/STAFF REPORTS**
 - A. District Counsel
 - B. District Engineer
 - C. District Manager
- 9. BOARD OF SUPERVISORS REQUESTS AND COMMENTNS**
- 10. AUDIENCE QUESTIONS, COMMENTS AND DISCUSSION FORUM**
- 11. ADJORNMENT**

Sincerely,



Brian Lamb, CEO
Meritus

SPENCER CREEK COMMUNITY DEVELOPMENT DISTRICTS

District Office • 2005 Pan Am Circle • Suite 300 • Tampa, Florida 33607 • (813) 397-5120 • Fax (813) 873-7070

October 17, 2019

To: Spencer Creek CDD – Audit Committee
Audit Committee Selection Process

As noted above, we suggest appointing the entire Board as the Committee. This will allow for an easy quorum and the Committee can meet before or during the regular Board meeting. You may, however, appoint as few as two persons such as the District manager (“Manager”) and the Board Chairman.

Consider the following:

1. At a regular Board meeting, have the Board, by motion, appoint the Committee members. The Board should designate one person as the Chair of the committee.
2. If you have already advertised a meeting of the Committee, you may have the Committee meeting during or after the regular Board meeting.
3. You cannot have a Committee meeting until you publicly notice the meeting of the Committee, either within the same published notice as the regular meeting or separately.

After you have provided notice, you may convene the Committee meeting. The purpose of the meeting will be to select the criteria by which responses to the RFP will be evaluated and announce publicly that the District is soliciting proposals. The actions to be taken by the Committee include:

1. Selection of the criteria by which proposals will be evaluated. You are statutorily required to consider: (a) ability of personnel; (b) experience; and (c) ability to furnish the required services. Additional criteria, such as price, should be determined by the Committee.
2. Determination of the date, time, and location that the RFP will be required to be received by the District. While there is no exact time required for this RFP to be out, it should be at least two weeks to give firms an opportunity to put together a proposal.
3. Public announcement of the opportunity to provide auditing services. Such announcement must include, at minimum: (a) a brief description of the audit and (b) how interested firms can apply for consideration (where they can obtain an RFP). The Manager will then publish the notice of the RFP. A sample notice is attached.
4. Provide interested firms, through the Manager, an RFP that must include information on how proposals are to be evaluated and other information necessary to enable interested firms to respond.

At the date, time, and location announced in the RFP, the Manager must open the proposals and read them aloud. The Manager should then evaluate them for completeness. There should be the proper number of copies, the correct documents, and all should be properly completed. The Manager should then schedule, or have already scheduled, a meeting of the Committee. The following is an outline of that process:

1. The Committee meeting should be noticed. The published notice of the Committee meeting may be with the same published notice as the regular Board meeting but must specifically state that the audit Committee will be meeting. A separate published notice of just the Committee meeting may also be used.
2. The Committee will evaluate the proposals that are determined complete (responsive) and will rank them in accordance with the evaluation criteria established by the Committee and adjourn.
3. The Committee Chairman will make a report to the Board, at a properly noticed Board meeting, the ranking

assigned by the Committee to the responses to the RFP.

4. If compensation is a criteria on the Evaluation Criteria Sheet, the Board shall negotiate a contract with the highest ranked firm or it must document in its public record the reason for not selecting the highest ranked qualified firm. If compensation is not a criteria on the Evaluation Criteria Sheet, the Board will then authorize staff to enter into negotiations with the firms in order of ranking or as directed.

After successful negotiations, staff must return to the Board for authorization to enter into a contract with one of the auditing firms. The Contract must meet the following criteria:

It must, as a minimum, include provisions that:

1. Specify the services to be provided and fees, or other compensation for such services;
2. Require that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the Contract
3. Specify the contract period, including renewals and conditions, under which the Contract may be terminated or renewed.

An engagement letter that contains the above provisions and that is signed and executed by both parties can be used to satisfy the requirements of a written contract. It is our recommendation that the Contract provide for only two (2) annual renewals.

In summation, you must do the following:

1. The Board must appoint an audit committee.
2. The Committee meeting must be noticed.
3. The Committee must establish the RFP evaluation criteria which must include (a) ability of personnel, (b) experience, and (c) ability to furnish the required services.
4. The Committee must issue the RFP in compliance with the above criteria.
5. The Committee must evaluate and rank the proposals to the RFP in accord with evaluation criteria.
6. The Board must select the firm to negotiate with.
7. The Board must approve the Contract, as negotiated, that meets the above criteria.