

**MINUTES OF MEETING
NORTH POWERLINE ROAD
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the North Powerline Road Community Development District was held on Wednesday, **February 5, 2020** at 10:00 a.m. at the 346 E Central Ave., Winter Haven, Florida.

Present and constituting a quorum:

Lauren Schwenk
Phillip Allende
Andrew Rhinehart
Kevin Chinoy

Vice Chairman
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present were:

Jill Burns
Michelle Rigoni *via phone*
Heather Wertz *via phone*
Ashton Bligh *via phone*
Bob Gang *via phone*

District Manager/GMS
HGS
Absolute Engineering
Greenberg Traurig
Greenberg Traurig

FIRST ORDER OF BUSINESS

Roll Call

Ms. Burns called the meeting to order and called the roll. Four board members were present constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

No members of the public were present.

THIRD ORDER OF BUSINESS

**Approval of Minutes of the December 4,
2019 Board of Supervisors Meeting**

Ms. Burns asked for any questions, comments, or corrections on the minutes, hearing none.

On MOTION by Mr. Rhinehart, seconded by Ms. Schwenk, with all in favor, the Minutes of the December 4, 2019 Board of Supervisors Meeting, were approved.
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FOURTH ORDER OF BUSINESS**Consideration of Resolution 2020-02
Amending the Delegation Resolution**

Ms. Burns stated that Mr. Gang and Ms. Bligh were on the phone and had circulated a new version that is not in the packet. Ms. Bligh noted this is the supplement contemplated by the original bond resolution adopted in July of 2018. There was a delegation resolution late last year, September 2019, that included a not to exceed amount of \$7.3 million. Since then, there have been changes to the development plan, as well as, the Engineer's Report and Assessment Methodology Report. These changes are reflected, and they are going to rescind the previous delegation resolution adopted September 2019 and replace it with this delegation resolution. This delegation Resolution 2020-02 contains a form of a first Supplemental Trust Indenture, a Bond Purchase Contract, a preliminary Limited Offering Memorandum, and a Continuing Disclosure Agreement. Section 5 includes the parameters; the only change is the not to exceed amount which is now \$7.535 million. The bonds will have a maturity no later than a maximum term of 30 years. Ms. Bligh asked for any questions. Ms. Bligh stated the Trust Indenture is in draft right now, they can circulate and update the Trust Indenture that will reflect the revised chart, but it is also in the Engineer's Report.

Ms. Burns again asked for any other questions and asked for motion.

On MOTION by Mr. Chinoy, seconded by Ms. Schwenk, with all in favor, the Resolution 2020-02 Amending the Delegation Resolution as outlined by Ms. Bligh, was approved.

FIFTH ORDER OF BUSINESS**Consideration of Resolution 2020-03
Directing the Chairman and District Staff
to File a Petition Amending District
Boundaries**

Ms. Burns stated this would add a 5.39 acre parcel and direct staff and the Chairman to file the petition with the county. Ms. Burns asked for any questions.

On MOTION by Ms. Schwenk, seconded by Mr. Chinoy, with all in favor, the Resolution 2020-03 Directing the Chairman and District Staff to File a Petition Amending District Boundaries, was approved.

SIXTH ORDER OF BUSINESS**Consideration of Boundary Amendment
Funding Agreement**

Ms. Burns state this is a funding agreement with JMBI Real Estate, LLC, they will fund the necessary expenses in order for us to go through the process of the boundary amendment. These expenses will not be reimbursed by the District.

On MOTION by Ms. Schwenk, seconded by Mr. Allende, with all in favor, the Boundary Amendment Funding Agreement with JMBI Real Estate, LLC, was approved.

SEVENTH ORDER OF BUSINESS**Consideration of Resolution 2020-04
Declaring Special Assessments**

Ms. Burns stated there were two exhibits, the Engineer's Report and the Methodology.

Ms. Wertz presented the overview of the changes to the Engineer's Report. This included the changes to the development plan. The District currently contains 190.56 acres and is expected to be constructed in three phases consisting of 551 single family lots, recreation amenity areas, parks, and associated infrastructure. It's anticipated that the district will petition to amend to include an additional 5.39 acre expansion parcel to the lands within the district. As shown by Exhibit 8 in the back of the report, the district will construct all of the required infrastructure. Shown in Exhibit 9 are the costs of the infrastructure listed, and for the total 551 lots the costs are \$13,931,019.

Ms. Rigoni asked Ms. Wertz if the costs estimates in the Engineer's Report were reasonable and consistent with the current market. Ms. Wertz answered yes. Ms. Rigoni asked if there were any reasons that the district cannot carry out the project at this time. Ms. Wertz answered no.

Ms. Burns stated the next report is the Master Assessment Methodology that allocates the debt to be incurred by the district to the parcels that are benefited within the district. Ms. Burns noted a couple of changes. On page 3, they will update to have the Engineer's Report reflected to say that it is second amended and restated Engineer's Report. Also, on page 3 at the bottom, additional language will be added regarding the petition to add the 5.39 acres the board just approved. On page 5, the note on the bottom will be updated to say requiring an additional assessment proceeding once the boundary amendment is complete. Revalidation is not needed. The other change is on Table 1. It shows 251 in Phase 1 and 6 in the annexation. It's actually 251 total including the annexation. So, it will be updated to show 245 in the existing Phase 1 plus the 6 in the annexation, for a total of 251 for both areas. That change will result in a change to all of

the tables shown. There won't be a change in Table 2 because that is the costs to the Capital Improvement Plan that was outlined by Ms. Wertz. Table 3 also will not have any changes with the bond sizing, they do not anticipate that changing. Tables 4, 5, and 6 will be updated with the new lot count for Phase 1 which will tie to the changes. Ms. Burns stated they are looking for board to approve subject to those changes.

Ms. Rigoni asked Ms. Burns to describe how the four different product types were grouped into two different categories. Ms. Burns referred to Table 1 and stated that they grouped the 40' and 45' lots together as one product type and the 55' and 65' lots together as a second product type, with the majority of the lots the 40' and 45' having an ERU of 1, and the larger 55' and 65' lots having an ERU of 1.25. The slightly larger lots get a larger benefit from the improvements that are installed. These were grouped together because the 40's and 45's are similar in size, so they gave them the same assessment level.

Ms. Rigoni asked Ms. Burns if she believed that the property receiving special benefits from the improvements being paid for are at least equal to or in excess of the assessment level. Ms. Burns replied yes. Ms. Rigoni asked if the assessments are fairly and reasonably allocated on the properties based on the ERU categories. Ms. Burns stated yes.

Ms. Burns asked if there were any questions on Resolution 2020-04 and asked for a motion.

On MOTION by Mr. Rhinehart, seconded by Mr. Chinoy, with all in favor, the Resolution 2020-04 Declaring Special Assessments, was approved.

On MOTION by Ms. Schwenk, seconded by Mr. Allende, with all in favor, the Master Assessment Methodology Subject to Discussed Changes, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2020-05 Setting a Public Hearing on the Imposition of Special Assessments

Ms. Burns stated this required a 30-day mailed notice to the landowners, so they have to set it 30 days out. She suggested March 11, 2020 at 3:00 p.m. at this location and asked for any questions.

On MOTION by Ms. Schwenk, seconded by Mr. Allende, with all in favor, the Resolution 2020-05 Setting a Public Hearing on the Imposition of Special Assessments for March 11, 2020 at 3:00p.m. at the same location, was approved.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2020-06 Re-Designating the Primary Administrative Office and Principal Headquarters for the District

Ms. Burns stated this is just to update GMS's new office location at 219 E. Livingston St., Orlando, FL. 32801 and asked for any questions. The board had no questions.

On MOTION by Ms. Schwenk, seconded by Mr. Allende, with all in favor, the Resolution 2020-06 Re-Designating the Primary Administrative Office to the New Address, was approved.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2020-07 Adopting an Internal Controls Policy

Ms. Burns stated that Hopping Green and Sams circulated to all districts that they are counsel on and asked that the board approve the outlined Internal Controls Policy. Ms. Rigoni provided an overview.

On MOTION by Mr. Rhinehart, seconded by Mr. Allende, with all in favor, the Resolution 2020-07 Adopting an Internal Control Policy, was approved.

ELEVENTH ORDER OF BUSINESS

Consideration of Uniform Collection Agreement with Polk County Tax Collector

Ms. Burns stated they had asked for agreements for all districts in the event they want to go on roll this year. Ms. Burns asked if they wanted to levy and assessment and put it on roll or keep it developer funded. Ms. Schwenk stated they would need to keep it developer funded.

Ms. Burns noted that they do have a few more months if the board changes their mind. Otherwise, they will move forward in the budget process of having it developer funded.

TWELTH ORDER OF BUSINESS

Ratification of Contract Agreement with Polk County Property Appraiser

Ms. Burns stated this has already been approved and just needs to be ratified.

On MOTION by Mr. Allende, seconded by Mr. Chinoy, with all in favor, the Contract Agreement with Polk County Property Appraiser, was ratified.

THIRTEENTH ORDER OF BUSINESS

**Ratification of 2020 Data Sharing and
Usage Agreement with Polk County
Property Appraiser**

Ms. Burns stated this is a required agreement they enter into annually about the district not disclosing exempt parcels.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the 2020 Data Sharing and Usage Agreement with Polk County Property Appraiser, was ratified.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Rigoni had nothing further for the board.

B. Engineer

Ms. Wertz had nothing further for the board.

C. District Manager's Report

i. Approval of Check Registers

Ms. Burns presented the check register and asked for any questions. The total was \$17,871.80 from November 2019 to January 2020.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Check Register for \$17,871.80, was approved.

ii. Balance Sheet and Income Statement

Ms. Burns presented the financials and stated there was no action and asked for any questions.

FIFTEENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

SIXTEENTH ORDER OF BUSINESS

**Supervisor's Requests and Audience
Comments**

There being none, the next item followed.


February 5, 2020

North Powerline Road CDD

SEVENTEENTH ORDER OF BUSINESS Adjournment

The meeting was adjourned.

On MOTION by Mr. Rhinehart, seconded by Mr. Allende, with all in favor, the meeting was adjourned.


Secretary / Assistant Secretary


Chairman / Vice Chairman