

**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 Thursday, **April 6, 2021** at 2:00 p.m. at 346 East Central Ave., Winter Haven, Florida.

Present and constituting a quorum:

Lauren Schwenk	Vice Chairman
Kevin Chinoy	Assistant Secretary
Phillip Allende	Assistant Secretary
Andrew Rhinehart <i>via zoom</i>	Assistant Secretary

Also present were:

Jill Burns	District Manager/GMS
Michelle Rigoni	HGS

The following is a summary of the discussions and actions taken at the April 6, 2021 North Powerline Road Community Development District's Regular Board of Supervisor's Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Burns called the meeting to order and called the roll. Three Board members were present in person constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

No members of the public were present via Zoom. There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Approval of Minutes of the February 24, 2021 Board of Supervisors Meeting

Ms. Burns presented the February 24, 2021 meeting minutes and asked for any comments, corrections, or changes. The Board had no changes.

On MOTION by Mr. Allende, seconded by Ms. Schwenk, with all in favor, the Minutes of the February 24, 2021 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

**Review and Ranking of Proposals
Received for the Bella-Vita Subdivision
Phase 1B-1 & 1B-2 Berry Lane Bridge
Over Horse Creek Project**

Ms. Burns reported that they had received two proposals: one from American Empire Builders, Inc. and one from Junior Davis. The total amount for the American Empire Builders is \$1,765,000 and the total from Junior Davis is \$2,540,000. The Board scored and ranked the two bidders together and took the recommendations of the engineer into consideration as well. Looking at the two bids the apparent low bidder is AEB (American Empire Builders). After receiving both bids, the engineer's recommendation would be that AEB be awarded the contract. After scoring the proposals, AEB was awarded 100 points and Junior Davis was awarded 87 points, with the differential being price and schedule. The Board accepted the rankings and awarded the contract to AEB and authorized staff to send a notice of intent to Award to American Empire Builders, Inc.

On MOTION by Ms. Schwenk, seconded by Mr. Allende, with all in favor, Review and Ranking of Proposals Received for the Bella-Vita Subdivision Phase 1B-1 & 1B1-2 Lane Bridge Over Horse Creek Project and Acceptance of Ranking American Empire Builders, Inc. as #1 Ranking and Authorizing Staff to Send a Notice of Intent to Award, was approved.

FIFTH ORDER OF BUSINESS

**Consideration of Corrective Temporary
Construction and Access Easement
Agreement**

Ms. Rigoni went over the corrective change for the Board. During the time the Board approved the construction easement for Phase 2 there were transfers of land ownership that were not reflected in that easement. This corrects that exhibit, so the right areas are covered on the correct entities.

On MOTION by Ms. Schwenk, seconded by Mr. Allende, with all in favor, the Corrective Temporary Construction and Access Easement Agreement, was approved.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2021-12
Directing Chairman and District Staff to
File a Petition Amending District
Boundaries**

Ms. Burns stated that the information has been sent in and Ms. Rigoni added that they have had a request to add additional lands from the primary developer. For the record, she listed the parcel IDs that are associated with the boundary limit. They will subtract approximately 2.74 acres and the portion that is coming out is no longer being developed. The other parcels are located in Davenport. There are 5 parcels located in Polk County that will also be added which is directly west of the latest boundary amendment. The existing District as it stands today is 271.64 acres and as amended it will approximately be 377.66 acres. Again, they are subtracting 2.74 acres and adding 108.75 acres for a net expansion of 106.02 acres. All of the parcel numbers can be found in the agenda package.

On MOTION by Mr. Chinoy, seconded by Mr. Allende, with all in favor, Resolution 2021-12 Directing Chairman and District Staff to File a Petition Amending District Boundaries, was approved.

SEVENTH ORDER OF BUSINESS

**Consideration of Boundary Amendment
Funding Agreement**

Ms. Burns stated that this agreement would be with JMBI Real Estate, LLC and they agree to fund the expenses associated with the boundary amendment. Under the terms of this agreement, they are not reimbursable to that entity.

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.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2021-13
Approving an Escrow Agreement —
(ADDED)**

Ms. Burns noted that the eighth and ninth order of business can be discussed together. They had a conversation with Drew regarding having the District serve as the escrow agent. This resolution and this agreement will contemplate doing that. The landowner, JMBI Real Estate, LLC, will place \$500,000 into the escrow funds. The District will open an escrow account and once the invoices are received for the amenity expenses, it will be paid out that account that the District controls.

On MOTION by Ms. Schwenk, seconded by Mr. Allende, with all in favor, Resolution 2021-13 Approving an Escrow Agreement, was approved.

NINTH ORDER OF BUSINESS

**Consideration of Escrow Agreement with
JMBI Real Estate, LLC — (ADDED)**

Information for this item was discussed above.

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

TENTH ORDER OF BUSINESS

**Consideration of Revised Audit
Engagement Letter from Grau &
Associates with Increase in Services Price
for Fiscal Year 2020 Audit**

Ms. Burns stated that the increase is due to issuance of the bonds. The contract was entered into when the District had not issued bonds. The new total is \$4,500 a year.

On MOTION by Ms. Schwenk, seconded by Mr. Allende, with all in favor, the Revised Audit Engagement Letter from Grau & Associates with Increase in Services Price for Fiscal Year 2020 Audit, was approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Rigoni had nothing further to report to the Board.

B. Engineer

There being none, the next item followed.

C. District Manager's Report

i. Ratification of Summary of Requisitions

a. Series 2020 Phase 1 Requisitions #28 to #33 and #35 to #36

b. Series 2020 Phase 2 Requisitions #13 to #32

Ms. Burns stated that these have already been ratified and just need to be approved by the Board.

On MOTION by Ms. Schwenk, seconded by Mr. Allende, with all in favor, Series 2020 Phase 1 Requisition #28 to #33 and #35 to #36 and Series 2020 Phase 2 Requisitions #13 to #32, were ratified.

TWELFTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There being none, the next item followed.

FOURTEENTH ORDER OF BUSINESS

Adjournment

Ms. Burns asked for a motion to adjourn.

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


Secretary / Assistant Secretary


Chairman / Vice Chairman