

**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, **April 20, 2022** at 1:30 p.m. at 346 East Central Ave., Winter Haven, Florida.

Present and constituting a quorum:

Rennie Heath	Chairman
Patrick Marone	Assistant Secretary
Kevin Chinoy	Assistant Secretary

Also present were:

Jill Burns	District Manager/GMS
Jennifer Kilinski <i>by Zoom</i>	KE Law
Jake Whealdon	KE Law
Marshall Tindall	GMS
Heather Wertz	Absolute Engineering
Ashton Bligh	Greenberg
Bob Gang	Greenberg

The following is a summary of the discussions and actions taken at the April 20, 2022 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 or in person. There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Approval of Minutes of the March 16, 2022 Board of Supervisors Meeting

Ms. Burns presented the March 16, 2022 meeting minutes and asked for any comments, corrections, or changes. The Board had no changes to the minutes.

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On MOTION by Mr. Heath, seconded by Mr. Marone, with all in favor, the Minutes of the March 16, 2022, Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2022-010
Amending the Delegation Resolution**

Ms. Bligh presented the resolution, noting that it was amending Resolution 2022-06 that authorized a not-to-exceed amount of the Series 2022 bonds of \$9,315,000. However, following the delegation resolution, there had been an increase in certain costs of the project, and they needed an approval to increase the not-to-exceed amount of bonds to \$11,000,000. She listed Sections 2 and 3, noting they amended the original sections of the delegation resolution. She added that the resolution would ratify the original delegation resolution except to the extent that it had been previously modified in connection with the not-to-exceed amount.

Ms. Burns asked for a motion to approve.

On MOTION by Mr. Chinoy, seconded by Mr. Heath, with all in favor, Resolution 2022-010 Amending the Delegation Resolution, was approved.

FIFTH ORDER OF BUSINESS

**Presentation and Approval of Updated
Third Amended and Restated Engineer's
Report**

Ms. Wertz presented the updated amended and restated Engineer's Report, noting that Parcels 31 and 32 in the expanded boundary were previously listed as 48.84, but had since been corrected to 53.14 acres. She added that it changed the additional land in Amendment 3 to 158.74 acres, making the new total acres in the district 430.38 acres.

Ms. Burns asked for a motion to approve.

On MOTION by Mr. Heath, seconded by Mr. Marone, with all in favor, the Updated Third Amended and Restated Engineer's Report, was approved.

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SIXTH ORDER OF BUSINESS**Presentation and Approval of Updated Supplemental Assessment Methodology for AA2**

Ms. Burns presented the updated Assessment Methodology, noting the changes to the report were to the acreage that Ms. Wertz had discussed, as well as an updated bond sizing from FMS. She added that there were 470 units in the assessment area, with a total cost of \$12,525,000 for Phases 3 and 4 and a bond sizing of \$11,000,000. She also pointed out Tables 4, 5, 6, and 7. She asked for a motion to approve.

On MOTION by Mr. Heath, seconded by Mr. Chinoy, with all in favor, the Updated Supplemental Assessment Methodology for AA2, was approved.

SEVENTH ORDER OF BUSINESS**Consideration of Series 2022 Developer Agreement****A. Phase 3****i. True-Up Agreement**

Ms. Burns presented the agreement, noting that it confirmed the landowners' intention and obligation, if required, to make true-up payments related to the Series 2022 Special Assessments.

ii. Collateral Assignment Agreement

Ms. Burns noted the agreement, in the event of default in the Series 2022 Special Assessments, allowed the landowner to assign development rights to the District in order to enable the District or a third party to complete the development of the Series 2022 Project.

iii. Completion Agreement

Ms. Burns noted the agreement, since the developer requested that the District limit the amount of Series 2022 Special Assessments imposed on the land, would allow the landowner to directly fund a portion of the Series 2022 Project.

iv. Acquisition Agreement

Ms. Burns noted the agreement outlined how the District would acquire the contracts or the work product that has already been completed.

v. Declaration of Consent

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Ms. Burns noted the agreement let the landowner confirm and agree that the debt assessments had been adopted by the Board and all proceedings undertaken by the District were in accordance with Florida Law and that the District had taken all action necessary to levy and impose the Series 2022 Special Assessments.

On MOTION by Mr. Heath, seconded by Mr. Chinoy, with all in favor, the Series 2022 Developer Agreements for Phase 3, were approved in substantial form.

B. Phase 4

vi. True-Up Agreement

Ms. Burns presented the agreement, noting that it confirmed the landowners' intention and obligation, if required, to make true-up payments related to the Series 2022 Special Assessments.

vii. Collateral Assignment Agreement

Ms. Burns noted the agreement, in the event of default in the Series 2022 Special Assessments, allowed the landowner to assign development rights to the District in order to enable the District or a third party to complete the development of the Series 2022 Project.

viii. Completion Agreement

Ms. Burns noted the agreement, since the developer requested that the District limit the amount of Series 2022 Special Assessments imposed on the land, would allow the landowner to directly fund a portion of the Series 2022 Project.

ix. Acquisition Agreement

Ms. Burns noted the agreement outlined how the District would acquire the contracts or the work product that has already been completed.

x. Declaration of Consent

Ms. Burns noted the agreement let the landowner confirm and agree that the debt assessments had been adopted by the Board and all proceedings undertaken by the District were in accordance with Florida Law and that the District had taken all action necessary to levy and impose the Series 2022 Special Assessments.

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On MOTION by Mr. Heath, seconded by Mr. Chinoy, with all in favor, the Series 2022 Developer Agreements for Phase 4, were approved in substantial form.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2022-08
Supplemental Assessment Resolution**

This item was tabled to a later meeting.

NINTH ORDER OF BUSINESS

Public Hearing

A. Public Hearing on the Adoption of Amenity Policies and Rates

**i. Consideration of Resolution 2022-11 Adopting Amenity Policies and Rates
for the District**

Ms. Burns asked for a motion to open the public hearing.

On MOTION by Mr. Heath, seconded by Mr. Marone, with all in favor, the Opening of the Public Hearing, was approved.

i. Resolution 2022-11 Adopting Amenity Policies and Rates

Ms. Burns noted the resolution was included in the agenda package, adding that they were standard polices in place at most Districts. She added that the rates listed were the non-resident user fee and a replacement key card fee.

On MOTION by Mr. Heath, seconded by Mr. Chinoy, with all in favor, Resolution 2022-11 Adopting Amenity Policies and Rates, was approved.

Ms. Burns asked for a motion to close the public hearing.

On MOTION by Mr. Marone, seconded by Mr. Chinoy, with all in favor, the Closing of the Public Hearing, was approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Whealdon noted he had nothing further to report.

B. Engineer

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There being none, the next item followed.

C. Field Manager’s Report

Mr. Tindall presented the field manager’s report to the Board.

i. Consideration of Solar Lighting at the Mailboxes *(to be provided under separate cover)*

Mr. Tindall noted that there were solar lights that residents were wanting installed, and the proposal totaled \$1,195.

On MOTION by Mr. Heath, seconded by Mr. Chinoy, with all in favor, the Proposal for Solar Lights at the Mailboxes, was approved.

D. District Manager’s Report

i. Approval of RFP for South Phase Construction

Ms. Burns noted there was an updated bid pick-up date of April 28th with questions due on May 17th, and the bids would be due back May 31st.

On MOTION by Mr. Heath, seconded by Mr. Marone, with all in favor, RFP for South Phase Construction, was approved.

ii. Approval of Check Register

This item was tabled to a later meeting.

iii. Balance Sheet and Income Statement

Ms. Burns stated that these were included in the packet and no action was needed.

ELEVENTH ORDER OF BUSINESS Other Business

There being none, the next item followed.

TWELFTH ORDER OF BUSINESS Supervisors Requests and Audience Comments

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS Adjournment

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Ms. Burns asked for a motion to adjourn.

On MOTION by Mr. Heath, seconded by Mr. Marone, with all in favor, the meeting was adjourned.

Jill Burns

Secretary/Assistant Secretary

Rennie Heath

Chairman/Vice Chairman