

**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 Tuesday, **June 6, 2023** at 11:00 a.m. at the Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida.

Present and constituting a quorum:

Rennie Heath	Chairman
Lauren Schwenk	Vice Chairperson
Daniel Arnette	Assistant Secretary

Also present were:

Jill Burns	District Manager, GMS
Lauren Gentry	District Counsel, KVW Law
Marshall Tindall	Field Manager, GMS

The following is a summary of the discussions and actions taken at the June 6, 2023 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 constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns stated that there are a couple of people online, if you have any public comment on any of the agenda items you can use Zoom's raise hand feature to be called on now.

THIRD ORDER OF BUSINESS

**Approval of Minutes of the May 2, 2023
Board of Supervisors Meeting**

Ms. Burns presented the May 2, 2023 minutes and asked for any comments or changes. Hearing none, she asked for a motion of approval.

June 6, 2023

North Powerline Road CDD

On MOTION by Mr. Heath, seconded by Mr. Arnette, with all in favor, the Minutes of the May 2, 2023 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS**Public Hearing**

Ms. Burns presented the public hearing on the adoption of the parking and towing policies for the District. This public hearing has been advertised.

Ms. Burns stated the Board approved a parking policy that would designate either odd versus even and it has not gone into effect yet. When we started looking at it, we talked some more to the other Districts about designating where things would be allowed and would take that approach. She noted she would start with public comments if anybody on the Zoom line has any comments on the proposed street parking and towing policy, you can use Zoom's raise hand feature to be called on now.

Ms. Burns stated there is one comment from a resident who lives in Horse Creek and when signed on with the HOA, they were under the impression there would be no street parking. HOA and CDD have different jurisdictions on what they control and what not, so we were concerned as far as people parking way too close to stop signs where it is unsafe to be able to turn or be able to see oncoming traffic and seeing kind of where that parking is going to be happening. Ms. Burns noted the roads in the community are owned by the CDD so if the HOA has any reference to street parking or towing policies in their covenants and restrictions, the CDD would be handling that. If you have specific questions about what is in their policy, you can reach out to them but the intent is to leave the enforcement of that to the CDD. She noted like always all traffic enforcement, any kind of traffic signs or things like that would always still apply regardless of the policy such as things like not parking in front of a fire hydrant, not parking on corners, those are all traffic enforcement issues and not necessarily street parking issues so the police department would still have jurisdiction over say ticketing for parking in front of a fire hydrant. Ms. Burns asked for any more public comments.

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

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

June 6, 2023

North Powerline Road CDD

On MOTION by Mr. Heath, seconded by Mr. Arnette, with all in favor, Closing the Public Hearing, was approved.

A. Public Hearing on the Adoption of Amended Parking and Towing Policies for the District

i. Consideration of Resolution 2023-10 Adopting Amended Parking and Towing Policies for the Board

Ms. Burns presented this policy would designate the entire community as no street parking at any time other than where posted signs that allow where parking would be. Mr. Arnette asked if those were the signs with the yellow dots. Ms. Burns stated yes and the green is the side of the street that you would be allowed to park on. She noted there is a page of the actual signs in your agenda. She stated the idea is that they are put away from the corners and as long as you are parked in between the signs on that side of the street, you can park there and that was looked at as a case-by-case basis for each street that would allow the most on street parking. There will be two signs posted at the front that will say no on street parking at any time other than designated parking zones and you can see those there. She stated that was a suggestion based on looking at the policy. Ms. Burns noted there is not a policy in place right now so we would be putting this into place and ordering the signs. Once the signs go up, we would send notice and pick a start date.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Resolution 2023-10 Adopting Amended parking and Towing Policies for the Board, was approved.

ii. Presentation of Updated Parking Sign Options and Quotes

Mr. Tindall stated there are roughly 31 signs for parking allowed and two tow policy signs. He noted roughly three days labor is \$1900, equipment is \$225, and materials are about \$3800. The total is \$6,156.47. He noted this is based on review and we think this will work out well. There may be some minor adjustments to the language of signs when there is only a symbol sign on the side of the street to corner.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Updated Parking Sign Options and Quotes, was approved.

June 6, 2023

North Powerline Road CDD

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2023-11
Appointing an Assistant Treasurer**

Ms. Burns presented this would add Darrin Mossing as another signer on the account.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Resolution 2023-11 Appointing an Assistant Treasurer, was approved.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Gentry had nothing to report to the Board unless any questions.

B. Engineer

The District Engineer is not on the line today.

C. Field Manager's Report

Mr. Tindall stated the report is on page 27 of the agenda. He noted nothing dramatic. He stated facilities are well maintained overall. He stated there was a repair done to the mushroom feature. This was under warranty and the electrician came out and replaced a contact and it seemed to be working but at the end of the week, the mushroom feature went down and it is also going to be submitted to the warranty as an issue with the motor which may have been a part of the original issue. We will get that taken care of as soon as possible. He noted other than that, landscaping has been well maintained and solar lights were added to the rear entrance, pond levels are being monitored. There was one that was being pumped down as the neighboring pond was being built and that is coming back. Street signs are being replaced and this was done last week. Again, we are just keeping everything up and running. He noted they will get parking signs taken care of as soon as possible.

D. District Manager's Report

i. Approval of Check Register

Ms. Burns presented the check register totaling \$27,463.78. She offered to answer any questions on any of the invoices. There being no questions, she asked for a motion of approval.

June 6, 2023

North Powerline Road CDD

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, the Check Register, was approved.

ii. Balance Sheet & Income Statement

Ms. Burns presented the financials through April 30th, and asked if there were any questions. Hearing none, the next item followed.

iii. Discussion Regarding July 2023 Board Meeting

Ms. Burns stated the regular meeting date falls on July 4th and there are no agenda items so we are suggesting cancelling. She noted they will go ahead and cancel and if anything comes up that is needed to be taken care of before the August meeting, we will just schedule a special meeting.

iv. Notification of Memorial Day Weekend Amenity Violations

Ms. Burns stated we had two incidents where the security guard had to call the police over Memorial Day weekend. The first was a resident who was setting up for a party when they were notified that the pool deck is not allowed for reservation and the guest limits always apply. The resident refused to comply and said she was in her right. She noted the police were called and ultimately, she did leave. We did issue per the rules, first time offense would be a seven-day suspension so they received a letter and their amenity use was suspended for seven days. Ms. Schwenk asked if parties are not allowed with residents gathering or is it outside people. Ms. Burns stated they basically took all of the pool chairs and put them under the cover in a blocked off area to reserve their group. She stated there were a few different things that led to the suspension. If the security guard had just got up and notified them that they couldn't do that, there would not have been a suspension. It would have just been like hey FYI but it was the fact the police were called and they were very confrontational with the security guard so there was a list of violations. She noted the next one that was sent was an issue with an unattended minor who went to the bathroom on the pool deck and when the security guard confronted them about it, they were extremely confrontational. There were residents refusing to clean it up and a lot of issues there. She noted all of this was verified and the police were called. There were reports from other residents that felt the security guard handled it in a good way and they were pleased with how it was handled but the behavior was kind of a lot. She noted she just wanted to make the Board aware because they did

June 6, 2023

North Powerline Road CDD

do some suspensions. She stated also when the police came out, they did let us know that they had gotten a lot of calls from this community just in general, some to the pool and some not to the pool. She noted with this being a holiday weekend, we are hoping these are kind of isolated incidents. Security is only there on peak hours. Security is not there all the time. She noted of course we want people to be able to use and enjoy the amenity. Ms. Schwenk asked if a letter can be sent out to the community that the Board is prepared to shut down the amenity if these actions keep happening. Ms. Burns stated what they want to do is just advise that amenity violations will result in suspension and then loss of amenity privileges. She noted that she wanted to run it by the Board so that maybe we take a little bit of a harder stance to make sure this is not a situation that spirals out of control. Ms. Schwenk stated she thinks so. Ms. Burns stated with 4th of July being a Tuesday, we have security coming through the weekend, Monday and Tuesday and have rechecked with the security vendor to have some additional patrols which is usually sufficient but based on the push back and interaction with the security while they were there, we felt this was a situation that we needed to start getting it under control. This is an FYI for the Board on those issues, that we are aware of them and handling those as they come in. Mr. Heath asked if we suspend them, how do you know if they come to the pool. Ms. Burns stated their access cards are turned off so basically, we can set it until it is turned off for a certain amount of time. The only way that they could get to the pool is if someone else lets them in or if they went with a neighbor. The security guards are aware that we send those violation letters and we let the security guard know who they are. Ms. Burns stated those residents because it was Memorial Day weekend, their access was turned back on last Friday so they are allowed to use the facility again. She noted with second offenses, longer suspensions would come to the Board for approval. Ms. Schwenk asked if they are suspended and turned off until the Board can meet to discuss it. Ms. Burn stated yes. She stated for example if a resident assaulted the police officer, a seven-day suspension would not be sufficient. The rules allow our staff in consultation with at least one Board member, to suspend them until the next meeting or 30 days and then at that point they would have an opportunity to present anything that they wanted. If the Board says we want to suspend you for a year for assaulting a security officer, you will have the ability to do that but they are given an opportunity to come and present their case so 30 days or the next Board meeting, whichever is the less.

June 6, 2023

North Powerline Road CDD

v. Reminder to Board to File Form 1's with the Supervisor of Elections in the County that they Reside by the July 1, 2023 Deadline (by mail or e-mail)

Ms. Burns stated this should have been received in the mail and if not to let her know and she can send it.

SEVENTH ORDER OF BUSINESS

Other Business

Ms. Burns asked if there was any other business. Hearing none,

EIGHTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

A member of the public stated there has been an increase in recreational vehicles like ATV, dirt bike usage around the roads and in the unconstructed lots as well so is that something the CDD can look into or is that something that needs to be taken up with the local law enforcement? Ms. Burns stated to call local law enforcement as that is kind of a traffic enforcement issue and if they are driving through the lots in those other areas, that is not an area that the CDD has any authority over so if that is happening, call the police department and they should come out and handle that. Another public member had a question about the parking. He asked for the people who have five vehicles, are they allowed to park in front of their house. Ms. Burns stated the designated areas that street parking is allowed is available to anybody on a first come first served basis so those parking spots are available to anybody, also the CDD cannot restrict the number of vehicles that a certain house has, we do not have that authority. He stated he is worried as there have been incidents in the past in another community where he lived where there is a five-bedroom home with five people there and people from another state come to visit where they drove down and their car would be towed while being parked in front of his house. Ms. Burns stated as long as you are parked in an area that is designated by the signage that says street parking allowed, you would not be towed. The only exception from the rules to that is for recreational vehicles, boats, tractors, trailers as those cannot be parked overnight. If you have a boat, it could be parked in those designated areas during the day, just not 10 p.m. to 6 a.m. She stated that would be the only exception for vehicles that would be towed from those parking allowed areas.

NINTH ORDER OF BUSINESS

Adjournment

Ms. Burns asked for a motion to adjourn the meeting.


June 6, 2023

North Powerline Road CDD

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

Jill Burns

Secretary / Assistant Secretary



Chairman / Vice Chairman