

**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, **November 7, 2023** at 10:00 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 <i>by Zoom</i>	Vice Chairperson
Daniel Arnette	Assistant Secretary
Emily Cassidy	Assistant Secretary
Kevin Chinoy <i>by Zoom</i>	Assistant Secretary

Also present were:

Jill Burns	District Manager, GMS
Lauren Gentry	District Counsel, KVV Law
Corey Roberts	District Counsel, KVV Law
Marshall Tindall	Field Manager, GMS
Heather Wertz <i>by Zoom</i>	District Engineer, Absolute Engineering

The following is a summary of the discussions and actions taken at the November 7, 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 in person constituting a quorum and joining via Zoom is Kevin Chinoy and Lauren Schwenk.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns opened the public comment period on any of the agenda items. She noted that no members of the public were joining via Zoom. Hearing no public comments, the next item followed.

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THIRD ORDER OF BUSINESS

Approval of Minutes of the September 5, 2023 Board of Supervisors Meeting

Ms. Burns presented the September 5, 2023 minutes and asked for any comments or changes. Hearing no changes, she asked for a motion of approval.

On MOTION by Mr. Heath, seconded by Mr. Arnette, with all in favor, the Minutes of the September 5, 2023 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

Public Hearings

A. Public Hearing on the Imposition of Special Assessments on Boundary Amendment Parcels

Ms. Burns stated this public hearing has been advertised in the paper and mailed notice was sent to property owners. Do we have a motion to open?

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

Ms. Burns stated if you recall back there was a legal issue with the legal description so this is a cleanup hearing that we are doing. For the record, there are no members of the public present at this time. Do we have a motion to close the public hearing?

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

i. Presentation of Third Amended and Restated Engineer’s Report dated February 2022

Ms. Wertz stated the Third Amended and Restated Engineer’s Report related to the addition of 158.74 acres of expansion parcels and it was previously presented but I think Lauren was going to ask me some questions. Ms. Gentry stated as Heather noted this is a prior Engineer’s Report that had already been adopted by the Board so I will just ask you to confirm two things for me. One, are the costs in the Engineer’s Report still considered reasonable and proper in your professional opinion. Ms. Wertz stated yes. Second, do you have any reason to believe the capital improvement plan cannot be carried out by the District. Ms. Wertz stated no.

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On MOTION by Mr. Heath, seconded by Mr. Arnette, with all in favor, the Third Amended and Restated Engineer's Report Dated February 2022, was approved.

ii. Presentation of Amended and Restated Master Assessment Methodology dated January 19, 2022

Ms. Burns stated this report was approved by the Board previously. The only change was to table 7 the assessment roll that was included. That was updated to reflect the revised legal. Ms. Gentry asked does the land subject to the assessments receive special benefits from the District's capital improvement plan. Ms. Burns stated yes. Ms. Gentry asked if the master assessments are reasonably proportioned among the land subject to the assessments. Ms. Burns stated yes, they are. Ms. Gentry asked if it is reasonable, proper, and just to assess the cost of the capital improvement plan as a system of improvements against the lands in the District in accordance with your methodology. Ms. Burns stated yes, it is. Ms. Gentry asked if it is your opinion that the special benefits the land will receive will be equal to or in excess of the maximum master assessments there on. Ms. Burns stated yes. Ms. Gentry asked if it is in your opinion that it is in the best interest of the District that the master assessments be paid and collected in accordance with the methodology and the assessment resolutions.

On MOTION by Mr. Heath, seconded by Mr. Arnette, with all in favor, the Amended and Restated Master Assessment Methodology dated January 19, 2022, was approved.

iii. Consideration of Resolution 2024-01 Amending and Supplementing Resolution 2023-17 (Levying Special Assessments on Boundary Amendment Parcels)

Ms. Gentry stated this is the resolution that will equalize and levy the Master Assessments on the property effected by the error which was parcel 32 identified in the legal description which is Phase 3. This resolution sets forth several findings that I will note for the record. It does approve and confirm those two reports that were just presented and approved by the District. It also makes findings that are necessary to the public health safety and welfare for the District to provide evidence and to levy the assessments as set forth in the assessment report. It makes other various

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findings as set forth in the resolution. She stated she would be happy to answer any questions that the Board has, otherwise looking for a motion to adopt Resolution 2024-01.

On MOTION by Ms. Cassidy, seconded by Mr. Arnette, with all in favor, Resolution 2024-01 Amending and Supplementing Resolution 2023-17 (Levying Special Assessments on Boundary Amendment Parcels), was approved.

B. Public Hearing on the District’s Use of the Uniform Method of Levying, Collection & Enforcement of Non-Ad Valorem Assessments on Boundary Amendment Parcels

Ms. Burns stated that this public hearing has been advertised, do we have a motion to open?

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

Ms. Burns stated there are still no members of the public present at this time. Do we have a motion to close?

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

i. Consideration of Resolution 2024-02 Expressing the District’s Intent to Utilize the Uniform Method of Collection on Boundary Amendment Parcels

Ms. Burns stated this is being revised to again reflect the legal and so we can collect assessments for that area on the tax bill. She noted she would be happy to answer any questions, otherwise looking for a motion to approve.

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, Resolution 2024-02 Expressing the District’s Intent to Utilize the Uniform Method of Collection on Boundary Amendment Parcels, was approved.

FIFTH ORDER OF BUSINESS

Presentation of Arbitrage Rebate Report for Series 2022 Bonds from AMTEC

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Ms. Burns stated under internal revenue code the District has to demonstrate that they do not earn more interest than they pay. She noted on page 4 of this report is a negative arbitrage rebate amount listed. She asked for a motion to accept this report.

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, the Arbitrage Rebate Report for Series 2022 Bonds from AMTEC, was approved.

SIXTH ORDER OF BUSINESS

Ratification of Tri-Party License Agreement between the District and Builders Regarding the Installation of Signs on District Property

Ms. Burns stated when we have builders looking for a single sign on sales on the outside of the community, we allow those. This was directional signs throughout the community. She noted in order to limit the number of signs so there are not signs for every builder, we ask them to put together a signage plan that would have directional signs for all of the builders within the community. She stated this has already been approved so just looking for a ratification from the Board.

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, the Tri-Party License Agreement between the District and Builders regarding the Installation of Signs on District Property, was approved.

SEVENTH ORDER OF BUSINESS

Ratification of Deeds for Bella Vita Phase 1B-2 and 2

Ms. Burns stated this has already been approved so just looking for a motion to ratify from the Board.

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, the Deeds for Bella Vita Phase 1B-2 and 2, were ratified.

EIGHTH ORDER OF BUSINESS

Ratification of Amended and Restated Notice of Boundary Amendment

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Ms. Burns stated this has already been executed and recorded so just looking for a motion to ratify.

On MOTION by Ms. Cassidy, seconded by Mr. Arnette, with all in favor, the Amended and Restated Notice of Boundary Amendment, was ratified.

NINTH ORDER OF BUSINESS**Staff Reports****A. Attorney**

Ms. Gentry stated that she had nothing further to report.

B. Engineer

Ms. Wertz stated that she had nothing to report.

C. Field Manager's Report

Mr. Tindall stated this report is on page 214. He noted everything has been good overall at the amenity. He noted he has a couple of renewals for pool vendor and janitorial. He will review those at the end as well as the landscape enhancement adjustment for the amenity as well. He noted a fan was busted so replaced that, cleaned the pool furniture, cleaned the mailbox area, had the chair lift battery powered lift replaced as this is abused by residents. He noted landscaping overall has done well. There was an issue with lighting that was turned off that was due to some troubleshooting that was being done on the fountain out front. That was checked and is back up and running and the fountain is still isolated so off for now. He noted there is a proposal for some enhancements at the amenity, some touchups that will be done to make the amenity look nice for the holidays. I will go through that at the end. He noted the annuals were installed and there are some deer or other animal eating those annuals. We will keep an eye on them to see if there is anything we can do to deter them from doing so. I will check with the landscaper. It has been dry so the pond levels are a little bit low. There are some complaints coming in about trash that can be seen at the bottom of the pond. He noted some concerns from people felt the cattails need to be removed at this time. The pond contract only includes spraying the cattails and letting them die in place. The pond in question is the top pond in the photo on page 215. I do not think it is necessary to remove those cattails. He noted they are coordinating with the landscaper for palm removal at the pool as previously discussed. He stated traffic sign maintenance – with construction traffic

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signs getting bumped, sign straightening and repairs continue to be monitored & scheduled. He stated the pump motor in the fountain has failed so we are working to get proposals for replacement options and will have those at the next meeting. Mr. Tindall stated he is monitoring Deer Run as it is coming along. The mailboxes are in and wells in but still waiting on a meter and the sign entrances. He noted whenever the area is ready for turnover, let him know and he will get with the landscaper to get that proposal ready.

i. Consideration of Proposal from Pool Maintenance Vendor for Contract Renewal

Mr. Tindall stated the pool vendor is going up to \$1,650 per month, standard across all pools. This particular pool we also have the adjacent wetland and the trees there. Per conversation with Greg, we can't cut those trees down but can trim them but will still have all of the oak leaves that will be blowing in all the time. He noted there is usually a ton of complaints that come during early Spring, late Fall and early Winter when there is trash in that pool constantly from those trees. We could set up so we could do service if the Board likes February through November at six days a week. That keeps all of that leaf trash out and makes sure the pool stays as pristine as possible for the rest of use. Standard three days per week service December and January when it is really cold. If we set up the recommended service to get the maximum benefit from the pool service, two months of the year includes January and February would be three days a week service and the rest of the year would be six days a week. Mr. Tindall stated the total quote for that recommendation is \$33,300. He noted that covers the odds and ends pool maintenance, filter replacements, and chair lift repairs, etc. It is within budget.

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, the Proposal from Pool Maintenance Vendor for Contract Renewal, was approved.

ii. Consideration of Proposal from Janitorial Maintenance Vendor for Contract Renewal

Mr. Tindall stated they are making sure the janitor has pool trash included. That proposal you can find on page 224. Continued service the same with facility cleaning 3x a week for \$550 per month, and we had six cans being emptied, five at the pool and the playground trash, at \$50

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per can, \$300 total per month for that. He noted annual total is \$10,200. He noted he recommended continuing with CSS as the janitor at this price. Ms. Burns asked for any questions on the proposal?

On MOTION by Mr. Arnette, seconded by Mr. Heath, with all in favor, the Proposal from Janitorial Maintenance Vendor for Contract Renewal to include the Trash cans, was approved.

iii. Consideration of Proposal for Landscape Enhancements at Amenity Center

Mr. Tindall stated the landscape replacement with touchups at the amenity is within budget just under \$3,000 at \$2,980 and the budget is \$25,000. He stated that is their recommendations so that the amenity looks nice.

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, the Proposal for Landscape Enhancements at Amenity Center, was approved.

D. District Manager’s Report

i. Approval of Check Register

Ms. Burns presented the check register from August 26, 2023 through October 27, 2023 totaling \$466,477.74. She offered to answer any questions, if not just looking for a motion to approve.

On MOTION by Mr. Heath, seconded by Ms. Cassidy, with all in favor, the Check Register totaling \$466,477.74, was approved.

ii. Balance Sheet & Income Statement

Ms. Burns presented the financials through the month of September and asked if there were any questions. There is no action necessary from the Board.

TENTH ORDER OF BUSINESS

Other Business

Ms. Burns stated they have received complaints from residents in Phase 2 about parking. We put the parking policy in place for Phase 1 as that area is substantially complete with home construction. Residents in Phase 2 are now wanting parking policies in place for their phase. She noted they did review as there is a significant amount of home construction going on there.

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Generally the desire is to wait until home construction is nearing completion. She noted she just wanted to make the Board aware. We will bring this back to the Board as this area is closer to completion.

ELEVENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There being no comments, the next item followed.

TWELFTH ORDER OF BUSINESS

Adjournment

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

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

Jill Burns

Secretary / Assistant Secretary

DocuSigned by:

Rennie Heath

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Chairman / Vice Chairman