

1 **MINUTES OF 03/28/24 REGULAR MEETING**

2 **HIGHLAND MEADOWS II COMMUNITY DEVELOPMENT DISTRICT**

3
4 The Regular Meeting of the Board of Supervisors of the Highland Meadows II Community Development
5 District was held Thursday, March 28, 2024 at 4:30 p.m. at Shamrock First Baptist Church, 2661 Marshall Rd.,
6 Haines City, Florida 33844. The public was able to listen and/or participate in person as well as via ZOOM, at
7 <https://us02web.zoom.us/j/88097558053?pwd=bWJqeVdKdm53UjZwaUtOMUY5WWZBdz09>,

8 Meeting ID: 880 9755 8053, Passcode: 12345, or telephonically at +1-305-224-1968, Meeting ID: 880 9755
9 8053, Passcode: 12345.

10 **FIRST ORDER OF BUSINESS – Call to Order/Roll Call**

11 Chairman Galbraith called the meeting to order and conducted roll call at 4:36 p.m.

12 Present and constituting a quorum were:

13 Deborah Galbraith	Board Supervisor, Chairman
14 Kristen Anderson	Board Supervisor, Vice Chair
15 Miguel Santana-Vazquez	Board Supervisor, Assistant Secretary
16 Genelle Moore Tucker	Board Supervisor, Assistant Secretary
17 Joellen DiBrango	Board Supervisor, Assistant Secretary

18 Also present were:

19 Larry Krause	District Manager, BREEZE
20 Patricia Thibault (<i>via Zoom</i>)	District Services Director, BREEZE
21 Jesse Dann	Field Service Manager, BREEZE
22 Gina Perez-Calhoun	District Counsel, Perez-Calhoun Firm
23 Richard Mills (<i>via Zoom</i>)	District Engineer, Kimley-Horn

24 *The following is a summary of the discussions and actions taken at the March 28, 2024 Highland Meadows II*
25 *CDD Board of Supervisors Regular Meeting.*

26 **SECOND ORDER OF BUSINESS – Audience Comments**

27 Chairman Galbraith opened Audience Comments.

28 Mr. Berthold spoke about the pool shed and asked where it was located. He also asked why the meetings
29 were not held at Tom Fellows Community Center since it was more accessible. He said that his Amenity Center
30 key was damaged.

31 Mr. Guzikowski commented that he could not access the agenda packet.

32 Ms. Demeo asked if the previous month's minutes were already posted on the website. Mr. Krause
33 advised that only Board-approved minutes are posted to the website, with the exception of draft minutes that are
34 posted online as part of the upcoming CDD Meeting Agenda Packet for review and approval by the Board.

35 Ms. Colon inquired about the audit findings during the transition of district management. She also asked
36 about Prince and Sons because of their unsatisfactory work with the mowing. She then spoke about the vendors
37 who had proposals on the agenda and asked if they were licensed and insured, along with the supporting
38 documents.

39 Ms. Gorman said that their vehicle was towed at the front of their house and asked about the purpose of
40 the black fence across their street.

41 Mr. Gorman added that there were no signs or markers when the towing happened.

42 Mr. Murray commented that the statements of the residents were in the minutes. He advised addressing
43 the issues before moving on to other agenda items. He mentioned the encroachment of trees and the contact
44 person for the list of concerns in the community.

45 **THIRD ORDER OF BUSINESS – Administrative Items**

46 **A. Exhibit 1: Consideration/Approval of the Minutes of the Highland Meadows II CDD February**
47 **15, 2024, Regular Meeting**

48 Mr. Krause addressed the Board and said that line numbers were added to minutes. Supervisor DiBrango
49 commented on line 157 and clarified that the rate would be for three years. Ms. Perez-Calhoun said that the
50 change was made to the contract.

51 On a MOTION by Ms. Galbraith, SECONDED by Mr. Santana-Vazquez, WITH ALL IN FAVOR, the Board
52 approved the **February 15, 2024, Regular Meeting Minutes with the Noted Corrections**, for the Highland
53 Meadows II Community Development District.

54 **B. Exhibit 2: Consideration/Acceptance of the Highland Meadows II CDD January 2024**
55 **Unaudited Financial Statement**

56 Mr. Krause stated that Breeze would provide financial statements moving forward. Supervisor Santana-
57 Vazquez said that they would approve the ratification if an official audit were made during the transition, and
58 Chairman Galbraith asked for an estimate. Mr. Krause said that it would be costly and informed the Board that
59 the District was preparing for the audit for FY 2023. Ms. Perez-Calhoun explained the process if a discrepancy
60 occurred. The Board decided to table the acceptance of the January 2024 Financial Statement. Ms. Thibault said
61 that she did not see any issues regarding the presented financials and added that Breeze was currently doing an
62 in-depth analysis. She clarified that the fiscal year starts from October 1 to September 30 and opined that the
63 audit for FY 2023 would not include the transition. She asked if the Board was asking for a forensic audit, which
64 would cost more than the financial statement audit and would include internal control testing. Supervisor
65 Santana-Vazquez explained that the District would like to have a third party audit since a significant amount of
66 money would be transferred. Ms. Thibault said that Breeze could communicate with other auditors for proposals
67 and mentioned that they had transitioned other districts from Rizzetta and had no issues. She asked the time
68 period the Board would like to have the forensic audit, and Mr. Santana-Vazquez said that it would be from the
69 start date of Rizzetta contract until the transition to Breeze. Ms. Thibault discussed the date that would be covered
70 by the current auditor and the difference between internal control testing and forensic audit, stating that the latter
71 would start on October 1, 2023 to February 17, 2024. Ms. Perez-Calhoun summarized the two types of audits
72 mentioned. Vice Chair Anderson advised having the Budget Workshop first, then assessing the need for a
73 forensic audit, and the Board agreed.

74 **C. Ratification of Proposals**

75 1. Exhibit 3: HP Home – Replacement of Two Chemical Feeders - \$886.00

76 Vice Chair Anderson asked Mr. Krause that all invoices be itemized moving forward, and the Board
77 concurred.

78 On a MOTION by Ms. Anderson, SECONDED by Ms. Moore Tucker, WITH ALL IN FAVOR, the Board
79 ratified the **Invoice Presented by HP Home with the Condition that All Invoices would be Itemized Moving**
80 **Forward**, for the Highland Meadows II Community Development District.

81 **FIFTH ORDER OF BUSINESS – Business Items**

82 **C. Exhibit 8: Consideration/Adoption of Resolution 2024-09, Annual Meeting Schedule FY 2023-**
83 **2024**

84 *This item was addressed out of order.*

85 Supervisor Santana-Vazquez made a motion to move Business Item C up the agenda for discussion.

86 On a MOTION by Mr. Santana-Vazquez, SECONDED by Ms. DiBrango, WITH ALL IN FAVOR, the Board
 87 approved the **Moving of Business Item C Up the Agenda**, for the Highland Meadows II Community
 88 Development District.

89 Vice Chair Anderson made a motion to approve Resolution 2024-09.

90 On a MOTION by Ms. Anderson, SECONDED by Ms. Moore Tucker, WITH ALL IN FAVOR, the Board
 91 adopted the **Resolution 2024-09, Annual Meeting Schedule FY 2023-2024**, for the Highland Meadows II
 92 Community Development District.

93 **FOURTH ORDER OF BUSINESS – Vendor & Staff Updates**

94 **A. District Engineer – Kimley-Horn – Richard Mills**

95 1. Discussion: Phase 7 Certificate of Completion Update

96 Mr. Mills informed the Board that he had finished the inspection and discussed the update. He said that
 97 this would show that funds were now available for the District to use for projects.

98 Mr. Krause asked Mr. Mills for the maps to be presented to the Board. He said that he had talked to
 99 Bolton’s Towing Services and walked throughout the community. He said that the existing map permitted
 100 parking near the curbs. The Board decided to have a Public Hearing to amend the maps. Supervisor Anderson
 101 acknowledged the details of Bolton’s Towing Services. Ms. Perez-Calhoun said that a Public Hearing might be
 102 done due to possible liability concerns and suggested stopping towing until the process was finalized. Mr. Krause
 103 asked Ms. Perez-Calhoun the earliest date they could set a Public Hearing. Ms. Perez-Calhoun would confirm
 104 advised on evaluating whether residents were towed legally. The Board decided to conduct the Public Hearing
 105 on May 14, 4:30 p.m. at Shamrock First Baptist Church and asked the District Engineer to attend. Supervisor
 106 Moore Tucker asked Mr. Mills about the updates on signages at Tanager, and Mr. Mills said that he would check
 107 on them and that Management should reach out to A&E Dream Homes to address, after which he would verify.
 108 Mr. Krause said that they would communicate with the vendor. Vice Chair Anderson asked which signs involved
 109 the District Engineer, and Mr. Mills responded those that concerned public safety and were not in proper
 110 condition.

111 **B. District Counsel – Perez-Calhoun Law – Gina Perez-Calhoun**

112 *Chairman Galbraith had to leave the meeting at 5:49 p.m.*

113 1. Discussion: Training/Procedures Workshop

114 Ms. Perez-Calhoun said that the Budget Workshop could be prioritized for the schedule. She requested
 115 Supervisors forward her a list of questions two weeks before the Training Workshop to provide a manual. Ms.
 116 Thibault discussed that the initial budget should be adopted in May in order to have it submitted by the June 15th
 117 deadline and advised having the Budget Workshop in April. The Board decided to conduct the Budget Workshop
 118 on April 23 at 4:30 p.m. and the Training Workshop on May 28 at 4:30 p.m., noting that the questions should
 119 be submitted by May 14. Vice Chair Anderson asked Mr. Krause to confirm with Chairman Galbraith the
 120 availability of the Church.

121 2. Opinion Letter: Board Voting Process conducted on December 29, 2023 – *To be*
 122 *Distributed*

123 Ms. Perez-Calhoun read, in part, the Opinion Letter and discussed the Statute. She opined that a meeting
 124 could be scheduled regarding the vote for the Chairman and Vice Chair positions and provide a resolution. She
 125 also noted some improper procedures that should be addressed. Supervisor Anderson thought that they could
 126 make a motion to change the Chairman or Vice Chair based on previous District Management and Counsel
 127 direction. Ms. Perez-Calhoun answered no and advised reviewing the policies and procedures. She said that she
 128 tried to look for the language from CDD and HOA pertaining to the assignment of positions by motion. Ms.

129 Thibault clarified that the CDD is a full government agency. Supervisor Santana-Vazquez asked if there was a
 130 violation. Ms. Perez-Calhoun said that the vote was conducted legally but that the procedure was done
 131 incorrectly and suggested electing a Chairman. She discussed the ramifications if the voting procedure that
 132 happened was not resolved and asked the Board what action they would want to take. Vice Chair Anderson said
 133 that they should proceed accordingly, and Supervisor Moore Tucker suggested tabling the item since the
 134 Chairman was not present. Supervisor Santana-Vazquez asked the Board the difference in making decisions if
 135 the Chairman was or was not in attendance and explained the process of running Board meetings. He mentioned
 136 the formal resignation of the previous Chairman Lopez. Supervisor DiBrango opined that the Chairman and
 137 Vice Chair positions could not be changed at every meeting.

138 Vice Chair Anderson made a motion to table the discussion on the voting of Chairman and Vice Chair
 139 positions in December to the next meeting, and Supervisor Santana-Vazquez opposed.

140 On a MOTION by Ms. Anderson , SECONDED by Ms. DiBrango, WITH THREE IN FAVOR AND ONE
 141 OPPOSED, the Board tabled the **Discussion on the Chairman and Vice Chair Election in December to the**
 142 **Next Meeting**, for the Highland Meadows II Community Development District.

143 3. Board's Voting on a Resolution to Adopt Robert's Rule for Parliamentary Procedure – *To*
 144 *be Distributed*

145 Ms. Perez-Calhoun briefly explained the rules and advised discussing the details at the Training
 146 Workshop, and then the Board would vote on it.

147 **C. Field Operations Manager – BREEZE – Jesse Dann**

148 *There being none, the next item followed.*

149 **D. District Manager – BREEZE – Larry Krause**

150 1. Discussion: Budget Workshop

151 *This item was previously discussed.*

152 2. Discussion: Insurance / Fence Update

153 Mr. Krause said that he spoke to the insurance company about the hurricane-damaged fences and the
 154 expected amount of the District, stating that they had started processing it as the documents were received for
 155 the loss and claim analysis. Vice Chair Anderson asked Mr. Krause to provide an update when available.

156 3. Discussion: Soccer Field Closed

157 Mr. Krause acknowledged the issues regarding the condition of the field and noted that anyone at any
 158 time could be sued as he addressed Board concerns about potential litigation due to use of the field. He asked
 159 the Board what they would like to do about the soccer field. Supervisor Santana-Vazquez said that he told Mr.
 160 Mendes to close the field until further notice, as it could be a liability. Vice Chair Anderson opined that the
 161 Board should decide on closing the amenities. Ms. Perez-Calhoun said that the Board could have an emergency
 162 meeting. Mr. Krause asked the Board about access to the facilities. Supervisor Santana-Vazquez said that the
 163 residents wanted to utilize the field for other purposes. Ms. Perez-Calhoun recalled that Breeze could do a
 164 community survey regarding the field. Supervisor Santana-Vazquez said that he was not in favor of non-residents
 165 using the soccer field. Mr. Krause suggested putting up a no-trespassing signs due to its condition and checking
 166 the fencing. Vice Chair Anderson asked Mr. Krause to prepare a survey for the residents pertaining to other
 167 usage. Ms. Perez suggested having an inventory for an audit.

168 4. Discussion: Amenity Access Cards

169 Mr. Krause discussed the payment system of Rizzetta for the access cards and asked about the policy.
 170 He said that Breeze is currently working on the payment options, but they are still considering Square since
 171 residents are already familiar with it. He advised that there should be no free cards and that they should limit

172 themselves to two cards per household. District Counsel discussed property deeds and additional cards if name
173 exists on deed – up to one card per name on deed. Mr. Krause then discussed the rates for Square. Ms. Perez-
174 Calhoun suggested using Stripe, as it has a lower flat fee and is easier to use. Vice Chair Anderson advised
175 discussing other options at the Budget Workshop for approval and letting the existing process be for now.

176 On a MOTION by Ms. DiBrango , SECONDED by Ms. Moore Tucker, WITH ALL IN FAVOR, the Board
177 approved the **Limitation of Two (2) Amenity Access Cards per Household**, for the Highland Meadows II
178 Community Development District.

179 5. Exhibit 4: Towing Policy Update

180 *This item was previously discussed.*

181 6. Exhibit 5: Landscape Inspection Services – Rizzetta & Company, Inc.

182 Vice Chair Anderson advised terminating the contract, considering Breeze has a Field Operations
183 Manager, and the Board agreed. Mr. Krause mentioned the 30-day notice of cancellation.

184 On a MOTION by Ms. DiBrango , SECONDED by Mr. Santana-Vazquez, WITH ALL IN FAVOR, the Board
185 approved the **Contract Cancellation of Landscaping Oversight by Rizzetta & Company, Inc.**, for the
186 Highland Meadows II Community Development District.

187 Walk-on Item: Audit Services of District Funds – Rizzetta & Company, Inc. - \$4,000.00

188 Ms. Thibault said that Rizzetta had finished some of the files for the audit.

189 On a MOTION by Ms. Anderson, SECONDED by Ms. Moore Tucker, WITH ALL IN FAVOR, the Board
190 approved the **Audit in the amount of \$4,000.00, Copying Ms. Thibault and Ms. Perez-Calhoun in All
191 Communications of Rizzetta & Company, Inc. to the Auditor**, for the Highland Meadows II Community
192 Development District.

193 **FIFTH ORDER OF BUSINESS – Business Items**

194 **A. Exhibit 6: Form 8B**

195 **B. Exhibit 7: Temporary License Agreement**

196 *The Board decided to table this item to next meeting.*

197 **C. Exhibit 8: Consideration/Adoption of Resolution 2024-09, Annual Meeting Schedule FY 2023-
198 2024**

199 *This item was previously discussed.*

200 **D. Exhibit 9: Consideration/Acceptance of Amortization Recalculation Arrangement Between
201 U.S. Bank Trust Company, National Association and Highland Meadows II Community
202 Development District**

203 On a MOTION by Ms. Anderson, SECONDED by Ms. DiBrango, WITH ALL IN FAVOR, the Board approved
204 the **Amortization Recalculation Arrangement Between U.S. Bank Trust Company, National Association
205 and Highland Meadows II Community Development District**, for the Highland Meadows II Community
206 Development District.

207 **E. AMTEC – Arbitrage Rebate Reports**

208 *The Board decided to table these items to next meeting.*

- 209 1. Exhibit 10: \$5,765,000 Highland Meadows II Community Development District (City of
210 Davenport, Polk County, Florida), Special Assessment Bonds, Series 2019 (Assessment
211 Area 7/7A Project)
- 212 2. Exhibit 11: \$5,370,000 Highland Meadows II Community Development District (City of
213 Davenport, Polk County, Florida), Special Assessment Bonds, Series 2017 (Assessment
214 Area Five Project)
- 215 3. Exhibit 12: \$2,700,000 Highland Meadows II Community Development District (City of
216 Davenport, Polk County, Florida), Special Assessment Bonds, Series 2017 (Assessment
217 Area Six Project)
- 218 4. Exhibit 13: \$3,645,000 Highland Meadows II Community Development District (City of
219 Davenport, Florida) Special Assessment Bonds, Series 2016 (Assessment Area Three
220 Project)
- 221 5. Exhibit 14: \$1,785,000 Highland Meadows II Community Development District (City of
222 Davenport, Florida), Special Assessment Bonds, Series 2016 (Assessment Area Four
223 Project)

224 **F. Discussion: Pool Maintenance**

- 225 1. Exhibit 15: Public Pool and Bathing Place Inspection Report conducted on February 2, 2024
226 2. Exhibit 16: Pool Owner/Operator Verification of Entrapment Safety Features

227 **G. Polk County: Update on Installed Signs at Patterson Road**

228 **H. Consideration of Proposals**

- 229 1. Exhibit 17: Prince & Sons – Removal and Replacement of Sod for Soccer Field -
230 \$30,030.00
- 231 2. Exhibit 18: A&E Dream Homes, LLC – Playground Rehabilitation - \$4,422.62
232 *The Board decided to table this proposal to next meeting.*
- 233 3. Exhibit 19: A&E Dream Homes, LLC – Pool Maintenance - \$4,779.82

234 The Board decided to table the proposal and remain with HP Home Solutions until resurfacing is done
235 to evaluate Robert's work. Supervisor Moore Tucker asked to provide more proposals with the auto-feed system.

- 236 4. Pool Resurfacing
237 4.1. Exhibit 20: Robert's Pool Service & Repair - \$76,658.49

238 Supervisor Santana-Vazquez asked about adding an auto-feed system to the proposal. Vice Chair
239 Anderson advised getting licensed Florida contractors using Department of Business & Professional Regulation
240 (DBPR) Services, and Supervisor Moore Tucker agreed. Supervisor Santana-Vazquez opposed.

241 On a MOTION by Ms. DiBrango, SECONDED by Ms. Anderson, WITH THREE IN FAVOR AND ONE
242 OPPOSED, the Board approved the **Robert's Pool Service & Repair in the amount of \$76,658.49**, for the
243 Highland Meadows II Community Development District.

- 244 4.2. Exhibit 21: The Pool Specialist - \$75,599.15
245 4.3. Exhibit 22: Noah Builders & Designs / F&J Pool and Spa - \$61,512.00
246 4.4. Exhibit 23: A&E Dream Homes, LLC - \$69,118.10

247 **SIXTH ORDER OF BUSINESS – Audience Comments – New Business**

248 Mr. Berthold restated some of his statements and spoke about the cracked curbs. Supervisor DiBrango
249 said that they could not facilitate at Tom Fellows because of the rental per month and its cost, and the Board
250 informed him that using the Church was free.

251 Mr. Sanchez asked about the contracts and advised consolidating. He commented that the invoices
252 should be detailed for accounting. He then spoke of the Public Hearing on parking on the street and suggested
253 prioritizing the problems that cause major issues with the residents. He said that there was no strict
254 implementation after the notice of violation. Vice Chair Anderson clarified that there will be towing during the
255 day and roaming at night on the even side, and the roaming time would be from 10 p.m. to 6 a.m. daily until the
256 Public Hearing.

257 Ms. Marilyn asked why Rizzetta & Company, Inc. was still involved in CDD agenda items and
258 commented on Mr. Lopez. Vice Chair Anderson suggested having a closed meeting with the District Counsel.

259 Mr. Gorman had a question for District Engineer regarding the washout behind the mailboxes at
260 Nighthawk.

261 Mr. King spoke about the solar lights that had been down and damaged. He then commented about
262 children playing on the fences on the field and the unmaintained dog park, considering the liabilities. Vice Chair
263 Anderson asked Mr. Krause to review the contract with HP Home Solutions.

264 A resident asked for a fence update at Woodlark Dr., near Nighthawk. Supervisor Santana-Vazquez said
265 that it was not installed properly and that the District would have a refund. Vice Chair Anderson recalled a
266 proposal that was approved and asked Mr. Krause to review it. Supervisor Santana-Vazquez said that the fence
267 had to be removed. The resident then talked about parking on the street. Vice Chair Anderson restated that the
268 overnight parking would be addressed at the Public Hearing.

269 Mr. Tyson with TruGreen informed the Board that they were treating the plants until February. Vice
270 Chair Anderson said that the contract was not renewed and was cancelled.

271 **SEVENTH ORDER OF BUSINESS – Supervisors Requests**

272 Vice Chair Anderson asked for the current contracts requested by the District Counsel to be forwarded
273 to the Supervisors.

274 Supervisor Santana-Vazquez asked to incorporate the policies to have vendors communicate with all
275 Supervisors. Ms. Perez-Calhoun said that the District Management company would process that request
276 direction from the Board. Vice Chair Anderson advised giving updates on the Monday before the distribution of
277 the agenda.

278 Supervisor DiBrango asked for an update on the wall by the school. Mr. Krause discussed the locations
279 on the map. Vice Chair Anderson said that the Board wanted the District Engineer to consider other options for
280 the wall. Mr. Krause said that he had reached out to the District Engineer but did not receive a response and that
281 children might climb a wall. Vice Chair Anderson stated that the objective was to have a wall since children
282 would want to break it or cross over. The Board asked for more proposals, including the signs.

283 Mr. Krause spoke about the internet connection and asked the Board their preferences. Ms. Moore
284 Tucker made a motion to approve an internet provider in the amount not to exceed \$120.00 per month.

285 On a MOTION by Ms. Moore Tucker, SECONDED by Mr. Santana-Vazquez, WITH ALL IN FAVOR, the
286 Board approved the **Provision of Internet Connection With a Speed of 250MB Upload and 500MB**
287 **Download in the amount Not To Exceed \$120.00 per month**, for the Highland Meadows II Community
288 Development District.

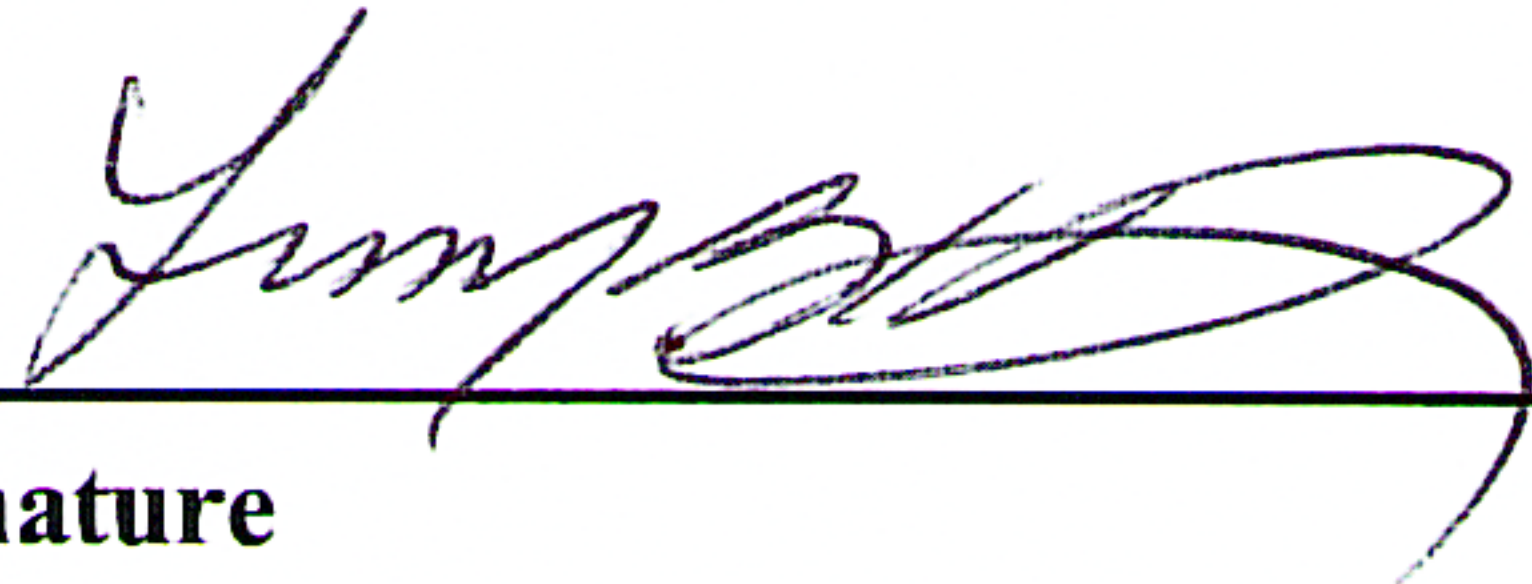
289 **EIGHTH ORDER OF BUSINESS – Adjournment**

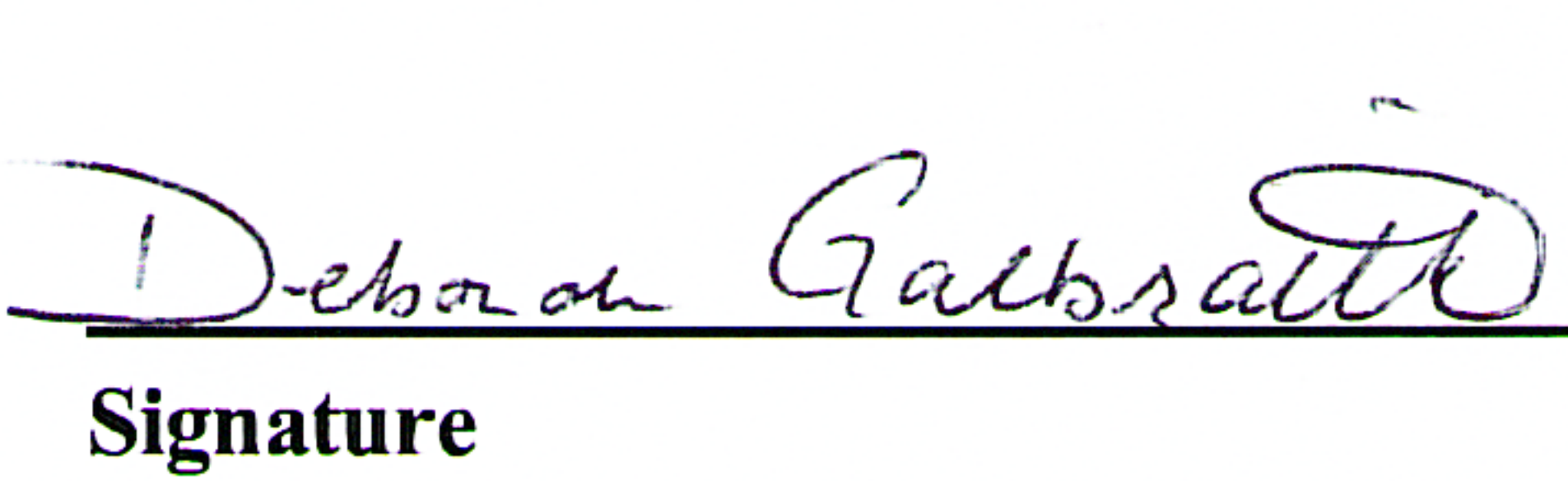
290 Mr. Krause asked for final questions, comments, or corrections before requesting a motion to adjourn
291 the meeting. There being none, Ms. Moore Tucker made a motion to adjourn the meeting.

292 On a MOTION by Ms. Moore Tucker, SECONDED by Mr. Santana-Vazquez, WITH ALL IN FAVOR, the
293 Board **adjourned the meeting at 8:19 p.m.** for the Highland Meadows II Community Development District.

294 **Each person who decides to appeal any decision made by the Board with respect to any matter considered at
295 the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made,
296 including the testimony and evidence upon which such appeal is to be based.*

297 Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed
298 meeting held on April 25, 2024.

299 
Signature


Signature

300 Larry B Krause Jr.
Printed Name

Deborah Galbraith
Printed Name

301 Title: Secretary Assistant Secretary

Title: Chairman Vice Chairman