

MINUTES OF MEETING

HIGHLAND MEADOWS II COMMUNITY DEVELOPMENT DISTRICT BOARD OF SUPERVISORS' MEETING

Thursday, August 10, 2017 at 9:05a.m.

Offices of Cassidy Homes

346 East Central Ave.

Winter Haven, FL 33880.

Board Members present at roll call:

Rennie Heath	Board Member	
Lauren Schwenk	Board Member	
Andrew Rhinehart	Board Member	
Joel Adams	Board Member	
Scott Shapiro	Board Member	(via phone)

Also Present:

Todd Amaden	Landmark Engineering	
Jane Gaarlandt	Fishkind & Associates, Inc.	
Joe MacLaren	Fishkind & Associates, Inc.	(via phone)
Roy Van Wyk	Hopping Green & Sams, P.A.	(via phone)
William Viasalyers	Fishkind & Associate, Inc.	(via phone)
Chip Tucker	Tucker Paving	
Rick Allen	Tucker Paving	
Michelle Higgs	Central Site Development	

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

The meeting was called to order. The Board Members and staff in attendance are outlined above.

SECOND ORDER OF BUSINESS

Public Comment Period

There were no public comments at this time.

THIRD ORDER OF BUSINESS

Consideration of the Minutes of the July 13, 2017 Board of Supervisors' Meeting

The Board reviewed the minutes of the July 13, 2017 Board of Supervisors Meeting. Mr. Van Wyk provided edits.

On MOTION by Mr. Heath, seconded by Mr. Adams, with all in favor, the Board approved the Minutes of the July 13, 2017 Board of Supervisors' Meeting, as amended.

FOURTH ORDER OF BUSINESS

Opening and Consideration of Bids for Phases 4B and 4C Construction Services

Mr. Amaden noted that the District had 3 bidders request bid packages and all three responded. All three bids were sealed and received in his office before the deadline. Mr. Amaden then opened the bids. The first bid was from Central Site Development in the amount of \$3,199,102.72, with 195 days of construction time from issuance of Notice to proceed. The second bid was from Tucker Paving in the amount of \$1,894,291.65 and the timeframe was not filled in on that one. Mr. Amaden asked Mr. Tucker about the number of days and Mr. Tucker responded 180 days. Mr. Amaden will verify. Mr. Viasalyers joined the meeting in progress via phone. The third bid was from RIPA & Associates in the amount of \$2,438,848.80 with 183 days of construction. Mr. Amaden asked if the Board wanted him to continue this meeting to allow him to prepare a spreadsheet so that he can do a comparison. Mr. Amaden noted that there were payment performance Bonds and Bid Bonds and there were some items in the packages that were confusing even though he posted an addendum about what not to include but there were still questions. Mr. Amaden said that he should have the bid comparisons ready by the end of the week and will post pdfs of the bids first in Dropbox and send the link to the Board Members and follow up with a Bid Comparison Spreadsheet. Mr. Amaden noted that the Board can continue this meeting and at the continued meeting he will give the Board draft rankings for discussion and vote. Ms. Gaarlandt noted that she can schedule the meeting for Wednesday, August 16, 2017 at 10:00 a.m. There was no action required by the Board at this time.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2017-20, Delegation Resolution (Phases 4B/C)

The Board reviewed Resolution 2017-20.

On MOTION by Mr. Heath, seconded by Ms. Adams, with all in favor, the Board approved Resolution 2017-20, Delegation Resolution (Phases 4B/C).

SIXTH ORDER OF BUSINESS

**Consideration of Lerner
Dissemination Agreement, Series
2017 SA Bonds, Phases 5 and 6**

The Board reviewed the Lerner Dissemination Agreement.

On MOTION by Mr. Adams, seconded by Mr. Heath, with all in favor, the Board approved Lerner Dissemination Agreement, Series 2017 SA Bonds, Phases 5 and 6.

SEVENTH ORDER OF BUSINESS

**Consideration of Fee Agreement
with Hopping Green and Sams,
P.A. for Phase 4B/4C Bond
Issuance**

Mr. Van Wyk explained that the current contract with the District requires that Hopping Green and Sams negotiate a fee agreement for each Bond Issuance and a proposal setting forth the not-to-exceed fee to be for the next Bond Issuance is included in the agenda packet. He would like to have the Board's approval before moving forward.

On MOTION by Mr. Heath, seconded by Mr. Adams, with all in favor, the Board approved the Fee Agreement with Hopping Green & Sams, P.A. for Phase 4B/4C Bond Issuance.

EIGHTH ORDER OF BUSINESS

**Consideration of Financial
Advisory Agreement with
Fishkind & Associates, Inc.**

Mr. MacLaren explained that new FTC regulations take effect in September requiring Fishkind & Associates to revise its Agreement with the District. It calls for an annual fee of \$1,000.00, but Fishkind & Associate will reduce its Annual Management Fee by that same amount so there will not be any extra cost to the District.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Board approved the Financial Advisory Agreement with Fishkind & Associates, Inc.

NINTH ORDER OF BUSINESS

Consideration of Interlocal Agreement between the District and Holly Hill Road East CDD

Mr. Van Wyk explained that this is an Interlocal Agreement with Holly Hill Road East CDD for the temporary use of Highland meadows II Amenities by residents of the Holly Hill Road East CDD. It still needs to be submitted to the other District Board. It is intended to provide a temporary use of the District's Amenities until such time that the Amenities are constructed in the other District. The other District will pay its fair share of costs associated with the operation and maintenance of the District Amenities and it sets forth a procedure by which the amount is determined and how the payments are to be made to Highland Meadows II from Holly Hill Road East CDD residents for use of the Amenity Center. Mr. Heath asked how the agreement can be terminated, and Mr. Van Wyk responded that the District can terminate the agreement whenever it decides to do so if it gives the other District notice. The Agreement contemplates that once their Amenities are available the Holly Hill residents' use of the Highlands Meadows II Amenities will cease. Mr. Van Wyk requested the Board's approval of the agreement in substantial form and it will then be presented to the other Board for final details.

On MOTION by Ms. Schwenk, seconded by Mr. Adams, with all in favor, the Board approved the Interlocal Agreement between the District and Holly Hill Road East CDD in substantial form.

TENTH ORDER OF BUSINESS

Consideration of Revised Amenity Facility Policies

Tabled

ELEVENTH ORDER OF BUSINESS

Consideration of Additional Security Measures at Pool Area

The District solicited a couple of proposals for security services at the pool area as briefly discussed at the previous meeting. The District received one written proposal. The onsite Field Manager got the Trespass Notice signed and on the very first day they trespassed

the same people twice. Mr. Heath asked if there has been any coordination or desire expressed by the Board of the Highland Meadows CDD to do an interlocal agreement for use of the Amenity Center. Mr. Van Wyk said the issue came up and the Board Members of the Highland Meadows CDD did not want to be a part of any interlocal agreement for the shared use of facilities. They were happy not having anything or paying for any amenities. Ms. Gaarlandt noted that the proposal that the District received is from a resident in the District who has a security company. There is also a verbal proposal from a local branch of the Security Company that Highlands CDD uses and Ms. Gaarlandt mentioned that the rates are similar. She also noted that the it would be approximately 5 hours per week on the weekend to show a presence and to check IDs and key cards. Ms. Gaarlandt stated that she is waiting for a third proposal. Mr. Heath suggested approving a not-to-exceed amount of \$20/hour in case the District needs an armed guard. Mr. Van Wyk stated that the District needs to make sure that it is a licensed security company with liability insurance and the proper licenses to do armed security work. Mr. Rhinehart asked if there was any conflict for the CDD to hire a resident to perform services for the community. Mr. Van Wyk responded that there would only be a conflict if a Board Member owned the company. Ms. Gaarlandt suggested continuing this item to the continued meeting next week.

TWELFTH ORDER OF BUSINESS

**Ratification of Payment
Authorizations Nos. 128-130**

The Board reviewed Payment Authorizations Nos. 128-130.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Board ratified Payment Authorizations Nos. 128-130.

Ms. Schwenk noted that she is owner of Creative Association Services and withdrew her second.

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with 4 in favor and 1 abstained, the Board ratified Payment Authorizations Nos. 128-130.

THIRTEENTH ORDER OF BUSINESS

Review of Monthly Financials

The Board reviewed the monthly financials. There was no action to necessary by the Board.

FOURTEENTH ORDER OF BUSINESS**Staff Reports**

District Counsel – Mr. Van Wyk noted that his firm represents Highland Meadows II District and Holly Hill Road East CDD and as far as his office drafting the Interlocal Agreement and putting it together he does not see any conflict but the Florida Bar Rules require that if an attorney is representing two parties in the same matter they need to get their consent. He asked the Board to review the Client Disclosure and Consent just handed out and acknowledge that the District Counsel is representing both sides of that agreement and if an issue arises out of that agreement the District Attorney will not take part in it because he cannot take one side over the other. Should any litigation or other issues arise out of the agreement then the Districts must get separate Counsel to represent the Boards' interests with respect to that agreement.

On MOTION by Mr. Rhinehart, seconded by Mr. Adams, with all in favor, the Board approved the HGS Client Disclosure and Consent.

Ms. Gaarlandt will get the Disclosure signed and back to Mr. Van Wyk. The same Client Disclosure of Consent will be presented to the Board of the other District as it must be agreed upon by both Boards.

District Engineer – No Report

District Manager – Nor Report

FIFTEENTH ORDER OF BUSINESS**Supervisor Requests and Audience Comments**

There were no Supervisor requests or audience comments.

SIXTEENTH ORDER OF BUSINESS**Adjournment**

There was no further business to discuss. Ms. Gaarlandt requested a motion to continue the meeting.

ON MOTION by Mr. Adams, seconded by Mr. Heath, with all in favor, the Board of Supervisor's for Highland Meadows II Community Development District continued the Meeting to Wednesday August 16, 2017 at 10:00 a.m. at the current location.


Secretary / Assistant Secretary


Chairman / Vice Chairman