

**MINUTES OF MEETING
HIGHLAND MEADOWS II
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Highland Meadows II Community Development District was held on Tuesday, **February 16, 2021** at 2:30 p.m. at the Holiday Inn, 200 Cypress Gardens Blvd., Winter Haven, FL.

Present and constituting a quorum:

Rennie Heath
Christopher Lopez
Brian Walsh
Kristen Anderson

Chairman
Vice Chairman
Assistant Secretary
Assistant Secretary

Also, present were:

Jill Burns
Roy Van Wyk
Clayton Smith
Residents

District Manager, GMS
Hopping Green & Sams
GMS

The following is a summary of the discussions and actions taken at the February 16, 2020 Highland Meadows II Community Development District's Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Burns called the meeting to order and stated that the supervisors listed above were in attendance, constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns stated that this portion of the agenda was for residents who had any comments on agenda items listed. If there were any items that were not on the agenda that residents wanted to discuss, it should occur at the public comment section.

There was a resident that commented on the idea for “children at play” traffic signs and agrees that it is a very good idea. Another resident added that they believe if the signs are not put up, someone will get hurt and wants there to be more signage to try and prevent more possible damage. The conversation snowballed into speed limit signage and how to slow down traffic with possible officer patrolling.

Another resident commented on landscaping and had concerns about fences that are connected, and the landscaper not being able to reach the common areas. Ms. Burns noted that there are easements to allow access to common areas, but Ms. Anderson added that the area he is talking about does seem to have a lack of easement space and she will get with Mr. Smith to look into the issue.

THIRD ORDER OF BUSINESS

Approval of Minutes of the December 15, 2020 Board of Supervisors Meeting

Ms. Burns presented the minutes of the December 15, 2020 Board of Supervisors meeting and asked for any comments, corrections, or additions to the minutes. The Board had no changes to the minutes.

On MOTION by Mr. Heath, seconded by Mr. Walsh, with all in favor, the Minutes of the December 15, 2020 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

Consideration of Utility Easement

Ms. Burns commented that this action item came through from the District engineer. Ms. Anderson questioned, because there are pumps involved, how often will they need to be replaced and if they would be budgeting for those replacements. The engineer was not on the call for the meeting, but the question would be passed on to him.

Mr. Smith added that the CDD does not maintain the lift or force mains so there is no need to budget for those things. There was some discussion on the exact location of the easement and the traffic that may occur because of construction. Mr. Lopez wants to be sure that residents are notified of the work that will be done. Ms. Burns will make the request to the city. Mr. Van Wyk wanted to be sure the Board is clear that they would only be granting an easement to the city and the CDD would not be responsible for any work.

On MOTION by Mr. Heath, seconded by Ms. Anderson, with three in favor and Mr. Lopez opposed, the Utility Easement, was approved 3-1.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2021-04
Authorizing the Establishment of an SBA
Account**

Ms. Burns reported that the District is limited in the investments of their excess funds. The SBA account would be for the reserve funds to be deposited and earn slightly more interest than they could in a general checking account. She was looking for the Board to approve.

Mr. Lopez motioned to oppose the action item, but there was no second so the motion died. Mr. Lopez asked who has the legal authority to manage the funds and Mr. Van Wyk answered that it is the responsibility of the District manager with the approval of the Board. Mr. Lopez seemed to be mainly concerned that the District Manager is not a licensed investment manager, like himself. Mr. Heath explained to Mr. Lopez how CDDs work and manage their money, and he noted that the funds will be used to benefit the District residents.

On MOTION by Ms. Anderson, seconded by Mr. Heath, with three in favor and Mr. Lopez opposed, Resolution 2021-04 Authorizing the Establishment of an SBA Account, was approved 3-1.

SIXTH ORDER OF BUSINESS

**Consideration of Memorandum from
Hopping, Green & Sams Regarding E-
Verify Requirements in 2021**

Mr. Van Wyk reported that a new law came into effect as of January 1st of this year and requires the District to file with the E-Verify system. The memorandum explains the new statute and was provided to the Board. They are asking for authorization from the Board for the District Manager to register the CDD and enter into a memorandum of understanding with the Department of Homeland Security.

On MOTION by Mr. Heath, seconded by Ms. Anderson, with all in favor, the Memorandum from Hopping, Green & Sams Regarding E-Verify Requirements in 2021 and Ratification of District Manager to Enroll the District, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Fee Increase Letter for District Counsel Services from Hopping, Green & Sams

Mr. Van Wyk noted that the current contract provides for an annual increase of fees consistent with the adopted rates for the firm. The number that is in the memorandum is consistent with the existing client rate. It goes from \$350 to \$365. They do try to use as many associates and paralegals as possible which in turn make the rates go down when using those resources.

On MOTION by Mr. Heath, seconded by Mr. Walsh, with three in favor and Mr. Lopez opposed, the Fee Increase Letter for District Counsel Services from Hopping, Green & Sams, was approved 3-1.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2021-05 Appointing Treasurer for the District – ADDED

Ms. Burns noted that Ariel Lovera the current District Treasurer will be retiring. They will be changing some of the officers listed in order to process checks. She asked that George Flint in their office be appointed as Treasurer, and Katie Costa be appointed as Assistant Treasurer, allowing them to process checks outside of regular business as an administrative matter.

Mr. Lopez asked if the Treasurer is bonded for \$1,000,000. Ms. Burns answered yes and will send him a copy of proof. He will approve this motion once he sees proof.

On MOTION by Mr. Walsh, seconded by Mr. Heath, with three in favor and Mr. Lopez opposed, Resolution 2021-05 Appointing Mr. George Flint as the Treasurer for the District and Ms. Katie Costa as the Assistant Treasurer for the District, was approved 3-1.

NINTH ORDER OF BUSINESS

Discussion of Options for the Empty Tracts (Requested by Supervisor Anderson)

Ms. Anderson reported that she had been talking to people about the idea of a potential community center and where there might be space for such a thing. She added that Mr. Smith suggested an area that might be possible, would be where the main amenity center is located, and the playground and picnic areas exist. The option of moving the playground and picnic areas to empty tracts was brought up. It is a big idea and a long project, but it has potential to bring in revenue for the CDD and starts with utilizing the empty tracts.

Mr. Heath wanted clarification on where the tract is and Ms. Anderson stated it is located in 3B and 5B. Ms. Burns suggested that they begin to do some research and get some rough estimates on what something like this would actually cost and a long-term increase plan. Mr. Lopez made the suggestion of creating a specialty committee for this project and Mr. Heath agreed. Mr. Van Wyk added that there are a couple of ways this can be approached and that it would be best for the District to construct and own it.

Mr. Lopez suggested using Playgrounds USA for cost and liability purposes and moved to create a committee to comb through the details to get to a good starting point for this project.

Ms. Anderson wanted to be sure that there would be no violations of the Sunshine Law if Mr. Lopez was on the committee with her and she was told that would not be an issue. Ms. Burns noted that she will get with Ms. Anderson on standards for advertisement for the committee meetings and the costs associated, and they will need about a 10-day lead time for the meeting advertisements.

On MOTION by Mr. Lopez, seconded by Mr. Heath, with all in favor, Appointing Ms. Anderson the Chair of a Committee of Residents to Discuss Options, was approved.

TENTH ORDER OF BUSINESS

**Discussion Regarding “Children at Play”
Traffic Signs *(Requested by Supervisor
Anderson)***

Ms. Anderson noted that the community has requested this. She realizes it may not deter all of the speeding, but it may make the community members feel better. Ms. Burns added that the CDD does not have traffic enforcement powers and the entity that is responsible for that is the Davenport Police Department. If there are specific areas where speeding has been seen, they can email Ms. Burns and she will reach out to the police department for a patrol request and the Board is actively working with the police department to get a better control of the issue.

Mr. Heath asked if there is money in the budget to install the signs and Ms. Burns asked if the Board would like to request a quote of how much the cost would be and Mr. Smith had some insight. Ten signs would run approximately \$180 per sign and this includes the pole and installation. Ms. Burns reported that there is probably some room in the budget looking at some of the line items putting this under the umbrella of security and patrols.

There being seven phases, they came to the conclusion to put a sign at each entry bringing the total to 14 signs. Ms. Anderson believes it is a good start, but they may need to add more in the future.

On MOTION by Ms. Anderson, seconded by Mr. Heath, with all in favor, Moving Forward with Installation of Fourteen “Children at Play” Signs at all the Entrances, was approved.

ELEVENTH ORDER OF BUSINESS

**Discussion Regarding Landscaping for the Phase 3 Median and at the Entry/Exit
(Requested by Supervisor Anderson)**

Mr. Smith reported that the effort was to keep the price under \$1,000. There is a plan to update all the medians so they all match. The sod has been removed and it is still in progress and there is not action required.

TWELTH ORDER OF BUSINESS

Review of Security Policies and Possible Change of Security Contracts to Utilize Off Duty Officers (Requested by Supervisor Lopez)

Mr. Lopez reported that he would like to cancel the current security services and solely utilize the Davenport Police Department with off duty officers. He believes that residents would feel more secure with the police officers. Ms. Burns added that this was discussed at the last meeting and the Board agreed to bring this issue up again at the April meeting when the pool area begins to see higher volumes. He argues that the current security contract is not living up to the needs of the community. There was a motion by Mr. Lopez to terminate the current contract and switch to the Davenport Police Department immediately. There was no second, and the motion died.

THIRTEENTH ORDER OF BUSINESS

**Discussion Regarding Resident Issues
(Requested by Supervisor Lopez)**

Mr. Lopez questioned the CDD bonds. He wants to know where the bonds are, who does the CDD owe, and how much is owed. He believed the residents would like to have better information of the bonds and better notification on how to pay their bonds off. Ms. Burns stated

that any resident could inquire about such things at any time. There were some misunderstandings on what can and cannot be discussed outside of meetings.

FOURTEENTH ORDER OF BUSINESS Staff Reports

A. Attorney

Mr. Van Wyk had nothing further for the Board.

B. Engineer

The engineer was not present, the next item followed.

C. Field Manager's Report

Mr. Smith summarized the Field Manager's Report for the Board. Completed items included dog park maintenance, site review, maintenance of road signs, water whip cut and covered, cleanup of dry pond tracts, site entrance mulching, and repairing of urinal at the pool.

Upcoming projects include the green space project that has been previously discussed, community signage for children at play, and no parking signs. Ms. Anderson stated with continuing phases, signage would be helpful for new residents coming in. Ms. Burns added that their office created a parking policy informational sheet to give to the builders to provide to new buyers. Mr. Smith did look into the prices of "No Parking" signs, and they are cheaper than the "Children at Play" signs running at approximately \$170 for each for a batch of 10 in case the Board decides to move forward with the project.

D. District Manager's Report

i. Approval of Check Register

Ms. Burns stated the check register is for the month of December and is included in the agenda package totaling \$30,044.00.

On MOTION by Ms. Anderson, seconded by Mr. Heath, with all in favor, the Check Register through December 31st totaling \$30,044.00, was approved.

ii. Balance Sheet and Income Statement

Ms. Burns stated that the financials were in the packet for the Board's review and no action needed to be taken. With no questions, the next item followed.

iii. Ratification of Series 2019 Phase 7/7A Requisition #63

Ms. Burns stated this has previously been approved and they she was just looking for a motion to ratify.

On MOTION by Mr. Heath, seconded by Mr. Walsh, with all in favor, the Series 2019 Phase 7/7A requisition #63, was ratified.

iv. Discussion Regarding Previous License Agreements for Fencing

Ms. Burns stated that this discussion started about a year ago when the HOA allowed residents to fence easements which created an issue for the District accessing irrigation lines. The agreement was made that the fences could remain, as long as residents signed license agreements. They have been sent and now they are refusing to sign. Now they are looking for further direction from the Board. They could send a letter demanding signature within 30 days or the fence will have to be removed. Mr. Heath said that he thinks that is exactly what they should do. Ms. Burns stated they will send the households demand letters and report back at the next meeting.

FIFTEENTH ORDER OF BUSINESS

Supervisor Requests/Audience Comments

Supervisor Comments:

Ms. Burns noted this was for anyone with other business. There being none, the next item followed.

Audience Comments:

Ms. Burns opened the floor for audience comments and reminded them to please keep them to 3 minutes.

- A resident stated that the dog park garbage needs to be emptied more often.
- Another resident asked when the security issue will be revisited and stated that the previous security services is a joke and could not scare a five-year-old.

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- Another resident asked what the benefit of paying a bond off would be. Ms. Burns asked her to call her office and she can talk her through it. Mr. Heath added that it will lower her tax bill much like paying off a mortgage would be.
- Another resident mentioned how messy the mailbox area is.
- A resident commented his concern about the Board members who are not residents.

SIXTEENTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned.

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


Secretary/Assistant Secretary


Chairman/Vice Chairman