
MINUTES OF MEETING

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

**HIGHLAND MEADOWS II
COMMUNITY DEVELOPMENT DISTRICT**

The meeting of the Board of Supervisors of the Highland Meadows II Community Development District was held on **February 15, 2024, at 4:37 p.m.** located at Shamrock First Baptist Church located at 2661 Marshall Rd., Haines City, FL 33844.

Present and constituting a quorum:

Deborah Galbraith	Board Supervisor, Chairperson
Kristen Anderson	Board Supervisor, Vice Chairperson
Miguel Santana	Board Supervisor, Assistant Secretary
Genelle Moore	Board Supervisor, Assistant Secretary
Joellen Dibrango	Board Supervisor, Assistant Secretary

Also present were:

Brian Mendes	District Manager, Rizzetta & Company, Inc.
Scott Brizendine	District Manager, Rizzetta & Company, Inc. (via phone)
Kristen Trucco	District Counsel, LLEB
Ricky Mills	District Engineer, Kimley-Horn (via phone)
Larry Krause	Breeze
Gina Perez	President of Perez-Calhoun Law
Patrica Thibault	Breeze (via phone)
Josmar Lopez	A&E Dream Homes
Michelle Reiss	Appleton Reiss LS (via phone)

Audience **Present**

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Galbraith called the meeting to order and confirmed a quorum.

SECOND ORDER OF BUSINESS

Audience Comments

A member of the audience stated he had a discussion with Supervisor Santana regarding the meeting space where the board meetings are held. He suggested to the board to reconsider on having Tom Fellows as the regular meeting space. He also commented on

HIGHLAND MEADOWS II COMMUNITY DEVELOPMENT DISTRICT

February 15, 2024 - Minutes of Meeting

Page 2

48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88

the soccer field and stated that he disagreed with it. He stated that he recommends the board make the community pool area more desirable to the residents.

A member of the audience inquired about the fence in Phase three. He stated that residents are using it as a dog park and that it should be fixed or removed.

A member of the audience briefed the board on notes he took and stated that they've had twelve months of inconsistent services provided by the district. He stated that it took him sixteen hours to review all the minutes from the CDD. He stated that the board should have more workshops that benefits residents. He stated that workshops should be for training and not used for business purposes. He stated that Prince and Sons has been replacing irrigation heads that do not need to be fixed or that should last longer.

A member of the audience touched on zoning issues on Patterson Rd. She stated the county has approved having no parking in this area. She also inquired on ethical standards for requirements of financial reports from HOA. Counsel responded to her inquiry stating that she does not know of any requirement where the HOA would be obligated to give the CDD any financial information.

THIRD ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors' Meeting held on May 11, 2023

Ms. Galbraith presented the minutes for the meeting and asked if any changes were requested.

Ms. Anderson stated to the board that she had requested the May minutes.

Ms. Galbraith stated that there was a missing motion on December's minutes.

Ms. Anderson made an additional comment regarding the May minutes.

Ms. Galbraith stated that there needs to be a revision to the December minutes because there is a missing motion failed motion of Kristen Anderson nominating herself as the chair.

Mr. Santana stated that these motions need to be moved to the seventh order of business, not the sixth.

Mr. Mendes responded to Ms. Anderson's inquiry on the A&E pressure wash project about a previous discussion during May's meeting to do the work at a lower cost with A&E, but then approved at a higher amount at the June meeting as a walk-on item.

On Motion by Mr. Santana, seconded by Ms. Dibrango, with all in favor, the Board of Supervisors approved the minutes of the board of supervisors meeting held on May 11, 2023, for the Highland Meadows II Community Development District.

89
90
91
92
93
94
95
96
97
98
99

FOURTH ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors' Meeting held on December 29, 2023

Ms. Galbraith presented the minutes for the meeting and asked if any changes were requested.

Mr. Santana stated that he requests to add comments of two supervisors requesting Rizzetta and counsel to stay on board.

On Motion by Ms. Galbraith, seconded by Ms. Anderson, with all in favor, the Board of Supervisors approved the minutes of the board of supervisors meeting held on December 29, 2023 in substantial form, for the Highland Meadows II Community Development District.

100
101
102
103
104
105
106
107
108
109

FIFTH ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors' Meeting held on January 18, 2024

Ms. Galbraith presented the minutes for the meeting and asked if any changes were requested.

Mr. Santana stated that he has no comments.

On Motion by Ms. Galbraith, seconded by Ms. Dibrango, with all in favor, the Board of Supervisors approved the minutes of the board of supervisors meeting held on January 18, 2024, for the Highland Meadows II Community Development District.

110
111
112
113
114
115
116
117

SIXTH ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors Workshop held on February 1, 2024

Ms. Galbraith presented the minutes for the meeting and asked if any changes were requested. No changes were requested.

On Motion by Ms. Galbraith, seconded by Ms. Anderson, with all in favor, the Board of Supervisors approved the minutes of the board of supervisors workshop held on February 1, 2024, for the Highland Meadows II Community Development District.

118
119
120
121
122

Ms. Anderson inquired if counsel is on their way to another CDD meeting so she understands why she couldn't be present.

Ms. Reiss responded she had a conflict with the schedule and meeting time.

123

124 Ms. Anderson inquired if the meeting was to move an hour if it would accommodate
125 counsel's schedule.

126

127 Ms. Reiss stated no.

128

129 Ms. Anderson asked for Ms. Reiss to clarify their travel costs.

130

Ms. Reiss stated they charge their normal hourly rate.

131

Ms. Anderson asked if counsel would consider dropping their hourly rate to \$350.

132

133 Ms. Reiss stated she can potentially do a two year contract that her prices would
134 not raise.

135

136 Ms. Dibrango asked if counsel could consider a fixed rate for their bid.

137

138 Ms. Reiss stated she can review with her partner, but they may be willing to commit
139 to three years at the current rate.

140

141 Ms. Perez presented their revised bid for district counsel services to the board.

142

143 Ms. Anderson inquired on the paragraph that was added of the firm's experience that
144 wasn't in the previous bid.

145

146 Ms. Perez responded the paragraph was there before.

147

148 Ms. Anderson expressed concerns on portion of bid with heavy litigation verbiage.

149

150 Ms. Perez responded that litigation comes even if you're not looking for it. She also
151 stated she looks at the counsel on the other end of representation and to see if their
152 counsel wins a lot to determine how to proceed with litigation.

153

154 Ms. Perez stated she tries to avoid litigation by forming good relationships and is
155 here to educate and prepare people.

156

157 Ms. Dibrango inquired how long Ms. Perez rates are fixed for.

158

Ms. Perez responded the rates can be locked for a year and factor inflation.

159

160 Ms. Dibrango asked for clarification on the rate and confirmed it would be for three (3)
161 years, with a change needing to be made to the contract indicating such. Ms. Perez agreed
162 to make the change to three (3) years.

162

163 Ms. Trucco stated that the district placed an ad for district counsel proposals.

164

165 Ms. Anderson inquired what happened with Ms. Perez's previous assistant
166 attorney.

167

168 Ms. Perez stated they were a temp and networking as a contractor.
169

170 Ms. Perez stated she is looking for more experienced associates.
171

172 Ms. Anderson inquired if Ms. Perez would be the only attorney for the CDD.

173 Ms. Perez stated yes.

174 Ms. Anderson asked Ms. Perez if she is concerned with being the only counsel for a
175 new district.

176 Ms. Perez stated no.
177

178 Ms. Anderson inquired on question nine and why is removed.
179

180 Ms. Perez stated that it was resolved and that is why it was removed.
181

182 Ms. Anderson stated that Perez's success on holding vendors accountable is
183 commendable.
184

185 Ms. Anderson inquired how Ms. Perez would work with vendors.
186

187 Ms. Perez gave an example of a scenario on handling vendor difficulties and stated
188 the importance of documenting everything.
189

190 Ms. Anderson inquired how the CDD would receive adequate attention considering
191 experience, with this being Ms. Perez's second CDD.
192

193 Ms. Perez stated with her knowledge and experience she has gathered and how
194 that her other CDD is in good standing because everything has been maintained it should
195 free up her time to give good attention to Highland Meadows CDD II.
196

197 Ms. Anderson asked Ms. Perez to elaborate on some of the fires she had to put out,
198 also commenting on the scenario of issues with management transition causing filing
199 problems for the incumbent management company which affected the CDD and other
200 similar instances.
201

202 Conversation ensued amongst the board.
203
204

205 Ms. Moore thanked Ms. Anderson's for all her inquiries to clarify the options to the
206 board.
207

208 Ms. Galbraith stated she spoke with Ms. Perez before the meeting and does not
209 have any questions.

210 Ms. Dibrango stated that she has no additional comments.
211

212 Mr. Santana stated that he appreciates Ms. Perez's experience in litigation.
213

214

Ms. Galbraith stated that the board needs to watch legal costs.

215

216

217

Ms. Galbraith asked Ms. Perez if she would be able to commit to attending all meetings physically.

218

219

Ms. Perez stated that there will be no conflict with attending physically.

220

221

Ms. Galbraith stated that the board is considering moving meetings to the fourth Thursday of the month and if counsel would have any reservations with the scheduling.

222

223

224

On Motion by Mr. Santana, seconded by Ms. Galbraith, with all in favor, the Board of Supervisors awarded Perez-Calhoun the contract for district counsel services, for the Highland Meadows II Community Development District.

225

SEVENTH ORDER OF BUSINESS

**Discussion of Parking Rules and
Procedures**

226

227

228

Ms. Galbraith opened the discussion amongst the board.

229

230

Ms. Galbraith inquired about when CDD can paint curbs and put up parking signs.

231

232

Mr. Mills responded to the inquiry and recommended stenciling no parking could also be an option.

233

234

235

Ms. Trucco commented if the board would consider following up with the sheriff's office on their decisions before approving any projects.

236

237

238

Ms. Galbraith stated that Supervisor Moore could oversee this.

239

240

Ms. Galbraith inquired if the district can starting towing as of now.

241

The board requested stencil proposals for no parking, that Breeze will oversee.

242

Ms. Galbraith requested a blown map (24x36) of the map drafted by the District Engineer.

243

244

245

Mr. Millis stated that he will prepare five and deliver it to the board members.

246

247

Ms. Anderson commented on the bike lane near the amenity area.

248

She also stated that the District Engineer confirmed that the board can decide whether they want to enforce in this area or not.

249

250

On Motion by Mr. Santana, seconded by Ms. Galbraith, with all in favor, the Board of Supervisors approved the final revisions district counsel made to the Amenity Rules for the district, for the Highland Meadows II Community Development District.

251
252

253

EIGHTH ORDER OF BUSINESS

**Consideration of Pool Resurface
Proposals**

254

255

256

Ms. Galbraith opened the discussion amongst the board.

257

258

Mr. Lopez stated that he is dropping his bid to \$59,000 but did not have a revised proposal to present to the board showing this. He also stated that the board will have a lifetime warranty and that A&E has experience in pool resurfacing.

259

260

261

262

Ms. Anderson inquired if A&E is licensed on DBPR.

263

Mr. Lopez stated yes.

264

Ms. Anderson stated they are not.

265

266

Mr. Mendes commented that it has been confirmed that they are not on DBPR.

267

Discussion ensued amongst the board.

268

The board requested counsel's opinion on the matter.

269

270

Counsel stated that the insurance had stated that it is recommended to have licensed vendors.

271

272

273

Ms. Anderson inquired on the COI/CPO and if district staff reviewed them.

274

Counsel stated there may have been a misunderstanding.

275

Conversation continued regarding the insurance claim.

276

Mr. Santana commented that A&E has been working well.

277

Counsel stated there is not a license in A&E's name.

278

The board requested to table this item.

279

280

Mr. Mendes recommended the board should still hear the other four proposals for the pool resurface.

281

282

283

JP presented their bid to the board and stated they are a state licensed contractor and gives information on the subject the board was discussing. Also, JP stated his experience/credentials and why they cannot lower their price.

284

285

286
287
288
289
290
291
292

Ms. Anderson inquired on the five-year warranty.

293
294

JP stated they work for Hyatts for Hiltons and Margarita Ville. They also stated that they only do pools.

295

Ms. Anderson inquired why the job would take three weeks.

296
297
298

JP explained the process of the work to Ms. Anderson.

Ms. Galbraith inquired what created the damage to the pool.

299
300
301
302

JP stated their professional opinion to the inquiry.

Ms. Anderson commented that saving cost is beneficial but cautioned the board to considering the right amount on the pool as it is valuable for the CDD.

Ms. Dibrango stated she appreciates the consistency that Roberts pool has had and also recommended spending the right amount on the pool as it is valuable to the CDD.

303
304
305
306

Ms. Galbraith commented that the board meetings have been too long.

NINTH ORDER OF BUSINESS

Consideration of Irrigation Proposals

307
308

It is requested by the board that this agenda item is **tabled**.

309
310
311

TENTH ORDER OF BUSINESS

Consideration of 2024-05, Designating Officers

312
313
314

Mr. Krause presented resolution 2024-05 to the board and asked if they had any questions. There were none.

On Motion by Ms. Anderson, seconded by Ms. Galbraith, with all in favor, the Board of Supervisors adopted resolution 2024-05; Designating Officers, for the Highland Meadows II Community Development District.

315
316
317

ELEVENTH ORDER OF BUSINESS

Consideration of 2024-06, Designating a Qualified Public Depository

318
319
320
321
322
323

Mr. Krause presented resolution 2024-06 to the board and asked if they had any questions.

Ms. Thibault commented on the resolution.

Ms. Galbraith inquired about keeping the money in a trust.

324
325 Ms. Thibault answered Supervisor Galbraith's question.
326

On Motion by Ms. Dibrango, seconded by Ms. Anderson, with all in favor, the Board of Supervisors adopted resolution 2024-06; Designating a Qualified Public Depository, for the Highland Meadows II Community Development District.

327

328 **TWELFTH ORDER OF BUSINESS** **Consideration of 2024-07, Designating**
329 **Authorized Signatories**

330 Mr. Krause presented resolution 2024-07 to the board and asked if they had any
331 questions. There were none.
332

On Motion by Ms. Anderson, seconded by Ms. Moore, with all in favor, the Board of Supervisors adopted resolution 2024-07; Designating Authorized Signatories, for the Highland Meadows II Community Development District.

333

334 **THIRTEENTH ORDER OF BUSINESS** **Consideration of 2024-08, Designating**
335 **Registered Agent and Office**

336 Mr. Krause presented resolution 2024-08 to the board and asked if they had any
337 questions.
338

339 Mr. Krause inquired for clarity regarding money transfers.
340

341 Ms. Thibault requested all funds except the amounts not cleared and stated she
342 does not want starter funds.
343

344 Mr. Mendes stated that this matter will have to followed up with Mr. Brizendine.
345

346 Mr. Satana asked for Breeze to get all funds for the 21st and have documentation by
347 the 23rd.
348

349 Mr. Mendes stated that Rizzetta will do all to comply with the requests.
350

350 Mr. Santana threatened litigation if this request is not met.

On Motion by Ms. Galbraith, seconded by Ms. Anderson, with all in favor, the Board of Supervisors adopted resolution 2024-08; Designating Registered Agent and Office, for the Highland Meadows II Community Development District.

351
352

353 Mr. Krause asked the board to reconsider the current meeting time for meetings.

354 The board agreed to move meetings to 4th Thursday of every month at 4:30pm.

355 Ms. Anderson asked Mr. Krause to email the board regarding the next meeting.

356

On Motion by Ms. Galbraith, seconded by Mr. Satana, with all in favor, the Board of Supervisors approved a new meeting time and location, for the Highland Meadows II Community Development District.

357

358

359

FOURTEENTH ORDER OF BUSINESS

Staff Reports

360

361

362

363

A. District Counsel

364

Counsel updated the board on the access to the Nighthawk property.

365

366

Counsel reviewed the fence encroachment issue for 1381 Woodlark and 2600 Sanderling.

367

368

369

Mr. Mendes updated everyone on 1381 Woodlark and states they never received authorization from the CDD for the encroachment.

370

371

372

Counsel provided some recommendations on how the board should move forward.

373

374

375

Ms. Anderson requested district staff follow up with the 1381 Woodlark residents to provide them with an update.

376

377

378

Counsel made comments on the sinkhole depression issues.

379

380

B. District Engineer

381

382

Mr. Millis updated the board on the fence repair work order.

383

384

Mr. Millis stated that he has begun site visits for the annual report due next month.

385

386

387

Mr. Millis reviewed the completion of Phase 7.

388

Counsel inquired on further completion for Phase 7.

389

390

Mr. Millis responded to the inquiry on what he reviewed and what he intends to review further. He also stated the certificate of completion is still pending and stated he can have this completed within the next two weeks.

391

392

393

Ms. Galbraith inquired about fencing on Merlin and Pentas and if the district can build a concrete fence to resolve the vandalism issues.

394

395

396

Mr. Millis responded to the inquiry and stated that the walls are doable.

397

Mr. Millis responded to the inquiry and stated that the walls are doable.

396

397

The board requested a bid for this.

397

398

400

Mr. Santana commented on the vandalism issues and that tanager and merlin is the area to consider for this scope of work.

401

402

403

404

C. District Manager

405

Ms. Anderson inquired if Rizzetta will consider giving more for the repair.

406

Ms. Anderson presented a review of the minutes of Octobers approval.

407

Mr. Santana stated that this why the district is parting ways with Rizzetta.

408

409

Mr. Santana commented on the fence project and claimed Rizzetta should pay for all of it.

410

411

Ms. Anderson commented on the original plan for the Phase 3 park area.

412

Mr. Mendes responded to the inquiry and briefed the history behind it.

413

414

Ms. Anderson commented that the board should consider correcting the fence.

415

416

Ms. Galbraith commented on issues she has with additional expense.

417

Mr. Santana commented that the board is not at fault.

418

419

Ms. Anderson inquired on Mr. Santana's comments.

On Motion by Mr. Satana, seconded by Ms. Dibrango, with a majority in favor with a vote of 4-1 (Supervisor Anderson Opposes), the Board of Supervisors approved to remove the fence fully under HP Home solutions expense and for Mr. Krause to work with HP Home Solutions on this, for the Highland Meadows II Community Development District.

420

Failed Motion by Ms. Anderson, that if HP Home Solutions does not agree than the board will spend what is necessary to replace and seek other options moving forward, for the Highland Meadows II Community Development District.

421

422

Ms. Anderson inquired about Easter egg hunt for the HOA community.

423

424

Counsel made some suggestions to the board on agreements to be made to avoid liability for the CDD.

425

426

427

Supervisor Satana excused himself for the rest of the meeting.

424

On Motion by Ms. Anderson, seconded by Ms. Galbraith, with all in favor, the Board of Supervisors approved working with Mr. Krause on agreement for HOA, Highland Meadows II Community Development District.

425
426

FIFTEENTH ORDER OF BUSINESS

Audience Comments and Supervisor Requests

427

428

429

430

A member of the audience requested that legal consider the HOA agreement that was discussed earlier. She also inquired if the bonds have been paid up to date.

431

432

433

Counsel responded to the inquiry.

434

435

The same member of the audience requested a copy of the 24x34 tow map.

436

437

The same member of the audience made comments on legal and inquired to JP on their proposal.

438

439

440

Another member of the audience commented on Supervisor Santana's approval of A&E and the \$67,000 spent on the fence bids. He stated that the district never recouped the money for the fence repairs that are due back to the CDD.

441

442

443

444

Ms. Dibrango responded to the resident's comments and stated that she inquired on having a perimeter wall there.

445

446

447

The same member of the audience responded that kids will go over the walls regardless but a concrete wall will be better.

448

449

450

A member of the audience inquired about the distance on parking on the curbs.

451

SIXTEENTH ORDER OF BUSINESS

Adjournment

452

453

On a Motion by Ms. Galbraith, seconded by Ms. Dibrango, with all in favor, the Board of Supervisors adjourned the meeting at 7:30 p.m. for the Highland Meadows II Community Development District.

454

455

456

457

458

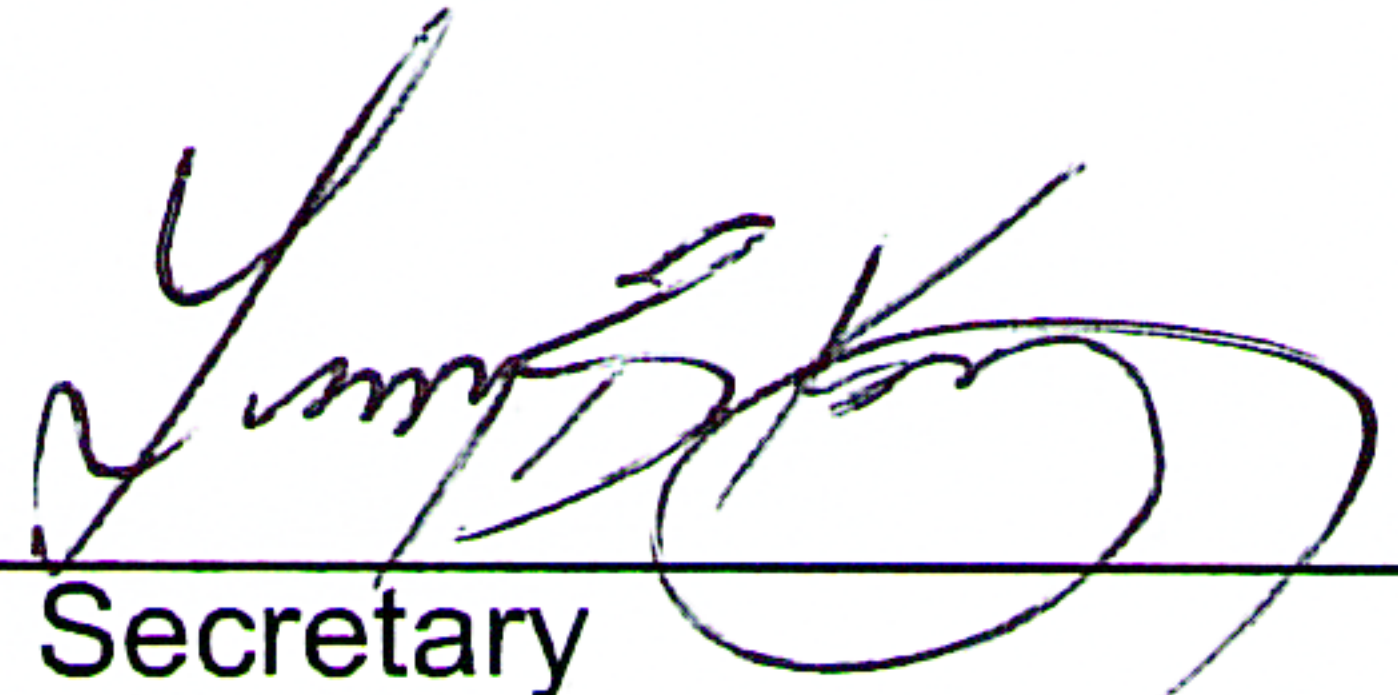
459

460

461

462

463


Assistant Secretary


Chairperson/Vice Chairperson