

**MINUTES OF MEETING
NORTH BOULEVARD
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the North Boulevard Community Development District was held Wednesday, **April 6, 2022** at 10:30 a.m. at the Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida and by Zoom.

Present and constituting a quorum:

Adam Rhinehart
Matthew Cassidy
Lindsay Roden

Vice Chairman
Assistant Secretary
Assistant Secretary

Also present were:

Tricia Adams
Meredith Hammock
Rey Malave *by Zoom*
Marshal Tindall

District Manager, GMS
District Counsel, KE Law
District Engineer, Dewberry Engineers
Field Operations, GMS

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order and called the roll. There were three Board members in attendance and a quorum was established.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Adams stated there were no members of the public in attendance nor do they have any members of the public who Zoomed in. She stated that they were closing the public comment period.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Consideration of Resolution 2022-04 Electing Officers

Ms. Adams stated they were welcoming to this Board Supervisor Lindsay Roden. She has been administered the oath of office outside of this meeting. Ms. Adams noted that Ms. Roden is

fully prepared to participate in all Board action. Ms. Adams also noted that as result of Supervisor Roden’s appointment to the Board of Supervisors, they do want to consider an election of officers. She stated that Board members may want to consider keeping the existing slate of officers and adding Supervisor Roden as an Assistant Secretary.

On MOTION by Mr. Rhinehart, seconded by Mr. Cassidy, with all in favor, Nominating Supervisor Lindsay Roden as Assistant Secretary, was approved.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the February 2, 2022 Board of Supervisors Meeting

Ms. Adams presented the minutes from the February 2, 2022 Board of Supervisor’s meeting minutes. She noted that these minutes have been reviewed by District counsel as well as District management staff. She stated she would be happy to take any comments or corrections. Hearing none, there was a motion of approval.

On MOTION by Mr. Rhinehart, seconded by Mr. Cassidy, with all in favor, the Minutes of the February 2, 2022 Board of Supervisors Meeting, were approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-05 Authorizing the Use of Electronic Documents and Signatures

Ms. Adams stated that some of the Board members were familiar with this new option. District counsel has prepared this resolution and she will be presenting it for the Board members.

Ms. Hammock presented that the Resolution 2022-05 would allow the electronic documents and signatures by the Board to add some flexibility in terms of getting signatures. Written signature would still be required for bond documents.

On MOTION by Mr. Rhinehart, seconded by Mr. Cassidy, with all in favor, Resolution 2022-05 Authorizing the Use of Electronic Documents and Signatures, was approved.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2022-06
Setting Public Hearing on Parking Rules**

Ms. Adams stated that this has been prepared by District counsel. District management staff and District counsel have been reviewing the current parking rules and there are some areas that they would like to improve in terms of defining the terminology. This does require a public rule hearing on the Districts parking rules. Ms. Adams noted that the rules are enforced with towing and that there are some statutory compliance issues.

Ms. Adams noted that what they are seeking today is Board approval to schedule a public hearing to amend the District's Parking Rules. She stated that the hearing requires a 28 and 29-day notice, so they don't have enough time to notice this for the May meeting. She suggested that they consider setting this hearing for the August meeting date because the Board will be meeting in August to approve the final budget. That meeting date would be August 3rd, 2022. She noted that they can set the rule hearing earlier if Board members feel compelled to hasten the process. The other meeting date option would be the week of July 4th. Approving Resolution 2022-06 would set a public hearing for amending the parking rules on August 3rd, 2022. She asked for any further discussion and heard none.

On MOTION by Mr. Cassidy, seconded by Mr. Rhinehart, with all in favor, Resolution 2022-06 Setting Public Hearing to Amend Parking Rules , was approved.
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Ms. Adams noted that would also give them the opportunity if there are any other issues that they need to address with the parking rules. They will make sure everything is ruled into that same time. It gives them some time for further review of the existing rules.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

District Counsel had nothing further to report.

B. Engineer

Mr. Malave stated that they are working on the stormwater needs analysis as required and authorized by the Board. He noted they should have a draft for the May meeting, so that will give everyone the opportunity to look at it prior to them submitting it in June. On the parking rules, Mr. Malave asked if they need a site plan to show no parking. Ms. Adams stated no, they will be circulating the proposed amended parking rules. She noted that if Mr. Malave sees anything that needs to be fine-tuned from a diagram perspective, they will seek his input.

C. Field Manager's Report

Mr. Tindall noted that the landscaper has been doing a better job the last couple of months. They were previously having issues with the equipment and personnel. He stated they should be in weekly mode starting this month. He noted that hopefully they will have less of an issue with pocket gophers during weekly service because the mounds will be mowed.

Mr. Tindall stated that the other thing that happened was the trees were finally trimmed. Before, there was some concern and some issue with clarifying if the landscaper would or would not trim the trees given the existing agreement. This year they have crepe myrtle trimming and the oak lifting. The community looks much better. On the back road on Forest Lake, the bushes and the trees were not doing well. That entire area was cleaned up and all the dead materials were removed. He noted that this also looks much better.

Mr. Tindall noted that the other item that they had was the landscape gate access for one of the southwest tract was installed to ensure maintenance access.

Mr. Tindall stated that gophers application was applied. They have monitored it and it is not the most practical solution going forward because of cost. He stated that it did seem to have an effect early on during applications, but it didn't last as long as they had hoped. It probably lasted a couple of weeks. Then, gopher activity increased again. He stated they had dozens of active mounds that were new within 24 hours. It did seem to help in some areas, but they just moved to another location. It is only a deterrent; it doesn't remove the gopher. The gopher scam is not a practical cost-effective solution going forward. If the Board would like them to pursue, they can still try and make that work. He noted that they had their guys hold off on additional applications. They are getting a price together for alternative options. Trapping is around \$200 per gopher. He stated that there is no real upward limit for that. It could keep going and be \$20,000 easily. It takes multiple days, and it is not going to be a humane option. He noted that trapping is going to kill the

gophers the same as pesticides. Poisons are more cost-effective. They will go through and put poison into the tunnels. The gophers go down and die in the tunnels and don't have to be removed. They also gas the tunnels. The only thing to clarify with that proposal is pricing and what the effects and dangers would be to pets and residents during application. He noted that they would have to post signs if there are any hazards. He questioned if people have their dogs out there, is there going to be any kind of cross contamination that could occur that animals could be hurt by. He stated that they are working to clarify that. The vendor has not given the pricing yet. They are trying to get it so the Board can consider that in the near future.

Mr. Tindall stated that beyond that they are doing the final assessment for sod application with the construction funds. He stated that he spoke with the sod vendor; they had a couple of sod trucks that were lost, and the grass didn't hold. He noted that it will be the end of the month before application of sod. It will be a matter of going through on a priority level and picking areas, cleaning them up and applying sod. He stated that they would go through that the day before and mark up the areas and do rough map views of the areas that they reviewed that need sod. He referred to page 29 of the agenda packet and stated that the green area was lacking sod at one point. He also stated a developer came in and applied sod to that area. That area was a bad section. The red areas are high priority or lacking sod completely. The purple areas may lack sod, but they are lower priority due to visibility or they have sod. He stated that basically they will not sod if they have enough sod now or have enough grass that has grown and established. He noted he preferred to avoid disrupting that by putting fresh sod and having any kind of underlying issues with the rains coming in for summer, for example, 'A' on Forest Lake. If the Board decides that they don't want to pursue 'A' specifically because it's not as visible with the community, they can focus on some of the purple areas too. G and F were areas that were never sodded. The circle by Hoover Blvd. needs sod where it has washed out. D has been sodded, that's on the interior of the fence. It makes it very hard to keep that area mowed and maintained. E is the same deal. B has no sod. A is really the big issue going forward to try and maintain that area.

Mr. Rhinehart asked if they would go after the areas as he has them labeled A, B, C, D, E, F or is that a naming convention? Mr. Tindall stated that it was a naming convention because they are going to have to go do the project based on square feet. Resmondo Sod is the value provider but will not provide an estimate because of grading work that would be required. He noted that they will probably go through the entrances first. They will double check that they don't have any

areas that need spruced up. He stated he would go through the areas along North Blvd. and see if there are any major concerns where rutting has happened. Then, he would go through the other areas. He stated they will try to do areas that are highly visible first. The only thing is if the Board decides that they don't want to push that Forest lake area because of the lack of visibility on that back road.

Mr. Rhinehart stated that he doesn't know how much priority they should make that one. Mr. Tindall responded that at least the northeast corner, as the map is laid out, they could test some sod down there. He stated he would go through with Resmondo the day before and mark it out. Mr. Rhinehart asked Mr. Tindall which areas he thinks is more compelling. Mr. Tindall responded as far as what needs sod the most, C is probably the worst area, but it is also the least visible. It is a very large tract and the budget isn't there to do so because that alone is probably going to be \$15,000 for sod, at least. If anyone wants to pursue that, they will have to budget for it in a future year. The original price they gave to do all the sod was \$60,000. Mr. Rhinehart asked what they have budget wise. Mr. Tindall responded \$35,000. Ms. Adams stated there is \$20,000 in the adopted budget for this current year for landscape enhancement. Mr. Tindall stated that this is the construction fund. Ms. Adams stated that they had just verified the number of construction funds was \$35,000. Mr. Tindall stated they will put down what they can in the most visible areas. He stated that on E, he would like to have it done because of the sand patch, which makes it very hard to mow, it's hard on the mowers and it is steep. He noted they will prioritize visible sections as the community has complained a lot. Unfortunately, a lot of the sections they have complained about, aren't due to lack of sod originally.

Mr. Rhinehart asked if they would only be able to do half of what has been proposed. Ms. Adams responded that there is \$35,000 in the construction fund. This has been identified this as a viable project to use up all those funds. There is also \$20,000 in landscape replacement that is in part of the regular operating budget. Mr. Tindall noted that the landscape replacement budget also must include their annuals, mulching, and tree replacements. He noted that he would be weary to add sod, at this point. Mr. Cassidy noted that it would exhaust the entire budget. Ms. Adams stated that there are some landscape voids right now in medians and other places. Mr. Tindall agreed that the medians need to be worked on. Mr. Cassidy asked if September 30 was year-end. Ms. Adams responded that September 30 is year-end, and noted we going into a good season for sod installation. Mr. Tindall stated that summer rains is usually a good time to put sod down. Mr.

Cassidy agreed that it is, and they need to give some attention to it, but that he is wary of using up the budget on this item if something else were to happen during the summer. Mr. Tindall stated that this is just a map to review the areas that need sod. They will try to push the construction budget down, but with all the complaints in the community, his initial direction is going to be shifted slightly to deal with the visible areas. They will put down sod where they can after the visible areas are handled and some of the other tracts. They will try to get the ones resolved that they can for maintenance reasons. Mr. Tindall stated that C might be broken down into a couple of years and that they could do a third of it at a time, which would make it more cost-effective going forward. Mr. Cassidy asked if they need to decide which areas they want to move forward with today. Mr. Tindall stated that if the Board would like to vote, they can go through and vote. Ms. Adams stated that the Board can provide direction to staff and prioritize areas to allocate construction funds. Any other landscape enhancement proposals and come back to the Board for action in the future. She noted that it would be good to have Board member input on this sod schedule. Mr. Tindall stated that he would go through these areas and double check them, take some current photos and put together a small proposal for the applications of the construction funds. He also stated he will plan out their landscape replacement budget and have that at their next meeting. Ms. Adams offered for Mr. Rhinehart to be hands-on with this project and work with Mr. Tindall before the next meeting. Staff want to be sure the Board's priorities are aligned with efforts.

Mr. Rhinehart asked what the proposal would encompass because she stated A probably isn't a high priority and purple is going to be low priority. Mr. Tindall responded that initially A was a high priority because it has no sod and was a maintenance nightmare. He stated it looks a little better now and that they have a little grass starting to establish, but it is still bad as soon as it dries out. It's only cleaned up a little bit because its summer. Mr. Rhinehart stated he was asking what the proposal would be. Mr. Tindall stated that he reevaluates the proposal and that it is an original map that he had for Resmondo. They had discussed after Mr. Tindall moved things around a couple of times that they would just come out the day before and mark up the areas because it also includes grading, it's not just sod. Mr. Rhinehart stated that they need to communicate between now and the next meeting to flesh out exactly what is the most appropriate thing to do. Mr. Tindall stated he will get with him on that.

Ms. Adams stated that once those funds are depleted as it comes to things that would impact the current budget, those will come back to the Board for consideration for action later. Ms. Adams asked for any other questions or comments regarding the field managers report or field services budgeting. Mr. Rhinehart stated that there was a note that said there would be monthly playground inspections and he was curious if they had issues with the playgrounds. Mr. Tindall stated that no, he goes out there as a proactive service. He walks through the playground and checks everything to see if anything is loose, check for graffiti, check the quality of mulch, any washouts, spiders, bugs, etc. Mr. Rhinehart asked if they had received any complaints about it being too hot. Mr. Tindall stated that they have already reviewed shade and shade is not a practical option for the budget. Fencing and shade prices were outside the budget. Ms. Adams stated that they are working on their proposed budget, it will be presented to the Board next month. If there are comments or questions regarding funding for landscape replacement or capital projects next year, please convey that to staff. There will be ample time to work with the budget. She stated that it would be laid out in May, but it is not scheduled to be adopted until August. She asked if there was anything else for Mr. Tindall and heard nothing.

D. District Manager's Report

i. Approval of Check Register

Ms. Adams presented the check register for November 23, 2021 through January 25, 2022 noting that it totaled \$457,064.67. She also noted that there is a detailed check run summary included behind the register. She stated she would be happy to answer any questions and that this item does require Board approval. Mr. Cassidy asked for Ms. Adams to explain the transfer of tax receipts for 241 and 195. Ms. Adams stated that the District collects its operations and maintenance as well as debt services fees as a non-ad valorem assessment on the tax bill. When residents pay their property tax bill, the portion due to the District and transmitted from the County to the District. The District retains the amount for operations and maintenance fees that comprise the general fund. The amount that is designated for the debt service payments to pay back the bond debt gets transferred to the account that is managed by the Trustee. The Trustee oversees the interest and principal payments on that account.

Mr. Cassidy asked why there are two issuances of them. Ms. Adams responded that because property owners pay their taxes at different times, they will often receive 10 or more different transmittals from Polk County. The County transmits the money as it comes in, in batches. She

stated they will see several transfers all the way up through June or even July. If someone doesn't pay their property tax bill, then the tax collector facilitates the tax certificate sale in June, the District's portion of that collection is transmitted to the District. Mr. Cassidy asked if they can expect an S-18 since the description says transfer of tax receipt S-17 and the next one says S-19. Ms. Adams stated that label is tied into the bond issuance. When they look at the financials, they can see there is Series 2017 and Series 2019, which is when the District issued the bonds. It is not necessarily going to be consecutive years. It depends on when the bonds are issued, and it is identified by that year as a series. Ms. Adams asked if there were any more questions or discussion on the check run summary and heard none.

On MOTION by Mr. Rhinehart, seconded by Mr. Cassidy, with all in favor, the Check Register, totaling \$457,064.67, was approved.

ii. Balance Sheet and Income Statement

Ms. Adams noted that the unaudited financials through January 31, 2022, were included in the agenda package. She noted that it starts on page 37 of their PDF. She stated that along the top is helpful information to tie back to some of the things they have been discussing. The first column is the general fund budget and most of the funds in the operating account come from the receipt of tax revenues. The next account is the debt service fund, managed by the Trustee and the Series 2017 and Series 2019 are there. She stated that the next one is the bond capital project fund, these are the bond funds that are available for the capital projects, and this is where the \$35,268 is identified. They did reconfirm that the balance is current as there have not been any bond requisitions. The next pages of their financials give a good picture of where they are on spending relative to the adopted budget. She stated that they are in an extremely good position as far as collections of assessments. They are showing almost 100% collected. For their expenses, the administration of the District or general and administrative adopted budget their prorated expense is \$46,000 and their actuals are \$38,000. This Board has done a great job at controlling expenses. She stated that they can see it in the field expenses, their prorated budget is \$122,000, but their actuals are \$105,000. She stated that under their capital reserve this year, they do have \$10,000 scheduled to be a transfer out for their capital reserve. She stated that probably in the next couple of months, they will see that reflected on the financials and the transfer out is typically not made until they are in receipt of the tax revenue. The next pages show the payments scheduled for the

year, which includes the interest and principal payments for their 2017 and 2019 bond debt. She stated that no action is required, and that this is there for informational purposes. She noted she would be happy to answer any questions that the Board members may have. She asked if there were any other business or Board member requests. Hearing none, she stated that their next meeting is May the 4th.

EIGHTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

NINTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Adjournment

Ms. Adams adjourned the meeting.

On MOTION by Mr. Cassidy, seconded by Mr. Rhinehart, with all in favor, the meeting was adjourned.


Secretary/Assistant Secretary


Chairman/Vice Chairman