

**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 Tuesday, **April 16, 2024** at 11:30 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
Lindsey Roden
Bobbie Henley
Emily Cassidy
Jessica Petrucci

Chairman
Vice Chairperson
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present were:

Monica Virgen
Tricia Adams
Meredith Hammock
Marshall Tindall

District Manager, GMS
District Manager, GMS
District Counsel, Kilinski Van Wyk
Field Services, GMS

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order at 11:30 a.m. and called the roll. There were five Board members in attendance constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Adams stated there were no members of the public in attendance and no members of the public joining via Zoom.

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THIRD ORDER OF BUSINESS

Approval of Minutes of the February 20, 2024 Board of Supervisors Meeting

Ms. Adams presented the minutes from the February 20, 2024 Board of Supervisor’s meeting. The meeting minutes have been reviewed by District Counsel as well as District management staff. A draft is included on page 5 of the agenda packet.

On MOTION by Ms. Henley, seconded by Ms. Petrucci, with all in favor, the Minutes of the February 20, 2024 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

Review and Acceptance of Fiscal Year 2023 Audit Report

Ms. Adams stated a copy of the Fiscal Year 2023 Audit Report is included in the agenda package. The District is required to undergo an annual independent audit each fiscal year. This is a clean audit meaning there are no circumstances that constitute a financial emergency.

On MOTION by Ms. Petrucci, seconded by Ms. Roden, with all in favor, Acceptance of the Fiscal Year 2023 Audit Report, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2024-04 Adopting an Updated Meeting Schedule

Ms. Adams stated this changes meeting times to 11:00 a.m. to allow for less time in between meetings. This will be for May 21, June 18, July 16, August 20 and September 17, 2024.

On MOTION by Mr. Rhinehart, seconded by Ms. Henley, with all in favor, Resolution 2024-04 Adopting an Updated Meeting Schedule, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2024-05 Approving the Proposed Fiscal Year 2025 Budget and Setting a Public Hearing

Ms. Adams noted there is an extraordinary circumstance for North Boulevard CDD which is creating a very substantive proposed increase in O&M fees related to compliance with Haines City landscape codes. There is right of way owned by the District and in this vegetative area there is turf as well as trees and the declarations for the community that are managed by the HOA require

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the abutting residential property owners maintain this area. It is owned by the District but there are maintenance assignments for the abutting residential property owner. The District is not in a position to budget for tree replacement or inspecting for tree replacement nor does the District have the ability to control irrigation because the irrigation is controlled by the abutting residential property owner. The city has no mechanism to assign the responsible party but rather only to fine the property owner. There was a meeting with the city in effort to relieve the District of these code compliance responsibilities. The city reasserted their position that they believe the CDD is responsible and are not willing to communicate directly with the residential property owners or hold the residential property owner responsible to apply with Haines City codes. They cautioned the District that North Boulevard has already been through a Magistrate hearing and these parcels were immediately subject to a \$500 per day fine if the properties were not brought into compliance. Because of that caution, District Counsel and District Management staff has conferred and recommendation is that the District plans to inspect these areas and budget for the replacement of trees. The city inferred that they will refrain from additional landscape code compliance steps until after October 15th to allow the District time to budget for inspection of these areas as well as the maintenance of trees. The field manager tried to communicate with the HOA and encourage them to enforce their declaration. This is a significant number of trees in North Boulevard CDD that are dead or otherwise not in compliance with Haines City code. Ms. Henley asked if a notice could be sent to those. Ms. Adams noted they first sent communication to the HOA and followed up with a copy of the report. She noted they are hoping the HOA can partner with the CDD to provide additional motivation to comply with Haines City landscape codes. Ms. Hammock noted they have been working on this to try to find an alternative solution for over a year and unfortunately have not received any substantive cooperation from the city or the HOA and at this point she believes this is the best method to ensure compliance going forward and to protect the Districts assets.

Ms. Adams stated approval of Resolution 2024-05 approves the proposed budget and sets the public hearing for the July 16, 2024 at 11:00 at this location. Approval of this resolution also allows for transmittal of the proposed budget to the local government, posting the proposed budget on the Districts website and publishing notice of the public hearing. Since this proposed budget contemplates a proposed increase in O&M fees, it does require a mailed notice to every property owner. She recommended scheduling a budget workshop on Zoom only so they can include notice

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with the required legal notice inviting residents to attend the interactive workshop on June 10, 2024 at 6:00 p.m. and take to time to answer resident questions about the budget.

On MOTION by Ms. Roden, seconded by Ms. Henley, with all in favor, Scheduling a Budget Workshop via Zoom on June 10, 2024 at 6:00 p.m., was approved.

Ms. Adams stated on page 50 of the agenda package is a copy of the proposed budget. She reviewed the budget. Ms. Hammock noted the reason the right of way inspections line item and replacement line items are higher for North Boulevard is due to the fact that they have been called to a special magistrate hearing for violations of trees in this community. There are 120 trees that they are currently aware of. She noted they have worked with Haines City code enforcement so they are aware there is no budget in the CDD’s budget for FY24 to address this issue and have verbally given confirmation to staff that they will not proceed with any additional enforcement steps until the new fiscal year in October to allow for this process to move forward. When you approve the proposed budget, you are setting the high watermark for the O&M fee. The O&M fee can be reduced at budget adoption but can’t be increased.

On MOTION by Mr. Rhinehart, seconded by Ms. Henley, with all in favor, Resolution 2024-05 Approving the Proposed Fiscal year 2025 Budget and Setting a Public Hearing for June 16 at 11:00 a.m., was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2024-06 Designating a Date, Time, and Location for the Landowners’ Election and Meeting

Ms. Adams stated they are in the process of transitioning to general election and one seat is subject to the landowner’s election in November which is seat #3 held by Supervisor Roden. By approving this resolution, they are setting the date for the landowners’ election to be November 19, 2024 at 11:00 a.m. at this location.

On MOTION by Ms. Petrucci, seconded by Ms. Roden, with all in favor, Resolution 2024-06 Designating November 19, 2024 at 11:00 a.m. at Holiday Inn-Winter Haven for the Landowners’ Election and Meeting, was approved.

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EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

i. Ethics Training Workshop Reminder:

a) April 30th & May 30th 10:00 a.m. – 12:00 p.m. via Zoom Webinar

Ms. Hammock reminded the Board of the ethics training workshops on April 30th and May 30th.

On MOTION by Ms. Roden, seconded by Ms. Petrucci, with all in favor, Scheduling Ethics Training Workshop and Advertising, was approved.

B. Engineer

i. Consideration of Work Authorization 2024-2 for Annual Engineer’s Report

Mr. Arrington noted on page 70 & 72 of the report is the Work Authorization which is typical fees for the work they will be doing. This is for the Engineer’s Report and standard billing rate for work they do for the CDD.

**Ms. Henley was not in the room at this time.*

On MOTION by Ms. Roden, seconded by Ms. Petrucci, with all in favor, the Work Authorization 2024-2 for Annual Engineer’s Report was approved.

**Ms. Henley returned to the room at this time.*

C. Field Manager’s Report

Mr. Tindall gave a summary of the field manager’s report to the Board. He noted some small encroachments onto CDD property and notices have been sent so he will continue to track those. Ms. Adams noted the HOA was notified and stated they would pursue this. A police report was filed on a graffiti issue.

i. Consideration of Proposal from GMS for Sign Installation at Jefferson & Taft

Ms. Adams noted the Board had previously approved the intersection improvement at Jefferson & Taft. Mr. Arrington stated no permit was required. The city cited as long as it meets DOT standards, they are all good. Mr. Tindall presented the proposal for stop sign installation and thermoplastic stop bar from GMS totaling \$1,955.68.

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On MOTION by Ms. Petrucci, seconded by Ms. Henley, with all in favor, the Proposal from GMS for Sign Installation at Jefferson & Taft, was approved.

D. District Manager’s Report

i. Approval of Check Register

Ms. Adams presented the check register from March 1st through March 31st totaling \$17,778.08 for Board approval. Immediately following the register is a detailed summary.

On MOTION by Ms. Henley, seconded by Ms. Petrucci with all in favor, the Check Register totaling \$17,778.08, was approved.

ii. Balance Sheet and Income Statement

Ms. Adams reviewed the unaudited financials through the end of February. No action is required.

NINTH ORDER OF BUSINESS

Other Business

There being no comments, the next item followed.

TENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There was a Board request to adjust the meeting time and schedule.

ELEVENTH ORDER OF BUSINESS

Adjournment

Ms. Virgen adjourned the meeting.

On MOTION by Ms. Roden, seconded by Ms. Petrucci, with all in favor, the meeting was adjourned.

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Tricia Adams
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Secretary/Assistant Secretary

DocuSigned by:
Adam Klinehart
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Chairman/Vice Chairman