

**MINUTES OF MEETING
TOWNE PARK
COMMUNITY DEVELOPMENT DISTRICT**

The Regular meeting of the Board of Supervisors of the Towne Park Community Development District was held Thursday, **December 10, 2020** at 1:30 p.m. at the offices of Cassidy Homes, 346 Central Ave., Winter Haven, FL.

Present and constituting a quorum:

Rennie Heath	Chairman
Lauren Schwenk	Vice Chairman
Brian Walsh <i>by phone</i>	Assistant Secretary
Jeff Shenefield <i>by phone</i>	Assistant Secretary
Justin Frye	Assistant Secretary

Also present were:

Jill Burns	District Manager, GMS
Michelle Rigoni <i>via Zoom</i>	Hopping Green & Sams
Roy Van Wyk <i>via Zoom</i>	Hopping Green & Sams
Heather Wertz <i>via Zoom</i>	Absolute Engineering
Clayton Smith	GMS
Kevin Plenzler	PFM

FIRST ORDER OF BUSINESS

Roll Call

Ms. Burns called the meeting to order and called the roll. There were five Board members present constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns stated that there were no members of the public joining the meeting via Zoom or by the phone line.

THIRD ORDER OF BUSINESS

**Administration of Oath to Newly Elected
Board Member Lauren Schwenk**

Ms. Burns stated that Lauren Schwenk had been sworn in prior to the start of the meeting.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the November 12, 2020 Board of Supervisors Meeting and Landowners' Meetings

Ms. Burns presented the minutes of the November 12, 2020 Board of Supervisors meeting and Landowner's meeting asked for a motion to approve both sets of minutes.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Minutes of the November 12, 2020 Board of Supervisors Meeting and Landowners' Meeting, were approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2021-04 Setting Public Hearing on Towing Enforcement

Ms. Burns stated that the resolution was included in the agenda package and explained that the Board had discussed at the previous meeting setting a public hearing so that they were able to tow. She noted that this is specific to the parking lot at the amenity facility with cars that were being left overnight on a regular basis.

Ms. Schwenk asked if they were allowed to park on the side of the road, to which Ms. Burns responded that they were due to the fact that the road was not CDD property, but city property.

Ms. Burns explained that there was an option where they could allow people to obtain passes to park in the parking lot with overnight parking between 10 p.m. and 6 a.m. She noted that they would be removing the references to the passes for the overnight parking and that they need to set a date for the public hearing.

Mr. Heath stated that having passes on a case by case basis might help with the on street parking, and Ms. Burns responded that there were no restrictions for on street parking. Mr. Walsh replied that they should have a backup plan and keep the references to the passes, and the Board agreed.

Ms. Burns noted that they needed to set the public hearing to adopt the rule, adding that it was a 30 day advertisement. She stated that they would be looking towards the end of January and that they were looking at changing the meeting location and time of the meeting, moving it to the third Tuesday at 1:30 p.m. at the Holiday Inn.

Mr. Walsh asked Ms. Burns to confirm that there were no other fields or places where they should put signs up for “no parking” to which Mr. Smith answered that he had not seen any other spots that were having issues, but added that they could add terminology into the rule that included “common areas” or “all CDD lands”.

Ms. Burns stated that if the date and meeting time for the next meeting worked for the Board, that would make it January 19th at 1:30 p.m. at the Holiday Inn.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Resolution 2021-04 Setting Public Hearing on Towing for January 19th at 1:30 p.m. at the Holiday Inn, 200 Cypress Gardens Blvd., Winter Haven, FL 33880, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Proposal for Dissemination Agent Services

Ms. Burns stated that when they were going through the due diligence for the bond issuance, there were reports that had been filed late, and that Lerner was the current Dissemination Agent. Mr. Van Wyk had asked to put the item in the agenda to see if the Board wanted to switch from the current Dissemination Agent to GMS, with a match to the current fees that were being charged, totaling \$5,500. She also pointed out that they bill for the whole fiscal year up front, and that the disclosures that GMS were working on were quarterly, so they had already done the first quarter. She pointed out that the District would not be out any money because they would be crediting GMS 25% with the 25% that Lerner did not complete.

Mr. Shenefield asked if other Districts had gone with GMS, and Ms. Burns explained that some Districts were with PFM when they were switched over, and the management contracts were switched over. Towne Park and one other District were the only ones that were left with Lerner, but after the timing issue they thought it would be best to switch over to GMS so that they had the same management and Dissemination Agent services. She noted that they had already been paid for the fiscal year and that they could negotiate that topic with them as well. Ms. Burns asked for a motion to terminate the agreement with Lerner and approve the proposal from GMS for Dissemination Agent services.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Termination of the Agreement with Lerner and Dissemination Agent Services with GMS, was approved.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2021-05
Supplemental Assessment Resolution
(Assessment Area 3D Bonds)**

A. Consideration of Notice of Special Assessment (Assessment Area 3D Bonds)

Ms. Burns stated that the resolution was included in the agenda package. Mr. Walsh asked Ms. Burns to have the engineer summarize the report, and then for Mr. Plenzler go over his report.

Ms. Wertz went over the Supplemental Engineer's Report for Assessment Area 3D, stating that included the infrastructure for 276 located in Riverstone Phase 5 and 6, and that the infrastructure included storm water management, utilities, roadways, and parks, totaling \$6.6 million. She asked if the Board had any questions.

Mr. Van Wyk asked if the Engineers Report included certain improvements that were already contemplated in the Engineer's report, such as roadways, and bridges, and a portion of amenity improvements, and Ms. Wertz answered yes. Mr. Van Wyk also asked for confirmation that there was no reason that they could not complete the improvements, to which she replied that that was correct.

Mr. Plenzler went over his report as well, stating that the report incorporated information for the Engineer's Report regarding the 276 single family lots and the CIP of \$6.6 million. He noted that the details of the CIP could be found on Table 3 of the report. He went on to explain Table 4, which summarized the bond issuance that would generate over \$6.3 million in construction funds via bond principal that totaled \$7,090,000. He also explained Table 5 which outlined the bond par and annual assessments associated with the financing. He stated that they analyzed the bond debt service assessments on a both acreage and per lot basis and found the assessments to be reasonably and equitably allocated, and that there was a benefit received by each of the District's property owners from the District's CIP at excess of the related assessments. He asked if the Board had any questions.

Ms. Burns stated that the resolution had exhibits attached that set forth the tone of the bonds being issued by the District. She asked if the Board had any questions, and hearing none asked for a motion to approve.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Resolution 2021-05 Supplemental Assessment Resolution, was approved.

a. Consideration of Notice of Special Assessments AA3D

Ms. Burns noted that this would be recorded and asked for a motion to authorize counsel to record.

On MOTION by Mr. Heath, seconded by Mr. Frye, with all in favor, the Notice of Special Assessments AA3D and Authorization for Counsel to Record, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2021-06 Re-Designating Administrative Office for the District

Ms. Burns stated that this was an administrative matter that was updated when they transitioned management to GMS's office in Orlando. She asked for a motion to approve.

On MOTION by Mr. Heath, seconded by Mr. Frye, with all in favor, Resolution 2021-06 Re-Designating Administrative Office for the District, was approved.

NINTH ORDER OF BUSINESS

Ratification of 2021 Data Sharing and Usage Agreement with the Polk County Property Appraiser

Ms. Burns stated that the ratification outlined that the District would not be sharing exempt personal information of residents within the community. She asked for a motion to ratify.

On MOTION by Mr. Heath, seconded by Mr. Frye, with all in favor, the 2021 Data Sharing Agreement with the Polk County Property Appraiser, was ratified.

TENTH ORDER OF BUSINESS

Ratification of Non-Ad Valorem Contract Agreement with the Polk County Property Appraiser – ADDED

Ms. Burns stated this was an annual agreement that was required each year by the Polk County Property Appraiser. She added that it was for Fiscal Year 2021, which would make it for next November's tax bill and allow the district to collect assessments. She asked if the Board had any questions, and hearing none asked for a motion to approve.

On MOTION by Mr. Heath, seconded by Mr. Frye, with all in favor, the Non-Ad Valorem Contract Agreement with the Polk County Property Appraiser, was ratified.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Van Wyk stated he had nothing further to report.

B. Engineer

Ms. Wertz stated she had nothing further to report.

C. Field Manager's Report

Mr. Smith reviewed the field manager's report for the Board. Mr. Smith discussed the annual installation of plants, adding that there was a revision that would reduce cost that they would continue to do gradually. He pointed out that they were down from 990 annuals to 750 based off of the current installation. He added that the amenity's landscaping was coming along and that it would be maintained until they completed a walkthrough. Ms. Burns asked when the opening date would be for the residents, and Mr. Smith replied that he did not have one currently, but that it would be before Spring.

Mr. Smith asked Ms. Burns to discuss the topic of fishing that had been brought up by residents. Ms. Burns explained that the Board had previously discussed that fishing was prohibited in the ponds prior to GMS taking over management. Mr. Smith added that there was some signage regarding lake use at the large pond near the entrance, but they did not specifically say anything about fishing. He noted that residents are allowed to use paddle boats and such, and stated that he did not have a problem with fishing as long as it was catch and release.

Mr. Heath replied that fishing was not something that should be allowed because if a resident took one home, there was no telling what was inside the fish, and Mr. Smith pointed out that was why they should include “catch and release” in the policy. Ms. Burns added that several districts already had that policy in place, and that as long as that was included in the terminology, the District was free from liability. Mr. Smith stated that there wasn’t any signage because it could get pricey to put in due to there being 25 ponds.

Ms. Burns asked Mr. Van Wyk what he thought if they amended the amenity policies for the amenity facilities to include the ponds, and note that fishing was catch and release only, with one sign at the two entrances, and he and the Board agreed.

Mr. Smith suggested that they should add that it was allowed only on common area property and not private property.

Ms. Burns asked for a motion to update the amenity policies to include the catch and release language for the fishing and authorize Mr. Smith to install signs on the bulletin boards at the amenity center.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Updating the Amenity Policies to Include Language Regarding the Fishing Policy, was approved.

D. District Manager’s Report

i. Approval of the Check Register

Ms. Burns stated that the check register ran through December 2, 2020 and asked if the Board had any questions. Hearing none, she asked for a motion to approve.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Check Register through December 2, 2020, was approved.

ii. Balance Sheet and Income Statement

Ms. Burns stated that the financial statements were included in the agenda packets for review, adding that there was no action required.

iii. Ratification of Series 2019 Phase 3B Requisition #98

Ms. Burns stated that the requisition had already been approved and asked for a motion to ratify.

On MOTION by Mr. Heath, seconded by Mr. Frye, with all in favor, the Series 2019 Phase 3B Requisition #98, was ratified.

iv. Discussion to Change Meeting Location and Monthly Meeting Date

Ms. Burns stated that the Board had previously discussed the changing of the meeting date, time, and location, and asked for a motion to approve.

On MOTION by Mr. Heath, seconded by Mr. Frye, with all in favor, the Changing of the Meeting to the 3rd Tuesday at 1:30 p.m. at the Holiday Inn, was approved.

TWELFTH ORDER OF BUSINESS

**Supervisors Requests and
Audience comments**

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Adjournment

Ms. Burns adjourned the meeting.

On MOTION by Ms. Schwenk, seconded by Mr. Frye, with all in favor, the meeting was adjourned.


Secretary/Assistant Secretary


Chairman/Vice Chairman